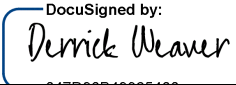
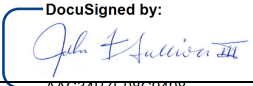


ADMINISTRATIVE ACTION  
I-26 ASHEVILLE CONNECTOR  
Buncombe County, North Carolina  
Federal Aid Project No. NHF-26-1(53)  
WBS Element 34165.1.2  
STIP I-2513

RECORD OF DECISION  
MAY 2023

U.S. Department of Transportation  
Federal Highway Administration  
and  
North Carolina Department of Transportation

Submitted Pursuant to the National Environmental Policy Act 42 U.S.C. 4332(2)(c)

|                  |   |
|------------------|---|
| 05/25/2023       |   |
| Date of Approval | <hr/> <small>047D90B49885400...</small><br>Derrick Weaver, P.E.<br>Deputy Director of Technical Services<br>North Carolina Department of Transportation |
| 05/26/2023       |    |
| Date of Approval | <hr/> <small>AAC34B7E08C9498...</small><br>John F. Sullivan, III, P.E.<br>Division Administrator<br>Federal Highway Administration                      |

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ADMINISTRATIVE ACTION  
I-26 ASHEVILLE CONNECTOR  
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Federal Aid Project No. NHF-26-1(53)  
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RECORD OF DECISION  
MAY 2023

Prepared by:  
AECOM (URS Corporation – North Carolina)

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Project Management Unit

## Project Commitments

### NCDOT – Environmental Analysis Unit: Biological Surveys

#### Endangered Species – Gray bat and Appalachian elktoe

The North Carolina Department of Transportation (NCDOT) conducted a formal consultation with the US Fish and Wildlife Service (USFWS) regarding the project's potential effects to two endangered species, the gray bat (*Myotis grisescens*) and Appalachian elktoe (*Alasmidonta raveneliana*). NCDOT will carry out all activities for which it has been assigned responsibility in the Biological Opinion issued by the USFWS on June 19, 2020 as follows:

- Measures to Avoid/Minimize Effects to Gray Bat during Culvert Roost Construction
  1. Timing of Construction
    - a. The RCBC portion of the culvert system, as well as the dual CMAP at the culvert outlet will remain in place. Work on this portion of the culvert system will not occur until bat activity ceases for the season (and bats are presumably no longer using the culvert for roosting). This time frame is approximately between November 15 and March 15. NCDOT will monitor the culvert with an acoustic detector and/or emergence counts to determine when bat activity ceases for the season. After bat activity ceases for the season, a federally permitted bat biologist will enter the culvert to confirm no bats are present. This will determine when construction activity may safely begin, and/or when it should end to avoid effects to MYGR that may use the culvert system for roosting.
    - b. NCDOT will conduct sleeving or replacement of the 60" CMP adjacent to Courtland Ave. and the entrance to Dickson Elementary School (that conveys flow under Hill Street to the RCBC) between October 15 and April 1.
    - c. NCDOT will monitor bat activity at the culvert before, during, and after construction. Acoustic monitoring and/or emergence surveys will be conducted between March and November.
  2. Vegetation Removal
    - An operational work pad area will be established near the culvert outlets to complete the culvert rehabilitation process, as well as at the inlet near Courtland Avenue where the 60" CMP will be replaced or lined. Vegetation must be cleared to allow room for the work pad. NCDOT will cut plants in the work pad area in a way that will minimize impacts to bats and their activity by implementing the following measures: vegetation will not be removed if the area will be left bare for many months prior to construction; cutting of vegetation will be coordinated with USFWS and will not occur until all bats have left the culvert for the winter. This will be determined through emergence counts and/or acoustic monitoring and a physical check of the culvert for remaining bats; and limiting cutting to only what is necessary to complete the work and no more than 50 feet from culvert inlet/outlets.
  3. Additional Commitments
    - a. An equipment staging area will be established adjacent to the work pads near the culvert outlets and inlet areas near Courtland Avenue to complete the culvert rehabilitation process. NCDOT will attempt to use areas that are already cleared of vegetation whenever possible. This area will only be used for culvert rehabilitation activity staging and will not be used for any other project construction purposes.

- b. NCDOT will maintain baseflow to the RCBC and CMAP portion of the culvert (non-stormwater sources) to provide a naturally occurring, continual water source.
  - c. NCDOT will either replace or install a liner in the 60" CMP located adjacent to Courtland Ave. and the entrance to Isaac Dickson Elementary School that conveys flow under Hill Street to the RCBC. NCDOT will complete this activity between October 15 and April 1.
  - d. NCDOT will install a barrier/baffle (from here referred to as a baffle) in the RCBC between the intersection with the 60" CMP (located adjacent to Courtland Ave. and the entrance to Isaac Dickson Elementary School that conveys flow under Hill Street) and the upstream end of the RCBC to buffer noise and light associated with the CMP replacements further upstream.
- Measures to Avoid/Minimize Effects to Gray Bat during Road Construction  
The following measures are proposed by NCDOT to avoid/minimize potential impacts to MYGR during road construction activities.
  - 1. Preservation of Riparian Vegetation
    - a. NCDOT will ensure the Contractor preserves riparian buffer trees where practicable and feasible.
  - 2. Roadway Construction Lighting
    - a. Due to MYGR activity on the landscape, NCDOT will limit all construction-related lighting to whatever is necessary to maintain safety in active work areas closest to the French Broad River, Hominy Creek, Emma Branch, and Smith Mill Creek.
    - b. Construction-related lighting will be indirect in nature and will not project into adjacent forested areas or over the water surface of the French Broad River, Hominy Creek, Emma Branch, or Smith Mill Creek, whenever practicable.
- Measures to Avoid/Minimize Effects to Gray Bat during Bridge Construction
  - 1. Access Roads
    - a. NCDOT will revegetate all access roads created for bridge construction and replacement activities where practicable.
  - 2. Nighttime Construction Activities
    - a. NCDOT will limit the use of nighttime construction within 50' of the French Broad River, Hominy Creek, Emma Branch, or Smith Mill Creek between April 1 and October 15 to only the following activities: causeway construction, drilled shafts, concrete pours, beam setting, and traffic shifts.
    - b. NCDOT shall commit to restrict the Contractor to no night work at crossings of the French Broad River, Hominy Creek, Emma Branch, and Smith Mill Creek to minimize potential impacts to lactating females and their pups between June 1 and June 14. Between June 15 through August 1, NCDOT will also commit to restrict the Contractor to no more than 28 total nights of work, with no more than four consecutive nights. Lighting used for construction will be limited to what is necessary to maintain safety standards and will only be directed toward active work areas.
  - 3. Pre-Demolition Check for Bats
    - a. If bridge demolition is required between April 1 and October 15, NCDOT will conduct a check of all subject bridges within 30 days of demolition to determine if bats are present. See Term and Condition 12 for checks specific to culverts.
    - b. If bats are present, one of the following options will be implemented (options listed in order of preference). NCDOT will:



- i. Wait for bats to leave for the season (approximately mid-October to early November) before beginning work; or
        - ii. A biologist will monitor the bridge and work will begin after bats leave the bridge for the evening, or
        - iii. A permitted biologist will exclude bats from work area immediately prior to the start of work using acoustic deterrents, or
        - iv. A permitted biologist will hand remove bats from work area immediately prior to the start of work.
        - v. If pre-demo check determines pups are present, NCDOT will refrain from bridge demolition until it can be determined by a biologist that the pups are volant, and then use the previous options to proceed with demolition.
  4. Red Safety Lighting
    - a. As part of NCDOT's Communication Plan specific to the construction/demolition of the bridges over the French Broad River, NCDOT will place solar-powered, steady-state red lights on the causeways to alert river users to their locations. Generators will not be used to provide power.
- Measures to Avoid/Minimize Effects to Gray Bat and Appalachian Elktoe during Bridge Construction
    1. Contract Language

Contract language will include the following, or similar language as appropriate for bridges over the French Broad River

      - a. The Contractor will be required to prosecute the work in a continuous and uninterrupted manner from the time work begins until completion of each phase of structure construction, demolition, and completion. The Contractor will not be permitted to suspend operations except for reasons beyond their control or except where the Engineer has authorized a suspension of the Contractor's operations in writing.
    2. Causeways – French Broad River, Hominy Creek, and Smith Mill Creek
      - a. Causeways will not restrict more than 50% of the existing channel width of the French Broad River, Hominy Creek, and Smith Mill Creek. Potential additional restrictions of the channel may be necessary for short durations, and these additional restrictions will be coordinated with USACE and USFWS prior to permitting.
      - b. NCDOT will require the Contractor to use clean rock (free of debris and pollutants) for the construction of the causeways to minimize unnecessary sediment input into the river.
      - c. Causeway material will be removed to the extent practicable and either disposed of off-site or used in areas that require permanent stone protection after project completion. NCDOT will also require that concrete barriers (barrier rail) be placed along the downstream edge of each causeway to limit the downstream movement of causeway material during high flow events.
      - d. If the final causeway plan is staged, causeway material will be added/removed as needed for each stage to minimize the causeway footprint over the length of the project.
      - e. Construction fabric will not be used under the causeway material, as it tends to tear into tiny pieces and float downstream during removal.
      - f. Any equipment on the causeways will be removed any time throughout a work day when the water level rises, or is expected to rise overnight, to a point where the

equipment could be flooded, or during periods of inactivity (two or more consecutive days). The only exception to this measure is that the drill rig and crane may be left in place for periods of inactivity; however, they must also be removed if the water rises, or is expected to rise, to a point where the drill rig and crane could be flooded.

- g. NCDOT will require its Contractor to have clean, non-leaking equipment, diapers on-site for each causeway, and spill kits located at each causeway.
- h. Causeways needed for the new bridges over the FBR will be designed so that during a 100year storm event there will not be a rise in water surface elevation outside the Action Area greater than normal seasonal variation.

### 3. Containment

- a. All construction equipment shall be refueled above the 100-year base flood elevation plus a foot of freeboard and be protected with secondary containment. During crucial periods of construction and demolition, when the drill rig and crane cannot be moved, the drill rig and crane can be refueled while inside the 100-year floodplain provided that spill response materials (such as spill blankets and fueling diapers) are used during the refueling. Hazardous materials, fuel, lubricating oils, or other chemicals will be stored above the 100-year base flood elevation plus a foot of freeboard.
  - b. Areas used for borrow or construction by-products will not be located within wetlands or the 100-year base flood elevation plus a foot of freeboard.
  - c. When constructing drilled piers for the I-240, I-40 and I-26 French Broad River bridges, a containment system will be developed so material does not enter the river. Material byproduct will be pumped out of the shaft to an upland disposal area to the extent practicable and treated through a proper stilling basin or silt bag.
  - d. Construction of all bridges will be accomplished in a manner that prevents uncured concrete from coming into contact with water entering or flowing in the river.
  - e. Removal of existing bridges shall be performed so as not to allow debris to fall into the water. If debris is dropped in a waterway, it will be immediately removed.
  - f. NCDOT will not place bridge bents in Smith Mill Creek or Emma Branch.
- Measures to Avoid/Minimize Effects to Gray Bat and Appalachian Elktoe during Road Construction and Bridge Replacement
    - 1. Erosion Control Measures
      - a. The Soil and Erosion Control (SEC) plan will be in place prior to any ground disturbance for all bridge replacements and construction. When needed, combinations of erosion control measures (such as silt bags in conjunction with a stilling basin) will be used to ensure that the most protective measures are being implemented.
      - b. NCDOT standard procedures dictate that when a project has both Environmentally Sensitive Areas and a requirement to follow DSSW, and uses the GP NCG01 permit, NCDOT will default to the most-restrictive SEC measure requirement (Appendix H of BO).
    - 2. Agency Coordination (Post-Biological Opinion Checkpoints)
      - a. NCDOT Requirements
        - i. NCDOT will revisit CP4A with the Merger Team after the BA is submitted to discuss any new avoidance and minimization efforts for major crossings of

- the French Broad River and Hominy Creek including those in the Biological Assessment.
- ii. NCDOT will provide USFWS with the final roadway lighting plans and allow 15 days for review upon acknowledgement of receipt of notice.
  - iii. NCDOT will continue to identify avoidance and minimization measures to all Waters of the U.S. and ensure that major hydraulic structures associated with the project are designed and installed to minimize negative impacts to stream stability (and therefore, water quality) to the greatest extent practicable.
  - iv. NCDOT will provide USFWS with the total size of bridge footings in the water as project design progresses and the information becomes available.
  - v. NCDOT will provide USFWS with the results of the hydrology modeling (described below) as it becomes available, including change in French Broad velocity with causeways in place, and change in water surface elevation with causeways in place.
  - vi. Once ROW plans are developed where vegetation will be removed in riparian areas, NCDOT will meet with USFWS and NCWRC to discuss re-vegetation plans with the goal of establishing native forested buffers in all impacted areas (Hominy Creek, Smith Mill Creek, Emma Branch, and the French Broad River). NCDOT, USFWS and NCWRC will also discuss re-vegetation for acquired riparian ROW that was not forested when purchased. Additionally, NCDOT will coordinate with USFWS and NCWRC to develop a revegetation and invasive species management plan for these areas.
- b. Bid Build Contractor Requirements
- i. The Bid Build Contractor shall meet with NCDOT personnel and USFWS and regulatory agency representatives immediately after contract execution to review the project and project commitments. At this time, the USFWS shall be afforded the opportunity to meet with key Bid Build Contractor members and NCDOT employees to provide education on the effects of artificial lighting, noise, and construction on nearby wildlife habitat and behavior. The Bid Build Contractor shall coordinate with the NCDOT Environmental Analysis Unit to schedule these meetings. This meeting shall be made prior to submitting any required permit modification application.
  - ii. The Bid Build Contractor shall provide USFWS with the construction phasing plan for each bridge.
  - iii. The Bid Build Contractor and / or NCDOT shall contact USFWS if new information about MYGR is discovered, as it relates to the project.
  - iv. The Bid Build Contractor shall report any dead bats found on the construction sites to USFWS.
  - v. The Bid Build Contractor shall adhere to project commitments within the ROD and the Biological Opinion relating to Section 7 of the Endangered Species Act.
- c. Design-Build Team Requirements
- i. NCDOT will arrange a meeting between each shortlisted DBT, representatives of the USFWS, and other regulatory agencies prior to the due date for the submission of Technical and Price Proposals. The discussions and answers provided at these meetings are not contractually

- binding but intend to offer the shortlisted teams an opportunity to inquire as to the permitting process as well as specific team concepts.
- ii. NCDOT will arrange a meeting with the selected Design-Build Team (DBT) to provide an opportunity for USFWS to convey their concern about potential effects to protected species. The DBT shall meet with NCDOT personnel and USFWS and regulatory agency representatives immediately after contract execution to review the project and project commitments. At this time, the USFWS shall be afforded the opportunity to meet with key DBT members and NCDOT employees to provide education on the effects of artificial lighting, noise, and construction on nearby wildlife habitat and behavior. The NCDOT Design-Build Unit shall coordinate with the DBT and the NCDOT Environmental Analysis Unit to schedule this meeting. This meeting shall be made prior to submitting the permit application. This is prior to the standard pre-con environmental meeting.
  - iii. The DBT shall adhere to project commitments within the ROD and the Biological Opinion relating to Section 7 of the Endangered Species Act. The DBT will be required to prepare information for any event in which NCDOT and FHWA reinstate Section 7 consultation with the USFWS. It is possible that consultation be reinstated prior to Concurrence Point 4B and again at Concurrence Point 4C.
  - iv. NCDOT will continue to identify avoidance and minimization measures to all Waters of the U.S. and ensure that major hydraulic structures associated with the project are designed and installed to minimize negative impacts to stream stability (and therefore, water quality) to the greatest extent practicable. As part of this process, NCDOT and the DBT will continue to coordinate with the Merger Team to identify avoidance and minimization measures and ensure that project impacts are minimized to every practicable extent, including impacts to federally protected species.
  - v. The DBT shall invite USFWS and regulatory agency representatives to the pre-construction meeting for the proposed project, as well as to all subsequent field inspections prior to construction, to ensure compliance with all special project commitments.
  - vi. The DBT shall provide USFWS with the sediment and erosion control plan and allow 15 days for review upon acknowledgement of receipt of notice.
  - vii. The DBT shall provide regulatory agency representatives with the demolition plan for all bridges and allow 15 days for review upon acknowledgement of receipt of notice. All agencies will be notified prior to start of demolition so they may have a representative on site.
  - viii. The DBT shall provide USFWS with the construction phasing plan for each bridge.
  - ix. The DBT and / or NCDOT shall contact USFWS if new information about MYGR is discovered, as it relates to the project.
  - x. The DBT shall report any dead bats found on the construction sites to USFWS.
  - xi. The DBT shall include an Environmental Coordinator as a member of their Team who will be required to attend all design, merger, and preconstruction meetings, and who will consult bat and mussel experts, as needed.

- xii. Once ROW plans are developed where vegetation will be removed in riparian areas, NCDOT will meet with USFWS and NCWRC to discuss re-vegetation plans with the goal of establishing native forested buffers in all impacted areas (Hominy Creek, Smith Mill Creek, Emma Branch, and the French Broad River). NCDOT, USFWS and NCWRC will also discuss re-vegetation for acquired riparian ROW that was not forested when purchased. Additionally, NCDOT will coordinate with USFWS and NCWRC to develop a revegetation and invasive species management plan for these areas. Certain ROW areas will not be forested because they must be mowed or maintained at a low height for safety purposes.
- Measures to Avoid/Minimize Effects to Gray Bat and Appalachian Elktoe During Roadway Operation
  - 1. Stormwater Control Measures
    - a. NCDOT's stormwater commitment guidance, will apply at crossings of the French Broad River and its tributaries, and any portion of the NCDOT stormwater conveyance system draining to those waters within the right-of-way.
    - b. NCDOT will prepare a stormwater management plan (SMP) to implement post-construction stormwater best management practices (BMPs) to the maximum extent practical, consistent with the Department's National Pollutant Discharge Elimination System (NPDES) PostConstruction Stormwater Program.
    - c. When preparing the SMP, NCDOT commits to using a hierarchical BMP selection process, optimized to treat silt, nutrients, and heavy metals.
    - d. At each discharge location outside of the 100-year floodplain, the hydraulics engineer will evaluate the feasibility of installing either an infiltration basin or a media filter as described in NCDOT's BMP Toolbox. If neither is feasible, the hydraulics engineer will select a feasible BMP.
    - e. NCDOT will commit to evaluating the use of emerging BMP technologies that the Department has not yet published in its BMP Toolbox:
      - i. Bioswales
      - ii. Bioembankments
      - iii. Biofiltration conveyances
      - iv. Soil improvement to maximize infiltration
    - f. The NCDOT hydraulics design engineer will consult with the State Hydraulics Engineer and obtain prior approval before proposing one of these BMP technologies in the SMP.
  - 2. Permanent Lighting

Crossing numbers in this section refer to Table 1 in Section 2.2.4 and Figures 4A-4D in Appendix A of the Biological Opinion.

    - a. General CM's for all crossings of the French Broad River, Hominy Creek, Emma Branch, and Smith Mill Creek:
      - i. Use shorter poles, providing an overall LED light fixture mounting height of 35' above the pavement surface.
      - ii. Use LED light fixtures with a more rectangular light pattern as well as house side shields to minimize lighting outside of the pavement area.
      - iii. Use LED light fixtures with a BUG rating of 1-0-3 or less
      - iv. Change the design standards to meet the AASHTO minimum requirements of an average of 0.6 fc at 4:1 uniformity at all crossing locations identified in

- the lighting document, from the original design of 0.8 fc at 4:1 uniformity.
- v. At all identified crossings, the proposed high mast poles and 45' poles with GE Cobrahead (GE) fixtures (3-0-3 BUG) were redesigned with 35' poles with Cooper Cobrahead (Cooper) fixtures (1-0-3 BUG).
  - b. Culvert Outlet – The current design near Southern States property results in zero calculated change to baseline light levels at the culvert opening and ditch leading to the FBR.
  - c. Culvert Outlet – NCDOT will meet with landowners adjacent to the roost culvert to discuss replacement or augmentation of existing lighting to reduce existing baseline conditions determined by the NCDOT Roadway Lighting Squad.
  - d. Culvert inlet – The original lighting design near the Hill Street culvert inlet had 80' high mast poles installed between the mainline and Hill Street behind the Isaac Dickson Elementary School. NCDOT is revising this design to replace them with GE light fixtures installed on twin arm poles on the mainline median barrier.
  - e. New French Broad Crossing (NFBC) – Use of single arm light poles mounted on the bridge and flyover barriers in place of the 120' and 100' high mast poles.
  - f. NFBC – 35' single arm poles with a narrow distribution light fixture and a house side shield will be used.
  - g. FBR-1 – The GE fixtures were replaced with the lower BUG rated Cooper fixtures.
  - h. FBR-1 – Fixtures were redesigned to have the outer ring (as shown in the figures within the lighting document) ending roughly 115' from the west bank of the FBR.
  - i. FBR-2, FBR-3, & FBR-4 – All high mast poles within the connector interchange were removed and replaced with Cooper fixtures mounted on the outer and/or center bridge barrier rail.
  - j. FBR-2, FBR-3, & FBR-4 – The Cooper fixtures are located so the crossings are centered between fixtures where the light level is the lowest.
  - k. HC-1 – Replacing the GE fixtures with the Cooper fixtures. The crossing is still centered between the Cooper fixtures, as it was for the GE fixtures.
  - l. HC-1 - Replacing the 120' high mast pole with an 80' high mast pole.
  - m. HC-2 & HC-3 – Removal of a 120' high mast pole and replaced with Cooper fixtures.
  - n. HC-2 & HC-3 - The Cooper fixtures are located so the crossings are centered between fixtures where the light level is the lowest.
  - o. HC-4 - The Cooper fixtures are located so the crossings are centered between fixtures where the light level is the lowest.
  - p. HC-5 & HC-6 – Removal of 80' high mast pole and replacing with Cooper fixtures along the mainline and ramp in both directions.
  - q. HC-5, HC-6, HC-7 - The Cooper fixtures are located so the crossings are centered between fixtures where the light level is the lowest.
  - r. All SMC and EBC – Removal of all high mast poles within the connector interchange and replaces them with Cooper fixtures mounted on the outer and/or center bridge barrier.
  - s. All SMC and EBC - Cooper fixtures located so the crossings are centered as best as possible between fixtures where the light level is the lowest.
  - t. SMC culvert area – Existing high mast pole located within the interchange ramps will be removed.
- Conservation Measures to Benefit Gray Bat
    - 1. Monitoring for MYGR Return and Activity



- a. NCDOT will conduct acoustic monitoring (or emergence counts, as appropriate) for MYGR at some locations immediately before, during and up to two years after construction. This monitoring may help determine changes in bat activity due to construction. NCDOT will coordinate the locations and time frame for monitoring with USFWS.
  - b. To help determine whether MYGR avoid active construction zones at night, NCDOT will investigate the use of night-vision video recordings, or other methods, in an attempt to monitor bat activity at locations where they may be most susceptible to disturbance.
  - c. NCDOT will conduct additional monitoring/research to at a minimum include additional telemetry, coordinated monitoring of roosts, monitoring of new panels, basin-wide acoustics to be conducted at key points during and after construction. This additional monitoring will be coordinated with USFWS, NCWRC and NCDOT. Please refer to Term and Condition 10 for clarification.
2. Hill Street Culvert Roost Area
    - a. NCDOT will replace most, if not all the CMP within the culvert system upstream from the RCBC with RCBC and/or concrete pipe, which will effectively create additional bat roosting habitat.
    - b. NCDOT will meet with landowners adjacent to the roost culvert to discuss replacement or augmentation of existing lighting to reduce existing baseline conditions determined by the NCDOT Roadway Lighting Squad.
    - c. NCDOT will acquire a permanent drainage easement (PDE) or additional right of way at the culvert inlet (near Courtland Ave.) and outlets, where replanting with containerized, native, woody vegetation will occur. In addition, if NCDOT acquires additional right-of-way or conservation easements along the French Broad River or adjacent to the culvert, NCDOT will replant with native, woody vegetation to provide, in time, a buffer for noise, light, and surface water runoff. NCDOT will coordinate with USFWS and NCWRC to develop a revegetation and invasive species management plan for these areas.
  3. NCDOT-Sponsored Gray Bat Research Project
    - NCDOT, with the cooperation of the USFWS and NCWRC, committed to a three-year study on MYGR within the French Broad River Basin. This study will serve as a conservation measure for NCDOT projects within the Divisions 13 and 14 for a limited time. NCDOT will fund Indiana State University \$900,000 to conduct the research project, to gather the information needed to allow NCDOT and USFWS to enter a programmatic consultation to cover MYGR for NCDOT Divisions 13 and 14, as well as help to develop species-specific avoidance and minimization measures. This agreement was reached, in part, for the I-4400/I-4700 (I-26 widening) project in Buncombe and Henderson Counties, but also benefits this project.
  4. Protection of Culvert Roost Entrance
    - NCDOT will coordinate with USFWS to assess the need to deter trespassing/use of the culvert by humans, and install signage or barriers, as needed.
  5. Gray Bat Conservation Funding
    - NCDOT will provide \$350,000 for measures consistent with the recovery objectives outlined in the MYGR recovery plan (Brady et al. 1982).
  6. Installation of Temporary Bat Roost Panels on Bridges
    - NCDOT will provide modern bat roost panels or comparable structures that could serve as a temporary alternate roost for bats potentially disturbed by work on the

culvert roost for the duration of construction of the I-2513 project. This will be in the place of the panels on four bridges NCDOT has committed to in the BA, which were to be placed on bridges with documented signs of bat use. These bridges are all relatively far from the Hill Street Culvert roost. The USFWS believes that panels placed on one bridge close to the Hill Street Culvert roost has greater potential to minimize take than panels placed on four bridges farther away (Reasonable and Prudent Measure 3). Refer to Term and Condition 9 for more details.

- Conservation Measures to Benefit Appalachian Elktoe
  1. Appalachian Elktoe Conservation Funding
    - a. NCDOT will provide \$500,000 to the North Carolina Nongame Aquatic Projects Fund for the French Broad River Conservation Plan (FBRCP) proposed by USFWS, which will aid in the recovery and conservation of Appalachian elktoe. The funding will be held by the NCWRC. A multi-agency/organization group of mussel species experts, including USFWS, will determine how to expend the funds.
    - b. The French Broad River Conservation Plan proposes to improve aquatic habitat and diversity and to mitigate risks in the French Broad River. It may include the following:
      - i. Species Reintroduction: Developing a normal cohort of companion species will benefit long-term Appalachian elktoe recruitment and survival; mussel species are healthier in dense multi-species mussel beds (Vaughn et al. 2008).
      - ii. Early Warning and Emergency Capacity: A monitoring network and propagation facility devoted to species introduction pairs an early warning system with emergency production capacity to immediately mitigate unforeseen effects to the Appalachian elktoe population should the need arise.
      - iii. Genetic Management Program: A study of the genetic health/potential genetic drift of the population will provide feedback to the previous two program aspects and will fine tune management of Appalachian elktoe.
      - iv. Miscellaneous: Other projects could include development of technologies such as the use of passive integrated transponder (PIT) tags to locate mussels; radio tracking equipment to study movement of mussels during high flow; development of techniques to artificially stabilize habitat for the placement of propagated mussels; and/or a cost-benefit study of watershed improvement options.
  2. French Broad River Geomorphology Monitoring
    - a. Terrestrial Light Detection and Ranging (T-LiDAR) technology will be used annually to produce a laser scan of river banks. Bathymetric surveys will be conducted concurrently one to two times a year. Bathymetric data will be used to generate a gridded surface representation (digital elevation model, or DEM) of the channel bed for each survey. A similar approach will be applied to T-LiDAR data to evaluate stream bank position between successive surveys.



- b. Water quality monitoring will include real-time (continuous) data collection of temperature, turbidity, and specific conductance. Discrete water-quality samples will be collected during a variety of flow conditions to measure total suspended sediment (TSS) and suspended sediment concentration (SSC).
  - c. Continuous streamflow, precipitation, and water-quality (temperature, conductance, and turbidity) data will be available online at <http://waterdata.usgs.gov/nc/nwis/rt/> and via text and email alerts. Yearly summaries for each monitoring site will be available on demand from the USGS National Water Information System web interface (NWISWeb). Real-time alerts will be available to NCDOT via the NWISWeb when temperature or turbidity concentrations spike or exceed a predetermined threshold.
  - d. If monitoring at the French Broad River reveals excessive bank erosion, bank instability, or sedimentation associated with the bridge replacement, NCDOT will work to identify the cause and will make improvements to address the problems in a timely manner.
- Reasonable and Prudent Measures

The USFWS believes the following reasonable and prudent measures are necessary and appropriate to minimize take of the gray bat and Appalachian elktoe. These non-discretionary measures include, but are not limited to, the commitments in the BA and the terms and conditions outlined in this Opinion.

    1. The USFWS must be notified of any project modifications.
    2. NCDOT will minimize impacts to roosting bats in the culvert roost to the extent possible through coordination with the USFWS for work that occurs between March 15th and November 15th.
    3. NCDOT will provide modern bat roost panels or comparable structures that could serve as a temporary alternate roost for bats potentially disturbed by work on the culvert roost for the duration of construction of the I-2513 project. This will be in the place of the panels on four bridges NCDOT has committed to in the BA, which were to be placed on bridges with documented signs of bat use. These bridges are all relatively far from the Hill Street Culvert roost. The USFWS believes that panels placed on one bridge close to the Hill Street Culvert roost has greater potential to minimize take than panels placed on four bridges farther away.
    4. NCDOT will minimize permanent lighting on waterways in the final lighting design plan to the extent possible, as well as current permanent lighting at the Hill Street Culvert Roost. Current plans for new permanent lighting (Appendix J of the BO) are preliminary in nature.
    5. NCDOT will avoid and minimize potential take of bats roosting in culverts other than the Culvert Roost by conducting culvert checks before rehabilitation or repair work (see Term and Condition 12).
    6. NCDOT will adhere to all BMPs for soil and erosion control and will report to the USFWS (described in Term and Condition 7) if failures occur.
  - Terms and Conditions

In order for the exemption from the take prohibitions of section 9(a)(1) of the ESA, the NCDOT must comply with the following terms and conditions, which implement the reasonable and prudent measures described previously and outline required reporting and/or monitoring requirements. These terms and conditions are non-discretionary. As necessary and appropriate to fulfill this responsibility, the NCDOT must require any permittee, Contractor, or grantee to

implement these Terms and Conditions through enforceable terms that are added to the permit, contract, or grant document.

1. NCDOT will adhere to all measures listed in the Conservation Measures section of this Opinion and in the BA (if not revised in the BO).
2. NCDOT will simultaneously notify USACE and USFWS of any permit modification requests.
3. A USFWS biologist will be invited (at least seven days prior) to the preconstruction meeting(s) to review permit conditions and discuss any questions the Contractor has regarding implementation of the project. After the Contractor submits plans for various stages (outlined in post BO coordination Section 2.3.5.2) of the project, a USFWS biologist will review and provide comments (within 15 days upon acknowledgement of receipt of notice) on the plans and will be invited to attend any meetings to discuss implementation of the plans.
4. During construction, culvert inlets and outlets will be evaluated by the resident engineer with regard to stream stability immediately following installation and quarterly for a period of one year at each location. Indicators of instability, such as head cutting, scour, aggradation, or degradation, will be used to determine the need for corrective actions.
5. A final field inspection will be held with the Contractor to evaluate culvert placement and stream stability before the project is considered complete. If instability is detected during any of these reviews, corrective actions will be performed when deemed necessary by the engineer or by the conditions of any federal and state permits required by Section 404/401 of the Clean Water Act.
6. NCDOT and NCDEQ-DEMLR (land quality) will meet with USFWS to evaluate and discuss erosion control effectiveness if requested.
7. In the event of any failure of erosion control devices, within 48 hours, NCDOT will send a report to USFWS detailing the cause of the failure, photographs of the failure, and a plan for repair of the erosion control devices and reasonable methods to avoid future failure. NCDOT will notify the USFWS when failures are repaired.
8. To carry out Reasonable and Prudent Measure 2, the USFWS must be notified before work starts in the culvert.
  - Work can only commence when the baffle is installed if work will occur from March 15th through November 15th.
  - NCDOT will coordinate with the USFWS to determine the best timing for installing the baffle.
  - The USFWS, or an individual approved by USFWS, must be present when trees are cleared near the culvert and when the baffle is installed if installation occurs when bats present.
  - The USFWS may request that the baffle is moved, removed, or altered. It may be determined that disturbances from construction are less impactful than potential alterations to the culvert microclimate from the baffle, or noise levels no longer exceed the ambient level.
  - If the RCBC outlet is needed to access other portions of the culvert, it will only be used when bats are not present.
9. The alternate bat roost structure from Reasonable and Prudent Measure 3 will consist of modern bat modular roost panels or comparable structures installed on a bridge over water as close to the culvert roost as possible, but out of areas

disturbed by construction. Panels should be constructed of fiber-reinforced concrete with additives to mimic thermal mass and should be mounted using metal. Bridge selection and panel placement/design should be informed by work currently being conducted by Indiana State University. Panels must be installed before work starts on the culvert roost and should be checked for bat use once in early summer and once in late fall for three years following placement. The details of the location, size, design, and installation of the bat panels will be decided by a committee to include USFWS, NCWRC, and NCDOT. This panel will be installed temporarily for the duration of construction.

10. NCDOT will monitor bat activity before, during, and post construction.
  - NCDOT has committed to conducting acoustic monitoring (and/or emergence counts, as appropriate) for MYGR at some locations immediately before, during and up to two years after construction. This monitoring may help determine changes in bat activity related to construction. NCDOT will coordinate the locations and time frame for monitoring with USFWS. This will include monitoring the culvert roost, including before and after the baffle is installed.
  - To investigate whether MYGR avoid active construction zones (including bridges and the Hill Street culvert roost) at night, NCDOT will explore the use of night-vision video recordings, or other methods, in an attempt to monitor bat activity at locations where they may be most susceptible to disturbance.
  - NCDOT will conduct additional monitoring/research to include telemetry, coordinated monitoring of roosts, monitoring of new panels, basin-wide acoustics to be conducted at key points during and after construction. The details of additional monitoring will be decided by a committee to include USFWS, NCWRC and NCDOT. Information gathered will be used to increase our knowledge of impacts to bats to help inform future consultation, to learn more about gray bats in the project area, to better conserve the species, and to track movements of bats and hopefully determine where bats go if they abandon the culvert roost and/or the area.
11. As part of Reasonable and Prudent Measure 4, NCDOT will give the USFWS the opportunity to discuss/review/comment on the lighting design drafts and final design plans (and allow 15 days for review upon acknowledgement of receipt of notice), including on the Bowen Bridge.
  - Bowen Bridge: This bridge is being downgraded to carry four lanes of local traffic on the center lanes, and bike and pedestrian paths on the outer lanes. Lighting will be altered to accommodate these changes.
    - New lighting for vehicle and bike/pedestrian traffic will not exceed the current level of illumination on the water (an average of 0.10 foot-candle over an area that goes from shore to shore and extends approximately 50' to the north and south from the structures) as determined by a lighting engineer, and every effort will be made to reduce the level of illumination on the water.
    - NCDOT will work with USFWS to avoid and minimize impacts of light, including:
      - Light will be 3000 K or below

- Proposed aesthetic panel lighting will not illuminate the water surface when bats are present (March 15th through November 15th). NCDOT and the City of Asheville will work with the USFWS to determine acceptable light color and levels when bats are present.
  - Southern States: USFWS will be included in discussions about modifying the lights at Southern States to decrease light spill at the Hill Street culvert entrance. If the landowner does not agree to minimize lighting on their property, NCDOT will work with the USFWS to assess the effectiveness of and minimize light using a barrier (fence or vegetation) on their ROW easement.
12. In order to carry out Reasonable and Prudent Measure 5, NCDOT will conduct culvert checks for roosting bats within 30 days of rehabilitation or repair for any culverts five feet tall or higher, and 200 feet or longer, scheduled to occur from March 15th through November 15th. If bats are found, a similar protocol will be used to the pre-demolition check for bats in bridges.

If bats are present, one of the following options will be implemented (options listed in order of preference). NCDOT will:

- Wait for bats to leave for the season (approximately mid-October to early November) before beginning work; or
  - A biologist will monitor the culvert and work will begin after bats leave the culvert for the evening (if work occurs over multiple days, the culvert will need to be monitored each day work occurs), or
  - A permitted biologist will exclude bats from work area immediately prior to the start of work using acoustic deterrents (if this method is employed, the culvert will need to be checked each day work occurs to determine efficacy), or
  - A permitted biologist will hand remove bats from work area immediately prior to the start of work (the culvert will need to be checked each day work occurs to ensure bats do not return).
  - If pre-work check determines pups are present, NCDOT will refrain from culvert work until it can be determined by a biologist that the pups are volant, and then use the previous options to proceed with work.
13. The nearest flyover bridge to the culvert roost will not be closer than 300 feet from the outlet.
- **Monitoring and Reporting Requirements**
    - In order to monitor the impacts of incidental take, the NCDOT must report the progress of the Action and its impacts on the species to the USFWS. This section provides the specific instructions for such monitoring and reporting. As necessary and appropriate to fulfill this responsibility, the NCDOT must require any permittee, Contractor, or grantee implement these Terms and Conditions through enforceable terms that are added to the permit, contract, or grant document. Such enforceable terms must include a requirement to immediately notify the NCDOT and USFWS if the amount or extent of incidental take specified in this Incidental Take Statement is exceeded during action implementation.

- NCDOT will provide a final report and yearly bat monitoring summaries to the Service by January 31st of each year starting at the end of the bat monitoring season and concluding up to two years after construction is completed.
- Reinitiation Notice  
Formal consultation for the I-2513 project is concluded. Reinitiation of consultation is required by law if:
  - a. the amount or extent of incidental take is exceeded
    - i. Gray Bats: If construction operations at the bridges cannot be completed after five years from the start of causeway construction without night operations, or culvert system work cannot be completed after four seasons when bats are not present, or 60" CMP work cannot be complete after one season when bats are not present, all work should stop, and the USFWS should be contacted immediately to reinitiate consultation.
    - ii. If a continuing NOV\* is issued to NCDOT, the USFWS should be contacted immediately to determine if consultation should be reinitiated with the FHWA.
 

\*If severe problems are found that may result in loss of sediment into waterbodies or onto adjacent property owners, a Notice of Violation (NOV) is issued by NCDEQ-Energy Mineral and Land Resources to NCDOT. Consequently, NCDOT and its contractors will react immediately to correct items noted in the NOV. If deficiencies are not corrected within the timeframe directed by the Energy, Mineral and Land Resources NOV, a Continuing NOV will be issued. A Continuing NOV indicates that sufficient progress has not been made to correct environmental deficiencies on a project.
  - b. new information reveals that the Action may affect listed species or designated critical habitat in a manner or to an extent not considered in this BO;
  - c. the Action is modified in a manner that causes effects to listed species or designated critical habitat not considered in this BO; or
  - d. a new species is listed or critical habitat designated that the action may affect.

NCDOT – Environmental Analysis Unit: Biological Surveys

Endangered Species – Northern long-eared bat

The following avoidance and minimization measures have been proposed to minimize adverse effects of the proposed action on Northern long-eared bat (*Myotis septentrionalis*):

- No alterations of a known hibernacula entrance or interior environment if it impairs an essential behavioral pattern, including sheltering northern long-eared bats (January 1 through December 31);
- No tree removal within a 0.25-mile radius of a known hibernacula (January 1 through December 31); and
- No cutting or destroying a known, occupied maternity roost tree, or any other trees within a 150-foot radius from the known, occupied maternity tree during the period from June 1 through and including July 31.

NCDOT – Environmental Analysis Unit: Public Involvement, Community Studies & Visualization  
Environmental Justice

- NCDOT committed to addressing disproportionately high and adverse effects on the Burton Street community that cannot be avoided or minimized and is coordinating with the community to provide additional mitigation opportunities to lessen the burden of the project on these residents. The Burton Street Working Group is currently identifying how to implement the strategies identified in the 2018 Burton Street Neighborhood Plan, with certain goals and strategies requiring additional outreach and the engagement of Burton Street residents. NCDOT will carry out all activities for which it has been assigned responsibility in the plan. These include the following:
  - Improve existing sidewalks to meet ADA design standards.
  - Improve sidewalk connections between commercial corridors and include a pedestrian path from Buffalo Street to Patton Avenue that will connect to future greenway.
  - Evaluate opportunities for new transit stops, such as near Burton Street and Haywood Road.
  - Install a sidewalk along Patton Avenue to connect pedestrian path and transit stop.
  - Install bus shelters and other improvements at transit stops located near Burton Street. Consider neighborhood specific designs if feasible.
  - Incorporate a Burton Street history mural on proposed I-26 Connector sound wall if built.
  - Improve Community Center infrastructure by including additional parking.
  - Construct a new park and community gathering space at Smith Mill Creek that will include an access point to the future greenway.
  - Improve the Florida Avenue and Patton Avenue intersection by adding pavement markings and left turn signals.
  - Increase the tree canopy within the interstate buffer along the Burton Street neighborhood where possible.
- Although the Burton Street Neighborhood Plan indicates that the Community Baptist Church will be displaced, the project designs have since been refined to eliminate the need to relocate this property. Only a small portion of the parking lot is anticipated to be impacted, and the church will not need to be relocated.
- In order to further mitigate impacts associated with the project design in Section B, modifications have been made along Patton Avenue east of the French Broad River and adjacent to the Hillcrest Apartment community, an identified Environmental Justice community. A public meeting was held on February 15, 2022 with the residents of Hillcrest Apartments to show the proposed modifications and address any concerns from the residents. Modifications include additional sidewalk connectivity from Hillcrest to the realigned Hill Street, including a grassed berm to separate residents from Hill Street. Additionally, a pedestrian bridge is proposed at the entrance of the community to provide access across I-240 to Hill Street. A sidewalk is included on the southeast corner of the property to provide direct access by residents to Patton Avenue and the multi-use path along Patton Avenue. The existing pedestrian bridge east of the Jeff Bowen Bridges, south of Hillcrest is proposed to be removed and the existing pedestrian bridge south of the Isaac Dickson Elementary School is proposed to be replaced.

NCDOT – Environmental Analysis Unit: Cultural Resources  
Cultural Resources

- Pursuant to Section 106 of the National Historic Preservation Act, the State Historic Preservation Office (HPO) concurred with NCDOT's determination that the project will have no adverse effect upon the following properties identified in or near the Area of Potential Effects (APE) that are



already listed in or eligible for the National Register of Historic Places (NRHP): the Biltmore Estate, Buncombe County Bridge 216, Baker Building, the Montford Hills Historic District, and the Haywood Street United Methodist Church. Additionally, HPO concurred with the determination that the project will have no adverse effect upon the following properties provided the environmental commitments stipulated in a Memorandum of Agreement (MOA) are fulfilled: the Asheville School, West Asheville/Aycock School Historic District, Freeman House, the William Worley House, and the Great Smoky Mountain Park Bridge (Buncombe County Bridge No. 323).

- HPO has concurred with NCDOT's determination that the project will have no adverse effect on one archaeological site (31BN623) identified in or near the APE that is already listed in or eligible for the NRHP, provided environmental commitments stipulated in the MOA are fulfilled.
- The Selected Alternative will have an adverse effect on Riverside Cemetery within the Montford Area Historic District and one archaeological site (31BN826).
- The MOA shall ensure stipulations are fulfilled for the two adversely effected properties, the five properties determined to have no adverse effect with commitments, and any determined eligible archaeological resource identified during further testing. Commitments included in the MOA are as follows:
- Riverside Cemetery within the Montford Area Historic District (BN0022)  
After consultation with the SHPO, the Asheville City Parks and Recreation Department, the Montford Neighborhood Association, the City of Asheville Transportation and Planning and Urban Design Departments, and the Preservation Society of Asheville and Buncombe County, NCDOT agrees to lessen the property impacts resulting from the Undertaking by providing funding or services for the following measures.
  1. Vibration Studies and Monitoring Plan
    - a. Development of Vibration Monitoring Plan: NCDOT's Geotechnical Engineering Unit, in consultation with NCDOT Division 13, shall develop a vibration monitoring plan for the Undertaking, to include on-site research during final design as well as monitoring during construction. The recommendations of the plan shall be provided to SHPO and concurring parties (except for the EBCI, CN, UKB, MCN, and Catawba Nation) for their comments prior to adoption.
    - b. Baseline Studies: On-site research, done prior to construction, will measure existing vibration exposure, determine sensitivity of key funerary monuments and assign thresholds accordingly.
    - c. Vibration Monitoring: Vibration monitoring will be conducted on key funerary monuments within Riverside Cemetery, recommended in the aforementioned vibration monitoring plan. When a reading exceeds the established threshold, an alarm will sound and the Contractor or the cemetery manager shall immediately contact NCDOT's Division 13 Resident Engineer to assess the situation.
    - d. Pre-construction Surveys: NCDOT will conduct pre-construction surveys of all key funerary monuments within Riverside Cemetery to record a "before" condition so that any construction-related damage can be accurately identified. The City of Asheville shall identify the key funerary monuments to be included in the Vibration Monitoring Plan, pre-construction surveys and inventories noted above
  2. Auditory Effects:
    - a. Design Noise Report: In accordance with the Department's Traffic Noise Policy, NCDOT's Design Build Team, shall complete a Design Noise Report for the Undertaking which includes recommendations for abatement measures for traffic noise impacts. If the Design Noise Report concludes that noise wall barriers along

the boundaries of the Montford Historic District are preliminarily deemed to meet feasibility and reasonableness criteria then further consultation on the appearance of the barriers will be required with SHPO and the concurring parties.

- b. Pavement: NCDOT is not proposing pavement as a noise abatement for this project, however, in accordance with all design standards/criteria, NCDOT elects to use low noise pavement surface treatments for any concrete and/or asphalt surfaces and minimize the number of joints on the roadway structures in the vicinity of Riverside Cemetery. NCDOT cannot commit to the utilization of these specific surface treatments in perpetuity or to maintenance schedules that keep the auditory qualities of these lower noise pavement designs at their premium.
- c. Memorandum of Understanding: NCDOT's Division 13 will develop a Memorandum of Understanding (MOU) with the Asheville City Parks and Recreation Department to outline how the city will notify NCDOT of funerals. Protocols will be established to limit construction noise during such events.

### 3. Right-Of-Way

- a. Pre-Construction Tree Survey: It is understood that all existing vegetation and trees within the highway right-of-way parallel to the Riverside Cemetery will likely be removed during construction. To mitigate these impacts along the Riverside Cemetery boundary, NCDOT's Design-Build Team shall conduct a tree survey of existing trees exceeding 6.0" diameter that are targeted for removal within the existing highway Right-Of-Way, will remain in the existing highway Right-Of-Way, or are within the Riverside Cemetery that their root system may be impacted during construction. The Design-Build Team's survey shall include in its documentation, but not be limited to the following information: 1) tree species and measurements (DBH, canopy width, and height), 2) approximate age, and 3) overall health/life expectancy, and 4) potential construction impacts, as well as management recommendations for trees adjacent to the highway Right-Of-Way that may be impacted. The recommendation may include, but not limited to, additional fertilization, pruning or overall removal and replacement.
- b. Planting within highway Right-Of-Way: Re-vegetation of the highway right-of-way parallel to the cemetery boundary will be planned and implemented in accordance with NCDOT's Guidelines for Planting within Highway Right-of-Way. All new plant materials will be warranted for three growing seasons and replaced by NCDOT if they fail within that time.
- c. Planting within highway Right-Of-Way will be congruent with existing vegetation and trees along the Riverside Cemetery boundary.
- d. Replacement of Trees: If trees within Riverside Cemetery are damaged due to construction within the highway Right-Of-Way then NCDOT will follow the management recommendations in the pre-construction tree survey (additional fertilization, pruning, or overall removal and replacement). Replacement of trees will follow Asheville's Code of Ordinances Section 7-11-13 (landscape & buffering standards) and Appendix 7-C of the BO (recommended species list). All new plant materials will be warranted for three growing seasons and replaced by NCDOT if they fail within that time.
- e. Right-Of-Way Fence: The fence that marks the highway Right-Of-Way parallel to the cemetery boundary will be a black metal fence that is approved by the Asheville City Parks and Recreation Department, the SHPO, and NCDOT.



4. Landscaping within Riverside Cemetery:
    - a. Additional areas of concentrated landscaping will be included within the boundaries of Riverside Cemetery adjacent to the highway and will be developed through consultation with the Asheville City Parks and Recreation Department, SHPO, and other concurring parties.
    - b. Landscaping will follow Asheville's Code of Ordinances Section 7-11-13 (landscape & buffering standards) and Appendix 7-C of the BO (recommended species list). All new plant materials will be warranted for three growing seasons and replaced by NCDOT if they fail within that time.
    - c. Preliminary Post-Construction Landscape Design plans will be provided to SHPO, the Asheville City Parks and Recreation Department, and the concurring parties for their review and comment.
    - d. NCDOT (or its contractor) shall install the landscaping after completion of roadway construction work along the historic boundary of the cemetery. All new plant materials will be warranted for three growing seasons and replaced by NCDOT if they fail within that time.
  5. Roadway Design and Appearance:
    - a. In accordance with all design standards / criteria, NCDOT's Design-Build Team will be encouraged to modify the Department's preliminary design in proximity to the Riverside Cemetery. Specifically, along the Cemetery boundary, the Design-Build Team will be encouraged to lower the US 19/US 23/US 70 roadway and shift the facility westward without incorporating design exceptions or increasing right of way impacts or relocations.
    - b. The retaining wall will be designed to extend along the entire Riverside Cemetery boundary adjacent to the proposed project.
    - c. The appearance of the retaining walls along the cemetery's boundary will be formed concrete walls with a simulated masonry surface treatment. The surface treatment will be designed to resemble stacked stone walls and may be painted, stained, or tinted. Choices of aesthetic wall treatments will be provided to SHPO, the Asheville Transportation Department, the Asheville City Parks and Recreation Department, and the concurring parties for their review and comment prior to final approval. The preferred surface texture and color will be included in NCDOT's final design.
  6. Roadway Lighting: Roadway lighting will be designed and constructed to minimize the dispersion of light ("spillover") beyond the highway Right-Of-Way. NCDOT will not install high mast poles adjacent to the cemetery. Instead NCDOT will install single pole, shoulder and/or barrier mounted, lighting with LED illumination in this area.
  7. Duke Energy Line Relocation: The transmission lines currently on Courtland Place will be rerouted northwest to a point near the southwest boundary of Riverside Cemetery and US 19/US 70.
    - a. A 70-foot Permanent Utility Easement (PUE) will be cleared of trees and a single pole erected to hold the lines. Duke Energy will erect the shortest pole that meets the needs of the line in this location.
    - b. Prior to construction Duke Energy will flag any "danger trees" located outside the 70-foot PUE that are adjacent to or within the boundaries of the cemetery. If any "danger trees" exist, Duke Energy will consult with NCDOT, SHPO and the Asheville City Parks and Recreation Department prior to any removal of the "danger trees" and will prioritize tree trimming over removal and replacement.
- Freeman House (BN2470)

After consultation with the SHPO and the property owner, NCDOT agrees to lessen the audible and visual impacts resulting from the Undertaking by providing funding or services for the following measures.

1. Noise Abatement: Upon satisfactory completion of the work, NCDOT will reimburse the property owner for the costs to install central heat/AC, storm windows, and insulation based on the lowest of 3 bids provided to NCDOT by the property owner. If the property owner chooses, NCDOT will make payment directly to a third-party contractor(s).
  2. Landscaping: NCDOT (or its contractor) shall install landscaping along the edges of the property facing the new facility after completion of the project. All new plant materials will be warranted for three growing seasons and replaced by NCDOT if they fail within that time period.
- William Worley House (BN2442)

After consultation with the SHPO and the property owner, NCDOT agrees to lessen the audible and property impacts resulting from the Undertaking by providing funding or services for the following measures.

    1. Noise Abatement: Upon satisfactory completion of the work, NCDOT will reimburse the property owner for the costs to install central heat/AC, storm windows, and insulation based on the lowest of 3 bids provided to NCDOT by the property owner. If the property owner chooses, NCDOT will make payment directly to a third-party contractor(s).
    2. Retaining Wall: NCDOT will install a retaining wall, with permanent underground easements, within the property boundary along the western boundary of the property to reduce right-of-way impacts.
  - West Asheville/Aycock School Historic District (BN1839)

After consultation with the SHPO, the principal of Aycock School, and the Asheville School District Superintendent, NCDOT agrees to lessen the property impacts resulting from the Undertaking by providing funding or services for the following measures.

    1. Parking: To minimize Aycock's School's loss of parking spaces, NCDOT has agreed to provide the school with new parking lots and vehicular circulation routes as shown on the plans provided to SHPO on October 7, 2019.
    2. Trees: NCDOT will preserve the screening trees along the west side of classrooms by erecting temporary fencing around the trees and tree protection signs, during construction.
    3. Fencing: NCDOT will install permanent fencing (a minimum of 6 feet in height and of the school's chosen materials) between the Greenway and the west side of the school yard.
    4. Protection measures: NCDOT will protect the trees and Arrowhead monument on school grounds along Haywood Road by erecting tree protection signs and temporary fencing around the trees and monument, during construction.
  - Great Smoky Mountain Park Bridge (Buncombe County Bridge No. 323) (BN2469 - Patton Avenue Westbound)

After consultation with the SHPO and the Asheville Aesthetics Advisory Committee, NCDOT agrees to remove the cantilevered sidewalk and convert the bridge to a two-lane facility with a minimum 10-foot sidewalk on the existing deck. The existing bridge rails and pedestrian lights will be replaced with designs that meet current safety standards and are congruent with the original "art moderne" style of the bridge.

    1. The SHPO concurred in a letter dated June 19, 2020 that the subject undertaking will not adversely affect the bridge. Any changes to the bridge concepts after the execution of this MOA, as shown in the renderings appended to this document, shall require approval from NCDOT structure design and the SHPO.

2. Any repairs to the historic substructure shall follow the Secretary of the Interior's Standards for Rehabilitation.
  3. Additional streetscape enhancements such as benches, planters, ornamental lights, or flags shall require approval from NCDOT structure design and the SHPO.
- Archaeological Site 31BN623 (Lower Hominy Hydroelectric Plant)  
After consultation with the SHPO, NCDOT agrees to lessen the property impacts resulting from the Undertaking by providing services for the following measures.
    1. Iron markers will be placed at each end of a wall associated with site 31BN623 to mark its extent prior to the placement of fill within the project limits. The exact locations of the markers will be provided to the SHPO for its records.
    2. Any changes in the vicinity of 31BN623 to the Preferred Alternative preliminary design after the execution of this MOA shall require approval from the SHPO.
  - Data Recovery at Archaeological Site 31BN826 and Further Deep Testing at Archaeological Sites 31BN823, 31BN826, 31BN868, 31BN870, 31BN871, 31BN873 and 22 Additional Acres
    1. In consultation with the SHPO, EBCI, CN, UKB, MCN, and Catawba Nation NCDOT will develop a Data Recovery Plan (DRP) for Site 31BN826, which has been determined eligible for the NRHP and will be affected by the Undertaking.
    2. If Sites 31BN823, 31BN868, 31BN870, 31BN871, 31BN873 and any new sites are determined eligible for the NRHP through further testing and affected by the Undertaking, NCDOT, in consultation with the SHPO, EBCI, CN, UKB, MCN, and Catawba Nation, will develop, separate DRPs for those sites.
    3. NCDOT will ensure that the DRPs, are implemented after the highway Right-Of-Way is acquired and prior to construction activities within the site location.
    4. Upon completion of the Data Recovery efforts, NCDOT will prepare and forward a Management Summary to the SHPO, EBCI, CN, UKB, MCN, and Catawba Nation detailing the results of the Data Recovery efforts for all the eligible sites.
    5. Upon receipt of the Management Summary, the SHPO, EBCI, CN, UKB, MCN, and Catawba Nation will respond within fifteen (15) days to the recommendations contained within the Management Summary.
    6. Upon acceptance of the recommendations contained in the Management Summary, the SHPO, EBCI, CN, UKB, MCN, and Catawba Nation will issue NCDOT documentation that the Data Recovery field investigations have been completed.
    7. The analysis and report preparation, detailing the eligible sites, will be completed by NCDOT, or their consultant(s), within eighteen (18) months after completion of the fieldwork.
  - Unanticipated Discoveries  
In accordance with 36 CFR 800.11(a), if NCDOT identifies additional cultural resource(s) during construction, all work will be halted within the limits of the resource(s) and the FHWA and the SHPO will be contacted. The NCDOT and FHWA will initiate the appropriate agency and/or Tribal coordination required for a determination of eligibility or recovery effort. If after consultation between the Signatories and concurring parties, additional mitigation is determined necessary, the NCDOT, in consultation with the Signatories and concurring parties, will develop and implement appropriate protection/mitigation measures for the resource(s). Inadvertent or accidental discovery of human remains will be handled in accordance with North Carolina General Statutes 65 and 70.

NCDOT – Project Management UnitCity of Asheville Coordination

- The City of Asheville has requested the inclusion of bicycle and pedestrian betterments in the project design. The construction of the betterments as part of the proposed project will be dependent upon a municipal agreement between NCDOT and the City of Asheville. NCDOT will continue to coordinate with the City of Asheville on the inclusion of bicycle and pedestrian facilities.
- The City of Asheville has established an Aesthetics Committee (AC) to work in an advisory capacity to address aesthetic treatments that may be incorporated in the proposed project, dependent upon a municipal agreement between NCDOT and the City of Asheville. NCDOT will continue working with the City to ensure that the agreed upon aesthetic improvements are incorporated into the project.
- NCDOT will coordinate with the City of Asheville regarding maintenance of traffic on the French Broad River Greenway during development of final plans for the project.
- NCDOT is committed to minimizing the overall footprint of the project to the extent practicable and will continue to work with the I-26 Working Group to improve designs prior to the Design-Build procurement.

NCDOT – Environmental Analysis Unit: Public Involvement, Community Studies & VisualizationRiver User Safety

- NCDOT has developed a communication plan for construction of the project, and NCDOT and its contractors will work with river users, businesses, and recreational river and civic groups to insure public notification of hazards and temporary closures during construction.

NCDOT – Hydraulics UnitHydraulics

- The NCDOT Hydraulics Unit will coordinate with the NC Floodplain Mapping Program to determine the status of the project with regard to the applicability of NCDOT's Memorandum of Agreement or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).
- The Division shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction, certifying that the drainage structures and roadway embankments that are located within 100-year floodplains were built as shown in the construction plans, both horizontally and vertically.

NCDOT – Traffic Management Unit: Congestion ManagementTraffic

- The recommended lane changes that improve operations at the Acton Circle and Smokey Park Highway intersection will be included in final design.
- NCDOT has secured a safety, operational, and engineering acceptability determination by the FHWA-Headquarters office. The final IAR will be submitted to the Federal Highway Administration (FHWA) for final approval after the ROD is signed.

NCDOT – Geotechnical Engineering UnitHazardous Materials

- A work plan based on final designs will be developed for the landfill site along Riverside Drive to address any contaminated material that may be encountered during construction.

Commitments during construction are included in the Preliminary Site Assessment Report (GEL 2019).

- As part of the work plan, an environmental professional will be present during construction to screen for potentially hazardous conditions and to assess excavated materials for proper handling.

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## Appendices

Appendix A – Reevaluation of Final Environmental Impact Statement

Appendix B – Memorandum of Agreement

Appendix C – Hillcrest Apartments Community 2/15/22 Meeting Summary

## 1.0 INTRODUCTION

---

In accordance with the National Environmental Policy Act (NEPA) and the requirements set forth by the Council on Environmental Quality (CEQ) (40 CFR 1505.2), this document records the decision of the Federal Highway Administration (FHWA) regarding the Selected Alternative for the I-26 Connector Project in Asheville, North Carolina. In making this decision, the agency considered information and analyses documented in the *Draft Environmental Impact Statement (DEIS)*<sup>1</sup>, the *Final Environmental Impact Statement (FEIS)*<sup>2</sup>, this Record of Decision (ROD), and comments received from agencies and the public. The DEIS, FEIS, and other supporting technical documents, are incorporated as part of the ROD by reference.

## 2.0 DECISION

---

FHWA and the North Carolina Department of Transportation (NCDOT) have identified the Selected Alternative for the I-26 Connector Project in Asheville, North Carolina. The Selected Alternative identified and discussed in this ROD is the Preferred Alternative identified in the FEIS. The alternative selected is Section C – Alternative F-1, Section A – Widening Alternative, and Section B – Alternative 4-B.

After publication of the FEIS in 2020, the project section boundaries were revised to better align construction phasing and let dates and are now defined in four sections, Sections A, B, C, and D, as shown on Figure 1.

The proposed action includes improvements to the I-40 interchanges with Smoky Park Highway, I-26/I-240 and Brevard Road, upgrading I-240 (as well as interchanges at Brevard Road, Amboy Road, and Haywood Road) from the I-26/I-240 interchange with I-40 to the I-240 interchange with Patton Avenue, west of the French Broad River, constructing I-26 on new location from the Patton Avenue interchange north across the French Broad River, tying into US 19/23/70 south of Broadway, and widening on Riverside Drive from Hill Street to Broadway, as shown on Figures 2 through 5.

The proposed action is included in the NCDOT's 2020-2029 *State Transportation Improvement Program (STIP)*<sup>3</sup> as STIP Project No. I-2513. The proposed action is also included in the French Broad River Metropolitan Planning Organization's (FBRMPO) *2040 Metropolitan Transportation Plan (MTP)*<sup>4</sup>, adopted on September 24, 2015.

The proposed project is needed to address traffic capacity problems along the existing I-240 corridor (future I-26), across the Captain Jeff Bowen Bridges to US 19/23/70. The proposed project would improve traffic flow, address substandard roadway features, and provide an interstate roadway through West Asheville for the I-26 Corridor.

---

<sup>1</sup> NCDOT. 2015. *I-26 Connector Draft Environmental Impact Statement*. October 2015.

<https://www.ncdot.gov/projects/asheville-i-26-connector/Pages/draft-environmental-statement.aspx>

<sup>2</sup> NCDOT. 2020. *I-26 Connector Draft Environmental Impact Statement*. January 2020.

<https://www.ncdot.gov/projects/asheville-i-26-connector/Pages/final-environmental-impact-statement.aspx>

<sup>3</sup> NCDOT. 2022. *2020-2029 State Transportation Improvement Program (STIP)*. July 2022.

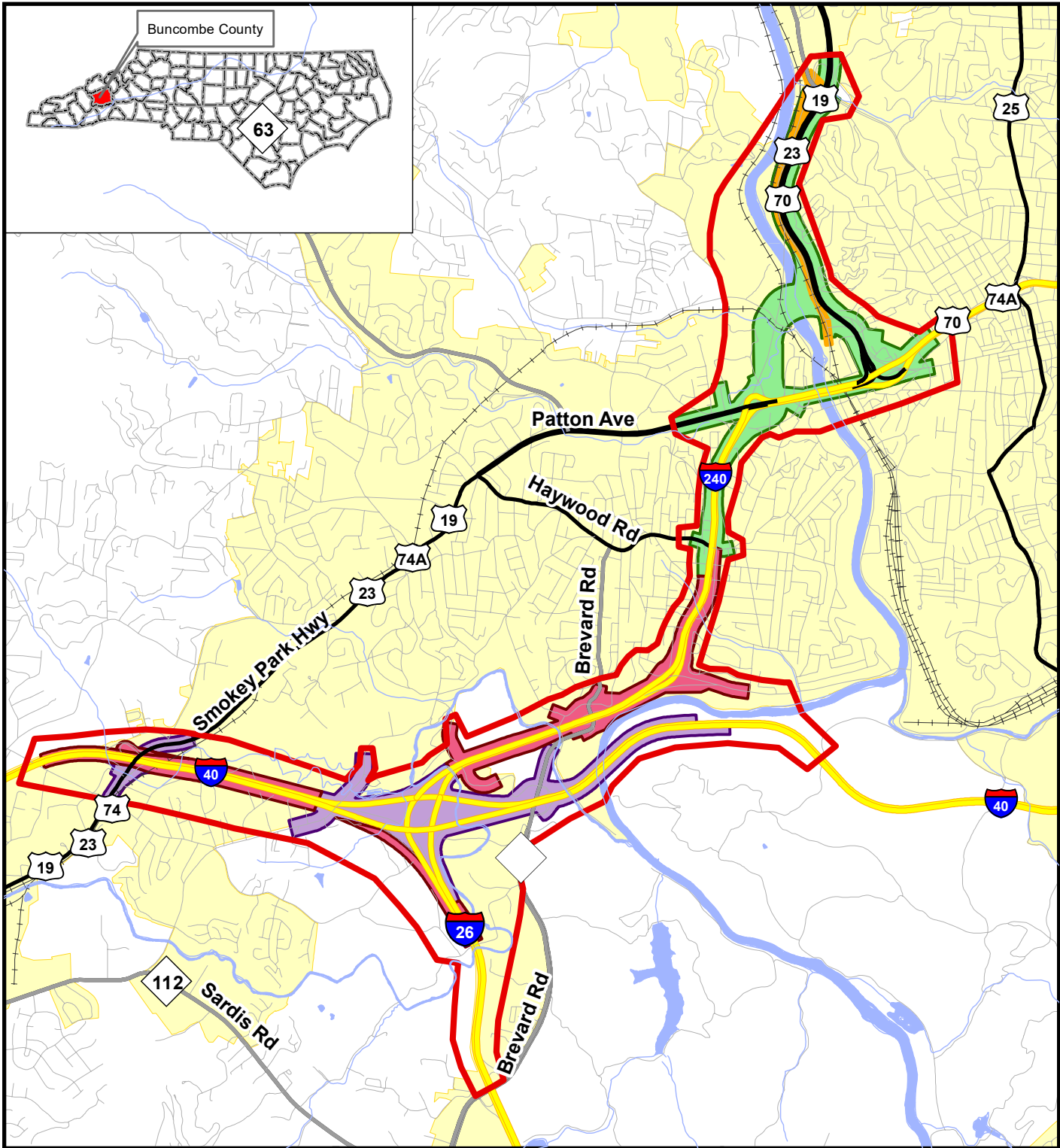
<https://connect.ncdot.gov/projects/planning/STIPDocuments1/NCDOT%20Current%20STIP.pdf>

<sup>4</sup> FBRMPO. 2015. *2040 Metropolitan Transportation Plan*. September 24, 2015. <http://www.fbrmpo.org/metropolitan-transportation-plan-mtp>



In accordance with 42 USC 4312 et seq and the requirements set forth by the Council of Environmental Quality (CEQ) (40 CFR 1505.2), this ROD:

1. Identifies the Selected Alternative for the I-26 Connector project, STIP Project No. I-2513;
2. Summarizes all alternatives considered by the FHWA and the values that were important factors in the evaluation process;
3. Describes the measures adopted to avoid and/or minimize environmental harm; and
4. Identifies monitoring and enforcement programs for the implementation of mitigation measures.



North Carolina  
Department of Transportation



I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

**Legend**

- Project Study Area
- Section A
- Section B
- Section C
- Section D
- Streams (non-delineated)
- Water
- Municipal Boundary
- Interstate
- US Highway
- State Highway
- State Route
- Local Road
- Railroad

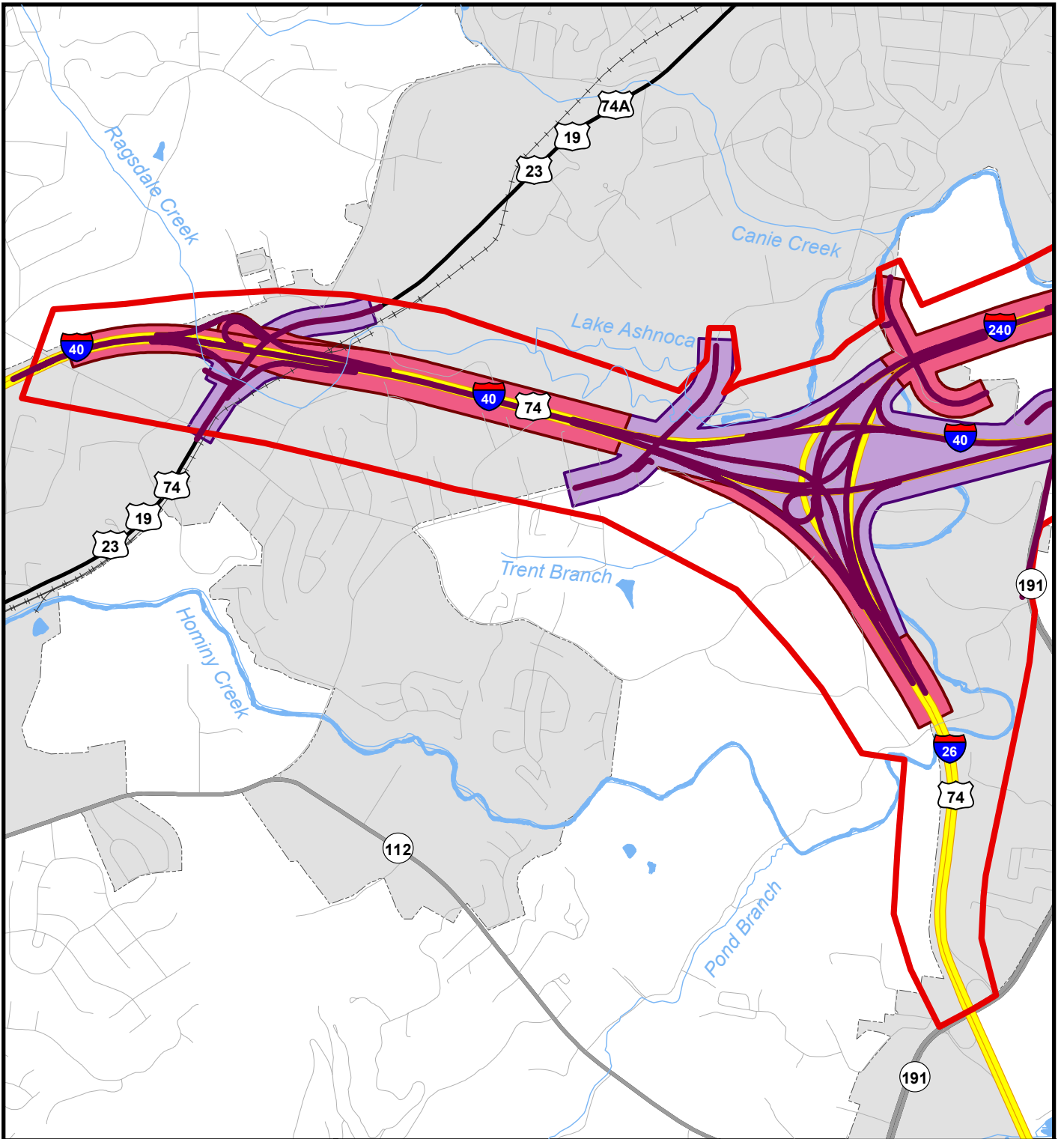
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**Figure 1**

**Project Study Area  
and New Sections**















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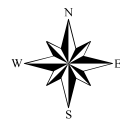
I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

**Legend**

-  Project Study Area
-  Detailed Study Alternative
-  Section A
-  Section C
-  Interstate
-  US Highway
-  State Highway
-  State Route
-  Local Road
-  Railroad
-  Streams (non-delineated)
-  Water
-  Municipal Boundary

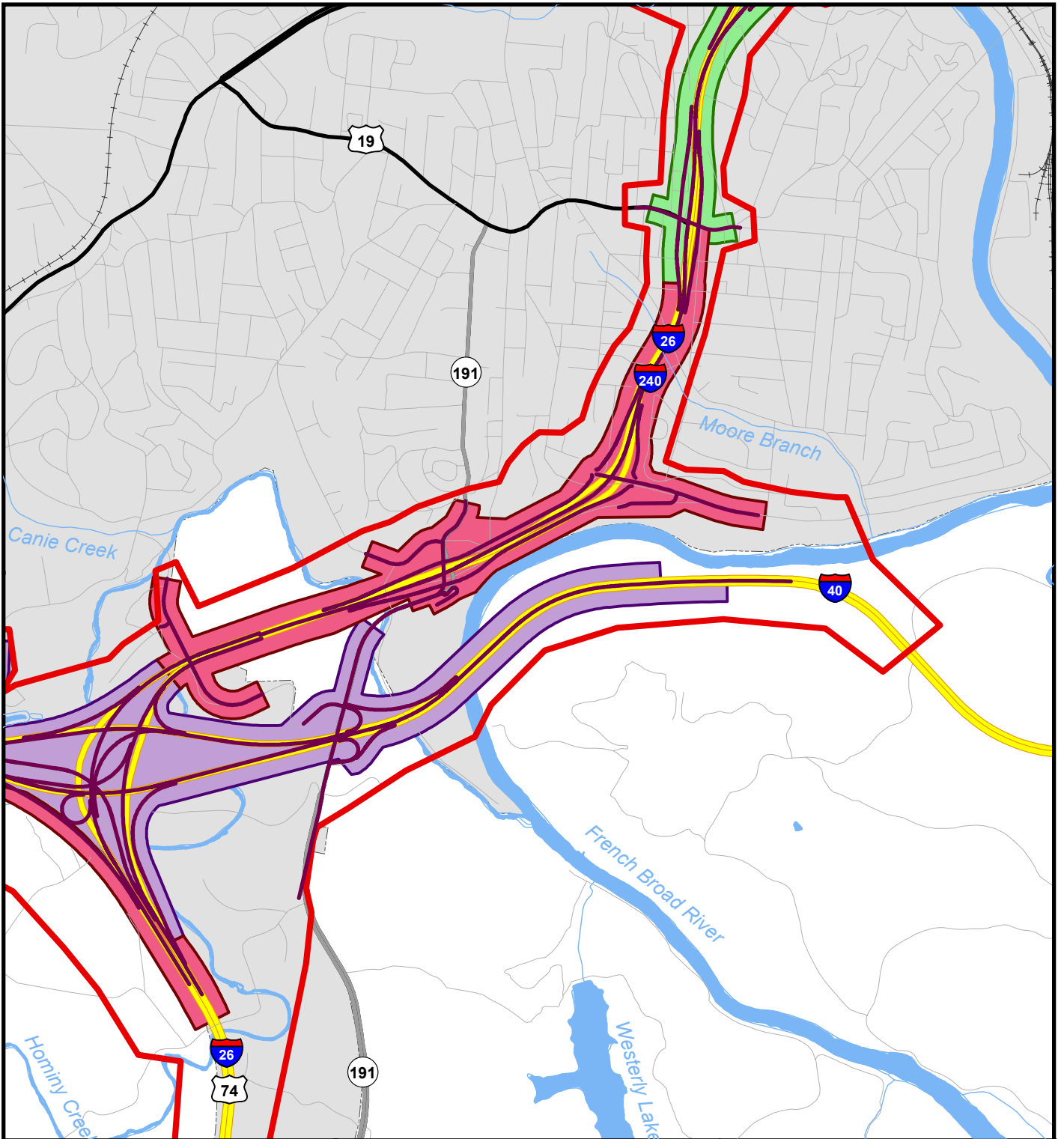
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**Figure 2**

**Section C  
Preferred Alternative**



North Carolina  
Department of Transportation



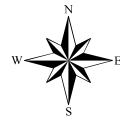
I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

**Legend**

- Project Study Area
- Detailed Study Alternative
- Section A
- Section B
- Section C
- Interstate
- US Highway
- State Highway
- State Route
- Local Road
- Railroad
- Streams (non-delineated)
- Water
- Municipal Boundary

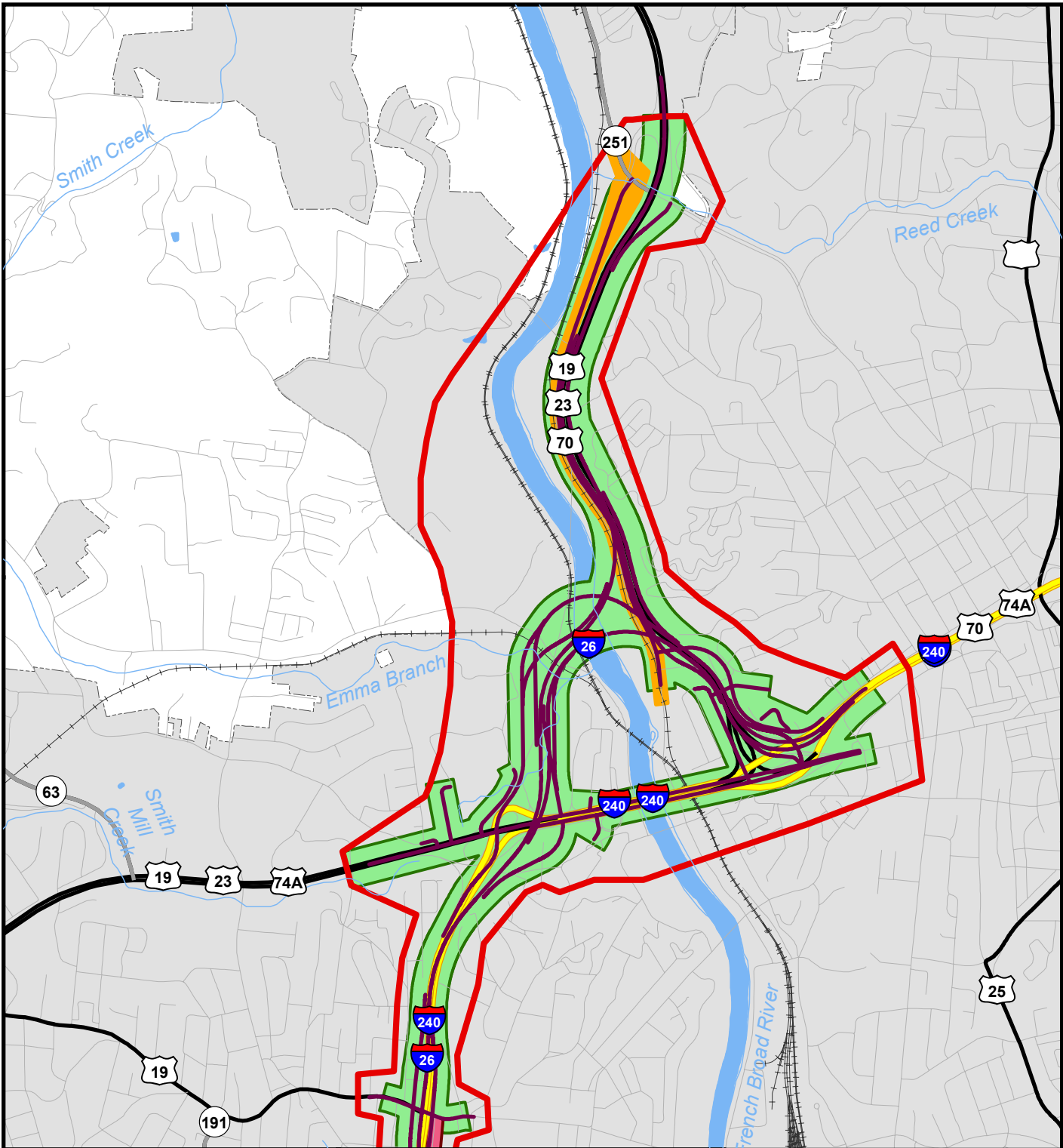
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**Figure 3**

**Sections A and C  
Preferred Alternative**



North Carolina  
Department of Transportation



I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

**Legend**

- Project Study Area
- Detailed Study Alternative
- Section A
- Section B
- Section D
- Interstate
- US Highway
- State Highway
- State Route
- Local Road
- Railroad
- Streams (non-delineated)
- Water
- Municipal Boundary

Date: August 2022

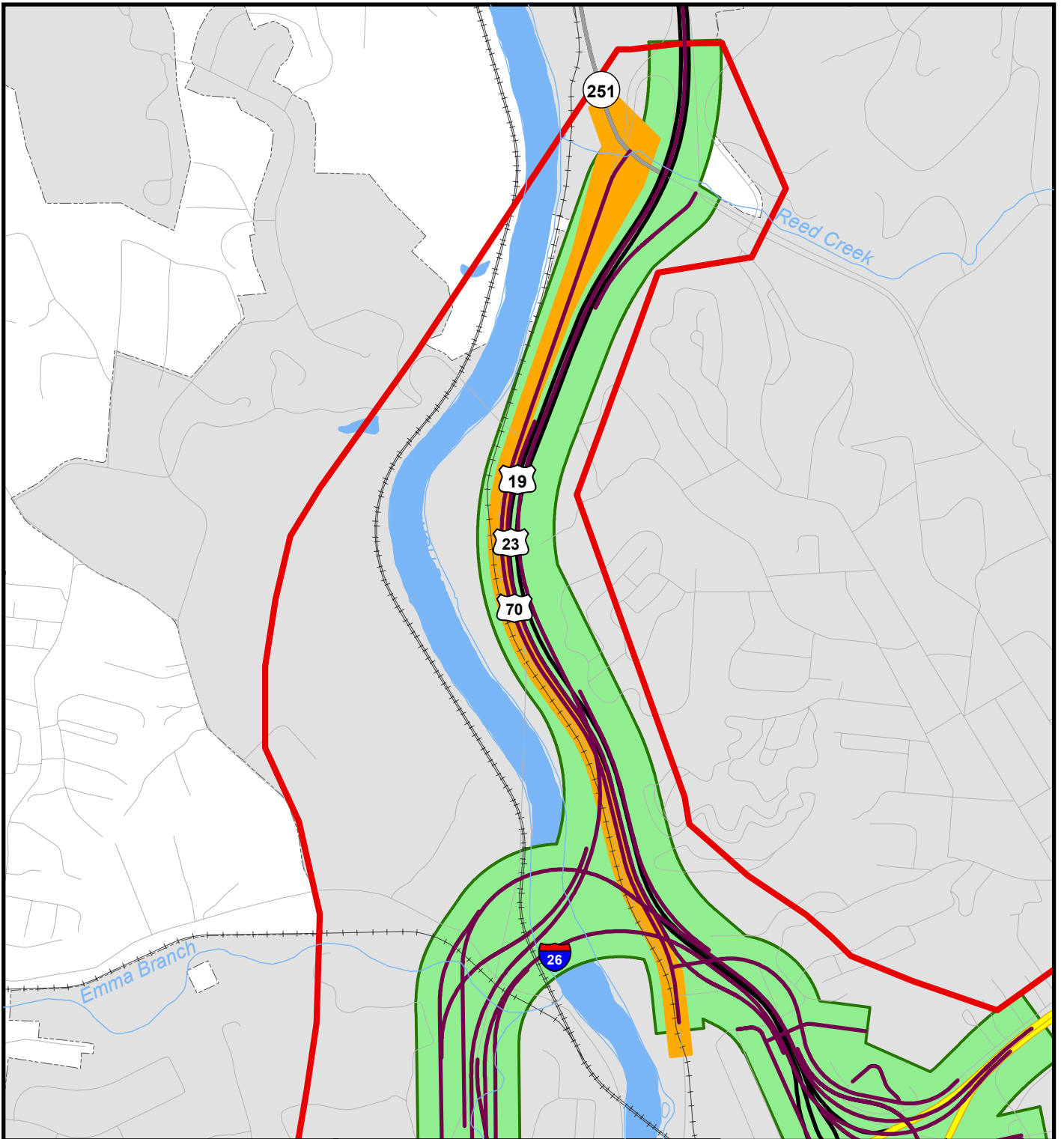


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Feet

**Figure 4**

**Section B  
Preferred Alternative**


















North Carolina  
Department of Transportation



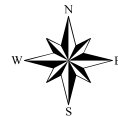
I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

**Legend**

-  Project Study Area
-  Detailed Study Alternative
-  Section B
-  Section D
-  Interstate
-  US Highway
-  State Highway
-  State Route
-  Local Road
-  Railroad
-  Streams (non-delineated)
-  Water
-  Municipal Boundary

Date: August 2022



0 600 1,200  
Feet

**Figure 5**

**Section D  
Preferred Alternative**

## 3.0 PROJECT HISTORY

---

### 3.1 EARLY STUDIES

The I-26 Connector was first studied as part of the Asheville Urban Area Corridor Preservation Pilot Project from 1989 to 1995. A preferred corridor was identified in the *Phase I Environmental Analysis – Asheville Urban Area* report<sup>5</sup>. Since 1995, NCDOT has been working with the community and conducting detailed studies for the project.

In 2000, NCDOT held the Project Educational Forum and the Project Design Forum, which added the I-26/I-40/I-240 interchange to the project and included several new alternatives for the area around the Captain Jeff Bowen Bridges. A DEIS was released in March 2008, and a public hearing was held on September 16, 2008. Due to several changes to the project alternatives and the resulting technical studies, the 2008 DEIS was rescinded and replaced by the 2015 DEIS.

### 3.2 DRAFT ENVIRONMENTAL IMPACT STATEMENT

The 2015 DEIS was completed for I-2513 (I-26 Connector) in October 2015. The DEIS identified 9 detailed study alternatives and the analysis of their impacts to the human and natural environments. A Corridor Public Hearing was held in November 2015.

### 3.3 IDENTIFICATION OF PREFERRED ALTERNATIVE

NCDOT met with the National Environmental Policy Act (NEPA)/Section 404 Merger Team on May 18, 2016 to identify the least environmentally damaging practicable alternative (LEDPA). The Merger Team identified Section C – Alternative F-1, Section A – Widening Alternative, and Section B – Alternative 4-B as the LEDPA.

After approval of the DEIS and the identification of the LEDPA, preliminary designs were refined based on updated traffic studies and public and resource agency comments on the 2015 DEIS. Additionally, NCDOT held periodic meetings with the City of Asheville, local organizations, adjacent neighborhoods, and historic property owners in order to better understand concerns and to obtain input on how the project could be refined to better fit within the context of Asheville while meeting local and regional needs. In 2017, the project team prepared technical studies to determine the human and natural environmental impacts of the Preferred Alternative for inclusion in the FEIS.

### 3.4 DEIS REEVALUATION

In 2018, NCDOT initiated a DEIS Reevaluation, which was appended to the FEIS in 2020. The DEIS Reevaluation identified updated traffic studies, design refinements, and updated impacts to the natural and human environment. The DEIS reevaluation concluded that no new significant impacts had been identified and that the project alternatives still met the purpose and need of the project. Based on updated technical analyses and coordination with the public and regulatory agencies, the Preferred Alternative designs were determined to have lessened the human and natural environmental effects of the proposed project; therefore, the 2015 DEIS did not require supplementation.

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<sup>5</sup> NCDOT. 1995. *Phase I Environmental Analysis – Asheville Urban Area*. North Carolina Department of Transportation, Statewide Planning Branch. April 1995.

### 3.5 DESIGN PUBLIC HEARING AND FEIS

In December 2018, NCDOT held a Design Public Hearing to present the revised designs for the Preferred Alternative, based on an updated Travel Demand Model, traffic forecast, and updated community studies. 476 comments were received from the hearing and are addressed in Section 9 of this ROD. In January 2020, NCDOT published the FEIS. The FEIS summarized the pertinent information within the DEIS, presented information regarding new and/or updated analyses that had been completed since publication of the DEIS, and included responses to comments made by federal and state agencies, local governments, organizations, and citizens during the comment period for the DEIS. Comments received on the FEIS during the comment period are addressed in Section 9.

### 3.6 FEIS REEVALUATION

In 2022, NCDOT initiated a FEIS Reevaluation, which is appended to this ROD in Appendix A. The FEIS Reevaluation identified and assessed changes that occurred after publication of the FEIS in January 2020. FHWA and NCDOT's evaluation of the impacts resulting from design changes concluded no significant impacts after publication of the FEIS.

Since publication of the FEIS, NCDOT has continued to hold periodic meetings with the City of Asheville, local organizations, adjacent neighborhoods, historic property owners, and the Burton Street community, in order to better understand concerns and to obtain input on how the project could be further refined. This has resulted in various design modifications to further minimize the impacts of the project through refined project designs, as described in Section 4.4. There has also been significant coordination with the City of Asheville Aesthetics Committee, the I-26 Working Group, and the Burton Street Association Working Group, all of which are described further in Section 6.0.

A formal consultation, pursuant to Section 7 of the Endangered Species Act was prepared for two endangered species, the gray bat (*Myotis grisescens*) and Appalachian elktoe (*Alasmidonta raveneliana*). NCDOT will carry out all activities for which it has been assigned responsibility in the Biological Opinion issued by the USFWS on June 19, 2020.

## 4.0 ALTERNATIVES CONSIDERED

---

This section describes the consideration of preliminary alternatives, detailed study alternatives, and the basis for choosing the Selected Alternative. This section also describes the Selected Alternative and documents the anticipated impacts associated with it.

### 4.1 RANGE OF ALTERNATIVES

A range of alternatives were considered for this project, including:

- No-Build Alternative
- Mass Transit Alternatives
- Transportation Systems Management Alternatives
- Transportation Demand Management Alternatives
- Build Alternatives

The development and evaluation of alternatives for the identification of the Detailed Study Alternatives included in the DEIS is documented in the *I-2513 Purpose and Need Statement* technical report and



Merger Concurrence Points 1, 2, and 2 Revisited meeting documentation. The NEPA/Section 404 Merger Team concurred in January 2015 that the remaining alternatives to be studied in the DEIS would include Alternatives A-2, C-2, D-1, and F-1 in Section C, the Section A widening alternative, and Alternatives 3, 4, 3-C, and 4-B in Section B.

## 4.2 BASIS FOR CHOOSING THE SELECTED ALTERNATIVE

Estimated environmental impacts, as presented in the DEIS, associated with the Detailed Study Alternatives are summarized in Table 1.

Table 1: Summary of Detailed Study Alternative Impacts as Presented in the DEIS

|  | Section C<br>(I 26/I 40/I 240 Interchange) |               |               |               | Section A         | Section B<br>(New Location across French Broad) |               |               |               |
|--|--|---------------|---------------|---------------|-------------------|---|---------------|---------------|---------------|
|  | Alt. A 2                                   | Alt. C 2      | Alt. D 1      | Alt. F 1      | I 240<br>Widening | Alt. 3  | Alt. 3C       | Alt. 4        | Alt. 4B       |
| <b>Project Features</b>                              |  |               |               |               |                   |   |               |               |               |
| <i>Length (miles)</i>                                |  |               |               |               |                   |   |               |               |               |
| I-26   | 2.2  | 2.2           | 2.2           | 2.2           | 2.0               | 2.4   | 2.5           | 2.4           | 2.5           |
| I-40/I240  | 2.9  | 3.2           | 2.8           | 2.8           | 0.0               | 0.6   | 0.6           | 1.5           | 1.5           |
| Total Length   | 5.1  | 5.4           | 5.0           | 5.0           | 2.0               | 3.0   | 3.1           | 3.9           | 4.0           |
| Interchanges   | 3  | 3             | 3             | 3             | 3                 | 2   | 2             | 3             | 3             |
| Railroad Crossings                                   | 2  | 2             | 2             | 2             | 0                 | 3   | 3             | 8             | 5             |
| Navigable Waterway Crossings                         | 1  | 1             | 1             | 1             | 0                 | 2   | 3             | 4             | 4             |
| Construction Cost                                    | \$286,100,000                              | \$269,700,000 | \$263,100,000 | \$203,300,000 | \$105,700,000     | \$190,200,000                                   | \$191,200,000 | \$255,600,000 | \$291,300,000 |
| Right of Way Cost                                    | \$26,600,000                               | \$22,400,000  | \$33,800,000  | \$17,100,000  | \$29,400,000      | \$42,800,000                                    | \$36,200,000  | \$45,500,000  | \$36,800,000  |
| Utilities Cost                                       | \$2,200,000                                | \$2,000,000   | \$2,300,000   | \$2,100,000   | \$3,400,000       | \$3,100,000                                     | \$3,300,000   | \$3,600,000   | \$3,900,000   |
| Total Cost   | \$314,900,000                              | \$294,100,000 | \$299,200,000 | \$222,500,000 | \$138,500,000     | \$236,100,000                                   | \$230,700,000 | \$304,700,000 | \$332,000,000 |
| <b>Socioeconomic Features</b>                        |  |               |               |               |                   |   |               |               |               |
| <i>Relocations</i>                                   |  |               |               |               |                   |   |               |               |               |
| Residential  | 50   | 32            | 38            | 31            | 81                | 34  | 23            | 46            | 33            |
| Business   | 6  | 6             | 7             | 5             | 17                | 24  | 33            | 24            | 34            |
| Nonprofit  | 0  | 0             | 0             | 0             | 1                 | 2   | 1             | 2             | 1             |
| Total  | 56   | 38            | 45            | 36            | 99                | 60  | 57            | 72            | 68            |
| Schools Relocated                                    | 0  | 0             | 0             | 0             | 1                 | 0   | 0             | 0             | 0             |
| Churches Relocated                                   | 1  | 1             | 1             | 1             | 1                 | 0   | 0             | 1             | 1             |
| Parks and Recreational Areas Impacted                | 1  | 1             | 1             | 1             | 2                 | 0   | 0             | 0             | 0             |
| Cemeteries Impacted                                  | 0  | 0             | 0             | 0             | 0                 | 0   | 0             | 0             | 0             |
| <b>Physical Environment</b>                          |  |               |               |               |                   |   |               |               |               |
| Noise Impacts  | 218  | 255           | 214           | 304           | 198               | 193   | 133           | 312           | 224           |
| Hazardous Material Sites (moderate or high) Impacted | 1  | 1             | 1             | 1             | 0                 | 1   | 1             | 1             | 1             |
| Floodplain Impacts (acres)                           | 20.53                                      | 20.39         | 18.06         | 16.63         | 8.36              | 9.36  | 7.65          | 8.13          | 3.91          |
| Floodway Impacts (acres)                             | 2.74                                       | 4.23          | 2.27          | 2.00          | 1.94              | 2.88  | 2.96          | 0.69          | 0.38          |
| <i>Land Use Impacts by Zoning Category (acres)</i>   |  |               |               |               |                   |   |               |               |               |

|  | Section C<br>(I 26/I 40/I 240 Interchange) |          |          |          | Section A         | Section B<br>(New Location across French Broad) |         |        |                     |
|--|--|----------|----------|----------|-------------------|---|---------|--------|---------------------|
|  | Alt. A 2                                   | Alt. C 2 | Alt. D 1 | Alt. F 1 | I 240<br>Widening | Alt. 3  | Alt. 3C | Alt. 4 | Alt. 4B             |
| Residential Single-Family Districts  | 19.3                                       | 12.7     | 19.7     | 12.5     | 8.4               | 4.0   | 4.3     | 6.4    | 7.5                 |
| Residential Multifamily Districts  | 21.4                                       | 15.4     | 15.2     | 16.0     | 26.5              | 26.5  | 17.0    | 27.6   | 17.0                |
| Neighborhood Business District   | 0  | 0        | 0        | 0        | 0                 | 0.2   | 0.2     | 0.3    | 0.1                 |
| Community Business Districts   | 0.0  | 0.0      | 0.0      | 0.0      | 4.9               | 0.1   | 0.1     | 0.04   | 0.0                 |
| Industrial   | 0  | 0        | 0        | 0        | 0                 | 4.0   | 0.0     | 2.4    | 0.4                 |
| Institutional District   | 38.6                                       | 38.6     | 35.4     | 34.5     | 13.6              | 0.4   | 0.4     | 0.2    | 0.4                 |
| Office   | 0.0  | 0.0      | 0.0      | 0.0      | 0.0               | 0.0   | 0.0     | 0.0    | 0.0                 |
| Highway Business District  | 11.4                                       | 9.6      | 9.7      | 7.8      | 1.9               | 14.8  | 15.8    | 14.0   | 14.3                |
| Regional Business District   | 32.3                                       | 32.4     | 34.1     | 27.1     | 0.0               | 15.4  | 15.4    | 9.3    | 10.5                |
| Central Business District  | 0.0  | 0.0      | 0.0      | 0.0      | 0.4               | 0.0   | 0.0     | 0.2    | 0.3                 |
| Commercial   | 28.7                                       | 31.4     | 30.8     | 24.8     | 2.7               | 0.0   | 0.0     | 0.0    | 0.0                 |
| Resort District  | 0.0  | 0.0      | 0.0      | 0.0      | 0.0               | 22.1  | 21.5    | 37.2   | 19.6                |
| River District   | 0.0  | 0.0      | 0.0      | 0.0      | 6.3               | 11.2  | 24.8    | 16.1   | 22.3                |
| Total  | 151.8                                      | 140.1    | 144.9    | 122.6    | 64.7              | 98.9  | 99.7    | 113.7  | 92.5                |
| <b>Human Environment</b>   |  |          |          |          |                   |   |         |        |                     |
| <i>Community Effects (# of communities within or adjacent to study area with benefit or burden from proposed alternatives)</i> |  |          |          |          |                   |   |         |        |                     |
| High Benefit   | -  | -        | -        | -        | -                 | -   | -       | -      | -                   |
| Moderate Benefit   | -  | -        | -        | -        | -                 | -   | -       | 1      | 1                   |
| Low Benefit  | -  | -        | -        | -        | -                 | -   | -       | 2      | 2                   |
| Neutral  | -  | -        | 2        | -        | 1                 | 5   | 5       | 1      | 1                   |
| Low Burden   | 2  | 2        | -        | 2        | 3                 | 4   | 4       | 4      | 4                   |
| Moderate Burden  | -  | -        | -        | -        | 1                 | 1   | 1       | 2      | 2                   |
| High Burden  | -  | -        | -        | -        | -                 | -   | -       | -      | -                   |
| <b>Cultural Resources</b>  |  |          |          |          |                   |   |         |        |                     |
| Historic Properties – Section 106 Effects  | 0  | 0        | 0        | 0        | 0                 | 0   | 0       | 0      | 1<br>Adverse Effect |
| Historic Properties Impacted   | 2  | 2        | 1        | 1        | 2                 | 2   | 2       | 2      | 2                   |
| Archeological Sites Impacted   | 5  | 6        | 5        | 6        | 2                 | 1   | 1       | 1      | 0                   |
| <b>Natural Environment</b>   |  |          |          |          |                   |   |         |        |                     |
| <i>Biotic Resources (acres)</i>  |  |          |          |          |                   |   |         |        |                     |
| Maintained/ disturbed  | 192.86                                     | 191.47   | 188.84   | 171.93   | 91.08             | 87.85   | 83.96   | 126.50 | 124.82              |
| Mesic Mixed Forest   | 140.72                                     | 137.11   | 135.08   | 111.26   | 47.41             | 39.02   | 33.32   | 40.02  | 40.67               |
| Alluvial Hardwood Forest   | 8.97                                       | 9.11     | 8.33     | 6.55     | 1.50              | 5.87  | 4.76    | 3.10   | 3.88                |
| Open Water   | 0.19                                       | 0.39     | 0.24     | 0.17     | 0                 | 0.00  | 0.00    | 0.00   | 0.00                |
| Total  | 342.75                                     | 338.07   | 332.49   | 289.90   | 139.99            | 132.74  | 122.04  | 169.63 | 169.37              |
| Impervious Surface Increase (acres)  | 74.43                                      | 82.03    | 61.33    | 57.12    | 27.45             | 29.68   | 28.37   | 38.26  | 40.45               |
| Stream Impacts (#)   | 12   | 12       | 13       | 12       | 4                 | 7   | 6       | 6      | 7                   |
| Stream Impacts (linear feet)   | 2,965                                      | 2,779    | 2,938    | 1,984    | 798               | 3,874   | 3,639   | 1,839  | 2,128               |

|                                      | Section C<br>(I 26/I 40/I 240 Interchange) |            |            |            | Section A         | Section B<br>(New Location across French Broad) |            |            |            |
|--------------------------------------|--|------------|------------|------------|-------------------|---|------------|------------|------------|
|                                      | Alt. A 2                                   | Alt. C 2   | Alt. D 1   | Alt. F 1   | I 240<br>Widening | Alt. 3  | Alt. 3C    | Alt. 4     | Alt. 4B    |
| Wetland Impacts (#)                  | 13   | 12         | 13         | 12         | 1                 | 3   | 2          | 4          | 2          |
| Wetland Impacts (acres)              | 2.62                                       | 2.36       | 2.01       | 1.86       | 0.01              | 0.22  | 0.11       | 0.22       | 0.10       |
| Pond Impacts (#)                     | 0  | 0          | 0          | 0          | 0                 | 3   | 0          | 3          | 0          |
| Pond Impacts(acres)                  | 0  | 0          | 0          | 0          | 0                 | 0.6   | 0          | 0.53       | 0          |
| Protected Species Adversely Affected | Unresolved                                 | Unresolved | Unresolved | Unresolved | Unresolved        | Unresolved                                      | Unresolved | Unresolved | Unresolved |

Alternative F-1 (Section C), the Section A widening, and Alternative 4-B (Section B) were identified as the Preferred Alternative based on public comments received on the DEIS and in coordination with the public and environmental resource and regulatory agencies, as documented in the FEIS. Considerations when identifying the Preferred Alternative included the following:

- Alternative F-1 in Section C overall had the lowest impacts including the lowest amount of relocations, wetlands, and stream impacts. F-1 provides direct access between Brevard Road and I-26/I-240 along I-40.
- Alternative 4-B in Section B addresses more transportation and access issues within the City of Asheville. Alternative 4-B is the only alternative which has direct access to Haywood Road from I-26 EB. Alternative 4-B also provides direct access to Westgate Shopping Center via Patton Avenue and separates Patton Avenue traffic from all interstate traffic. In addition, Alternative 4-B provides a proposed crossing of the French Broad River for I-26 traffic, as well as new ramps crossing the French Broad River carrying I-240 traffic, leaving only Patton Avenue traffic crossing the French Broad River via the Captain Jeff Bowen Bridges.
- It should be noted that Alternative 4-B was identified as the LEDPA for Section B on the condition that FHWA and NCDOT will provide mitigation to offset visual impacts where feasible and coordinate regarding aesthetics to be incorporated at Riverside Cemetery.
- Following selection of the LEDPA, design details such as reevaluation of the project typical sections (number of lanes) and additional avoidance and minimization efforts will be considered and implemented into the refinement of preliminary designs for the LEDPA based on a new traffic forecast (which will be developed from current FBRMPO Model).
- Preferred Alternative is largely compatible with local and regional land use plans, transportation plans and growth plans.
- Preferred Alternative has less impact to the Burton Street neighborhood, a community with an identified environmental justice population.
- Proposed designs will include a new local street to the Hillcrest community and surrounding area, which will improve vehicular and pedestrian access to Patton Avenue, West Asheville, and downtown Asheville.
- Proposed designs at US 19-23-70 interchange at I-240/Patton Avenue will simplify traffic operations and improve geometrics to current standards.
- The Preferred Alternative provides direct access to and from Amboy Road on both directions of I-26/I-240.
- The Preferred Alternative provides direct right-in/right-out access to both Fairfax Avenue and Virginia Avenue from westbound Amboy Road Extension.

- Preferred Alternative includes improvements to Amboy Road to help improve access to Brevard Road, Fairfax Avenue, and Virginia Avenue And provides bicycle/pedestrian connections to opposite side of the highway including recreational opportunities along the French Broad River.

Designs were refined after the DEIS based on changes in the Travel Demand Model and agency and public coordination. Impacts as presented in the FEIS of the Preferred Alternative are summarized in Table 2.

Table 2: Summary of Preferred Alternative Impacts by Section as Presented in the 2020 FEIS

| Resource   | Section C (I-26/I-40/I-240 Interchange) |               | Section A      |               | Section B (New Location across French Broad) |               |
|--|---|---------------|----------------|---------------|--|---------------|
|  | Alternative F-1                         |               | I-240 Widening |               | Alternative 4-B                              |               |
|  | Draft EIS                               | Final EIS     | Draft EIS      | Final EIS     | Draft EIS                                    | Final EIS     |
| <b>Project Features</b>                              |   |               |                |               |  |               |
| <i>Length (miles)</i>                                |   |               |                |               |  |               |
| I-26   | 2.2                                     | 2.2           | 2.0            | 2.0           | 2.5  | 2.5           |
| I-40/I-240   | 2.8                                     | 2.8           | 0.0            | 0.0           | 1.5  | 1.5           |
| Total Length   | 5.0                                     | 5.0           | 2.0            | 2.0           | 4.0  | 4.0           |
| Interchanges   | 3                                       | 3             | 3              | 3             | 3  | 3             |
| Railroad Crossings                                   | 2                                       | 2             | 0              | 0             | 5  | 5             |
| Navigable Waterway Crossings                         | 1                                       | 1             | 0              | 0             | 4  | 4             |
| Construction Cost                                    | \$203,300,000                           | \$200,600,000 | \$105,700,000  | \$152,900,000 | \$291,300,000                                | \$456,000,000 |
| Right-of-Way Cost                                    | \$17,100,000                            | \$40,000,000  | \$29,400,000   | \$29,000,000  | \$36,800,000                                 | \$65,000,000  |
| Utilities Cost                                       | \$2,100,000                             | \$6,700,000   | \$3,400,000    | \$2,700,000   | \$3,900,000                                  | \$18,200,000  |
| Total Cost   | \$222,500,000                           | \$247,300,000 | \$138,500,000  | \$184,600,000 | \$332,000,000                                | \$539,200,000 |
| <b>Socioeconomic Features</b>                        |   |               |                |               |  |               |
| <i>Relocations</i>                                   |   |               |                |               |  |               |
| Residential  | 31                                      | 14            | 81             | 71            | 33   | 29            |
| Business   | 5                                       | 2             | 17             | 14            | 34   | 19            |
| Nonprofit  | 0                                       | 0             | 1              | 1             | 1  | 1             |
| Total  | 36                                      | 16            | 99             | 86            | 68   | 50            |
| Schools Relocated                                    | 0                                       | 0             | 1              | 0             | 0  | 0             |
| Churches Relocated                                   | 1                                       | 0             | 1              | 0             | 1  | 0             |
| Parks and Recreational Areas Impacted                | 1                                       | 0             | 2              | 1             | 0  | 0             |
| Cemeteries Impacted                                  | 0                                       | 0             | 0              | 0             | 0  | 0             |
| <b>Physical Environment</b>                          |   |               |                |               |  |               |
| Noise Impacts (No-Build)                             | 193                                     | 140           | 181            | 131           | 243  | 123           |
| Noise Impacts (before abatement)                     | 304                                     | 171           | 198            | 112           | 224  | 134           |
| Noise Impacts (after abatement)                      | 274                                     | 72            | 94             | 17            | 89   | 99            |
| Hazardous Material Sites (moderate or high) Impacted | 1                                       | 0             | 0              | 0             | 1  | 1             |

| Resource   | Section C (I-26/I-40/I-240 Interchange) |           | Section A        |           | Section B (New Location across French Broad) |                  |
|--|---|-----------|------------------|-----------|--|------------------|
|  | Alternative F-1                         |           | I-240 Widening   |           | Alternative 4-B                              |                  |
|  | Draft EIS                               | Final EIS | Draft EIS        | Final EIS | Draft EIS                                    | Final EIS        |
| Floodplain Impacts (acres)                         | 16.63                                   | 14.23     | 8.36             | 6.75      | 3.91   | 2.57             |
| Floodway Impacts (acres)                           | 2.00                                    | 1.72      | 1.94             | 1.02      | 0.38   | 0.36             |
| <i>Land Use Impacts by Zoning Category (acres)</i> |   |           |                  |           |  |                  |
| Residential Single-Family Districts                | 12.5                                    | 5.4       | 8.4              | 3.5       | 7.5  | 3.9              |
| Residential Multifamily Districts                  | 16.0                                    | 5.4       | 26.5             | 16.8      | 17.0   | 8.9              |
| Neighborhood Business District                     | 0                                       | 0.0       | 0                | 0.1       | 0.1  | 0.1              |
| Community Business Districts                       | 0.0                                     | 0.0       | 4.9              | 0.0       | 0.0  | 0.0              |
| Industrial   | 0                                       | 0.0       | 0                | 0.0       | 0.4  | 0.4              |
| Institutional District                             | 34.5                                    | 9.5       | 13.6             | 4.1       | 0.4  | 0.1              |
| Office   | 0.0                                     | 0.0       | 0.0              | 0.0       | 0.0  | 0.0              |
| Highway Business District                          | 7.8                                     | 0.1       | 1.9              | 2.0       | 14.3   | 2.0              |
| Regional Business District                         | 27.1                                    | 0.3       | 0.0              | 0.0       | 10.5   | 6.9              |
| Central Business District                          | 0.0                                     | 0.0       | 0.4              | 0.0       | 0.3  | 0.1              |
| Commercial   | 24.8                                    | 4.9       | 2.7              | 1.8       | 0.0  | 0.0              |
| Resort District                                    | 0.0                                     | 0.0       | 0.0              | 0.0       | 19.6   | 16.9             |
| River District                                     | 0.0                                     | 0.0       | 6.3              | 3.2       | 22.3   | 15.3             |
| Haywood Road                                       | --                                      | 0.0       | --               | 4.8       | --   | 0.0              |
| Total  | 122.6                                   | 25.7      | 64.7             | 36.1      | 92.5   | 54.5             |
| <b>Cultural Resources</b>                          |   |           |                  |           |  |                  |
| Historic Properties – Section 106 Effects          | 0                                       | 0         | 1 Adverse Effect | 0         | 1 Adverse Effect                             | 1 Adverse Effect |
| Historic Properties Impacted                       | 1                                       | 1         | 2                | 1         | 2  | 1                |
| Archeological Sites Impacted                       | 6                                       | 4         | 2                | 2         | 0  | 0                |
| <b>Natural Environment</b>                         |   |           |                  |           |  |                  |
| <i>Biotic Resources (acres)</i>                    |   |           |                  |           |  |                  |
| Maintained/disturbed                               | 171.93                                  | 157.1     | 91.08            | 81.3      | 124.82                                       | 121.8            |
| Mesic Mixed Forest                                 | 111.26                                  | 105.4     | 47.41            | 42.7      | 40.67  | 32.7             |
| Alluvial Hardwood Forest                           | 6.55                                    | 3.7       | 1.50             | 1.4       | 3.88   | 3.8              |
| Open Water   | 0.17                                    | 0.20      | 0                | 0         | 0.00   | 0                |
| Total  | 289.90                                  | 266.40    | 139.99           | 125.40    | 169.37                                       | 158.30           |
| Increase in Impervious Area (acres)                | 134.6                                   | 98.2      | 63.8             | 61.9      | 99.7   | 101.6            |

| Resource                             | Section C (I-26/I-40/I-240 Interchange) |           | Section A      |           | Section B (New Location across French Broad) |           |
|--------------------------------------|---|-----------|----------------|-----------|--|-----------|
|                                      | Alternative F-1                         |           | I-240 Widening |           | Alternative 4-B                              |           |
|                                      | Draft EIS                               | Final EIS | Draft EIS      | Final EIS | Draft EIS                                    | Final EIS |
| Stream Crossing Impacts (#)          | 12                                      | 12        | 4              | 5         | 7  | 7         |
| Stream Impacts (linear feet)         | 1,984                                   | 1,376     | 798            | 640       | 2,128  | 2,171     |
| Wetland Impacts (#)                  | 12                                      | 6         | 1              | 1         | 2  | 1         |
| Wetland Impacts (acres)              | 1.86                                    | 1.27      | 0.01           | 0.01      | 0.10   | 0.04      |
| Pond Impacts(#)                      | 0                                       | 0         | 0              | 0         | 0  | 0         |
| Pond Impacts(acres)                  | 0                                       | 0         | 0              | 0         | 0  | 0         |
| Protected Species Adversely Affected | 0                                       | 2         | 0              | 2         | 0  | 2         |

<sup>a</sup> Stream, wetland, and pond impacts calculated using design slope stakes plus 25-foot buffer. All other impacts calculated using right-of-way.

### 4.3 DESCRIPTION OF THE SELECTED ALTERNATIVE

The Selected Alternative for the I-26 Connector Project includes Section C – Alternative F-1, Section A – Widening Alternative, and Section B – Alternative 4-B. The 2020-2029 NCDOT STIP divides the project into four sections, separating the portion of Section B that includes improvements to Riverside Drive from Hill Street to Broadway Street as Section D. After publication of the FEIS in 2020, the project section boundaries were revised to better align construction phasing and let dates and are now defined in four sections: Sections A, B, C, and D.

Features of Section C - Alternative F-1 include:

- Maintaining the existing I-26/I-40/I-240 interchange configuration and adding a loop and a ramp to provide for the missing movements.
- Reconstruction of I-40/US 19-23-74A (Smoky Park Highway) interchange, except Ramp A utilizing existing configuration, but realigning ramps on the north of I-40.
- I-40/NC 191 (Brevard Road) interchange maintains existing configuration.
- Full access to NC 191 (Brevard Road) along I-40 eastbound and westbound for traffic coming to and from I-26 and I-240.

Features of Section A – I-240 Widening Alternative include:

- Construct Ramp A at US 19/23 (Smokey Park Highway).
- Improve I-40 between the I-26/I-40/I-240 interchange and US 19/23 (Smokey Park Highway).
- Reconstruct the I-26/I-240 and NC 191 (Brevard Road) interchange to a diamond interchange that eliminates I-26 eastbound/I-240 westbound exit to NC 191 (Brevard Road).
- Upgrade the existing I-26/I-240 and SR 3556 (Amboy Road) interchange to a full interchange with a conventional diamond configuration.
- Extend SR 3556 (Amboy Road) over I-26/I-240 and continue parallel with I-26/I-240 to the existing intersection of NC 191 (Brevard Road).

Features of Section B - Alternative 4-B include:

- Upgrade the existing I-26/I-240 and US 19-23 Business (Haywood Road) interchange to a tight urban diamond interchange (TUDI) configuration.
- Upgrading the existing I-240 interchange with US 19-23-74A (Patton Avenue) to accommodate the connection for the new location portion of I-26.
- Crosses over the Crowne Plaza Resort golf course.
- Creates three new crossings over the French Broad River, to the north of the existing Captain Jeff Bowen Bridges. Two bridges would carry I-240 traffic, with the third carrying I-26.
- Separates I-240 traffic from Patton Avenue traffic across the Captain Jeff Bowen Bridges and includes construction on I-240 east of the French Broad River.

Features of Section D – Riverside Drive

- Upgrades to include one 11-foot lane in each direction, one five-foot bicycle lane in each direction, and a 10-foot multi-use path on the west side of the roadway.
- Construct a buffer to the bicycle lane and add a concrete sidewalk to the east side of Riverside Drive, between the US 19/23 southbound retaining wall.

The typical section of I-26 south of the I-40 interchange is a basic eight-lane section with 12-foot travel lanes, 12-foot paved shoulders, and varying median width. I-26 is divided by barriers and a retaining wall. In this area of the project, I-26 is transitioning to tie to the I-4400/I-4700 project. Throughout the I-40 interchange, I-26 utilizes a basic four-lane typical section with a bifurcated median. The design includes 12-foot travel lanes and 12-foot paved shoulders. This portion of the project uses standard cut and fill slopes to tie construction to existing ground. North of the I-40 interchange, I-26 transitions to a six-lane basic freeway section. I-26 is designed with 12-foot travel lanes and 12-foot paved shoulders. This portion of the project uses standard cut and fill slopes to tie construction to existing ground. The median narrows to 26 feet over the French Broad River bridges, where it transitions to an eight-lane typical section from US 19-23-70 to SR 1781. I-26 is designed with 12-foot travel lanes and 12-foot paved shoulders.

Following publication of the DEIS, the FBRMPO revised its travel demand model. This revised model, and associated revisions to the traffic forecast and capacity analysis, allowed the design team to incorporate several refinements into the project to reduce impacts of the Preferred Alternative, including the recommendation of a six-lane typical section for basic freeway lanes on I-26/I-240, from I-40 to US 19-23-70. A detailed discussion of the design refinements is included in Section 2.6.4 of the FEIS.

#### 4.4 DESIGN REFINEMENTS OF THE SELECTED ALTERNATIVE

The preliminary designs of the Preferred Alternative, as presented in the 2020 FEIS, have been refined based on coordination with environmental and regulatory resource agencies, local officials, and affected communities. The resulting impacts from the design modifications to the Preferred Alternative include an overall reduced highway footprint, overall reduction in residential relocations, minimized community impacts, enhanced bicycle and pedestrian accommodations, and enhanced safety.

##### 4.4.1 PATTON AVENUE/I-240 INTERCHANGE EAST OF FRENCH BROAD RIVER

As part of the stipulations outlined in the January 2021 MOA, NCDOT agreed to evaluate lessening impacts to the Riverside Cemetery within the Montford Historic District by modifying the preliminary design in proximity to the cemetery, specifically by lowering the U.S. 19-23-70 roadway adjacent to the property. The modifications from the previous preliminary designs include the following:

- I-240:
  - Median width has been reduced from approximately 85 feet to 30 feet.
  - Alignment has been shifted south ranging from 60 to 100 feet.
  - Grade reduced from 6 percent to 5 percent.
- Hill Street:
  - Realigned to cross I-240 with the alignment shifted south.
  - Atkinson Street bridge has been eliminated.
- Hillcrest Connector:
  - Roundabout now included at the intersection with the relocated Hill Street.
- Patton Avenue:
  - Roadway reduced to two lanes in the westbound direction.
  - Speed limit reduced to 35 mph between Y7 Ramp D and Clingman Avenue.
  - Lane widths reduced to 11 feet east of the French Broad River.
  - Median width east of the French Broad River reduced.
  - Sidewalk on the north side of the roadway upgraded to a 10-foot multi-use path between Y7 Ramp D and the realigned Hill Street.
- Riverside Cemetery:
  - US 23/Riverside Drive alignments shifted approximately 10 feet west of the cemetery.
  - US 23 northbound profile adjacent to the cemetery lowered by approximately 30-55 feet.
  - Retaining wall along cemetery boundary removed.
- I-26:
  - Profile adjustments made to lower profile across the French Broad River approximately 5-10 feet.
  - Profile adjustments made to lower profile up to 20 feet in vicinity of Riverside Cemetery and the Montford neighborhood.
- I-240 Westbound:
  - Flyover bridge lowered by approximately 20 feet across French Broad River.
  - Alignment shifted approximately 90 feet closer to I-26 bridge.
- Ramp Y23E (Patton Avenue to I-240 Westbound):
  - Ramp grade reduced to 5 percent.

The re-alignment of Hill Street and shifting of I-240 has resulted in the minimization of impacts to residential areas along Hill Street. By lowering the profiles of I-240 and US 23 NB, the retaining wall adjacent to the Riverside Cemetery has been removed.

These modifications were also developed to accommodate goals of the City of Asheville including lowering the profile of the flyover bridges over the French Broad River, reducing the project footprint, and expanded local road and pedestrian connections.

The resulting impacts from the proposed changes to the I-240/Patton Avenue design include an overall reduced highway footprint, overall reduction in residential relocations, minimized community impacts, reduced vertical profile along Riverside Drive, enhanced bicycle and pedestrian accommodations, and enhanced safety.



#### 4.4.2 RIVERSIDE DRIVE

In lieu of the three-lane typical section noted in the 2020 FEIS, the designs were revised to better match the typical section currently under construction with the River Arts District Transportation Improvement Project (RADTIP), a major roadway and greenway construction project along the east side of the French Broad River in Asheville's River Arts District. The typical section includes one 11-foot lane in each direction, one five-foot bicycle lane in each direction, and a 10-foot multi-use path on the west side of the roadway. There is minimal distance between the roadway and the retaining wall supporting US 19/23 South. Additional coordination is ongoing with the City of Asheville on other elements of the typical section.

In addition to the modifications described above, other changes include adding a buffer to the bicycle lane and adding a concrete sidewalk to the east side of Riverside Drive, between the roadway and the US 19/23 southbound retaining wall. Furthermore, the alignment for Riverside Drive at the Broadway Street intersections has been revised. The 2020 FEIS showed that two structures owned by Ramp Studios, LLC located in the southeast quadrant of this intersection would be demolished. In order to reduce impacts to these structures so that they will not require demolition, the alignment of Riverside Drive has been shifted to the west. In order to reduce impacts at the Ramp Studio properties, it was also necessary to add retaining walls along I-26 to prevent these structures from being impacted.

#### 4.4.3 REGENT PARK BOULEVARD

Based on coordination with the property owners, NCDOT removed the improvements to Regent Park Boulevard from the project. Plans were revised to show a paved street turnout at Regent Park Boulevard.

#### 4.4.4 HILLCREST APARTMENT COMMUNITY

Bicycle and pedestrian accommodations in the vicinity of the Hillcrest Apartment Community have been made due to the connections to the Hillcrest Apartment Community accommodations along Riverside Drive, and the realignment of the Hill Street crossing of I-240. The improvements include additional sidewalk connectivity from Hillcrest to the realigned Hill Street, including a grassed berm to separate residents from Hill Street. Additionally, a pedestrian bridge is proposed at the entrance of the community to provide access across I-240 to Hill Street. A sidewalk is included on the southeast corner of the property to provide direct access by residents to Patton Avenue and the multi-use path along Patton Avenue. The existing pedestrian bridge east of the Jeff Bowen Bridges, south of Hillcrest is proposed to be removed and the existing pedestrian bridge south of the Isaac Dickson Elementary School is proposed to be replaced.

These changes are anticipated to benefit the community, as they enhance bicycle and pedestrian accommodations and provide increased connectivity to surrounding areas. These design modifications have been presented to the Hillcrest Apartment Community, with no concerns raised by residents.

### 4.5 IMPACTS OF THE SELECTED ALTERNATIVE

Impacts of the Selected Alternative are summarized in the following sections.

#### 4.5.1 COMMUNITY FACILITIES AND SERVICES

##### Parks and Recreational Facilities

The Selected Alternative in Section A would impact approximately 0.82 acre of the existing Amboy Road frontage of Carrier Park for additional right-of-way and construction easements. Almost all the acreage of additional right-of-way required from Carrier Park would be from a paved shoulder area currently utilized for additional perpendicular parking. Future plans for the park call for the removal of this parking.

The Selected Alternative in Section B would require placement of bridge bents in the French Broad River, which is designated by the state as a paddle trail. Users will continue to have access to the river, and the project will not adversely impact the use of the river for recreational purposes.

##### Churches

It is anticipated right-of-way and temporary construction impacts would result at the Hill Street Baptist Church, Community Baptist Church, Crossroads Assembly Church on Bear Creek Road, and the Haywood Street Congregation on Haywood Street. No churches are anticipated to be displaced by the Selected Alternative.

#### 4.5.2 RELOCATIONS

The estimated residential, business, and non-profit relocations associated with the Selected Alternative are summarized in Table 3.

Table 3: Relocations Associated with the Selected Alternative

| <i>Section</i>   | <i>Estimated Total Residential Relocations</i> | <i>Estimated Total Business Relocations</i> | <i>Estimated Total Non-Profit Relocations</i> |
|------------------|--|---|---|
| <i>Section C</i> | <i>1</i>                                       | <i>0</i>                                    | <i>0</i>                                      |
| <i>Section A</i> | <i>42</i>                                      | <i>2</i>                                    | <i>0</i>                                      |
| <i>Section B</i> | <i>40</i>                                      | <i>39</i>                                   | <i>0</i>                                      |
| <i>Section D</i> | <i>0</i>                                       | <i>0</i>                                    | <i>0</i>                                      |

Source: EIS Relocation Reports for STIP Project I-2513 (NCDOT 2022).

#### 4.5.3 ENVIRONMENTAL JUSTICE

Based on the 2015-2019 American Community Survey demographic data, of the 15 communities identified in the study area, 12 include populations that meet or exceed the threshold for low-income and/or minority populations and are considered environmental justice populations.

- Burton Street Community
- Hillcrest Apartments Community
- Houston/Courtland Community
- Montford Community
- West End/Clingman Neighborhood (WECAN)
- Emma Road/Bingham Road Community
- Murphy Hill Community
- River Arts District

- Westwood Place Community
- Kentucky/Hanover/Pisgah View Area Community
- Clairmont Crest and Willow Lake Mobile Home Park Communities

The relocation reports are based on the latest modifications of I-2513 and incorporate the use of demographic data from the 2020 Decennial Census to estimate the potential proportion of minority and low-income relocations. Of the 83 total relocations for the project, there are estimated to be 26 minority relocations. There are estimated to be three low-income relocations. NCDOT and FHWA have completed extensive community involvement for low-income and minority communities being impacted by the project. Outreach efforts after publication of the DEIS are documented in the FEIS in Chapter 8. After the FEIS was published in early 2020, NCDOT and FHWA conducted monthly/periodic Working Group meetings with the Burton Street Community to implement the strategies developed as a part of the Burton Street Neighborhood Plan. NCDOT funded facilitation of the Burton Street Neighborhood Plan for the Community, which was adopted by the Asheville City Council in October 2018. Summaries of the meetings are documented on the City's website. Additionally, as discussed in Section 4.4.1, design changes to Patton Avenue east of the French Broad River and adjacent to the Hillcrest Apartment community, an identified Environmental Justice community, have been found to further mitigate impacts resulting from the project. These design modifications were communicated with the neighborhood during a public meeting held on February 15, 2022, in coordination with the City of Asheville Housing Authority. There were no notable concerns from the residents. A copy of the meeting summary is included in Appendix C.

Furthermore, no additional minority population or low-income populations have been identified that have not already been considered throughout the project lifecycle, and there are no new disproportionately high and adverse human or environmental effects beyond those previously identified.

#### Burton Street Community

The Burton Street Community was identified as a neighborhood that consists of an environmental justice population that has experienced negative impacts from past federal, state and local projects. Therefore, unavoidable impacts on the Burton Street Community, which include changes in access and relocations, are being mitigated through additional public outreach with this community throughout the project development process, including developing of a neighborhood mitigation plan, to minimize, mitigate, and provide offsetting benefits to enhance the community. As documented in the FEIS in Section 4.1.2.1, FHWA has determined that NCDOT has implemented and/or committed to implementing avoidance, minimization, mitigation, and beneficial measures for the Burton Street Community, thereby reducing adverse impacts to this community.

#### Hillcrest Apartment Community

The Hillcrest Apartment Community was identified as a neighborhood that consists of an environmental justice population. While there are no direct impacts to the community from the project, the proposed design modifications along Patton Avenue are adjacent to the Hillcrest Apartments and have been coordinated closely with the City of Asheville, the City of Asheville Housing Authority, and the residents of Hillcrest Apartments and are described in Section 4.4.4. These changes are anticipated to benefit the community, as they enhance bicycle and pedestrian accommodations and provide increased connectivity to surrounding areas. Modifications include additional sidewalk connectivity from Hillcrest to the realigned Hill Street, including a grassed berm to separate residents from Hill Street. Additionally, a pedestrian bridge is proposed at the entrance of the community to provide access across I-240 to Hill Street. A sidewalk is included on the southeast corner of the property to provide direct access by residents

to Patton Avenue and the multi-use path along Patton Avenue. The existing pedestrian bridge east of the Jeff Bowen Bridges, south of Hillcrest is proposed to be removed and the existing pedestrian bridge south of the Isaac Dickson Elementary School is proposed to be replaced.

#### 4.5.4 LIMITED ENGLISH PROFICIENCY POPULATIONS

Census data indicated four block groups corresponding to two communities with the presence of Spanish-speaking populations that may require language assistance. This includes the Emma Road/Bingham Road community and Fairfax/Virginia Avenue community.

According to the *Community Impact Assessment*<sup>6</sup>, as well as discussions with local planners, the Hispanic population within the Emma Road/Bingham Road community reside in the Woodridge Apartments or the Maple Terrace manufactured homes neighborhood, which is not anticipated to be directly impacted by the Selected Alternative.

While direct impacts to the Fairfax/Virginia Avenue Community do occur, they are along the periphery of the neighborhood and are not anticipated to reduce community cohesion or stability.

#### 4.5.5 LAND USE AND TRANSPORTATION PLANNING

The project is generally consistent with existing and future land use and transportation plans developed for the local agencies within the future land use study area.

#### 4.5.6 CULTURAL RESOURCES

##### Historic Architectural Resources

Pursuant to Section 106 of the National Historic Preservation Act, the State Historic Preservation Office (HPO) concurred with NCDOT's determination that the project will have no adverse effect upon the following properties identified in or near the Area of Potential Effects (APE) that are already listed in or eligible for the National Register of Historic Places (NRHP): the Biltmore Estate, Buncombe County Bridge 216, Baker Building, the Montford Hills Historic District, and the Haywood Street United Methodist Church. HPO concurred with the determination that the project will have no adverse effect upon the following properties provided the environmental commitments stipulated in a Memorandum of Agreement (MOA)<sup>7</sup> are fulfilled: the Asheville School, West Asheville/Aycock School Historic District, Freeman House, the William Worley House, and the Great Smoky Mountain Park Bridge (Buncombe County Bridge No. 323).

It was noted in the FEIS that no changes would be made to the structure of the Great Smoky Mountain Park Bridge (Buncombe County Bridge No. 323) and therefore a finding of no effect was recorded to this resource. Since publication of the FEIS, the City of Asheville has requested revisions be made based upon recommendations of their Aesthetics Committee. As currently proposed, the non-contributing cantilevered sidewalk would be removed, and the bridge would be converted to a two-lane facility with a ten-foot sidewalk on the existing deck. The decorative architectural embellishments on the substructure will not be removed. The existing bridge rails and pedestrian lights will be replaced with designs that meet

<sup>6</sup> NCDOT. 2015. *Community Impact Evaluation Criteria Technical Memorandum*. February 2015.

<sup>7</sup> NCDOT. 2021. *Memorandum of Agreement among the Federal Highway Administration, the North Carolina Department of Transportation, and the North Carolina State Historic Preservation Office Pursuant to 36 CFR Section 800.6 regarding the I-26 Connector Buncombe County, North Carolina*. <https://www.ncdot.gov/projects/asheville-i-26-connector/Documents/I-26-memorandum-agreement.pdf>

current safety standards and are congruent with the original “art moderne” style of the bridge. HPO concurred with NCDOT’s determination that the project will have no adverse effect upon the bridge following stipulations outlined in the MOA.

The Selected Alternative will have an adverse effect on Riverside Cemetery within the Montford Area Historic District. The Selected Alternative will have no effect on the remaining historic properties identified in or near the APE.

A copy of the MOA is included in Appendix B.

### Archaeological Resources

HPO has concurred with NCDOT’s determination that the project will have no adverse effect on one archaeological site (31BN623) identified in or near the APE that is already listed in or eligible for the NRHP, provided environmental commitments stipulated in the MOA are fulfilled. As noted in the MOA, iron markers will be placed at each end of a wall associated with site 31BN623 to mark its extent prior to the placement of fill within the project limits. The exact locations of the markers will be provided to the SHPO for its records. Any changes in the vicinity of 31BN623 to the Selected Alternative final design after the execution of this MOA shall require approval from the SHPO.

Archaeological site 31BN826 is NRHP-eligible under Criterion D and would be adversely affected by the Selected Alternative.

## 4.5.7 PHYSICAL ENVIRONMENT

### Noise

The Selected Alternative impacts 171 receptors in Section C, 112 receptors in Section A, and 93 receptors in Section B. Based upon feasibility and reasonableness criteria defined in the NCDOT Traffic Noise Policy, eight noise barriers are preliminarily feasible and reasonable, contingent upon completion of the project design, the final design noise analysis, and the public involvement process. The Design Noise Report will make final recommendations for noise barriers based on the final design.

### Air Quality

The project is in Buncombe County, which has been determined to comply with the National Ambient Air Quality Standards (NAAQS). The proposed project is in an attainment area; therefore, 40 CFR Parts 51 and 93 are not applicable. This project is not anticipated to create any adverse effects on the air quality of this attainment area.

### Farmlands

Due to the urban setting of the project, the Farmland Policy Protection Act was not applicable therefore the Farmland Conversion Impact Rating Form (United States Department of Agriculture [USDA] Form AD-1006) for federally funded projects was not required.

### Utilities

Utility coordination will be conducted during final design. All utility providers will be contacted and coordinated with to ensure that the proposed design and construction of the project does not substantially disrupt service.

## Visual Quality

In Section C, the Selected Alternative would maintain the existing roadway configuration and would not change the viewshed substantially from the existing condition. Construction of Section A would have a visual impact on adjacent areas. Visual impacts would occur in this section of the project but are not anticipated to be adverse. Visual impacts of Section B would generally be enhanced or improved for those using the facility and degraded for those viewing the freeway from off the road. The three new bridges across the French Broad River would introduce new prominent features that would be out of context with the existing viewshed. Pursuant to Section 106, it has been determined the visual change to the Riverside Cemetery within the Montford Area Historic District is an adverse effect and will require mitigation.

Conversely, opportunities for views and new vistas of Asheville, the French Broad River, and surrounding mountains and hills would exist for motorists using the new roadway. The proposed design that would reconfigure the I-240 interchange with US 19-23-70/Patton Avenue would generally be consistent with the existing visual environment.

## Hazardous Materials

One site is anticipated to have a high severity of impact and is located within the Selected Alternative corridor in Section B. A preliminary site assessment geophysical and test pit investigation was performed on four parcels along Riverside Drive to locate landfill material disposed within this site<sup>8</sup> (GEL 2019). Results of the investigation indicate landfill material is present across the entire site; however, the only observed environmental hazard was a 55-gallon drum, which was excavated and was properly disposed of. No other suspect hazardous material was observed. No visual or geophysical evidence of monitoring wells or underground storage tanks were observed on the site.

## Floodplains

Table 2 summarizes the impacts to floodplains and floodways within the project study area from the Selected Alternative.

Table 2: FEMA Floodplain and Floodway Impacts (in acres)

| Section   | Impacts to 100-year Floodplain | Impacts to Floodway | Total Impact |
|-----------|--------------------------------|---------------------|--------------|
| Section C | 10.28                          | 1.63                | 11.91        |
| Section A | 10.58                          | 1.05                | 11.63        |
| Section B | 2.83                           | 0.63                | 3.46         |
| Section D | 13.97                          | 0.14                | 14.11        |

### 4.5.8 NATURAL ENVIRONMENT

#### Soils/Topographical/Geological

A detailed geotechnical investigation is being performed to determine if soil limitations are present within the project footprint for the Selected Alternative. Soil limitations could include erosion hazard,

<sup>8</sup> GEL Engineering of NC, Inc. *Preliminary Site Assessment Report*. January 2019. <https://www.ncdot.gov/projects/asheville-i-26-connector/Documents/I-26-preliminary-site-assessment.pdf>

shrink/swell potential, differential settlement, low strength, corrosivity, and flood hazards. Soil limitations will be overcome through proper engineering design modifications (if needed), soil modification, choice of fill material, use of non-corrosive subgrade materials, and design drainage structures capable of conveying estimated peak flows.

### Biotic Resources

Anticipated impacts to vegetative communities by the Selected Alternative are shown in Table 3. Impacts are calculated using proposed right-of-way limits.

Table 3: Anticipated Vegetative Community Impacts of the Selected Alternative

| Vegetative Community     | Coverage (acres) |           |           |           |
|--------------------------|------------------|-----------|-----------|-----------|
|                          | Section C        | Section A | Section B | Section D |
| Maintained/Disturbed     | 102.52           | 115.08    | 141.61    | 14.20     |
| Mesic Mixed Forest       | 74.79            | 70.06     | 33.96     | 4.06      |
| Alluvial Hardwood Forest | 1.15             | 3.80      | 2.23      | 0.16      |
| Total                    | 178.46           | 188.94    | 177.8     | 18.42     |

### Water Resources

Significant impacts on drainage patterns and groundwater are not anticipated for the Selected Alternative.

The Selected Alternative will impact approximately 3,817 linear feet of streams and 1.3 acres of wetlands. Impacts are calculated based on preliminary design slope stake limits plus 25 feet. It is expected that the stream and wetland impact estimates will be reduced as the level of design detail increases. Impacts to jurisdictional streams and wetlands are summarized in Table 4.

Table 4: Stream Impacts of the Selected Alternative

| Description | Wetland Impacts (acres) | Stream Impacts (linear feet) |
|-------------|-------------------------|------------------------------|
| Section C   | 0.08                    | 512.68                       |
| Section A   | 1.21                    | 1502.75                      |
| Section B   | 0.04                    | 1705.53                      |
| Section D   | 0.00                    | 96.55                        |
| Total       | 1.33                    | 3,817.51                     |

Due to these impacts, it is anticipated an Individual Section 404 Permit granted by the US Army Corps of Engineers (USACE) will be required and impacts mitigated in accordance with the "Memorandum of Agreement (MOA) between the Department of the Army and the Environmental Protection Agency: Determination of Mitigation Under the Clean Water Act Section 404(b)(1) Guidelines". A Section 401 Water Quality Certification will also need to be obtained in compliance with applicable water quality standards for the state of North Carolina.



## Protected Species

Three protected species were identified within the project study area. A Biological Assessment (BA)<sup>9</sup> was prepared to evaluate the protected species that may be impacted by the Selected Alternative (NCDOT 2019). The BA examined impacts of the project action to the gray bat (*Myotis grisescens*), northern long-eared bat (*Myotis septentrionalis*), and Appalachian elktoe (*Alasmidonta raveneliana*). The BA was submitted to the US Fish and Wildlife Service (USFWS) on October 24, 2019 for their review and concurrence. A Biological Opinion (BO)<sup>10</sup> was issued by USFWS on June 19, 2020.

Surveys for gray bat indicated that the species is present in the project study area. Gray bats may experience project-related impacts through exposure to light, acoustic effects (noise and vibration), vehicle collisions, reduction in water quality, and removal of woody vegetation. The BA concluded that the proposed project “May Affect, Likely to Adversely Affect” the gray bat. Incorporation of conservation measures into the proposed project will offset some of those effects. The measures are consistent with the recovery objectives outlined in the recovery plan for gray bat, aiding particularly in the control of habitat destruction.

Surveys for Appalachian elktoe did not find the species within the project study area; however, individuals were found upstream. The species is assumed to be present at potentially low numbers within the project study area. Appalachian elktoe may experience project-related impacts through habitat loss associated with bridge construction and demolition, loss of fish hosts, and impacts to water quality. The BA concluded that the proposed project “May Affect, Likely to Adversely Affect” the Appalachian elktoe. The changes to the environmental baseline of the population within the project study area as a result of direct and indirect adverse effects from the proposed project should not preclude the expansion of the Appalachian elktoe through the project study area. Incorporation of conservation measures into the proposed project will offset some of those effects. The measures are consistent with the recovery objectives outlined in the recovery plan for Appalachian elktoe and will help further facilitate the expansion of the French Broad River population.

Northern long-eared bats are assumed present within the project study area due to the presence of forested habitat that could be used for roosting or foraging. No species-specific surveys were conducted. The BA concluded that the proposed project “May Affect, Not Likely to Adversely Affect” the northern long-eared bat and will not cause prohibited incidental take. Incidental take of the species complies with the 4(d) rule and is therefore not prohibited. However, because of the potential for the 4(d) rule to be rescinded during the life of the proposed project, it has been deemed prudent by FHWA to choose to proceed with a standard Section 7 consultation procedure.

The majority of the proposed construction activities will occur within existing NCDOT right of way and/or other urbanized areas. Woody vegetation is already limited within the study area. Areas outside the existing right of way that may require clearing are largely limited to existing interchanges, which are already cleared of most woody vegetation, and other areas that tend to be urbanized.

Although no Northern long-eared bat roost tree surveys were conducted for this project, it is highly unlikely that this species would choose to roost in trees within this urban area, or in any wooded areas

<sup>9</sup> NCDOT. 2019. *Biological Assessment an Assessment of Potential Effects to Federally Listed Species for I-26 Connector I-40 to US 19/23/70 North of Asheville Buncombe County, Asheville, North Carolina*. October 2019.

<sup>10</sup> USFWS. 2020. *Biological Opinion I-26 Connector from I-40 to US 19/23/70 North of Asheville Buncombe County, Asheville, North Carolina*. 19 June 2020. <https://www.ncdot.gov/projects/asheville-i-26-connector/Documents/I-26-connector-biological-opinion.pdf>

immediately adjacent to the interstates and secondary roads due to elevated levels of disturbance caused by light and noise from passing vehicles, and/or residential and commercial activities.

The USFWS issued a BO that considers the effects of the proposed project on gray bat and Appalachian elktoe. The BO concluded that implementing the proposed project is not likely to jeopardize the continued existence of gray bat or Appalachian elktoe. No critical habitat for gray bat or Appalachian elktoe is present within the project study area; therefore, none will be affected.

#### 4.5.9 INDIRECT AND CUMULATIVE EFFECTS

Probable development areas are those identified in the *Indirect and Cumulative Effects Land Use Scenario Assessment* where the screening indirect and cumulative effects indicate likely or probable changes in land use as a result of the project. The probable development areas include the following:

- US 19-23/I-40 interchange area
- Sand Hill Road/Oakview Road/Sardis Road area
- Brevard Road corridor
- Haywood Road/I-240 interchange area
- I-240/Patton Avenue/Westgate Shopping Plaza area
- I-240/Patton Avenue/Clingman Avenue/RAD area
- US 19-23 /Broadway interchange area

Based on examination of these probable development areas, land use changes as a result of the proposed project are expected to be minimal within the Future Land Use Study Area (FLUSA). The pace of infill and redevelopment may be accelerated somewhat as a result of the project; however, commercial, residential, and industrial growth and redevelopment is already occurring in many of these areas and is expected to continue with or without the proposed project. Since the *2015 Indirect Screening and Land Use Scenario Assessment*<sup>11</sup>, developable land within the FLUSA has decreased 13 percent.

The construction of the proposed project is not expected to substantially influence regional population growth. Most of the project is a widening project, with no new access being provided to properties. However, though West Asheville is experiencing somewhat of a renaissance, the restoration of Patton Avenue to a local street, along with associated streetscape improvements, could modestly increase interest in this area that does not already exist. Nonetheless, any potential effects to water quality as a result of this planned development would be tempered by existing land use controls and development regulations covering watershed protection, stream buffers, erosion and sedimentation control, and post-construction runoff.

Given the minimal indirect effects of the project, any contribution of the project to cumulative effects resulting from current and planned development patterns should be minimal. For these reasons, potential indirect and cumulative effects to downstream water quality should be minimal.

Much of the future growth within the overall FLUSA could likely be attributed to the proximity of I-26, I-40, and the City of Asheville. Growth is restricted within the project FLUSA by the presence of the Biltmore Estate, lack of existing or planned public sewer, steep topography, and the predominantly built up nature of much of the FLUSA. Because of these development constraints, new development, redevelopment, or infill related to the proposed project would likely be limited to specific areas of the

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<sup>11</sup> AECOM. 2018c. *I-2513 Land Use Scenario Assessment Update – 2018 Addendum*. April 2018.

FLUSA. Commercial development or redevelopment would likely occur along the French Broad River (RiverLink areas), surrounding or near existing interchanges (including the US 19-23/I-40, I-240/Patton Avenue, and I-26/Broadway interchanges), and along the built up Haywood Road, Patton Avenue, Brevard Road, and Broadway corridors.

In Section B, I-240 access to US 19-23-70 would be shifted slightly north from its current location, but a new interchange would not be created. The two proposed I-240 bridges across the French Broad River would connect to the new section of I-26 west of the river, but access would be fully controlled. Some infill development may take place, despite the presence of steep topography and an existing urban environment. The Selected Alternative would include the construction of new interstate access points close to underutilized areas along the French Broad River associated with RiverLink. Since plans are already in place for these areas (i.e., Wilma Dykeman RiverWay Master Plan), the Selected Alternative is not expected to induce development in these areas; however, the project may accelerate these already planned developments.

Generally, the widening of existing I-240 (Section A) and the creation of a new location I-26 Connector should provide better connectivity in the interstate network throughout this portion of Asheville and Buncombe County, as well as address forecasted traffic deficiencies, reduce congestion and traffic delays along the existing I-240 French Broad River crossing, and increase the remaining useful service of the existing I-240/Patton Avenue bridge by diverting traffic to a new crossing.

Overall, the Selected Alternative has a low to moderate potential to indirectly cause land use changes or accelerate previously planned development throughout the identified probable development areas in the FLUSA.

## 5.0 SECTION 4(F) STATEMENT

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Based upon the final evaluation, five historic properties, one archaeological site, and two park and recreation areas that qualify for protection under Section 4(f) of the Department of Transportation Act of 1966 will require some permanent incorporation of Section 4(f) protected land into the project; however, FHWA has determined they will be *de minimis* impacts. The properties are as follows:

- Asheville School
- West Asheville/Aycock School Historic District
- William Worley House
- Haywood Street United Methodist Church
- Great Smoky Mountain Park Bridge (Buncombe County Bridge No. 323)
- Archaeological site (31BN623)
- Carrier Park
- French Broad River paddle trail

## 6.0 MEASURES TO MINIMIZE HARM

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Measures to minimize harm will be reevaluated during the final design phase of the project and may be altered as appropriate to further minimize impacts to the human and natural environment to the maximum extent practicable. The measures to minimize harm that have been incorporated into the

project thus far throughout the development of the project associated with the Selected Alternative are described in the following sections.

## 6.1 FINAL DESIGN REFINEMENT

Following the completion of the FEIS, extensive coordination has continued between NCDOT, project stakeholders, potentially impacted property and business owners, and the I-26 Working Group. To further minimize and reduce impacts associated with the project, final designs will incorporate the following design modifications.

### 6.1.1 BICYCLE AND PEDESTRIAN ACCOMMODATIONS

At the request of the City of Asheville, various greenway or multi-use path features will be revised for final design. As part of a betterments package to be included as a municipal agreement with the City of Asheville, the City is requesting that the following multi-use paths are 14 feet wide in lieu of the 10-foot width depicted in the preliminary plans: Shelburne Road, along the ramp between Amboy and Brevard Roads, Amboy Road, the West Asheville Greenway from Haywood Road to Patton Avenue, and the Smith Mill Creek Greenway along Patton Avenue. Additionally, greenway connections are to be added at Fairfax Avenue and Virginia Avenue to connect local streets to the proposed multi-use path. A sidewalk connection is proposed to be added to the plans so that residents may more easily access the Patton Avenue pedestrian facilities from the Hillcrest Apartments. NCDOT will continue to coordinate with the City of Asheville on the inclusion of bicycle and pedestrian facilities

As part of the mitigation measures identified for the Burton Street Community and discussed in Section 6.4.1, a pedestrian path is being investigated for inclusion in the project with the purpose of connecting the Burton Street Community to the multi-use path and transit stops on Patton Avenue.

### 6.1.2 HAYWOOD ROAD INTERCHANGE

The design of the Haywood Road interchange will be further reduced from what is shown in the preliminary plans. This revision is occurring at the request of the City of Asheville with the goal of reducing the distance between the interchange terminals. It is anticipated that the ramp terminals will be tightened to intersect Haywood Road near the limits of the proposed new bridge spanning the I-26 widening. Additionally, the bridge over Haywood Road will be designed to include sidewalks that are one foot wider than standard and the roadway typical section will be wide enough to allow a five-foot wide bicycle lane in each direction to be striped in the future.

### 6.1.3 ASHEVILLE PRIMARY SCHOOL

Additional work, not shown in the preliminary plans, will occur at the Asheville Primary School. In order to mitigate impacts to the school, which is included in the West Asheville/Aycock Historic District, NCDOT developed a preliminary site plan in coordination with representatives from Asheville City Schools to lessen impacts to the school property and improve parking. Student pick-up and drop-off will be improved by allowing all queuing to occur on school property. Additionally, the proposed site plan allows for increased bus storage on the west side of Argyle Lane.

### 6.1.4 SAND HILL ROAD

North of I-40, the proposed right-of-way along the east side of Sandhill Road will be reduced in final preliminary plans to eliminate residential relocations within the Willow Lakes Mobile Home Park Community, a low-income community.

## 6.2 RELOCATIONS

The current designs of the Selected Alternative will result in the relocation of 83 residences and 41 businesses. NCDOT will follow the state and federal regulations and NCDOT policies for right-of-way acquisition and relocation. The policies ensure that comparable replacement housing is available for relocatees prior to construction of state and/or federally assisted projects. Furthermore, NCDOT will use three programs to minimize the inconvenience of relocation: Relocation Assistance, Relocation Moving Payments, and Relocation Replacement Housing Payments or Rent Supplement. The relocation program for the Selected Alternative will be conducted in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) and North Carolina's Uniform Relocation Assistance and Real Property Acquisition Policies Act (NCGS 133-5 through 133-18).

## 6.3 PEDESTRIAN AND BICYCLE MOVEMENT

The preliminary designs for the Selected Alternative have been developed with consideration to the current *City of Asheville Pedestrian Plan*<sup>12</sup>, *City of Asheville Comprehensive Bicycle Plan*<sup>13</sup>, *City of Asheville Parks, Recreation, Cultural Arts, & Greenways Master Plan*<sup>14</sup>, and the *Buncombe County Greenways and Trails Master Plan*<sup>15</sup>. Pursuant to NCDOT policies and guidelines regarding bicycle and pedestrian accommodations and complete streets, in areas where existing sidewalks are being disturbed, the designs show these sidewalks being replaced as a part of the proposed designs. In areas where the various plans propose future pedestrian accommodations, the designs have been developed to accommodate or not preclude these elements from being constructed by the various agencies.

NCDOT has coordinated closely with the City of Asheville to develop a “betterments” list identifying areas of bicycle/pedestrian infrastructure to be constructed during the project under a municipal agreement with the City of Asheville. These include sidewalks, bicycle lanes, and a multi-use path on Amboy Road; sidewalks, widened berms, and a multi-use path along Shelburne Road; a multi-use path on Brevard Road; sidewalks on the Haywood Road bridge; sidewalk on the north side and multi-use path on the south side of Patton Avenue; berms and sidewalks for the Hillcrest Connector and Atkinson Street; and sidewalk improvements for Bear Creek Road and Sandhill Road.

## 6.4 ENVIRONMENTAL JUSTICE

### 6.4.1 BURTON STREET NEIGHBORHOOD

Based on the evaluation of the burdens to the Burton Street community, and additional public outreach and coordination with local officials, NCDOT committed to mitigating effects on the Burton Street community that cannot be avoided or minimized. NCDOT is coordinating with the community to provide additional mitigation opportunities to lessen the burden of the project on these residents. NCDOT funded

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<sup>12</sup> City of Asheville. 2005b. *City of Asheville Pedestrian Plan*.

<http://www.ashevillenc.gov/residents/transportation/default.aspx?id=450>

<sup>13</sup> City of Asheville. 2008. *City of Asheville Comprehensive Bicycle Plan*. Prepared by Toole Design Group, LLC and Livable Streets, Inc. for Asheville City Council. Adopted February 26, 2008. [http://www.ashevillenc.gov/Portals/0/city-documents/TransportationEngineering/Traffic\\_Engineering/FinalBikePlanAdopted022608.pdf](http://www.ashevillenc.gov/Portals/0/city-documents/TransportationEngineering/Traffic_Engineering/FinalBikePlanAdopted022608.pdf)

<sup>14</sup> City of Asheville. 2009c. *City of Asheville, North Carolina Parks, Recreation, Cultural Arts, & Greenways Master Plan*. February 2009.

<sup>15</sup> Buncombe County. 2012. *Buncombe County Greenways & Trails Master Plan*. August 2012.

<https://www.buncombecounty.org/governing/depts/parks/greenways.aspx>

facilitation of the Burton Street Neighborhood Plan<sup>16</sup> for the Burton Street Community. This Plan, which was adopted by the Asheville City Council as an official plan in October 2018, identified the following strategies to help lessen the burden to the community:

- Improve existing sidewalks to meet ADA design standards
- Improve pedestrian connections between community resources by installing a sidewalk on Downing Street per agreement of property owners
- Improve sidewalk connections between commercial corridors, and include a pedestrian path from Buffalo Street to Patton Avenue that will connect to future greenway
- Evaluate opportunities for new transit stops, such as near Burton Street and Haywood Road
- Install a sidewalk along Patton Avenue to connect pedestrian path and transit stop
- Install bus shelters and other improvements at transit stops located near Burton Street and consider neighborhood specific designs if feasible
- Incorporate a Burton Street history mural on proposed I-26 Connector sound wall if built
- Improve Community Center infrastructure by including additional parking
- Construct a new park and community gathering space at Smith Mill Creek that will include an access point to the future greenway
- Improve the Florida Avenue and Patton Avenue intersection by adding pavement markings and left turn signals
- Increase the tree canopy within the interstate buffer along the Burton Street neighborhood where possible

A Burton Street Working Group has been formed, which is comprised of Burton Street Neighborhood Association leaders and representatives from the City of Asheville, FHWA, and NCDOT. The group is working together to identify how to implement the strategies identified in the neighborhood plan. Certain goals and strategies require additional outreach and the engagement of Burton Street residents. The *Burton Street Neighborhood Plan Implementation - Communications and Engagement Plan*<sup>17</sup> details the outreach and engagement strategies that will be implemented for each item.

#### 6.4.2 HILLCREST APARTMENT COMMUNITY

The proposed design modifications along Patton Avenue adjacent to the Hillcrest Apartments is being coordinated with the City of Asheville, the City of Asheville Housing Authority, and the residents of Hillcrest Apartments and are described in Section 4.4.4. These changes are anticipated to benefit the community and enhance pedestrian connections in conjunction with the modifications at Patton Avenue/I-240 Interchange East of the French Broad River and the realignment of the Hill Street crossing at I-240. Modifications include additional sidewalk connectivity from Hillcrest to the realigned Hill Street and a sidewalk on the southeast corner of the property to provide direct access by residents to Patton Avenue and the multi-use path along Patton Avenue. Additionally, a pedestrian bridge is proposed at the entrance of the community to provide access across I-240 to Hill Street, the existing pedestrian bridge south of Hillcrest is proposed to be removed, and the existing pedestrian bridge south of the Isaac Dickson Elementary School is proposed to be replaced.

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<sup>16</sup> NCDOT. 2018. *Burton Street Neighborhood Plan*. Prepared by Public Participation Partners for the Burton Street Community Association. September 2018. <https://www.ncdot.gov/projects/asheville-i-26-connector/Documents/I-26-connector-burton-street-neighborhood-plan.pdf>

<sup>17</sup> Public Participation Partners, LLC. 2020. *Burton Street Neighborhood Plan Implementation - Communications and Engagement Plan*. <https://www.ncdot.gov/projects/asheville-i-26-connector/Documents/I-26-connector-burton-street-plan-communications-engagement-plan.pdf>



### 6.4.3 WILLOW LAKES MOBILE/CLAIRMONT CREST MOBILE HOME PARK COMMUNITIES

Proposed final design modifications (see Section 6.1.7) along Sand Hill Road adjacent to the Willow Lakes Mobile Home Park will eliminate residential relocations within the community. Minimal direct property impacts are anticipated to the properties directly adjacent to Sand Hill Road and I-40. Impacts to the communities were reduced during design refinement of the Selected Alternative when the collector/distributor roads were eliminated.

### 6.4.4 KENTUCKY/HANOVER/PISGAH VIEW AREA COMMUNITY

This community would incur direct impacts in the form of residential displacements along Kentucky Drive. The Selected Alternative would increase mobility and access and provide modest improvements in safety in the Kentucky/Hanover/Pisgah View Area Community. However, the project would include recurring impacts to a residential neighborhood, noise impacts, visual impacts, and potential difficulties finding replacement housing within financial means. In addition, the proposed project is anticipated to displace housing units in the Kentucky/Hanover/Pisgah View Area Community.

This community is part of a larger neighborhood named EWANA (East-West Asheville Neighborhood Association), which is defined as the area between I-240 and the French Broad River. NCDOT held a small group meeting with EWANA on June 5, 2017, to provide an opportunity for residents to ask questions regarding the project, review design concepts at Amboy Road, Brevard Road, and Haywood Road, and get feedback from the community on the impacts and benefits to their community from the project.

Additional information regarding coordination with the Kentucky/Hanover/Pisgah View Area Community can be found in Chapter 8 of the FEIS.

### 6.4.5 WESTWOOD PLACE

This community would incur direct impacts due to proposed right of way acquisition along the northern and western periphery of the community. New pedestrian and bicycle facilities on Patton Avenue may increase the quality of life within the community due to the direct bicycle and pedestrian connection to Patton Avenue and across the French Broad River to downtown Asheville. The community is also anticipated to benefit from improved pedestrian and bicycle safety on Patton Avenue and a decrease in emergency response times following construction of the project. In addition, the project would not change the traffic patterns on the surface streets within the Westwood Place Community.

Like the Kentucky/Hanover/Pisgah View Area Community, this community is part of the EWANA neighborhood and was included in the notification to meet with NCDOT in June 2017.

### 6.4.6 HOUSTON/COURTLAND COMMUNITY

As part of the stipulations outlined in the January 2021 Section 106 MOA, NCDOT and FHWA agreed to evaluate lessening impacts to the Riverside Cemetery within the Montford Historic District by modifying the preliminary design in proximity to the cemetery, specifically by lowering the U.S. 19-23-70 roadway adjacent to the property to decrease visual impacts from the proposed project. This modification of the designs has resulted in potential relocation of three residential relocations in the Houston/Courtland community not accounted for previously. The three relocations are home located on the periphery of the community and property information from Buncombe County's Real Estate website suggests that these properties would not be owned by minority or low-income individuals.



#### 6.4.7 MONTFORD COMMUNITY

This community would incur fewer direct impacts due to the proposed design changes to the I-240/Patton Avenue design which resulted in the reduction of displacements along Hill Street. Relocations along the western side of Westover Drive still remain. Although some benefit may be experienced by the community through decreases in emergency response times along the I-26 Corridor, there will be an altered visual environment for Riverside Cemetery and residents in proximity to the project corridor. As outlined in the January 2021 Section 106 MOA, NCDOT and FHWA agreed to evaluate lessening impacts to the Riverside Cemetery within the Montford Historic District by modifying the preliminary design in proximity to the cemetery, specifically by lowering the U.S. 19-23-70 roadway adjacent to the property to decrease visual impacts from the proposed project.

#### 6.4.8 EMMA ROAD COMMUNITY

The southeastern portion of this community would incur direct impacts as a result of the project due to residential relocations and right of way acquisition to construct the project. Indirect impacts to the community would include noise and visual impacts associated with clearing of vegetation and alteration of the visual environment. The Selected Alternative is anticipated to benefit the community in the form of improved emergency response times.

### 6.5 VISUAL QUALITY

NCDOT is currently working with the I-26 Connector Aesthetics Committee (AC) to determine where appropriate aesthetic improvements can be made on the project to include context sensitive features and reflect the vision of the Asheville community and its neighborhoods.

The Aesthetics Committee identified these specific project areas in developing aesthetic treatment recommendations:

- Riverside Drive/Broadway Street
- Riverside Cemetery Mitigation
- Atkinson Street Bridge
- Hill Street Pedestrian Bridge
- Hillcrest Pedestrian Bridge
- French Broad River Crossing Bridges
- Bowen Bridge/Patton Avenue East and West
- Haywood Road Bridge and Interchange
- State Street Bridge
- Amboy Road Interchange
- Brevard Road Interchange

Final decisions regarding the aesthetic features to be incorporated are dependent upon funding and final design feasibility; however, it is anticipated that many aesthetic features requested by the City of Asheville Aesthetics Committee will be incorporated into the project either during or post construction. The full Aesthetics Committee report, including summaries of committee meetings that have occurred to date are available on the City of Asheville website at

<https://www.ashevilenc.gov/departments/transportation/current-projects/i-26-connector-project/>.

## 6.6 CULTURAL RESOURCES

In consultation with The Montford Neighborhood Association, the City of Asheville Transportation and Planning and Urban Design Departments, the Preservation Society of Asheville and Buncombe County, the Eastern Band of the Cherokee Indians (EBCI), the Cherokee Nation (CN), the United Keetoowah Band of Cherokee Indians in Oklahoma (UKB), and the Muscogee (Creek) Nation (MCN), an MOA<sup>7</sup> was finalized on January 27, 2021. The MOA outlines various stipulations in order to consider the effects of the project on historic and archaeological properties including special environmental commitments for no adverse effects, data recovery plans, and mitigation/minimization for two adversely affected properties.

The MOA includes details for mitigation of the following resources, and are included in the project commitments of this ROD:

- Riverside Cemetery within the Montford Area Historic District
- Freeman House
- William Worley House
- West Asheville/Aycock School Historic District
- Great Smoky Mountain Park Bridge (Buncombe County Bridge No. 323)
- Archaeological site 31BN623
- Archaeological site 31BN826

## 6.7 WATER QUALITY

Runoff from the project construction site could impact water quality by the transport of sediment, nutrients, or hazardous materials. In accordance with the North Carolina Sedimentation and Pollution Control Act (15A NCAC 4B.0001.0027), an erosion and sedimentation control plan must be prepared for land disturbing activities that cover one or more acres to protect against runoff from a 10-year storm. Thus, prior to the start of project construction activities, an erosion and sedimentation control plan will be prepared in accordance with the NCDOT guidelines in *Best Management Practices for Protection of Surface Waters*<sup>18</sup> and *NCDOT Stormwater Best Management Practices Toolbox*<sup>19</sup>. BMPs to minimize sedimentation and erosion impacts during construction include, but are not limited to, the following:

- Scheduling construction activities to minimize exposed area and duration of exposure
- Clearing only minimal distances ahead of grading
- Temporary seeding, sodding, and/or mulching of disturbed areas
- Using gravel or straw on exposed surfaces prior to revegetation
- Revegetating as soon as possible after construction
- Using energy dissipators at outfalls
- Constructing temporary sediment traps
- Using silt fences
- Covering stockpiled materials
- Wetting exposed areas during windy conditions

<sup>18</sup> NCDOT. 1997. *Best Management Practices for Protection of Surface Waters*. March 1997.

<https://connect.ncdot.gov/resources/hydro/Stormwater%20Resources/Best%20Management%20Practices%20for%20Protection%20of%20Surface%20Waters.pdf>

<sup>19</sup> NCDOT. 2014. *NCDOT Stormwater Best Management Practices Toolbox*. April 2014.

[https://connect.ncdot.gov/resources/hydro/HSPDocuments/2014\\_BMP\\_Toolbox.pdf](https://connect.ncdot.gov/resources/hydro/HSPDocuments/2014_BMP_Toolbox.pdf)

In addition, NCDOT's standard practices will be adhered to during construction of the project. NCDOT's contractor will prepare an erosion control plan prior to construction of the Selected Alternative and implement it during construction. Permanent erosion control measures will be incorporated into the project at the earliest practicable time and coordinated with temporary measures to ensure economical, effective, and continuous erosion control. The standard practices require the proper use and handling of construction materials. Every precaution should be taken by the contractor to avoid erosion and discharge of wastewater, bitumen, or hazardous materials, including fuel, lubricants, solvents, or other chemicals, to ground or surface waters.

NCDOT will implement measures to minimize effects from stormwater associated with the completed roadway to the gray bat and Appalachian elktoe. These include the development of stormwater commitment guidance, which will apply at crossings of the French Broad River and any tributaries draining to the French Broad River, any portion of the NCDOT stormwater conveyance system draining to an outfall discharging to the river within the NCDOT right of way.

## 6.8 FLOODWAYS AND FLOODPLAINS

Executive Order 11988 directs federal agencies to refrain from conducting, supporting, or allowing actions in floodplains unless it is the only practicable alternative. The FHWA requirements for compliance with this Executive Order are included in 23 CFR 650 Subpart A. In accordance with 23 CFR 650.113, "A proposed action which includes a significant encroachment shall not be approved unless the FHWA finds that the proposed significant encroachment is the only practicable alternative."

The Selected Alternative will impact 100-year floodplains associated with major drainages within the study area. All of the stream crossings would be perpendicular or near to perpendicular, which would minimize impacts to the associated floodplains. All bridges or culverts designed for the project will be sized to ensure that no increases to the extent and level of flood hazard risk will result from such encroachments. The Selected Alternative was selected based on a consideration of impacts to natural resources, and the human and physical environments, and on the ability to minimize impacts. As such, there is no other practicable alternative to reduce impacts to floodplains.

## 6.9 WETLANDS

Applications for USACE dredge and fill permits under Section 404 must meet mitigation requirements found in the "*Memorandum of Agreement (MOA) Between the Environmental Protection Agency and the Department of the Army Concerning the Determination of Mitigation Under the Clean Water Act Section 404(b)(1) Guidelines*"<sup>20</sup>. This MOA requires the applicant to utilize a sequencing process that includes avoidance of impacts, minimization of impacts, and, finally, compensation of unavoidable impacts to aquatic resource values. Executive Order 11990 requires action to be taken to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. If there is no practicable alternative to construction in wetlands and all practicable measures to minimize harm to wetlands have been provided, compensation of wetland impacts is required.

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<sup>20</sup> EPA. 1990. Memorandum of Agreement Between the Department of the Army and The Environmental Protection Agency: The Determination of Mitigation Under the Clean Water Act Section 404(b)(1) Guidelines. February 6, 1990. [https://www.epa.gov/sites/default/files/2019-05/documents/1990\\_army-epa\\_mitigation\\_moa.pdf](https://www.epa.gov/sites/default/files/2019-05/documents/1990_army-epa_mitigation_moa.pdf)

## 6.10 INVASIVE SPECIES

FHWA has developed guidance on addressing the potential problems associated with roadside invasive plants. Additionally, the proposed project will comply with the requirements set forth in Executive Order 13112 and the Federal Highway Administration Guidance on Invasive Species.

In addition, NCDOT will coordinate with the USFWS and NCWRC to develop a revegetation and invasive species management plan for areas where vegetation will be removed in riparian areas.

## 6.11 PROTECTED SPECIES

Using minimization and mitigation techniques, NCDOT has reduced impacts to threatened and endangered species to the greatest extent practicable at the current stage of design. NCDOT will carry out all activities for which it has been assigned responsibility in the BO. These measures largely address potential impacts caused by road construction, bridge replacements, bridge demolitions, and new bridge construction.

Additional conservation measures for gray bat include on-going acoustic monitoring before, during, and for up to two years following construction; replacement of culverts upstream of the project study area; funding for a three-year research study on gray bats in the French Broad River Basin, and recovery funding.

For Appalachian elktoe, NCDOT will provide funding to the North Carolina Nongame Aquatic Projects Fund for the French Broad River Conservation Plan to aid in the recovery and conservation of the species. NCDOT is also working with the US Geological Survey to evaluate impacts of construction and temporary causeways on river habitat.

All measures being implemented by NCDOT to avoid, minimize, and offset potential effects from construction activities and roadway operation to the gray bat and Appalachian elktoe are summarized in the BO, issued by the US Fish and Wildlife Service in June 2020 and included in the project commitments of this ROD.

Since forested habitat which could be used for roosting or foraging by the Northern long-eared bat is present in the study area, and the species is assumed to be present, the following avoidance and minimization measures have been proposed to minimize adverse effects of the proposed action on this species:

- No alterations of a known hibernacula entrance or interior environment if it impairs an essential behavioral pattern, including sheltering northern long-eared bats (January 1 through December 31)
- No tree removal within a 0.25-mile radius of a known hibernacula (January 1 through December 31)
- No cutting or destroying a known, occupied maternity roost tree, or any other trees within a 150-foot radius from the known, occupied maternity tree during the period from June 1 through and including July 31

## 6.12 NOISE

The Selected Alternative impacts a total of 376 noise receptors. Measures for reducing or eliminating the traffic noise impacts were considered for all impacted receptors in the project. The primary noise abatement measures evaluated for highway projects include highway alignment changes, traffic system management measures, establishment of buffer zones, noise barriers, and noise insulation. For each of

these measures, benefits versus allowable abatement quantity (reasonableness), engineering feasibility, effectiveness, and other factors were included in the noise abatement considerations.

Based upon feasibility and reasonableness criteria defined in the NCDOT Traffic Noise Policy, eight noise barriers are preliminarily feasible and reasonable, contingent upon completion of the project design, the final design noise analysis, and the public involvement process. The Design Noise Report will make final recommendations for noise barriers based on the final design.

## 6.13 HAZARDOUS MATERIALS

A work plan based on final designs will be developed for the landfill site described in Section 4.4.7 to address any contaminated material that may be encountered during construction. As part of the work plan, an environmental professional will be present during construction to screen for potentially hazardous conditions and to assess excavated materials for proper handling. Additional commitments during construction are included in the project commitments and in the *Preliminary Site Assessment Report*<sup>8</sup>.

## 6.14 CONSTRUCTION

Appropriate BMPs applicable to construction and maintenance for protection of surface waters, wetlands, and upland habitat will be used to control erosion, sedimentation, and stormwater runoff to the maximum extent practicable. Mechanisms will be put in place to maintain traffic flow; minimize air quality, noise, and construction lighting impacts; manage waste disposal; protect surrounding natural resources; control erosion; and handle any accidental waste spills to the maximum extent practicable. Any affected geodetic survey markers in the project area will be properly relocated.

Construction associated with the Selected Alternative will be governed by the *NCDOT Standard Specifications for Roads and Structures*<sup>21</sup> and the American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets*<sup>22</sup>. Specific measures to minimize harm during construction are described in the following section.

### 6.14.1 LIGHTING

During roadway construction, NCDOT will limit all construction-related lighting to whatever is necessary to maintain safety in active work areas closest to the French Broad River, Hominy Creek, Emma Branch, and Smith Mill Creek bridges. Construction-related lighting will be indirect in nature and will not project into adjacent forested areas or over the water surface of the French Broad River, Hominy Creek, Emma Branch, or Smith Mill Creek, whenever practicable.

NCDOT will limit the use of nighttime construction lighting within 50 feet of the French Broad River, Hominy Creek, Emma Branch, or Smith Mill Creek between April 1 and October 15 to only the following activities: causeway construction, drilled shafts, concrete pours, beam setting, and traffic shifts. This will limit light impacts and acoustic impacts.

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<sup>21</sup> NCDOT. 2018. Standard Specifications for Roads and Structures. January 2018. <https://connect.ncdot.gov/resources/Specifications/StandSpecLibrary/2018%20Standard%20Specifications%20for%20Roads%20and%20Structures.pdf>

<sup>22</sup> AASHTO. 2018. A Policy on Geometric Design of Highways and Streets. The Green Book. Washington, D.C.

Specific conservation measures for lighting during construction are detailed in the Biological Opinion and included in the project commitments of this ROD.

#### 6.14.2 BRIDGE CONSTRUCTION

Various bridge construction conservation measures are outlined in the Biological Opinion issued by USFWS regarding impacts to the gray bat and Appalachian elktoe. This includes revegetation of access roads, limiting nighttime construction within the vicinity of the waterbodies used by the gray bat, restricting nighttime construction to a limited number of days and within the reproductive period for the gray bat. Restrictions are also required for bridge demolition.

NCDOT will require the contractor to use clean construction material for causeways and remove equipment on causeways during high water levels or periods of inactivity, to minimize unnecessary sediment input into the river. Causeways needed for the new bridges over the French Broad River will be designed for a 100-year storm event, and construction equipment will be required to adhere to 100-year base flood elevation requirements for refueling.

Specific conservation measures for bridge construction are detailed in the Biological Opinion and included in the project commitments of this ROD.

#### 6.14.3 RIVER USER SAFETY

Because the French Broad River, Hominy Creek, and Smith Mill Creek are regularly used for recreation, they cannot be closed for the life of construction. NCDOT will provide a safe passage lane for users of the French Broad River, Hominy Creek, and Smith Mill Creek. NCDOT will employ safety measures, including catchment devices on overhead structures to prevent material from falling on river users. In addition, floating navigational aids will be used to guide river users to the safe passage lane and away from the causeways/construction zone. Certain activities, such as setting girders, will require temporary river closure to ensure the safety of river users. Most of these activities are anticipated to occur at night when working with existing bridges. For new bridges, most work is expected to take place during the day.

NCDOT has developed a communication plan for construction of the project, and NCDOT and its contractors will work with river users, businesses, and recreational river and civic groups to insure public notification of hazards and temporary closures during construction.

#### 6.14.4 AIR QUALITY

Construction activities could have a short-term impact on air quality, primarily during site preparation. Dust is the pollutant of primary concern during the construction period. Dust would be generated during earth moving activities; handling of cement, asphalt, or aggregate; and equipment travel over unpaved haul roads. Wind erosion of exposed areas and material stockpiles would also generate dust.

The amount of dust generated would vary, depending on the construction activity and local weather conditions. Where excess dust is anticipated to be a problem, effective dust control measures would be implemented in accordance with standard NCDOT procedures. Dust control would be the responsibility of the contractor and could include the following:

- Minimizing exposed earth surface
- Temporary and permanent seeding and mulching
- Watering working and haul areas during dry periods



- Covering, shielding, or stabilizing material stockpiles
- Using covered haul trucks

Emissions from construction equipment are regulated by federal standards. Any burning of cleared materials would be conducted in accordance with applicable state and local laws, regulations, and ordinances. Specifically, a Burning Permit from the North Carolina Division of Forest Resources must be obtained for burning within woodlands or 500 feet of woodlands under the protection of the Division of Forest Resources.

#### 6.14.5 NOISE

Construction noise impacts could occur because of the proximity of numerous noise-sensitive receptors to project construction activities, generated primarily from heavy equipment used to transport materials and construction. All reasonable efforts would be made to minimize exposure of noise-sensitive land uses to construction noise. Such efforts could include but would not be explicitly limited to: appropriate scheduling of construction activities, noise attenuating measures on construction equipment, and a consistent and open public involvement program.

#### 6.14.6 UTILITIES

It is anticipated that the construction techniques to be used in the relocation of buried utilities would include a combination of trenching and boring. Utility relocation impacts would be more succinctly defined and minimized at Concurrence Points 4B and 4C of the Section 404/NEPA Merger Process as a result of utility relocation design in the final design phase of the project. All modifications, adjustments, or relocations would be coordinated with the affected utility.

## 7.0 MONITORING AND ENFORCEMENT PROGRAM

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Coordination will be maintained with all environmental regulatory and resource agencies during final design, permitting, right-of-way acquisition, and construction to ensure that avoidance, minimization, and compensatory mitigation measures are implemented. Many of the avoidance, minimization, and compensatory mitigation measures included in this ROD are likely to be conditions of federal or state permits that are enforceable by regulatory agencies.

## 8.0 COMMENTS ON THE FEIS

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The FEIS was approved on January 10, 2020 and circulated to environmental resource and regulatory agencies, local governments, other stakeholders, and the public.

Comments on the FEIS were received from the following federal and state environmental resource and regulatory agencies:

- US Environmental Protection Agency
- North Carolina Department of Cultural Resources (NCDCCR) – Office of State Archaeology
- NCDCCR – Historic Preservation Office
- North Carolina Department of Environmental Quality (NCDEQ) – Division of Water Resources
- NCDEQ – Asheville Regional Office
- NCDEQ – Solid Waste Section

- NCDEQ – Inactive Hazardous Sites Branch
- NCDEQ – Hazardous Waste Section

Responses to agency comments are included in Appendix D-1 of the *FEIS Reevaluation*. Public correspondence was received from 133 persons during the FEIS comment period and responses to these comments by subject are included in Appendix D-2 of the *FEIS Reevaluation*. Copies of comments received from local, state, and federal agencies are included in Appendix E of the *FEIS Reevaluation*.

## 9.0 CONCLUSION

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The environmental record for the I-26 Connector Project (North Carolina State Transportation Improvement Program Project I-2513, Federal Aid Project NHF-26-1(53)) includes the previously referenced DEIS (October 15, 2015), the DEIS Reevaluation (January 9, 2020), the FEIS (January 10, 2020), and the FEIS Reevaluation (DATE). These documents, incorporated in this ROD by reference, constitute the statements required by NEPA and Title 23 USC.

A Notice of Availability for the FEIS was published in the Federal Register (Vol. 85, No. 26, p. 7303) on February 7, 2020<sup>23</sup>. The FEIS is in conformance with applicable provisions of Title 23 CFR, Part 771 and satisfactorily covers the anticipated environmental impacts including human, physical, cultural, and natural effects. All correspondence received between the FEIS and the date this ROD was signed has been reviewed. Based on that review, the Federal Highway Administration finds that there were no new significant issues or impacts identified. Therefore, the FEIS remains valid.

Having carefully considered the environmental record noted above, the mitigation measures as required herein, the written and oral comments offered by other agencies and the public on this record and the written responses to comments, it is FHWA's decision to adopt the Selected Alternative (Section C – Alternative F-1, Section A – Widening Alternative, Section B – Alternative 4-B, Section D – Riverside Drive Widening) as the proposed action for the project. Specifically, FHWA has determined that implementation of the Selected Alternative as described in this ROD is in the best overall public interest. FHWA finds that all practicable measures to minimize environmental harm were incorporated into the design of the project and NCDOT and FHWA will ensure that the commitments outlined herein will be implemented as part of the final design, construction, and post-construction monitoring.

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<sup>23</sup> Federal Register. 2020. Volume 85, No. 26. February 2020. <https://www.govinfo.gov/content/pkg/FR-2020-02-07/pdf/2020-02304.pdf>

## 10.0 REFERENCES

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All technical documents and memoranda not appended to this document are available on the project website or by request to NCDOT.

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## APPENDIX A

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### REEVALUATION OF FINAL ENVIRONMENTAL IMPACT STATEMENT

REEVALUATION OF FINAL ENVIRONMENTAL IMPACT STATEMENT

I-26 Asheville Connector  
Buncombe County, North Carolina  
Federal Aid Project No. NHF-26-1(53)  
WBS Element 34165.1.2  
STIP I-2513

U.S. Department of Transportation  
Federal Highway Administration  
and  
North Carolina Department of Transportation

05/23/2023

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Date of Approval

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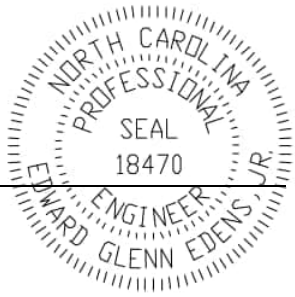
# REEVALUATION OF FINAL ENVIRONMENTAL IMPACT STATEMENT

I-26 Asheville Connector  
Buncombe County, North Carolina  
Federal Aid Project No. NHF-26-1(53)  
WBS Element 34165.1.2  
STIP I-2513

U.S. Department of Transportation  
Federal Highway Administration  
and  
North Carolina Department of Transportation

Prepared by:  
AECOM

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| 05/23/2023 | <small>DocuSigned by:</small><br><i>Joanna Rocco</i><br><small>D3E499ABC18E45A</small>          |
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| Date       | Edward Glenn Edens, Jr., P.E.<br>Project Engineer   |



For the:  
North Carolina Department of Transportation

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| 05/23/2023 | <small>DocuSigned by:</small><br><i>Kevin E. Moore</i><br><small>7E0B1CE9C15A4A7</small> |
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Appendix E-2 – State Agency Coordination

Appendix E-3 – Local Agency Coordination

## 1.0 PURPOSE OF THE REEVALUATION

The purpose of this Reevaluation is to identify and assess changes that have occurred after publication of the Final Environmental Impact Statement (FEIS) in January 2020. The Federal Highway Administration's (FHWA) and the North Carolina Department of Transportation's (NCDOT) evaluation of impacts resulting from changes after publication of the FEIS have been assessed to determine whether a Supplemental FEIS is required prior to preparing and issuing the Record of Decision (ROD).

Overall, the effects of changes associated with the project do not result in significant impacts after publication of the FEIS. This Reevaluation summarizes the changes and resulting impacts that support this determination.

## 2.0 CHANGES/UPDATES SINCE PUBLICATION OF THE 2020 FEIS

After publication of the FEIS in January 2020 the project team continued to minimize impacts to the Preferred Alternative with design modifications, held additional community outreach with targeted communities, finalized Section 106 of the National Historic Preservation Act (NRHP) requirements and documented these findings in the January 2021 Memorandum of Agreement (MOA)<sup>1</sup>, and concluded the formal consultation process with the US Fish and Wildlife Service (USFWS) to issue the Biological Opinion<sup>2</sup>. These efforts are documented in the following sections.

### 2.1 SECTION BOUNDARY CHANGES

After publication of the 2020 FEIS, the project improvements have been defined in four separate sections, Section A, B, C, and D. The section boundaries were revised to better align construction phasing and let dates for all sections of the project. The Preferred Alternatives from each section are described below. The descriptions follow the order of each section from south to north (C-A-B-D). The updated sections are shown on Figure 1.

#### Section C

The Preferred Alternative in this section, Alternative F-1 (Figure 2), maintains the existing I-26/I-40/I-240 interchange configuration and adds a loop and a ramp to provide all ramp movements. The updated Section C boundary no longer includes any improvements to I-40 between the I-26/I-40/I-240 interchange and US 19/23 (Smokey Park Highway), but does still include the reconstruction of I-40/US 19-23-74A (Smoky Park Highway) interchange.

#### Section A

The Preferred Alternative in Section A, the I-240 Widening Alternative, includes a best-fit alignment for the widening and reconstruction of existing I-240 from a four-lane freeway to a six-lane freeway (Figure 3), and includes reconstruction of the I-26/I-240 and NC 191 (Brevard Road) and SR 3556 (Amboy Road) interchanges. It also includes initial improvements at the I-26/I-40/I-240 interchange and along I-40 between the I-26/I-40/I-240 interchange and US 19/23 (Smokey Park Highway), which was previously included in Section C. Section A no longer includes upgrades to the existing I-26/I-240 and US 19-23

<sup>1</sup> Federal Highway Administration. January 2021. I-26 Connector Memorandum of Agreement.

<https://www.ncdot.gov/projects/asheville-i-26-connector/Documents/I-26-memorandum-agreement.pdf>

<sup>2</sup> United States Fish and Wildlife Service. June. 2020. I-26 Connector Biological Opinion.

<https://www.ncdot.gov/projects/asheville-i-26-connector/Documents/I-26-connector-biological-opinion.pdf>

Business (Haywood Road) interchange to a tight urban diamond interchange (TUDI) configuration, which have been added to Section B.

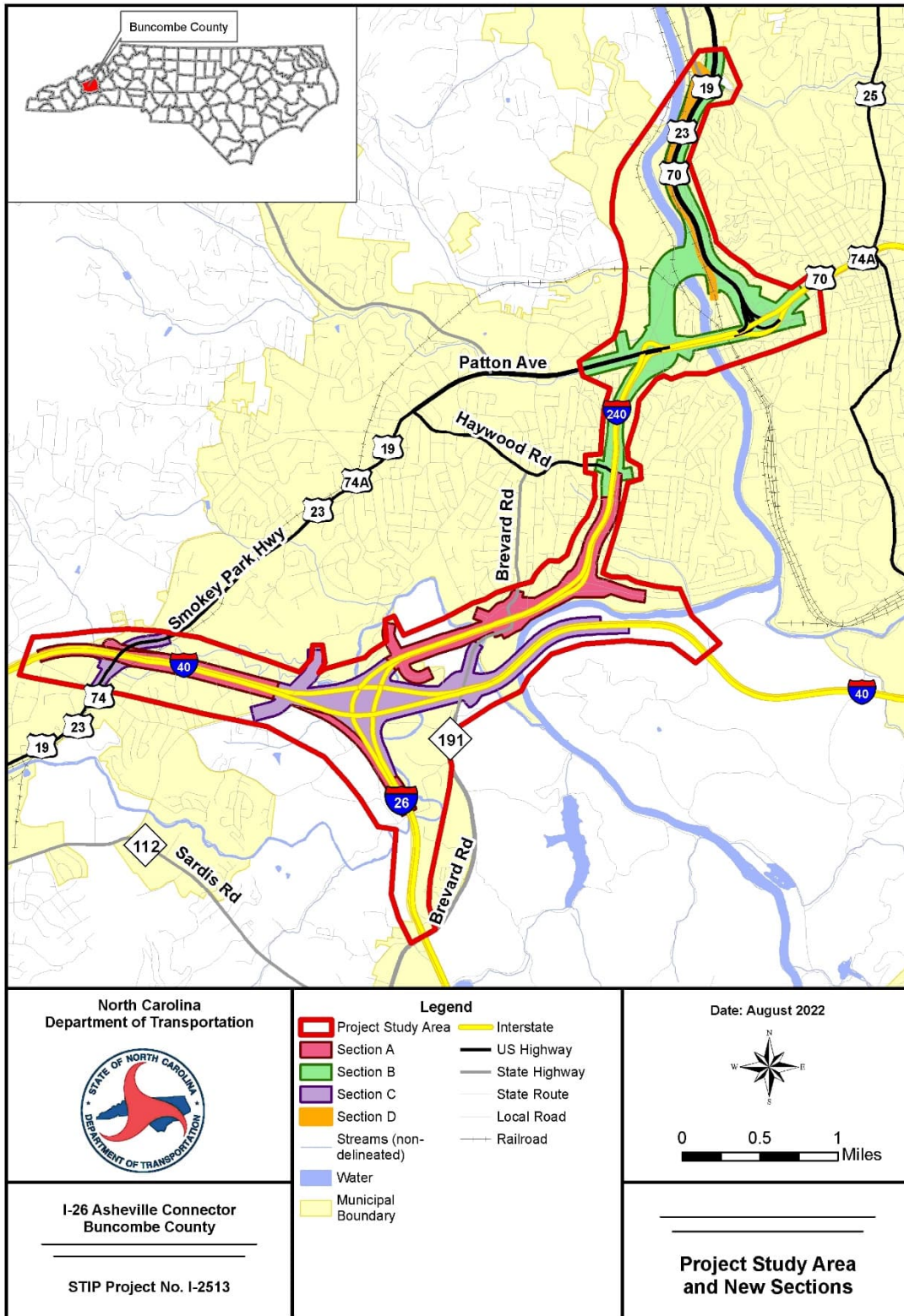
### Section B

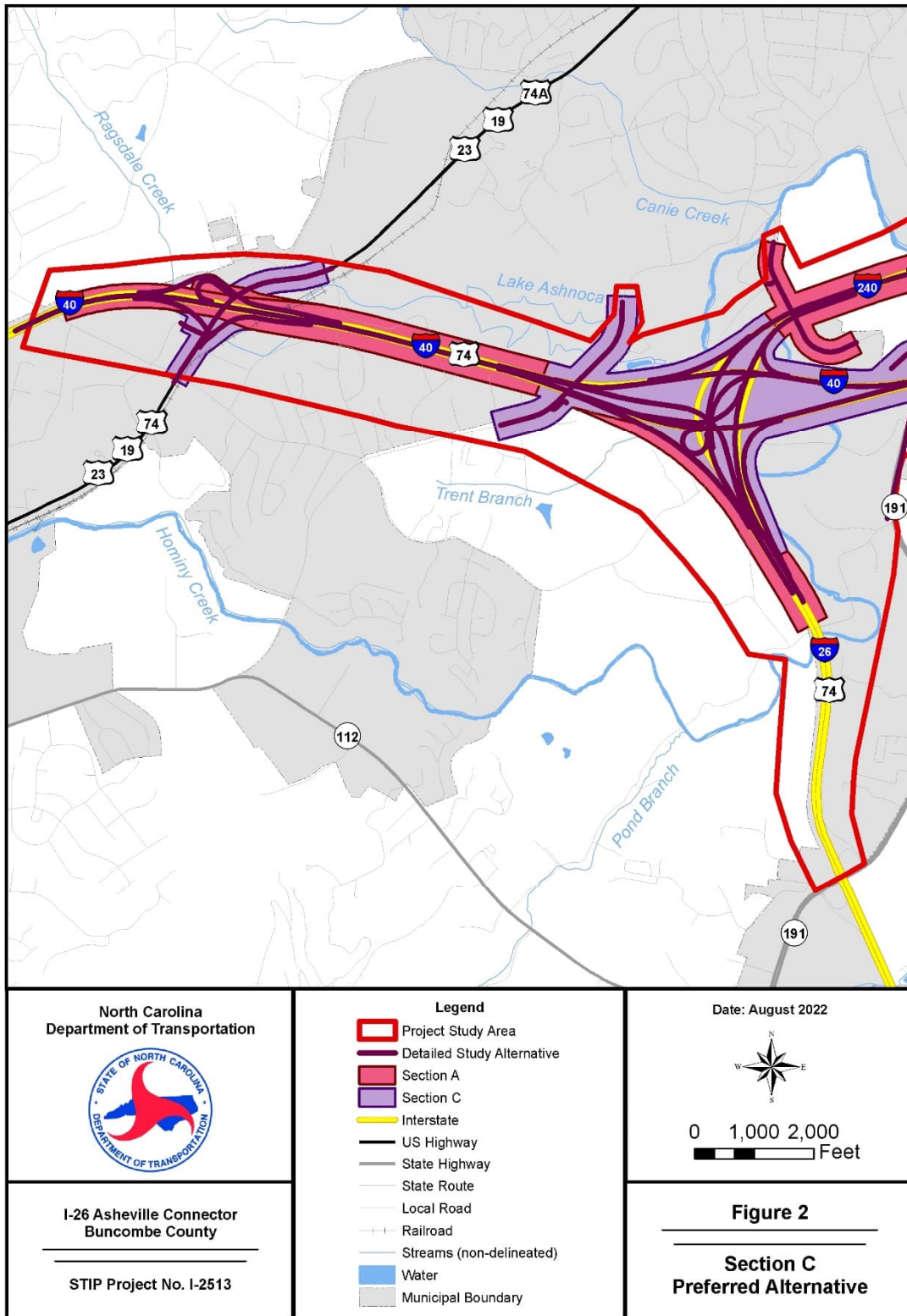
The Preferred Alternative in Section B, Alternative 4-B (Figure 4) includes the modification of the existing interchange of I-240 with US 19-23-74A/Patton Avenue and the extension of I-26 on new location across the French Broad River to US 19-23-70. This alternative creates three new crossings over the French Broad River: two bridges carrying I-240 traffic, and the third carrying I-26. Alternative 4-B separates I-240 traffic from Patton Avenue traffic across the Captain Jeff Bowen Bridges and includes construction on I-240 east of the French Broad River.

Section B now includes upgrades to the existing I-26/I-240 and US 19-23 Business (Haywood Road) interchange to a tight urban diamond interchange (TUDI) configuration, previously a part of Section A. It no longer includes the widening of Riverside Drive, now a part of Section D.

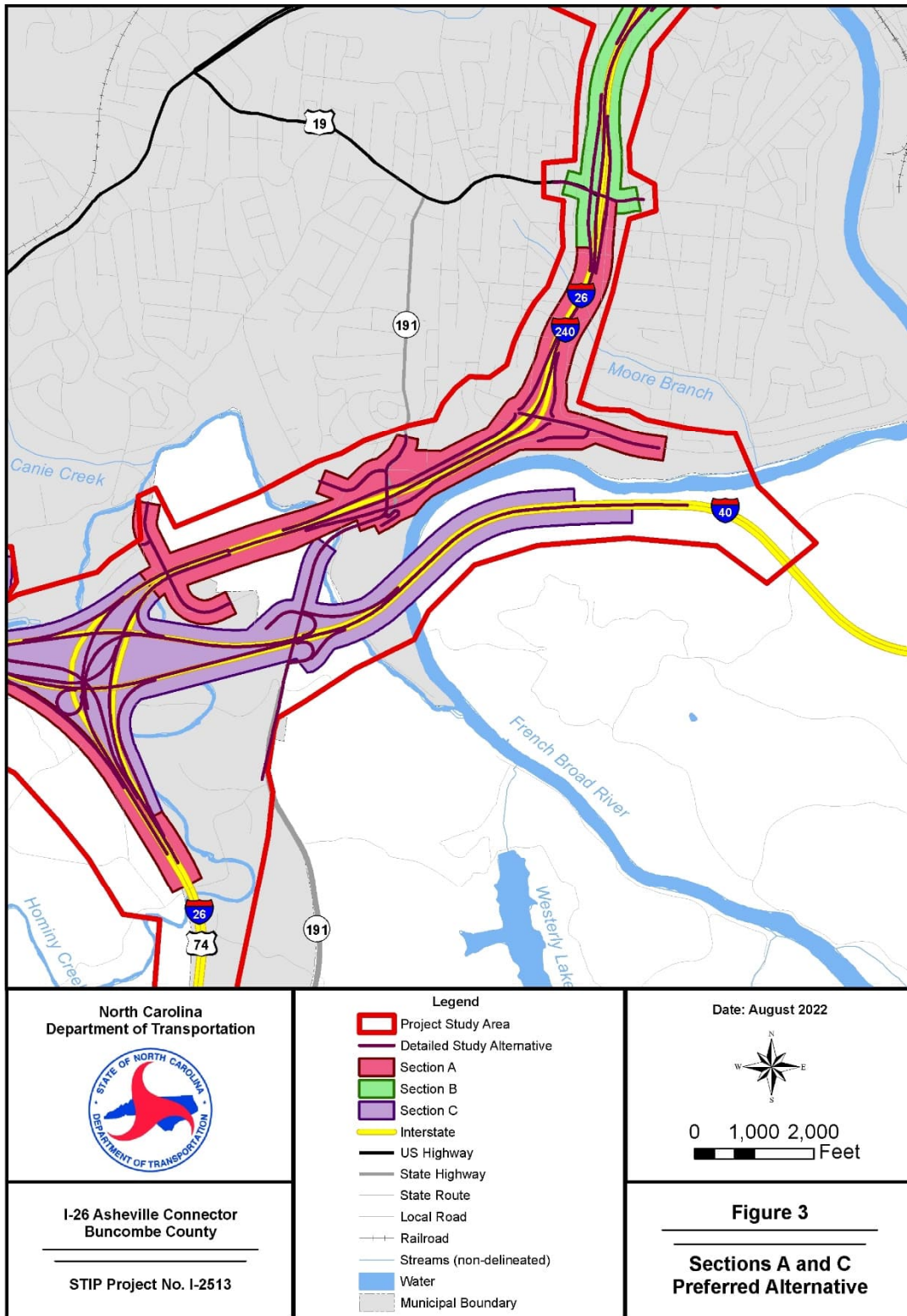
### Section D

Section D includes improvements to Riverside Drive from SR 1517 (Hill Street) to SR 1781 (Broadway Street) (Figure 5). The improvements along Riverside Drive include two vehicle lanes, a buffered bicycle lane in each direction, and a 10-foot multi-use path on the west side of the roadway.

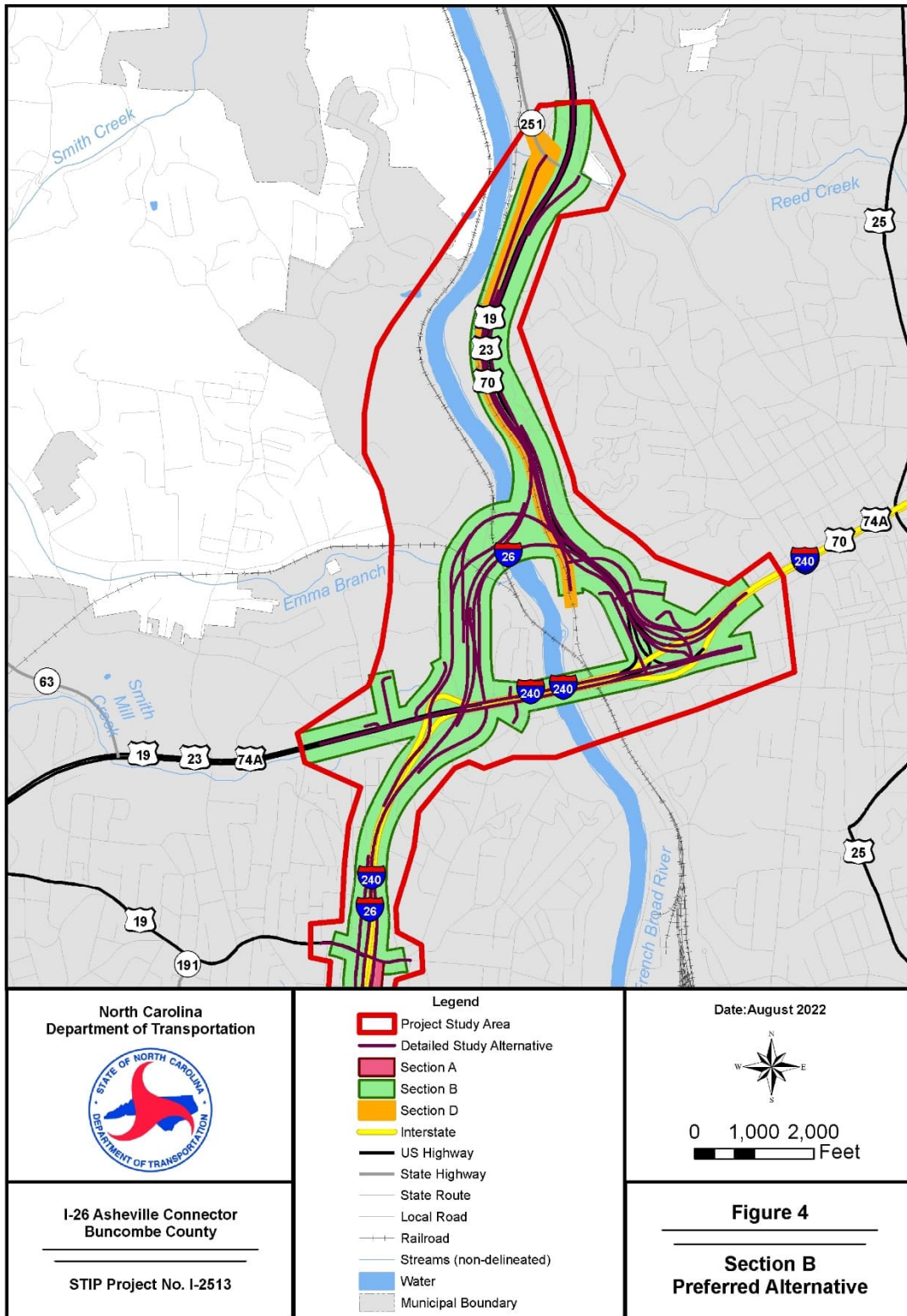


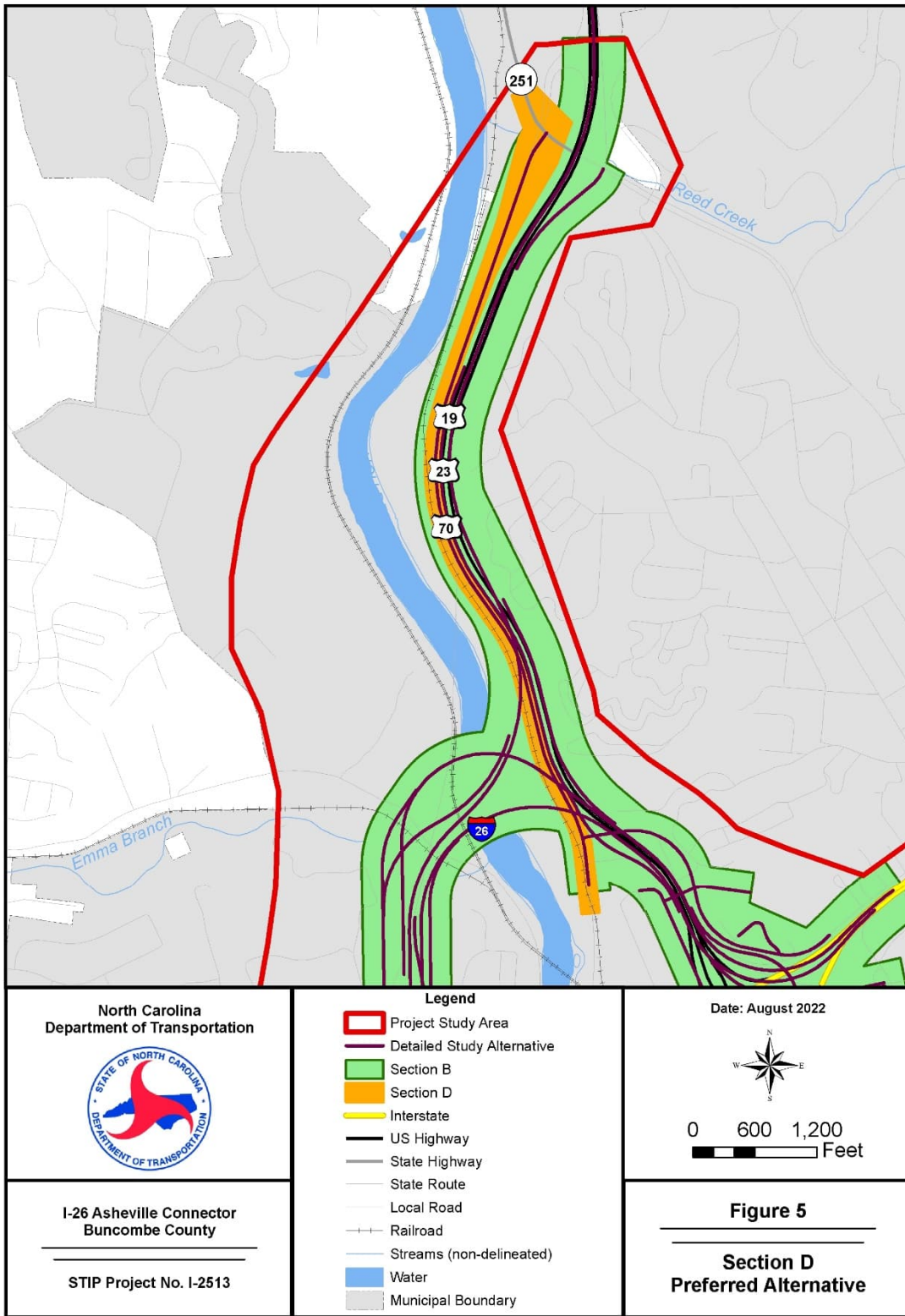












## 2.2 DESIGN REFINEMENTS

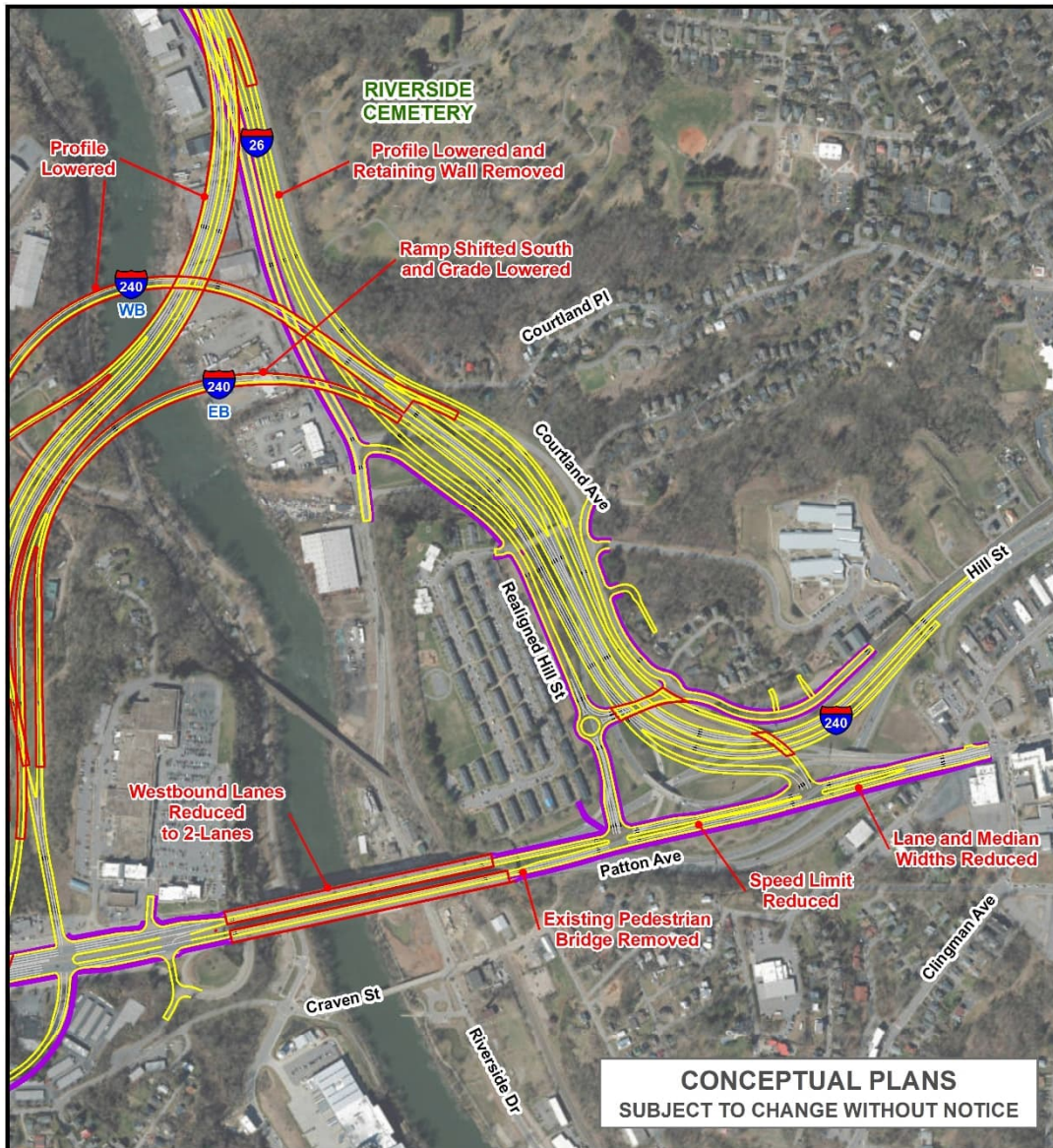
The preliminary designs of the Preferred Alternative, as presented in the 2020 FEIS, have been refined based on coordination with environmental and regulatory resource agencies, local officials, and affected communities. The resulting impacts from the design modifications to the Preferred Alternative include an overall reduced highway footprint, overall reduction in residential relocations, minimized community impacts, enhanced bicycle and pedestrian accommodations, and enhanced safety.

### 2.2.1 PATTON AVENUE/I-240 INTERCHANGE EAST OF FRENCH BROAD RIVER

As part of the stipulations outlined in the January 2021 Section 106 MOA, NCDOT and FHWA agreed to evaluate lessening impacts to the Riverside Cemetery within the Montford Historic District by modifying the preliminary design in proximity to the cemetery, specifically by lowering the U.S. 19-23-70 roadway adjacent to the property to decrease visual impacts from the proposed project. The modifications from the previous preliminary designs are shown in Figure 6 and include the following:

- I-240:
  - Median width has been reduced from approximately 85 feet to 30 feet.
  - Alignment has been shifted south ranging from 60 to 100 feet.
  - Roadway grade reduced from 6 percent to 5 percent.
- Hill Street:
  - Realigned to cross I-240 with the alignment shifted south.
  - Atkinson Street bridge has been eliminated.
- Hillcrest Connector:
  - Roundabout now included at the intersection with the relocated Hill Street.
- Patton Avenue:
  - Roadway reduced to two lanes in the westbound direction.
  - Speed limit reduced to 35 mph between Y7 Ramp D and Clingman Avenue.
  - Lane widths reduced to 11 feet east of the French Broad River.
  - Median width east of the French Broad River reduced.
  - Sidewalk on the north side of the roadway upgraded to a 10-foot multi-use path between Y7 Ramp D and the realigned Hill Street.
- Riverside Cemetery:
  - US 23/Riverside Drive alignments shifted approximately 10 feet west of the cemetery.
  - US 23 northbound profile adjacent to the cemetery lowered by approximately 30-55 feet.
  - Retaining wall along cemetery boundary removed.
- I-26:
  - Profile adjustments made to lower profile across the French Broad River approximately 5-10 feet.
  - Profile adjustments made to lower profile up to 20 feet in vicinity of Riverside Cemetery and the Montford neighborhood.
- I-240 Westbound:
  - Flyover bridge lowered by approximately 20 feet across French Broad River.
  - Alignment shifted approximately 90 feet closer to I-26 bridge.
- Ramp Y23E (Patton Avenue to I-240 Westbound):
  - Ramp grade reduced to 5 percent.





|  |  |  |
|--|--|--|
| <p>North Carolina<br/>Department of Transportation</p>  | <p>Legend</p> <ul style="list-style-type: none"> <li><span style="color: purple;">—</span> Proposed Pedestrian Facility</li> <li><span style="color: yellow;">—</span> Proposed Roadway</li> <li><span style="color: red;">—</span> Proposed Bridge</li> </ul> | <p>Date: July 2022</p>  <p>0 500 1,000 Feet</p> |
| <p>I-26 Asheville Connector<br/>Buncombe County</p> <hr/> <p>STIP Project No. I-2513</p>   |   | <p><b>Figure 6</b></p> <hr/> <p><b>Patton Avenue/<br/>I-240 Interchange<br/>East of French Broad River</b></p>                       |

The re-alignment of Hill Street and shifting of I-240 has resulted in the minimization of impacts to residential areas along Hill Street. By lowering the profiles of I-240 and US 23 NB, the retaining wall adjacent to the Riverside Cemetery has been removed.

These modifications were also developed to accommodate goals of the City of Asheville including lowering the profile of the flyover bridges over the French Broad River, reducing the project footprint, and expanded local road and pedestrian connections.

The resulting impacts from the proposed changes to the I-240/Patton Avenue design include an overall reduced highway footprint, overall reduction in residential relocations, minimized community impacts, reduced vertical profile along Riverside Drive, enhanced bicycle and pedestrian accommodations, and enhanced safety.

### 2.2.2 RIVERSIDE DRIVE

In lieu of the three-lane typical section noted in the 2020 FEIS, the designs were revised to better match the typical section currently under construction with the River Arts District Transportation Improvement Project (RADTIP), a major roadway and greenway construction project along the east side of the French Broad River in Asheville's River Arts District. The typical section includes one 11-foot lane in each direction, one five-foot bicycle lane in each direction, and a 10-foot multi-use path on the west side of the roadway. There is minimal distance between the roadway and the retaining wall supporting US 19/23 South. Additional coordination is ongoing with the City of Asheville on other elements of the typical section.

In addition to the modifications described above, other changes include adding a buffer to the bicycle lane and adding a concrete sidewalk to the east side of Riverside Drive, between the roadway and the US 19/23 southbound retaining wall. Furthermore, the alignment for Riverside Drive at the Broadway Street intersections has been revised. The 2020 FEIS showed that two structures owned by Ramp Studios, LLC located in the southeast quadrant of this intersection would be demolished. In order to reduce impacts to these structures so that they will not require demolition, the alignment of Riverside Drive has been shifted to the west. In order to reduce impacts at the Ramp Studio properties, it was also necessary to add retaining walls along I-26 to prevent these structures from being impacted.

### 2.2.3 REGENT PARK BOULEVARD

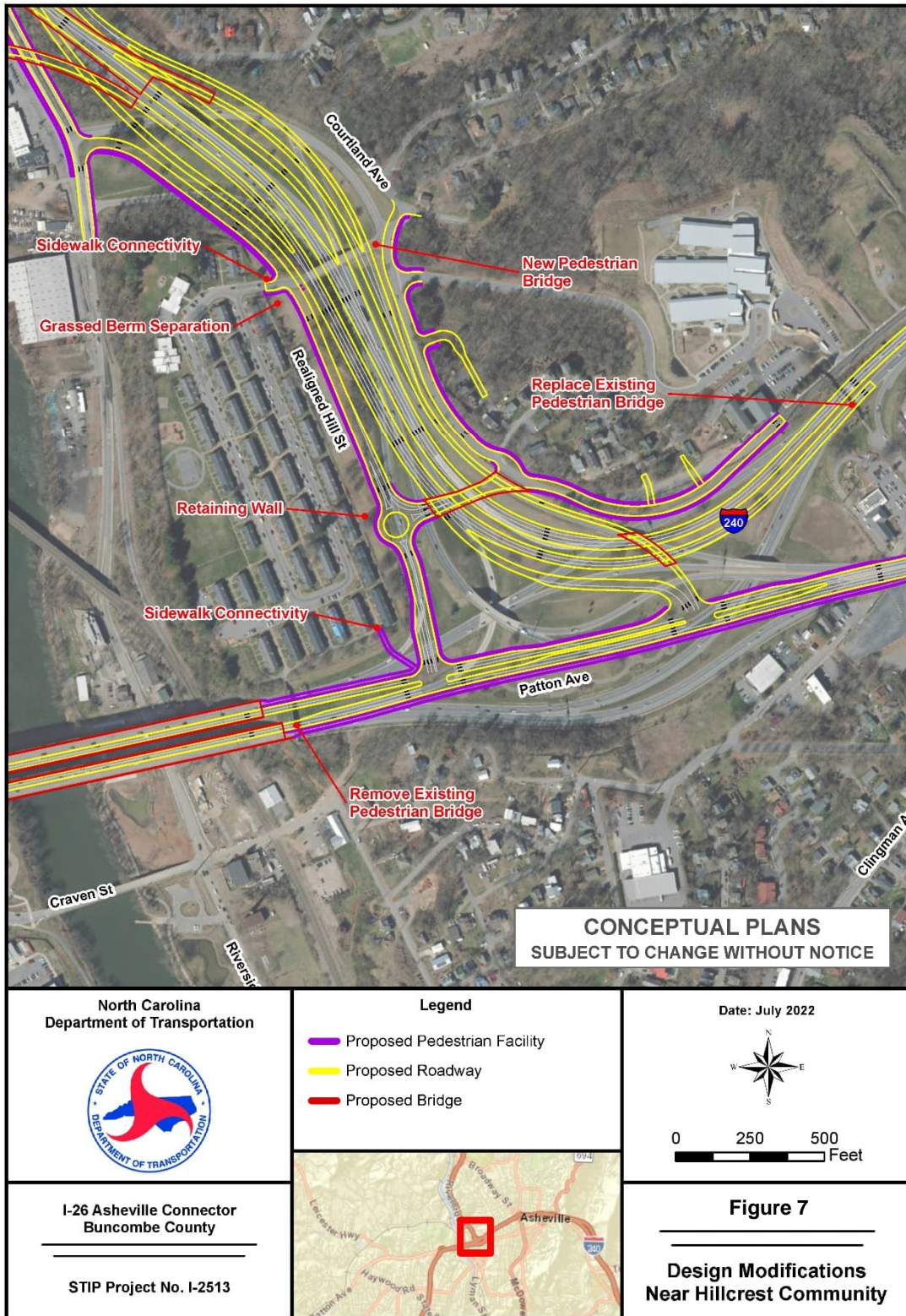
Based on coordination with the property owners, NCDOT removed the improvements to Regent Park Boulevard from the project. Plans were revised to show a paved street turnout at Regent Park Boulevard.

### 2.2.4 HILLCREST APARTMENT COMMUNITY

The design modifications in the vicinity of the Hillcrest Apartment Community have been made to enhance pedestrian connections in conjunction with the modifications described above at Patton Avenue/I-240 Interchange East of the French Broad River and the realignment of the Hill Street crossing of I-240. The improvements include additional sidewalk connectivity from Hillcrest to the realigned Hill Street, including a grassed berm to separate residents from Hill Street. Additionally, a pedestrian bridge is proposed at the entrance of the community to provide access across I-240 to Hill Street. A sidewalk is included on the southeast corner of the property to provide direct access by residents to Patton Avenue and the multi-use path along Patton Avenue. The existing pedestrian bridge east of the Jeff Bowen Bridges, south of Hillcrest is proposed to be removed and the existing pedestrian bridge south of the Isaac Dickson Elementary School is proposed to be replaced. These changes are anticipated to benefit the community,

as they enhance bicycle and pedestrian accommodations and provide increased connectivity to surrounding areas. Bicycle and pedestrian accommodations in the vicinity of the Hillcrest Apartment Community are shown on Figure 7.







## 2.3 HUMAN ENVIRONMENT

### 2.3.1 RELOCATION AND RIGHT-OF-WAY CHANGES

Displacement estimates developed for the design of the Preferred Alternative in the FEIS were prepared in August 2019 by NCDOT. These estimates are shown in Relocation and Right-of-Way Reports included in Appendix A of the FEIS. The FEIS projected 114 residential displacements within the project and 35 business displacements.

Since the publication of the FEIS, NCDOT continued to coordinate with the City of Asheville and its stakeholder groups to make design changes to reduce the overall footprint of the project. Table 1 compares displacement information in the FEIS to updated reports for the reevaluation. The updated relocation reports are included in Appendix A.

Table 1: Relocation Estimates

|              | Section*  | Business Relocations | Residential Relocations |
|--------------|-----------|----------------------|-------------------------|
| FEIS         | Section A | 14                   | 71                      |
|              | Section B | 19                   | 29                      |
|              | Section C | 2                    | 14                      |
|              | Total     | 35                   | 114                     |
| Reevaluation | Section A | 2                    | 42                      |
|              | Section B | 39                   | 40                      |
|              | Section C | 0                    | 1                       |
|              | Section D | 0                    | 0                       |
|              | Total     | 41                   | 83                      |

*\*Section boundaries were revised after the 2020 FEIS and the project now includes four sections (A, B, C, and D) per the 2020-2029 NCDOT State Transportation Improvement Program (STIP). Hence, the comparison of relocation numbers should be compared to the overall change, not between sections.*

Based on revised project designs, the number of potential residential displacements within the project footprint was reduced from 114 to 83. However, the estimated number of business relocations increased slightly from 35 through the entire project to 41. Overall, design changes reduced the total number of relocations and do not represent any new significant impacts not previously identified during development of the FEIS.

#### 2.3.1.1 Minority Displacements

The NCDOT Relocation Reports in the FEIS estimated that 5 of the 114 residential displacements would be minority owners or tenants. As previously mentioned, NCDOT updated its Relocation and Right-of-Way Reports (relocation reports) for this reevaluation. NCDOT conducted field reviews and used its demographics tool of 2015-2019 ACS data to estimate the number of minority displacements for the project. Table 2 compares the difference in estimated minority displacements between the 2019 relocation reports and the 2022 relocation reports.

Table 2: Minority Displacements

| Section*     | FEIS | Reevaluation |
|--------------|------|--------------|
| Section A    | 3    | 9            |
| Section B /D | 2    | 16           |
| Section C    | 0    | 1            |
| Total        | 5    | 26           |

\*Section boundaries were revised after the 2020 FEIS and the project now includes four sections (A, B, C, and D) per the 2020-2029 NCDOT State Transportation Improvement Program (STIP). Hence, the comparison of relocation numbers should be compared to the overall change, not between sections.

Table 2 shows that the estimated number minority displacements increased from 5 to 26. To determine if the changes represented new information resulting in significant impacts not evaluated in the FEIS, FHWA compared estimated number of minority residential relocations to the 2015-2019 ACS demographics by project sections. FHWA used its Screening Tool for Equity Analysis of Projects (STEAP) to determine the demographics of relocations within the right-of-way and a 600-foot buffer of the project study area. It should be noted that the STEAP analysis uses block level data at a smaller scale than what is collected using the block group ACS data. Table 3 compares the percentage of minority displacements estimated in the updated relocation reports to the percentage of minority households the STEAP estimates within the project buffer area.

Table 3: Minority Displacement Comparison

| Section*     | Minority Displacements | Total Displacements | Relocation Reports | FHWA STEAP |
|--------------|------------------------|---------------------|--------------------|------------|
| Section A    | 9                      | 42                  | 21%                | 27%        |
| Section B /D | 16                     | 40                  | 40%                | 37%        |
| Section C    | 1                      | 1                   | 100%               | 25%        |

Looking at the total project, the percentage of minority displacements compared to the percentage of minority households in the STEAP buffer does not reveal a disproportionately high and adverse effect to minority populations.

### 2.3.1.2 Low-Income Displacements

Relocation reports for the FEIS estimated six displacements with household income levels less than \$25,000. Updated relocation reports for this reevaluation estimate three displacements with household income levels less than \$25,000. FHWA used its STEAP to estimate household income within the project buffer area. Results are shown in Table 4.

Table 4: Household Income in Project Study Area - FHWA STEAP Analysis

| Household Income Distribution<br>ACS 2015-2019 Block Group Geography<br>ROW Buffer Analysis |         |          |          |          |            |                  | Population<br>2020 Block Geography<br>ROW Buffer Analysis |                        |
|---|---------|----------|----------|----------|------------|------------------|---|------------------------|
| Sections  | \$0-15k | \$15-25k | \$25-35k | \$35-50k | \$50k & Up | Total Households | 2020 Population   | Average Household Size |
| A   | 9       | 6        | 7        | 6        | 37         | 65               | 113   | 1.74                   |
|   | 14%     | 9%       | 11%      | 9%       | 57%        | 100%             |   |                        |
| B & D   | 26      | 17       | 21       | 20       | 88         | 172              | 241   | 1.40                   |
|   | 15%     | 10%      | 12%      | 12%      | 51%        | 100%             |   |                        |
| C   | 0       | 1        | 1        | 1        | 4          | 7                | 8   | 1.14                   |
|   | 0%      | 14%      | 14%      | 14%      | 57%        | 100%             |   |                        |

FHWA defines low-income as a person whose median household income is at or below the Department of Health and Human Services (HHS) poverty guidelines. In 2022, HSS poverty guidelines were \$13,590 for a one-person household, \$18,310 for a two-person household, and \$23,030 for three-person household.

The updated relocation reports show two displacements with household income less than \$25,000 in Sections B/D. Note that average household size is 1.4 persons in these sections of the project. For estimating purposes, FHWA used household income \$25,000 for comparison because it is slightly more than the HHS poverty guidelines for a three-person household. The two displacements represent 5 percent of the 40 total displacements in Sections B/D, which is less than the percentage of households with income level less than \$25,000 in the STEAP project buffer. Based on design revisions, there is still one displacement with household income less than \$25,000 in Section C.

### 2.3.2 COMMUNITY IMPACTS

Effects for individual communities within the study area were summarized in the DEIS by using FHWA’s Community Impact Assessment: A Quick Reference for Transportation (USDOT/FHWA 1996) and considered both positive and negative effects for those communities. The FEIS noted that residential and business displacements are anticipated in the Fairfax/Virginia, Kentucky/Hanover/Pisgah View, Emma Road/Bingham Road, Burton Street, and Westwood Communities. However, the FEIS noted the project is expected to enhance the ability of residents to access neighborhoods and community services. The project also includes various greenway and multi-use path connections, which will in general increase mobility and pedestrian connectivity. Design changes since the publication of the FEIS have not significantly changed the effects on conclusions in the FEIS.

Since the FEIS, new demographic information became available. The FEIS collected demographic data using the 2013 – 2017 ACS data noted that 12 of the 15 communities in the study area include populations that meet or exceed the threshold for low-income or minority populations.

This reevaluation considered updated 2015 – 2019 ACS data to determine if the new information regarding socioeconomic conditions would result in new potential environmental justice (EJ) communities not identified in the FEIS. During the development of the FEIS, each community was delineated, and a

community boundary was established to allow further analysis of each community as shown in the figures in Appendix B.

Analysis of the 2015-2019 ACS data did not identify new EJ communities that were not previously identified in the FEIS. However, demographics in those EJ communities changed; and Table 5 compares the 2015 – 2019 ACS data to information presented in the FEIS. Analysis of data in Table 5 does not present a significantly different picture of the makeup of EJ communities identified during development of the FEIS.

Table 5: I-2513 Identification of Environmental Justice Communities

| Community                                   | Census Tract, Block Group | 2015-2019 ACS Data Meets or Exceeds Minority Threshold | 2015-2019 ACS Data Meets or Exceeds Low-Income Threshold | FEIS Table 4-2 Meets or Exceeds Minority Threshold | FEIS Table 4-2 Meets or Exceeds Low-Income Threshold |
|---|---------------------------|--|--|--|--|
| Burton Street Community                     | CT 11, BG 1               | X  | -  | -  | X  |
| Hillcrest Apartments Community              | CT 2, BG 1                | X  | X  | X  | X  |
| Houston/Courtland Community                 | CT 2, BG 1                | X  | X  | X  | X  |
| Montford Community                          | CT 3, BG 1                | X  | X  | X  | X  |
| West End/Clingman Neighborhood (WECAN)      | CT 9, BG 2                | X  | X  | X  | X  |
| Emma Road/Bingham Road Community            | CT 14, BG 2               | X  | X  | X  | X  |
| Murphy Hill Community                       | CT 14, BG 1               | X  | X  | X  | X  |
| River Arts District                         | CT 9, BG 2                | X  | X  | X  | X  |
| Westwood Place Community                    | CT 10, BG 1               | -  | X  | -  | X  |
| Kentucky/Hanover/Pisgah View Area Community | CT 10, BG 2               | X  | X  | X  | X  |
| Clairmont Crest Mobile Home Park            | CT 12, BG 5               | -  | X  | X  | X  |
| Willow Lake Mobile Home Park                | CT 12, BG 5               | -  | X  | X  | X  |

Source: 2015-2019 ACS 5-year estimates compared to FEIS

### 2.3.2.1 Potential EJ Community Effects

The FEIS identified direct impacts to five EJ communities with impacts predominantly consisting of residential displacements. The FEIS determined that the burden on each of these communities was low because the residential displacements were along the periphery of the community and the project would increase mobility and access, as well as provide modest improvements for safety. Those five communities were:

- Kentucky/Hanover/Pisgah View Area
- Westwood Place
- Burton Street
- Emma Road/Bingham Road
- Montford

Table 6 shows the estimated FEIS residential displacements in each community based on the public hearing maps (see figures in Appendix B). For comparison purposes, Table 6 also shows the revised estimate of residential displacements in those communities based on design changes after publication of the FEIS. Figures in Appendix B show properties no longer needed for the project based after design changes.

Table 6: Residential Displacements within Potential EJ Community Boundaries

| Community                                   | FEIS | Re-evaluation |
|---|------|---------------|
| Kentucky/Hanover/Pisgah View Area Community | 30   | 21            |
| Westwood Place Community                    | 15   | 13            |
| Emma Road/Bingham Road Community            | 4    | 4             |
| Montford Community                          | 12   | 3             |
| Burton Street Community                     | 6    | 8             |
| Houston/Courtland Community                 | -    | 3             |
| Willow Lake Mobile Home Park                | 6    | -             |
| Subtotal                                    | 73   | 52            |

#### Kentucky/Hanover/Pisgah View Area Community

The FEIS noted the community would incur direct impacts in the form of residential displacements along Kentucky Drive. These displacements were along the periphery of the community as shown in the figures in Appendix B. Despite the displacements, the FEIS concluded that the expected overall burden of the proposed project to the communities would be low because the project would increase mobility and access, as well as provide modest improvements in safety for the community.

Table 6 shows that design changes, after publication of the FEIS, reduced the number of residential displacements in the community. Design changes and the resulting reduction in displacements do not change the FEIS determination of the overall burden to the community.

#### Westwood Place Community

The FEIS noted the community would incur direct impacts in the form of residential displacements along the periphery of the community as shown in the figures in Appendix B. Despite the displacements, the FEIS concluded that the expected overall burden of the proposed project to the communities would be low because the project would increase mobility and access, as well as provide modest improvements in safety for the community.

Table 6 shows that design changes, after publication of the FEIS, reduced the number of residential displacements in the community. Design changes and the resulting reduction in displacements do not change the FEIS determination of the overall burden to the community.

#### Emma Road/Bingham Road Community

The FEIS effects analysis for this community determined the overall burden of the proposed project would be low. Impacts to this community are in the southeastern portion of the project, where census data did not indicate any minorities at the block level. The FEIS noted the project avoids impacts to the income-restricted Maple Terrace manufactured homes and the Woodridge Apartments, which is operated by the City of Asheville Housing Authority. Table 6 and figures in Appendix B show no changes to displacements in this community.

### Montford Community

The FEIS determined that the expected overall burden of the project to the community would be low project would increase mobility and access, as well as provide modest improvements in safety for the community.

Since publication of the FEIS, design changes resulted in the reduction of displacements along Hill Street. The number of residential displacements in the community was reduced from twelve to three, which would not change the FEIS determination of the overall burden to the community.

### Burton Street Community

The FEIS determined the Burton Street Community will experience recurring impacts to community cohesion, reduction in neighborhood land, changes in access and connectivity and displacements. The Burton Street neighborhood was the only community with a large concentration of minorities with I-240 was constructed during the 1960's. It is also bounded by heavily traveled Patton Avenue to the north and Haywood Street to the south.

Design changes since the publication of the FEIS did not change the displacements within the community. Although table 6 shows an increase in displacements, property information from Buncombe County's Real Estate website<sup>3</sup> shows two homes being completed since the publication of the FEIS.

Unavoidable impacts to the Burton Street Community are being mitigated through additional public outreach with this community throughout the project development process, including funding the development of the Burton Street Neighborhood Plan for the Community, which was adopted by the Asheville City Council in October 2018, to minimize, mitigate, and provide offsetting benefits to enhance the community. Since publication of the FEIS, NCDOT and FHWA have conducted periodic Working Group meetings with the Burton Street Community to implement the strategies developed as a part of the plan.

### Houston/Courtland Community

The FEIS reported no direct impacts to this area of the project, with no residential or business relocations. As part of the stipulations outlined in the January 2021 Section 106 MOA, NCDOT and FHWA agreed to evaluate lessening impacts to the Riverside Cemetery within the Montford Historic District by modifying the preliminary design in proximity to the cemetery, specifically by lowering the U.S. 19-23-70 roadway adjacent to the property to decrease visual impacts from the proposed project. This modification of the designs has resulted in potential relocation of three residential relocations in the Houston/Courtland community not accounted for previously. The three relocations are home located on the periphery of the community and property information from Buncombe County's Real Estate website suggests that these properties would not be owned by minority or low-income individuals.

### Clairmont Crest and Willow Lake Mobile Home Park Communities

The public hearing maps showed residential displacements in Willow Lake Mobile Home Park, that were not summarized in the FEIS. Those displacements were eliminated after design changes, so the FEIS omission of those impacts is not a significant issue based on current designs.

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<sup>3</sup>Buncombe County GIS. January 2023. [https://gis.buncombecounty.org/buncomap\\_new/](https://gis.buncombecounty.org/buncomap_new/)

### Hillcrest Apartments Community

Hillcrest Apartments is not directly affected by the project, as no property needs to be acquired to construct the project and there are no residential or business relocations within this community. The FEIS noted the apartment community is expected to receive project benefits in the form of improved mobility and system linkage, enhanced accessibility, congestion reduction, and enhanced bicycle and pedestrian accommodations.

Since publication of the FEIS, design modifications in the vicinity of the Hillcrest Apartment Community have been made to enhance pedestrian connections in conjunction with the modifications at Patton Avenue/I-240 Interchange east of the French Broad River and the realignment of the Hill Street crossing of I-240. The improvements include additional sidewalk connectivity from Hillcrest to the realigned Hill Street, including a grassed berm to separate residents from Hill Street. Additionally, a pedestrian bridge is proposed at the entrance of the community to provide access across I-240 to Hill Street. A sidewalk is included on the southeast corner of the property to provide direct access by residents to Patton Avenue and the multi-use path along Patton Avenue. The existing pedestrian bridge east of the Jeff Bowen Bridges, south of Hillcrest is proposed to be removed and the existing pedestrian bridge south of the Isaac Dickson Elementary School is proposed to be replaced. These changes are anticipated to benefit the community, as they enhance bicycle and pedestrian accommodations and provide increased connectivity to surrounding areas. These design modifications were shared with the Hillcrest community at a public meeting in February 2022, and no concerns from residents were reported. A summary from this meeting is included in Appendix C.

### 2.3.3 COMMUNITY IMPACT CONCLUSIONS

Looking at the total project, the percentage of low-income displacements has decreased since publication of the FEIS. A comparison of low-income displacements to updated demographic information on the distribution of low-income households in the STEAP buffer area does not reveal a disproportionately high and adverse effect to low-income populations.

The updated relocation reports show a decrease the number of low-income displacements in the project area. Of the 83 residential displacements, the updated relocation reports show 3 low-income displacements, which is far less than the percentage of low-income households distributed through the project buffer area using the FHWA STEAP.

The updated relocation reports show an increase in the number of minority displacements in the project area. However, comparing minority displacements to updated demographic information does not reveal minority displacements being more severe or greater in magnitude than displacements of non-minority populations; nor displacements being borne by minority populations.

When the FEIS was approved, it was estimated that there were 73 residential displacements in potential EJ communities. Updated demographic information did not identify any new EJ communities that were not identified in the FEIS. Design changes to the project since publication of the FEIS reduced estimated residential displacements in potential EJ communities to 52.



## 2.4 HISTORIC RESOURCES

Pursuant to 36 CFR 800.6, FHWA, NCDOT, SHPO, and various consulting parties participated in the consultation process and concurred on effects determinations and stipulations addressed in the MOA<sup>4</sup>, signed January 2021.

FHWA determined the Project will have an adverse effect on Riverside Cemetery and archaeological site 31BN826, and a no adverse effect on the Freeman House, William Worley House, West Asheville/Aycock School Historic District, Great Smoky Mountain Park Bridge (Buncombe County Bridge No. 323), and archaeological site 31BN623 (Lower Hominy Hydroelectric Plant), provided the environmental commitments stipulated in the MOA are fulfilled. The Preferred Alternative will have no effect on the remaining historic properties identified in or near the area of potential effects.

Additional work, not shown in the preliminary plans, will occur at the Asheville Primary School. In order to mitigate impacts to the school, which is included in the West Asheville/Aycock Historic District, NCDOT developed a preliminary site plan in coordination with representatives from Asheville City Schools to lessen impacts to the school property and improve parking. Student pick-up and drop-off will be improved by allowing all queuing to occur on school property. Additionally, the proposed site plan allows for increased bus storage on the west side of Argyle Lane.

It was noted in the FEIS that no changes would be made to the structure of the Great Smoky Mountain Park Bridge (Buncombe County Bridge No. 323) and therefore a finding of no effect was recorded to this resource. After publication of the FEIS, the City of Asheville requested revisions be made based upon recommendations of their Aesthetics Committee. As currently proposed, the non-contributing cantilevered sidewalk would be removed, and the bridge would be converted to a two-lane facility with a ten-foot sidewalk on the existing deck. The decorative architectural embellishments on the substructure will not be removed. The existing bridge rails and pedestrian lights will be replaced with designs that meet current safety standards and are congruent with the original “art moderne” style of the bridge. NCHPO concurred with FHWA and NCDOT’s determination that the project will have no adverse effect upon the bridge following stipulations outlined in the MOA.

## 2.5 PHYSICAL ENVIRONMENT

Resources evaluated within the physical environment include noise, air quality, farmlands, utilities, visual quality, hazardous materials, and floodplains. Modifications to the Preferred Alternative after the completion of the FEIS in 2020 did not result in significant changes to physical environmental resources.

### Traffic Noise Report Addendum

A Traffic Noise Report was completed in August 2019 to address updated traffic data, revisions to the design of the Preferred Alternative in the 2020 FEIS, and to comply with the revised NCDOT Traffic Noise Policy that became effective in October 2016. In July 2022 a traffic noise evaluation addendum was performed to evaluate the area east of the French Broad River where the majority of the design modifications have occurred since the 2020 FEIS. The results of the analysis identified five noise barriers within the limits of the project that preliminarily meet feasibility and reasonableness criteria found in the NCDOT Traffic Noise Policy and are shown in Table 7.

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<sup>4</sup> Federal Highway Administration. January 2021. I-26 Connector Memorandum of Agreement.  
<https://www.ncdot.gov/projects/asheville-i-26-connector/Documents/I-26-memorandum-agreement.pdf>

Table 7: Preliminary Noise Barrier Evaluation Results

| Section<br>NSA          | Noise Barrier<br>and Location<br>Description  | Length<br>Height <sup>4</sup><br>(feet) | Square<br>Footage | Number<br>of<br>Impacted<br>&<br>Benefited<br>Receptors | Number<br>of<br>Benefited<br>Receptors | Square<br>Feet per<br>Benefited<br>Receptor<br>Allowable<br>Square<br>Feet per<br>Benefited<br>Receptor | Preliminarily<br>Feasible and<br>Reasonable<br>("Likely" for<br>Construction) <sup>1</sup> |
|-------------------------|---|---|-------------------|---|--|---|--|
| Section<br>B<br>NSA B-2 | NWB-2<br>Along I-26 WB<br>between Hazel<br>Mill Road and<br>Annie Street  | $\frac{300}{17}$                        | 5,102             | 2   | 2                                      | $\frac{2,551}{2,000}$   | No <sup>3</sup>  |
| Section<br>B<br>NSA B-3 | NWB-3.1<br>Along I-240 WB<br>to<br>I-26/I-<br>240/Patton<br>Avenue<br>interchanges                                  | $\frac{1,017}{13}$                      | 13,624            | 4   | 6                                      | $\frac{2,271}{2,500}$   | Yes  |
|                         | NWB-3.2<br>Along I-240 WB<br>to<br>I-26 EB  | $\frac{1,875}{24}$                      | 45,010            | 23  | 23                                     | $\frac{1,957}{2,500}$   | No <sup>3</sup>  |
| Section<br>B<br>NSA B-4 | NWB-4<br>Along the Patton<br>Avenue to I-240<br>EB ramp   | $\frac{1,550}{12}$                      | 18,301            | 4   | 4                                      | $\frac{4,575}{2,500}$   | No <sup>3</sup>  |
| Section<br>B<br>NSA B-5 | NWB-5<br>Along I-240 WB<br>between<br>Atkinson Street<br>and the Bowen<br>Bridges over the<br>French Broad<br>River | $\frac{462}{17}$                        | 7,691             | 3   | 19                                     | $\frac{405}{1,500}$   | Yes  |
|                         | NWB-5.1<br>Along Atkinson<br>Street near<br>Hillcrest<br>Apartments   | $\frac{234}{10}$                        | 2,372             | 3   | 3                                      | $\frac{791}{1,500}$   | Yes  |
| Section<br>B<br>NSA B-6 | NWB-6<br>Along the I-240<br>WB to I-26 WB<br>ramp adjacent to<br>Courtland Place                                    | $\frac{190}{13}$                        | 2,380             | 2   | 2                                      | $\frac{1,190}{1,500}$   | Yes  |

| Section<br>NSA                | Noise Barrier<br>and Location<br>Description                                     | Length<br>Height <sup>4</sup><br>(feet) | Square<br>Footage | Number<br>of<br>Impacted<br>&<br>Benefited<br>Receptors | Number<br>of<br>Benefited<br>Receptors | Square<br>Feet per<br>Benefited<br>Receptor<br>Allowable<br>Square<br>Feet per<br>Benefited<br>Receptor | Preliminarily<br>Feasible and<br>Reasonable<br>("Likely" for<br>Construction) <sup>1</sup> |
|-------------------------------|--|---|-------------------|---|--|---|--|
| Section<br>B<br>NSA B-8       | NWB-8<br>Along I-26 WB<br>between<br>Riverside<br>Cemetery and<br>Pearson Drive  | $\frac{2,449}{24}$                      | 58,780            | 1   | 1                                      | $\frac{58,780}{1,500}$  | No <sup>2</sup>  |
| Section<br>B<br>NSA B-<br>8.1 | NWB-8.1<br>Along I-26 WB<br>between<br>Courtland Place<br>and Westover<br>Drive  | $\frac{1,800}{22}$                      | 39,697            | 1   | 2                                      | $\frac{19,849}{1,500}$  | No <sup>3</sup>  |
| Section<br>B<br>NSA B-9       | NWB-9<br>Along I-26 WB<br>between<br>Pearson Drive<br>and Broadway<br>Street     | $\frac{3,050}{20}$                      | 60,500            | 13  | 23                                     | $\frac{2,630}{1,500}$   | No <sup>3</sup>  |
|                               | NWB-9.1<br>Along I-26 WB<br>between<br>Pearson Drive<br>and Klondyke<br>Avenue   | $\frac{1,850}{23}$                      | 43,100            | 8   | 10                                     | $\frac{4,310}{1,500}$   | No <sup>3</sup>  |
|                               | NWB-9.2<br>Along I-26 WB<br>between<br>Pearson Drive<br>and Hibriten<br>Drive    | $\frac{2,000}{23}$                      | 46,700            | 2   | 2                                      | $\frac{23,350}{1,500}$  | No <sup>3</sup>  |
|                               | NWB-9.3<br>Along I-26 WB<br>west of Hibriten<br>Drive                            | $\frac{1,000}{23}$                      | 23,297            | 6   | 6                                      | $\frac{3,883}{1,500}$   | No <sup>3</sup>  |
|                               | NWB-9.4<br>Along I-26 WB<br>between<br>Klondyke Avenue<br>and Broadway<br>Street | $\frac{1,400}{22}$                      | 30,100            | 5   | 14                                     | $\frac{2,150}{1,500}$   | No <sup>3</sup>  |

| Section<br>NSA               | Noise Barrier<br>and Location<br>Description                                   | Length<br>Height <sup>4</sup><br>(feet) | Square<br>Footage | Number<br>of<br>Impacted<br>&<br>Benefited<br>Receptors | Number<br>of<br>Benefited<br>Receptors | Square<br>Feet per<br>Benefited<br>Receptor<br>Allowable<br>Square<br>Feet per<br>Benefited<br>Receptor | Preliminarily<br>Feasible and<br>Reasonable<br>("Likely" for<br>Construction) <sup>1</sup> |
|------------------------------|--|---|-------------------|---|--|---|--|
| Section<br>B<br>NSA B-<br>10 | NWB-10<br>Along I-240 WB<br>north of Hill<br>Street                            | $\frac{550}{16}$                        | 9,000             | 3   | 5                                      | $\frac{1,800}{2,000}$   | Yes  |
| Section<br>B<br>NSA B-<br>11 | NWB-11<br>Along I-240 EB<br>between Roberts<br>Street and Park<br>Avenue North | $\frac{650}{12}$                        | 7,800             | 2   | 5                                      | $\frac{1,560}{1,500}$   | No <sup>3</sup>  |

<sup>1</sup> The likelihood for barrier construction is preliminary and subject to change, pending completion of final design and the public involvement process.

<sup>2</sup> Barrier is not feasible due to an inability to achieve at least 5 dB(A) of noise reduction for at least two impacted receptors.

<sup>3</sup> Barrier is not reasonable due to the quantity per benefited receptor exceeding the allowable quantity per benefited receptor  
OR Barrier is not reasonable due to an inability to achieve at least 7 dB(A) noise reduction for at least one benefited receptor.

<sup>4</sup> Average wall height. Actual wall height at any given location may be higher or lower.

A more detailed analysis will be completed during project final design. Noise barriers preliminarily found to be feasible and reasonable during the preliminary noise analysis may not be found to be feasible and reasonable during the final design noise analysis due to changes in proposed project alignment and other design considerations, surrounding land use development, or utility conflicts, among other factors. Conversely, noise barriers that preliminarily were not considered feasible and reasonable may meet the established criteria and be recommended for construction.

## 2.6 NATURAL ENVIRONMENT

After publication of the 2020 FEIS, NCDOT continued formal consultation with the US Fish and Wildlife Service (USFWS) regarding the project's potential effects to two endangered species, the gray bat (*Myotis grisescens*) and Appalachian elktoe (*Alasmidonta raveneliana*), resulting in issuance of a Biological Opinion (BO)<sup>5</sup> by the USFWS on June 19, 2020. NCDOT will carry out all activities for which it has been assigned responsibility in the BO issued by the USFWS on June 19, 2020. The BO concluded that implementing the project is not likely to jeopardize the continued existence of the gray bat or Appalachian elktoe.

Modifications to the Preferred Alternative after completion of the FEIS in 2020 did not result in significant changes to the stream and wetland impacts disclosed in the FEIS. During final design, additional design refinements and hydraulic designs may further minimize impacts to these resources.

<sup>5</sup> United States Fish and Wildlife Service. June. 2020. I-26 Connector Biological Opinion.

<https://www.ncdot.gov/projects/asheville-i-26-connector/Documents/I-26-connector-biological-opinion.pdf>

### 3.0 COMMENTS ON THE FEIS

The FEIS was approved on January 10, 2020 and circulated to environmental resource and regulatory agencies, local governments, other stakeholders, and the public.

Comments on the FEIS were received from the following federal and state environmental resource and regulatory agencies:

- US Environmental Protection Agency
- North Carolina Department of Cultural Resources (NCDCCR) – Office of State Archaeology
- NCDCCR – Historic Preservation Office
- North Carolina Department of Environmental Quality (NCDEQ) – Division of Water Resources
- NCDEQ – Asheville Regional Office
- NCDEQ – Solid Waste Section
- NCDEQ – Inactive Hazardous Sites Branch
- NCDEQ – Hazardous Waste Section

Responses to agency comments are included in Appendix D-1. Public correspondence was received from 133 persons during the FEIS comment period and responses to these comments are included in Appendix D-2. Copies of comments received from local, state, and federal agencies are included in Appendix E.

Since publication of the FEIS, NCDOT has continued to hold periodic meetings with the City of Asheville, local organizations, adjacent neighborhoods, historic property owners, and the Burton Street community, in order to better understand concerns and to obtain input on how the project could be further refined. This has resulted in various design modifications to further minimize the impacts of the project through refined project designs.

### 4.0 CONCLUSION

None of the changes discussed in this reevaluation of the 2020 FEIS would require preparation of a supplemental FEIS. The resulting impacts from the modifications to the I-240/Patton Avenue design include an overall reduced highway footprint, overall reduction in residential relocations, minimized community impacts, reduced vertical profile along Riverside Drive, enhanced bicycle and pedestrian accommodations, and enhanced safety. The lowered grade levels reduce hazards related to slow-moving trucks as well as snow and ice, lengthened ramps eliminate weaving zones. Additionally, the enhanced bicycle and pedestrian accommodations provide separated facilities and will meet ADA criteria.

Based on the 2015-2019 ACS data, there are no additional communities that may contain low-income or minority populations that have not already been considered throughout the project lifecycle. Therefore, no additional or different outreach measures are needed to revisit decisions documented in the FEIS. In addition, the design modifications since publication of the FEIS have resulted in a net decrease in relocations to communities meeting environmental justice thresholds, and as a result of the project overall.

The consideration of updated relocation reports, updated demographic information, and project design reviews show an overall reduction of displacements evaluated in the EIS. A supplemental EIS is not necessary based on these changes.

## APPENDIX A: RELOCATION REPORTS

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# EIS RELOCATION REPORT

**North Carolina Department of Transportation  
RELOCATION ASSISTANCE PROGRAM**

E.I.S.       CORRIDOR       DESIGN

|                         |  |                                     |          |                               |
|-------------------------|--|-------------------------------------|----------|-------------------------------|
| WBS ELEMENT:            | 34165.1.2  | COUNTY                              | Buncombe | Alternate A of ABCD Alternate |
| T.I.P. No.:             | I-2513ABCD   | THIS REPORT IS FOR I-2513 SECTION A |          |                               |
| DESCRIPTION OF PROJECT: | I-26/I-40/I-240 Interchange to SR 3548 (Haywood Rd.) This section includes initial improvements at I-26/I-40/I-240 Interchange and along I-40 westbound between I-26/I-40/I-240 Interchange and US 19/23 (Smokey Park Highway) |                                     |          |                               |

| ESTIMATED DISPLACEDS (% MINORITY = 21.94%)* |        |  |       |   | INCOME LEVEL   |           |             |            |                        |     |           |     |           |
|---|--------|--|-------|---|--|-----------|-------------|------------|------------------------|-----|-----------|-----|-----------|
| Type of Displacees                          | Owners | Tenants  | Total | Minorities  | 0-15K  | 15-25K    | 25-35K      | 35-50K     | 50K UP                 |     |           |     |           |
| Residential                                 | 30     | 12   | 42    | 9   | 0  | 0         | 15          | 22         | 5                      |     |           |     |           |
| Businesses                                  | 1      | 1  | 2     | 1   | VALUE OF DWELLING  |           |             |            | DSS DWELLING AVAILABLE |     |           |     |           |
| Farms                                       | 0      | 0  | 0     | 0   | Owners   |           | Tenant Rent |            | For Sale               |     | For Rent  |     |           |
| Non-Profit                                  | 0      | 0  | 0     | 0   | 0-100K   | 10        | \$ 0-250    | 0          | 0-100K                 | 3   | \$ 0-250  | 0   |           |
| <b>ANSWER ALL QUESTIONS</b>                 |        |  |       |   | 100-200K   | 0         | 250-500     | 2          | 100-200K               | 6   | 250-500   | 3   |           |
| Yes   | No     | <i>Explain all "YES" answers.</i>  |       |   | 200-300K   | 10        | 500-1000    | 0          | 200-300K               | 15  | 500-1000  | 6   |           |
|   | x      | 1. Will special relocation services be necessary?  |       |   | 300-400K   | 10        | 1000-1500   | 10         | 300-400K               | 21  | 1000-1500 | 10  |           |
|   | x      | 2. Will schools or churches be affected by displacement?   |       |   | 400K UP  | 0         | 1500 UP     | 0          | 400K UP                | 25+ | 1500 UP   | 30+ |           |
| x   |        | 3. Will business services still be available after project?  |       |   | <b>TOTAL</b>   | <b>30</b> | <b>12</b>   | <b>70+</b> | <b>49+</b>             |     |           |     |           |
| x   |        | 4. Will any business be displaced? If so, indicate size, type, estimated number of employees, minorities, etc. |       |   | <b>REMARKS (Respond by Number)</b>   |           |             |            |                        |     |           |     |           |
|   | x      | 5. Will relocation cause a housing shortage?   |       |   | <p><b>*% Minority is based on Census data - Please provide Census data for the area</b><br/>                     This report is based on the latest modifications of I-2513 and incorporates the use of demographic data from the 2020 Decennial Census to estimate the potential proportion of minority relocations.<br/>                     3 – Project location is mostly within the downtown area of West Asheville and along heavily traveled and commercially developed Patton Ave. There is no anticipated shortage of remaining business services available.<br/>                     4 – The two businesses displaced in Section A is Burger King, a fast-food franchise, 3160 SF with an estimated # of employees of 12. Minorities will be a factor. The remaining displaced business is a Bear Creek Campground building, 3000 SF with an estimated # of employees of 6. Minorities will be a factor.<br/>                     8 – Last Resort Housing will be essential as many homes are older dwellings and many of them may lack modernization.<br/>                     11 – There is an abundance of public housing in the area of project. However, no public housing appears to be acquired in Section A.<br/>                     12 – The housing market at the time of this report is lively and numerous listings have been identified.<br/>                     13 – It is possible low cost housing will be an issue for both owners and tenants. Last resort housing will alleviate some of these situations.<br/>                     14 – There are numerous commercial properties available for lease and for sale. This area of the project has numerous real estate office who do both commercial/residential listings. These include Keller-Williams, Beverly-Hanks, Town and Mtn Realty and others.</p> |           |             |            |                        |     |           |     |           |
|   | x      | 6. Source for available housing (list).  |       |   |  |           |             |            |                        |     |           |     |           |
|   | x      | 7. Will additional housing programs be needed?   |       |   |  |           |             |            |                        |     |           |     |           |
| x   |        | 8. Should Last Resort Housing be considered?   |       |   |  |           |             |            |                        |     |           |     |           |
|   | x      | 9. Are there large, disabled, elderly, etc. families?  |       |   |  |           |             |            |                        |     |           |     |           |
|   | x      | 10. Will public housing be needed for project?   |       |   |  |           |             |            |                        |     |           |     |           |
| x   |        | 11. Is public housing available?   |       |   |  |           |             |            |                        |     |           |     |           |
| x   |        | 12. Is it felt there will be adequate DSS housing available during relocation period?                          |       |   |  |           |             |            |                        |     |           |     |           |
| x   |        | 13. Will there be a problem of housing within financial means?   |       |   |  |           |             |            |                        |     |           |     |           |
| x   |        | 14. Are suitable business sites available (list source).   |       |   |  |           |             |            |                        |     |           |     |           |
|   |        |  |       | 15. Number months estimated to complete RELOCATION? |  |           |             |            |                        |     |           |     | <b>24</b> |



|   |          |  |          |
|---|----------|--|----------|
|  | 8/3/2022 |  | 8/5/2022 |
| Daryl C. Roberts<br>Right of Way Agent  | Date     | Relocation Coordinator   | Date     |



# EIS RELOCATION REPORT

**North Carolina Department of Transportation  
RELOCATION ASSISTANCE PROGRAM**

E.I.S.       CORRIDOR       DESIGN

|                         |  |                                     |          |                               |
|-------------------------|--|-------------------------------------|----------|-------------------------------|
| WBS ELEMENT:            | 34165.1.2  | COUNTY                              | Buncombe | Alternate B of ABCD Alternate |
| T.I.P. No.:             | I-2513ABCD   | THIS REPORT IS FOR I-2513 SECTION B |          |                               |
| DESCRIPTION OF PROJECT: | I-26/I-40/I-240 Interchange to SR 3548 (Haywood Rd.) This section includes initial improvements at I-26/I-40/I-240 Interchange and along I-40 westbound between I-26/I-40/I-240 Interchange and US 19/23 (Smokey Park Highway) |                                     |          |                               |

| ESTIMATED DISPLACEDS (% MINORITY = 39.08)* |        |                                   |   |            | INCOME LEVEL   |           |             |           |                        |            |           |            |           |
|--|--------|-----------------------------------|---|------------|--|-----------|-------------|-----------|------------------------|------------|-----------|------------|-----------|
| Type of Displacees                         | Owners | Tenants                           | Total   | Minorities | 0-15K  | 15-25K    | 25-35K      | 35-50K    | 50K UP                 |            |           |            |           |
| Residential                                | 24     | 16                                | 40  | 16         | 0  | 2         | 16          | 14        | 8                      |            |           |            |           |
| Businesses                                 | 10     | 29                                | 39  | 16         | VALUE OF DWELLING  |           |             |           | DSS DWELLING AVAILABLE |            |           |            |           |
| Farms                                      | 0      | 0                                 | 0   | 0          | Owners   |           | Tenant Rent |           | For Sale               |            | For Rent  |            |           |
| Non-Profit                                 | 0      | 0                                 | 0   | 0          | 0-100K   | 0         | \$ 0-250    | 0         | 0-100K                 | 3          | \$ 0-250  | 0          |           |
| ANSWER ALL QUESTIONS                       |        |                                   |   |            | 100-200K   | 2         | 250-500     | 0         | 100-200K               | 6          | 250-500   | 3          |           |
| Yes  | No     | <i>Explain all "YES" answers.</i> |   |            | 200-300K   | 3         | 500-1000    | 3         | 200-300K               | 15         | 500-1000  | 6          |           |
|  | x      | 1.                                | Will special relocation services be necessary?  |            | 300-400K   | 7         | 1000-1500   | 7         | 300-400K               | 21         | 1000-1500 | 10         |           |
|  | x      | 2.                                | Will schools or churches be affected by displacement?   |            | 400K UP  | 12        | 1500 UP     | 6         | 400K UP                | 25+        | 1500 UP   | 30+        |           |
| x  |        | 3.                                | Will business services still be available after project?  |            | <b>TOTAL</b>   | <b>24</b> |             | <b>16</b> |                        | <b>70+</b> |           | <b>49+</b> |           |
| x  |        | 4.                                | Will any business be displaced? If so, indicate size, type, estimated number of employees, minorities, etc. |            | <b>REMARKS (Respond by Number)</b>   |           |             |           |                        |            |           |            |           |
|  | x      | 5.                                | Will relocation cause a housing shortage?   |            | <p><b>*% Minority is based on Census data - Please provide Census data for the area</b><br/>                     This report is based on the latest modifications of I-2513 and incorporates the use of demographic data from the 2020 Decennial Census to estimate the potential proportion of minority relocations.<br/>                     3 – Project location is mostly within the downtown area of West Asheville and along heavily traveled and commercially developed Patton Ave. There is no anticipated shortage of remaining business services available.<br/>                     4 – There are 39 businesses being displaced in Section B. See attached sheet for additional information concerning these displaced businesses.<br/>                     6 – This area of the project has numerous real estate offices who do both commercial &amp; residential listings. These include Keller-Williams, Town and Mtn Realty, Beverly-Hanks.<br/>                     8 – Last Resort Housing will be essential as many homes are older dwellings and many of them may lack modernization<br/>                     11 – There is an abundance of public housing in the area of project. However, no public housing appears to be acquired in Section B.<br/>                     12 – The housing market at the time of this report is lively and numerous listings have been identified.<br/>                     13 – It is possible low cost housing will be an issue for both owners and tenants. Last resort housing will alleviate some of these situations.<br/>                     14 – There are numerous commercial properties available for lease and for sale. This area of the project has numerous real estate office who do both commercial/residential listings. These include Keller-Williams, Beverly-Hanks, Town and Mtn Realty and others.<br/>                     It should be noted that the total number of business displacee's for Section B may be over-estimated as several parcels on this Section are storage facilities. It is likely that this type of business contains several buildings of storage units, and each building may have been considered as an additional business rather than counting the entire storage facility as a single business displacee. Any discrepancy between the total number of displaced businesses shown on FRM15-E versus the number listed on the Commercial Relocation Data Sheet – Section B, is due to this likelihood.</p> |           |             |           |                        |            |           |            |           |
|  |        | 6.                                | Source for available housing (list).  |            |  |           |             |           |                        |            |           |            |           |
|  | x      | 7.                                | Will additional housing programs be needed?   |            |  |           |             |           |                        |            |           |            |           |
| x  |        | 8.                                | Should Last Resort Housing be considered?   |            |  |           |             |           |                        |            |           |            |           |
|  | x      | 9.                                | Are there large, disabled, elderly, etc. families?  |            |  |           |             |           |                        |            |           |            |           |
|  | x      | 10.                               | Will public housing be needed for project?  |            |  |           |             |           |                        |            |           |            |           |
| x  |        | 11.                               | Is public housing available?  |            |  |           |             |           |                        |            |           |            |           |
| x  |        | 12.                               | Is it felt there will be adequate DSS housing available during relocation period?                           |            |  |           |             |           |                        |            |           |            |           |
| x  |        | 13.                               | Will there be a problem of housing within financial means?  |            |  |           |             |           |                        |            |           |            |           |
| x  |        | 14.                               | Are suitable business sites available (list source).  |            |  |           |             |           |                        |            |           |            |           |
|  |        | 15.                               | Number months estimated to complete RELOCATION?   |            |  |           |             |           |                        |            |           |            | <b>30</b> |

|  |      |  |
|--|------|--|
| <br>8/3/2022 |      | <br>8/5/2022 |
| Daryl C. Roberts<br>Right of Way Agent   | Date | Relocation Coordinator   |
|  |      | Date   |

**COMMERCIAL RELOCATION DATA – SECTION B**

|   |
|---|
| GOStoreIt Self Storage – 9 Burton Street – Owner – 2 employees – 2 minorities                           |
| Haywood Quick Stop Convenience Store/Gas Station – 495 Haywood Rd – Tenant – 6 employees – 4 minorities |
| Shane Brown Bail Bonds – 495 Haywood Rd – Tenant – 2 employees – 0 minorities                           |
| 474 Gallery Studio Tattoo – 474 Haywood Rd – Tenant – 3 employees – 0 minorities                        |
| Brandon Pass Architect – 474 Haywood Rd – Tenant – 2 employees – 0 minorities                           |
| DeSoto Lounge – 504 Haywood Rd – Tenant – 6 employees – 4 minorities                                    |
| Fleetwood Vintage Bar – 496 Haywood Rd – Tenant – 5 employees – 2 minorities                            |
| SmartStop Self Storage II – 40 Wilmington St – Owner – 1 employee – 0 minorities                        |
| Shell Gas Station – 880 Patton Ave. – Tenant – 6 employees – 3 minorities                               |
| Jackson’s Trading Co. – 641 Patton Ave. – Owner – 20 employees – 5 minorities                           |
| FedEx Shipping Center – 628 Patton Ave. – Owner – 45 employees – 20 minorities                          |
| Smart Stop Self Storage II – 600 Patton Ave. – Owner – 2 employees – 0 minorities                       |
| Western Carolina Rescue Ministries Thrift Store – Owner – 4 employees – 1 minority                      |
| Boost Mobile – 635 Patton Ave. – Tenant – 5 employees – 2 minorities                                    |
| Mr. Transmission – 639 Patton Ave. – Owner – 5 employees – 2 minorities                                 |
| Asheville Hardwood Center – 554 Riverside Dr. – Tenant – 4 employees – 0 minorities                     |
| Inspire Personal Fitness – 554 Riverside Dr. – Tenant – 6 employees – 0 minorities                      |
| Fastenal – 554 Riverside Dr. – Tenant – 6 employees – 0 minorities                                      |
| Salvage Station – 466 Riverside Dr. – Owner – 5 employees – 2 minorities                                |
| Notch Collective – 506 Haywood Rd – Tenant – 8 employees – 6 minorities                                 |
| Enote – 508 Haywood Rd. – Tenant – 2 employees – 2 minorities   |
| Café Canna – 495 Haywood Rd. – Tenant – 3 employees – 1 minority  |
| Westy Motorwerks – 329 Emma Rd. – Tenant – 3 employees – 0 minorities                                   |
| Westgate Storage – 8 Cliff St. – Owner – 2 employees – 0 minorities                                     |

# EIS RELOCATION REPORT

North Carolina Department of Transportation  
RELOCATION ASSISTANCE PROGRAM

E.I.S.       CORRIDOR       DESIGN

|                         |  |                                     |          |           |           |           |
|-------------------------|--|-------------------------------------|----------|-----------|-----------|-----------|
| WBS ELEMENT:            | 34165.1.2                                      | COUNTY                              | Buncombe | Alternate | C of ABCD | Alternate |
| T.I.P. No.:             | I-2513ABCD                                     | THIS REPORT IS FOR I-2513 SECTION C |          |           |           |           |
| DESCRIPTION OF PROJECT: | I-26/I-40/I-240 Final Interchange Improvements |                                     |          |           |           |           |

| ESTIMATED DISPLACEDS (% MINORITY = 34.43%)* |        |  |       |            | INCOME LEVEL   |          |             |          |                        |            |           |            |          |
|---|--------|--|-------|------------|--|----------|-------------|----------|------------------------|------------|-----------|------------|----------|
| Type of Displacees                          | Owners | Tenants  | Total | Minorities | 0-15K  | 15-25K   | 25-35K      | 35-50K   | 50K UP                 |            |           |            |          |
| Residential                                 | 1      | 0  | 1     | 1          | 0  | 1        | 0           | 0        | 0                      |            |           |            |          |
| Businesses                                  | 0      | 0  | 0     | 0          | VALUE OF DWELLING  |          |             |          | DSS DWELLING AVAILABLE |            |           |            |          |
| Farms                                       | 0      | 0  | 0     | 0          | Owners   |          | Tenant Rent |          | For Sale               |            | For Rent  |            |          |
| Non-Profit                                  | 0      | 0  | 0     | 0          | 0-100K   | 1        | \$ 0-250    | 0        | 0-100K                 | 3          | \$ 0-250  | 0          |          |
| <b>ANSWER ALL QUESTIONS</b>                 |        |  |       |            | 100-200K   | 0        | 250-500     | 0        | 100-200K               | 6          | 250-500   | 3          |          |
| Yes   | No     | <b>Explain all "YES" answers.</b>  |       |            | 200-300K   | 0        | 500-1000    | 0        | 200-300K               | 15         | 500-1000  | 6          |          |
|   | x      | 1. Will special relocation services be necessary?  |       |            | 300-400K   | 0        | 1000-1500   | 0        | 300-400K               | 21         | 1000-1500 | 10         |          |
|   | x      | 2. Will schools or churches be affected by displacement?   |       |            | 400K UP  | 0        | 1500 UP     | 0        | 400K UP                | 25+        | 1500 UP   | 30+        |          |
| x   |        | 3. Will business services still be available after project?  |       |            | <b>TOTAL</b>   | <b>1</b> |             | <b>0</b> |                        | <b>70+</b> |           | <b>49+</b> |          |
|   | x      | 4. Will any business be displaced? If so, indicate size, type, estimated number of employees, minorities, etc. |       |            | <b>REMARKS (Respond by Number)</b>   |          |             |          |                        |            |           |            |          |
|   | x      | 5. Will relocation cause a housing shortage?   |       |            | <p><b>*% Minority is based on Census data - Please provide Census data for the area</b></p> <p><b>This report is based on the latest modifications of I-2513 and incorporates the use of demographic data from the 2020 Decennial Census to estimate the potential proportion of minority relocations.</b></p> <p><b>3 – Project location is mostly within the downtown area of West Asheville and along heavily traveled and commercially developed Patton Avenue. There is no anticipated shortage of remaining business services available.</b></p> <p><b>6 – This area of the project has numerous real estate offices who do both commercial &amp; residential listings. These include Keller-Williams, Town Mtn Realty, Beverly-Hanks.</b></p> <p><b>8 – Last Resort Housing will be essential as the acquired dwelling is an older home that appears to lack modernization.</b></p> <p><b>11 – There is an abundance of public housing in the area of the project. However, no public housing appears to be acquired in this Section.</b></p> <p><b>12 – The housing market at this time is lively and numerous listings have been identified.</b></p> <p><b>13 – There is a possibility that low cost housing will be an issue for this owner. Last Resort Housing should alleviate some of the financial burden.</b></p> <p><b>14 – There are numerous commercial properties available for lease and for sale. However, no commercial properties are being acquired in this Section of the project.</b></p> |          |             |          |                        |            |           |            |          |
|   | x      | 6. Source for available housing (list).  |       |            |  |          |             |          |                        |            |           |            |          |
|   | x      | 7. Will additional housing programs be needed?   |       |            |  |          |             |          |                        |            |           |            |          |
| x   |        | 8. Should Last Resort Housing be considered?   |       |            |  |          |             |          |                        |            |           |            |          |
|   | x      | 9. Are there large, disabled, elderly, etc. families?  |       |            |  |          |             |          |                        |            |           |            |          |
|   | x      | 10. Will public housing be needed for project?   |       |            |  |          |             |          |                        |            |           |            |          |
| x   |        | 11. Is public housing available?   |       |            |  |          |             |          |                        |            |           |            |          |
| x   |        | 12. Is it felt there will be adequate DSS housing available during relocation period?                          |       |            |  |          |             |          |                        |            |           |            |          |
| x   |        | 13. Will there be a problem of housing within financial means?   |       |            |  |          |             |          |                        |            |           |            |          |
| x   |        | 14. Are suitable business sites available (list source).   |       |            |  |          |             |          |                        |            |           |            |          |
|   |        | 15. Number months estimated to complete RELOCATION?  |       |            |  |          |             |          |                        |            |           |            | <b>8</b> |

|   |          |  |          |
|---|----------|--|----------|
|  | 8/3/2022 |  | 8/5/2022 |
| Daryl C. Roberts<br>Right of Way Agent  | Date     | Relocation Coordinator   | Date     |

# EIS RELOCATION REPORT

North Carolina Department of Transportation  
RELOCATION ASSISTANCE PROGRAM

E.I.S.       CORRIDOR       DESIGN

|                         |  |                                     |          |                               |
|-------------------------|--|-------------------------------------|----------|-------------------------------|
| WBS ELEMENT:            | 34165.1.2  | COUNTY                              | Buncombe | Alternate D of ABCD Alternate |
| T.I.P. NO.:             | I-2513ABCD   | THIS REPORT IS FOR I-2513 SECTION D |          |                               |
| DESCRIPTION OF PROJECT: | SR 1517 (Hill Street) to SR 1781 (Broadway Street) |                                     |          |                               |

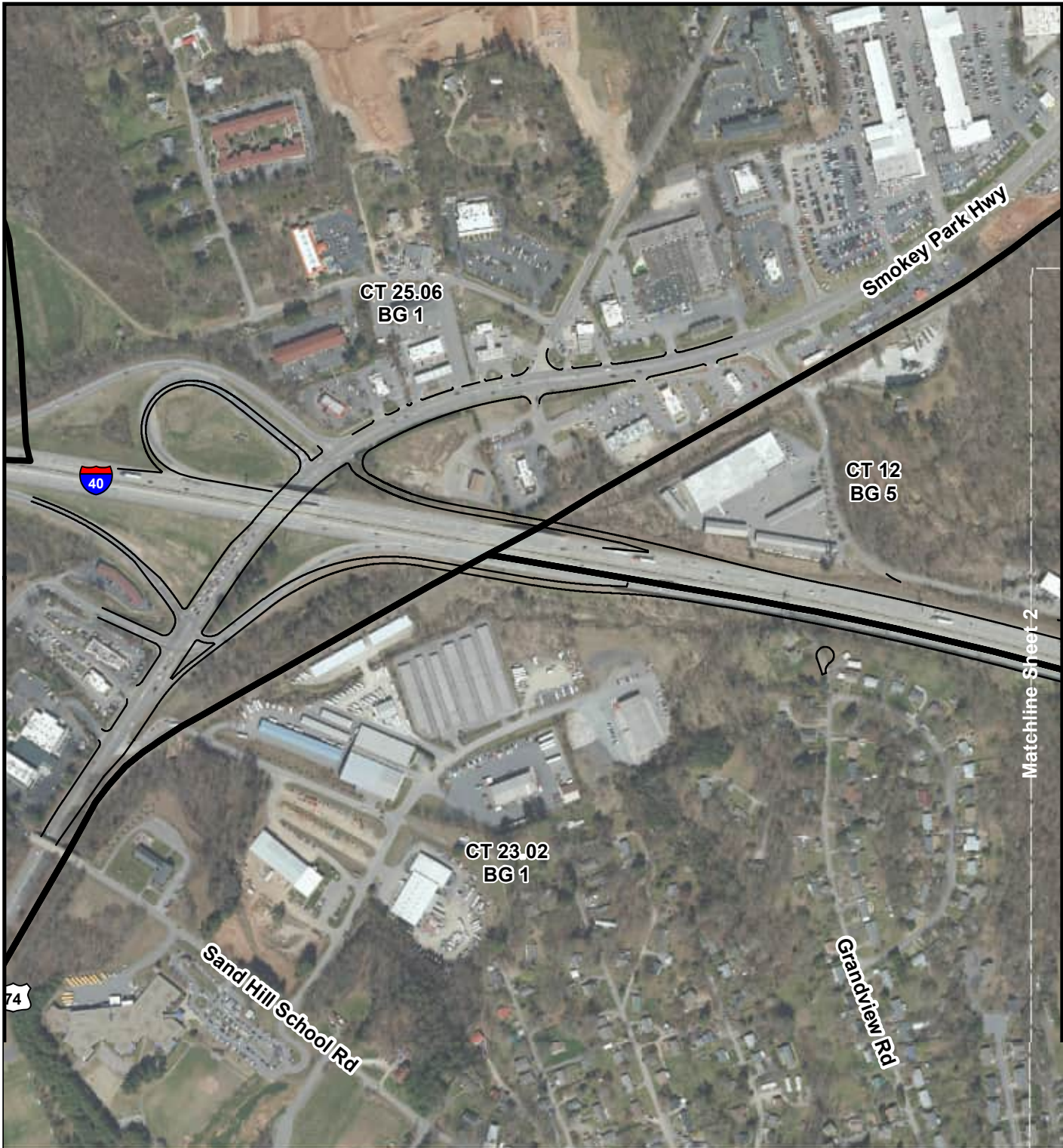
| ESTIMATED DISPLACEDS (% MINORITY = 39.08)* |        |  |       |            | INCOME LEVEL   |        |             |        |                        |     |           |     |  |
|--|--------|--|-------|------------|--|--------|-------------|--------|------------------------|-----|-----------|-----|--|
| Type of Displacees                         | Owners | Tenants  | Total | Minorities | 0-15K  | 15-25K | 25-35K      | 35-50K | 50K UP                 |     |           |     |  |
| Residential                                | 0      | 0  | 0     | 0          | 0  | 0      | 0           | 0      | 0                      |     |           |     |  |
| Businesses                                 | 0      | 0  | 0     | 0          | VALUE OF DWELLING  |        |             |        | DSS DWELLING AVAILABLE |     |           |     |  |
| Farms                                      | 0      | 0  | 0     | 0          | Owners   |        | Tenant Rent |        | For Sale               |     | For Rent  |     |  |
| Non-Profit                                 | 0      | 0  | 0     | 0          | 0-100K   | 0      | \$ 0-250    | 0      | 0-100K                 | 3   | \$ 0-250  | 0   |  |
| <b>ANSWER ALL QUESTIONS</b>                |        |  |       |            | 100-200K   | 0      | 250-500     | 0      | 100-200K               | 6   | 250-500   | 3   |  |
| Yes  | No     | <i>Explain all "YES" answers.</i>  |       |            | 200-300K   | 0      | 500-1000    | 0      | 200-300K               | 15  | 500-1000  | 6   |  |
|  | x      | 1. Will special relocation services be necessary?  |       |            | 300-400K   | 0      | 1000-1500   | 0      | 300-400K               | 21  | 1000-1500 | 10  |  |
|  | x      | 2. Will schools or churches be affected by displacement?   |       |            | 400K UP  | 0      | 1500 UP     | 0      | 400K UP                | 25+ | 1500 UP   | 30+ |  |
| x  |        | 3. Will business services still be available after project?  |       |            | <b>REMARKS (Respond by Number)</b>   |        |             |        |                        |     |           |     |  |
|  | x      | 4. Will any business be displaced? If so, indicate size, type, estimated number of employees, minorities, etc. |       |            | <p><b>*% Minority is based on Census data - Please provide Census data for the area</b><br/>                     This report is based on the latest modifications of I-2513 and incorporates the use of demographic data from the 2020 Decennial Census to estimate the potential proportion of minority relocations.<br/>                     3 – Project location is mostly within the downtown area of West Asheville and along heavily traveled and commercially developed Patton Avenue. There are also numerous businesses along Riverside Drive. There is no anticipated shortage of remaining business services.<br/>                     11 – There is an abundance of public housing in the area of project. However, no public housing appears to be acquired in this Section.<br/>                     12 – The housing market at this time is lively and numerous listings have been identified. There are no residential displacees on this Section.<br/>                     14 – There are numerous commercial properties available for lease and for sale with several being in the Riverside Drive area. Commercial listings are used from numerous real estate sources in the area of the project – Keller-Williams, Beverly-Hanks, Town Mtn Realty. However, there are no commercial displacees on this Section.</p> |        |             |        |                        |     |           |     |  |
|  | x      | 5. Will relocation cause a housing shortage?   |       |            |  |        |             |        |                        |     |           |     |  |
|  |        | 6. Source for available housing (list).  |       |            |  |        |             |        |                        |     |           |     |  |
|  | x      | 7. Will additional housing programs be needed?   |       |            |  |        |             |        |                        |     |           |     |  |
|  | x      | 8. Should Last Resort Housing be considered?   |       |            |  |        |             |        |                        |     |           |     |  |
|  | x      | 9. Are there large, disabled, elderly, etc. families?  |       |            |  |        |             |        |                        |     |           |     |  |
|  | x      | 10. Will public housing be needed for project?   |       |            |  |        |             |        |                        |     |           |     |  |
| x  |        | 11. Is public housing available?   |       |            |  |        |             |        |                        |     |           |     |  |
| x  |        | 12. Is it felt there will be adequate DSS housing available during relocation period?                          |       |            |  |        |             |        |                        |     |           |     |  |
|  | x      | 13. Will there be a problem of housing within financial means?   |       |            |  |        |             |        |                        |     |           |     |  |
| x  |        | 14. Are suitable business sites available (list source).   |       |            |  |        |             |        |                        |     |           |     |  |
|  |        | 15. Number months estimated to complete RELOCATION?  |       |            |  |        |             |        |                        |     |           |     |  |
|  |        | <b>N/A</b>   |       |            |  |        |             |        |                        |     |           |     |  |

|   |          |  |          |
|---|----------|--|----------|
|  | 8/3/2022 |  | 8/5/2022 |
| Daryl C. Roberts<br>Right of Way Agent  | Date     | Relocation Coordinator   | Date     |



## APPENDIX B: POTENTIAL RESIDENTIAL DISPLACEMENTS FIGURES

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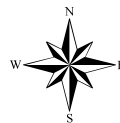
I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

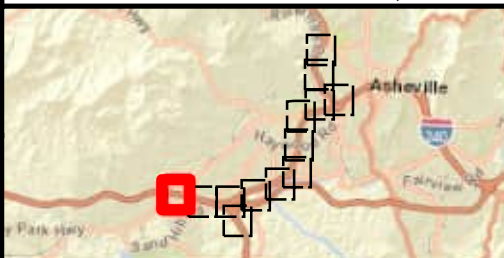
**Legend**

- Edge of Pavement (March 2022 Design)
- Potential Residential Relocation Parcel (Reev/ROD)
- ▨ Potential Residential Relocation Parcel (FEIS)
- Matchline
- Block Groups (ACS 2015-2019)
- Potential Residential Relocation Relocation from FEIS (not anticipated as relocation in Reev/ROD)

Date: October 2022



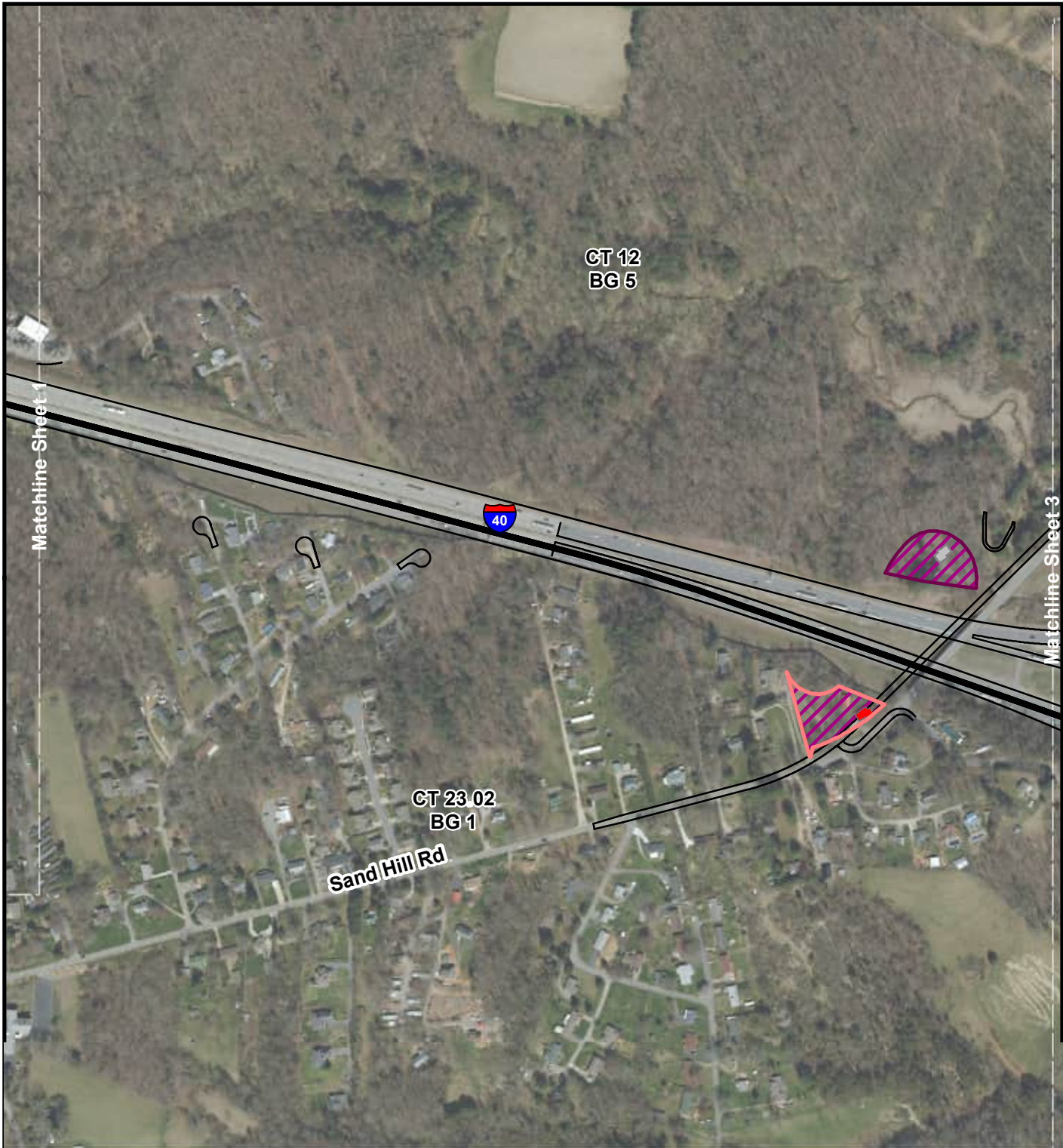
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Feet



**Figure 1**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





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I-26 Asheville Connector  
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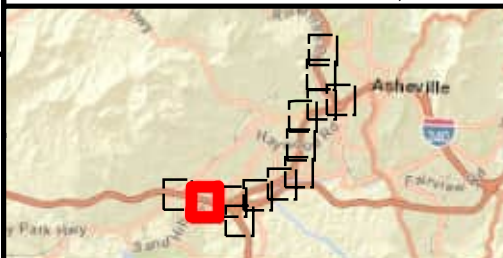
**Legend**

- Edge of Pavement (March 2022 Design)
- Matchline
- Potential Residential Block Groups (ACS 2015-2019)
- Relocation Parcel (Reev/ROD)
- Potential Residential Relocation
- Potential Residential Relocation from FEIS (not anticipated as relocation in Reev/ROD)
- ▨ Potential Residential Relocation Parcel (FEIS)

Date: October 2022



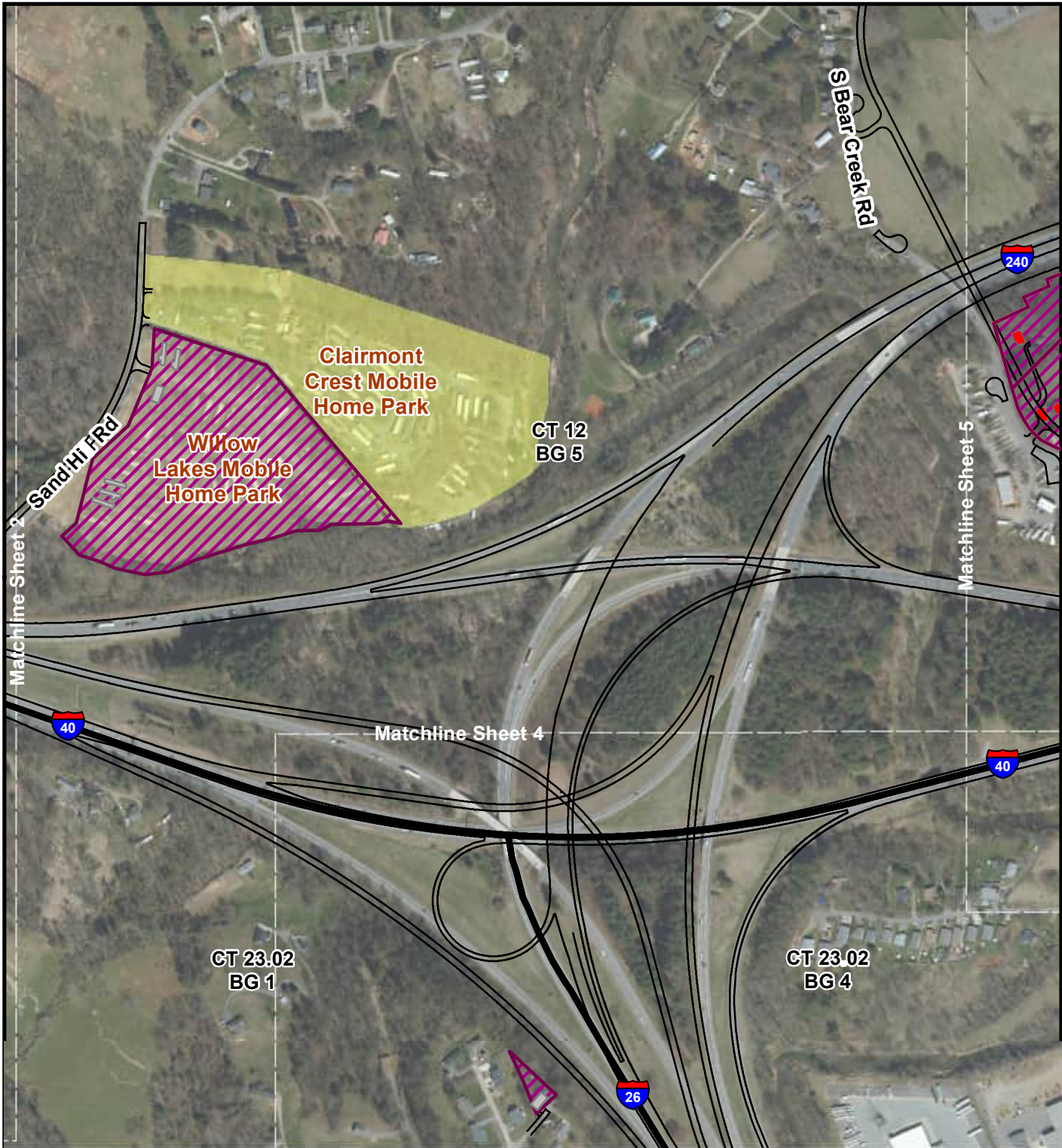
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Feet



**Figure 2**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





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Department of Transportation

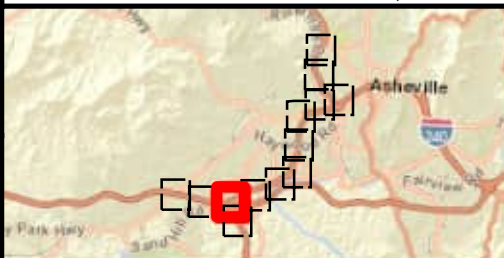


I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

**Legend**

- Edge of Pavement (March 2022 Design)
- Matchline
- Potential Residential Relocation Parcel (Reev/ROD)
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- ▨ Potential Residential Relocation Parcel (FEIS)
- Potential Residential Relocation
- Block Groups (ACS 2015-2019)
- Potential Residential Relocation (not anticipated as relocation in Reev/ROD)



Date: October 2022

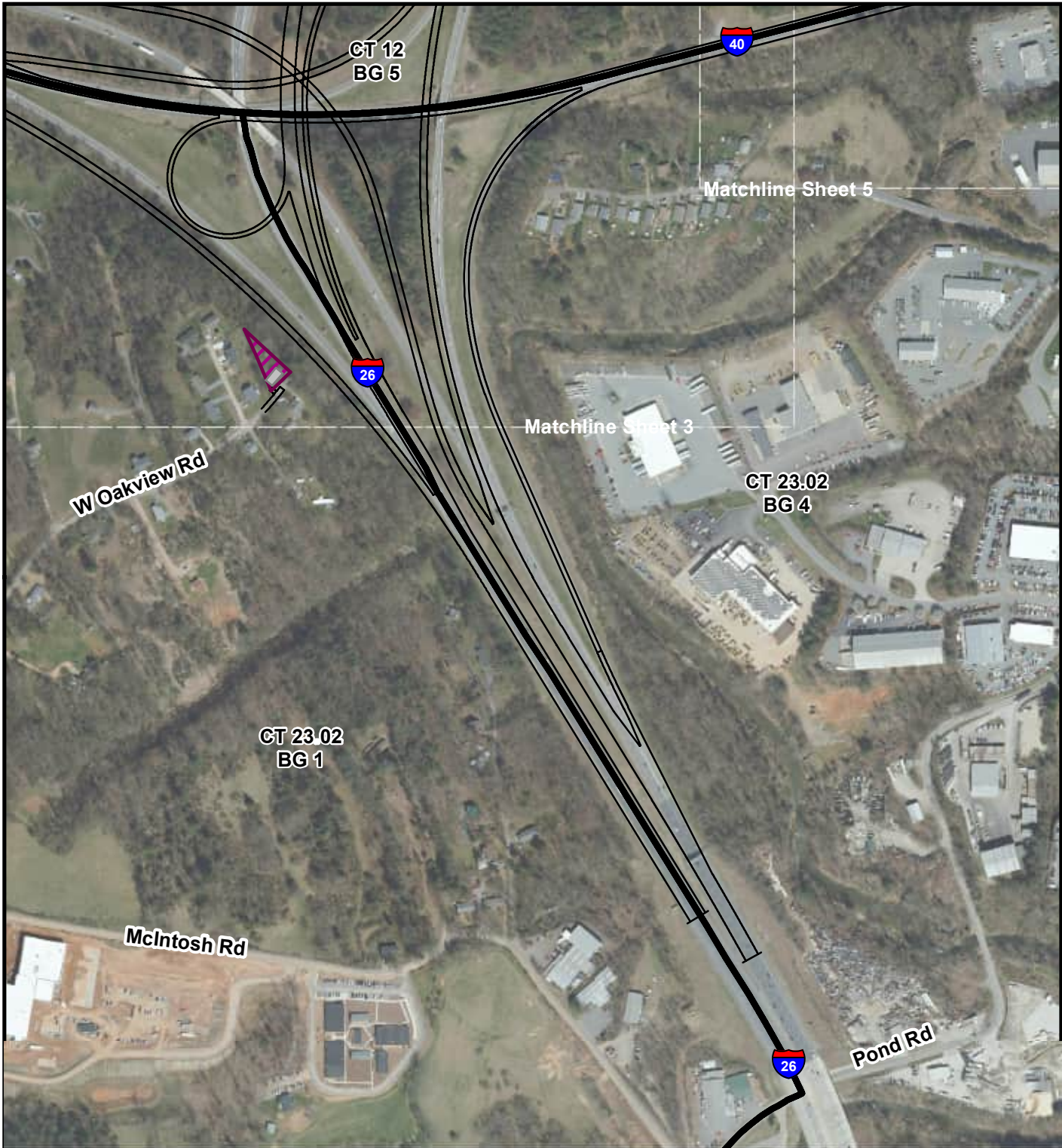


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Feet

**Figure 3**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





North Carolina  
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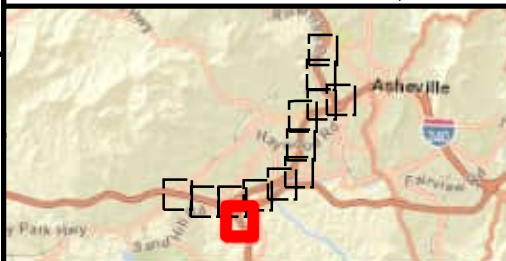


I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

**Legend**

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- Block Groups (ACS 2015-2019)
- Potential Residential Relocation
- ▨ Potential Residential Relocation Parcel (FEIS)
- Relocation from FEIS (not anticipated as relocation in Reev/ROD)



Date: October 2022

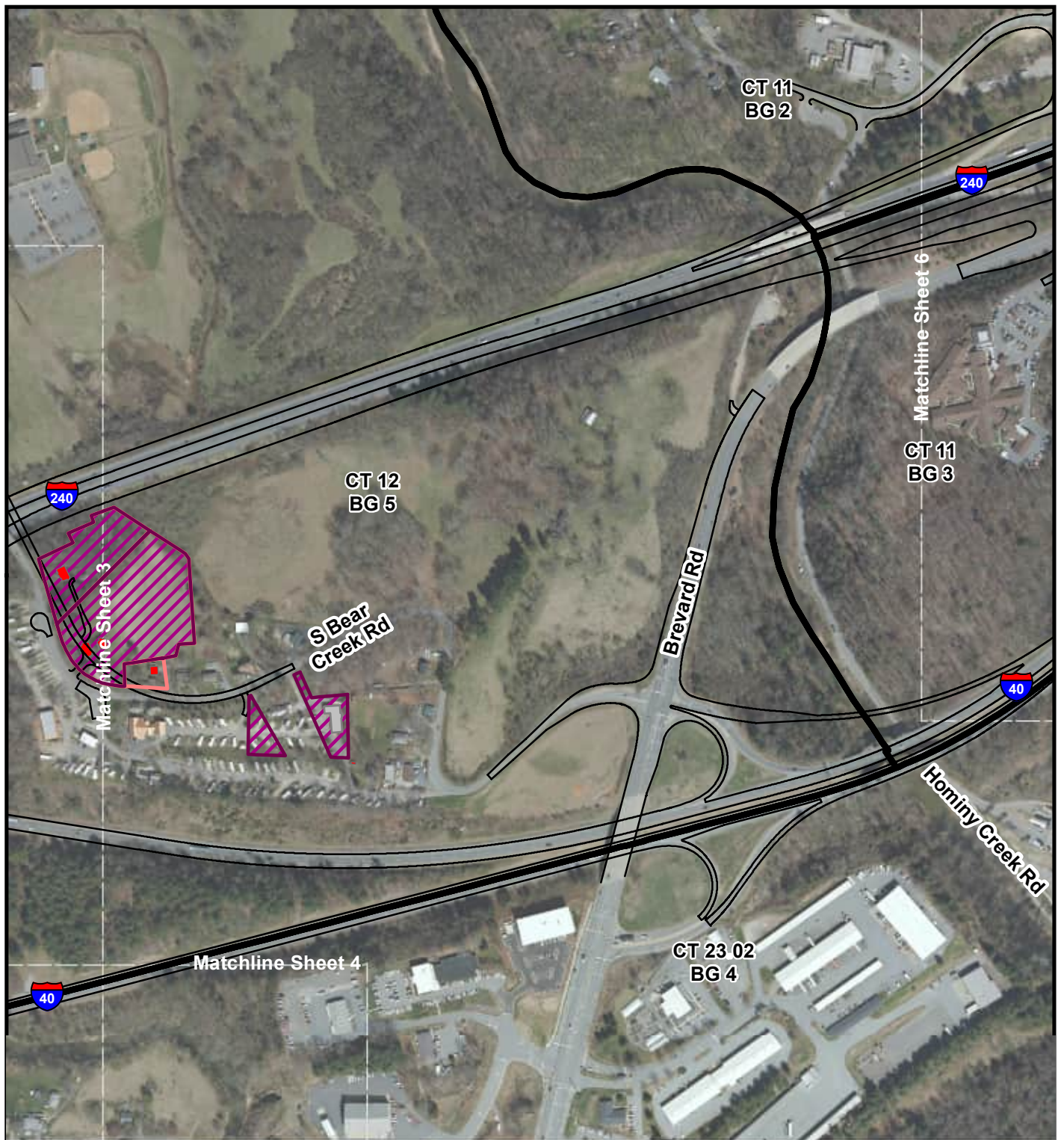


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Feet

**Figure 4**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





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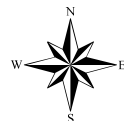
I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

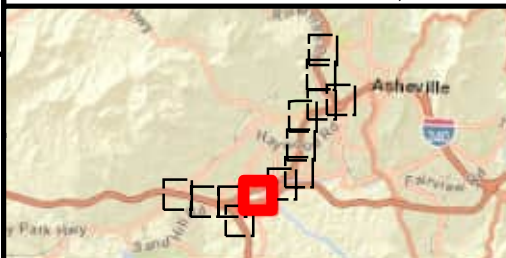
**Legend**

- Edge of Pavement (March 2022 Design)
- Matchline
- Potential Residential Block Groups (ACS 2015-2019)
- Relocation Parcel (Reev/ROD)
- Potential Residential Relocation
- Potential Residential Relocation from FEIS (not anticipated as relocation in Reev/ROD)
- ▨ Potential Residential Relocation Parcel (FEIS)

Date: October 2022



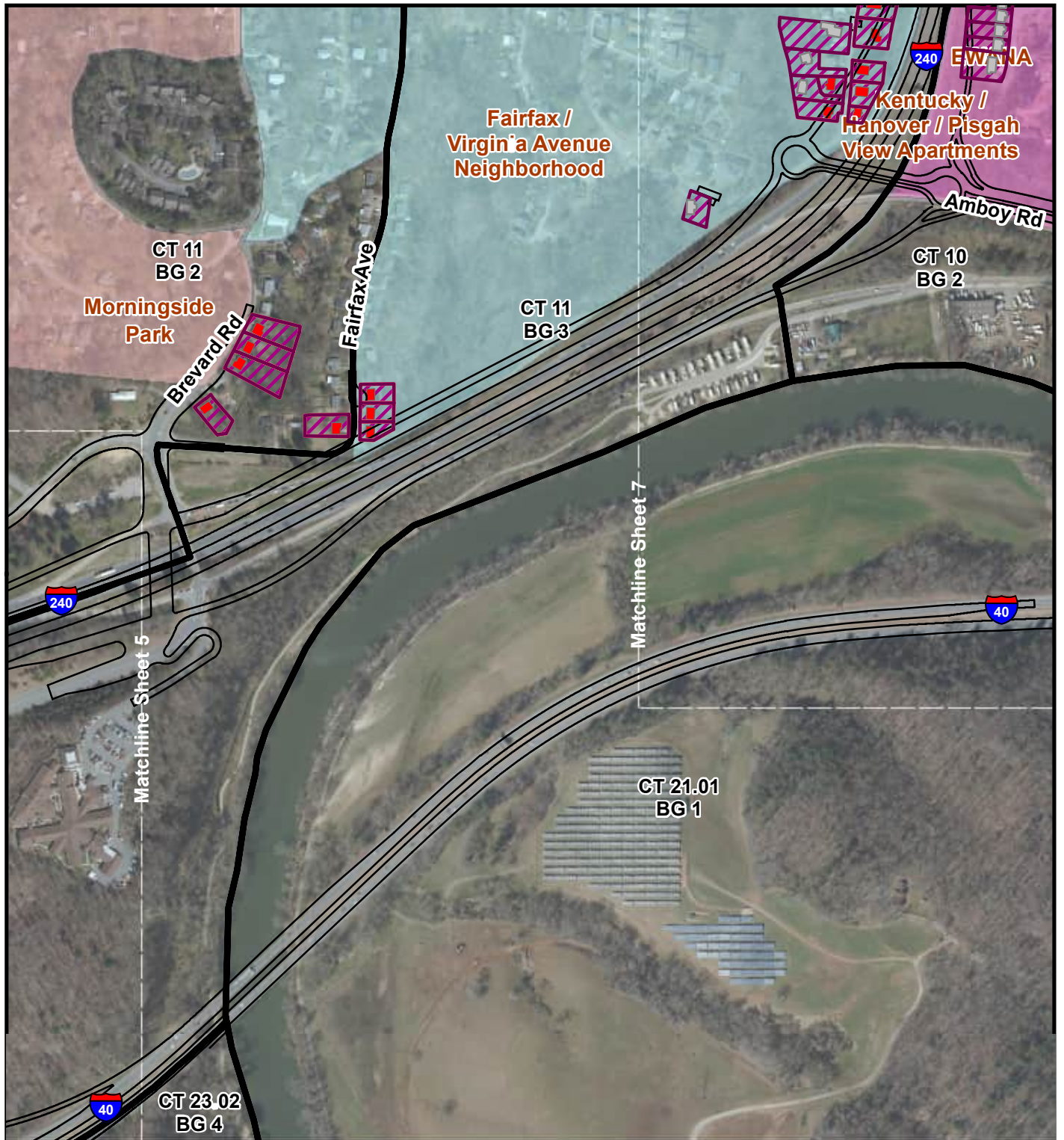
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Feet



**Figure 5**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





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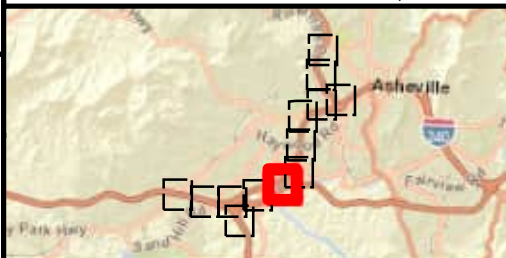


I-26 Asheville Connector  
Buncombe County

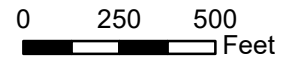
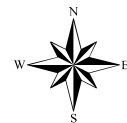
STIP Project No. I-2513

**Legend**

- Edge of Pavement (March 2022 Design)
- Potential Residential Relocation Parcel (Reev/ROD)
- ▨ Potential Residential Relocation Parcel (FEIS)
- Matchline
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- Potential Residential Relocation from FEIS (not anticipated as relocation in Reev/ROD)



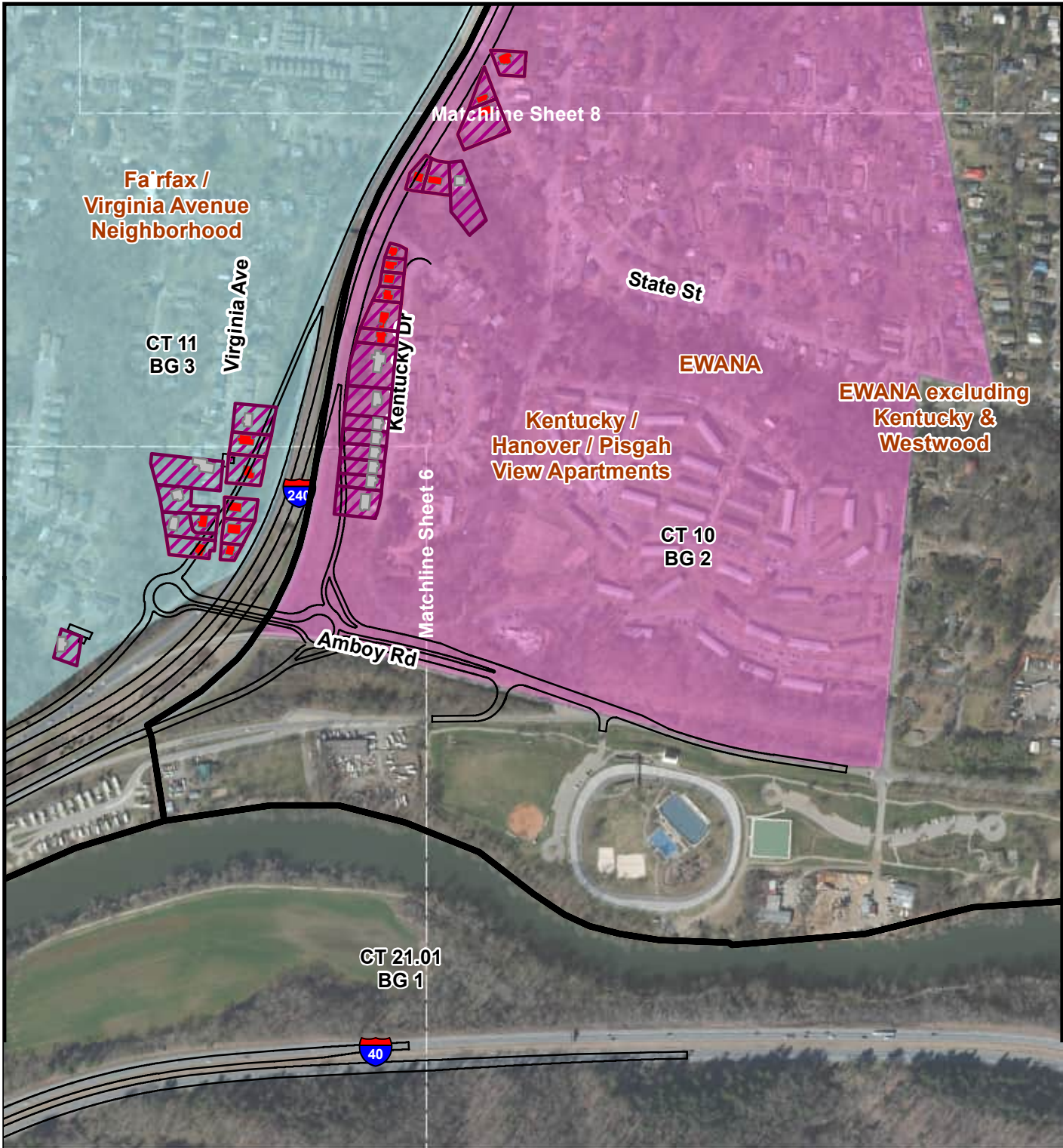
Date: October 2022



**Figure 6**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





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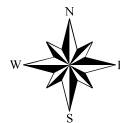
I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

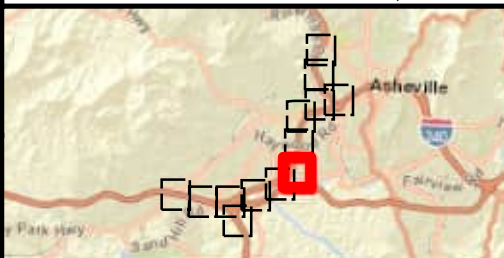
**Legend**

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- Potential Residential Relocation Parcel (Reev/ROD)
- ▨ Potential Residential Relocation Parcel (FEIS)
- Matchline
- Block Groups (ACS 2015-2019)
- Potential Residential Relocation Relocation from FEIS (not anticipated as relocation in Reev/ROD)

Date: October 2022



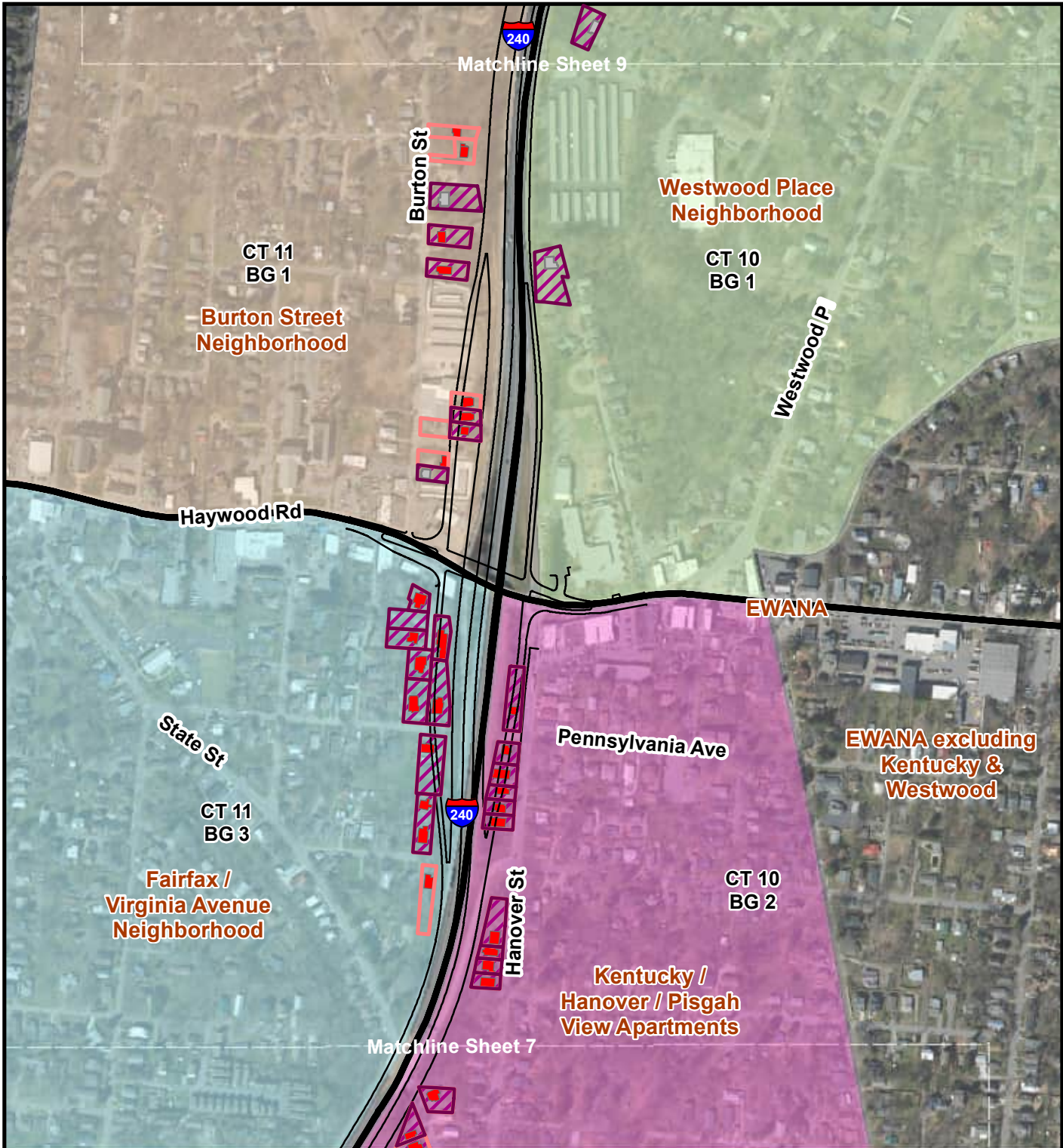
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**Figure 7**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





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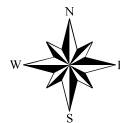
I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

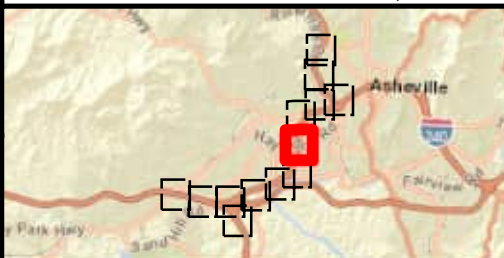
**Legend**

- Edge of Pavement (March 2022 Design)
- Matchline
- Potential Residential Block Groups (ACS 2015-2019)
- Relocation Parcel (Reev/ROD)
- Potential Residential Relocation
- ▨ Potential Residential Relocation Parcel (FEIS)
- Relocation from FEIS (not anticipated as relocation in Reev/ROD)

Date: October 2022



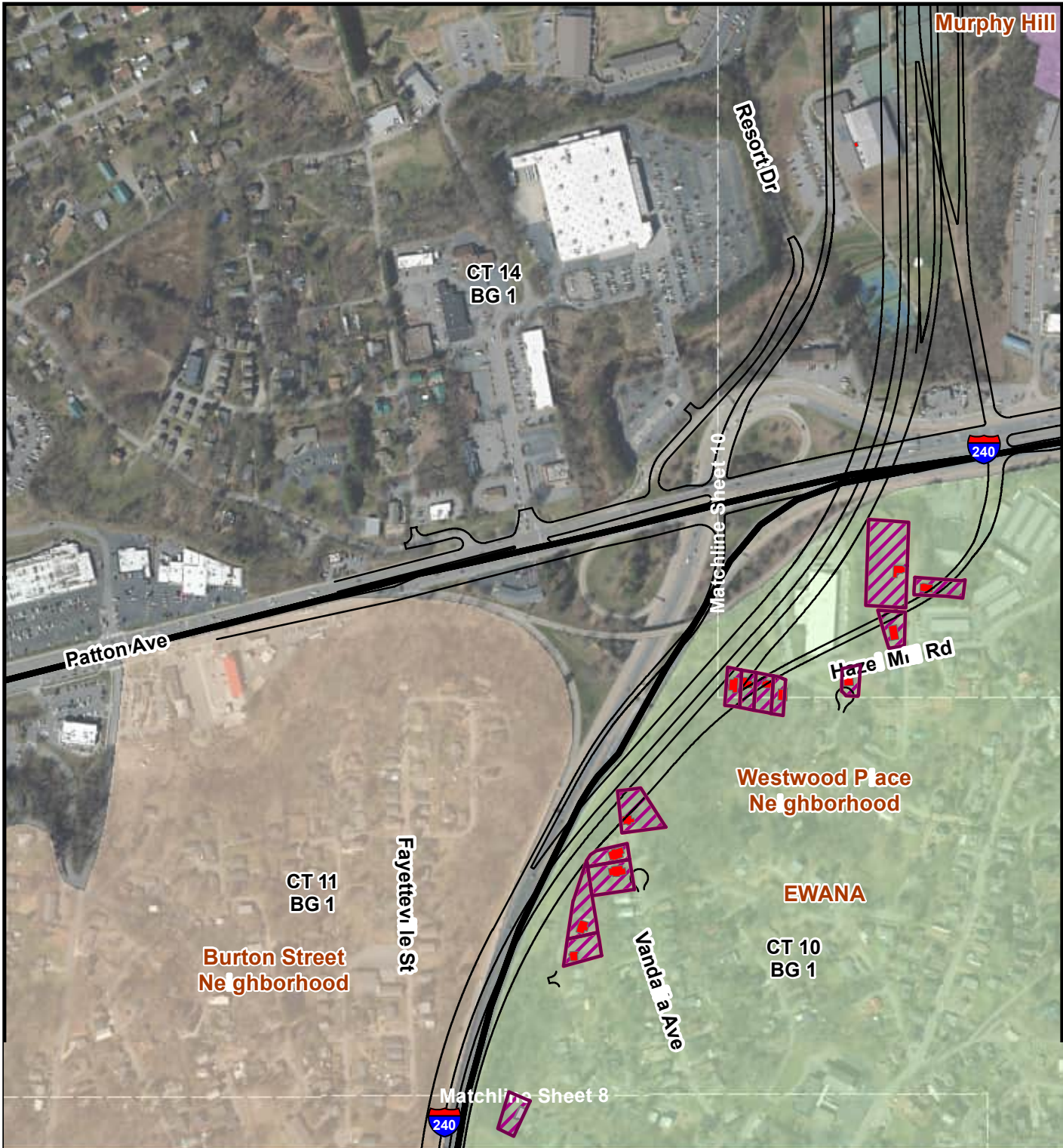
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**Figure 8**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





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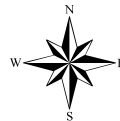
I-26 Asheville Connector  
Buncombe County

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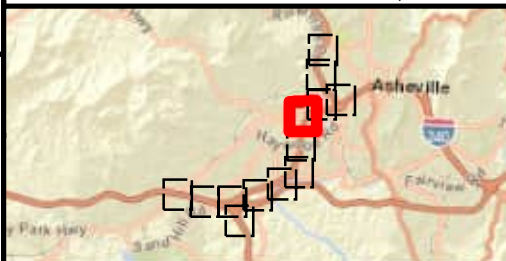
**Legend**

- Edge of Pavement (March 2022 Design)
- Potential Residential Relocation Parcel (Reev/ROD)
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- Matchline
- Block Groups (ACS 2015-2019)
- Potential Residential Relocation Relocation from FEIS (not anticipated as relocation in Reev/ROD)

Date: October 2022



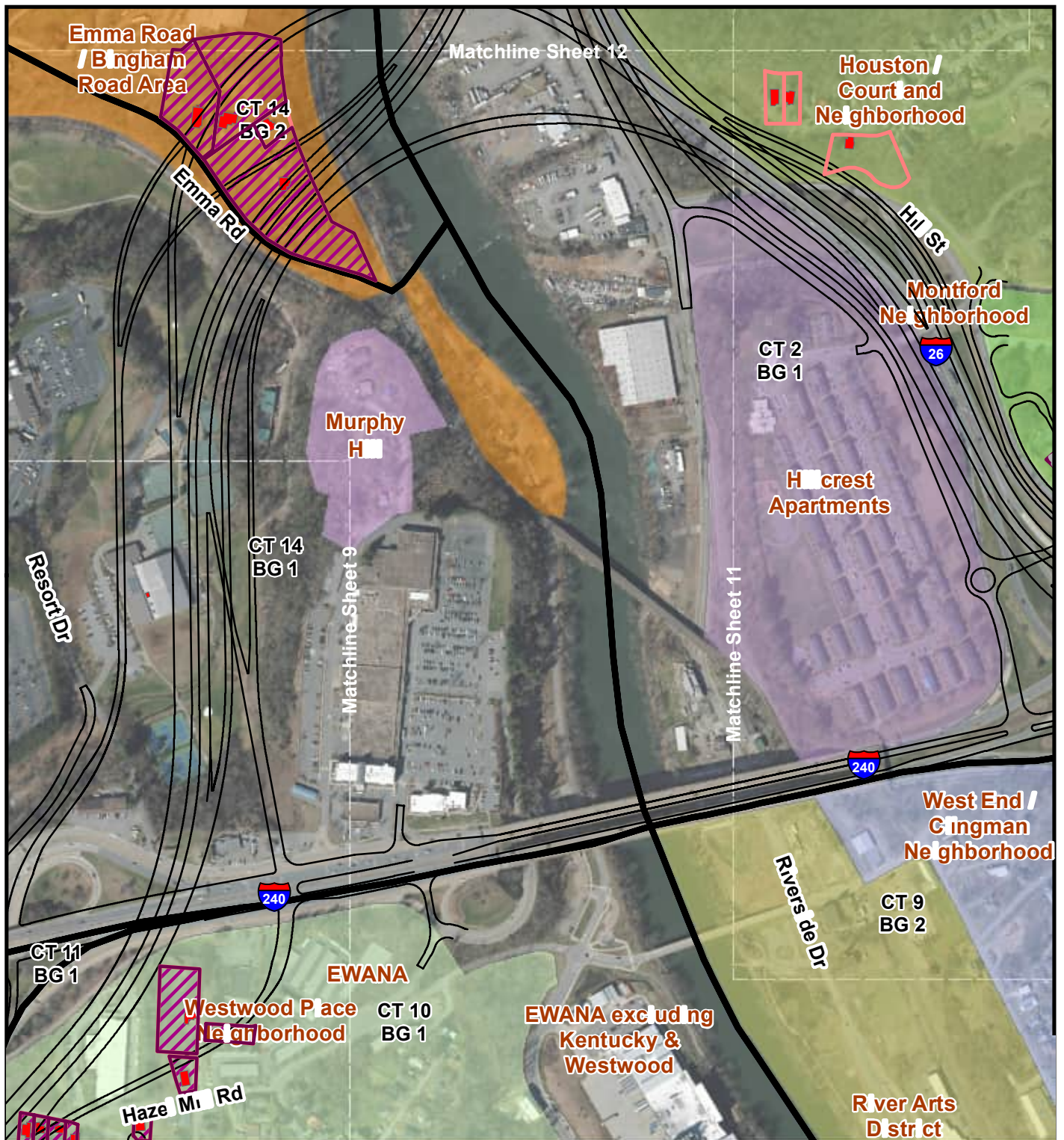
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**Figure 9**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





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I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

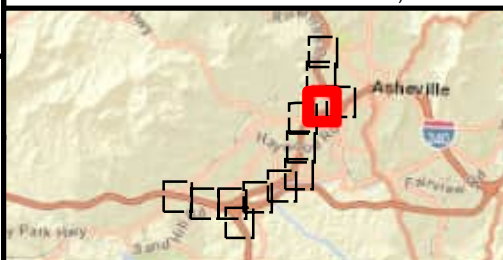
**Legend**

- Edge of Pavement (March 2022 Design)
- Matchline
- Potential Residential Relocation Parcel (Reev/ROD)
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- Potential Residential Relocation
- Potential Residential Relocation from FEIS (not anticipated as relocation in Reev/ROD)
- Potential Residential Relocation Parcel (FEIS)
- Relocation from FEIS (not anticipated as relocation in Reev/ROD)

Date: October 2022



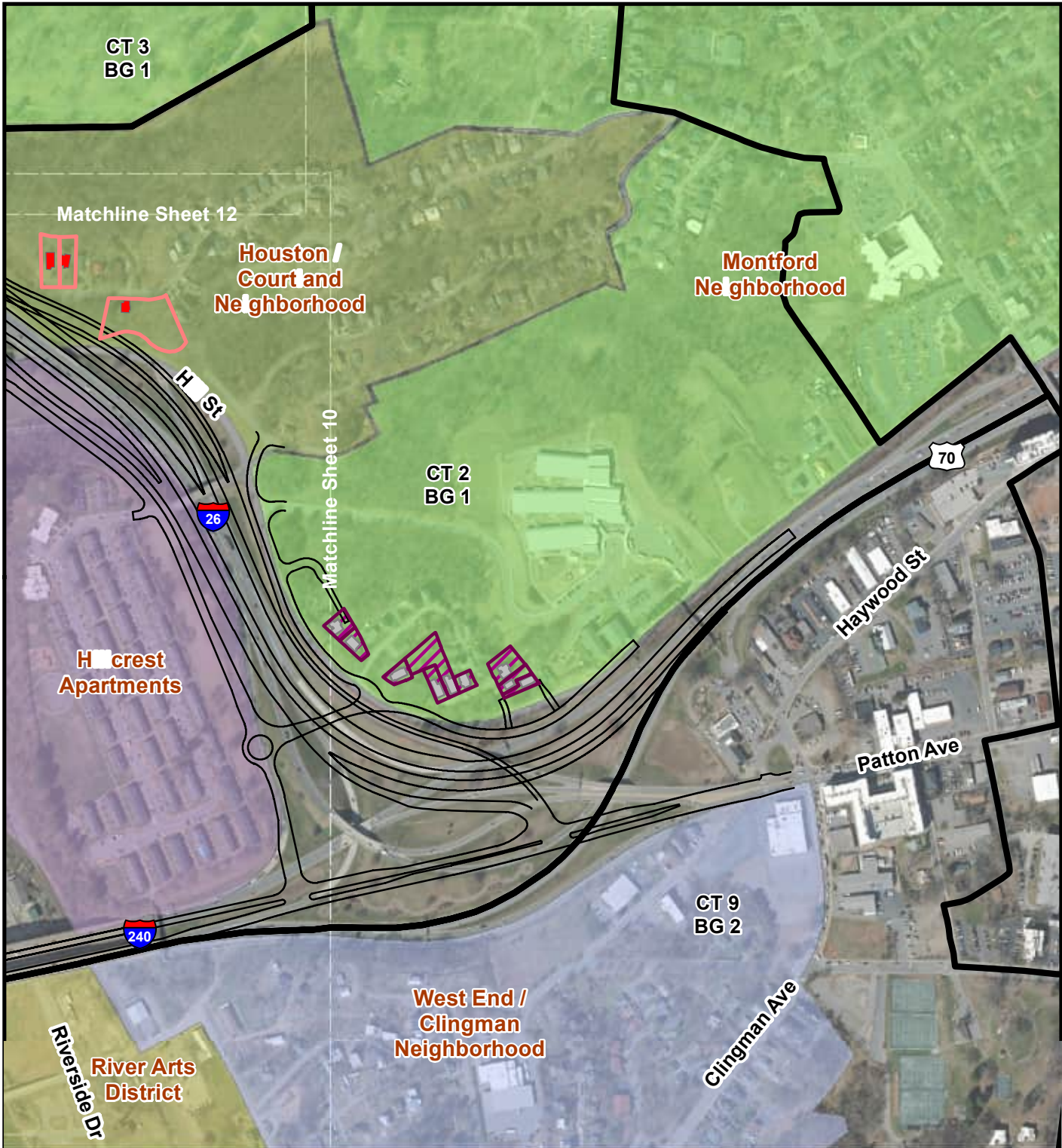
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**Figure 10**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





North Carolina  
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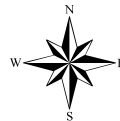
I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

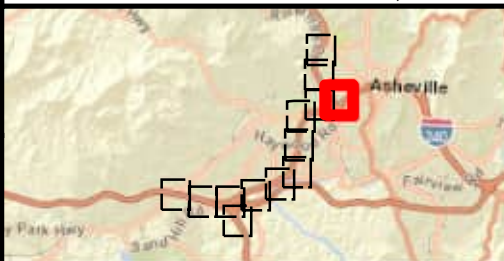
**Legend**

- Edge of Pavement (March 2022 Design)
- Matchline
- Potential Residential Relocation (Reev/ROD)
- Block Groups (ACS 2015-2019)
- Potential Residential Relocation from FEIS (not anticipated as relocation in Reev/ROD)
- ▨ Potential Residential Relocation Parcel (FEIS)

Date: October 2022



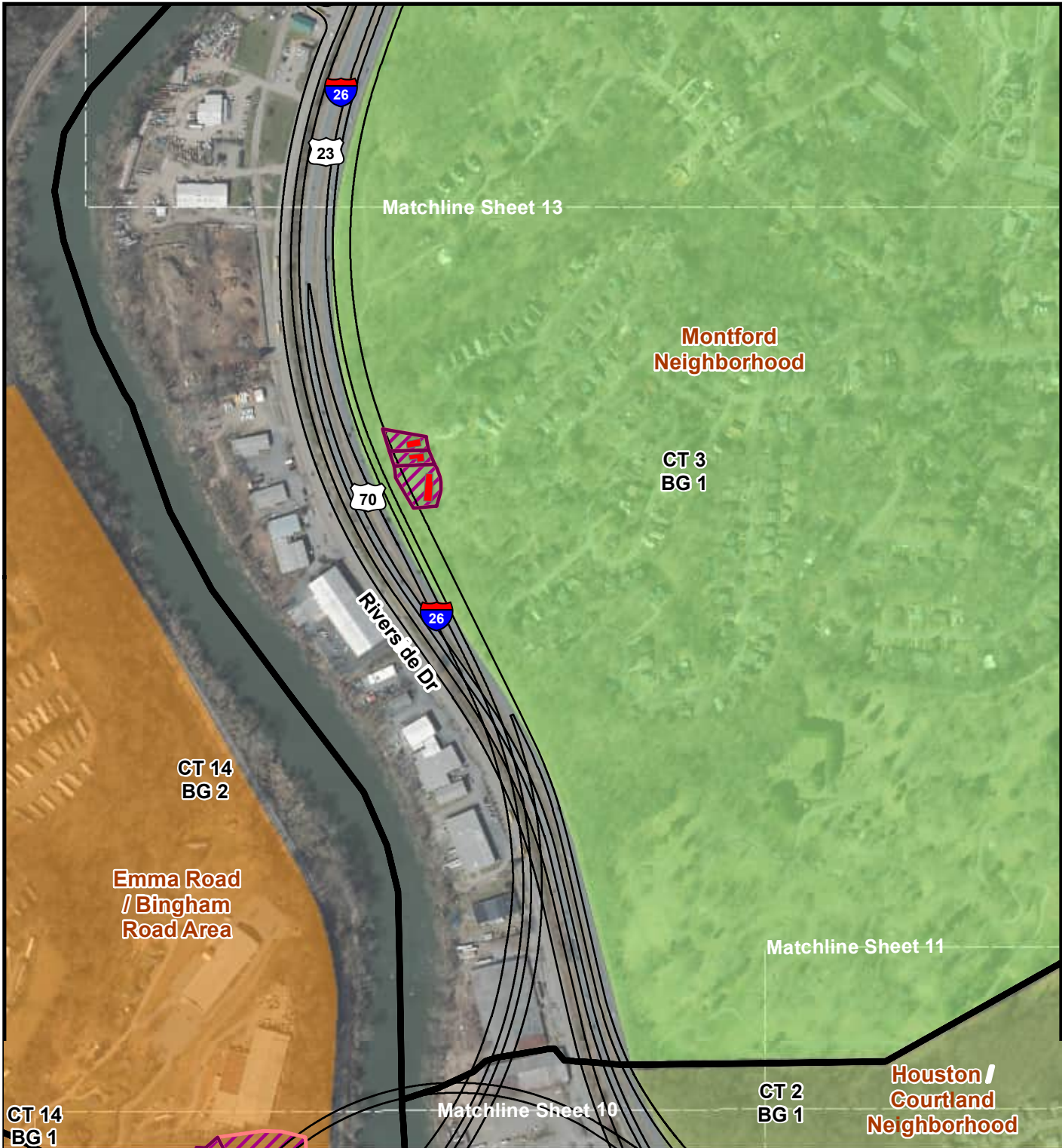
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**Figure 11**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





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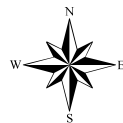
I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

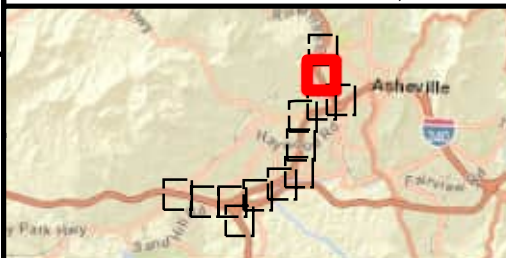
**Legend**

- Edge of Pavement (March 2022 Design)
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Date: October 2022



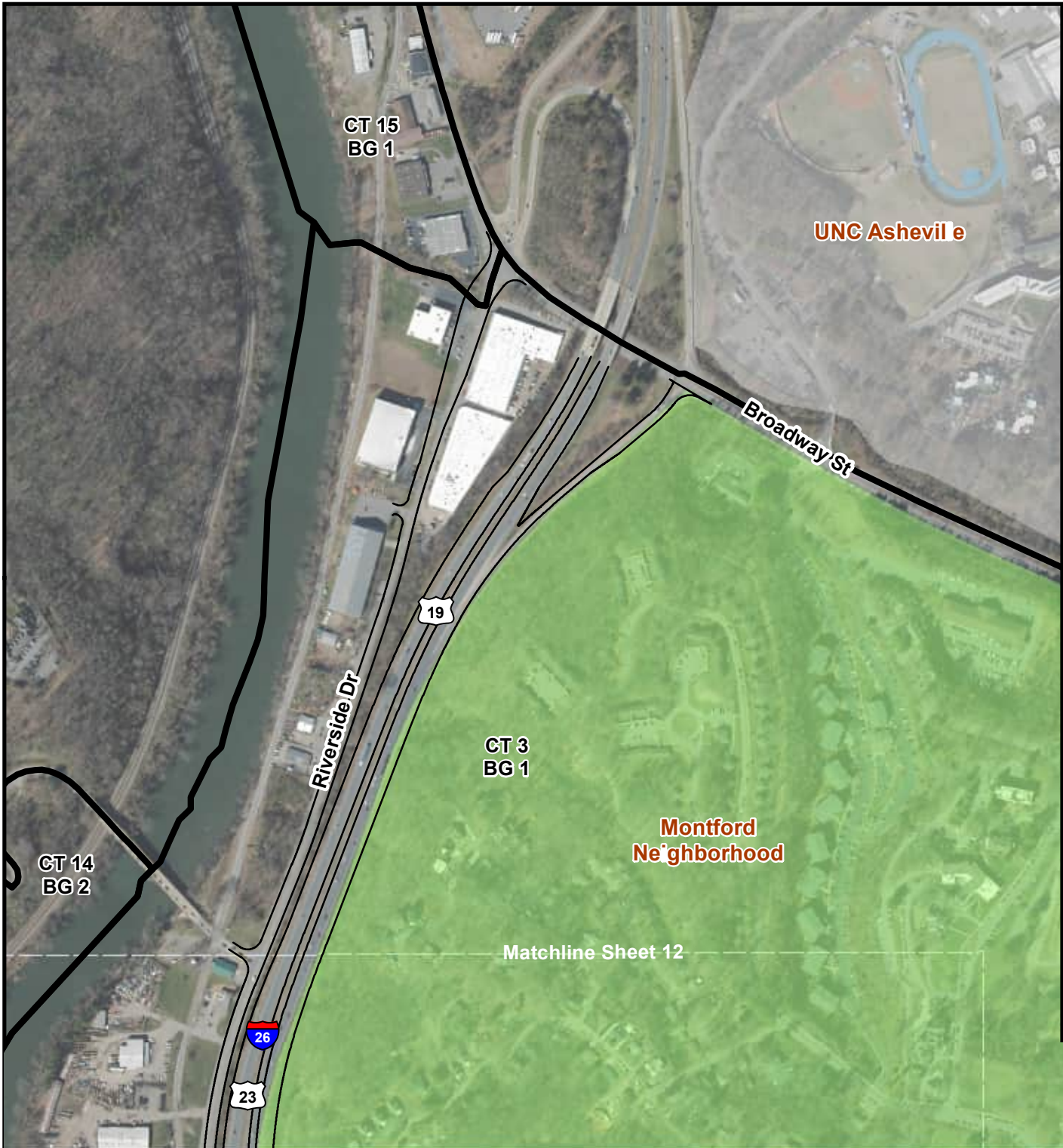
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Feet



**Figure 12**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





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I-26 Asheville Connector  
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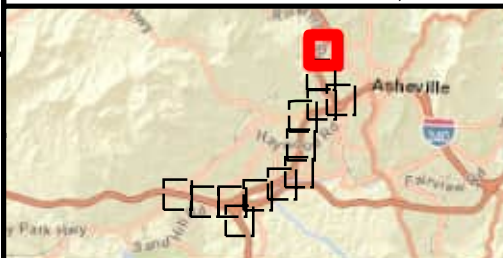
**Legend**

- Edge of Pavement (March 2022 Design)
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Date: October 2022



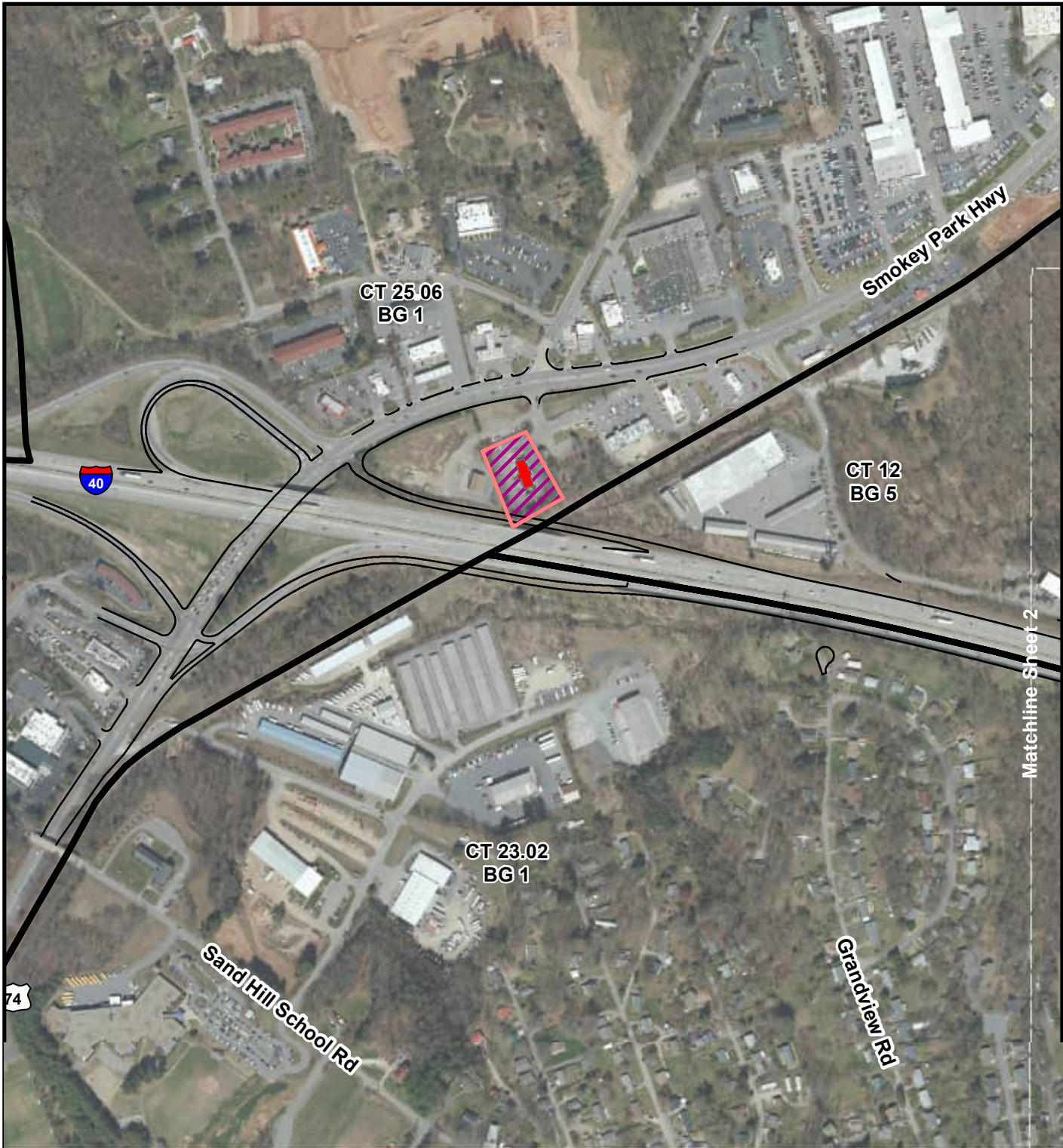
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**Figure 13**

**Potential Residential Relocations (FEIS and Reevaluation/ROD)**





Matchline Sheet 2

**North Carolina  
Department of Transportation**



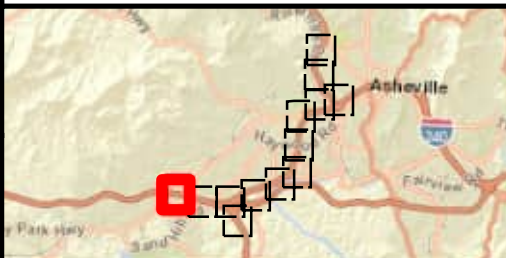
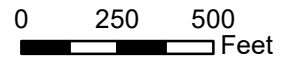
**I-26 Asheville Connector  
Buncombe County**

**STIP Project No. I-2513**

**Legend**

- Edge of Pavement (March 2022 Design)
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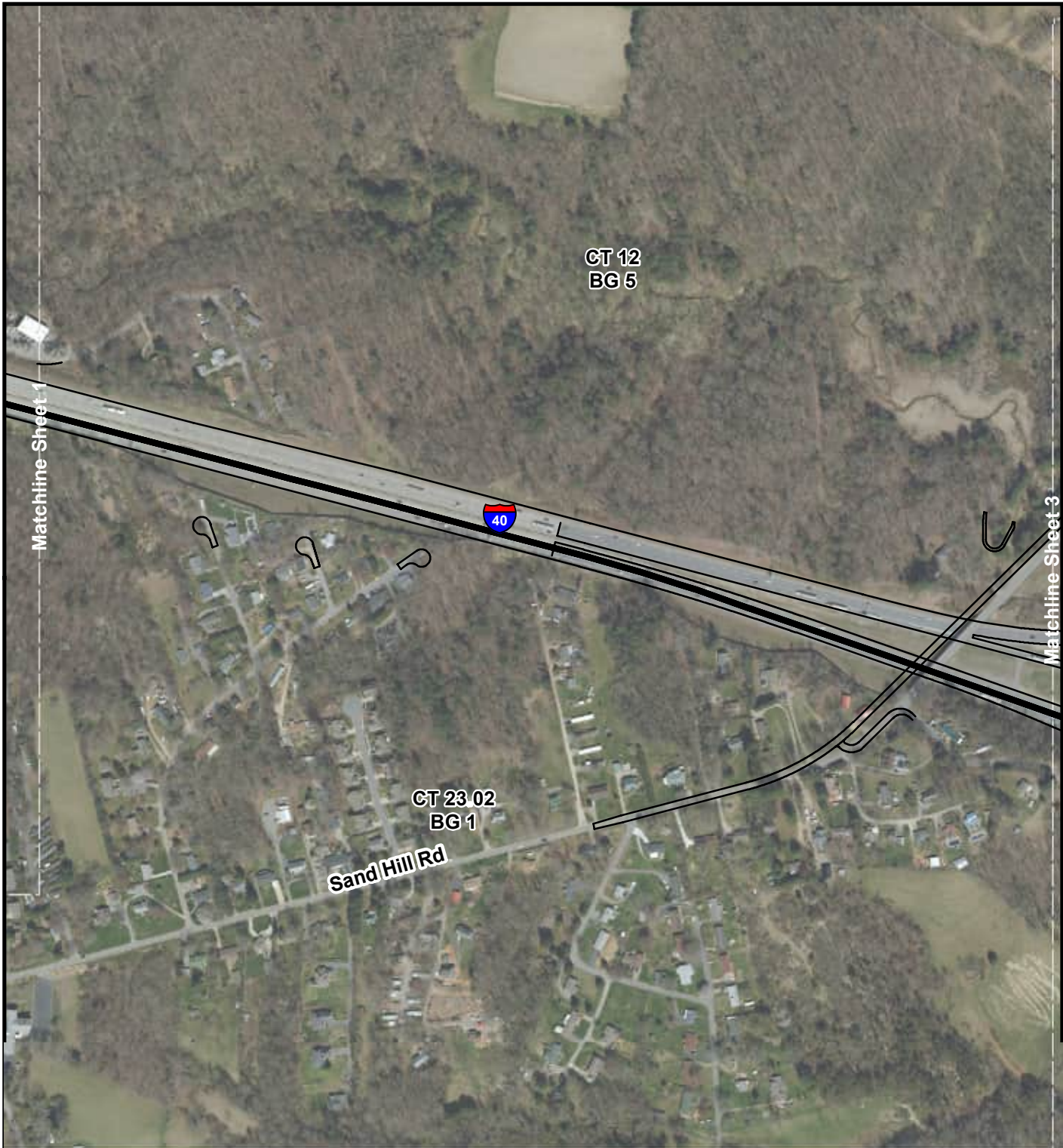
Date: October 2022



**Figure 14**

**Potential Business  
Relocations  
(FEIS and  
Reevaluation/ROD)**





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Department of Transportation



I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

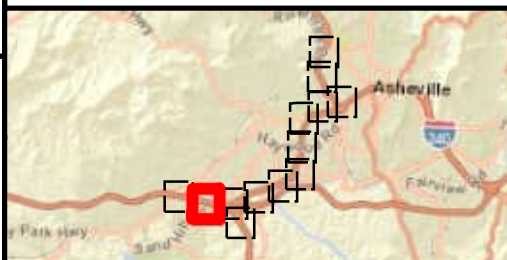
**Legend**

- Edge of Pavement (March 2022 Design)
- Potential Business Relocation Parcel (Reev/ROD)
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Date: October 2022



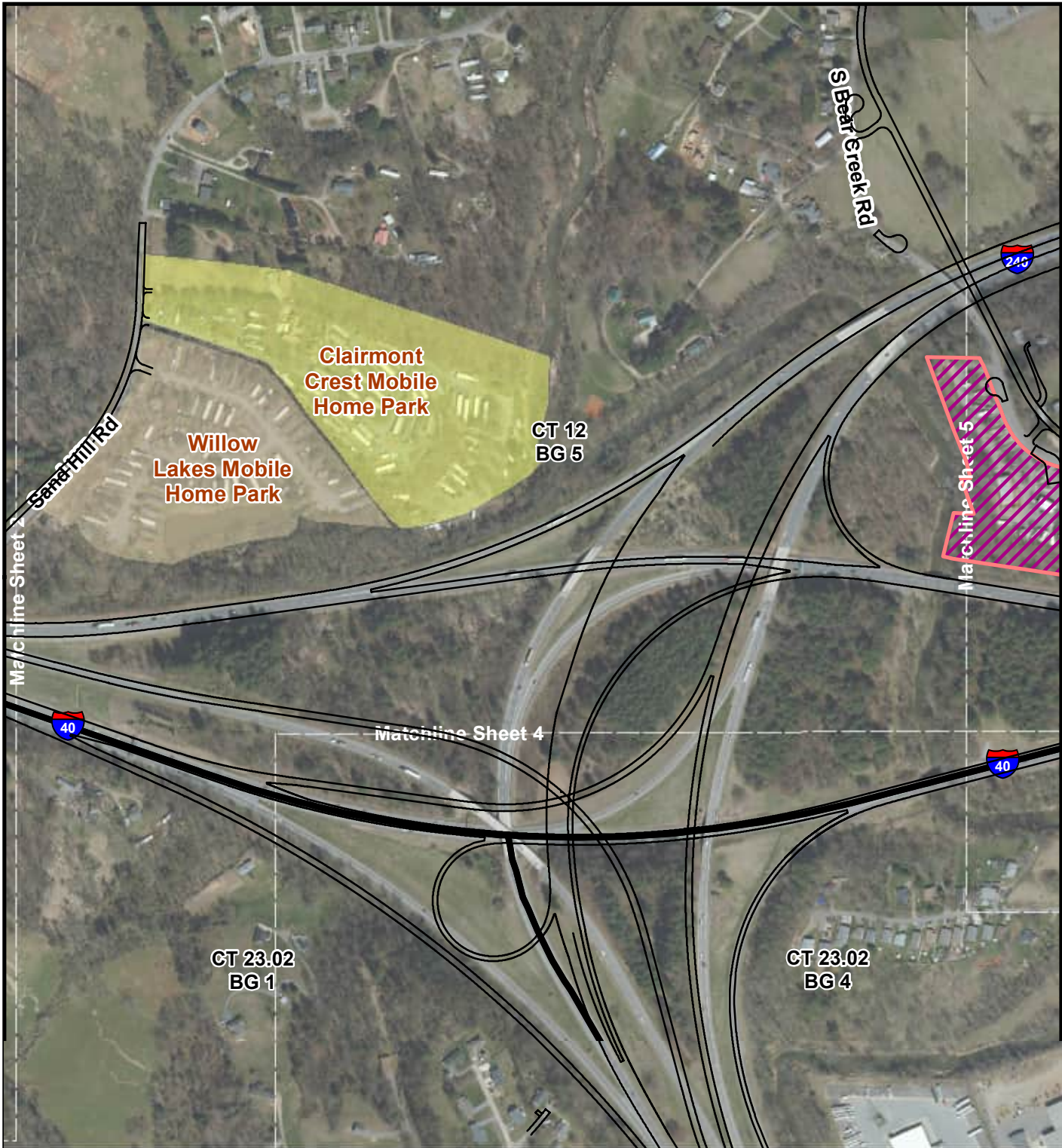
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**Figure 15**

**Potential Business Relocations (FEIS and Reevaluation/ROD)**





North Carolina  
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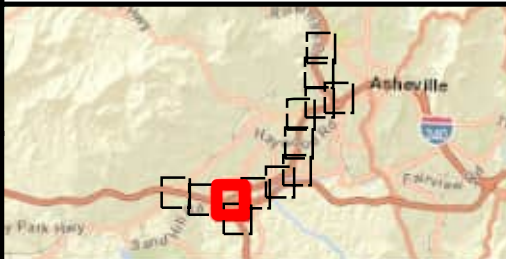


I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

**Legend**

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- Potential Business Relocation Parcel (Reev/ROD)
- Potential Business Relocation Parcel (FEIS)
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- Potential Business Relocation
- Relocation from FEIS (not anticipated as relocation in Reev/ROD)
- Relocation from FEIS (not anticipated as relocation in Reev/ROD)



Date: October 2022

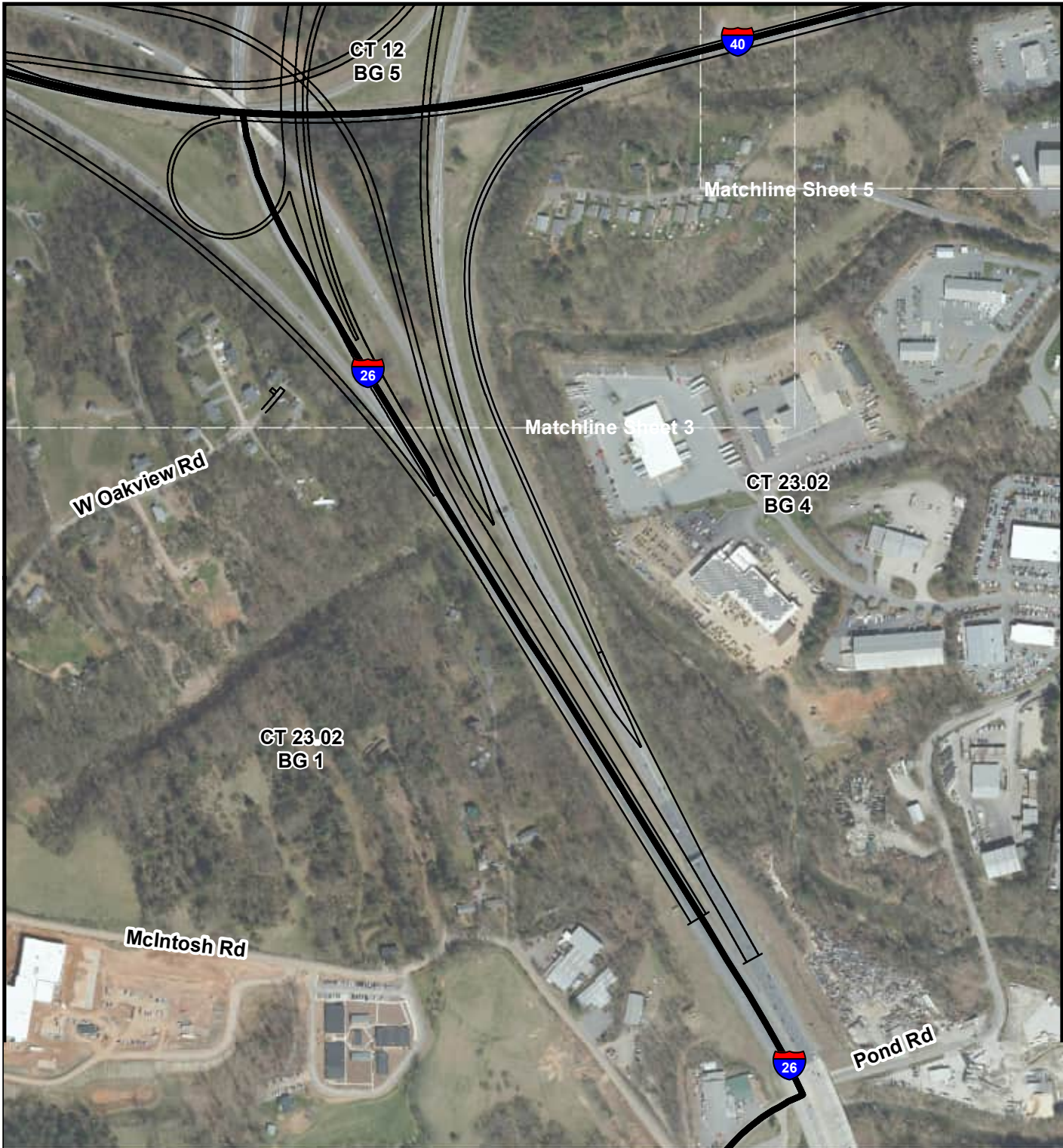


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Feet

**Figure 16**

**Potential Business Relocations (FEIS and Reevaluation/ROD)**





North Carolina  
Department of Transportation



I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

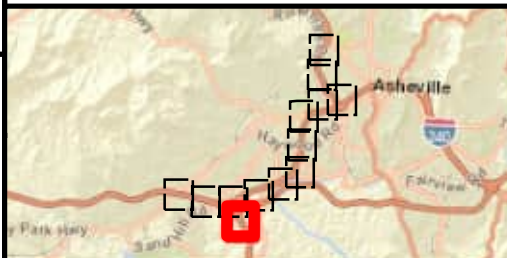
**Legend**

- Edge of Pavement (March 2022 Design)
- Potential Business Relocation Parcel (Reev/ROD)
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- Matchline
- ▭ Block Groups (ACS 2015-2019)
- Potential Business Relocation
- ▭ Relocation from FEIS (not anticipated as relocation in Reev/ROD)

Date: October 2022



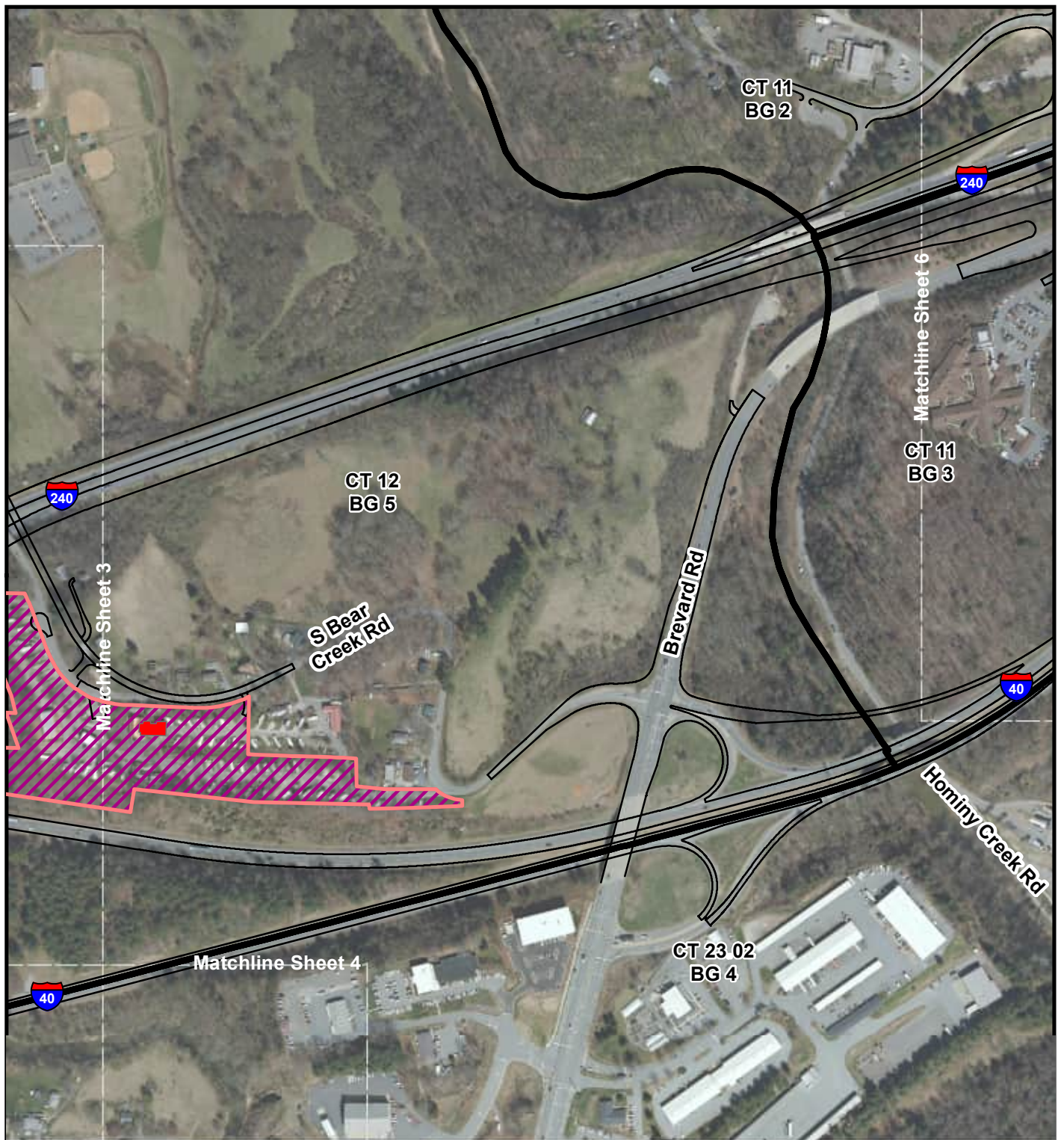
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Feet



**Figure 17**

**Potential Business Relocations (FEIS and Reevaluation/ROD)**





North Carolina  
Department of Transportation



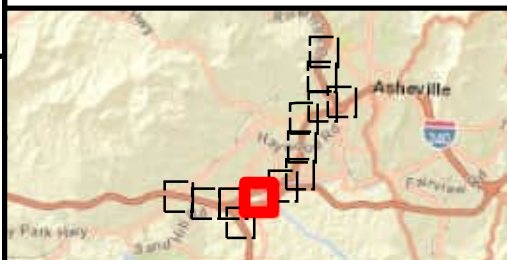
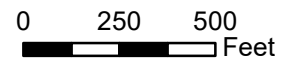
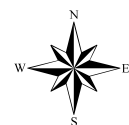
I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

**Legend**

- Edge of Pavement (March 2022 Design)
- Potential Business Relocation Parcel (Reev/ROD)
- ▨ Potential Business Relocation Parcel (FEIS)
- Matchline
- ▭ Block Groups (ACS 2015-2019)
- Potential Business Relocation
- Relocation from FEIS (not anticipated as relocation in Reev/ROD)

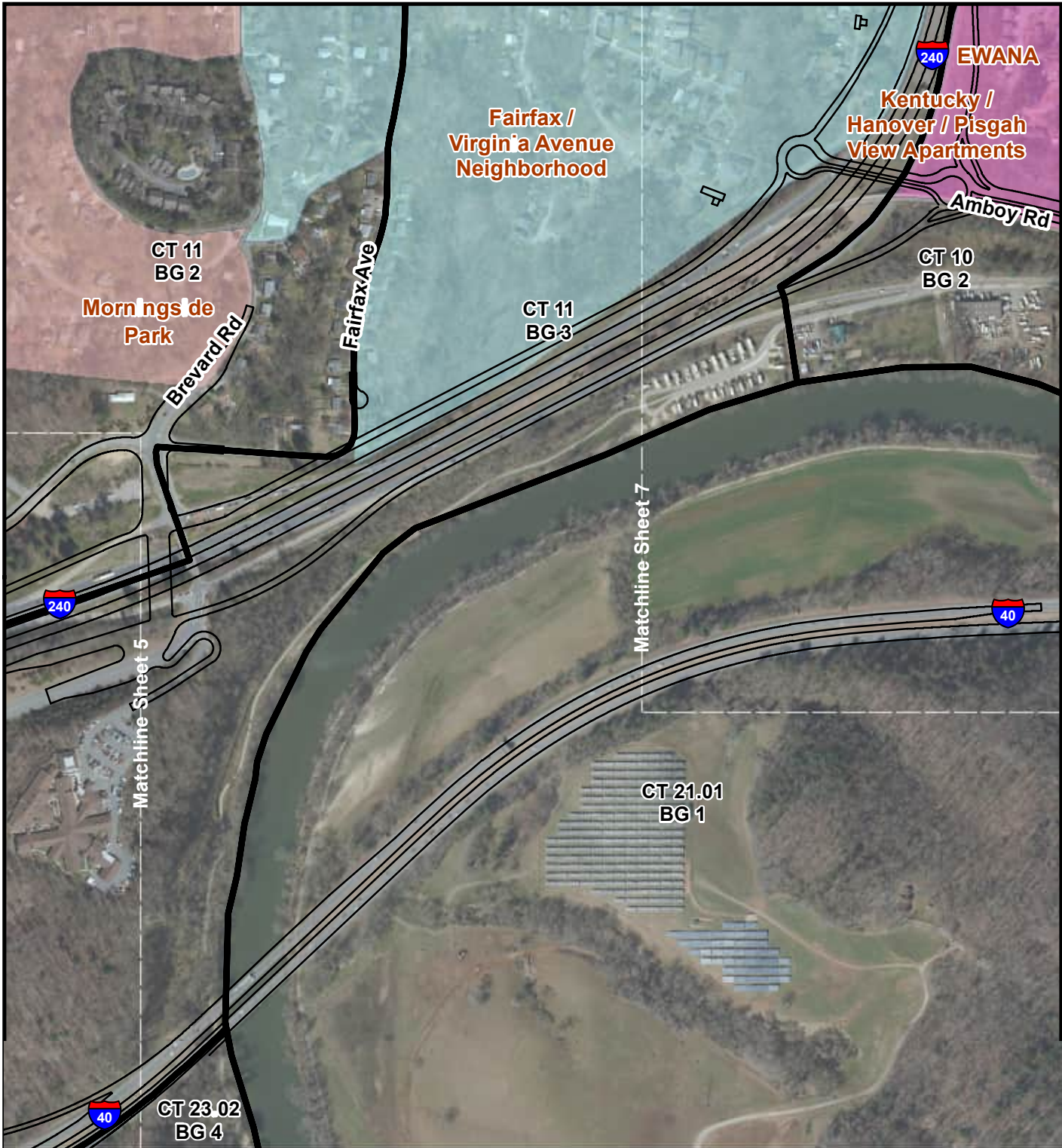
Date: October 2022



**Figure 18**

**Potential Business Relocations (FEIS and Reevaluation/ROD)**





North Carolina  
Department of Transportation



I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

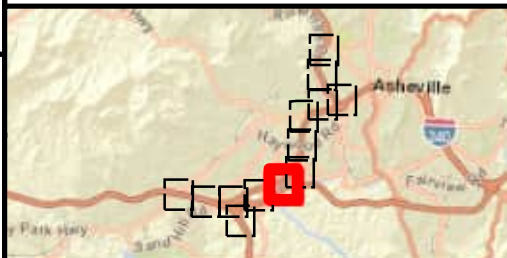
**Legend**

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- Potential Business Relocation
- ▭ Relocation from FEIS (not anticipated as relocation in Reev/ROD)

Date: October 2022



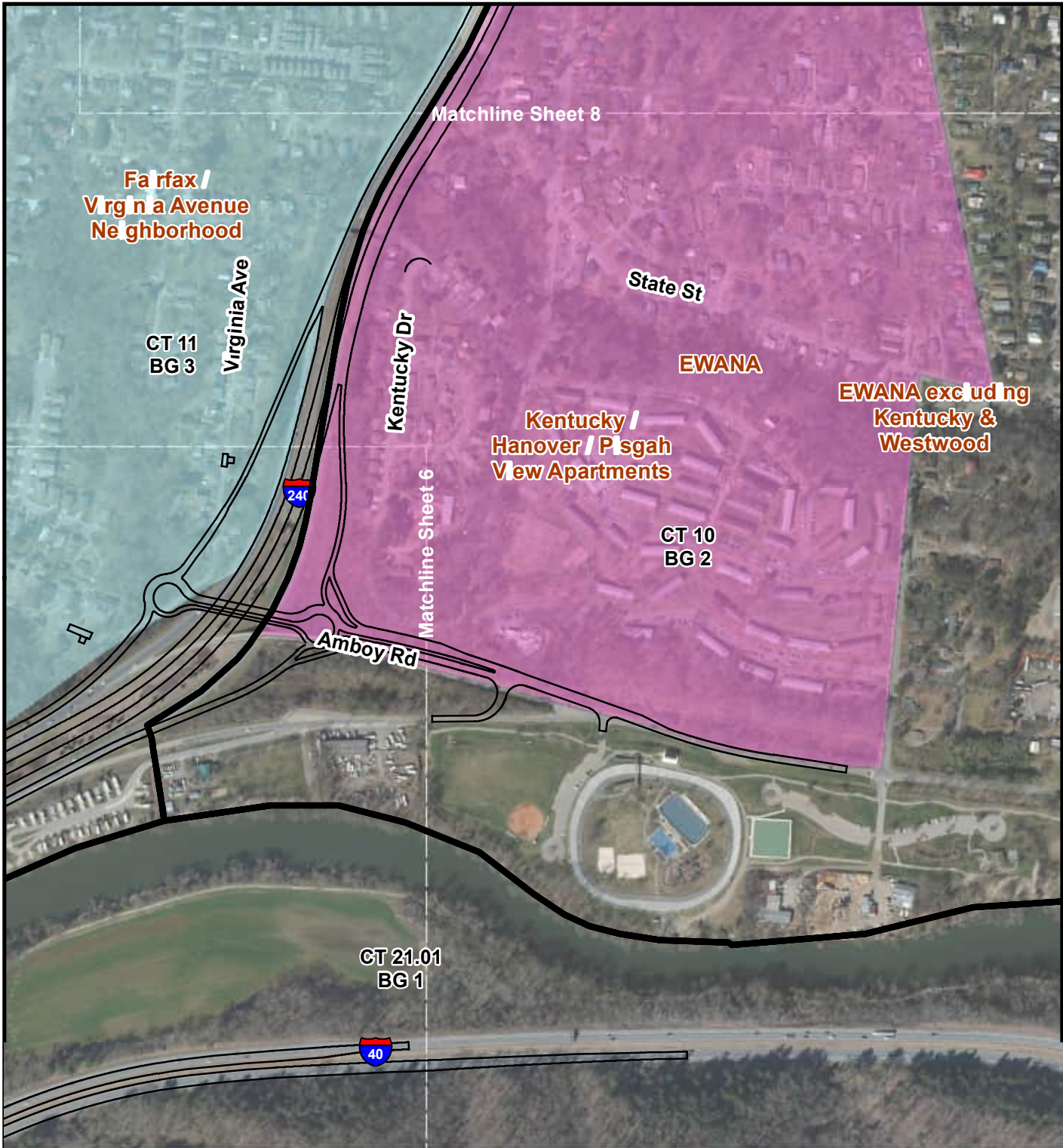
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**Figure 19**

**Potential Business Relocations (FEIS and Reevaluation/ROD)**





North Carolina  
Department of Transportation



I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

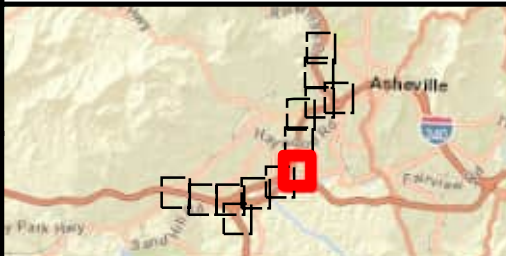
**Legend**

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- Potential Business Relocation
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Date: October 2022



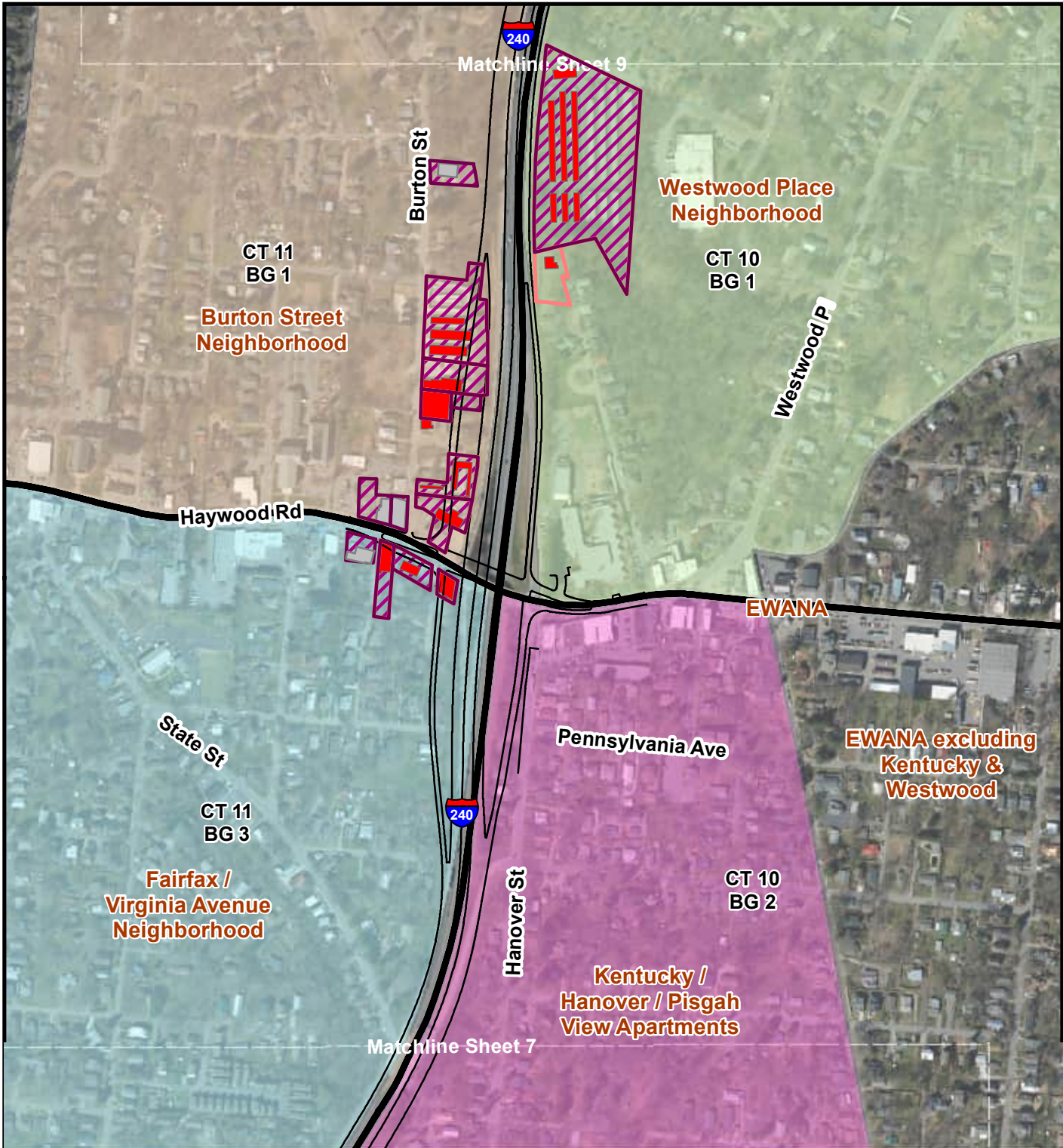
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**Figure 20**

**Potential Business Relocations (FEIS and Reevaluation/ROD)**





North Carolina  
Department of Transportation



I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

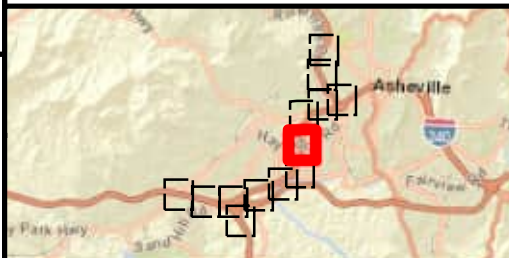
**Legend**

- Edge of Pavement (March 2022 Design)
- Potential Business Relocation Parcel (Reev/ROD)
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- Matchline
- Block Groups (ACS 2015-2019)
- Potential Business Relocation
- Relocation from FEIS (not anticipated as relocation in Reev/ROD)

Date: October 2022



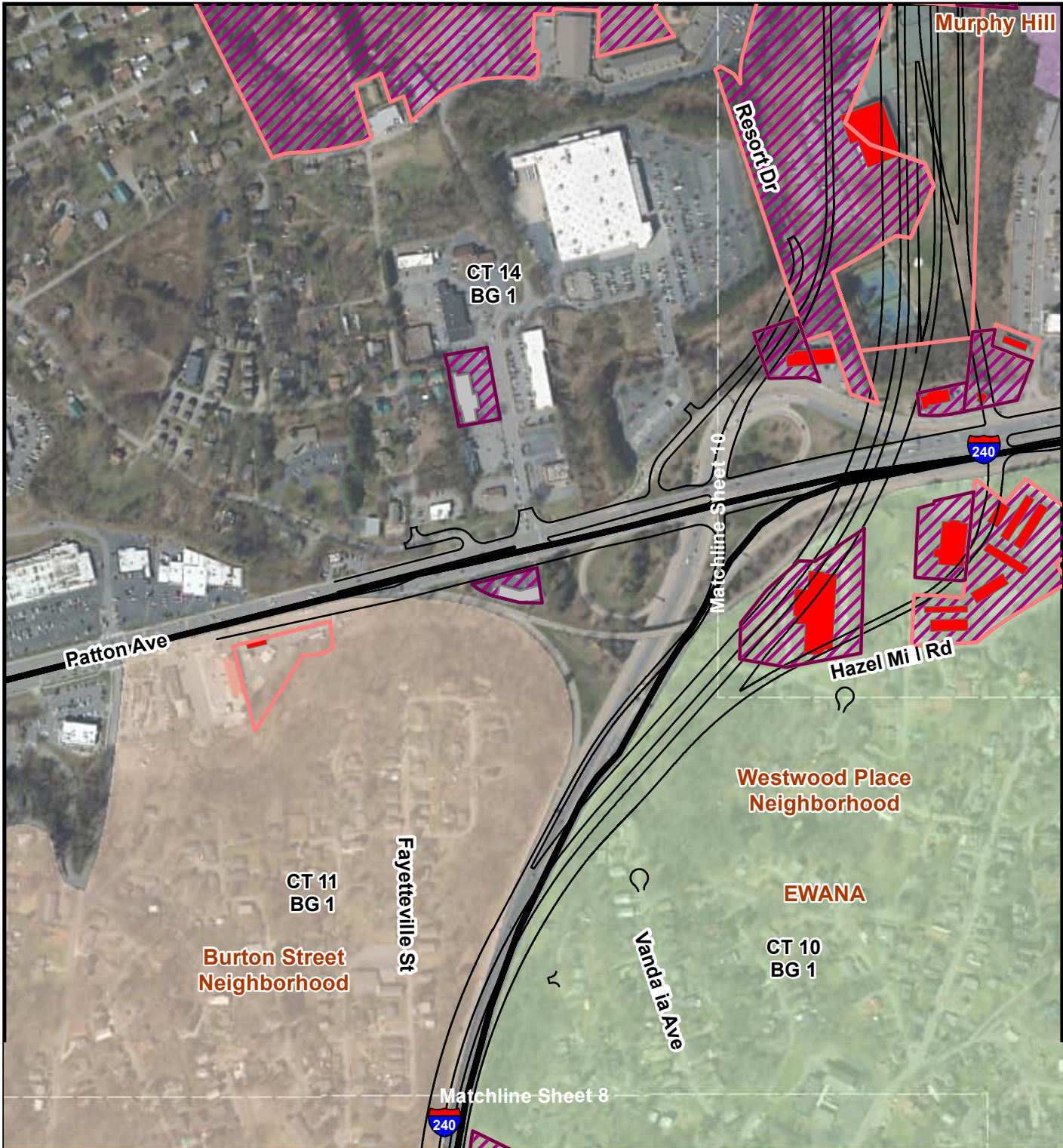
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**Figure 21**

**Potential Business Relocations (FEIS and Reevaluation/ROD)**





North Carolina  
Department of Transportation



I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

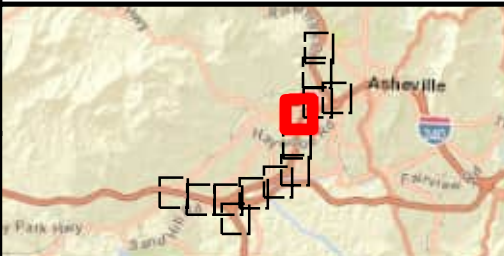
**Legend**

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- Potential Business Relocation Parcel (Reev/ROD)
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- Matchline
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- Potential Business Relocation
- Relocation from FEIS (not anticipated as relocation in Reev/ROD)

Date: October 2022



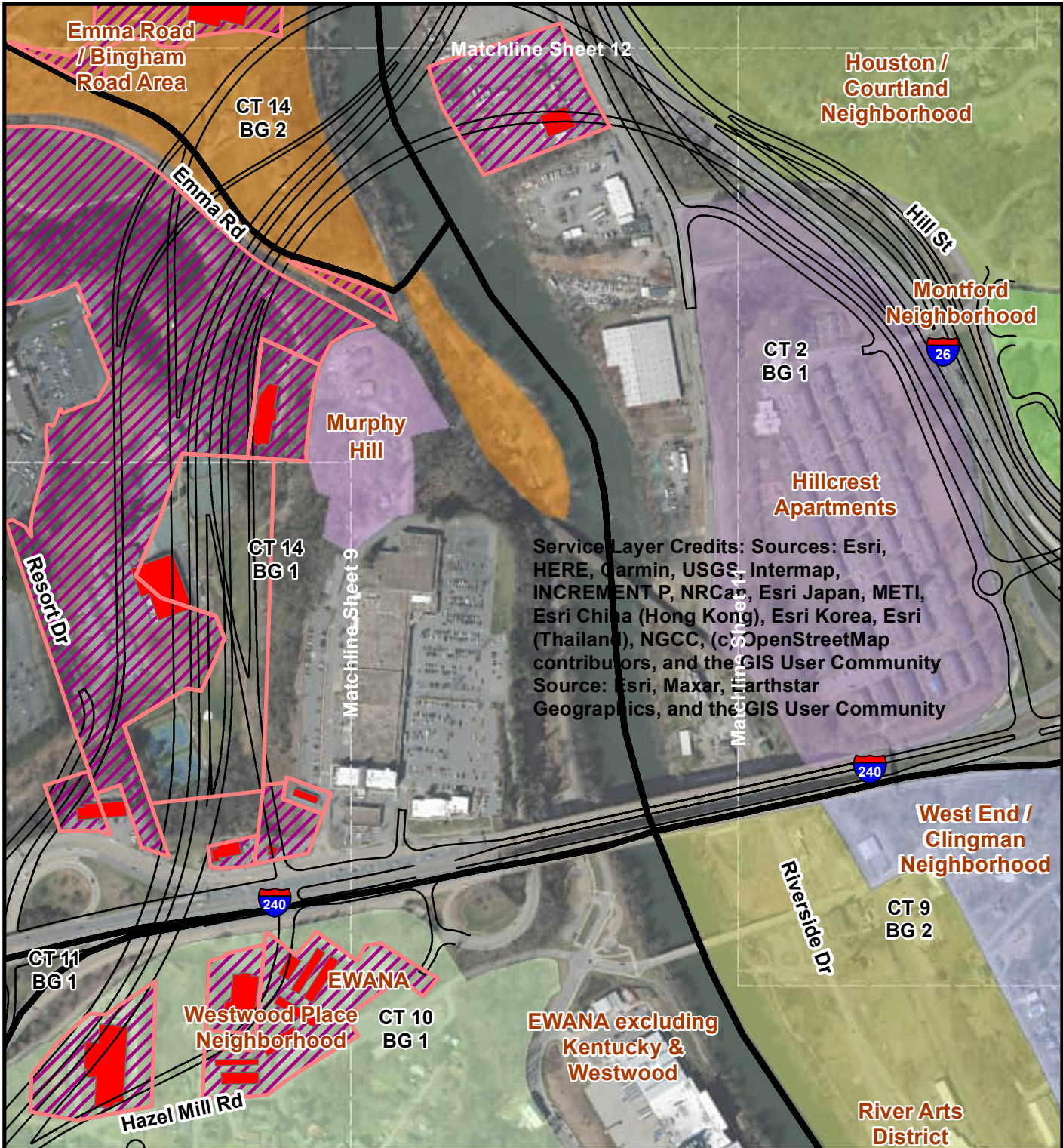
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**Figure 22**

**Potential Business Relocations (FEIS and Reevaluation/ROD)**





Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community  
 Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

North Carolina  
 Department of Transportation



I-26 Asheville Connector  
 Buncombe County

STIP Project No. I-2513

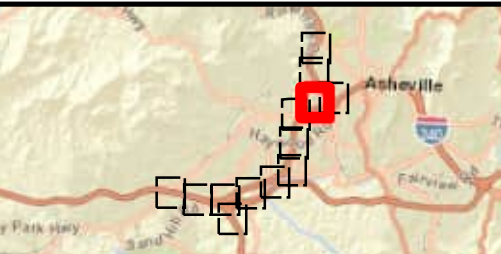
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- Potential Business Relocation Parcel (FEIS)
- Potential Business Relocation
- Relocation from FEIS (not anticipated as relocation in Reev/ROD)
- Matchline
- Block Groups (ACS 2015-2019)

Date: October 2022



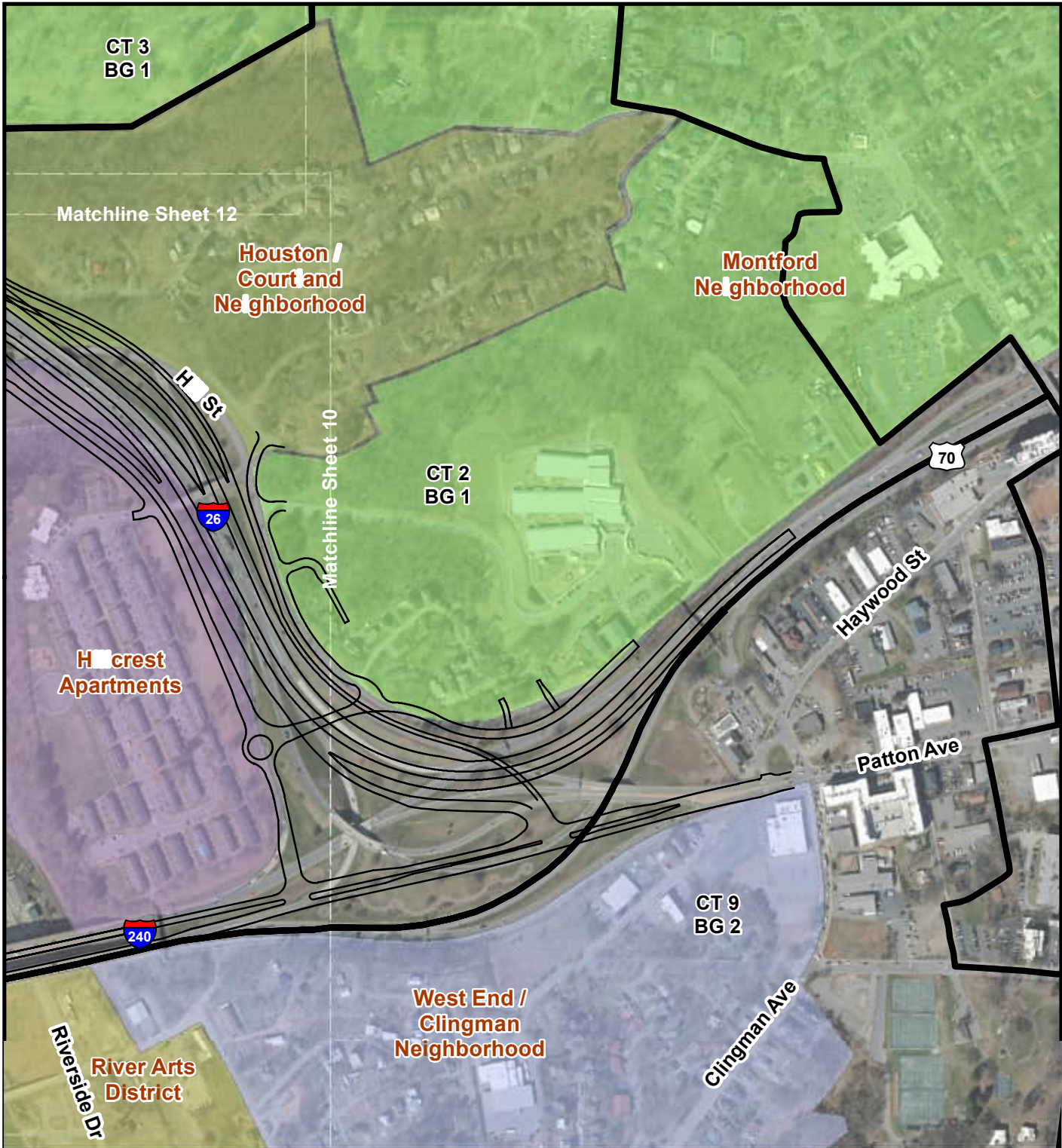
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**Figure 23**

**Potential Business Relocations (FEIS and Reevaluation/ROD)**





North Carolina  
Department of Transportation

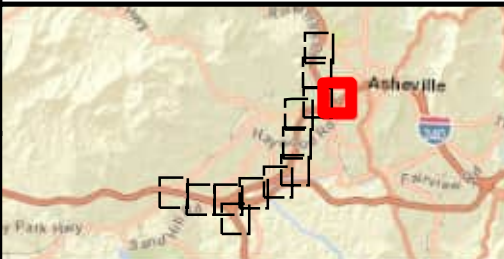


I-26 Asheville Connector  
Buncombe County

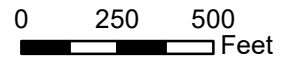
STIP Project No. I-2513

**Legend**

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- ▨ Potential Business Relocation Parcel (FEIS)
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- Potential Business Relocation
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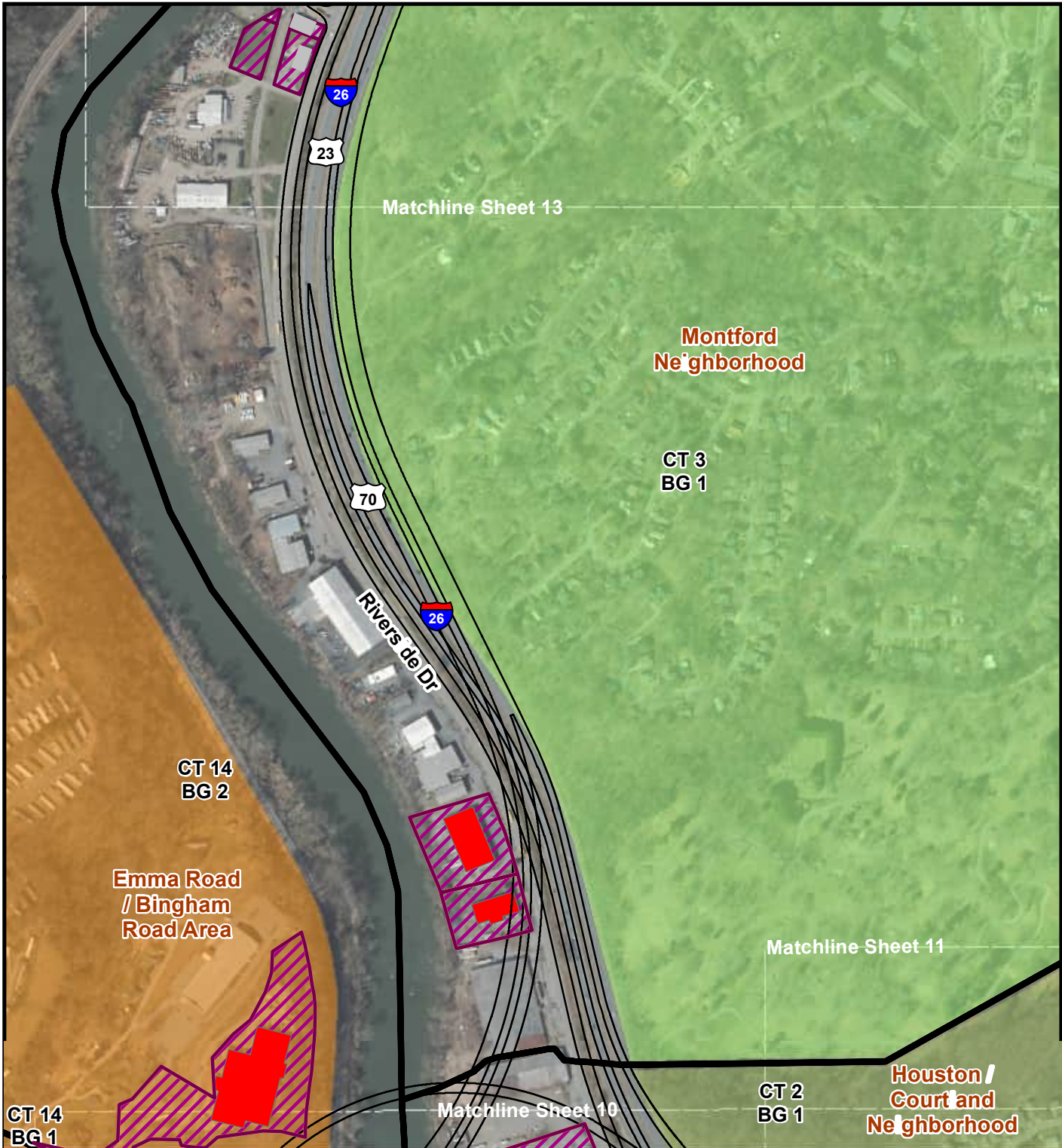
Date: October 2022



**Figure 24**

**Potential Business Relocations (FEIS and Reevaluation/ROD)**





North Carolina  
Department of Transportation



I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

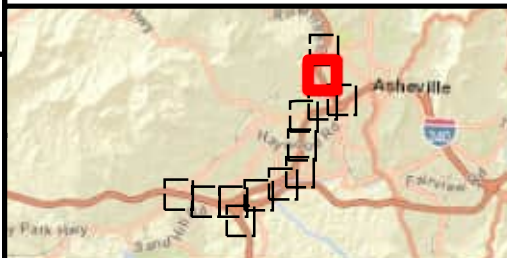
**Legend**

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- Potential Business Relocation
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Date: October 2022



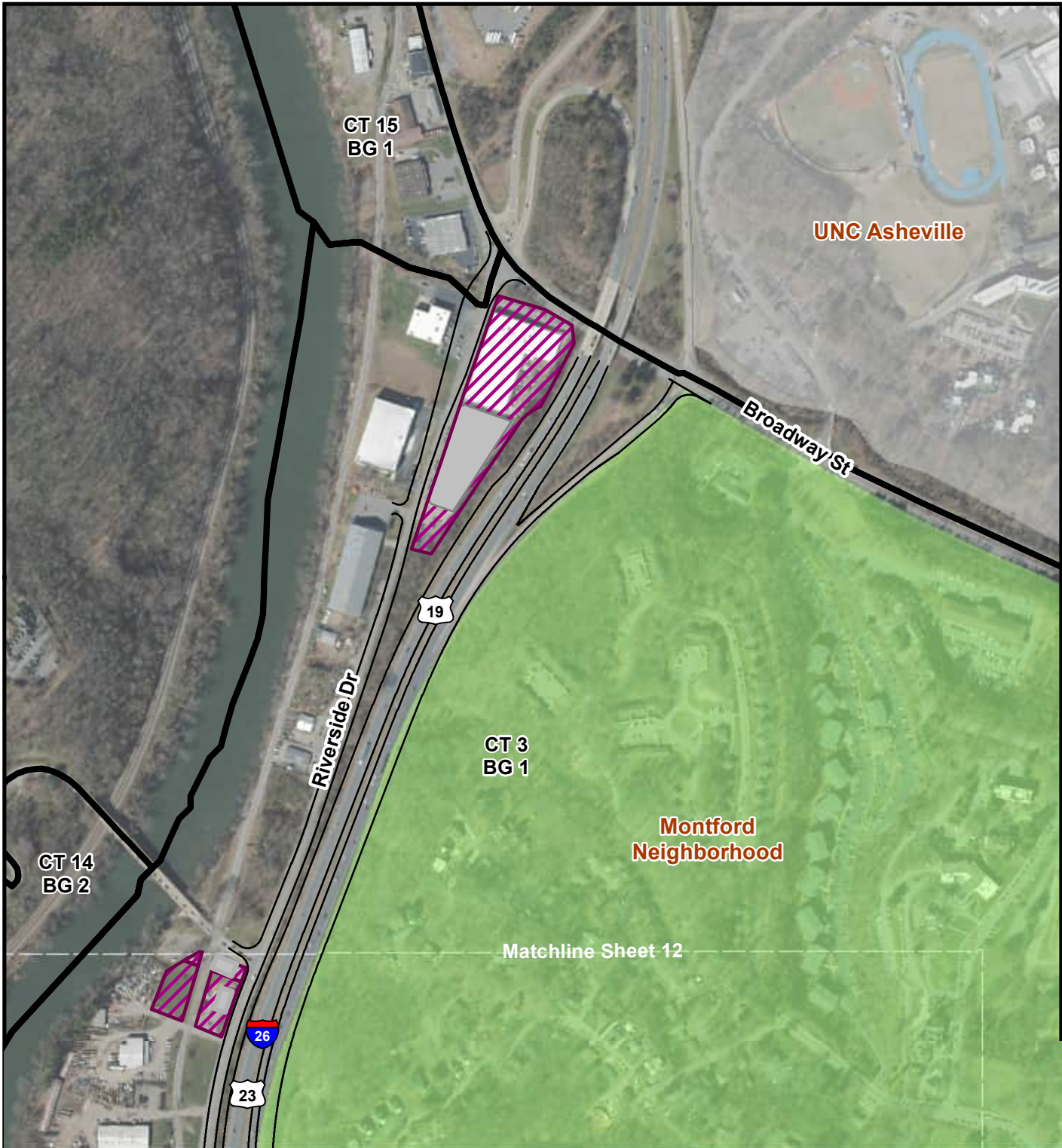
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**Figure 25**

**Potential Business Relocations (FEIS and Reevaluation/ROD)**





North Carolina  
Department of Transportation



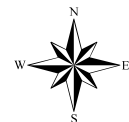
I-26 Asheville Connector  
Buncombe County

STIP Project No. I-2513

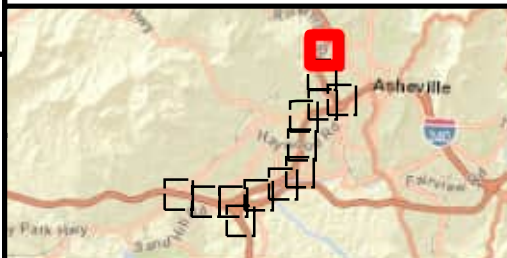
**Legend**

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- Potential Business Relocation Parcel (Reev/ROD)
- ▨ Potential Business Relocation Parcel (FEIS)
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- Block Groups (ACS 2015-2019)
- Potential Business Relocation
- Relocation from FEIS (not anticipated as relocation in Reev/ROD)

Date: October 2022



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**Figure 26**

**Potential Business Relocations (FEIS and Reevaluation/ROD)**



## **APPENDIX C: FEBRUARY 2022 HILLCREST APARTMENT COMMUNITY MEETING SUMMARY**

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## MEETING SUMMARY



To: Project File

From: Joanna Rocco  
AECOM

Date: June 14, 2022

RE: **I-2513 Small Group Meeting, Hillcrest Apartment Community  
February 15, 2022  
NCDOT STIP Project I-2513 (I-26 Connector)**

---

### Attendees:

Felix Davila – FHWA  
Michael Dawson – FHWA  
Rhodney Norman – Asheville Housing Authority  
Angela Young – Hillcrest Apartments  
Mark Gibbs – NCDOT  
Harrison Marshall – NCDOT  
Kevin Moore - NCDOT  
Simone Robinson - NCDOT  
Brendan Merithew – NCDOT  
Joanna Rocco - AECOM  
Neil Dean - AECOM

The project team held a meeting with the Hillcrest Apartment Community virtually on February 15, 2022 via Microsoft Teams. The meeting was held to inform attendees of modifications made from the original design in the vicinity of the Hillcrest community, and to provide them a chance to comment or ask questions. Before the meeting formally began, aspects of the meeting's user interface were explained for the attendees. A copy of the presentation is attached to this summary.

Kevin Moore began the meeting by providing a brief description of the project's scope and location and listing modifications affecting the apartment community. Maps were shown to display Hillcrest's location within Section B of the project. An overview was given of the changes between the 2018 and current 2022 designs for I-26, including the improvements for bicycle and pedestrian access and a posted speed reduction on Patton Avenue. Next, Kevin provided a set of graphics for the six improvements within and surrounding Hillcrest. Both top-down and lateral conceptualizations were shown to help visualize these improvements.

Kevin noted the deadline for feedback and questions for the meeting is March 15, 2022. After these comments are submitted and addressed, a meeting summary would be composed and distributed to the rest of the residents of the community. A FAQ based on the comments would also be posted on the project's website if needed.

MEETING SUMMARY

February 15, 2022

Page 2 of 2

Questions, Comments, and Responses:

- Moving Eastward from the Bowen Bridge, where does NCDOT's control for Patton Avenue end?
  - State maintained boundary is at Clingman Avenue.
- Would road to Clingman be 35 mph?
  - Yes, the interchange from I-26 to Patton Avenue would drop at eastern side of interchange from 45 to 35 mph across the bridges to Clingman Avenue.
- Is this proposal guaranteed? It's been discussed for years, and members of the community would like to see the change, and there's currently some fear the community will be removed.
  - This proposal is a result of City of Asheville coordinating with NCDOT. Asheville specifically wanted the Hillcrest community to be taken into consideration and the features around it to be enhanced and made more livable. The features being integrated are intended to improve mobility and access.



**NORTH CAROLINA**  
Department of Transportation



**I-26 Connector Project**  
**Asheville, Buncombe County**  
**STIP Project No. I-2513**

Hillcrest Apartment Community Meeting

February 15, 2022

1

**WELCOME  
TO THE  
VIRTUAL  
MEETING**


- Representatives from NCDOT and the City of Asheville
- Short presentation about the project and design modifications near Hillcrest community
- Opportunity for public comment/questions

2



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## For the best experience...

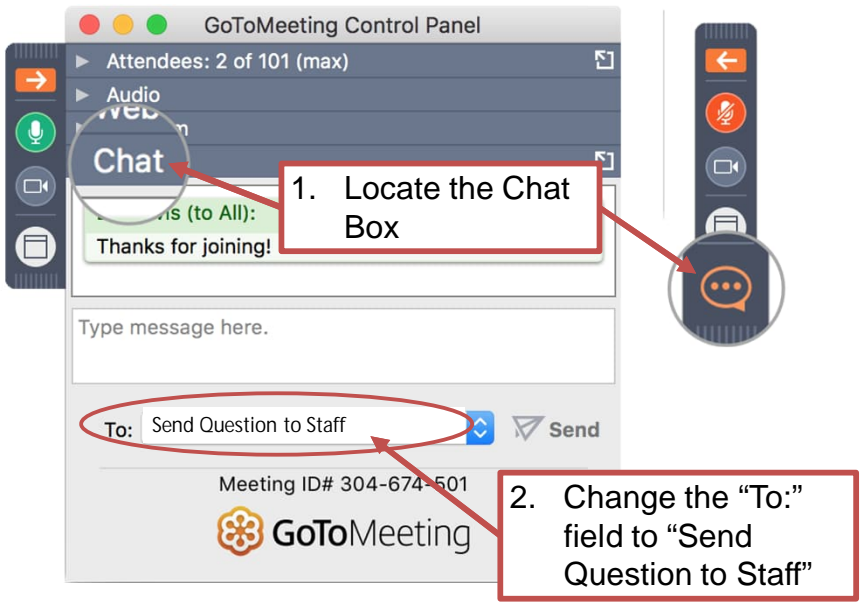


- Close all other applications
- Turn off your web camera
- Use the chat box to participate and ask questions

Note: This webinar is being recorded.

3

3



GoToMeeting Control Panel

Attendees: 2 of 101 (max)

Audio

Chat

1. Locate the Chat Box

Thanks for joining!

Type message here.

To: Send Question to Staff

2. Change the "To:" field to "Send Question to Staff"

Meeting ID# 304-674-501

GoToMeeting

4

4

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## WHAT IS THE I-26 CONNECTOR PROJECT?

- Connect I-26 in southwest Asheville to U.S. 19/23/70 in northwest Asheville
- Approximately 7 miles long
- Split into four sections; A, B, C, & D
- Environmental document 2022

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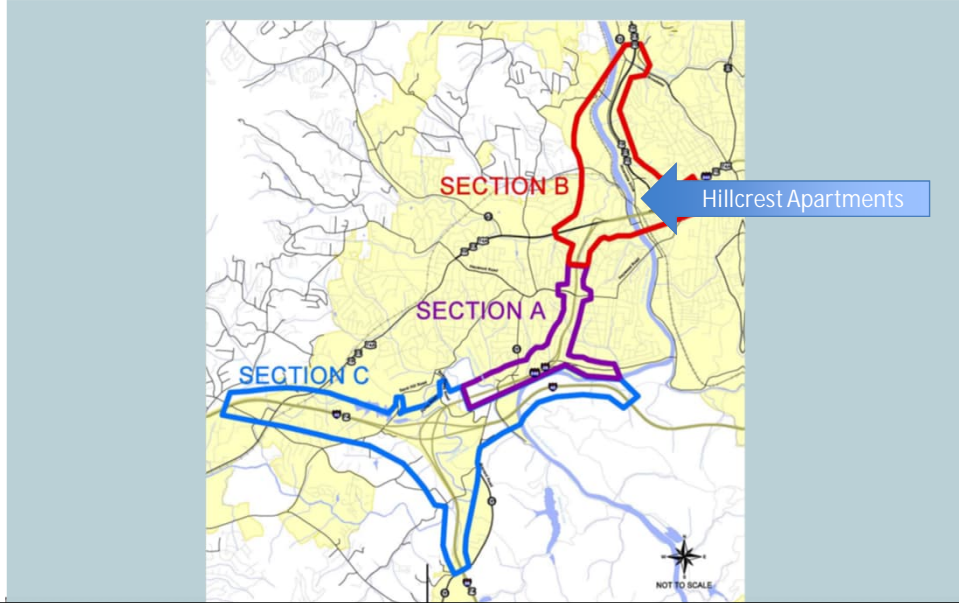
## WHAT ARE WE HERE TO DISCUSS?

- Project designs in vicinity of Hillcrest community
- Discuss updated designs including:
  - New sidewalk connections
  - Additional vehicle/pedestrian access to community
  - Pedestrian bridge replacement

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## Project Map



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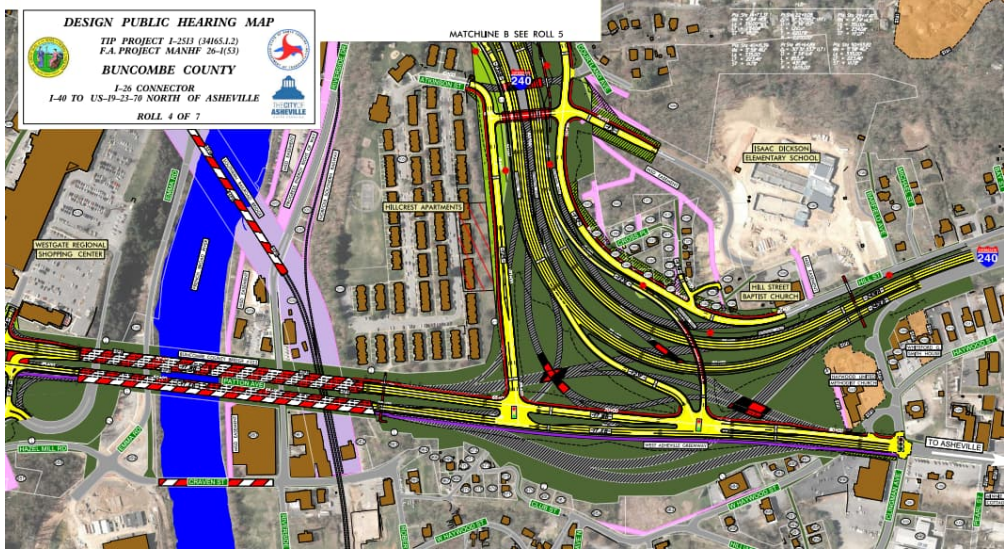
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## DESIGN COMPARISON

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# I-26 Connector Designs (2018)



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[ncdot.gov](http://ncdot.gov)
ector

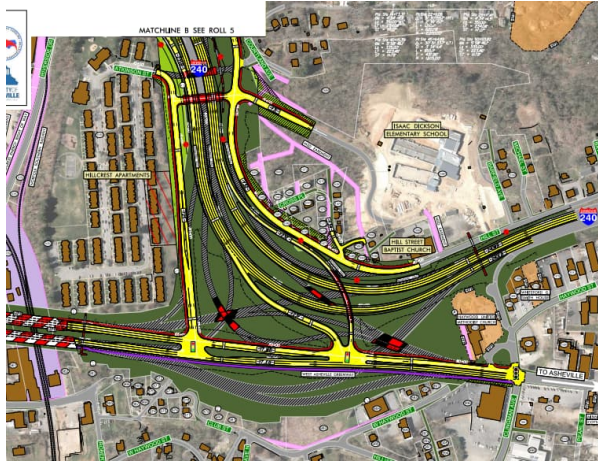
## I-26 Connector Designs (Current)

- Proposed improvements include:
  - Realigned Hill Street
  - New sidewalks
  - Grassed buffer between apartments and Hill Street
  - New pedestrian bridge/replacement of pedestrian bridge (ADA accessible)
  - Patton Avenue design modifications
    - Removal of I-240 traffic
    - Multi-use path
    - Reduced speed

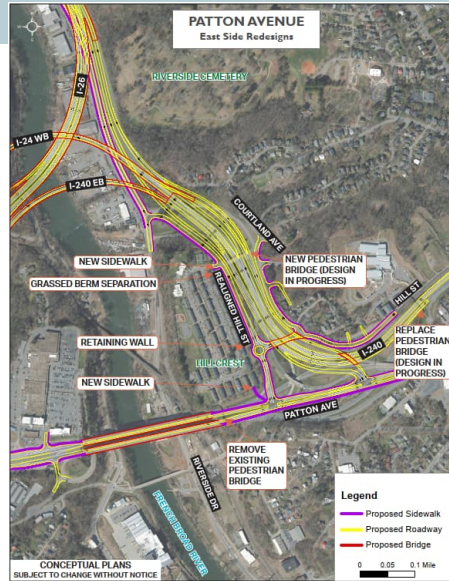
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## 2018 Designs



## Current Designs



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# IMPROVEMENTS NEAR HILLCREST COMMUNITY

12

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# Summary of Improvements

## Description of Proposed Improvements

- 1 Sidewalk connecting the Hillcrest community to the realigned Hill Street.
- 2 Sloped grassed buffer separating residences from realigned Hill Street.
- 3 Sidewalk connecting the southeast corner of Hillcrest community to Patton Avenue.
- 4 Retaining wall separating residences from roundabout on realigned Hill Street.
- 5 Bird's eye view of sidewalk connecting the southeast corner of Hillcrest community to Patton Avenue.
- 6 Patton Avenue looking towards downtown Asheville.



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## View #1



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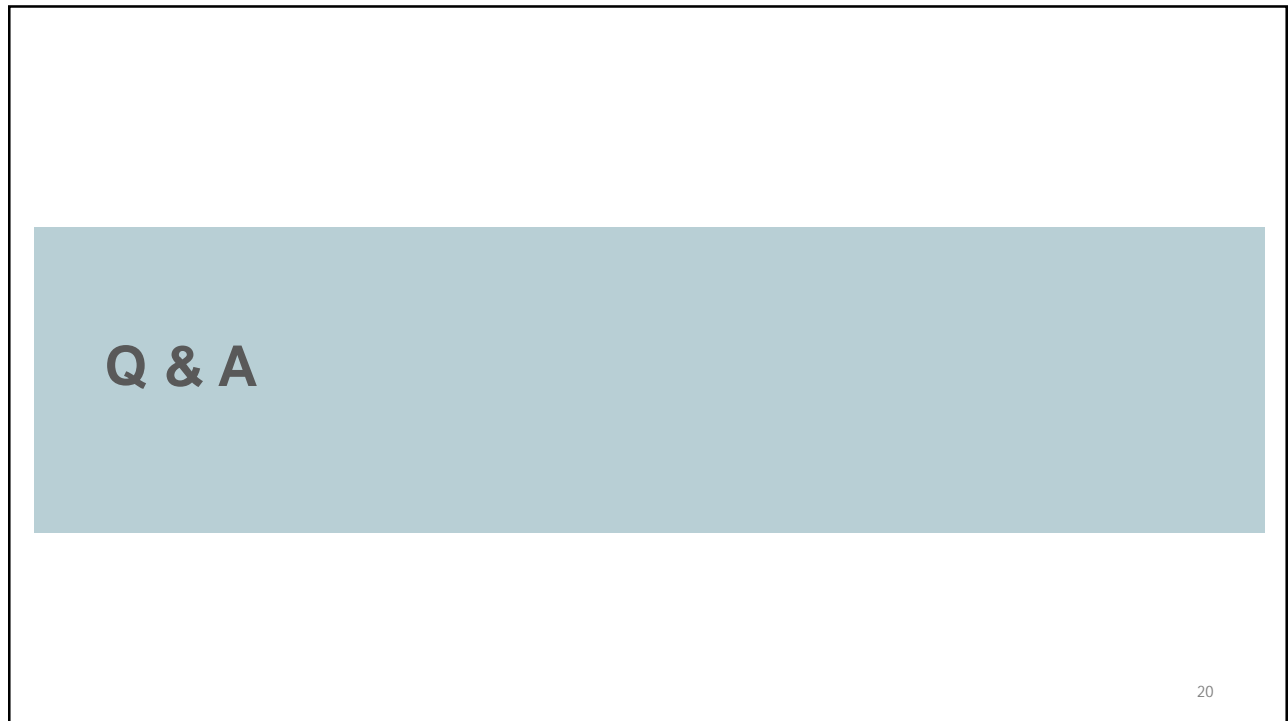


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## NEXT STEPS


- Collect feedback/questions from residents by March 15<sup>th</sup>
- Comments reviewed/comment follow-up
- Meeting summary distribution
- FAQs posted to project website

21

21

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## Comments?



Phone:  
Toll-Free Project Hotline  
(800) 233-6315

Email:  
Kevin E. Moore, P.E.  
Senior Project Manager  
[kemoore2@ncdot.gov](mailto:kemoore2@ncdot.gov)

Mail:  
Kevin E. Moore, P.E.  
1582 Mail Service Center  
Raleigh, NC 27699-1582

COMMENTS REQUESTED BY March 15, 2022

22

22

## **APPENDIX D: RESPONSE TO COMMENTS ON 2020 FEIS**

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## **APPENDIX D-1: RESPONSE TO AGENCY COMMENTS ON 2020 FEIS**

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The following represents responses to comments received from federal, state, and local agencies during the comment period for the 2020 Final Environmental Impact Statement (FEIS). A copy of the comments received are included in Appendix E.

| Agency  | Comment  |
|---|--|
| <p><i>Kevin Mitchell,<br/>Division of Water<br/>Resources NCDEQ</i></p> | <p>1. This project is being planned as part of the 404/NEPA Merger Process. As a participating team member, the NCDWR will continue to work with the team.</p> <p>Response:<br/><i>Comment noted.</i></p>  |
|   | <p>2. To meet the requirements of NCDOT’s NPDES permit NCS000250, the road design plans shall provide treatment of the stormwater runoff through BMP’s as detailed in the most recent version of the North Carolina Department of Transportation Stormwater Best Management Practices Toolbox manual. The BMPs should, to the MEP, be selected and designed to reduce impacts of the target pollutants of concern (POCs) for the receiving waters.</p> <p>Response:<br/><i>As part of the Highway Stormwater Program, NCDOT will develop and implement numerous programs on a statewide basis to protect and promote stormwater quality impacted by NCDOT discharges. Programs will be developed to ensure compliance with the National Pollutant Discharge Elimination System (NPDES) permit. NCDOT will incorporate measures to control nonpoint source water quality impacts as described in Best Management Practices for Protection of Surface Waters (NCDOT 1997) and in NCDOT Stormwater Best Management Practices (NCDOT 2014d).</i></p> |
|   | <p>3. The environmental document should provide a detailed and itemized presentation of the proposed impacts to wetlands and streams with corresponding mapping. If mitigation is necessary as required by 15A NCAC 2H.0506(h), it is preferable to present a conceptual (if not finalized) mitigation plan with the environmental documentation. Appropriate mitigation plans will be required prior to issuance of a 401 Water Quality Certification.</p> <p>Response:<br/><i>Project application for USACE dredge and fill permits under Section 404 will meet mitigation requirements found in the “Memorandum of Agreement (MOA) Between the Environmental Protection Agency and the Department of the Army Concerning the Determination of Mitigation Under the Clean Water Act Section 404(b)(1) Guidelines” (February 1990).</i></p>   |

|  |   |
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|  |   |
|  | <p>4. Environmental impact statement alternatives shall consider design criteria that reduce the impacts to streams and wetlands from storm water runoff. To meet the requirements of NCDOT’s NPDES permit NCS000250, these alternatives should include road designs that allow for treatment of the storm water runoff through best management practices as detailed in the most recent version of the North Carolina Department of Transportation Stormwater Best Management Practices Toolbox manual, which includes BMP’s such as grassed swales, buffer areas, preformed scour holes, retention basins, etc.</p> <p>Response:<br/> <i>See response to comment #2.</i></p>  |
|  | <p>5. After the selection of the preferred alternative and prior to an issuance of the 401 Water Quality Certification, the NCDOT is respectfully reminded that they will need to demonstrate the avoidance and minimization of impacts to wetlands (and streams) to the maximum extent practical. In accordance with the Environmental Management Commission’s Rules (15A NCAC 2H.0506[h]), mitigation will be required for impacts of greater than 1 acre to wetlands. In the event that mitigation is required, the mitigation plan shall be designed to replace appropriate lost functions and values. The North Carolina Division of Mitigation Services may be available to assist with wetland mitigation.</p> <p>Response:<br/> <i>Project application for USACE dredge and fill permits under Section 404 will meet mitigation requirements found in the “Memorandum of Agreement (MOA) Between the Environmental Protection Agency and the Department of the Army Concerning the Determination of Mitigation Under the Clean Water Act Section 404(b)(1) Guidelines” (February 1990).</i></p> |
|  | <p>6. In accordance with the Environmental Management Commission’s Rules (15A NCAC 2H.0506[h]), mitigation will be required for impacts of greater than 300 linear feet to any single stream. In the event that mitigation is required, the mitigation plan shall be designed to replace appropriate lost functions and values. The North Carolina Division of Mitigation Services may be available to assist with stream mitigation.</p> <p>Response:<br/> <i>Comment noted.</i></p>   |
|  | <p>7. Future documentation, including the 401 Water Quality Certification Application, shall continue to include an itemized listing of the proposed wetland and stream impacts with corresponding mapping.</p> <p>Response:<br/> <i>Comment noted.</i></p>   |

|  |   |
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|  |   |
|  | <p>8. The NCDWR is very concerned with sediment and erosion impacts that could result from this project. The NCDOT shall address these concerns by describing the potential impacts that may occur to the aquatic environments and any mitigation factors that would reduce the impacts.</p> <p>Response:<br/> <i>An erosion and sedimentation control plan will be provided during the final design stage. Best management practices to minimize sedimentation and erosion impacts during construction shall be adhered to, in accordance with the most recent version of North Carolina Sediment and Erosion Control Planning and Design Manual and the most recent version of NCS000250.</i></p>   |
|  | <p>9. An analysis of cumulative and secondary impacts anticipated as a result of this project is required. The type and detail of analysis shall conform to the NC Division of Water Resources Policy on the assessment of secondary and cumulative impacts dated April 10, 2004.</p> <p>Response:<br/> <i>Indirect and cumulative effects of the project were studied for both the proposed project and for a larger regional area that encompasses the reasonable and foreseeable projects along the I-26 Corridor. The indirect and cumulative effects for the project study area are included primarily in the ILUS/LUSA (URS 2015) and the 2018 LUSA Addendum (AECOM 2018). Supporting information is also provided in the Community Impact Assessment Update (URS 2015) and the Community Impact Assessment Addendum (AECOM 2018) conducted for the project. Additionally, a cumulative and secondary impacts analysis to water quality will also be available at the permitting stage.</i></p> |
|  | <p>10. The NCDOT is respectfully reminded that all impacts, including but not limited to, bridging, fill, excavation and clearing, and riprap to jurisdictional wetlands, streams, and riparian buffers need to be included in the final impact calculations. These impacts, in addition to any construction impacts, temporary or otherwise, also need to be included as part of the 401 Water Quality Certification Application.</p> <p>Response:<br/> <i>NCDOT will coordinate with NCDEQ’s 401 &amp; Buffer Permitting Branch to ensure all requirements are included in the 401 Water Quality Certification Application.</i></p>   |
|  | <p>11. Where streams must be crossed, the NCDWR prefers bridges be used in lieu of culverts. However, we realize that economic considerations often require the use of culverts. Please be advised that culverts should be countersunk to allow unimpeded passage by fish and other aquatic organisms.</p> <p>Response:<br/> <i>Comment noted.</i></p>  |

|  |   |
|--|---|
|  |   |
|  | <p>12. Whenever possible, the NCDWR prefers spanning structures. Spanning structures usually do require work within the stream or grubbing of the streambanks and do not require stream channel realignment. The horizontal and vertical clearances provided by bridges shall allow for human and wildlife passage beneath the structure. Fish passage and navigation by canoeists and boaters shall not be blocked. Bridge supports (bents) should not be placed in the stream when possible.</p> <p>Response:<br/> <i>NCDOT has evaluated the proposed project study area for potential crossings of large and small wildlife. Along the corridor, potential crossings include replacing existing bridge structures with new structures that include under passage of sufficient height and width to allow to movement of large mammals, including black bears. Additionally, NCDOT will continue to coordinate with the NCWRC and the USFWS on wildlife issues, including potential “hotspot” crossing areas.</i></p> <p><i>NCDOT will employ safety measures, including catchment devices on overhead structures to prevent material from falling on river users. In addition, floating navigational aids will be used to guide river users to the safe passage lane and away from the causeways/construction zone. Certain activities, such as setting girders, will require temporary river closure to ensure the safety of river users. Most of these activities are anticipated to occur at night when working with existing bridges. For new bridges, most work is expected to take place during the day.</i></p> <p><i>NCDOT has developed a communication plan for construction of the project, and NCDOT and its contractors will work with river users, businesses, and recreational river and civic groups to insure public notification of hazards and temporary closures during construction.</i></p> |
|  | <p>15. Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. To meet the requirements of NCDOT’s NPDES permit NCS000250, please refer to the most recent version of the North Carolina Department of Transportation Stormwater Best Management Practices Toolbox manual for approved measures.</p> <p>Response:<br/> <i>An erosion and sedimentation control plan will be provided during the final design stage. Best management practices to minimize sedimentation and erosion impacts during construction shall be adhered to, in accordance with the most recent version of North Carolina Sediment and Erosion Control Planning and Design Manual and the most recent version of NCS000250. Additionally, in accordance with the BMPs identified in the erosion and sedimentation control plan, bridge deck drains shall not discharge directly into the stream.</i></p>   |



|  |  |
|--|--|
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|  | <p>16. Sediment and erosion control measures should not be placed in wetlands or streams.</p> <p>Response:<br/> <i>This will be included in the erosion and sedimentation control plan provided during the final design stage.</i></p>   |
|  | <p>17. Borrow/waste areas should avoid wetlands to the maximum extent practical. Impacts to wetlands in borrow/waste areas will need to be presented in the 401 Water Quality Certification and could precipitate compensatory mitigation.</p> <p>Response:<br/> <i>NCDOT will coordinate with NCDEQ's 401 &amp; Buffer Permitting Branch to ensure all requirements are included in the 401 Water Quality Certification Application.</i></p>  |
|  | <p>18. The 401 Water Quality Certification application will need to specifically address the proposed methods for stormwater management. More specifically, stormwater shall not be permitted to discharge directly into stream or surface waters.</p> <p>Response:<br/> <i>NCDOT will coordinate with NCDEQ's 401 &amp; Buffer Permitting Branch to ensure all requirements are included in the 401 Water Quality Certification Application. In accordance with the BMPs identified in the erosion and sedimentation control plan, bridge deck drains shall not discharge directly into the stream.</i></p>   |
|  | <p>19. Based on the information presented in the document, the magnitude of impacts to wetlands and streams may require an Individual Permit (IP) application to the Corps of Engineers and corresponding 401 Water Quality Certification. Please be advised that a 401 Water Quality Certification requires satisfactory protection of water quality to ensure that water quality standards are met, and no wetland or stream uses are lost. Final permit authorization will require the submittal of a formal application by the NCDOT and written concurrence from the NCDWR. Please be aware that any approval will be contingent on appropriate avoidance and minimization of wetland and stream impacts to the maximum extent practical, the development of an acceptable stormwater management plan, and the inclusion of appropriate mitigation plans where appropriate.</p> <p>Response:<br/> <i>Comment noted.</i></p> |
|  | <p>20. If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills. Concrete shall be handled in accordance with the NPDES Construction General Permit NCG010000.</p> <p>Response:<br/> <i>Comment noted. This is standard project commitment for NCDOT.</i></p>   |

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|  | <p>21. If Temporary access roads or detours are constructed, the site shall be graded to its preconstruction contours and elevations. Disturbed areas shall be seeded or mulched to stabilize the soil and appropriate native woody species shall be planted. When using temporary structures, the area shall be cleared but not grubbed. Clearing the area with chainsaws, mowers, bush-hogs, or other mechanized equipment and leaving the stumps and root mat intact allows the area to re-vegetate naturally and minimizes soil disturbance.</p> <p>Response:<br/> <i>Comment noted. Where temporary access roads/detour structures are constructed outside of the temporary footprint, the site shall be graded to preconstruction contours and elevations.</i></p>   |
|  | <p>22. Unless otherwise authorized, placement of culverts and other structures in waters and streams shall be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and downstream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by the NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact the NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required.</p> <p>Response:<br/> <i>Comment noted. This is standard project commitment for NCDOT.</i></p> |
|  | <p>23. If multiple pipes or barrels are required, they shall be designed to mimic natural stream cross section as closely as possible including pipes or barrels at flood plain elevation, floodplain benches, and/or sills may be required where appropriate. Widening the stream channel should be avoided. Stream channel widening at the inlet or outlet end of structures typically decrease water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage.</p> <p>Response:<br/> <i>Comment noted. This is standard project commitment for NCDOT.</i></p>   |
|  | <p>24. If foundation test borings are necessary; it shall be noted in the document. Geotechnical work is approved under General 401 Certification Number 3883/Nationwide Permit No. 6 for Survey Activities.</p> <p>Response:<br/> <i>Comment noted.</i></p>   |

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|  | <p>25. Sediment and erosion control measures sufficient to protect water resources must be implemented and maintained in accordance with the most recent version of North Carolina Sediment and Erosion Control Planning and Design Manual and the most recent version of NCS000250.</p> <p>Response:<br/> <i>An erosion and sedimentation control plan will be provided during the final design stage. Best management practices to minimize sedimentation and erosion impacts during construction shall be adhered to, in accordance with the most recent version of North Carolina Sediment and Erosion Control Planning and Design Manual and the most recent version of NCS000250.</i></p>   |
|  | <p>26. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of the NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water.</p> <p>Response:<br/> <i>An erosion and sedimentation control plan will be provided during the final design stage. Best management practices to minimize sedimentation and erosion impacts during construction shall be adhered to, in accordance with the most recent version of North Carolina Sediment and Erosion Control Planning and Design Manual and the most recent version of NCS000250.</i></p> |
|  | <p>27. While the use of National Wetland Inventory (NWI) maps, NC Coastal Region Evaluation of Wetland Significance (NC-CREWS) maps and soil survey maps are useful tools, their inherent inaccuracies require that qualified personnel perform onsite wetland delineations prior to permit approval.</p> <p>Response:<br/> <i>Comment noted.</i></p>   |
|  | <p>28. Heavy equipment should be operated from the bank rather than in stream channels in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into streams. This equipment shall be inspected daily and maintained to prevent contamination of surface waters from leaking fuels, lubricants, hydraulic fluids, or other toxic materials.</p> <p>Response:<br/> <i>Comment noted. This is standard project commitment for NCDOT.</i></p>  |
|  | <p>29. Riprap shall not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed.</p> <p>Response:<br/> <i>Comment noted. This is standard project commitment for NCDOT.</i></p>  |

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|  | <p>30. Riparian vegetation (native trees and shrubs) shall be preserved to the maximum extent possible. Riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</p> <p>Response:<br/><i>Comment noted. This is standard project commitment for NCDOT.</i></p>  |
| <p><i>Caroline LaFond,<br/>Regional UST<br/>Supervisor NCDEQ</i></p> | <p>The Asheville Regional Office (ARO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or Petroleum ASTs within the project area. The UST Section should be contacted regarding use of any proposed or on-site petroleum USTs or ASTs. We may be reached at (828) 296-4500.</p> <p>Response:<br/><i>Comment noted. This is standard project commitment for NCDOT.</i></p>  |
|  | <p>Any petroleum USTs or ASTs must be installed and maintained in accordance with applicable local, state, and federal regulations. For additional information on petroleum ASTs it is advisable that the North Carolina Department of Insurance at (919)661-5880 ext. 239, USEPA (404) 562-8761, local fire department and Local Building Inspectors be contacted.</p> <p>Response:<br/><i>Comment noted. This is standard project commitment for NCDOT.</i></p>   |
|  | <p>Any petroleum spills must be contained, and the area of impact must be properly restored. Petroleum spills of significant quantity must be reported to the North Carolina Department of Environmental Quality (NCDEQ) – Division of Waste Management (DWM) UST Section in the ARO.</p> <p>Response:<br/><i>Comment noted. This is standard project commitment for NCDOT.</i></p>   |
|  | <p>Any soils excavated during demolition or construction that show evidence of petroleum contamination, such as stained soil, odors, or free product must be reported immediately to the local Fire Marshall to determine whether explosive or inhalation hazards exist. Also, notify the UST Section of the ARO. Petroleum contaminated soils must be handled in accordance with all applicable regulations.</p> <p>Response:<br/><i>Comment noted. This is standard project commitment for NCDOT.</i></p> |



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| <p><i>Deb Aja, Western District Supervisor – Solid Waste Section NCDEQ</i></p> | <p>Comments were provided on the Draft Environmental Impact Statement for this project that there are three closed unpermitted solid waste disposal sites that may be located within the project area. Notices for these sites are recorded in the Buncombe County Register of Deeds at Book 1846 on Page 101, Book 1700 on Page 260, and Book 1775 on Page 408. Otherwise the review has been completed and has found no adverse impact on the surrounding community and likewise knows of no situations in the community, which would affect this project from a solid waste perspective.</p> <p>Response:<br/> <i>A preliminary site assessment for the solid waste disposal sites within the project area was conducted in January 2019. Results of the investigation indicate landfill material is present across the entire site; however, the only observed environmental hazard was a 55-gallon drum, which was excavated and was properly disposed of. No other suspect hazardous material was observed. No visual or geophysical evidence of monitoring wells or underground storage tanks were observed on the site.</i></p> <p>During the project, every feasible effort should be made to minimize the generation of waste, to recycle materials for which viable markets exist, and to use recycled products and materials in the development of this project where suitable. Any wastes generated by this project that cannot be beneficially reused or recycled must also be disposed of at a solid waste management facility approved to manage the respective waste type. The Section strongly recommends that any contractors are required to provide proof of proper disposal for all waste generated as part of the project.</p> <p>Response:<br/> <i>Comment noted. This is standard project commitment for NCDOT.</i></p> |
| <p><i>Bonnie Ware, Inactive Hazardous Sites Branch NCDEQ</i></p>               | <p>Forty-seven (47) sites were identified within one mile of the site. The Superfund Section recommends that site files be reviewed to ensure that appropriate precautions are incorporated into any construction activities that encounter potentially contaminated soil or groundwater.</p> <p>Response:<br/> <i>One site among the 47 is anticipated to have a high severity of impact and is located within the Selected Alternative corridor in Section B. An updated geotechnical investigation will be done prior to construction authorization.</i></p>  |

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| <p><i>Melodi Deaver,<br/>Administrative<br/>Specialist Division<br/>of Waste<br/>Management,<br/>Hazardous Waste<br/>Section NCDEQ</i></p> | <p>Any hazardous waste generated from the demolition, contraction, operation, maintenance, and/or remediation (e.g. excavated soil) from the proposed project must be managed in accordance with the North Carolina Hazardous Waste Rules. The demolition, construction, operation, maintenance and remediation activities conducted will most likely generate a solid waste, and a determination must be made whether it is a hazardous waste. If a project site generates more than 220 pounds of hazardous waste in a calendar month, the HWS must be notified, and the site must comply with the small amount quantity generator (SQG) requirements. If a project site generates more than 2200 pounds of hazardous waste in a calendar month, the HWS must be notified and the facility must comply with the large quantity generator (LQG) requirements.</p> <p>Response:<br/><i>Comment noted. This is standard project commitment for NCDOT.</i></p> <hr/> <p>Generators are required to determine their generator status and both SQGs &amp; LQGs are required to obtain a site EPA Identification number for the generation of hazardous waste.</p> <p>Response:<br/><i>Comment noted. This is standard project commitment for NCDOT.</i></p>   |
| <p><i>NC Department of<br/>Environmental<br/>Quality</i></p>   | <p>After review of this project it has been determined that the DEQ permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law:</p> <ul style="list-style-type: none"> <li>• 401 Water Quality Certification</li> <li>• Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.</li> <li>• Notification of the proper regional office is requested if “orphan” underground storage tanks (USTS) are discovered during any excavation operation.</li> <li>• Plans and specifications for the construction, expansion, or alternation of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C. 0300 et. seq., Plans and specifications should be submitted to 1634 Mail Service Center Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements.</li> </ul> <p>If existing water lines will be relocated during construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center Raleigh, North Carolina 27699-1634.</p> <p>Response:<br/><i>Comment noted. This is standard project commitment for NCDOT.</i></p> |

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| <p>Office of State Archaeology (OSA)</p> | <p>In the Green Sheet, can a commitment for site 31BN623 please be added?</p> <p>Site 31BN623 is recommended NRFHP-eligible under Criterion A. It was determined during a June 30, 2015 meeting with State Historic Preservation Office and FHWA that there would be no adverse effect to the site with the placement of fill. However, NCDOT will place iron markers at either end of wall at site 31BN623 that is to be covered with fill to mark its extent. This work will be done prior to the place of fill.</p> <p>Response:<br/> <i>This revision will be included in the body of the ROD as well as the project commitments (green sheet). This information is also included in the Memorandum of Agreement (MOA) in Appendix A.</i></p>  |
|  | <p>We also need to change some of the wording for 31BN623 in Section 5.1.2 Archaeological Resources (Page 5-4). Could you please replace with:</p> <p>Site 31BN623, the Lower Hominy Hydroelectric Power Plant site, is recommended NRHP-eligible under Criterion A due to its association with the early hydroelectric and streetcar industries. This site has the potential to be impacted by the construction activities associated with the preferred alternative; however, it was determined that the placement of fill would cause No Adverse Effect to the resource. Prior to being buried by fill, iron markers will be placed at either end of the standing wall associated with the Power Plant to mark its extent within the project limits.</p> <p>Response:<br/> <i>This revision will be included in the body of the ROD as well as the project commitments (green sheet). This information is also included in the Memorandum of Agreement (MOA) in Appendix A.</i></p> |
|  | <p>Finally, a couple of sentence need deleting in Section 3.4.2.2 NRHP-Unassessed Resources and Deep Testing Area, first paragraph (page 3-60). Could you please remove...</p> <p>Site 31BN871 is located within the existing right-of-way for the project but will not be impacted by construction. A commitment to avoidance of this site will be carried forward through the construction phase of the project.</p> <p>Response:<br/> <i>This revision will be included in the ROD.</i></p>   |

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| <p><i>Renee Gledhill-Earley<br/>Environmental Review<br/>Coordinator SHPO</i></p> | <p>We look forward to reviewing the finding from the evaluation testing at the sites that have not yet been assessed for listing in the NRHP and found to be within the selected preferred alternative. We also look forward to commenting on the data recovery plan for 31BN826, the only site of the four that were determined eligible that will be adversely affected by construction, Finally, we look forward to consulting on the MOA to mitigate the adverse effects at that site, and any others if it is determined that there are additional adverse effects based on testing or changes in project plans.</p> <p>Response:<br/><i>Comment noted.</i></p> <hr/> <p>While we agree with the findings of effect on historic buildings and districts, we would strongly recommend that the MOA include all the Environmental Commitments contained in the “Green Sheets.” This recommendation is based on our understanding that the project is likely to be Design/Build. Our experience with such projects is that information and commitments located in diverse places/documents tend to be overlooked in the early planning stages. Thus, we are ready and willing to begin consultation for the drafting of a MOA that will ensure that conditions placed on the project to avoid adverse effects are fully documented along with the stipulations to mitigate the adverse effects to historic properties.</p> <p>Response:<br/><i>Comment noted. All project commitments, as developed in accordance with Section 106 of the NRHP, will be included in the MOA.</i></p> |
| <p><i>Mark Fite, Director<br/>Strategic Programs Office<br/>USEPA</i></p>         | <p>The EPA has been an active participant in the North Carolina NEPA/404 Merger process for the proposed project. The EPA reviewed the draft environmental impact statement and provided comments that identified environmental concerns related to socioeconomics, wetlands, and water quality impacts, and requested additional information in a letter dated December 7, 2015. On May 18, 2016, the EPA also concurred on the preferred and least environmentally damaging practicable alternative for Sections A through C as it provides the best balance for minimizing impacts to the human and natural environment. Based on our review of the FEIS and Appendix H1, the FHWA and the NCDOT substantively addressed our comments.</p> <p>Response:<br/><i>Comment noted.</i></p>   |



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| <p><i>Ken Putnam,<br/>Transportation<br/>Department<br/>Director, The City<br/>of Asheville</i></p> | <p>The City Council of the City of Asheville adopted Resolution # 20-57 (see attached copy) regarding the subject project on March 24, 2020 and we respectfully request that it be accepted as a part of the official comments for the Final Environmental Impact Statement (FEIS). As stated in the resolution the City of Asheville seeks a continued close working relationship with NCDOT and its design-build contractor on the ongoing design of aesthetics improvements for the project. In addition, the City of Asheville respectfully requests the NCDOT to strongly consider the following Items:</p> <p>Response:<br/><i>Comment noted. The resolution is included in the public record and a project commitment to continue working with the City to ensure that the agreed upon aesthetic improvements are incorporated into the project.</i></p> <hr/> <p>Continue collaborating with the I-26 Working Group to develop improved designs for the east side of the Patton Avenue Corridor and the Jeff Bowen Bridge and incorporate them into the Record of Decision (ROD) or the Request for Proposals (RFP).</p> <p>Response:<br/><i>NCDOT has modified designs for the east side of the Patton Avenue Corridor and the Jeff Bowen Bridge through collaboration with the I-26 Working Group. These modifications will be reflected in the ROD.</i></p> <p><i>These designs will be provided to the short-listed Design-Build Teams and referenced in the Design-Build Request for Proposals (RFP). However, design requirements, including modifications, that are not defined in the RFP will require additional compensation. Specifically, design modifications proposed by the I-26 Working Group post-Award will require execution of 1) a Supplemental Agreement between the NCDOT and the Design-Build Team for additional compensation and 2) a Municipal Agreement between the NCDOT and the City for reimbursement of the additional compensation.</i></p> <p><i>The Design-Build Team will be responsible for all activities, as deemed necessary by the Department or the FHWA, resulting from changes to the NCDOT preliminary design, including but not limited to, public involvement, NEPA re-evaluation and / or coordination with other stakeholders.</i></p> |

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|  | <p>Further reduce the size and impact of the project by tightening the footprint of all urban intersections throughout the project corridor; specifically, the Haywood Road interchange, reducing the number of lanes on the new I-26 bridge over the river and continuing north to the Broadway exit, reducing the height and radius of the I-240 flyover bridges, and reducing the visual and auditory impacts on Riverside Cemetery and the adjacent Montford neighborhood.</p> <p>Response:<br/> <i>NCDOT is committed to minimizing the overall footprint of the project to the extent practicable, and will continue to work with the I-26 Working Group to improve designs prior to the Design-Build procurement. These designs will be provided to the short-listed Design-Build Teams and referenced in the Request for Proposals (RFP). However, design requirements, including modifications, that are not defined in the RFP will require additional compensation. Specifically, design modifications proposed by the City post-Award will require execution of 1) a Supplemental Agreement between the NCDOT and the Design-Build Team for additional compensation and 2) a Municipal Agreement between the NCDOT and the City for reimbursement of the additional compensation.</i></p> <p><i>The Design-Build Team will be responsible for all activities, as deemed necessary by the Department or the FHWA, resulting from changes to the NCDOT preliminary design, including but not limited to, public involvement, NEPA re-evaluation and / or coordination with other stakeholders.</i></p> |
|  | <p>Evaluate the design team qualifications, not only for multi-disciplinary representation to include urban planning, bridge design, structural engineering and landscape architecture, but also for demonstrated experience implementing creative transportation solutions that are contextually sensitive to both the natural environment and the urban character of a scenic destination city such as the City of Asheville. Substantial weight should be assigned in the RFP evaluation criteria to the qualifications of the responder’s design team as described in the previous sentence. An aesthetics scope of work reflecting the recommendations of the City’s Aesthetics Committee should be included in the RFP. Involve the City of Asheville in the RFP process including reviewing and making comments on the response to the RFP.</p> <p>Response:<br/> <i>The aesthetic requirements will be noted in both steps of the Design-Build procurement process. Specifically, the Request for Qualifications (RFQ) will indicate that the Design-Build Team will design and construct aesthetic components for the project. In response to the RFQ, the prospective Design-Build Teams will provide a Statement of Qualifications that identifies the qualifications and experience of their project team.</i></p> <p><i>The Request for Proposals (RFP) will include an Aesthetics Scope of Work that defines the specific aesthetic requirements. The aesthetic elements will be a component of the design features in the Responsiveness to Request for Proposals Evaluation Criteria.</i></p>    |

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|  | <p>Consider (NCDOT and the design-build contractor) any new land use, greenway, or other plans or design proposals developed that impacts or relates to the project after the Record of Decision (ROD) is signed.</p> <p>Response:<br/> <i>NCDOT is committed to minimizing the overall footprint of the project to the extent practicable and will work with the City to consider new land use, greenways and other design proposals prior to the Design-Build procurement. The new features identified prior to the Design-Build procurement will be identified in the Request for Proposals (RFP).</i></p> <p><i>However, design requirements, including modifications that result from new land use, greenways or other plans or design proposals, that are not defined in the RFP will require additional compensation. Specifically, design modifications proposed by the City post-Award will require execution of 1) a Supplemental Agreement between the NCDOT and the Design-Build Team for additional compensation and 2) a Municipal Agreement between the NCDOT and the City for reimbursement of the additional compensation.</i></p> |
|  | <p>Use (NCDOT and the design-build contractor) local businesses and residents to the greatest degree possible in the construction of the project.</p> <p>Response:<br/> <i>23 USC Section 112 – Letting of Contracts: In order to maximize competition for projects, FHWA prohibits the use of in-State preferences in the selection of contractors, materials, or labor. The State Transportation Agency shall not impose any requirement or enforce any procedure which requires the use of, or provides a price differential in favor of contractors, labor, articles or materials produced within the State. These statements apply to Local Transportation Agencies as well.</i></p> <p><i>Also, under the same 23 USC Section, and under 23 CFR 635.309: FHWA requires that the advertising policies and practices of the STA must assure free and open competition. Designation of any work item or items to a specific firm or public agency would result in those items becoming ineligible for federal funding.</i></p>   |

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|  | <p>Work (NCDOT) with the City to determine a suitable use for land underneath new bridges within the project limits so that the land could be put to use for the benefit of City of Asheville residents.</p> <p>Response:<br/> <i>NCDOT has no authority to dispose of surplus right of way acquired with Federal Aid funds to any entity for non-transportation purposes without first determining if that property is no longer needed for future highway use. That determination cannot occur until after the project is completed and accepted from the D/B firm by NCDOT. If it is determined to be surplus, any disposal action must adhere to the procedures outlined in the NCDOT Surplus Property and Control of Access Committee bylaws. Depending on circumstances, prior owners and adjacent owners could have first right of refusal to acquire surplus property. Additionally, unless the property was being disposed of for use in a transportation or park project by the City of Asheville, NCDOT would be required to charge Fair Market Value for the property as determined by a licensed real estate appraiser.</i></p>  |
|  | <p>Support (NCDOT) the City’s acquisition of available right-of-way in the Patton Avenue corridor in a “development-ready” state to further the redevelopment of that corridor as envisioned by the City.</p> <p>Response:<br/> <i>NCDOT has no authority to dispose of surplus right of way acquired with Federal Aid funds to any entity for non-transportation purposes without first determining if that property is no longer needed for future highway use. That determination cannot occur until after the project is completed and accepted from the D/B firm by NCDOT. If it is determined to be surplus, any disposal action must adhere to the procedures outlined in the NCDOT Surplus Property and Control of Access Committee bylaws. Depending on circumstances, prior owners and adjacent owners could have first right of refusal to acquire surplus property. Additionally, unless the property was being disposed of for use in a transportation or park project by the City of Asheville, NCDOT would be required to charge Fair Market Value for the property as determined by a licensed real estate appraiser.</i></p> |
|  | <p>Consider (NCDOT and the design-build contractor) the City as a key partner and consult with the City during the entire contract period on all aesthetic and design modifications giving full consideration to the City’s Views.</p> <p>Response:<br/> <i>Throughout the remainder of project development, NCDOT will work with the City of Asheville to ensure that agreed upon aesthetic features are incorporated into the project. Post-award, the NCDOT will also coordinate significant design modifications with a representative from the City of Asheville. Additionally, the Design-Build Team will be responsible for all activities, as deemed necessary by the Department or the FHWA, resulting from changes to the NCDOT preliminary design, including but not limited to, public involvement, NEPA re-evaluation and / or coordination with other stakeholders.</i></p>   |
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|  | <p>1. Cover and Summary: Project Commitments – Historic Architectural Resources and Chapter 4: Montford Community (Section B) (p. 4-8) and Montford Area Historic District (p.4-47)</p> <p>The Aesthetics Committee is not limited in its cooperation with NCDOT to “design appropriate landscaping measures to minimize the visual effects of the elevated roadway adjacent to the cemetery.”” We ask that the FEIS be amended to reflect this. A more accurate statement would be that “ NCDOT is working with the Asheville esthetics Advisory Committee (AAC), formed in late 2018, to design appropriate architectural, landscaping, and other mitigation measures, including engineering design recommendations, in order to minimize the adverse visual and noise effects of the elevated roadway adjacent to the cemetery.”</p> <p>Response:<br/> <i>Comment is noted, however there will not be an errata sheet for the FEIS.</i></p>   |
|  | <p>2. Cover and Summary: Project Commitments and Chapter 4: Mitigation (p.4-34) and Chapter 8, Section 2.2.2 (page 8-10)</p> <p>The Aesthetics Committee wished to be consulted on relevant design decisions made by the design-build contractor throughout the duration of the Project. Therefore, we ask that the last sentence of the 4<sup>th</sup> bullet on the third page of the FEIS Project Commitments be amended to state, “NCDOT will coordinate with the AAC and the City of Asheville throughout the remaining planning and design of the project, including design decisions made during project construction,” We also ask that the second to the last sentence in Chapter 44: Mitigation be amended to state, “. . .an Aesthetics Advisory Committee (AAC) has been re-established by the City of Asheville to work with NCDOT and the city to address aesthetic issues throughout the planning, design and construction of the project.”</p> <p>Response:<br/> <i>An errata sheet will not be prepared for the FEIS, however NCDOT has committed to coordinating with the City of Asheville throughout the remainder of project development.</i></p> |

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|  | <p>3. Cover and Summary: “How would the visual quality be changed?” (pp.ix-x)<br/>                 The Aesthetics Committee disagrees with the statement the “Visual impacts of Section B would generally be enhanced or improved for those using the facility.” While views of the regions may be enhanced while crossing the French Broad River, if bridge design permits views, the visual experience of the Interstate traveler is likely to deteriorate due to the expanded number of lanes throughout the project. Besides the inherent visual unattractiveness of concrete travel lanes, travelers will experience loss of aesthetically pleasing green medians for which concrete medians will be substituted (even if the impact is softened through raised plantings), and the more intimate, natural feel of the current Interstate experience is likely to be lost. This statement also ignores the visual impact of Interstate travelers on Section A, which would deteriorate for the reasons explained above. A more correct statement would be that “Visual impacts of Section B would be mixed for those using the facility and visual impacts of Section A are most likely to deteriorate for those using the facility.”</p> <p>Response:<br/> <i>NCDOT understands appropriate aesthetic improvements will allow more context sensitive features in the project and reflect the vision of the Asheville community and its neighborhoods. NCDOT will coordinate with the City of Asheville throughout the remainder of project development.</i></p> |
|  | <p>4. Chapter 8: Aesthetics Advisory Committee (p.8-11)<br/>                 We recommend that all members of the current Aesthetics Committee be listed and that the last sentence be revised to say: “and includes the following past and current members” since some members have resigned. Added to the list should be Ken Dierks, Foster de la Houssaye, Joseph (Joe) Minicozzi, and Lynn Raker.</p> <p>Response:<br/> <i>Comment is noted, however there will not be an errata sheet for the FEIS. All meeting summaries and information regarding the aesthetics recommendations are available on the City of Asheville website at <a href="https://www.ashevillenc.gov/department/transportation/current-projects/i-26-connector-project/">https://www.ashevillenc.gov/department/transportation/current-projects/i-26-connector-project/</a>.</i></p>  |

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|        | <p>5. Appendix F-2<br/>           There are a number of errors and omissions in this appendix concerning the Aesthetics Committee.</p> <ol style="list-style-type: none"> <li>a. The Aesthetics Committee meeting of November 30, 2018 is not listed and the minutes to that meeting are not included, Minutes can be found on the City of Asheville’s website at <a href="https://drive.google.com/drive/folders/1R7Hkoc_OGq57b7ymDG6kj-vTCmtnxlrP">https://drive.google.com/drive/folders/1R7Hkoc_OGq57b7ymDG6kj-vTCmtnxlrP</a></li> <li>b. The Aesthetics Committee meeting of February 21, 2019 is indicated as having no minutes available. These are available on the City of Asheville’s website at <a href="https://drive.google.com/drive/folders/1FnvH_D1Va5nXbp8avEJdFfulicSraPKY">https://drive.google.com/drive/folders/1FnvH_D1Va5nXbp8avEJdFfulicSraPKY</a></li> <li>c. The Aesthetics Committee meeting of March 12, 2019 is not listed and the minutes to that meeting are not included. Minutes can be found on the City of Asheville’s website at <a href="http://drive.google.com/drive/folders/1FnvH_D1Va5nXbp8avEJdFfulicSraPKY">http://drive.google.com/drive/folders/1FnvH_D1Va5nXbp8avEJdFfulicSraPKY</a></li> <li>d. The Aesthetics Committee meeting of April 16, 2019 is not listed and the minutes to that meeting are not included. Minutes can be found on the City of Asheville’s website at <a href="http://drive.google.com/drive/folders/1FnvH_D1Va5nXbp8avEJdFfulicSraPKY">http://drive.google.com/drive/folders/1FnvH_D1Va5nXbp8avEJdFfulicSraPKY</a></li> <li>e. The Aesthetics Committee meeting of May 21, 2019 is indicated as having no minutes available. These are available on the City of Asheville’s website at <a href="https://drive.google.com/drive/folders/1FnvH_D1Va5nXbp8avEJdFfulicSraPKY">https://drive.google.com/drive/folders/1FnvH_D1Va5nXbp8avEJdFfulicSraPKY</a></li> <li>f. A draft version of the Organizing Principles of the Aesthetics Committee adopted on March 19,2019 is included in the FEIS (hard copy as the last item in Appendix F2- the meeting summary and document are missing from the online version of the FEIS). The adopted document is attached in the email transmitting these comments. The date of the Meeting at which the organizing Principles were adopted is also incorrectly given as March 22, 2019. Please correct the date of the meeting and substitute the adopted document.</li> </ol> <p>Response:<br/> <i>Comment is noted, however there will not be an errata sheet for the FEIS. All meeting summaries and information regarding the aesthetics recommendations are available on the City of Asheville website at <a href="https://www.ashevilenc.gov/department/transportation/current-projects/i-26-connector-project/">https://www.ashevilenc.gov/department/transportation/current-projects/i-26-connector-project/</a>.</i></p> |

## **APPENDIX D-2: RESPONSE TO PUBLIC COMMENTS ON 2020 FEIS**

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## Response to Public Comments on 2020 FEIS – Appendix D2

The following represents responses to comments received from the public during the comment period for the 2020 Final Environmental Impact Statement (FEIS). A copy of the comments is available online at [link](#).

### C2.1 Individual Comments and NCDOT/FHWA Responses:

| Name/<br>Comment No. | Comment/Response  |
|----------------------|---|
| 1 - James Schall     |   |
| 1-1                  | <p>The overall project is too big, and not appropriately scaled to our small mountain community. The I-26 bridge should be reduced from six lanes to four lanes.</p> <p>To accommodate the 10 to 11 lanes of freeway along Montford Hills, NCDOT appears to be taking all or portions of eleven properties. These properties could be saved by reducing the size of the I-26 bridge and shifting traffic lanes to the west toward Riverside Drive. NCDOT should specifically request that the design/build contractor use all available design changes and/or design exceptions to avoid these takings and reduce the proximity impacts of the project.</p> <p>There will also be property takings and proximity impacts along Hill Street and Courtland Avenue. The objectives of this work should include lowering the 19/23/70 roadbed along Riverside Cemetery and lowering and reducing the overall footprint of the I-240 flyovers.</p> <p>Response:<br/><i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |
| 1-2                  | <p>Traffic noise reduction is a primary concern, and noise minimization should be a primary design goal. We understand that NCDOT is considering the use of Next Generation Concrete Surface throughout the project and strongly support this specification.</p> <p>Mature tree removal should be minimized in the ROW, especially along steep slopes as found near Courtland Place, Montford Hills, and the Hibriten expansion neighborhoods.</p> <p>Additionally, NCDOT should specify that continuous reinforced concrete pavement and jointless bridge structures be utilized throughout the project as a noise reduction measure. Noise walls and attached noise barriers should also be employed to reduce the impact on neighborhoods.</p> <p>Response:<br/><i>NCDOT is electing to use Next Generation Concrete, a diamond grinding surfacing method, for the concrete paving option on roadways.</i></p>   |

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|-----------------------------|--|
|                             | <p><i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p>  |
| <p>2 - Timothy Ervolina</p> | <p>My spouse and I live at 77 Downing St, Asheville, NC 28806.</p> <p>We, along with our neighbors on Downing St, have expressed our deep concerns about the proposed sidewalks in the I-26 Connector Plan. First, we have a very narrow street, with many homes set very close to the street. The impact of sidewalk construction on our properties would be significant and negatively affect our property value and use. Further, our community is already experiencing significant drainage, storm run-off and erosion issues. The addition of a sidewalks is going to exacerbate the problem.</p> <p>While we applaud the stated reasons for the proposed sidewalks ("pedestrian safety"), we believe that this can be achieved by installing proper speed controls, including additional stop signs, speed bumps and traffic law enforcement. The cost for these improvements would be a fraction of the cost for sidewalks.</p> <p>Thank you for the opportunity to comment on this matter. We hope that you will take the residents objections to this proposal seriously as the project unfolds.</p> <p>Response:<br/> <i>A sidewalk along Downing Street will not be built as part of the project. As outlined in the Burton Street Neighborhood Plan, developed through coordination with NCDOT and Burton Street residents in 2018, a strategy was identified (Strategy 1.3.1 in the neighborhood plan) to improve pedestrian connections between community resources by installing a sidewalk on Downing Street, contingent upon agreement of the impacted property owners. NCDOT held a small group meeting with residents of Downing Street in February 2021, to solicit feedback from residents. Less than 50 percent of responses received were in support of the sidewalk to be constructed on Downing Street.</i></p> <p><i>NCDOT will continue to coordinate with the Burton Street leadership on other strategies identified in the neighborhood plan to improve safety by installing speed controls and traffic law enforcement.</i></p> |
| <p>3 - Adam Tripp</p>       | <p>I have reviewed Chapter 3, Table 3-10, and Figure 3-10 of the EIS. Based on my review, the EIS did not include the presence of a significant landfill within the construction area of the selected alternative (Alternative 4-B).</p> <p>There is a pre-regulatory landfill present along the eastern bank of the French Broad River, running continuously or intermittently from the Pearson River Bridge to the Asheville Auto Auction Junk Yard (444 Riverside Drive). Although both the Pearson Bridge Landfill and disposal that occurred at the Asheville Auto Auction are documented, the extent of this historical landfilling is not.</p> <p>Based on the results of the attached 1994 DOT Asheville Connector Environmental Study, the landfill depth extended beyond the limits of the backhoe used (13 feet). Page 17 of the document shows the landfilled area extending from Asheville Auto Auction To Pearson Bridge. Based on my professional experience performing an assessment on a property in between these landmarks, waste material is more extensive than the EIS implies.</p>  |

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| Name/<br>Comment No. | Comment/Response   |
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|                      | <p>My comment is to suggest that the cost of placing foundation elements in this area may be greater than anticipated. Therefore, the cost of Alternative 4-B may have been underestimated, when compared to other alternatives such as Alternative 3.</p> <p>Response:<br/> <i>The landfill along the east bank of the French Broad River was identified in the FEIS in Table 3-10 and discussed in Section 4.1.4.6 as a hazardous materials site with an anticipated high severity of impact. A preliminary site assessment geophysical and test pit investigation was performed on four parcels along Riverside Drive to locate landfill material disposed within this site, the results of which indicate landfill material is present across the entire site; however, the only observed environmental hazard was a 55-gallon drum, which was excavated and was properly disposed of. No other suspect hazardous material was observed. No visual or geophysical evidence of monitoring wells or underground storage tanks were observed on the site.</i></p> <p><i>NCDOT has committed to development of a work plan based on final designs will be developed for the landfill site along Riverside Drive to address any contaminated material that may be encountered during construction.</i></p>  |
| 4 - Ted Figura       | <p>The Project will have severe impacts on community cohesion in West Asheville, Burton Street and Montford. The adverse impact of the Project on these communities is more concerning because they are, to an extent, unpredictable. The initial and direct impacts of the Project will certainly create secondary and indirect impacts that will negatively alter the character of these neighborhoods in ways that cannot be foreseen.</p> <p>For the West Asheville and Burton Street neighborhoods, these adverse impacts are cumulative upon the adverse impacts created by the original construction of I-240 through these neighborhoods— impacts that remain to this day. West Asheville was divided by I-240 into East-West Asheville and West Asheville proper with the cohesiveness of the pre-Interstate West Asheville neighborhood permanently disrupted. The Haywood Road Bridge remained a link between the now separated neighborhoods. In recent years, the Haywood Road corridor has enjoyed a renaissance of commercial activity which created a growing potential for the separated neighborhoods to reintegrate somewhat through the development of a unified commercial corridor linked by the Haywood Road Bridge. Pedestrian and bicycle traffic improvements across the bridge would certainly aid in the process of creating a unified walkable and bikeable commercial corridor serving West Asheville. However, extending the length of the Bridge, as measured across the entire interchange, defeats the positive effects of a pedestrian/bicycle enhancement. The current design creates an urban “dead space” that will discourage pedestrian traffic across the Bridge and, thus, discourage walkable shopping and tourist connections between East-West and West Asheville along Haywood Road.</p> <p>Community cohesion will also be affected in other ways by the out-sized character of the Haywood Road interchange. It will force the taking of the Meadows Building, which has become an informal incubator for micro-businesses in the West Asheville community. Because of the large number and varied nature of the businesses in the Meadows Building, it has become a significant community resource and a place for social and commercial intersection to occur. The Project, as currently planned, will permanently disrupt this activity.</p> <p>Response:<br/> <i>The cumulative impacts of West Asheville and Burton Street neighborhoods have been considered in the mitigation used to offset impacts of the I-26 Connector project, and it is not</i></p> |

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| Name/<br>Comment No. | Comment/Response  |
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|                      | <p><i>anticipated the overall project design will create new division between communities.</i></p> <p><i>-The design of the Haywood Road interchange will be further reduced at the request of the City of Asheville with the goal of reducing the distance between the interchange terminals. Additionally, the bridge over Haywood Road will be designed to include sidewalks that are one foot wider than standard, and the roadway typical section will be wide enough to allow a five-foot wide bicycle lane in each direction to be striped in the future. NCDOT worked closely with the City of Asheville's Aesthetics Committee to include enhancements to the Haywood Road bridge that include signature concrete pillars, decorative lighting, stamped and stained sidewalks, space for artistic medallions, boxed abutments, heavily landscaped medians, and tiered retaining walls.</i></p> <p><i>-NCDOT has committed to mitigating effects on the Burton Street community that cannot be avoided or minimized. NCDOT is coordinating with the community to provide additional mitigation opportunities to lessen the burden of the project on these residents.</i></p> <p><i>Where residential and business relocations cannot be avoided, NCDOT will perform right-of-way acquisition and relocation in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) and North Carolina's Uniform Relocation Assistance and Real Property Acquisition Policies Act (NCGS 133-5 through 133-18). Microbusinesses will be treated the same as other businesses during right-of-way acquisition. Businesses within properties that are relocatees, such as those in the Meadows building, will be eligible for relocation assistance.</i></p> <p><i>This commentor and others have actively participated on the Aesthetics Committee for this project. NCDOT has continued to coordinate with the Aesthetics Committee to minimize project impacts.</i></p> |
| 4-2                  | <p>Closing Hanover Street at its intersection with Haywood Road will also have serious community impacts. First of all, it will significantly affect access to B&amp;B Pharmacy. B&amp;B Pharmacy is a locally-owned and operated general drug store and a landmark within the West Asheville community. While not being taken by the Project, the convenience of its customers will be severely impaired by the Hanover Street closure and restricted access to B&amp;B Pharmacy parking that will result. If a resulting decline in business were to lead to the closure of the pharmacy, the impact would be more than just the loss of a single business— it would represent a cultural loss to the West Asheville community.</p> <p>Response:<br/><i>NCDOT has worked with the State Historic Preservation Officer (SHPO) regarding impacts to the B&amp;B Pharmacy, which includes commitments to retain access to the parking behind the building.</i></p>   |
| 4-3                  | <p>The adverse effects of the Project on Riverside Cemetery have been widely discussed. To the extent that Riverside Cemetery's serenity and beauty is disturbed by the Project, this represents a significant loss of community cohesiveness. While the neighboring communities may be the most impacted by the loss of amenity, this impact on community cohesion extends throughout Asheville, as people from all over come to the Cemetery for peace and rejuvenation. The loss of this unique place, even though it be partial, affects the fabric of the entire community. Remedies have been suggested by the Consulting Parties to the Riverside Cemetery Section 106 process and I agree with those remedies. The I-26 Aesthetics Committee has also resolved in support of mitigations to the adverse impact to the Cemetery and these, as well as the Consulting Parties' position paper, are incorporated by reference into these comments.</p>   |



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|                      | <p>Response:<br/> <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p>  |
| 4-4                  | <p>All of these adverse impacts on West Asheville and the Burton Street Community can be significantly lessened or removed if the Haywood Road interchange is tightened and the resulting loss of footprint is used to shift the western boundary of the Project to the east. Along with Mountain True, and in alignment with upcoming recommendations from the 1-26 Aesthetics Committee, I urge NCDOT to incentivize the design-build contractor to discover and implement solutions that would accomplish these purposes.</p> <p>Community cohesion in the Montford Neighborhood will also be severely impacted by the Project. That portion of the neighborhood itself that is proximate to the new Interstate will become a noticeably less desirable place to live because of noise pollution and unattractive visual aesthetics coming from the Interstate. Livability and potentially walkability in these neighborhoods will be negatively impacted by increased noise coming from the Interstate. The views of a “towering” Interstate road system, particularly the crossings over the French Broad River, stand to be antithetical to a peaceful and pleasant visual enjoyment of the neighborhood. All of this has the potential to impact the cohesiveness of these neighborhoods by discouraging neighborhood interactions, creating experiential dissonance and reducing property values.</p> <p>Response:<br/> <i>NCDOT has redesigned the Haywood Road interchange through coordination with the City of Asheville and will request in the Request for Proposals (RFP) to Design Build teams that the interchange be tightened further where practicable.</i></p> |
| 4-5                  | <p>I am requesting that the adverse impacts of the Project on community cohesion stated above be generally acknowledged either through a revision/correction of the FEIS or as a statement in the Record of Decision. Furthermore, I am requesting that acknowledgement of these adverse impacts be incorporated into the design-build contract RFP and that consideration be given in the selection of a design-build contractor to the responder’s sensitivity to and commitment to mitigating these adverse effects.</p> <p>Response:<br/> <i>The Design Build teams’ ability to further reduce impacts will be seen favorably which will be reflected in their technical scores used to determine the selected team for the project.</i></p>  |
| 4-6                  | <p>Summary, page viii, Community Effects, Concentrations of Low Income or Minority Populations - As noted above, the Burton Street Community, an historically African-American neighborhood, is adversely impacted by the Project. The FEIS fails to mention the adverse impact of the proposed Haywood Road median (noted above) on this community.</p> <p>Response:<br/> <i>NCDOT acknowledges impacts to the periphery of neighborhood access and has been engaged with the Burton Street community throughout project development to provide additional mitigation opportunities to lessen the burden of the project on these residents. NCDOT funded facilitation of the Burton Street Neighborhood Plan, which was adopted by the Asheville City Council as an official plan in October 2018, which identified multiple strategies to help lessen the burden to the community.</i></p>  |

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| 4-7                  | <p>Summary, page ix, Existing Business Community - The conclusion that the Project would not have any long-term negative effects on the existing business community or that such effects would be only temporary ignores a number of factors that would contribute to more severe adverse effects on existing businesses. As noted above (comment #1), the lengthening of the distance of the interchange along Haywood Road would lead to the permanent loss of opportunities for positive agglomeration effects and connectivity effects and, thus, would substantially diminish the long-term potential for business growth and the economic development of the Haywood Road commercial corridor. This likely adverse impact should be noted and, as recommended in comment #1, the design-build contractor should be incentivized to find an acceptable design solution that reduces the length of this interchange. This section of the FEIS also minimizes the potential negative effect of business disruption along the Haywood Road commercial corridor during the Project’s construction period. The Haywood Road Bridge is a vital connector between East-West Asheville and the remainder of West Asheville and is used not only by residents of greater West Asheville but also by customers and tourists traveling to businesses along the Haywood Road commercial corridor from outside these neighborhoods. The West Asheville Business Association (WABA) has expressed concern to NCDOT over the effects on member businesses of construction-caused delays and traffic congestion. The FEIS and/or the ROD should note this potential for severe negative impacts on existing businesses during the Project construction period. NCDOT is requested to require the design-build contractor to put in place all feasible measures that would prevent the disruption of traffic along Haywood Road due to Project-associated construction.</p> <p>The FEIS further minimizes the likely disruption to tourism caused by Project construction. Tourism is a key industry for Asheville, one of its largest employers and a major component of the region’s economic base. While NCDOT has estimated a Project construction timeframe of about five years, recent history suggests that the construction period is likely to last at least a decade. During this time, the potential exists for frequent and major construction-induced traffic congestion which will include not only congestion along the Interstate but also congestions of City streets and secondary routes as Interstate congestion diverts traffic onto surface streets.</p> <p>Providing temporary auxiliary lanes during construction is not an acceptable solution to this problem, as this only needlessly increases the footprint of the Project. Instead, the design-build contractor should be required to implement all feasible best practices for reducing traffic congestion during construction, including but not limited to stopping construction during peak hours, moving or removing barriers when construction is not occurring when this would allow traffic to use travel-ready lanes, scheduling the most intensive construction during low-traffic hours, and providing incentives and active management to encourage zipper merging when lanes are closed.</p> <p>Finally, this section ignores the severe adverse impact on existing businesses located in the Meadows Building, which is scheduled for demolition under current plans. While most businesses in the Meadows Building are not retail businesses, most will find it difficult to relocate and are likely to cease operations if forced to move. The Meadows Building provides relatively inexpensive rent to almost two dozen micro-businesses in West Asheville. Commercial space in older functional buildings that can offer rents that are affordable to micro-businesses is scarce. The demand for such space has recently been exacerbated by the planned retrofitting of the Flat Iron Building in Downtown Asheville as a hotel. While this may have been the only realistic reuse of that building that could provide the owner with a revenue stream to finance needed renovations and repairs, it has displaced scores of small businesses who now need to find affordable rental space. Thus, tenants of the</p> |

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|                      | <p>Meadows Building will face a difficult and competitive relocation environment and many may not survive the transition if forced to move.</p> <p>It is recommended in comment #1 that NCDOT incentivize the design-build contractor to arrive at a design solution that spares the need to take the Meadows Building. If this cannot be accomplished, I recommend that NCDOT, in coordination with other federal, state and local agencies, provide the maximum available assistance to tenants of the Meadows Building to assist in relocation and business stabilization during the period following relocation.</p> <p>Response:<br/> <i>NCDOT has redesigned the Haywood Road interchange through coordination with the City of Asheville and will request in the Request for Proposals (RFP) to Design Build teams that the interchange be tightened further where practicable. As part of the scope outlined in the RFP, the teams will be required to target audiences, to include businesses, for informational materials. The Design Build team will also be required to address notification/signing for business access during construction activities and reduce operational impacts where possible. The contractor will also be in constant communication with the City of Asheville and local NCDOT representatives such that they can react to issues any issues that may arise.</i></p>  |
| 4-8                  | <p>Summary, page xii. Indirect and Cumulative Effects - The statement that the Project “is not anticipated to result in substantial indirect or cumulative effects” is not accurate. The Project will have numerous and long-lasting adverse indirect and cumulative effects on the City of Asheville. These include but are not limited to: the adverse effects on community cohesion described in comment #1; the permanent reduction in the desirability of the Hibriten and Westover neighborhoods in Montford, “the States” neighborhood in West Asheville both from noise impacts and from the closure of Hanover Street, the Burton Street Community as indicated in comment #1, and the neighborhoods between the Interstate and Westwood Place in West Asheville; and the adverse effects on the West Asheville business community described in comment #3 and, particularly, the impact on B&amp;B Pharmacy described in comment #1.</p> <p>Additionally, as noted in the comments submitted by Mountain True, the Project will permanently change and affect the character of the City of Asheville, with likely negative consequences on tourism (through the creation of dissonance with the small-city uniquely Asheville feel) and livability for its residents (as presaged by such community responses as the Don’t Wreck Asheville Coalition and the overwhelming number of comments opposed to the Project during recent public hearings and presentations conducted by NCDOT).</p> <p>While these adverse indirect and cumulative effects are inherent to the Project, they should not be glossed over in the FEIS. Furthermore, as they are acknowledged, the importance of taking aggressive measures to minimize the impact of the Project on the City and, thus, reducing its adverse indirect and cumulative impact, should be highlighted. This not only involves incentivizing the design-build contractor to find design solutions that reduce the footprint and impact of the Project but also aggressively pursuing design exceptions for the Project and prioritizing Project impact minimization.</p> <p>It is recommended that the FEIS be revised to acknowledge the adverse indirect and cumulative effects that the Project will cause and/or that the acknowledgement of these effects be incorporated into the ROD. It is also recommended that the design-build contractor selection process reward responders who show sensitivity to the Project’s potential to create adverse indirect and cumulative impacts and who show a commitment to seek design solutions to reduce those impacts.</p> <p>Response:</p> |

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| Name/<br>Comment No. | Comment/Response  |
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|                      | <p><i>In response to the RFQ, the prospective Design-Build Teams were required to provide a Statement of Qualifications that identified the qualifications and experience of their project team. In the RFP phase, after teams have been shortlisted, there are various aspects of the RFP that play a role in recognizing a Design Build team’s plans and approach. First, the Technical Review Committee will include a local NCDOT Division 13 representative to ensure recognition of local priorities, the Environmental Permits scope of work portion of the RFP requires a “Good or Better” plan for impacts and team proposals will be reviewed by NCDOT subject matter experts in this area who are very familiar with the topic. Lastly the Design Build teams’ ability to further reduce impacts will be seen favorably which will be reflected in their technical scores used to determine the selected team for the project.</i></p>   |
| 4-9                  | <p>Summary, page xiii, Unresolved Issues - The list of unresolved issues identified by NCDOT is incomplete. A major unresolved issue that is not included in this statement is the disposition of NCDOT right-of-way that becomes surplus to the Project needs. The City of Asheville has requested that such parcels as are developable be transferred to the City (or if this is not feasible to the appropriate private parties) for redevelopment. The identification of such parcels and the method of transfer will not be resolved until construction of the Project has been completed and this needs to be listed as an unresolved issue.</p> <p>Of course, the “elephant in the room” unresolved issue is the final design of the Project itself. The December 4, 2018 maps show the Project at only about 30% design completion. The Project will not achieve final design until after the engagement of a design-build contractor to construct the Project. Thus, a large number of design issues remain unresolved that, potentially, could allow the Project to become less adversely impactful and more in keeping with the needs, desires and character of the City of Asheville— or these goals may fail to be achieved.</p> <p>Response:<br/> <i>NCDOT has no authority to dispose of surplus right of way acquired with Federal Aid funds to any entity for non-transportation purposes without first determining if that property is no longer needed for future highway use. That determination cannot occur until after the project is completed and accepted from the D/B firm by NCDOT. If it is determined to be surplus, any disposal action must adhere to the procedures outlined in the NCDOT Surplus Property and Control of Access Committee bylaws. Depending on circumstances, prior owners and adjacent owners could have first right of refusal to acquire surplus property. Additionally, unless the property was being disposed of for use in a transportation or park project by the City of Asheville, NCDOT would be required to charge Fair Market Value for the property as determined by a licensed real estate appraiser.</i></p> <p><i>NCDOT is committed to minimizing the overall footprint of the project to the extent practicable, and has collaborated with the I-26 Working Group and other stakeholders to improve designs prior to the Design-Build procurement. Designs not already incorporated into the preliminary design will be provided to the short-listed Design-Build Teams and referenced in the Request for Proposals (RFP). The Design-Build Team will be responsible for all activities, as deemed necessary by the Department or the FHWA, resulting from changes to the NCDOT preliminary design, including but not limited to, public involvement, NEPA re-evaluation and / or coordination with other stakeholders.</i></p> |
| 4-10                 | <p>Chapter 2, pages 2-1 thru 2-5, No Build Alternative - In consideration of the No-Build alternatives, NCDOT employed an essentially flawed logic—that is, if a No-Build alternative could not, by itself, accomplish the Purposes and Goals of the proposed Project, it was rejected and no longer considered. This approach fails to take into consideration the impact of various no-build alternatives to mitigate the impact of the Project by allowing less</p>  |



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|                      | <p>extensive transportation design solutions to meet the Purposes and Goals. By failing to incorporate possible no-build alternatives that could provide some benefit with regard to reduce traffic demand or to improve traffic efficiency, and by failing to demonstrate the individual and cumulative impacts of various no-build alternatives to these affects, NCDOT designed the Project without properly considering all opportunities to mitigate the adverse impacts of the Project.</p> <p>Essentially, by only allowing deficiencies to be corrected and Purposes and Goals to be achieved through the Build alternative, the Project design is potentially unnecessarily impactful.</p> <p>Prior to the issuance of the ROD, NCDOT should be required to carefully consider the potential for various no-build alternatives to reduce the need for capacity enhancements, particularly the need for additional travel lanes and auxiliary lanes, with the goal of reducing the Project footprint wherever possible through the incorporation of no-build solutions that would benefit the Purposes and Goals of the Project.</p> <p>Response:<br/><i>As noted in the DEIS and FEIS, NCDOT analyzed less extensive transportation solutions to meet the transportation need of the project including Transportation Systems Management Alternatives, Transportation Demand Management Alternatives, and various mass transit alternatives. These alternatives are acknowledged as valuable components in improving transportation in the Asheville area, however these measures alone would not meet the purpose and need of the project to provide system linkage and adequate relief of congestion in the project area and therefore were not considered reasonable and feasible for this project.</i></p> |
| 4-11                 | <p>Chapter 2, page 2-21, Selection of the Preferred Alternative: Reference to Alternative 4B - Although undoubtedly the term of art commonly used in transportation analysis, the use of the term “preferred alternative” in relation to the selection of Alternative 4-B is misleading. Rather than Alternative 4-B being preferred by the City of Asheville and interested community stakeholders, Alternative 4-B was seen as the least bad of the alternatives presented by NCDOT. It was widely recognized that Alternative 4-B, as it stood in the DEIS, was not an acceptable solution to the Interstates crossing the French Broad River while keeping Interstate traffic off of the Captain Jeff Bowen Bridge and that considerable modification would need to occur in order for Alternative 4-B to become acceptable. Alternative 4-B was selected only to prevent NCDOT from selecting a worse alternative in the absence of a recommendation from the City. This history should be reflected in the FEIS.</p> <p>Response:<br/><i>Comment noted. The term "Preferred Alternative" is used by NCDOT as part of the National Environmental Policy Act (NEPA) process to indicate the alternative that best meets the transportation need while being most in line with the Least Environmentally Damaging Practicable Alternative (LEDPA), which is chosen by a team of local, state, and federal environmental resource and regulatory agencies.</i></p>  |
| 4-12                 | <p>Chapter 2, page 2-2836 - Year 2040 No-Build Traffic Projections - Past traffic projections for I-240/I-26 have significantly overestimated traffic demand when compared to later traffic volumes that actually occurred. The argument for why this should not be the case with current traffic demand models is that traffic modeling has improved. However, this argument basically boils down to “trust us.”</p> <p>Mechanisms should be put in place to test projections against actual occurrence and adjust traffic capacity needs accordingly, including the elimination of planned travel or auxiliary lanes. This should be done with relatively recent models to compare projections against current and near-term future actual traffic volumes. Overestimations should be extrapolated</p>  |

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|                      | <p>into the current model and capacity needs should be scaled back if indicated by these comparisons. I request that this be a requirement in the design-build contract for the Project.</p> <p>Response:<br/> <i>The development of traffic forecasts for future year scenarios utilizes several tools, including a review of past growth rates for roadways within the study area, socioeconomic projections, and planned improvements to the transportation network. Each time a traffic forecast is updated these factors are again reviewed and the forecast is refined. The forecast development process requires the forecaster to utilize engineering judgment based on the current plans and socioeconomic projections approved at the time of the forecast. It is not possible to assess and apply adjustments due to the perception of overestimation as it is rare that an area develops exactly as was planned as development trends often change and projects are delayed or changed in scope, affecting the outcome. The best that the forecast can do is take the information available and make informed judgments on the most likely future outcome. The travel demand model is just one tool that is used in the traffic forecast process and is based on data developed and approved by the local governments. The population and employment projections, as well as the location and intensity of this growth have varied substantially within the French Broad River MPO area over the past 20 years and are based on how the local governments anticipate the region growing. Therefore, comparison of one forecast to another or an earlier forecast to a future outcome where the underlying assumptions didn't occur is not appropriate.</i></p> <p><i>The current 20-year growth rate using data from 2000 to 2019 shows that the annual growth rate for I-40 ranges between 0.8 and 1.4 percent per year, while I-240/I-26/US 19-23 (Future I-26 corridor) ranges between 0.6 and 1.7 percent. The latest traffic forecast (Traffic Forecast Report for I-26 Connector from I-40 to US 19-23-70, Patriot Transportation Engineering, PLLC, October 2022) includes growth rates between 2021 and 2045 along I-40 that range from 0.9 to 1.3 percent, while the I-26 corridor ranges between 1.1 and 1.9 percent. This forecast is the basis for the analysis utilized in the Record of Decision and will be utilized in the design-build contract. The selected growth rates are consistent with past traffic growth on area roadways and consider the current and planned growth and transportation improvements within the region. Based on the standard procedures for developing future year traffic volumes the forecast is appropriate for use in the design-build process.</i></p> |
| 4-13                 | <p>Chapter 2, page 2-43, 1-26 Configuration Between Amboy Road and Brevard Road - The number of auxiliary lanes connecting the Brevard Road and Amboy Road interchanges appears to be excessive. These should be reduced to single lanes in each direction. I request that the design-build contractor be asked specifically to reevaluate the need for two uni-directional lanes for the service road between the Brevard Road and Amboy Road interchanges.</p> <p>Response:<br/> <i>The number of lanes in this configuration was designed to address projected future traffic capacity needs which include both local and regional growth in traffic and is appropriate to meet future traffic needs and to maintain adequate traffic operations.</i></p>   |
| 4-14                 | <p>Chapter 2, page 2-45, Riverside Drive Widening - The addition of a center turn lane (aka "suicide lane") is unnecessary and should be eliminated from the design of Riverside Drive. I request that the requirement for a center turn lane on Riverside Drive not be included in the ROD and/or in the RFP for the Project.</p> <p>Response:</p>  |

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|                      | <p><i>NCDOT has coordinated with the City of Asheville to incorporate a two-lane road with buffered bike lanes in the design for Riverside Drive. The Design Build teams will be directed to use this typical section in their designs.</i></p>   |
| <p>4-15</p>          | <p>General Comment - While this comment does not pertain to a specific item in the FEIS, I feel that it is appropriate to make at this time. Due to the economic impacts of the COVID-19 virus pandemic, revenues supporting the NCDOT transportation construction budget have fallen precipitously. I understand that on April 7, 2020, the State Secretary of Transportation ordered a halt to any project that is not under construction unless it is deemed critical or is bond funded. At the least, it can be said that the state of funding for the 1-26 Connector Project is uncertain at the present time. It is entirely possible that the Project will not be able to be funded in its entirety in FY 2021 as envisioned. It is also possible that the Department may be requested to seek ways to reduce the cost of the Project, whether it is allowed to go forward as planned or is delayed. In light of this possibility and the funding uncertainties, I wish to make the following comments.</p> <p>a. If Project cost reductions are ordered, it will be tempting to value engineer the Project in ways that will significantly impact the quality of what is constructed. This could include a stripping away of all amenities, even amenities that are considered or have been deemed standard. It is of vital concern that this route not be taken. Doing so would immensely amplify the adverse impact of the Project on the City of Asheville.</p> <p>b. Rather than value engineer quality, I would encourage NCDOT to look at other potentially cost-saving measures that would also greatly improve the Project from the standpoint of the Asheville community. These measures could include but not be limited to:</p> <ul style="list-style-type: none"> <li>i. reducing the number of lanes in Section B east of the French Broad River to six lanes in each direction;</li> <li>ii. reducing the number of lanes on the new French Broad River Bridge from six lanes to four lanes;</li> <li>iii. reducing the number of lanes on the “service road” connecting the Amboy Road and Brevard Road interchanges to one in each direction;</li> <li>iv. eliminating auxiliary lanes wherever possible and replacing “continuous merge” lanes that extend from interchange to interchange with standard merge lanes; and</li> <li>v. shortening the length of the new Haywood Road Bridge by tightening the interchange as suggested above.</li> </ul> <p>c. Reprioritize the order of construction so that the most essential portions of the Project are constructed first, with other portions potentially delayed until funding is available. Dividing the Project into discreet parts would allow each to be funded separately, requiring smaller appropriations to fund each part and allowing funding to be spread out over a longer time period. From a community standpoint, the two most essential components of the Project are: 1) adding the missing traffic movements to the I-26/I-240/I-40 interchange and 2) rectifying the dangerous weaving merge of 1-240 and 1-26 traffic with local Patton Avenue traffic on the Bowen Bridge. The latter, of course, also entails constructing an interstate crossing of the French Broad River. However, rather than constructing the entire Section B, only the components that are absolutely necessary to achieve the primary goal of separating interstate traffic and local Patton Avenue traffic should be constructed if funding becomes limited.</p> <p>I would then suggest that the following discreet components would be next in priority: 1) the planned improvements to the Smokey Park Highway interchange to relieve congestion there; 2) Amboy Road interchange improvements to eliminate the current left merge on 1-240; and 3) the reconfiguration of Patton Avenue, 1-240 and the connecting city streets east of the French Broad River, unless this is deemed necessary in order to accomplish the separation of interstate and local traffic on the Bowen Bridge.</p> |

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|                      | <p>Next, 1 would prioritize the planned improvements to Riverside Drive in order to obtain the benefit of a Complete Streets treatment to this roadway. Finally, I would prioritize the remainder of Section B and Section A, with Section A returned to its original geographic boundaries and prioritized last. If this order of construction is followed, it will allow the positive effects of constructing the first two priority items on reducing traffic congestion to occur and be evaluated prior to the widening of these sections. The impact of the two highest priority Project elements would likely change the travel demand dynamics for both Sections A and B. Therefore, prior to expanding the remainder of Sections B and A, a new travel demand model should be run to confirm the necessity to undertake the planned work.</p> <p>Response:<br/> <i>Planning on this project was not halted as a result of the pandemic and all sections of the project are funded in NCDOT's Strategic Transportation Improvement Program.</i></p>  |
| 5 - Mountain True    |   |
| 5-1                  | <p><u>Project Commitments</u></p> <ol style="list-style-type: none"> <li>1. While this is assumed in the FEIS, the selection of Alt. 4B as the preferred alternative resulted in several important benefits for Asheville, including that Patton Avenue could become an urban boulevard, that impacts to the Burton Street community would be minimized, and that the Hillcrest neighborhood would be afforded a direct connection to Patton Avenue.</li> <li>2. Also assumed in the FEIS is the six-lane cross section in Section A that resulted from the long-time advocacy of Asheville community members. While the auxiliary lanes will boost the footprint to eight or nine lanes near the Haywood Road interchange, had the originally proposed 8-lane cross section been adopted, the overall footprint would have been that much larger. We also appreciate the further refinements to Section A in the last two years that resulted in even more homes being saved.</li> <li>3. Designating the Burton Street Community to receive mitigation measures from both NCDOT and the City of Asheville. This community has been previously impacted by road and highway construction, and we appreciate NCDOT's efforts to mitigate the harm from this project.</li> <li>4. The inclusion of five miles of new bike/pedestrian infrastructure as part of the project and to be paid for by NCDOT, as well as enhanced bike/pedestrian infrastructure to be paid for by the City of Asheville. Our preference is that NCDOT pay for all of these bike/pedestrian enhancements as they represent a fraction of the project costs, but we understand NCDOT policy dictates cost-sharing in some instances. We appreciate the recent change in NCDOT's Complete Streets policy that reduces the City's cost on some bike/pedestrian improvements, but we also wish it went further.</li> <li>5. The commitment to coordinate with the Aesthetics Committee and the City of Asheville throughout the remaining planning and design of the project. In addition, we ask NCDOT to reflect its verbal commitment to include the City of Asheville as a key partner in the selection of the design build contractor and for the duration of the construction of the project, consulting with the City on aesthetic and design modifications.</li> <li>6. Choosing the smallest footprint for Section C, which saved many homes, and adding a new exit ramp to Smokey Park Highway that will help relieve pressure on the existing roadway and interchange.</li> <li>7. The commitment to minimizing the overall footprint and continuing to work with the City of Asheville on additional design concepts for certain sections of the project. We note with satisfaction the reduced impacts by almost every measure in Table S-1 of the FEIS and hope even more can be realized as the project moves forward.</li> </ol> |

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|                      | <p>Response:<br/><i>Comments noted.</i></p>  |
| 5-2                  | <p>1. Page vii - Community Effects, Community Facilities and Services. In addition to the facilities listed, we note that the B&amp;B Pharmacy will also be impacted by the closing of Hanover Street. As the only pharmacy on the Haywood Road business corridor and a locally owned business, we believe it qualifies as a community facility and service. Likewise, the Community Baptist Church in the Burton Street Community will be impacted by the right in-right out limitation proposed for Haywood Road. That limitation will make it more difficult for parishioners to access the church. The minister of the church has expressed his concern that this change, along with losing some parking, may be fatal to the congregation.</p> <p>2. Page viii - Community Effects, Neighborhoods and Community Cohesion. While it is true that the project does not newly cut through neighborhoods and primarily takes homes and businesses along the edge of the existing highway, this section understates the impact of this project on affected neighborhoods. As a starting point, the loss of any homes or businesses in a neighborhood has the potential to significantly impact community cohesion, depending on who lived in the home and the nature of the business. Second, in West Asheville, extending the Haywood Road interchange to over 200 feet wide creates a significant divide in the continuity of the ever growing Haywood Road business corridor that could prove too far for some people to cross. The hope is that this bridge crossing will include robust bicycle and pedestrian facilities that will prioritize the safe movements of our most vulnerable road users, but the design of the intersections will need to be improved for that hope to be realized.</p> <p>Also, the increased noise that will come from a much wider and more heavily used highway has the potential to impact community cohesion in that outdoor gathering spaces may no longer be pleasant and may not be used as often, resulting in neighbors spending less time with each other. This is a possibility throughout the entire corridor.</p> <p>Finally, we do not know precisely the impact this expansive highway project will have on our identity as a small, eclectic, vibrant mountain city. Highway projects have historically destroyed neighborhoods, divided cities, and forever changed the face of the place they are built. A highway this size is more commonly seen in large cities like Charlotte, Raleigh, and Atlanta where millions of people move around each day. While the NCDOT models show that, in 25 years, Asheville will need the enormous capacity being built today, there remains significant concern that the project will be too large even then. We do know, however, that it is significantly oversized for our current and near-term travel needs and that we will live with that mis-match for years to come and possibly forever.</p> <p>We can only hope that the benefits of the project - improved safety, a new and beautiful Patton Avenue, and improved bike/pedestrian connectivity - largely compensate for the physical and psychological burden of its size.</p> <p>Response:<br/><i>Various design refinements have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and the Hillcrest Apartment Community. Other design refinements that will be implemented during the final design stage include multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, and reduction of lanes on the Bowen Bridge design, among others. These changes collectively will reduce the number of residential and business relocations throughout the project.</i></p> |



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|                      | <p><i>The refined preliminary designs for the Selected Alternative also incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p>  |
| 5-3                  | <p>Page viii - Bicycle and Pedestrian Transportation. Again, we appreciate the inclusion of the following new and significant bike and pedestrian facilities:</p> <ul style="list-style-type: none"> <li>a. between the Brevard Road and Amboy Road exits and down to the river</li> <li>b. from Haywood Road to and across the eastbound Bowen Bridge to Clingman Avenue</li> <li>c. a wider sidewalk along Patton Ave., between Florida Ave. and the Bowen Bridge</li> <li>d. a bike facility within the footprint of a rebuilt Riverside Drive.</li> </ul> <p>NCDOT has also been helpful in working with the City of Asheville on improvements to pedestrian and bike facilities in other locations. Final decisions about the multi-use path on the westbound Bowen Bridge remain, and we strongly request that NCDOT choose the two-lane option for the bridge that allows for a much wider multi-use path.</p> <p>Response:<br/> <i>Preliminary designs for the Bowen Bridge have been modified to reduce the lanes on the westbound bridge from three to two. Multi-use paths (MUP) are to be installed on both spans of the bridge with a bi-directional, striped bike path, separate from the MUP on the south (eastbound) bridge span.</i></p>  |
| 5-4                  | <p>Page viii - Relocations. The statement in this section that the project would not “affect” any cemeteries in the study area is incorrect. Though the project does not require the relocation of Riverside Cemetery, the project clearly has a significant effect on it. We also ask NCDOT to ensure that they have included in its business relocation numbers all of the businesses that are in the Meadows Building on Haywood Rd.</p> <p>Response:<br/> <i>The FEIS noted the project will have an adverse effect on Riverside Cemetery. Since publication of the FEIS, a Memorandum of Agreement (MOA) was finalized between NCDOT and the State Historic Preservation Officer (SHPO), the Asheville City Parks and Recreation Department, the Montford Neighborhood Association, the City of Asheville Transportation and Planning and Urban Design Departments, and the Preservation Society of Asheville and Buncombe County, in which NCDOT agrees to lessen the property impacts resulting from the project by providing funding or services for various measures as outlined in the MOA.</i></p>  |
| 5-5                  | <p>Pages xiii and xiv - Unresolved and Controversial Issues. We agree with the issues listed in these two sections, but we would encourage more specificity on a wider range of issues. We see the following as the unresolved and remaining controversial issues, all of which we hope will be resolved to our satisfaction prior to the Record of Decision (ROD) being signed or prior to the Request for Proposals being issued:</p> <ul style="list-style-type: none"> <li>a. We continue to object to the new I-26 bridge being six lanes and the larger footprint that creates heading north to the Broadway exit. Since the traffic capacity analysis indicates four lanes could be sufficient, we ask NCDOT to adopt the less-damaging, smaller footprint.</li> <li>b. We encourage NCDOT to continue to seek ways to reduce the height, radii, and overall footprint of the new I-240 flyovers.</li> <li>c. We support the ongoing work between NCDOT, the City of Asheville, and community members to redesign the interchange on Patton Avenue on the east side of the Bowen Bridge to better reflect the community’s urban design and connectivity goals. The core of Alt. 4B is the creation of a vibrant urban Patton Ave. corridor that extends Asheville’s downtown to a gateway at the Bowen Bridge. This corridor should be designed to enable all the elements of a high-value downtown street: right-of-way that allows buildings to meet wide sidewalks,</li> </ul> |

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|                      | <p>short blocks with access to parking in the back, and streets designed for slow speeds that include safe bike/pedestrian infrastructure and other elements of complete streets. We understand that the result of this work could have a positive impact on item b, above, as well as on Riverside Cemetery.</p> <p>d. We continue to advocate that the westbound Bowen Bridge have only two vehicle travel lanes rather than the proposed three. As mentioned above, this will enhance the urban nature of this corridor and enable a larger multi-use path.</p> <p>e. We continue to advocate that all interchanges and intersections be designed to tight, urban design standards such as 90-degree turns and with narrow or no medians. These intersections should prioritize bike/pedestrian safety and compactness over continuous vehicle movements.</p> <p>f. We particularly cite the need to apply the principles in item e, above, to the Haywood Road interchange. We also encourage NCDOT to continue to seek ways to reduce the footprint of the highway here in order to save more homes and businesses, particularly those in the Meadows Building, and to reduce the length of the new Haywood Road bridge.</p> <p>g. We advocate that all parties involved work collaboratively to meet the community’s strong desire to minimize and mitigate the visual and auditory impacts of the project on the historic Riverside Cemetery.</p> <p>h. We ask NCDOT to consider reducing sound impacts as a design objective rather than merely a factor to be mitigated. Speed reduction, pavement treatments, and geometric design revisions, in addition to standard sound mitigation techniques, can address this concern throughout the project corridor.</p> <p>Response:<br/><i>Comments noted.</i></p>  |
| 5-6                  | <p>Finally, we cite as a longer-term unresolved issue that cannot be addressed prior to construction, the long-standing desire of the City to acquire ownership of the unused right-of-way along Patton Ave. on both sides of the Bowen Bridge for purposes of planning and developing the urban fabric of that corridor. We ask that NCDOT actively support the City’s goals in these discussions with the Federal Highway Administration (FHWA), including providing information on pre-NCDOT ownership of this land and any encumbrances that will impact the City’s ability to acquire or plan for it. While it will be years before this land is released, there is much work to do and we want to be ready when the time comes. Likewise, we encourage NCDOT and the City to work together to determine uses for land under the new bridges that will best contribute to Asheville’s river district and other development goals.</p> <p>Response:<br/><i>NCDOT has no authority to dispose of surplus right of way acquired with Federal Aid funds to any entity for non-transportation purposes without first determining if that property is no longer needed for future highway use. That determination cannot occur until after the project is completed and accepted from the D/B firm by NCDOT. If it is determined to be surplus, any disposal action must adhere to the procedures outlined in the NCDOT Surplus Property and Control of Access Committee bylaws. Depending on circumstances, prior owners and adjacent owners could have first right of refusal to acquire surplus property. Additionally, unless the property was being disposed of for use in a transportation or park project by the City of Asheville, NCDOT would be required to charge Fair Market Value for the property as determined by a licensed real estate appraiser.</i></p> |

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| 5-7                  | <p>....we ask that the ROD reflect a broader commitment to include the City of Asheville as a key partner in the selection of the design build contractor and for the duration of the construction of the project, consulting with the City on aesthetic and design modifications.</p> <p>Response:<br/> <i>The Request for Proposals (RFP) will include an Aesthetics Scope of Work that defines the specific aesthetic requirements. The City of Asheville has been involved in developing this Scope of Work, as well as any supporting documentation. Additionally, the Department will hold one-on-one meetings with each of the short-listed Design-Build Teams and the City of Asheville to address aesthetic questions / concerns. The aesthetic elements will be a component of the design features in the Responsiveness to Request for Proposals Evaluation Criteria.</i></p>   |
| 5-8                  | <p>Section 1.6.2.3 - Asheville City Development Plan 2025. We appreciate the reference to the Community Coordinating Committee’s 2000 report, and we ask in addition that the ROD reflect the key project design goals advanced in that report. These design goals, listed below, have formed the basis of this community's advocacy on the Connector for 20 years and are worth including in the current documents:</p> <ul style="list-style-type: none"> <li>a. Separation of local and interstate traffic</li> <li>b. Matching scale of project to character of community</li> <li>c. Reunification and connectivity of community</li> <li>d. Minimization of neighborhood and local business impacts</li> <li>e. Use of updated traffic modeling software and data</li> <li>f. Maintenance of compatibility with community’s design vision and plans; incorporation of community- selected design features</li> <li>g. Creation of full interstate movements between I- 26 and I- 40</li> <li>h. Minimization of air quality and other environmental impacts</li> <li>i. Emphasis on safety - during construction and in the design of the final product</li> </ul> <p>Response:<br/> <i>The ROD will reflect design decisions and modifications that have been made throughout project development in coordination with the local community, the City of Asheville, and other stakeholders, as well as through adherence to Section 106 of the National Historic Preservation Act, among others.</i></p> |
| 5-9                  | <p>We request that NCDOT reduce the number of lanes on the I-26 bridge from six to four. Alternatively, we ask NCDOT to include, as part of the RFP to the design- build contractor, a statement that the City and the community request a smaller scale for Section B. The design- build contractor should be strongly encouraged to reevaluate this section of the project for opportunities to reduce the number of lanes and lessen community impacts while still meeting LOS requirements.</p> <p>Response:<br/> <i>The number of lanes on the I-26 bridge was determined to be six thru lanes, with the decision being derived using much effort and data. However, NCDOT is committed to minimizing the overall footprint of the project to the extent practicable, and the Design-Build teams will be required to find innovative ways to reduce impacts and cost to the project. It is inherent to the design build process for teams to go to extra efforts to minimize impacts and reduce costs to deliver a project that is equal to or better in quality and effect from the preliminary design.</i></p>  |
| 5-10                 | <p>Current plans show two lanes eastbound on Patton Ave. on the Bowen Bridge but three lanes westbound. We again advocate for only two lanes on the westbound bridge, and the traffic</p>  |

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|                      | <p>analysis for the Patton/Atkinson intersection indicates that two westbound lanes would suffice.</p> <p>Response:<br/><i>See response to comment 5-3.</i></p>   |
| 5-11                 | <p>As part of the ongoing design discussions on Patton Ave. on the east side of the river, we advocate for a new connection across Patton Ave. from the I-240 ramps to Hilliard Avenue.</p> <p>Response:<br/><i>NCDOT studied options for this connection, and it appears to be a benefit to the Clingman Avenue intersection; however, including this connection is out of scope for the project, and would need to be submitted to NCDOT as a separate project for prioritization. This project could also be pursued with the City of Asheville as a city-funded project.</i></p>  |
| 5-12                 | <p>While the design of the Bowen Bridge might allow for a speed limit of up to 45 or 50 mph, we request that the design be such that the speed limit is no more than 30 mph to help ensure this becomes the safe, multimodal Asheville intends it to be.</p> <p>We encourage NCDOT to look for other opportunities throughout the project corridor where lowering speeds and having less controlled access would result in fewer impacts and advance Asheville’s urban design goals.</p> <p>Response:<br/><i>As a result of coordination with the City of Asheville and other stakeholders, the posted speed will be reduced to 35 mph for proposed design on the Bowen Bridge, and between the I-26 interchange and Clingman Avenue.</i></p>   |
| 5-13                 | <p>We call upon NCDOT and SHPO to undertake a thorough Section 106 consultation prior to the issuance of the ROD. The resulting MOA should fully address the concerns of the City, the Preservation Society of Asheville and Buncombe County, and the Montford neighborhood on both the visual and the auditory impacts of Alt. 4B on Riverside Cemetery. Potential minimization measures should be integrated where possible. The MOA should include provisions to engage the Consulting Parties and City’s Aesthetics Committee throughout the design/build process.</p> <p>Response:<br/><i>After publication of the FEIS, the preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> |
| 5-14                 | <p>[.....]we encourage NCDOT to explore purchasing open lots in the vicinity of residential displacements (e.g. West Asheville and Montford) and building new, comparable homes for displaced residents who want to remain in their current neighborhood.</p> <p>Response:<br/><i>The relocation program for the Selected Alternative will be conducted in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) and North Carolina’s Uniform Relocation Assistance and Real Property Acquisition Policies Act (NCGS 133-5 through 133-18).</i></p>  |
| 5-15                 | <p>Since a final noise study and barrier assessment will be done as part of the design-build process, we request that NCDOT include the following in the design- build RFP and contract:</p>  |

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|                      | <p>-A requirement for the design-build contractor to update all maps and noise receptor locations to ensure all potentially impacted properties are included in the final analysis. All eligible properties in the survey area (building permit issued prior to the Date of Public Knowledge) shall be included in the final noise study.</p> <p>-A requirement to look at various options to maximize noise abatement. In determining the feasibility and reasonableness of noise barriers, multiple noise barrier scenarios may need to be evaluated along a given segment of the project to identify an option that passes feasibility and reasonableness tests. The design/build contractor should engage the City of Asheville Planning department and the Aesthetics Advisory Committee early in the evaluation process to ensure adequate scenarios are considered, and the best outcome is achieved for noise-impacted communities.</p> <p>Response:<br/><i>For the final design noise analyses, any changes that have occurred since the completion of the TNR will be included in the DNR, including design changes, updated traffic forecasts, new building permits, and changes to NCDOT policy.</i></p> |
| 5-16                 | <p>We ask that the design-build RFP and contract specify that all of the above measures shall be utilized to reduce construction noise impacts on neighborhoods and public spaces.</p> <p>Response:<br/><i>All reasonable efforts would be made to minimize exposure of noise-sensitive land uses to construction noise.</i></p>   |
| 5-17                 | <p>Terrestrial Wildlife. This section mentions the possibility of creating wildlife crossings within the project corridor, and we strongly encourage NCDOT to identify and implement these options.</p> <p>Response:<br/><i>Comment noted.</i></p>   |
| 5-18                 | <p>We strongly suggest NCDOT consult with the groups that know the French Broad River watershed best, including Mountain True, RiverLink and Asheville Greenworks, to identify those mitigation opportunities.</p> <p>Response:<br/><i>Comment noted.</i></p>  |
| 5-19                 | <p>Indirect and Cumulative Effects. This section fails to cite as an indirect impact the fact that widening I-26 will induce additional use or demand of the interstate. Induced demand is a well-known result of widening roads and should be included.</p> <p>Response:<br/><i>The Travel Demand Model uses a finite number of vehicles and trips for every scenario in the future year. Adding capacity along a roadway does not increase the overall number of trips within the travel demand model network. Additionally, traffic analyses were performed both with and without the project, and a comparison showed that there was minimal difference in traffic volumes.</i></p>  |
| 5-20                 | <p>While the plans do not indicate there will be a physical impact to Riverside Cemetery, we believe NCDOT and the Federal Highway Administration should undertake a constructive use analysis of the project on Riverside Cemetery.</p> <p>Response:</p>  |



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|                      | <p><i>A constructive use assessment and determination was completed to document the potential for the project to have a constructive use on the Montford Area Historic District. The assessment resulted in the determination of no constructive use of the Montford Area Historic District would occur because the impacts of the project after mitigation would not rise to the level of being so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) would be substantially impaired; and that to resolve the adverse effects FHWA and NCDOT would coordinate with consulting parties to identify and develop specific mitigation measures for the project that address the visual impacts pursuant to Section 106 of the National Historic Preservation Act.</i></p> <p><i>A Memorandum of Agreement (MOA) was finalized between NCDOT and the State Historic Preservation Officer (SHPO), the Asheville City Parks and Recreation Department, the Montford Neighborhood Association, the City of Asheville Transportation and Planning and Urban Design Departments, and the Preservation Society of Asheville and Buncombe County, in which NCDOT agreed to lessen the property impacts resulting from the project by providing funding or services for various measures as outlined in the MOA. The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB and eliminating the need for the retaining wall adjacent to Riverside Cemetery.</i></p> |
| 5-21                 | <p><i>[...]we strongly encourage NCDOT to work with the City and locally owned businesses to ensure these businesses are ready and able to be part of the design-build and construction team for the Connector.</i></p> <p><i>Response:<br/>NCDOT has been conducting outreach to locally-owned and disadvantaged/small businesses to ensure these businesses are actively engaged in the Design-Build process. Outreach events were held on June 15th, July 23rd, October 25th, 2022, February 25 and April 23, 2023, to increase awareness of NCDOT's Disadvantaged Business Enterprise (DBE) Program. The next DBE outreach is scheduled for July 2023 and are projected to be held roughly every quarter of the year.</i></p>  |
| 5-22                 | <p><i>We also ask that there be appropriate mitigation and accommodation for cyclists and pedestrians during project construction.</i></p> <p><i>Response:<br/>There are numerous references to bicycle and pedestrian accommodation during construction included in the design build RFP. NCDOT requires the team follow MUTCD requirements for bicycle and pedestrian signal/signing during and after construction activities, closing and detouring of sidewalks, temporary accommodations, etc. Additionally, the design build team will be required to coordinate with both NCDOT Central and Division 13 staff, as well as the City of Asheville's Transportation Unit in designing and implementing various aspects of bicycle and pedestrian safety and facility enhancements. The design build team will also be in constant communication with the City of Asheville and local NCDOT representatives such that they can react to issues that may arise.</i></p>  |
| 5-23                 | <p><i>Finally, we ask NCDOT to work with the City and community on new lighting in the project corridor.</i></p> <p><i>Response:<br/>NCDOT has been actively engaged with the City of Asheville and other stakeholders on the lighting requirements and aesthetics for the roadways, underpasses, bridges, and greenways for the project throughout project development.</i></p>   |

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| 6-Sarah Haske        | <p>I'm a resident at 137 Houston St, Asheville, NC 28801.</p> <p>I've commented on this in the past and invited your staff to visit my home to see for yourself how loud the highway is at my home at present moment. We are talking about expanding this highway which will increase the noise pollution tremendously. I have concerns that there is not a plan in place for a noise barrier/buffer. This is unacceptable. I would gladly meet with your staff at my home so you can see for yourself how noisy the highway is at present moment. I urge you to re-consider your position on eliminating plans for a noise buffer at Hill Street /Courtland Ave / Houston Street.</p> <p>Response:<br/> <i>Noise barriers to address predicted Design Year (DY) 2040 traffic noise impacts were evaluated for the Courtland Place/Courtland Ave/Houston Street area as part of the traffic noise study that was recently completed for the I-26 Connector project. This study is documented in the August 2019 Traffic Noise Report (TNR). Eleven residences in this area are predicted to receive future traffic noise levels above the Noise Abatement Criteria (NAC) threshold of 66 dB(A) found in the 2016 NCDOT Traffic Noise Policy; these 11 residences are the predicted noise impacts in this area.</i></p> <p><i>To address the predicted impacts, the noise study evaluated several different combinations of a noise wall along Hill Street and the I-240 westbound to I-26 westbound ramp between Courtland Avenue and Westover Drive. Only one noise wall, NWB-6.1 at the western end of Courtland Place, was found to meet NCDOT feasibility and reasonableness criteria set forth in the 2016 NCDOT Traffic Noise Policy and is considered preliminarily likely to be constructed. Otherwise, none of the evaluated walls was found to reduce the predicted traffic noise levels by the minimum 5 dB(A) for at least two of the eleven impacted residences as required by the Policy and were therefore determined preliminarily not to be feasible.</i></p> <p><i>The physical environment of the area poses many acoustical engineering challenges. The homes there are as much as 70 feet higher in elevation than I-26. This topography makes it difficult for noise walls to provide the required noise reduction levels without becoming too tall. The homes along Houston Street are also at a disadvantage for a noise wall to provide much noise reduction because any noise wall must end just north of Atkinson Street to allow for line-of-sight distance and access at the Courtland Avenue/Hill Street/Atkinson Street intersection, which impairs the wall's ability to achieve the minimum 5dB(A) reduction at two impacted homes. These acoustical engineering constraints contributed to the inability to design a noise wall for your area that meets all feasibility and reasonableness requirements.</i></p> <p><i>The recent noise study noise model predicted a DY 2040 traffic noise level of 64 dB(A) at this residence. This level is below the NCDOT impact threshold of 66 dB(A), which means this residence is not considered to be impacted by predicted future traffic noise levels. The traffic noise model predicts only a 3 dB(A) increase in the DY 2040 noise level from the existing noise level of 61 dB(A). A 3 dB(A) increase is only barely perceptible to most people.</i></p> <p><i>The 2016 NCDOT Noise Policy limits the evaluation of noise reduction measures to impacted receptors only. The low number of impacted receptors, combined with the acoustical engineering constraints described above, made it difficult to design a feasible and reasonable noise wall for this area. However, the traffic noise study is a preliminary analysis only. A final traffic noise study to determine actual noise wall locations will be conducted during the project's final design.</i></p> |

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|                          | <p><i>There is now no schedule for the final design noise study because the design/build contract has not been awarded.</i></p>  |
| <p>7-Samantha Bowers</p> | <p>Regarding the Environmental Impact Study of the I-26 Connector Project, I see that the Section B - NSA B-6 noise barrier recommendation for NWB-6 between Courtland Ave and Westover Dr is not preliminarily feasible.</p> <p>If a noise buffer is not installed, are there alternative noise abatement measures NC DOT will enact to decrease the illegal tractor-trailer power brakes in residential zones? I see signs posted on other sections of I-26 like the Woodfin section alerting commercial truck drivers of such. I ask, because this section is where the double-decker highway lands with interchanges that, I predict, will result in increased power braking.</p> <p>Also, I note the NC DOT uses noise standards that says "humans are more sensitive to higher frequency sounds than lower frequency sounds." Does this take into account the vibrations resulting from the power braking? Our entire house vibrates from the intense low frequency noises of the power braking. I see this standard as short sighted since it is common knowledge that low frequency sound waves penetrate structures. Low frequency sound is also known to trigger a number of negative physiological reactions such as changes to blood pressure, vertigo and breathing difficulties even when the noise is not audible.</p> <p>Furthermore, in the Montford neighborhood, we observe noise propagation from the French Broad River and I wanted to ensure the increased highway noise reflecting off of the water is taken into account with the project's future noise levels. It is a real issue with the outdoor concerts at the Salvage Station music venue which is more than 1500 feet from my home yet I receive decibel readings exceeding 70 when a concert is in session.</p> <p>Speaking of noise propagation, is reverberation between the double-decker layers taken into account with noise abatement? I assume the models take into account increased noise resulting from the highway being moved closer in distance and elevation with the Courtland to Westover section.</p> <p>Since the NC DOT noise readings on Riverside Cemetery and Westover currently range from 52 dBA to 68.8 dBA, I ask for reconsideration of the noise wall and at a minimum have other noise abatement measures like power braking signs considered.</p> <p>Response:<br/> <i>Noise reduction measures to address unmuffled engine compression brakes are not provided by NCDOT but instead, are addressed through local government ordinances. NCDOT will allow the installation of "Unmuffled Engine Braking Prohibited" signs on NCDOT right-of-way inside municipal limits if all associated requirements are met. Please see the attachment to this correspondence, NCDOT Standard Practice for County/Town/City, North Carolina to Install Sign Prohibiting Use of Unmuffled Engine Compression Brakes for more information.</i></p> <p><i>NCDOT uses the Federal Highway Administration (FHWA) Traffic Noise Model (TNM) software to both model existing traffic noise levels and predict future, Design Year (DY) 2040 traffic noise levels. TNM does not include unmuffled engine compression brakes within the models</i></p> |

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|                      | <p><i>because it is impossible to predict how many trucks will use this type of braking, when they will use it, or where it will occur. Thus, noise and vibration from unmuffled engine compression braking is not considered in modeled noise levels. No noise reduction measures, such as noise walls, can effectively mitigate compression braking noise because its frequency is so low that it penetrates through the walls. Traffic noise models address mostly high frequency noises because these generally are more disruptive and annoying to people than are low frequency noises and can more readily be reduced through noise wall construction than can low frequency noises.</i></p> <p><i>The French Broad River is included in the TNM models, so reflections off the water surface were considered for existing and DY 2040 sound level calculations. Highways on bridges are also included in the TNM models. Bridges act as shields to reduce some noise from the highways they carry, as well as from other highways above and below them. The TNM software calculates these noise reflections and shielding accordingly and also considers the new horizontal and vertical alignment of the roadways and their proximity to nearby noise-sensitive receptors.</i></p> <p><i>Although noise walls NWB-6 and NWB-80, both evaluated between Courtland Avenue and Westover Drive, were determined to be preliminarily not feasible and/or not reasonable as defined by the NCDOT Traffic Noise Policy, this is a preliminary analysis only. It cannot be overstated that a final traffic noise study to determine actual noise wall locations will be conducted during the project’s final design.</i></p> <p><i>There is now no schedule for the final design noise study because the design/build contract has not been awarded.</i></p> |
| 8-Eliza Stokes       | <p>I'm writing as a resident of Asheville who cares deeply about my community, and worries greatly about the impacts the I-26 Connector Project will have on the home I love. As a decision maker for this project, I call on you to use the power you have to make tangible changes to this project that will literally save peoples' homes and businesses.</p> <p>I urge you to reduce the size of this project in every way possible by using more urban design features, tightening all intersections and interchanges, reducing unnecessary vehicle lanes and more. Reducing the size of the Haywood Road Interchange could save more homes and the Meadows building, an important community resource that houses close to 20 micro-businesses in West Asheville. Improving the intersection on Patton Avenue on the east side of the river could also save homes on Hill Street.</p> <p>This project also must cater to the needs of pedestrians and bikers in every way possible, so that our city can continue to grow as a multimodal community.</p> <p>Response:<br/><i>NCDOT is committed to minimizing the overall footprint of the project to the extent practicable and since publication of the FEIS has continued to work closely with the City of Asheville, various neighborhoods and organizations, the City’s Aesthetics Committee, and other stakeholders to further minimize designs and make the project fit within the context of Asheville.</i></p>  |
| 9-Susan Sertain      |   |
| 9-1                  | <p>The tangled mass of roads that will impact Montford and the Riverside cemetery is appalling.</p> <p>Response:</p>  |

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|                      | <p><i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery.</i></p>  |
| 9-2                  | <p>Noise Barriers are ugly no matter how many leaves are painted on. And I can tell you that in this Valley Bowl environment we live in, the noise of the interstate is going to echo and bounce off mountains, rivers and buildings.</p> <p>Response:<br/> <i>The primary noise abatement measures evaluated for highway projects include highway alignment changes, traffic system management measures, establishment of buffer zones, noise barriers, and noise insulation. For each of these measures, benefits versus allowable abatement quantity (reasonableness), engineering feasibility, effectiveness and practicability and other factors were included in the noise abatement considerations.</i></p>  |
| 9-3                  | <p>Thankfully a few trees are being saved and a few historical buildings are being saved. Thankfully schools, their parking and playground areas and their trees are being protected but too much is being lost. Too much of who we are as unique Asheville is being lost.</p> <p>DOT could be setting the pace in a position of leadership in this national and global crisis. This crisis can only be saved by all of us planting more trees.</p> <p>Planting trees in the median, I know, goes against everything that DOT believes in but at least 60% of the people who drive on the interstates would rather hit a tree than an oncoming semi truck or a SUV loaded with children.</p> <p>Response:<br/> <i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p> |
| 9-4                  | <p>This Interstate project is based on an old goal of the leaders of Asheville in the 1980's. It is not something that is now needed on this scale. Of course I have said and written these things at other meetings but it must be said again.</p> <p>Response:<br/> <i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p>   |
| 10-Lewis Patrie      |   |
| 10-1                 | <p>Cut down on the overall size of the project so it better matches the character of our small mountain city. This includes tightening up the design for all intersections and interchanges, reducing the number of lanes on the I-26 bridge from 6 to 4, reducing the size of the new I-240 flyovers, and reducing the number of vehicle lanes on the Westbound Bowen Bridge from 3 to 2.</p> <p>Save more homes and businesses by reducing the size of the Haywood Road Interchange could save more homes and the Meadows building, an important community resource that</p>  |



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|                      | <p>houses close to 20 micro-businesses in West Asheville. Improving the intersection on Patton Avenue on the east side of the river could also save homes on Hill Street.</p> <p>Response:<br/> <i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>Various design refinements have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and the Hillcrest Apartment Community. Other design refinements that will be implemented during the final design stage include multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, and reduction of lanes on the Bowen Bridge design, among others. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |
| 10-2                 | <p>Collaborate to meet the community’s strong desire to minimize the visual and auditory impacts of the project.</p> <p>Response:<br/> <i>Since publication of the FEIS, NCDOT has continued to hold periodic meetings with the City of Asheville, local organizations, adjacent neighborhoods, historic property owners, and the Burton Street community, in order to better understand concerns and to obtain input on how the project could be further refined. This has resulted in various design modifications to further minimize the impacts of the project through refined project designs. There has also been significant coordination with the City of Asheville Aesthetics Committee, the I-26 Working Group, and the Burton Street Neighborhood Association Working Group.</i></p>   |
| 10-3                 | <p>Improve safety and options for pedestrians and bikers. The project should make the speed limit on the new Bowen Bridge no more than 30 mph so it can be a safe place to walk and bike. It should make the bridge-crossing by Haywood Road safer for pedestrians, and prioritize bike and pedestrian safety at all intersections. Reducing the number of lanes on the Westbound Bowen Bridge will also create more room for pedestrians and bikers.</p> <p>Response:<br/> <i>The preliminary designs for the selected alternative have been developed with consideration to the current City of Asheville Pedestrian Plan, City of Asheville Comprehensive Bicycle Plan, City of Asheville Parks, Recreation, Cultural Arts, &amp; Greenways Master Plan, and the Buncombe County Greenways and Trails Master Plan. Pursuant to NCDOT policies and guidelines regarding bicycle and pedestrian accommodations and complete streets, in areas where existing sidewalks are being disturbed, the designs show these sidewalks being replaced as a part of the proposed designs. In areas where the various plans propose future pedestrian accommodations, the designs have been developed to accommodate or not preclude these elements from being constructed by the various agencies. NCDOT is committed to Complete Streets improvements and will continue to coordinate efforts with the City of Asheville to incorporate these amenities into the project in compliance with design and cost-</i></p>  |

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|                      | <p><i>sharing guidelines.</i></p> <p><i>NCDOT has coordinated closely with the City of Asheville to develop a “betterments” list identifying areas of bicycle/pedestrian infrastructure to be constructed during the project under a municipal agreement with the City of Asheville. These include sidewalks, bicycle lanes, and a multi-use path on Amboy Road; sidewalks, widened berms, and a multi-use path along Shelburne Road; a multi-use path on Brevard Road; sidewalks on the Haywood Road bridge; sidewalk on the north side and multi-use path on the south side of Patton Avenue; berms and sidewalks for the Hillcrest Connector and Atkinson Street; and sidewalk improvements for Bear Creek Road and Sandhill Road.</i></p> <p><i>Since publication of the FEIS, NCDOT has continued to work closely with the City of Asheville, various neighborhoods and organizations, and the City’s Aesthetics Committee to further minimize designs and make the project fit within the context of Asheville.</i></p>   |
| 11-Carlton Craig     |   |
| 11-1                 | <p>Reduce the overall size of the project so it better matches the character of our small mountain city. This includes tightening up the design for all intersections and interchanges, reducing the number of lanes on the I-26 bridge from 6 to 4, reducing the size of the new I-240 flyovers, and reducing the number of vehicle lanes on the Westbound Bowen Bridge from 3 to 2.</p> <p>Save more homes and businesses. Reducing the size of the Haywood Road Interchange could save more homes and the Meadows building, an important community resource that houses close to 20 micro-businesses in West Asheville.</p> <p>Improving the intersection on Patton Avenue on the east side of the river could also save homes on Hill Street.</p> <p>Response:<br/><i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>Various design refinements have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and the Hillcrest Apartment Community. Other design refinements that will be implemented during the final design stage include multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, and reduction of lanes on the Bowen Bridge design, among others. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> <p><i>Where residential and business relocations cannot be avoided, NCDOT will perform right-of-way acquisition and relocation in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) and North Carolina’s</i></p> |

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|                      | <p><i>Uniform Relocation Assistance and Real Property Acquisition Policies Act (NCGS 133-5 through 133-18). Microbusinesses will be treated the same as other businesses during right-of-way acquisition. Businesses within properties that are relocatees, such as those in the Meadows building, will be eligible for relocation assistance.</i></p>   |
| 11-2                 | <p>Work collaboratively to meet the community’s strong desire to minimize the visual and auditory impacts of the project -including on the historic Riverside Cemetery, whose visitors request peace and quiet.</p> <p>Response:<br/> <i>Since publication of the FEIS, NCDOT has continued to hold periodic meetings with the City of Asheville, local organizations, adjacent neighborhoods, historic property owners, and the Burton Street community, in order to better understand concerns and to obtain input on how the project could be further refined. This has resulted in various design modifications to further minimize the impacts of the project through refined project designs. There has also been significant coordination with the City of Asheville Aesthetics Committee, the I-26 Working Group, and the Burton Street Neighborhood Association Working Group.</i></p>  |
| 11-3                 | <p>Improve safety and options for pedestrians and bikers. The project should make the speed limit on the new Bowen Bridge no more than 30 mph so it can be a safe place to walk and bike. It should make the bridge-crossing by Haywood Road safer for pedestrians, and prioritize bike and pedestrian safety at all intersections. Reducing the number of lanes on the Westbound Bowen Bridge will also create more room for pedestrians and bikers.</p> <p>Response:<br/> <i>The preliminary designs for the selected alternative have been developed with consideration to the current City of Asheville Pedestrian Plan, City of Asheville Comprehensive Bicycle Plan, City of Asheville Parks, Recreation, Cultural Arts, &amp; Greenways Master Plan, and the Buncombe County Greenways and Trails Master Plan. Pursuant to NCDOT policies and guidelines regarding bicycle and pedestrian accommodations and complete streets, in areas where existing sidewalks are being disturbed, the designs show these sidewalks being replaced as a part of the proposed designs. In areas where the various plans propose future pedestrian accommodations, the designs have been developed to accommodate or not preclude these elements from being constructed by the various agencies. NCDOT is committed to Complete Streets improvements and will continue to coordinate efforts with the City of Asheville to incorporate these amenities into the project in compliance with design and cost-sharing guidelines.</i></p> <p><i>NCDOT has coordinated closely with the City of Asheville to develop a “betterments” list identifying areas of bicycle/pedestrian infrastructure to be constructed during the project under a municipal agreement with the City of Asheville. These include sidewalks, bicycle lanes, and a multi-use path on Amboy Road; sidewalks, widened berms, and a multi-use path along Shelburne Road; a multi-use path on Brevard Road; sidewalks on the Haywood Road bridge; sidewalk on the north side and multi-use path on the south side of Patton Avenue; berms and sidewalks for the Hillcrest Connector and Atkinson Street; and sidewalk improvements for Bear Creek Road and Sandhill Road.</i></p> <p><i>Since publication of the FEIS, NCDOT has continued to work closely with the City of Asheville, various neighborhoods and organizations, and the City’s Aesthetics Committee to further minimize designs and make the project fit within the context of Asheville.</i></p> |

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| 11-4                 | <p>So many people commute into Asheville every day, Is there a way to make a ride share parking area garage somewhere near the I-26 connectors coming in?</p> <p>Response:<br/><i>The Design Build contractor will have to work with City of Asheville to reroute any transit systems based on maintenance of traffic during construction. There may be certain instances where they can provide shuttle services.</i></p>  |
| 12-Nathan West       |   |
| 12-1                 | <p>Save more homes and businesses. Reducing the size of the Haywood Road Interchange could save more homes and the Meadows building, an important community resource that houses close to 20 micro-businesses in West Asheville.<br/>Improving the intersection on Patton Avenue on the east side of the river could also save homes on Hill Street.</p> <p>Response:<br/><i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>Various design refinements that have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and Hillcrest Apartment Community. Design refinements that will be implemented during the final design stage include multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, and reduction of lanes on the Bowen Bridge, among others. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |
| 12-2                 | <p>Not dead ending Hanover Ave at Haywood Rd.</p> <p>Response:<br/><i>This design is necessary due to the proximity of the interchange at Haywood Road.</i></p>   |
| 13-Bonnie Gilbert    |   |
| 13-1                 | <p>I have resided in the Montford Neighborhood for the past 6 years and currently live close to I-240. I enjoy taking walks in the Historic Riverside Cemetery and the peaceful retreat it provides me from the constant sounds of the interstate in my back yard. The history of the cemetery is vital to our community and our tourist economy alike. Under the current plans, impact of the I-26 Connector project will be devastating to the Riverside Cemetery, both visually and auditorily. I ask that the DOT reconsider the design plans and its impacts to this historic icon by collaborating with the Montford Neighborhood for further input.</p> <p>Response:<br/><i>Since publication of the FEIS, NCDOT has continued to hold periodic meetings with the City of Asheville, local organizations, adjacent neighborhoods, historic property owners, and the Burton Street community, in order to better understand concerns and to obtain input on how the project could be further refined. This has resulted in various design modifications to</i></p>  |

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|                      | <p><i>further minimize the impacts of the project through refined project designs. There has also been significant coordination with the City of Asheville Aesthetics Committee, the I-26 Working Group, and the Burton Street Association Working Group.</i></p> <p><i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p>  |
| 13-2                 | <p>Previously to living in Montford, I lived off Leicester Highway in West Asheville for 9 years. I drove Patton Avenue to the Bowman/Patton Ave Bridge all most every day and mostly at rush hour. I had first hand observations on the deficiency of the design on the bridge. Based on my observations, the traffic problems had nothing to do with the number of cars merging from I-240 on to the bridge, the problem is that drivers have to cross 3-4 lanes of traffic to get to the I-26 ramp and at least one lane to get to I-240 traveling east. The merging is the problem, not the traffic volume. If the merging problem is addressed, there is no need to increase the number of lanes of traffic. I ask that the current plans be reduced in lane size on the I-26 bridge from 6 to 4, size of the new I-240 flyovers be reduced in size, and the number of lanes on the Westbound Bowen Bridge from 3 to 2.</p> <p>Response:<br/><i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>Various design refinements that have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and Hillcrest Apartment Community. Design refinements that will be implemented during the final design stage include multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, and reduction of lanes on the Bowen Bridge design, among others. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |
| 14-Lillianna Woody   | <p>We have a business on Haywood Rd (West Asheville) We need improvements, no doubt, not a plan the takes another 15 years to implement at which time the design no longer meets the needs of our communities. We will have growth, which Asheville must be ready for, however there is a limit. Can we put our best minds together, with thoughtful respect to our environment and its people?<br/>A larger circumference interstate should be addressed; designed. Visitors will come...<br/>Lets rethink the plan; the final goal. Please. Thank you.</p> <p>Response:<br/><i>The evaluation of a bypass alternative was evaluated in the Phase I Environmental Analysis and was included in Section 2.5.3.1 of the DEIS. It was determined that a bypass alternative</i></p>   |



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|                       | <i>would not meet the purpose and need for the proposed project and was eliminated from further study.</i>   |
| 15-Constance Mitchell |  |
| 15-1                  | <p>It does seem that the presented plan makes an all out attack on at least 3 of our most significant low income housing areas, both i actual land being usurped and in the quality of life in these vulnerable areas. Even the existing highway patterns create islands of isolation for these communities that have been and remain totally unacceptable. A Modern highway should be expected to alleviate the situation not worsen it.</p> <p>Response:<br/><i>Based on the evaluation of burdens to communities as presented in the DEIS and FEIS, and additional outreach and coordination with local officials, NCDOT committed to addressing disproportionately high and adverse effects on low-income and minority communities that cannot be avoided or minimized.</i></p> <p><i>NCDOT prepared the Burton Street Neighborhood Plan in 2018, in conjunction with the City of Asheville and the Burton Street Community and identified the following several strategies to help lessen the burden to the community. A Burton Street Working Group has been formed, which is comprised of Burton Street Neighborhood Association leaders and representatives from the City of Asheville, FHWA, and NCDOT. The group is working together to identify how to implement the strategies identified in the neighborhood plan. Certain goals and strategies require additional outreach and the engagement of Burton Street residents. The Burton Street Neighborhood Plan Implementation - Communications and Engagement Plan (Public Participation Partners, 2020) details the outreach and engagement strategies that will be implemented for each item and is included in Appendix E of the FEIS.</i></p> <p><i>The proposed design modifications along Patton Avenue adjacent to the Hillcrest Apartments Community are being coordinated with the City of Asheville, the City of Asheville Housing Authority, and the residents of Hillcrest Apartments. These changes are anticipated to benefit the community and enhance pedestrian connections in conjunction with the modifications at Patton Avenue/I-240 Interchange East of the French Broad River and the realignment of the Hill Street crossing at I-240. Some benefit may be experienced by the Hillcrest Apartments Community through decreases in emergency response times along the I-26 Corridor. As a result, the I-26 Connector Project would not have an adverse impact on the community and thus was not considered an environmental justice community experience disproportionately adverse impacts.</i></p> |
| 15-2                  | <p>Reduce the overall size of the project so it better matches the character of our small mountain city. This includes tightening up the design for all intersections and interchanges, reducing the number of lanes on the I-26 bridge from 6 to 4, reducing the size of the new I-240 flyovers, and reducing the number of vehicle lanes on the Westbound Bowen Bridge from 3 to 2.</p> <p>Save more homes and businesses. Reducing the size of the Haywood Road Interchange could save more homes and the Meadows building, an important community resource that houses close to 20 micro-businesses in West Asheville.</p> <p>Improving the intersection on Patton Avenue on the east side of the river could also save homes on Hill Street.</p>  |

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|                      | <p>Response:<br/> <i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>Various design refinements have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and the Hillcrest Apartment Community. Other design refinements that will be implemented during the final design stage include multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, and reduction of lanes on the Bowen Bridge design, among others. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> <p><i>Where residential and business relocations cannot be avoided, NCDOT will perform right-of-way acquisition and relocation in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) and North Carolina’s Uniform Relocation Assistance and Real Property Acquisition Policies Act (NCGS 133-5 through 133-18). Microbusinesses will be treated the same as other businesses during right-of-way acquisition. Businesses within properties that are relocatees, such as those in the Meadows building, will be eligible for relocation assistance.</i></p> |
| 15-3                 | <p>Work collaboratively to meet the community’s strong desire to minimize the visual and auditory impacts of the project -including on the historic Riverside Cemetery, whose visitors request peace and quiet.</p> <p>Response:<br/> <i>Since publication of the FEIS, NCDOT has continued to hold periodic meetings with the City of Asheville, local organizations, adjacent neighborhoods, historic property owners, and the Burton Street community, in order to better understand concerns and to obtain input on how the project could be further refined. This has resulted in various design modifications to further minimize the impacts of the project through refined project designs. There has also been significant coordination with the City of Asheville Aesthetics Committee, the I-26 Working Group, and the Burton Street Neighborhood Association Working Group.</i></p> <p><i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p>   |
| 15-4                 | <p>Improve safety and options for pedestrians and bikers. The project should make the speed limit on the new Bowen Bridge no more than 30 mph so it can be a safe place to walk and bike. It should make the bridge-crossing by Haywood Road safer for pedestrians, and prioritize bike and pedestrian safety at all intersections. Reducing the number of lanes on the Westbound Bowen Bridge will also create more room for pedestrians and bikers.</p>   |

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|                      | <p>Response:<br/> <i>The preliminary designs for the selected alternative have been developed with consideration to the current City of Asheville Pedestrian Plan, City of Asheville Comprehensive Bicycle Plan, City of Asheville Parks, Recreation, Cultural Arts, &amp; Greenways Master Plan, and the Buncombe County Greenways and Trails Master Plan. Pursuant to NCDOT policies and guidelines regarding bicycle and pedestrian accommodations and complete streets, in areas where existing sidewalks are being disturbed, the designs show these sidewalks being replaced as a part of the proposed designs. In areas where the various plans propose future pedestrian accommodations, the designs have been developed to accommodate or not preclude these elements from being constructed by the various agencies. NCDOT is committed to Complete Streets improvements and will continue to coordinate efforts with the City of Asheville to incorporate these amenities into the project in compliance with design and cost-sharing guidelines.</i></p> <p><i>NCDOT has coordinated closely with the City of Asheville to develop a “betterments” list identifying areas of bicycle/pedestrian infrastructure to be constructed during the project under a municipal agreement with the City of Asheville. These include sidewalks, bicycle lanes, and a multi-use path on Amboy Road; sidewalks, widened berms, and a multi-use path along Shelburne Road; a multi-use path on Brevard Road; sidewalks on the Haywood Road bridge; sidewalk on the north side and multi-use path on the south side of Patton Avenue; berms and sidewalks for the Hillcrest Connector and Atkinson Street; and sidewalk improvements for Bear Creek Road and Sandhill Road.</i></p> <p><i>Since publication of the FEIS, NCDOT has continued to work closely with the City of Asheville, various neighborhoods and organizations, and the City’s Aesthetics Committee to further minimize designs and make the project fit within the context of Asheville.</i></p> |
| 16-Susan Bean        |  |
| 16-1                 | <p>Projections for future vehicular traffic on I-26 are overestimates that have led this project to grow past the point of reason and instead waste money, land, and time by constructing more highway lanes than are needed. Please revisit assumptions and estimates to consider what is actually needed in this project instead of just how big can it be and how much money can be spent.</p> <p>Reduce the overall size of the project so it better matches the character of our small mountain city. This includes tightening up the design for all intersections and interchanges, reducing the number of lanes on the I-26 bridge from 6 to 4, reducing the size of the new I-240 flyovers, and reducing the number of vehicle lanes on the Westbound Bowen Bridge from 3 to 2.</p> <p>Save more homes and businesses. Reducing the size of the Haywood Road Interchange could save more homes and the Meadows building, an important community resource that houses close to 20 micro-businesses in West Asheville.</p> <p>Improving the intersection on Patton Avenue on the east side of the river could also save homes on Hill Street.</p> <p>Response:<br/> <i>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 FEIS. The scale of the project is appropriate to meet future traffic</i></p>   |

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|                      | <p><i>needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p>  |
| 16-2                 | <p>Work collaboratively to meet the community’s strong desire to minimize the visual and auditory impacts of the project -including on the historic Riverside Cemetery, whose visitors request peace and quiet.</p> <p>Response:<br/> <i>Since publication of the FEIS, NCDOT has continued to hold periodic meetings with the City of Asheville, local organizations, adjacent neighborhoods, historic property owners, and the Burton Street community, in order to better understand concerns and to obtain input on how the project could be further refined. This has resulted in various design modifications to further minimize the impacts of the project through refined project designs. There has also been significant coordination with the City of Asheville Aesthetics Committee, the I-26 Working Group, and the Burton Street Neighborhood Association Working Group.</i></p> <p><i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p>  |
| 16-3                 | <p>Improve safety and options for pedestrians and bikers. The project should make the speed limit on the new Bowen Bridge no more than 30 mph so it can be a safe place to walk and bike. It should make the bridge-crossing by Haywood Road safer for pedestrians, and prioritize bike and pedestrian safety at all intersections. Reducing the number of lanes on the Westbound Bowen Bridge will also create more room for pedestrians and bikers.</p> <p>Response:<br/> <i>The preliminary designs for the selected alternative have been developed with consideration to the current City of Asheville Pedestrian Plan, City of Asheville Comprehensive Bicycle Plan, City of Asheville Parks, Recreation, Cultural Arts, &amp; Greenways Master Plan, and the Buncombe County Greenways and Trails Master Plan. Pursuant to NCDOT policies and guidelines regarding bicycle and pedestrian accommodations and complete streets, in areas where existing sidewalks are being disturbed, the designs show these sidewalks being replaced as a part of the proposed designs. In areas where the various plans propose future pedestrian accommodations, the designs have been developed to accommodate or not preclude these elements from being constructed by the various agencies. NCDOT is committed to Complete Streets improvements and will continue to coordinate efforts with the City of Asheville to incorporate these amenities into the project in compliance with design and cost-sharing guidelines.</i></p> <p><i>NCDOT has coordinated closely with the City of Asheville to develop a “betterments” list identifying areas of bicycle/pedestrian infrastructure to be constructed during the project under a municipal agreement with the City of Asheville. These include sidewalks, bicycle lanes, and a multi-use path on Amboy Road; sidewalks, widened berms, and a multi-use path along Shelburne Road; a multi-use path on Brevard Road; sidewalks on the Haywood Road bridge; sidewalk on the north side and multi-use path on the south side of Patton Avenue; berms and sidewalks for the Hillcrest Connector and Atkinson Street; and sidewalk improvements for Bear Creek Road and Sandhill Road.</i></p> |

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|                             | <p><i>Since publication of the FEIS, NCDOT has continued to work closely with the City of Asheville, various neighborhoods and organizations, and the City’s Aesthetics Committee to further minimize designs and make the project fit within the context of Asheville.</i></p>   |
| <p>17-Stephen Hendricks</p> | <p>I urge the NCDOT to account for the tree canopy that is being lost with the I-26 project. Asheville is losing its tree canopy at an alarming rate (1.4 square miles in the last decade alone). Tree canopy is extremely important in providing climate resilience for the city: blocking the heat island effect; absorbing and slowing stormwater runoff; and sequestering large amounts of carbon from the atmosphere.</p> <p>At a minimum, the NCDOT should have a provision to replace the lost tree canopy resulting in no-net-loss of tree canopy per professional urban forestry standards. This would involve replacing mature trees lost by two or more trees of similar size at maturity. The project will have a significant impact on Asheville’s green infrastructure by increasing stormwater runoff, absorbing and then radiating heat in the city, and disrupting natural drainage and wildlife corridors. Mitigation of this impact is not addressed adequately in the EIS.</p> <p>Response:<br/> <i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>Various design refinements that have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and Hillcrest Apartment Community. Design refinements that will be implemented during the final design stage include multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, and reduction of lanes on the Bowen Bridge design, among others. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |
| <p>18-Mark Funston</p>      |   |
| <p>18-1</p>                 | <p><u>Project Size and Scale</u><br/> The overall project is too big, and not appropriately scaled to our small, scenic mountain community. Whereas we currently have one 8-lane bridge over the French Broad River which carries I-26, I-240, and local traffic combined, this future design envisions the need for a staggering 20+ lanes on four separate bridges. With the 6-lane I-26 bridge merging with the four lanes of 19/23/70 traffic, this northern part of the project becomes 10-11 lanes wide through to Broadway. This is an unacceptably large footprint within our city limits. The expansion is well beyond anything that can be reasonably required to support the growth in and around our tourist driven town. Clearly forces outside the local and state needs are driving the scale of the project with severe consequences for the residents of historic Montford. The expansion into the Montford Hills escarpment will be environmentally damaging and represents a cumulative impact to one of Asheville’s oldest historic neighborhoods. This project can and should be more appropriately scaled:<br/> -The I-26 bridge should be reduced from six lanes to four lanes. Four lanes will be sufficient to meet 2040 projected traffic volumes at the level of service appropriate for urban</p>   |



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|                      | <p>freeways. Four lanes will be significantly less damaging to the environment and communities, and will significantly reduce the impact on valuable waterfront property. By reducing the I-26 bridge to four lanes, which will sufficiently meet the traffic needs within the planning horizon, the size of the project can be reduced from ten travel lanes to eight travel lanes between Riverside Cemetery and Broadway.</p> <p>- Reducing the I-26 bridge from six to four lanes will also allow the complex configuration of bridges and access ramps over the French Broad to be tightened. The current design which includes the I-26 bridge, the two I-240 flyovers, and a number of elevated on and off ramps, occupies an unacceptably large swath of land along our waterfront. A smaller and tighter configuration here will consume less of this valuable land and reduce the devastating visual and noise impacts of the project.</p> <p>- The number, height and scale of these flyover ramps is perhaps the greatest surprise and was definitely not presented in any sort understandable format for a potential buyer to appreciate the devastating on Historic Montford. The visual and noise impacts of these ramps on historic Montford is not justifiable from a cost or traffic benefit standpoint. In summary, NCDOT must acknowledge that a 6-lane I-26 bridge and the larger footprint that it creates heading north to the Broadway exit will produce severe impacts on our community that are unnecessary to meet the project’s purpose and need. These irreversible and damaging impacts must be avoided. Traffic capacity within the planning horizon can be accommodated with fewer lanes.</p> <p>Response:<br/><i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>Various design refinements that have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and Hillcrest Apartment Community. Design refinements that will be implemented during the final design stage include multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, and reduction of lanes on the Bowen Bridge design, among others. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |
| 18-2                 | <p><u>Property Takings</u></p> <p>To accommodate the 10 to 11 lanes of freeway along Montford Hills, NCDOT appears to be taking all or portions of eleven properties. These properties could be saved by reducing the size of the I-26 bridge and shifting traffic lanes to the west toward Riverside Drive. NCDOT should specifically request that the design/build contractor use all available design changes and/or design exceptions to avoid these takings and reduce the proximity impacts of the project. There will also be property takings and proximity impacts along Hill Street and Courtland Avenue. We understand that there is ongoing work between NCDOT, the City of Asheville, and community members to redesign the interchange on Patton Avenue on the east side of the Bowen Bridge to better reflect the community’s urban design and connectivity goals. The objectives of this work should include lowering the 19/23/70 roadbed</p>   |

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|                      | <p>along Riverside Cemetery and lowering and reducing the overall footprint of the I-240 flyovers.</p> <p>Even where property is not physically being taken, the proximity of a freeway this size will introduce noise and pollution that will negatively impact our outdoor spaces and reduce community cohesion. As a new resident of Montford I have been told to take advantage of the incredible peace, beauty and serenity of a walk through the historic cemetery before this project ruins it forever. I hope that warning does not have to become reality if the scale of the project is reduced.</p> <p>Response:<br/> <i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |
| 18-3                 | <p><u>Visual Impacts</u></p> <p>NCDOT has acknowledged that the selected alternative, 4B, will significantly change the Asheville viewshed and introduce significant “incompatible visual elements”. The Montford area visual impacts are some of the worst and include largely unobstructed views of the massive I-26 bridge and I-240 flyovers, as well as the elevated 19/23/70 northbound roadway and the extremely wide section of the I-26 freeway alongside the Montford Hills to Broadway.</p> <p>Minimization measures to reduce these adverse visual impacts should be employed where possible, including reduction of the size of the I-26 bridge and continuing lanes to the north; tightening of the configuration of bridges over the French Broad River; lowering of the 19/23/70 northbound lanes alongside Riverside Cemetery, and shifting the I-26 roadway west along the Montford Hills.</p> <p>Response:<br/> <i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the AC throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p>  |
| 18-4                 | <p>NCDOT should enact strong measures to protect existing vegetation in these areas, and/or replace with dense and mature landscape screening to minimize visual impacts.</p>   |

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|                      | <p>Response:<br/> <i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p>   |
| 18-5                 | <p>This project intersects densely-populated urban areas, and borders and bisects neighborhoods. Traffic noise reduction is a primary concern, and noise minimization should be a primary design goal. We understand that NCDOT is considering the use of Next Generation Concrete Surface throughout the project and strongly support this specification. Additionally, NCDOT should specify that continuous reinforced concrete pavement and jointless bridge structures be utilized throughout the project as a noise reduction measure. Noise walls and attached noise barriers should also be employed to reduce the impact on neighborhoods. However, the Traffic Noise Report (TNR) for the FEIS does not indicate there will be any significant noise abatement for our community. In fact, for the entire stretch of expanded roadway from Hill Street to Broadway, only one very small noise barrier is recommended near Courtland Place.</p> <p>Although NCDOT has followed their standard noise policy in assessing noise impacts and evaluating noise abatement opportunities, the analysis has fallen short in two significant ways:</p> <ul style="list-style-type: none"> <li>- The GIS maps used as a basis for the TNR were not updated. As a result, a significant number of newer homes within the study area are missing from the analysis. NSA B-9 is missing sixteen homes in the Hibriten Expansion area that are adjacent to or one property removed from the NCDOT ROW. If included, these homes will substantially change the “reasonability” calculation for the B-9 noise barrier.</li> <li>-The determination if a barrier is “reasonable” is based on a calculation of square footage of barrier per impacted receptor. Therefore, the specific placement of barriers (start and stop points) can preclude a barrier from being recommended. For example, Riverside Cemetery is included in the evaluation of a noise barrier for residences along Montford Hills (NB-8). Since including Riverside Cemetery adds significant square footage to the noise barrier, but the cemetery’s benefited receptors were assigned an equivalent “weighting” of one residence, the barrier NB-8 was deemed “not reasonable.”</li> </ul> <p>Since a final noise study and noise barrier assessment will be done as part of the design build process, the above issues should be addressed at that time. To ensure that our community receives adequate noise mitigation, NCDOT should explicitly direct the design/build contractor to update all maps and noise receptor locations to ensure all eligible properties (building permit issued prior to the Date of Public Knowledge) are included in the final analysis. While I understand these technical methods of analyzing noise, there is also a layman’s approach. My home and others removed from direct impact can already hear sound travelling from the Salvage Station music venue on Riverside drive. The idea that this project will not have significant noise impacts on the community is not credible from a practical real world view. Therefore it is critical that the design/build contractor should engage the City of Asheville Planning department and the Aesthetics Advisory Committee early in the noise barrier evaluation process to ensure adequate scenarios are considered, and the best outcome is achieved for noise-impacted communities.</p> <p>Response:<br/> <i>The Traffic Noise Report (TNR) for the FEIS is a preliminary analysis only. As such, Design Noise Reports (DNR) will be completed as part of the final design process. All homes with a building permit issued before the project’s date of public knowledge (DoPK) are eligible for</i></p> |

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|                      | <p><i>noise abatement consideration if they receive traffic noise impacts due to the project. The project's DoPK is the date this Record of Decision was issued. Once the DoPK is established, the project area will be reviewed to identify any newer development that may not have been included in the preliminary noise study for inclusion in the final noise study. In fact, the preliminary noise study for most projects is almost always completed before the DoPK is established, so one of the main tasks of a final noise study is to identify and include newer development that was permitted before the project's DoPK. Homes that were issued building permits before the project's DoPK and that lie within the outer-most limits of the project's traffic noise impacts will be included in the final traffic noise study.</i></p> <p><i>A TNR Addendum for I-2513B was completed March 2022. Barrier B-9 as currently shown in the TNR Addendum has an area/benefit greater than what is allowed for reasonableness. With the newly constructed residences included in the calculation, the area/benefit for Barrier B-9 may still be greater than allowed for reasonableness. Barrier B-8.1 was considered along I-26 WB between Courtland Place and Westover Drive to abate noise for Riverside Cemetery, while Barrier B-8 was considered along I-26 WB between Riverside Cemetery and Pearson Drive for residences along Montford Hills. Neither of these barriers met feasibility and reasonableness criteria. The final decision on feasibility and reasonableness of noise abatement shall be made upon completion of project design, completion of a DNR and its acceptance by NCDOT, and the public involvement process.</i></p> <p><i>For the final design noise analyses, any changes that have occurred since the completion of the TNR will be included in the DNR, including design changes, updated traffic forecasts, new building permits, and changes to NCDOT policy.</i></p> <p><i>NCDOT is electing to use Next Generation Concrete, diamond grinding surfacing method, for the concrete paving option on roadways.</i></p> |
| 18-6                 | <p>Some of the most significant visual impacts in the entire corridor will occur at Riverside Cemetery, within the Montford Historic District, a treasured local landmark and area of frequent use by Montford Residents. As stated previously, it is my hope that the special nature of the historic Riverside cemetery is not sacrificed as an unnecessary casualty of this project. This is a special place to visit, not just for historic Montford residents, but all WNC residents and visitors from around the world. NCDOT and SHPO have acknowledged the adverse impact to Riverside Cemetery, which has triggered a Section 106 mitigation process. The Montford Neighborhood Association is participating as a consulting party in the development of the Memorandum of Agreement regarding mitigations. We strongly support the joint consulting parties' Position Paper and the minimization and mitigation requests contained within.</p> <p>Response:<br/><i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>NWB-8 was found to be feasible, but not reasonable due to the required barrier area per benefit exceeding the allowable area per benefit found in the 2016 Policy. Multiple combinations of NWB-8 were evaluated during the 2019 Traffic noise study, one of which</i></p>  |

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|                             | <p><i>included only the northern section of NWB-8 and not the cemetery. This northern version also was found to be not reasonable due to excessive wall area requirements. Only the longer version of NWB-8 was included in the 2019 TNR because it required the least barrier area per benefit of all versions of NWB-8 modeled, and even it exceeded the allowable barrier area/benefit. NWB-8 will be further investigated during the final traffic noise study and will include any applicable development not included in the 2019 TNR.</i></p>   |
| 18-7                        | <p>Construction noise, damage, and dust are major community concerns. We request that NCDOT take the any and all available measures to limit the damage and health dangers of construction.</p> <p>Best management practices for construction noise abatement and dust and pollution control should be required in the design/build contract. Activities that will produce extremely loud noises should be scheduled during times of the day when such noises will create minimal disturbance.</p> <p>Mature tree removal should be minimized in the ROW, especially along steep slopes as found near Courtland Place, Montford Hills, and the Hibriten expansion neighborhoods.</p> <p>Response:<br/> <i>Appropriate best management practices (BMPs) applicable to construction and maintenance for protection of surface waters, wetlands, and upland habitat will be used to control erosion, sedimentation, and stormwater runoff to the maximum extent practicable. Mechanisms will be put in place to maintain traffic flow; minimize air quality, noise, and construction lighting impacts; manage waste disposal; protect surrounding natural resources; control erosion; and handle any accidental waste spills to the maximum extent practicable.</i></p> <p><i>All reasonable efforts would be made to minimize exposure of noise-sensitive land uses to construction noise including the appropriate scheduling of construction activities.</i></p> <p><i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p> |
| 19-Bryan & Jennifer Maecker |  |
| 19-1                        | <p>As it stands, the current four lanes of 19/23/70 (I-26) traffic is extremely difficult to deal with on a daily basis, yet is slated to become 10-11 lanes wide to the Broadway exit. We already have difficulty opening many windows of our home due to traffic noise, particularly large trucks and motorcycles. The hum of tires against the road is a relative constant for us, but intermittent semi-trucks jake braking literally interrupts conversation indoors. The fact that the majority of this traffic doesn't even come into our town is frustrating, at best.</p> <p>Considering that the highway is slated to come roughly 30 feet closer to our home, with an additional 6-8 lanes, I'm not quite sure how this can remain a full time, permanent occupancy dwelling. At a minimum, we'd need a 24 foot tall sound barrier wall behind our property, along the NCDOT chain linked fence. This is critical, because our street is raised above the highway, with part of our backyard descending down toward the highway.</p> <p>In regards to NWB-8 and NWB-9, Another option for the backyard area would be to fill a berm between NWB-8 and NWB-9, since this portion houses a small ravine, and our backyard is considerably higher on the right side than the left.</p>   |



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|                      | <p>Response:<br/> <i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>NWB-8 was found to be feasible, but not reasonable due to the required barrier area per benefit exceeding the allowable area per benefit found in the 2016 Policy. Multiple combinations of NWB-8 were evaluated during the 2019 Traffic noise study, one of which included only the northern section of NWB-8 and not the cemetery. This northern version also was found to be not reasonable due to excessive wall area requirements. Only the longer version of NWB-8 was included in the 2019 TNR because it required the least barrier area per benefit of all versions of NWB-8 modeled, and even it exceeded the allowable barrier area/benefit. NWB-8 will be further investigated during the final traffic noise study and will include any applicable development not included in the 2019 TNR.</i></p>  |
| 19-2                 | <p>This is an unacceptably large footprint within our city limits, within this narrow valley, and less than 300 feet away from local residences. The expansion into the Montford Hills escarpment will be environmentally damaging and represents a cumulative impact to one of Asheville’s oldest historic neighborhoods. This project can and should be more appropriately scaled:</p> <ul style="list-style-type: none"> <li>· The I-26 bridge should be reduced from six lanes to four lanes. Four lanes will be sufficient to meet 2040 projected traffic volumes at the level of service appropriate for urban freeways. Four lanes will be significantly less damaging to the environment and communities, and will occupy less valuable waterfront property.</li> <li>- By reducing the I-26 bridge to four lanes, which will sufficiently meet the traffic needs within the planning horizon, the size of the project can be reduced from ten travel lanes to eight travel lanes between Riverside Cemetery and Broadway.</li> <li>- Reducing the I-26 bridge from six to four lanes will also allow the complex configuration of bridges and access ramps over the French Broad to be tightened. The current design which includes the I-26 bridge, the two I-240 flyovers, and a number of elevated on and off ramps, occupies an unacceptably large swath of land along our waterfront. A smaller and tighter configuration here will consume less of this valuable land and reduce the devastating visual impacts of the project.</li> </ul> <p>In summary, NCDOT must acknowledge that a 6-lane I-26 bridge and the larger footprint that it creates heading north to the Broadway exit will produce severe impacts on our community that are unnecessary to meet the project’s purpose and need. These irreversible and damaging impacts must be avoided if traffic capacity within the planning horizon can be accommodated with fewer lanes.</p> <p>To accommodate the 10 to 11 lanes of freeway along Montford Hills, NCDOT appears to be taking all or portions of eleven properties. These properties could be saved by reducing the size of the I-26 bridge and shifting traffic lanes to the west toward Riverside Drive. NCDOT should specifically request that the design/build contractor use all available design changes and/or design exceptions to avoid these takings and reduce the proximity impacts of the project.</p> <p>Even where property is not physically being taken, the proximity of a freeway this size will introduce noise and pollution that will negatively impact our outdoor spaces and reduce community cohesion. As mentioned above, the NCDOT must be responsible for any negative</p> |

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|                      | <p>impacts on our home, quality of life, and property value. We purchased this home as respectful neighbors to the NCDOT, and as such, we must hold each other liable for such impacts.</p> <p>Response:<br/> <i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p>   |
| 19-3                 | <p>NCDOT should enact strong measures to protect existing vegetation in these areas, and/or replace with dense and mature landscape screening to minimize visual impacts. The natural, mountainous setting of our community must be maintained as we move forward with development as a society.</p> <p>Some of the most significant visual impacts in the entire corridor will occur at Riverside Cemetery, within the Montford Historic District, a treasured local landmark and area of frequent use by Montford Residents. NCDOT and SHPO have acknowledged the adverse impact to Riverside Cemetery, which has triggered a Section 106 mitigation process. The Montford Neighborhood Association is participating as a consulting party in the development of the Memorandum of Agreement regarding mitigations. We strongly support the joint consulting parties' Position Paper and the minimization and mitigation requests contained within.</p> <p>Response:<br/> <i>Since publication of the FEIS, NCDOT has continued to hold periodic meetings with the City of Asheville, local organizations, adjacent neighborhoods, historic property owners, and the Burton Street community, in order to better understand concerns and to obtain input on how the project could be further refined. This has resulted in various design modifications to further minimize the impacts of the project through refined project designs. There has also been significant coordination with the City of Asheville Aesthetics Committee, the I-26 Working Group, and the Burton Street Association Working Group.</i></p> <p><i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> |
| 19-4                 | <p>Noise Impacts<br/> This project intersects densely-populated urban areas, and borders and bisects neighborhoods. Traffic noise reduction is a primary concern, and noise minimization should</p>  |

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|                      | <p>be a primary design goal. We understand that NCDOT is considering the use of Next Generation Concrete Surface throughout the project and strongly support this specification. Additionally, NCDOT should specify that continuous reinforced concrete pavement and jointless bridge structures be utilized throughout the project as a noise reduction measure. Every innovative possibility should be considered to preserve the natural integrity Montford. Noise walls and attached noise barriers should also be employed to reduce the impact on neighborhoods. However, the Traffic Noise Report (TNR) for the FEIS does not indicate there will be any significant noise abatement for our community. In fact, for the entire stretch of expanded roadway from Hill Street to Broadway, only one very small noise barrier is recommended near Courtland Place. The tests are completely inaccurate, utilizing GIS imagery from 2015, predating all of the new homes in the Montford Hills and Hibriten Extension. While we understand that a third party design / build contractor will handle the next set of tests, future solutions must not be dictated or limited by the inaccurate tests completed for the FEIS and ROD.</p> <p>Although NCDOT has followed their standard noise policy in assessing noise impacts and evaluating noise abatement opportunities, the analysis has fallen short in two significant ways:</p> <ul style="list-style-type: none"> <li>- The GIS maps used as a basis for the TNR were not updated. As a result, a significant number of newer homes within the study area are missing from the analysis. NSA B-9 is missing sixteen homes in the Hibriten Expansion area that are adjacent to or one property removed from the NCDOT ROW. If included, these homes will substantially change the “reasonability” calculation for the B-9 noise barrier. Exact overlays of GIS imagery is available if interested.</li> <li>- The determination if a barrier is “reasonable” is based on a calculation of square footage of barrier per impacted receptor. Therefore, the specific placement of barriers (start and stop points) can preclude a barrier from being recommended. For example, Riverside Cemetery is included in the evaluation of a noise barrier for residences along Montford Hills (NB-8). Since including Riverside Cemetery adds significant square footage to the noise barrier, but the cemetery’s benefited receptors were assigned an equivalent “weighting” of one residence, the barrier NB-8 was deemed “not reasonable.”</li> </ul> <p>Since a final noise study and noise barrier assessment will be done as part of the design-build process, the above issues should be addressed at that time. To ensure that our community receives adequate noise mitigation, NCDOT should explicitly direct the design/build contractor to update all maps and noise receptor locations to ensure all eligible properties (building permit issued prior to the Date of Public Knowledge) are included in the final analysis. Furthermore, the design/build contractor should engage the City of Asheville Planning department and the Aesthetics Advisory Committee early in the noise barrier evaluation process to ensure adequate scenarios are considered, and the best outcome is achieved for noise-impacted communities. Future testing must also be done during winter months, when leaves are off the trees and make highway noise impacts much greater.</p> <p>Response:<br/> <i>The Traffic Noise Report (TNR) for the FEIS is a preliminary analysis only. As such, Design Noise Reports (DNR) will be completed as part of the final design process. All homes with a building permit issued before the project’s date of public knowledge (DoPK) are eligible for noise abatement consideration if they receive traffic noise impacts due to the project. The project’s DoPK is the date this Record of Decision was issued. Once the DoPK is established, the project area will be reviewed to identify any newer development that may not have been included in the preliminary noise study for inclusion in the final noise study. In fact, the</i></p> |

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|                      | <p><i>preliminary noise study for most projects is almost always completed before the DoPK is established, so one of the main tasks of a final noise study is to identify and include newer development that was permitted before the project’s DoPK. Homes that were issued building permits before the project’s DoPK and that lie within the outer-most limits of the project’s traffic noise impacts will be included in the final traffic noise study.</i></p> <p><i>A TNR Addendum for I-2513B was completed March 2022. Barrier B-9 as currently shown in the TNR Addendum has an area/benefit greater than what is allowed for reasonableness. With the newly constructed residences included in the calculation, the area/benefit for Barrier B-9 may still be greater than allowed for reasonableness. Barrier B-8.1 was considered along I-26 WB between Courtland Place and Westover Drive to abate noise for Riverside Cemetery, while Barrier B-8 was considered along I-26 WB between Riverside Cemetery and Pearson Drive for residences along Montford Hills. Neither of these barriers met feasibility and reasonableness criteria. The final decision on feasibility and reasonableness of noise abatement shall be made upon completion of project design, completion of a DNR and its acceptance by NCDOT, and the public involvement process.</i></p> <p><i>For the final design noise analyses, any changes that have occurred since the completion of the TNR will be included in the DNR, including design changes, updated traffic forecasts, new building permits, and changes to NCDOT policy.</i></p> <p><i>NCDOT is electing to use Next Generation Concrete, a diamond grinding surfacing method, for the concrete paving option on roadways.</i></p>  |
| 19-5                 | <p><u>Construction Impacts</u><br/>Construction noise, damage, and dust are major community concerns. We request that NCDOT take the any and all available measures to limit the damage and health dangers of construction.</p> <p>Best management practices for construction noise abatement and dust and pollution control should be required in the design/build contract. Activities that will produce extremely loud noises should be scheduled during times of the day when such noises will create minimal disturbance.</p> <p>Mature tree removal should be minimized in the ROW, especially along steep slopes as found near Courtland Place, Montford Hills, and the Hibriten expansion neighborhoods. Quite honestly, if trees are removed behind the homes on Hibriten Drive, noise mitigation is denied prior to construction, and Sound Barriers are rejected as part of the plan, none of the homes in our neighborhood will be inhabitable or have remaining value. This all must be avoided at all costs, or these homes will need to be relocated or acquired, or the area rezoned as short term occupancy only due to long term health risks.</p> <p>Response:<br/><i>Appropriate best management practices (BMPs) applicable to construction and maintenance for protection of surface waters, wetlands, and upland habitat will be used to control erosion, sedimentation, and stormwater runoff to the maximum extent practicable. Mechanisms will be put in place to maintain traffic flow; minimize air quality, noise, and construction lighting impacts; manage waste disposal; protect surrounding natural resources; control erosion; and handle any accidental waste spills to the maximum extent practicable.</i></p> <p><i>All reasonable efforts would be made to minimize exposure of noise-sensitive land uses to</i></p> |

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|                      | <p><i>construction noise including the appropriate scheduling of construction activities.</i></p> <p><i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p>   |
| 20-Jane Yokoyama     |   |
| 20-1                 | <p>The size and scale of the project is too big for our town. The expansion from 8 to 20+ lanes is overkill. Reducing the size and scale will reduce the cost of the project, not to mention reduce the environmental impact to the areas involved. I believe 4 lanes for the I-26 bridge and 8 lanes between Riverside Cemetery and Broadway is sufficient.</p> <p>Response:<br/><i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p>  |
| 20-2                 | <p>As a person who lives in Montford, I know I will feel the impact of the I-26 expansion directly. Under the current proposal, portions of at least eleven of my neighbor’s properties will be taken. The proximity of a freeway of this size will introduce excessive noise and probably air pollution in the area. I support the use of Next Generation Concrete Surface throughout the project. Additionally, NCDOT should utilize continuous reinforced concrete pavement and jointless bridge structures as an additional noise reduction measure.</p> <p>Response:<br/><i>NCDOT evaluated the reasonableness and feasibility for preliminary noise abatement measures based on the NCDOT Traffic Noise Policy. A Design Noise Report will make final recommendations for noise barriers based on the final design. This final noise study will identify and include newer development that was permitted prior to finalization of the ROD.</i></p> <p><i>NCDOT is electing to use Next Generation Concrete, a diamond grinding surfacing method, for the concrete paving option on roadways.</i></p>                 |
| 20-3                 | <p>Such a large freeway expansion will have a negative visual impact on our community, especially near the Riverside Cemetery. Many of us in the neighborhood treasure the cemetery and everything should be done to minimize intrusion onto this historic landmark.</p> <p>Response:<br/><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the AC throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p> |
| 20-4                 | <p>NCDOT should also enact strong measures to protect existing vegetation and/or replace the areas involved with dense and mature landscape screening. Mature tree removal should be</p>  |



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|                      | <p>minimized, especially along steep slopes as found near Courtland Place, Montford Hills, and the Hibriten expansion neighborhoods.</p> <p>Response:<br/> <i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p>   |
| 21-David Nutter      | <p>On behalf of the PSABC and of historic preservation in general, we request that a 4F analysis be prepared for the Riverside Cemetery and Montford Neighborhood impact areas.</p> <p>We urgently request that NCDOT and FHWA undertake a Section 4F analysis of the very severe and adverse noise and visual impacts of the I-26 Connector Project on Riverside Cemetery, which are both an irreplaceable historic cemetery and a city of Asheville park. The 4F analysis we request should comply with 23 CFR 774.15 - Constructive use determinations based on severe proximity impacts.</p> <p>Response:<br/> <i>A constructive use assessment and determination was completed to document the potential for the project to have a constructive use on the Montford Area Historic District. The assessment resulted in the following:</i></p> <ul style="list-style-type: none"> <li><i>-The determination of no constructive use of the Montford Area Historic District would occur because the impacts of the project after mitigation would not rise to the level of being so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) would be substantially impaired; and,</i></li> <li><i>-To resolve the adverse effects caused by visual impacts to the cemetery pursuant to Section 106 of the National Historic Preservation Act, FHWA and NCDOT would coordinate with the State Historic Preservation Officer (SHPO), the Asheville City Parks and Recreation Department, the Montford Neighborhood Association, the City of Asheville Transportation and Planning and Urban Design Departments, and the Preservation Society of Asheville and Buncombe County to identify and develop specific mitigation measures for the project that address the visual impacts.</i></li> </ul> <p><i>After publication of the FEIS, the preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> |
| 22-Linda Baker       | <p>We are requesting that you scale down as many aspects of the project as possible: the I26 bridge, the northbound lanes, especially as they will border the coming proliferation of bridges along the French Broad River &amp; threaten the sanctity of our historic, Riverside Cemetery. Mightn't it be possible to revise the I-26 roadway plans westward, so that north Montford might be spared such overwhelming devastation to our tiny village? I fail to understand why the I26 roadway, along Riverside Cemetery needs to be raised so high that it will cause maximal disturbance to the existing cemetery, or why the Patton Avenue, east of the Bowen Bridge) has not been designed with any remote regard to the existing community. What has the NCDOT planned to minimize the negative visual impact of these drastic changes? Has there been any firm commitment to appropriate landscaping, for instance? With regard to noise, I understand that NCDOT has not yet updated the maps to include the</p>  |

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|                      | <p>newest housing built along the Hibriten Extension, so how would it be possible to determine appropriate noise barriers for this particular area?</p> <p>Not only is the historic, Riverside Cemetery a popular spot for tourists, as some who are interred there are well known authors &amp; historic figures, but the cemetery is even more important to Montford residents, as a peaceful stroll through the cemetery is part of our daily lives, in all seasons, which is one major reason why my neighbors &amp; I fully support the joint consulting parties’ Position Paper &amp; the minimization &amp; mitigation requests contained within.</p> <p>Response:<br/> <i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p>   |
| 23-Mark Zinc         | <p>I am writing to you as an Asheville homeowner with grave concerns about the I-26 expansion project. Asheville depends on visitors to our city, who are attracted by the unique charms of our beautiful environs. If there is any way to consider these assets more thoughtfully, it will help to keep our city a peaceful refuge both for residents and travelers passing through. Although I understand the need to improve transportation in the area, I believe the project as planned is vastly out of scale for our community footprint. Please consider reducing the number of lanes on the I-26 bridge from six to four, reducing the size of the I-240 flyovers, and reducing the number of lanes on the Westbound Bowen Bridge.</p> <p>I ask that our community work together with you on ways to minimize visual and sound impacts, particularly those affecting Riverside Cemetery—our community’s oldest sacred place. I would also ask that you consider ways to improve safety and options for pedestrians and bikers in this plan. They’re a crucial part of our urban traffic planning and one we hope to grow.</p> <p>Response:<br/> <i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> |

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|                       | <p><i>NCDOT has coordinated closely with the City of Asheville to develop a “betterments” list identifying areas of bicycle/pedestrian infrastructure to be constructed during the project under a municipal agreement with the City of Asheville. These include sidewalks, bicycle lanes, and a multi-use path on Amboy Road; sidewalks, widened berms, and a multi-use path along Shelburne Road; a multi-use path on Brevard Road; sidewalks on the Haywood Road bridge; sidewalk on the north side and multi-use path on the south side of Patton Avenue; berms and sidewalks for the Hillcrest Connector and Atkinson Street; and sidewalk improvements for Bear Creek Road and Sandhill Road.</i></p>  |
| 24-Caroline Lieberman |  |
| 24-1                  | <p>The overall project is too big, and not appropriately scaled to our small, scenic mountain community. Whereas we currently have one 8-lane bridge over the French Broad River which carries I-26, I-240, and local traffic combined, this future design envisions the need for a staggering 20+ lanes on four separate bridges. With the 6-lane I-26 bridge merging with the four lanes of 19/23/70 traffic, this northern part of the project becomes 10-11 lanes wide through to Broadway. This is an unacceptably large footprint within our city limits. The expansion into the Montford Hills escarpment will be environmentally damaging and represents a cumulative impact to one of Asheville’s oldest historic neighborhoods. This project can and should be more appropriately scaled:</p> <ul style="list-style-type: none"> <li>* The I-26 bridge should be reduced from six lanes to four lanes. Four lanes will be sufficient to meet 2040 projected traffic volumes at the level of service appropriate for urban freeways. Four lanes will be significantly less damaging to the environment and communities, and will occupy less valuable waterfront property.</li> <li>* By reducing the I-26 bridge to four lanes, which will sufficiently meet the traffic needs within the planning horizon, the size of the project can be reduced from ten travel lanes to eight travel lanes between Riverside Cemetery and Broadway. This would reduce the cost significantly.</li> <li>* Reducing the I-26 bridge from six to four lanes will also allow the complex configuration of bridges and access ramps over the French Broad to be tightened. The current design which includes the I-26 bridge, the two I-240 flyovers, and a number of elevated on and off ramps, occupies an unacceptably large swath of land along our waterfront. A smaller and tighter configuration here will consume less of this valuable land and reduce the devastating visual impacts of the project.</li> </ul> <p>Response:<br/> <i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human</i></p> |

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|                      | <i>environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i>   |
| 24-2                 | <p>To accommodate the 10 to 11 lanes of freeway along Montford Hills, NCDOT appears to be taking all or portions of eleven properties. These properties could be saved by reducing the size of the I-26 bridge and shifting traffic lanes to the west toward Riverside Drive. NCDOT should specifically request that the design/build contractor use all available design changes and/or design exceptions to avoid these takings and reduce the proximity impacts of the project.</p> <p>There will also be property takings and proximity impacts along Hill Street and Courtland Avenue. We recognize the ongoing work between NCDOT, the City of Asheville, and community members to redesign the interchange on Patton Avenue on the east side of the Bowen Bridge to better reflect the community’s urban design and connectivity goals. The objectives of this work should include lowering the 19/23/70 roadbed along Riverside Cemetery and lowering and reducing the overall footprint of the I-240 flyovers. Even where property is not physically being taken, the proximity of a freeway this size will introduce noise and pollution that will negatively impact our outdoor spaces and reduce community cohesion.</p> <p>Response:<br/><i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |
| 24-3                 | <p>NCDOT has acknowledged that the selected alternative, 4B, will significantly change the Asheville viewshed and introduce significant “incompatible visual elements”. The Montford area visual impacts are some of the worst and include largely unobstructed views of the massive I-26 bridge and I-240 flyovers, as well as the elevated 19/23/70 northbound roadway and the extremely wide section of the I-26 freeway alongside the Montford Hills to Broadway.</p> <p><u>Visual Impacts</u></p> <p>Minimization measures to reduce these adverse visual impacts should be employed where possible, including reduction of the size of the I-26 bridge and continuing lanes to the north; tightening of the configuration of bridges over the French Broad River; lowering of the 19/23/70 northbound lanes alongside Riverside Cemetery, and shifting the I-26 roadway west along the Montford Hills.</p> <p>NCDOT should enact strong measures to protect existing vegetation in these areas, and/or replace with dense and mature landscape screening to minimize visual impacts.</p> <p>Response:</p>   |

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|                      | <p><i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee (AC) in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the AC throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p>   |
| 24-4                 | <p>Noise Impacts</p> <p>This project intersects densely-populated urban areas, and borders and bisects neighborhoods. Traffic noise reduction is a primary concern, and noise minimization should be a primary design goal. We understand that NCDOT is considering the use of Next Generation Concrete Surface throughout the project and strongly support this specification. Additionally, NCDOT should specify that continuous reinforced concrete pavement and jointless bridge structures be utilized throughout the project as a noise reduction measure. Noise walls and attached noise barriers should also be employed to reduce the impact on neighborhoods. However, the Traffic Noise Report (TNR) for the FEIS does not indicate there will be any significant noise abatement for our community. In fact, for the entire stretch of expanded roadway from Hill Street to Broadway, only one very small noise barrier is recommended near Courtland Place.</p> <p>Although NCDOT has followed their standard noise policy in assessing noise impacts and evaluating noise abatement opportunities, the analysis has fallen short in two significant ways:</p> <ul style="list-style-type: none"> <li>* The GIS maps used as a basis for the TNR were not updated. As a result, a significant number of newer homes within the study area are missing from the analysis. NSA B-9 is missing sixteen homes in the Hibriten Expansion area that are adjacent to or one property removed from the NCDOT ROW. If included, these homes will substantially change the “reasonability” calculation for the B-9 noise barrier.</li> <li>* The determination if a barrier is “reasonable” is based on a calculation of square footage of barrier per impacted receptor. Therefore, the specific placement of barriers (start and stop points) can preclude a barrier from being recommended. For example, Riverside Cemetery is included in the evaluation of a noise barrier for residences along Montford Hills (NB-8). Since including Riverside Cemetery adds significant square footage to the noise barrier, but the cemetery’s benefited receptors were assigned an equivalent “weighting” of one residence, the barrier NB-8 was deemed “not reasonable.”</li> </ul> <p>Since a final noise study and noise barrier assessment will be done as part of the design-build process, the above issues should be addressed at that time. To ensure that our community receives adequate noise mitigation, NCDOT should explicitly direct the design/build contractor to update all maps and noise receptor locations to ensure all eligible properties (building permit issued prior to the Date of Public Knowledge) are included in the final analysis. Furthermore, the design/build contractor should engage the City of Asheville Planning department and the Aesthetics Advisory Committee early in the noise barrier</p> |



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|                      | <p>evaluation process to ensure adequate scenarios are considered, and the best outcome is achieved for noise-impacted communities.</p> <p>Response:<br/> <i>The Traffic Noise Report (TNR) for the FEIS is a preliminary analysis only. As such, Design Noise Reports (DNR) will be completed as part of the final design process. All homes with a building permit issued before the project’s date of public knowledge (DoPK) are eligible for noise abatement consideration if they receive traffic noise impacts due to the project. The project’s DoPK is the date the Record of Decision was issued for the FEIS. Once the DoPK is established, the project area will be reviewed to identify any newer development that may not have been included in the preliminary noise study for inclusion in the final noise study. In fact, the preliminary noise study for most projects is almost always completed before the DoPK is established, so one of the main tasks of a final noise study is to identify and include newer development that was permitted before the project’s DoPK. Homes that were issued building permits before the project’s DoPK and that lie within the outer-most limits of the project’s traffic noise impacts will be included in the final traffic noise study.</i></p> <p><i>A TNR Addendum for I-2513B was completed March 2022. Barrier B-9 as currently shown in the TNR Addendum has an area/benefit greater than what is allowed for reasonableness. With the newly constructed residences included in the calculation, the area/benefit for Barrier B-9 may still be greater than allowed for reasonableness. Barrier B-8.1 was considered along I-26 WB between Courtland Place and Westover Drive to abate noise for Riverside Cemetery, while Barrier B-8 was considered along I-26 WB between Riverside Cemetery and Pearson Drive for residences along Montford Hills. Neither of these barriers met feasibility and reasonableness criteria. The final decision on feasibility and reasonableness of noise abatement shall be made upon completion of project design, completion of a DNR and its acceptance by NCDOT, and the public involvement process.</i></p> <p><i>For the final design noise analyses, any changes that have occurred since the completion of the TNR will be included in the DNR, including design changes, updated traffic forecasts, new building permits, and changes to NCDOT policy.</i></p> <p><i>NCDOT is electing to use Next Generation Concrete, a diamond grinding surfacing method, for the concrete paving option on roadways.</i></p> |
| 24-5                 | <p><u>Adverse Impact to Riverside Cemetery</u><br/>                     NCDOT and SHPO have acknowledged the adverse impact to Riverside Cemetery, which has triggered a Section 106 mitigation process. The Montford Neighborhood Association is participating as a consulting party in the development of the Memorandum of Agreement regarding mitigations. We strongly support the joint consulting parties’ Position Paper and the minimization and mitigation requests it contains.</p> <p>Response:<br/> <i>Comment noted.</i></p>   |
| 24-6                 | <p><u>Construction Impacts</u><br/>                     Construction noise, damage, and dust are major community concerns. We request that NCDOT take any and all available measures to limit the damage and health dangers of construction.<br/>                     Best management practices for construction noise abatement and dust and pollution control should be required in the design/build contract. Activities that will produce extremely loud noises should be scheduled during times of the day when such noises will create minimal</p>  |

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|                      | <p>disturbance.<br/>Tree and shrub removal should be minimized in the ROW, especially along steep slopes as found near Courtland Place, Montford Hills, and the Hibriten expansion neighborhoods.</p> <p>Response:<br/><i>Appropriate best management practices (BMPs) applicable to construction and maintenance for protection of surface waters, wetlands, and upland habitat will be used to control erosion, sedimentation, and stormwater runoff to the maximum extent practicable. Mechanisms will be put in place to maintain traffic flow; minimize air quality, noise, and construction lighting impacts; manage waste disposal; protect surrounding natural resources; control erosion; and handle any accidental waste spills to the maximum extent practicable.</i></p> <p><i>All reasonable efforts would be made to minimize exposure of noise-sensitive land uses to construction noise including the appropriate scheduling of construction activities.</i></p> <p><i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p> |
| 25-Emily Hirn        | <p>I hope you will consider the points made by Susan Loftis in her letter to you dated April 17, 2020. I have known Susan for over 20 years and have worked with her on several architectural projects, both commercial and residential. I have the highest regard for her professional judgment and standards. Having read the letter, I believe her insights will greatly benefit this upcoming project.</p> <p>Response:<br/><i>Comment noted.</i></p>  |
| 26-Jerry Morris      | <p>This project totally contradicts what Asheville is about which is quaint historical city. This will ruin the history and charm that we all have moved here for as well as the millions of tourists flocking to get a taste. Please do not move forward with this project for yourself and all of us that make this Asheville.</p> <p>Response:<br/><i>Comment noted.</i></p>  |
| 27-Amy Kemp          | <p>Asheville has recently seen dramatic changes to its environment due to runaway development. Stormwater runoff is an increasing issue, tree canopy has been devastated, traffic noise is off the charts, and the overall quality of life has diminished dramatically over the past five years.</p> <p>The area is ultimately attractive as a result of its ecology and environment, both of which will be dramatically impacted by the I-26 connector project as it is currently designed.</p> <p>I implore you to continue to work with members of the community to ensure that the changes wrought upon us by the I-26 project are harnessed in a way that minimizes impact to our community, its people, businesses, wildlife and natural beauty.</p> <p>Response:<br/><i>Minimization measures for unavoidable impacts have been developed through coordination with the environmental regulatory and resource agencies including the United States Fish and Wildlife Service and the North Carolina Wildlife Resources Commission, among others.</i></p>  |

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|                      | <p><i>Following identification of the preferred alternative, designs were refined based upon an updated traffic forecast, and the NCDOT evaluated ways to further modify the alternative to avoid and minimize impacts to physical, and natural environments.</i></p> <p><i>Since publication of the FEIS, NCDOT has continued to work closely with the City of Asheville, various neighborhoods and organizations, and the City’s Aesthetics Committee to further minimize designs and make the project fit within the context of Asheville. Records of this communication with the City of Asheville are available on the City of Asheville website at <a href="https://www.ashevilenc.gov/department/transportation/current-projects/i-26-connector-project">https://www.ashevilenc.gov/department/transportation/current-projects/i-26-connector-project</a>.</i></p>   |
| 28-Mary Stair        | <p>Could the NCDOT make new decisions because of the Corona Virus?<br/>The NCDOT I-26 Expansion could be where change begins: with amended plans that support the transportation needs of North Carolinians, instead of Interstates.</p> <p>Imagine the news story! The NCDOT leads the way to change: prioritizing roadways for pedestrians, un-motorized vehicles and public transport rather than highspeed Interstate travel. The NCDOT supports communities, not ramps and exchanges!</p> <p>Please consider scaling back all of your Interstate plans and your I-26 Expansion in this region. In so doing, you might reference the successes in Vancouver, British Columbia, a very large city where departments of transportation support public transportation, non-motorized vehicles and pedestrians.</p> <p>Response:<br/><i>The preliminary designs for the selected alternative have been developed with consideration to the current City of Asheville Pedestrian Plan, City of Asheville Comprehensive Bicycle Plan, City of Asheville Parks, Recreation, Cultural Arts, &amp; Greenways Master Plan, and the Buncombe County Greenways and Trails Master Plan. Pursuant to NCDOT policies and guidelines regarding bicycle and pedestrian accommodations and complete streets, in areas where existing sidewalks are being disturbed, the designs show these sidewalks being replaced as a part of the proposed designs. In areas where the various plans propose future pedestrian accommodations, the designs have been developed to accommodate or not preclude these elements from being constructed by the various agencies. NCDOT is committed to Complete Streets improvements and will continue to coordinate efforts with the City of Asheville to incorporate these amenities into the project in compliance with design and cost-sharing guidelines.</i></p> <p><i>NCDOT has coordinated closely with the City of Asheville to develop a “betterments” list identifying areas of bicycle/pedestrian infrastructure to be constructed during the project under a municipal agreement with the City of Asheville. These include sidewalks, bicycle lanes, and a multi-use path on Amboy Road; sidewalks, widened berms, and a multi-use path along Shelburne Road; a multi-use path on Brevard Road; sidewalks on the Haywood Road bridge; sidewalk on the north side and multi-use path on the south side of Patton Avenue; berms and sidewalks for the Hillcrest Connector and Atkinson Street; and sidewalk improvements for Bear Creek Road and Sandhill Road.</i></p> <p><i>Since publication of the FEIS, NCDOT has continued to work closely with the City of Asheville, various neighborhoods and organizations, and the City’s Aesthetics Committee to further minimize designs and make the project fit within the context of Asheville.</i></p> |

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| 29-David Herman          | <p>In sum, I adopt and endorse Susan Loftis’ email earlier regarding this matter. I will not waste your time saying similar things less precisely.<br/>All vital cites require a robust residential component. The Montford neighborhood is an especially important factor towards this issue to Asheville. Please help us maintain that.</p> <p>Response:<br/><i>Comment noted.</i></p>   |
| 30-Betty Lawrence        | <p>I take this opportunity to make one last comment on the design of this connector. I spent years around the turn of the millennium attempting to get the best possible plan for this project.<br/>I am left with the single comment that a reduction of the Design Speed for this project would make every other aspect of the connector less damaging to the community. We don’t want or need to have vehicles speeding through the center of our city at 60+ mph. If the design speed is lowered, curves can be tighter and less land will be used.<br/>Please use the design/build aspect of the project to make this one basic change. Cost will be considerably lowered, as will damage to Asheville.</p> <p>Response:<br/><i>As a result of coordination with the City of Asheville and other stakeholders, the posted speed has been reduced to 35 mph for proposed design on the Bowen Bridge, and between the I-26 interchange and Clingman Avenue.</i></p>   |
| 31-David Anderson        | <p>I would like to go on record stating that I object to the current design proposals set forth by the NCDOT.</p> <p>Response:<br/><i>Comment noted.</i></p>   |
| 32-Karen MacNeil<br>32-1 | <p>The overall project is not appropriately scaled to our small, scenic mountain community. We currently have one 8-lane bridge over the French Broad River which carries I-26, I-240, and local traffic combined, this future design envisions the need for a staggering 20+ lanes on four separate bridges. With the 6-lane I-26 bridge merging with the four lanes of 19/23/70 traffic, this northern part of the project becomes 10-11 lanes wide through to Broadway. This is an unacceptably large footprint within our city limits. The expansion into the Montford Hills escarpment will be environmentally damaging and represents a cumulative impact to one of Asheville’s oldest historic neighborhoods. This project can and should be more appropriately scaled:</p> <ul style="list-style-type: none"> <li>-The I-26 bridge should be reduced from six lanes to four lanes.</li> <li>-Reducing the I-26 bridge to four lanes will allow the project to still meet the traffic needs within the planning horizon, while reducing the size from ten travel lanes to eight travel lanes between Riverside Cemetery and Broadway. And it will save money!</li> <li>-Reducing the I-26 bridge from six to four lanes will allow the complex configuration of bridges and access ramps over the French Broad to be tightened. A smaller and tighter configuration here will consume less of this valuable land and reduce the devastating visual impacts of the project.</li> </ul> <p>In summary, a 6-lane I-26 bridge and the larger footprint that it creates heading north to the Broadway exit will produce severe impacts on our community that are unnecessary to meet the project’s purpose and need. These irreversible and damaging impacts must be avoided if traffic capacity within the planning horizon can be accommodated with fewer lanes.</p> |

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|                      | <p>Response:<br/> <i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p>   |
| 32-2                 | <p>We have significant concerns about the impact of this project on our neighborhood. My family is most concerned about the following impacts:</p> <p>To accommodate the 10 to 11 lanes of freeway along Montford Hills, NCDOT appears to be taking all or portions of eleven properties. These properties could be saved by reducing the size of the I-26 bridge and shifting traffic lanes to the west toward Riverside Drive. NCDOT should specifically request that the contractor use all available design changes to avoid these takings and reduce the proximity impacts of the project.</p> <p>There will also be property takings and proximity impacts along Hill Street and Courtland Avenue. We recognize the ongoing work between NCDOT, the City of Asheville, and community members to redesign the interchange on Patton Avenue on the east side of the Bowen Bridge to better reflect the community’s urban design and connectivity goals. The objectives of this work should include lowering the 19/23/70 roadbed along Riverside Cemetery and lowering and reducing the overall footprint of the I-240 flyovers. Even where property is not physically being taken, the proximity of a freeway this size will introduce noise and pollution that will negatively impact our outdoor spaces and reduce community cohesion.</p> <p>Response:<br/> <i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |



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| 32-3                 | <p>NCDOT has acknowledged that the selected alternative, 4B, will significantly change the Asheville viewshed and introduce significant “incompatible visual elements”. The Montford area visual impacts are some of the worst and include largely unobstructed views of the massive I-26 bridge and I-240 flyovers, as well as the elevated 19/23/70 northbound roadway and the extremely wide section of the I-26 freeway alongside the Montford Hills to Broadway.</p> <p>Minimization measures to reduce these adverse visual impacts should be employed where possible, including reduction of the size of the I-26 bridge and continuing lanes to the north; tightening of the configuration of bridges over the French Broad River; lowering of the 19/23/70 northbound lanes alongside Riverside Cemetery, and shifting the I-26 roadway west along the Montford Hills.</p> <p>NCDOT should enact strong measures to protect existing vegetation in these areas, and/or replace with dense and mature landscape screening to minimize visual impacts. Mature tree removal should be minimized in the ROW.</p> <p>Response:<br/> <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the AC throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p> <p><i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p> |
| 32-4                 | <p>The Traffic Noise Report (TNR) for the FEIS does not recommend adequate noise abatement for our community. In fact, for the entire stretch of expanded roadway from Hill Street to Broadway, only one small noise barrier is recommended near Courtland Place.</p> <p>To ensure that our community receives adequate noise mitigation, NCDOT should explicitly direct the contractor to update all maps and noise receptor locations to ensure all eligible properties (building permit issued prior to the Date of Public Knowledge) are included in the final analysis. Furthermore, the contractor should engage the City of Asheville Planning department and the Aesthetics Advisory Committee early in the noise barrier evaluation process to ensure adequate scenarios are considered, and the best outcome is achieved for noise-impacted communities.</p>  |

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|                                       | <p>Response:<br/> <i>NCDOT evaluated the reasonableness and feasibility for preliminary noise abatement measures based on the NCDOT Traffic Noise Policy. A Design Noise Report will make final recommendations for noise barriers based on the final design. This final noise study will identify and include newer development that was permitted prior to finalization of the ROD.</i></p>   |
| 32-5                                  | <p>Some of the most significant visual impacts in the entire corridor will occur at Riverside Cemetery, within the Montford Historic District, a treasured local landmark and area of frequent use by Montford Residents.</p> <p>NCDOT and SHPO have acknowledged the adverse impact to Riverside Cemetery, which has triggered a Section 106 mitigation process. The Montford Neighborhood Association is participating as a consulting party in the development of the Memorandum of Agreement regarding mitigations. We strongly support the joint consulting parties’ Position Paper and the minimization and mitigation requests contained within.</p> <p>Response:<br/> <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the AC throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p> |
| 32-6                                  | <p>Construction noise, damage, and dust are major community concerns. We request that NCDOT take all available measures to limit the damage and health dangers of construction.</p> <p>Best management practices for construction noise abatement and dust and pollution control should be required in the contract. Activities that will produce extremely loud noises should be scheduled during times of the day when such noises will create minimal disturbance.</p> <p>Response:<br/>           Appropriate best management practices (BMPs) applicable to construction and maintenance for protection of surface waters, wetlands, and upland habitat will be used to control erosion, sedimentation, and stormwater runoff to the maximum extent practicable. Mechanisms will be put in place to maintain traffic flow; minimize air quality, noise, and construction lighting impacts; manage waste disposal; protect surrounding natural resources; control erosion; and handle any accidental waste spills to the maximum extent practicable.</p> <p>All reasonable efforts would be made to minimize exposure of noise-sensitive land uses to construction noise including the appropriate scheduling of construction activities.</p>   |
| 33-Bruce Mulkey &<br>Shonnie Lavender |   |

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| 33-1                 | <p>The overall project is not appropriately scaled to our small, scenic mountain community. We currently have one 8-lane bridge over the French Broad River which carries I-26, I-240, and local traffic combined, this future design envisions the need for a staggering 20+ lanes on four separate bridges. With the 6-lane I-26 bridge merging with the four lanes of 19/23/70 traffic, this northern part of the project becomes 10-11 lanes wide through to Broadway. This is an unacceptably large footprint within our city limits. The expansion into the Montford Hills escarpment will be environmentally damaging and represents a cumulative impact to one of Asheville’s oldest historic neighborhoods. This project can and should be more appropriately scaled:</p> <ul style="list-style-type: none"> <li>-The I-26 bridge should be reduced from six lanes to four lanes.</li> <li>-Reducing the I-26 bridge to four lanes will allow the project to still meet the traffic needs within the planning horizon, while reducing the size from ten travel lanes to eight travel lanes between Riverside Cemetery and Broadway. And it will save money!</li> <li>-Reducing the I-26 bridge from six to four lanes will allow the complex configuration of bridges and access ramps over the French Broad to be tightened. A smaller and tighter configuration here will consume less of this valuable land and reduce the devastating visual impacts of the project.</li> </ul> <p>In summary, a 6-lane I-26 bridge and the larger footprint that it creates heading north to the Broadway exit will produce severe impacts on our community that are unnecessary to meet the project’s purpose and need. These irreversible and damaging impacts must be avoided if traffic capacity within the planning horizon can be accommodated with fewer lanes.</p> <p>Response:<br/> <i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |
| 33-2                 | <p>We have significant concerns about the impact of this project on our neighborhood. My family is most concerned about the following impacts:</p> <p>To accommodate the 10 to 11 lanes of freeway along Montford Hills, NCDOT appears to be taking all or portions of eleven properties. These properties could be saved by reducing the size of the I-26 bridge and shifting traffic lanes to the west toward Riverside Drive. NCDOT should specifically request that the contractor use all available design changes to avoid these takings and reduce the proximity impacts of the project.</p> <p>There will also be property takings and proximity impacts along Hill Street and Courtland Avenue. We recognize the ongoing work between NCDOT, the City of Asheville, and community members to redesign the interchange on Patton Avenue on the east side of the</p>  |

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|                      | <p>Bowen Bridge to better reflect the community’s urban design and connectivity goals. The objectives of this work should include lowering the 19/23/70 roadbed along Riverside Cemetery and lowering and reducing the overall footprint of the I-240 flyovers. Even where property is not physically being taken, the proximity of a freeway this size will introduce noise and pollution that will negatively impact our outdoor spaces and reduce community cohesion.</p> <p>Response:<br/> <i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p>  |
| 33-3                 | <p>NCDOT has acknowledged that the selected alternative, 4B, will significantly change the Asheville viewshed and introduce significant “incompatible visual elements”. The Montford area visual impacts are some of the worst and include largely unobstructed views of the massive I-26 bridge and I-240 flyovers, as well as the elevated 19/23/70 northbound roadway and the extremely wide section of the I-26 freeway alongside the Montford Hills to Broadway.</p> <p>Minimization measures to reduce these adverse visual impacts should be employed where possible, including reduction of the size of the I-26 bridge and continuing lanes to the north; tightening of the configuration of bridges over the French Broad River; lowering of the 19/23/70 northbound lanes alongside Riverside Cemetery, and shifting the I-26 roadway west along the Montford Hills.</p> <p>NCDOT should enact strong measures to protect existing vegetation in these areas, and/or replace with dense and mature landscape screening to minimize visual impacts. Mature tree removal should be minimized in the ROW.</p> <p>Response:<br/> <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville</i></p> |

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|                      | <p><i>organized an Aesthetics Committee in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the AC throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p> <p><i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p>   |
| 33-4                 | <p>This project intersects densely-populated urban areas, and borders and bisects neighborhoods. Traffic noise reduction is a primary concern, and noise minimization should be a primary design goal. [I / We] understand that NCDOT is considering the use of Next Generation Concrete Surface throughout the project and strongly support this specification. Additionally, NCDOT should specify that continuous reinforced concrete pavement and jointless bridge structures be utilized throughout the project as a noise reduction measure. Noise walls and attached noise barriers should also be employed to reduce the impact on neighborhoods. However, the Traffic Noise Report (TNR) for the FEIS does not indicate there will be any significant noise abatement for our community. In fact, for the entire stretch of expanded roadway from Hill Street to Broadway, only one very small noise barrier is recommended near Courtland Place.</p> <p>Although NCDOT has followed their standard noise policy in assessing noise impacts and evaluating noise abatement opportunities, the analysis has fallen short in two significant ways:</p> <ul style="list-style-type: none"> <li>-The GIS maps used as a basis for the TNR were not updated. As a result, a significant number of newer homes within the study area are missing from the analysis. NSA B-9 is missing sixteen homes in the Hibriten Expansion area that are adjacent to or one property removed from the NCDOT ROW. If included, these homes will substantially change the “reasonability” calculation for the B-9 noise barrier.</li> <li>-The determination if a barrier is “reasonable” is based on a calculation of square footage of barrier per impacted receptor. Therefore, the specific placement of barriers (start and stop points) can preclude a barrier from being recommended. For example, Riverside Cemetery is included in the evaluation of a noise barrier for residences along Montford Hills (NB-8). Since including Riverside Cemetery adds significant square footage to the noise barrier, but the cemetery’s benefited receptors were assigned an equivalent “weighting” of one residence, the barrier NB-8 was deemed “not reasonable.”</li> </ul> <p>Since a final noise study and noise barrier assessment will be done as part of the design-build process, the above issues should be addressed at that time. To ensure that our community receives adequate noise mitigation, NCDOT should explicitly direct the design/build contractor to update all maps and noise receptor locations to ensure all eligible properties (building permit issued prior to the Date of Public Knowledge) are included in the final analysis. Furthermore, the design/build contractor should engage the City of Asheville Planning department and the Aesthetics Advisory Committee early in the noise barrier evaluation process to ensure adequate scenarios are considered, and the best outcome is achieved for noise-impacted communities.</p> <p>Response:</p> |



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|                      | <p><i>The Traffic Noise Report (TNR) for the FEIS is a preliminary analysis only. As such, Design Noise Reports (DNR) will be completed as part of the final design process. All homes with a building permit issued before the project’s date of public knowledge (DoPK) are eligible for noise abatement consideration if they receive traffic noise impacts due to the project. The project’s DoPK is the date this Record of Decision was issued. Once the DoPK is established, the project area will be reviewed to identify any newer development that may not have been included in the preliminary noise study for inclusion in the final noise study. In fact, the preliminary noise study for most projects is almost always completed before the DoPK is established, so one of the main tasks of a final noise study is to identify and include newer development that was permitted before the project’s DoPK. Homes that were issued building permits before the project’s DoPK and that lie within the outer-most limits of the project’s traffic noise impacts will be included in the final traffic noise study.</i></p> <p><i>A TNR Addendum for I-2513B was completed March 2022. Barrier B-9 as currently shown in the TNR Addendum has an area/benefit greater than what is allowed for reasonableness. With the newly constructed residences included in the calculation, the area/benefit for Barrier B-9 may still be greater than allowed for reasonableness. Barrier B-8.1 was considered along I-26 WB between Courtland Place and Westover Drive to abate noise for Riverside Cemetery, while Barrier B-8 was considered along I-26 WB between Riverside Cemetery and Pearson Drive for residences along Montford Hills. Neither of these barriers met feasibility and reasonableness criteria. The final decision on feasibility and reasonableness of noise abatement shall be made upon completion of project design, completion of a DNR and its acceptance by NCDOT, and the public involvement process.</i></p> <p><i>For the final design noise analyses, any changes that have occurred since the completion of the TNR will be included in the DNR, including design changes, updated traffic forecasts, new building permits, and changes to NCDOT policy.</i></p> <p><i>NCDOT is electing to use Next Generation Concrete, a diamond grinding surfacing method, for the concrete paving option on roadways.</i></p> |
| 33-5                 | <p>Some of the most significant visual impacts in the entire corridor will occur at Riverside Cemetery, within the Montford Historic District, a treasured local landmark and area of frequent use by Montford Residents.</p> <p>NCDOT and SHPO have acknowledged the adverse impact to Riverside Cemetery, which has triggered a Section 106 mitigation process. The Montford Neighborhood Association is participating as a consulting party in the development of the Memorandum of Agreement regarding mitigations. We strongly support the joint consulting parties’ Position Paper and the minimization and mitigation requests contained within.</p> <p>Response:<br/> <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be</i></p>   |

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|                      | <p><i>compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the AC throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p>  |
| 33-6                 | <p>Construction noise, damage, and dust are major community concerns. We request that NCDOT take all available measures to limit the damage and health dangers of construction. Mature tree removal should be minimized in the ROW, especially along steep slopes as found near Courtland Place, Montford Hills, and the Hibriten expansion neighborhoods.</p> <p>Best management practices for construction noise abatement and dust and pollution control should be required in the contract. Activities that will produce extremely loud noises should be scheduled during times of the day when such noises will create minimal disturbance.</p> <p>Response:<br/><i>Appropriate best management practices (BMPs) applicable to construction and maintenance for protection of surface waters, wetlands, and upland habitat will be used to control erosion, sedimentation, and stormwater runoff to the maximum extent practicable. Mechanisms will be put in place to maintain traffic flow; minimize air quality, noise, and construction lighting impacts; manage waste disposal; protect surrounding natural resources; control erosion; and handle any accidental waste spills to the maximum extent practicable.</i></p> <p><i>All reasonable efforts would be made to minimize exposure of noise-sensitive land uses to construction noise including the appropriate scheduling of construction activities.</i></p> |
| 33-7                 | <p>Mature tree removal should be minimized in the ROW, especially along steep slopes as found near Courtland Place, Montford Hills, and the Hibriten expansion neighborhoods.</p> <p>Response:<br/><i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p>   |
| 34-Tony Micocci      |   |
| 34-1                 | <p>The number of lanes being planned for the highway coming over the river and up to the northern edge of Asheville. I question the basis on which future demand projections can justify this number of lanes, especially with the decrease in statistical basis as a result of the current Covid-19 epidemic.</p> <p>The necessity to run 26 so close to Montford Hills as to require digging into the wooded escarpment that provides some minimal protection of the community from the highway sights and sounds. A reduction in the number of lanes and, if necessary, a slight movement of the highway to the East should make it possible to leave the escarpment intact and also eliminate the taking of homes in that area. I have to believe that not having to dig into the escarpment and then shoring up that steep hill will also reduce construction costs considerably.</p> <p>Response:<br/><i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose</i></p>  |

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|                      | <p><i>and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>Various design refinements that have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and the Hillcrest Apartment Community. Other design refinements will be implemented during the final design stage including multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, and reduction of lanes on the Bowen Bridge design, among others. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p>  |
| 34-2                 | <p>I urge that a Next Generation Concrete Grind surface be required on the highway, both over the river and through all of Section B, in the design/build contract. I'm aware that this type of surfacing is more expensive than other options, but the extra cost can hopefully be offset by the savings in reducing the number of lanes and not digging into and shoring up the Montford escarpment.</p> <p>Response:<br/><i>NCDOT is electing to use Next Generation Concrete, a diamond grinding surfacing method, for the concrete paving option on roadways.</i></p>  |
| 34-3                 | <p>Increase use of sound walls and other sound reducing options through Section B. I submit that current plans do not allow for the level of rigorous noise abatement measures for Montford, Montford Hills and the Riverside Cemetery to protect these historic areas that should be built into the design and contract.</p> <p>Response:<br/><i>The Traffic Noise Report (TNR) for the FEIS is a preliminary analysis only. As such, Design Noise Reports (DNR) will be completed as part of the final design process. All homes with a building permit issued before the project's date of public knowledge (DoPK) are eligible for noise abatement consideration if they receive traffic noise impacts due to the project. The project's DoPK is the date this Record of Decision was issued. Once the DoPK is established, the project area will be reviewed to identify any newer development that may not have been included in the preliminary noise study for inclusion in the final noise study. In fact, the preliminary noise study for most projects is almost always completed before the DoPK is established, so one of the main tasks of a final noise study is to identify and include newer development that was permitted before the project's DoPK. Homes that were issued building permits before the project's DoPK and that lie within the outer-most limits of the project's traffic noise impacts will be included in the final traffic noise study.</i></p> |
| 35-George Johnson    | <p>I have been following the proposed 1 26 corridor project for a while now. As a resident or frequent visitor , my parents lived here from 1949 until 9 years ago, and having grown up in this town, I certainly have seen this sleepy little town of the 50's expand in every direction. The cut through Beaucatcher Mountain certainly had an environmental impact on those east of the mountain and east of downtown. Now I see the possibility of the same thing happening on the west side of downtown. There are many points in Susan Loftus's letter that I wish the NCDOT would consider. I agree with her assessment of the impact that the scope of the project will have on so many areas of our city. I also agree that a more reasonable</p>  |

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|                      | <p>solution would be to follow the example of other cities by diverting transient traffic around the central core of the city . I'm sure that people that are not going to visit our city would find it more convenient to circumvent the city.</p> <p>Response:<br/><i>Comment noted.</i></p>  |
| 36-Beth Howard       |   |
| 36-1                 | <p>I own a home in Asheville, NC, and have serious concerns about the proposed I-26 Highway Expansion. I don't know how much time you have spent in Asheville but this project is astonishing close to our city center and our burgeoning riverfront. I was shocked when I saw the renderings with the enormous flyovers and multiple lanes being planned. I've only ever seen these configurations well outside of a city center. While I recognize the need for traffic solutions, it simply isn't in keeping with the character and landscape of the small community we call home.</p> <p>Response:<br/><i>Comment noted.</i></p>  |
| 36-2                 | <p>I live in the historic Montford community--one of the city's oldest and most historically significant neighborhoods and among those that will be significantly altered by the expansion. Montford was the first home to my grandparents after they married in the late 1920s. My mother was born on Cumberland Circle in 1930, which is less than a mile from this interchange. My grandfather, Dr. Samuel Crow, one of Asheville's beloved doctors for half a century, was buried at Riverside Cemetery, which will be radically changed and degraded by this expansion. That brings tears to my eyes. My home is on Arborvale Road. I am very concerned about the noise and environmental impacts.</p> <p>Response:<br/><i>NCDOT will continue to further avoid and minimize environmental impacts to the greatest extent practicable during final design. The Design Noise Report will make final recommendations for noise barriers based on the final design.</i></p>   |
| 37-Lynn Raker        |   |
| 37-1                 | <p>As many cities are removing or relocating interstate highways from their urban core, this plan proposes building one within an environmentally fragile area where it will likely squash the surge of redevelopment along the riverfront, and threaten the character and livability of adjacent, established neighborhoods.</p> <p>The overall project is too big, not appropriately scaled to a city of 93,000 residents, and environmentally and culturally inappropriate for the proposed location along the French Broad River. Having grown up in Pittsburgh, PA, I have seen firsthand what happens to land wedged between an interstate highway and the riverfront – it becomes a dead zone. Conversely, the river frontage served by smaller-scaled roads becomes some of the most highly valued and productive properties in the city.</p> <p>One 8-lane bridge over the French Broad River currently carries I-26, I-240, and local traffic combined, while this design projects the need for at least 20 lanes on four separate bridges. With the merging of the 6-lane I-26 bridge and 4 lanes of 19/23/70 traffic, the northern section becomes 10-11 lanes wide through to Broadway. This is an unacceptably large footprint within our urban core and threatens irreparable damage to the Montford neighborhood and the historic Riverside Cemetery as well as the French Broad riverfront.</p> <p>Response:</p> |

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|                      | <p><i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> <p><i>This commentor and others have actively participated on the Aesthetics Committee for this project. NCDOT has continued to coordinate with the Aesthetics Committee to minimize project impacts.</i></p>  |
| 37-2                 | <p>NCDOT has acknowledged that the selected alternative, 4B, will significantly change the Asheville viewshed and introduce significant “incompatible visual elements”. The Montford area visual impacts are some of the worst and include largely unobstructed views of the massive I-26 bridge and I-240 flyovers, as well as the elevated 19/23/70 northbound roadway and the extremely wide section of the I-26 freeway alongside the Montford Hills to Broadway.</p> <p>Response:<br/><i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the Aesthetics Committee throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p> |
| 37-3                 | <p>Although NCDOT has followed their standard noise policy in assessing noise impacts and evaluating noise abatement opportunities, the analysis has fallen short in two significant ways:</p> <ul style="list-style-type: none"> <li>-The GIS maps used as a basis for the TNR were not updated. As a result, a significant number of newer homes within the study area are missing from the analysis. NSA B-9 is missing sixteen homes in the Hibriten Expansion area that are adjacent to or one property removed from the NCDOT ROW. If included, these homes will substantially change the “reasonability” calculation for the B-9 noise barrier.</li> <li>-The determination if a barrier is “reasonable” is based on a calculation of square footage of</li> </ul>  |



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|                      | <p>barrier per impacted receptor. Therefore, the specific placement of barriers (start and stop points) can preclude a barrier from being recommended. For example, Riverside Cemetery is included in the evaluation of a noise barrier for residences along Montford Hills (NB-8). Since including Riverside Cemetery adds significant square footage to the noise barrier, but the cemetery’s benefited receptors were assigned an equivalent “weighting” of one residence, the barrier NB-8 was deemed “not reasonable.”</p> <p>Should this project move forward as designed, a final noise study and noise barrier assessment should be done as part of the design-build process, and these issues should be addressed. To ensure that our community receives adequate noise mitigation, NCDOT should explicitly direct the design/build contractor to update all maps and noise receptor locations to ensure all eligible properties (building permit issued prior to the Date of Public Knowledge) are included in the final analysis. Furthermore, the design/build contractor should engage the City of Asheville Planning department and the Aesthetics Advisory Committee early in the noise barrier evaluation process to ensure adequate scenarios are considered, and the best outcome is achieved for noise-impacted communities.</p> <p>Response:<br/> <i>The Traffic Noise Report (TNR) for the FEIS is a preliminary analysis only. As such, Design Noise Reports (DNR) will be completed as part of the final design process. All homes with a building permit issued before the project’s date of public knowledge (DoPK) are eligible for noise abatement consideration if they receive traffic noise impacts due to the project. The project’s DoPK is the date this Record of Decision was issued. Once the DoPK is established, the project area will be reviewed to identify any newer development that may not have been included in the preliminary noise study for inclusion in the final noise study. In fact, the preliminary noise study for most projects is almost always completed before the DoPK is established, so one of the main tasks of a final noise study is to identify and include newer development that was permitted before the project’s DoPK. Homes that were issued building permits before the project’s DoPK and that lie within the outer-most limits of the project’s traffic noise impacts will be included in the final traffic noise study.</i></p> <p><i>A TNR Addendum for I-2513B was completed March 2022. Barrier B-9 as currently shown in the TNR Addendum has an area/benefit greater than what is allowed for reasonableness. With the newly constructed residences included in the calculation, the area/benefit for Barrier B-9 may still be greater than allowed for reasonableness. Barrier B-8.1 was considered along I-26 WB between Courtland Place and Westover Drive to abate noise for Riverside Cemetery, while Barrier B-8 was considered along I-26 WB between Riverside Cemetery and Pearson Drive for residences along Montford Hills. Neither of these barriers met feasibility and reasonableness criteria. The final decision on feasibility and reasonableness of noise abatement shall be made upon completion of project design, completion of a DNR and its acceptance by NCDOT, and the public involvement process.</i></p> <p><i>For the final design noise analyses, any changes that have occurred since the completion of the TNR will be included in the DNR, including design changes, updated traffic forecasts, new building permits, and changes to NCDOT policy.</i></p> |
| 37-4                 | <p>Riverside Cemetery is a treasure location for residents as well as visitors to Asheville. For over a century, its beautiful rolling landscape, narrow winding paths, and majestic trees provide a serene place for reflection for those seeking quiet solitude. Regrettably, some of the most measurable adverse visual and auditory impacts in the entire corridor will occur at Riverside Cemetery, within the Montford Historic District.</p>   |

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|                      | <p>NCDOT and SHPO have acknowledged the adverse impact to Riverside Cemetery, which has triggered a Section 106 mitigation process. The Montford Neighborhood Association is participating as a consulting party in the development of the Memorandum of Agreement regarding mitigations I strongly support the joint consulting parties’ Position Paper and its minimization and mitigation requests.</p> <p>Response:<br/> <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the Aesthetics Committee throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p> <p><i>This commentor and others have actively participated on the Aesthetics Committee for this project. NCDOT has continued to coordinate with the Aesthetics Committee to minimize project impacts.</i></p> |
| 37-5                 | <p>Construction noise, damage, and dust are major community concerns. Should this project move forward, I request that NCDOT take all available measures to limit the damage and health dangers of construction.</p> <p>Due to the proximity of the project to neighborhoods and businesses, management practices for construction noise abatement and dust and pollution control that exceed the standard should be required in the design/build contract. Unavoidable activities that produce extremely loud noises should be carefully scheduled during times to create minimal disturbance.</p> <p>Response:<br/> <i>Appropriate best management practices (BMPs) applicable to construction and maintenance for protection of surface waters, wetlands, and upland habitat will be used to control erosion, sedimentation, and stormwater runoff to the maximum extent practicable. Mechanisms will be put in place to maintain traffic flow; minimize air quality, noise, and construction lighting impacts; manage waste disposal; protect surrounding natural resources; control erosion; and handle any accidental waste spills to the maximum extent practicable.</i></p> <p><i>All reasonable efforts would be made to minimize exposure of noise-sensitive land uses to construction noise including the appropriate scheduling of construction activities.</i></p>  |
| 37-6                 | <p>Mature tree removal should be minimized in the ROW, especially along steep slopes as found near Courtland Place, Montford Hills, and the Hibriten Drive neighborhoods. Tree replacement should be robust and immediate.</p>   |

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|                      | <p>Response:<br/> <i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p>   |
| 38-Susan Loftis      |  |
| 38-1                 | <p><u>Environmental Justice</u></p> <ol style="list-style-type: none"> <li>1. The Burton Street Community deserves conciliatory recompense and should have access to a \$150,000.00 mitigation fund financed through the 26 connector budget in order to mitigate factors which are at this point not yet realized, (given that the design is currently only at 25% complete) and to initiate programming to ameliorate impacts.</li> <li>2. The I-26 Connector project budget should cover all final design facilitation and improvement implementation. The City should incur only the expense of minimal staff involvement in the process.</li> <li>3. The Community Baptist Church should receive a compensatory mitigation fund of \$75,000 in order to improve its own landscape, buffering and parking.</li> </ol> <p>Response:<br/> <i>NCDOT committed to addressing disproportionately high and adverse effects on the Burton Street community that cannot be avoided or minimized and is coordinating with the community to provide additional mitigation opportunities to lessen the burden of the project on these residents. The Burton Street Working Group is currently identifying how to implement the strategies identified in the 2018 Burton Street Neighborhood Plan, with certain goals and strategies requiring additional outreach and the engagement of Burton Street residents. NCDOT will carry out all activities for which it has been assigned responsibility in the plan. These include the following:</i></p> <ul style="list-style-type: none"> <li>• <i>Improve existing sidewalks to meet ADA design standards.</i></li> <li>• <i>Improve pedestrian connections between community resources by installing a sidewalk on Downing Street per agreement of property owners.</i></li> <li>• <i>Improve sidewalk connections between commercial corridors and include a pedestrian path from Buffalo Street to Patton Avenue that will connect to future greenway.</i></li> <li>• <i>Evaluate opportunities for new transit stops, such as near Burton Street and Haywood Road.</i></li> <li>• <i>Install a sidewalk along Patton Avenue to connect pedestrian path and transit stop.</i></li> <li>• <i>Install bus shelters and other improvements at transit stops located near Burton Street. Consider neighborhood specific designs if feasible.</i></li> <li>• <i>Incorporate a Burton Street history mural on proposed I-26 Connector sound wall if built.</i></li> <li>• <i>Improve Community Center infrastructure by including additional parking.</i></li> <li>• <i>Construct a new park and community gathering space at Smith Mill Creek that will include an access point to the future greenway.</i></li> <li>• <i>Improve the Florida Avenue and Patton Avenue intersection by adding pavement markings and left turn signals.</i></li> <li>• <i>Increase the tree canopy within the interstate buffer along the Burton Street neighborhood where possible.</i></li> </ul> <p><i>Although the Burton Street Neighborhood Plan indicates that the Community Baptist Church will be displaced, the project designs have since been refined to eliminate the need to relocate this property. Only a small portion of the parking lot is anticipated to be impacted, and the church will not need to be relocated.</i></p> |
| 38-2                 | <p><u>Historic Resources - Riverside Cemetery</u><br/> AC Riverside Cemetery Subcommittee proposes lowering of the roadway beside the</p>  |

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|                      | <p>cemetery to its current roadbed height and re-aligning it westwardly in order to</p> <ol style="list-style-type: none"> <li>a. minimize the impact to Montford and the cemetery.</li> <li>b. protect and maintain existing creek and existing natural landscape buffer.</li> </ol> <p>The AC recommends a solid rock or rock faced support structure for the highway if it must be elevated, and that the support walls extend 32” above the driving surface for crash barrier and support for a lexan sound wall/ pedestrian safety system.</p> <p>AC recommends berming and heavy landscaping in the ROW in order to minimize visual and sound impact.</p> <p>AC noted sound impacts as of highest priority for the citizens of Asheville. Sound mitigation pavement treatments and sound reversal technology should be used to protect the cemetery and its adjacent communities.</p> <p>AC recommends assessing the current geometry of the river crossings in order to tighten and lower those as well, in that the river crossing structures, including the constraints on the opposite side of the river are a primary source of impact to the cemetery.</p> <p>Section 106 Review for Riverside Cemetery: The Consulting Parties, as well as the AC have requested and are still awaiting clearer visualizations in order to make determinations as to further recommendations and requests.</p> <p>Response:<br/> <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the Aesthetics Committee throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p> <p><i>This commentor and others have actively participated on the Aesthetics Committee for this project. NCDOT has continued to coordinate with the Aesthetics Committee to minimize project impacts.</i></p> |
| 38-3                 | <p><u>Historic Resources - Freeman and Worley</u></p> <p>At this point both are considered not adversely affected and both received indirect compensatory mitigation of heating and air conditioning. Riverside Cemetery and the greater Montford Park (under 4F) should also be eligible for indirect compensatory mitigation, such as, but not limited to, a tree planting fund as requested by the 106 consulting team.</p> <p>Response:<br/> <i>Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p>  |
| 38-4                 | <p><u>Historic Resources - Montford and Biltmore</u></p> <p>Montford (NRL) and Biltmore (NHL) have been identified as impacted historic communities. I</p>  |

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|                      | <p>am not familiar with the mitigation activity associated with Biltmore; however, I have reviewed the meeting minutes for Montford, and Montford has not in my opinion received adequate attention as far as “alternative layouts” and revisions to minimize impacts. (p. 4-14.) The following proposed revisions to Dec. 4 drawings I consider logical and simple, and, if necessary, deserving of design exception:</p> <ol style="list-style-type: none"> <li>1. Relocate the highway further west.</li> <li>2. Relocate Riverside Drive into its current roadbed, rather than as shown shifted as much as 80’ closer toward Montford;</li> <li>3. Reduce the number of lanes over the river and between the river and Broadway;</li> <li>4. Reduce the design speed for 23/70, 240 and 26 to minimize sound impacts and hopefully tighten radii to minimize footprint</li> <li>5. redesign the geometrics of river crossing to lower and tighten footprint so as to minimize the sound as well as visual impacts on Montford Historic District and Montford Hills as well as Riverside Cemetery.</li> <li>6. Initiate a 4F review for the Riverside Cemetery and the greater Montford Park property.</li> </ol> <p>Response:<br/> <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>Section 4(f) applies to cultural resources and parks and recreational resources with a physical impact. The preliminary designs do not encroach within the Riverside Cemetery property boundaries, therefore, Section 4(f) does not apply.</i></p> |
| 38-5                 | <p><u>Community Impacts and Community Cohesion</u></p> <p>Cumulative effects have impacted Burton Street most significantly as compared to other communities. It is the City’s position that Hillcrest is to be less isolated post project, so that is a positive community improvement for Hillcrest; however, West Asheville, Montford and Hill Street have been previously separated from Hillcrest and downtown, and WECAN from its northern neighbors. The 26 connector project can potentially be a source of restoration and mitigation from previous community impacts as well as those impacts the project itself imposes. To that end,</p> <ol style="list-style-type: none"> <li>1. Decrease the 400’ ROW acquisition at Haywood to make it a more appropriate scale, thus minimizing the proposed further severing of that community.</li> <li>2. Continue with the refinement of the East Patton area keeping in mind both the need and the “once in a lifetime” opportunity for reconnection, community restoration and urban redevelopment.</li> </ol> <p>Response:<br/> <i>Various design refinements have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and the Hillcrest Apartment Community. Design refinements that will be implemented during the final design stage include multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, and reduction of lanes on the Bowen Bridge design, among others. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments;</i></p>  |



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|                      | <p><i>however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> <p><i>This commentor and others have actively participated on the Aesthetics Committee for this project. NCDOT has continued to coordinate with the Aesthetics Committee to minimize project impacts.</i></p>  |
| 38-6                 | <p><u>Reducing the number of lanes in Section B</u></p> <p>The City and working group initially focused efforts at lane reduction on Section A. I am reiterating my earlier request to apply the same capacity review to Section B, particularly with regard to the number of lanes in 26 crossing, the number of lanes between the river and Broadway, and the number of lanes on westbound Bowen Bridge. The current NCDOT plan calls for six lanes on I-26 north of the point where I-240 splits off, including the new I-26 bridge over the French Broad River. The projected volumes on this segment are only slightly over the maximum capacity for four lanes (as computed by NCDOT). By removing inappropriately applied standards regarding trucks and National Parks in rural areas, and by using peak hour versus peak 15 minutes as maximum design factor, 4 lanes would clearly be sufficient. Removing two lanes from the river crossing and below Broadway would reduce the cost of Section B and would significantly reduce impacts in Montford and secondarily in Emma/Westgate area.</p> <p>Response:<br/><i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> <p><i>This commentor and others have actively participated on the Aesthetics Committee for this project. NCDOT has continued to coordinate with the Aesthetics Committee to minimize project impacts.</i></p> |
| 38-7                 | <p><u>Cumulative Impacts under NEPA</u></p> <p>Consistent with the spirit of the NEPA declaration, it is my position that the cumulative environmental effects of the previous “I-240” and 23/70 construction and the proposed 26 connector’s impacts on the City, particularly the community impacts and the environmental impacts to Riverside Cemetery, Montford and the French Broad River, are potentially so significant as to merit review of existing river crossing design with the intent of developing alternative, revised design to reduce height, footprint and overall scale.</p> <p>Response:<br/><i>Based on examination of these probable development areas, land use changes as a result of the proposed project are expected to be minimal within the Future Land Use Study Area</i></p>  |

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|                      | <p><i>(FLUSA). The pace of infill and redevelopment may be accelerated somewhat as a result of the project; however, commercial, residential, and industrial growth and redevelopment is already occurring in many of these areas and is expected to continue with or without the proposed project. Since the 2015 Indirect Screening and Land Use Scenario Assessment , developable land within the FLUSA has decreased 13 percent. The Selected Alternative would include the construction of new interstate access points close to underutilized areas along the French Broad River associated with RiverLink. Since plans are already in place for these areas (i.e., Wilma Dykeman RiverWay Master Plan), the Selected Alternative is not expected to induce development in these areas; however, the project may accelerate these already planned developments.</i></p>  |
| 38-8                 | <p><u>Suggested Standards Compromise</u></p> <p>I have noted below three general ways in which NCDOT may in a very simple and logical compromise, improve the project, from an urban design approach while avoiding and mitigating cumulative effect:</p> <ol style="list-style-type: none"> <li>1. LOS Differentiation - Traffic signal spacing should be reduced, hierarchal connections should be made anywhere in order to maintain smooth and safe flow of pedestrians and bicycles as well as vehicles.</li> <li>2. Design Speed/Marked Speed Limit - A reduction to 55 design speed and 50mph marked limit throughout the remainder of the corridor and will not have a discernible effect on travel time but will improve safety and reduce sound and other environmental impacts so critical in our urban setting.</li> <li>3. ROW/Setbacks - ROW postconstruction setbacks should be minimized</li> <li>4. Design Year - The design year for the project is 2040. It would be most helpful in considering, for example, our requests for shifting the roadways westward in east 4B for the traffic projection design year to be held at 2040, although the tendency may be for a longer term approach given the expensive river crossing.</li> </ol> <p>Response:<br/><i>Comments noted.</i></p> |
| 38-9                 | <p><u>Noise</u></p> <p>It is my position that NCDOT design guidelines and practices should be revised so that sound minimization is a basic design principle and not an afterthought for mitigation. Sound pollution throughout the corridor is already an extreme impact, and the connector project will contribute to a cumulative effect. It has been a recommendation of the AC that diamond grind surface treatment be applied to all new concrete highway surfaces in the city limits of Asheville. NCDOT has not done sufficient testing at this point to approve the technique here; NCDOT has deemed it inappropriate for our bridges. I request that NCDOT seek FHWA guidance, consider the trials of other states as being sufficient, and or undertake a test area now while appropriating necessary funds to the connector project so that upon completion of paving, this surface treatment or other equally effective surface treatment may be applied where deemed appropriate.</p> <p>Response:<br/><i>Comment noted.</i></p>   |
| 38-10                | <p><u>Flooding Issues</u></p> <p>It is imperative in the extremely sensitive and previously impacted French Broad river basin to minimize the impervious surfaces. The current flooding conditions will be greatly exacerbated, and the need for mitigation has been noted in WED Feb 21, 2018 email from Marella Buncick to Joanna. I do not see any follow up, so would appreciate a response on what the design constraints and mitigation requirements have been identified by the Army</p>  |

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|                      | <p>Corps of Engineers. Of significant concern is the mass of impervious surface proposed over the river and particularly east of the river between the river and Broadway. Again, the traffic study support and the extreme environmental conditions here support the minimization of footprint including but not limited to minimizing number of lanes. The cumulative impact approach should be considered here rather than the traditional approach of treating this flood prone area as having been previously impacted so therefore not requiring as in depth an environmental review as would a site which had not been previously impacted.</p> <p>Response:<br/> <i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>The NCDOT Hydraulics Unit will coordinate with the NC Floodplain Mapping Program to determine the status of the project with regard to the applicability of NCDOT’s Memorandum of Agreement or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).</i></p>   |
| 38-11                | <p><u>Storm Water</u></p> <p>It is my request, and supported by the position of the AC that every effort be made to treat the storm water aspects of this project as design factors and not via after the fact mitigation measures. We prefer minimizing impervious surfaces, utilizing naturalistic infiltration systems where possible and using multifunctional and holistic approaches to storm water, linear greenways and discretionary use of ROW areas not useable for future redevelopment. With the support of the AC, I advocate for the minimization of clearing and grubbing, requiring the design build team on this project to have a definitive and very selective clearing plan so as to maintain and protect natural existing forest area where possible, protect existing surface drainage systems, daylight culverted streams where practical, and utilize vegetational, natural and ecologically sensitive means of storm water control to supplement the necessary sub-grade systems.</p> <p>Response:<br/> <i>As part of the Highway Stormwater Program, NCDOT will develop and implement numerous programs on a statewide basis to protect and promote stormwater quality impacted by NCDOT discharges. Programs will be developed to ensure compliance with the National Pollutant Discharge Elimination System (NPDES) permit. NCDOT will incorporate measures to control nonpoint source water quality impacts as described in Best Management Practices for Protection of Surface Waters (NCDOT 1997) and in NCDOT Stormwater Best Management Practices (NCDOT 2014d).</i></p> <p><i>An erosion and sedimentation control plan will be provided during the final design stage. Best management practices to minimize sedimentation and erosion impacts during construction shall be adhered to, in accordance with the most recent version of North Carolina Sediment and Erosion Control Planning and Design Manual and the most recent version of NCS000250. Additionally, in accordance with the BMPs identified in the erosion and sedimentation control plan, bridge deck drains shall not discharge directly into the stream.</i></p> |

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| 38-12                         | <p><u>Tree Canopy</u></p> <p>It is especially important to plan ahead for the maintenance of natural systems, and maximization of tree canopy, where possible maintaining existing urban forest and again, minimizing clearing. Grading procedures should facilitate the establishment or re-establishment of maximum corridor tree canopy so as to maximize overall environmental health of the community.</p> <p>Response:<br/> <i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p>  |
| 39-Anne Young and John McLane |   |
| 39-1                          | <p><u>Project Size and Scale</u></p> <p>The overall project is too big, and not appropriately scaled to our small, scenic mountain community. Whereas we currently have one 8-lane bridge over the French Broad River which carries I-26, I-240, and local traffic combined, this future design envisions the need for a staggering 20+ lanes on four separate bridges. With the 6-lane I-26 bridge merging with the four lanes of 19/23/70 traffic, this northern part of the project becomes 10-11 lanes wide through to Broadway. This is an unacceptably large footprint within our city limits. The expansion into the Montford Hills escarpment will be environmentally damaging and represents a cumulative impact to one of Asheville’s oldest historic neighborhoods. This project can and should be more appropriately scaled:</p> <ul style="list-style-type: none"> <li>* The I-26 bridge should be reduced from six lanes to four lanes. Four lanes will be sufficient to meet 2040 projected traffic volumes at the level of service appropriate for urban freeways. Four lanes will be significantly less damaging to the environment and communities, and will occupy less valuable waterfront property.</li> <li>* By reducing the I-26 bridge to four lanes, which will sufficiently meet the traffic needs within the planning horizon, the size of the project can be reduced from ten travel lanes to eight travel lanes between Riverside Cemetery and Broadway. This would reduce the cost significantly.</li> <li>* Reducing the I-26 bridge from six to four lanes will also allow the complex configuration of bridges and access ramps over the French Broad to be tightened. The current design which includes the I-26 bridge, the two I-240 flyovers, and a number of elevated on and off ramps, occupies an unacceptably large swath of land along our waterfront. A smaller and tighter configuration here will consume less of this valuable land and reduce the devastating visual impacts of the project.</li> </ul> <p>Response:<br/> <i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery,</i></p> |

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|                      | <p><i>among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p>   |
| 39-2                 | <p>To accommodate the 10 to 11 lanes of freeway along Montford Hills, NCDOT appears to be taking all or portions of eleven properties. These properties could be saved by reducing the size of the I-26 bridge and shifting traffic lanes to the west toward Riverside Drive. NCDOT should specifically request that the design/build contractor use all available design changes and/or design exceptions to avoid these takings and reduce the proximity impacts of the project.</p> <p>There will also be property takings and proximity impacts along Hill Street and Courtland Avenue. [I/ we] recognize the ongoing work between NCDOT, the City of Asheville, and community members to redesign the interchange on Patton Avenue on the east side of the Bowen Bridge to better reflect the community’s urban design and connectivity goals. The objectives of this work should include lowering the 19/23/70 roadbed along Riverside Cemetery and lowering and reducing the overall footprint of the I-240 flyovers.</p> <p>Even where property is not physically being taken, the proximity of a freeway this size will introduce noise and pollution that will negatively impact our outdoor spaces and reduce community cohesion.</p> <p>Response:<br/> <i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |
| 39-3                 | <p>NCDOT has acknowledged that the selected alternative, 4B, will significantly change the Asheville viewshed and introduce significant “incompatible visual elements”. The Montford area visual impacts are some of the worst and include largely unobstructed views of the massive I-26 bridge and I-240 flyovers, as well as the elevated 19/23/70 northbound roadway and the extremely wide section of the I-26 freeway alongside the Montford Hills to Broadway.</p> <p><u>Visual Impacts</u></p> <p>Minimization measures to reduce these adverse visual impacts should be employed where possible, including reduction of the size of the I-26 bridge and continuing lanes to the north; tightening of the configuration of bridges over the French Broad River; lowering of the 19/23/70 northbound lanes alongside Riverside Cemetery, and shifting the I-26 roadway west along the Montford Hills.</p>   |



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|                      | <p>NCDOT should enact strong measures to protect existing vegetation in these areas, and/or replace with dense and mature landscape screening to minimize visual impacts.</p> <p>Response:<br/> <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee (AC) in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the AC throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p>   |
| 39-4                 | <p>Noise Impacts</p> <p>This project intersects densely-populated urban areas, and borders and bisects neighborhoods. Traffic noise reduction is a primary concern, and noise minimization should be a primary design goal. [I / We] understand that NCDOT is considering the use of Next Generation Concrete Surface throughout the project and strongly support this specification. Additionally, NCDOT should specify that continuous reinforced concrete pavement and jointless bridge structures be utilized throughout the project as a noise reduction measure. Noise walls and attached noise barriers should also be employed to reduce the impact on neighborhoods. However, the Traffic Noise Report (TNR) for the FEIS does not indicate there will be any significant noise abatement for our community. In fact, for the entire stretch of expanded roadway from Hill Street to Broadway, only one very small noise barrier is recommended near Courtland Place.</p> <p>Although NCDOT has followed their standard noise policy in assessing noise impacts and evaluating noise abatement opportunities, the analysis has fallen short in two significant ways:</p> <ul style="list-style-type: none"> <li>* The GIS maps used as a basis for the TNR were not updated. As a result, a significant number of newer homes within the study area are missing from the analysis. NSA B-9 is missing sixteen homes in the Hibriten Expansion area that are adjacent to or one property removed from the NCDOT ROW. If included, these homes will substantially change the “reasonability” calculation for the B-9 noise barrier.</li> <li>* The determination if a barrier is “reasonable” is based on a calculation of square footage of barrier per impacted receptor. Therefore, the specific placement of barriers (start and stop points) can preclude a barrier from being recommended. For example, Riverside Cemetery is included in the evaluation of a noise barrier for residences along Montford Hills (NB-8). Since including Riverside Cemetery adds significant square footage to the noise barrier, but the cemetery’s benefited receptors were assigned an equivalent “weighting” of one residence, the barrier NB-8 was deemed “not reasonable.”</li> </ul> <p>Since a final noise study and noise barrier assessment will be done as part of the design-build process, the above issues should be addressed at that time. To ensure that our community receives adequate noise mitigation, NCDOT should explicitly direct the design/build contractor to update all maps and noise receptor locations to ensure all eligible properties</p> |

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|                      | <p>(building permit issued prior to the Date of Public Knowledge) are included in the final analysis. Furthermore, the design/build contractor should engage the City of Asheville Planning department and the Aesthetics Advisory Committee early in the noise barrier evaluation process to ensure adequate scenarios are considered, and the best outcome is achieved for noise-impacted communities.</p> <p>Response:<br/> <i>The Traffic Noise Report (TNR) for the FEIS is a preliminary analysis only. As such, Design Noise Reports (DNR) will be completed as part of the final design process. All homes with a building permit issued before the project's date of public knowledge (DoPK) are eligible for noise abatement consideration if they receive traffic noise impacts due to the project. The project's DoPK is the date this Record of Decision was issued. Once the DoPK is established, the project area will be reviewed to identify any newer development that may not have been included in the preliminary noise study for inclusion in the final noise study. In fact, the preliminary noise study for most projects is almost always completed before the DoPK is established, so one of the main tasks of a final noise study is to identify and include newer development that was permitted before the project's DoPK. Homes that were issued building permits before the project's DoPK and that lie within the outer-most limits of the project's traffic noise impacts will be included in the final traffic noise study.</i></p> <p><i>A TNR Addendum for I-2513B was completed March 2022. Barrier B-9 as currently shown in the TNR Addendum has an area/benefit greater than what is allowed for reasonableness. With the newly constructed residences included in the calculation, the area/benefit for Barrier B-9 may still be greater than allowed for reasonableness. Barrier B-8.1 was considered along I-26 WB between Courtland Place and Westover Drive to abate noise for Riverside Cemetery, while Barrier B-8 was considered along I-26 WB between Riverside Cemetery and Pearson Drive for residences along Montford Hills. Neither of these barriers met feasibility and reasonableness criteria. The final decision on feasibility and reasonableness of noise abatement shall be made upon completion of project design, completion of a DNR and its acceptance by NCDOT, and the public involvement process.</i></p> <p><i>NCDOT is electing to use Next Generation Concrete, a diamond grinding surfacing method, for the concrete paving option on roadways.</i></p> <p><i>For the final design noise analyses, any changes that have occurred since the completion of the TNR will be included in the DNR, including design changes, updated traffic forecasts, new building permits, and changes to NCDOT policy.</i></p> |
| 39-5                 | <p><u>Adverse Impacts to Riverside Cemetery</u></p> <p>Some of the most significant visual impacts in the entire corridor will occur at Riverside Cemetery, within the Montford Historic District, a treasured local landmark and area of frequent use by Montford Residents. We and our guests enjoy walking through and the quiet and serene holy place. NCDOT and SHPO have acknowledged the adverse impact to Riverside Cemetery, which has triggered a Section 106 mitigation process. The Montford Neighborhood Association is participating as a consulting party in the development of the Memorandum of Agreement regarding mitigations. We strongly support the joint consulting parties' Position Paper and the minimization and mitigation requests contained within.</p> <p>Response:<br/> <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining</i></p>   |

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|                      | <p><i>wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee (AC) in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the AC throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p>   |
| 39-6                 | <p><u>Construction Impacts</u></p> <p>Construction noise, damage, and dust are major community concerns. We request that NCDOT take the any and all available measures to limit the damage and health dangers of construction. Best management practices for construction noise abatement and dust and pollution control should be required in the design/build contract. Activities that will produce extremely loud noises should be scheduled during times of the day when such noises will create minimal disturbance. Mature tree removal should be minimized in the ROW, especially along steep slopes as found near Courtland Place, Montford Hills, and the Hibriten Neighborhoods.</p> <p>Response:<br/> <i>Appropriate best management practices (BMPs) applicable to construction and maintenance for protection of surface waters, wetlands, and upland habitat will be used to control erosion, sedimentation, and stormwater runoff to the maximum extent practicable. Mechanisms will be put in place to maintain traffic flow; minimize air quality, noise, and construction lighting impacts; manage waste disposal; protect surrounding natural resources; control erosion; and handle any accidental waste spills to the maximum extent practicable.</i></p> <p><i>All reasonable efforts would be made to minimize exposure of noise-sensitive land uses to construction noise including the appropriate scheduling of construction activities.</i></p> <p><i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p> |
| 40-Karin Eckert      |   |
| 40-1                 | <p><u>Size of Project and Environmental Impact</u></p> <p>The project is too big in scale for our small mountain community. This design envisions the need for a staggering 20+ lanes on four separate bridges. This is an unacceptably large footprint within our city limits. In addition, the expansion into the Montford Hills escarpment will be environmentally damaging. Many Montford Hills homes, including mine, were built about 20 years ago. The impact of highway expansion into the ravine and broad clearing of trees could have serious detrimental effects on the stability of the ravine, and therefore our homes. Years ago Buncombe County had declared the area of the ravine and its soil structure unstable.</p> <p>The I-26 bridge should be reduced from six lanes to four lanes. Four lanes will be sufficient to meet 2040 projected traffic volumes. Four lanes will be significantly less damaging to the</p>   |

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|                      | <p>environment and communities, and also reduce cost.<br/>                     NCDOT must acknowledge that a 6-lane I-26 bridge and the larger footprint that it creates heading north to the Broadway exit will produce severe impacts on our community that are unnecessary to meet the project’s purpose and need.</p> <p>Response:<br/> <i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> <p><i>The soil limitations will be overcome through proper engineering design, incorporating techniques such as soil modification, appropriate choice of fill material, use of non-corrosive subgrade materials, and design of drainage structures capable of conveying estimated peak flows.</i></p> |
| 40-2                 | <p><u>Community Impacts – Montford</u><br/>                     I have significant concerns about the impact of this project on our and surrounding neighborhoods:<br/>                     1. Taking of properties, invasion into the ravine which has unstable soil structure, and clearing large numbers of trees whose roots hold the soil and canopies which provide noise abatement.<br/>                     2. Even where property is not physically being taken, the proximity of a highway this size will introduce noise and pollution that will negatively impact outdoor spaces and reduce community cohesion.</p> <p>Response:<br/> <i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction. The soil limitations will be overcome through proper engineering design, incorporating techniques such as soil modification, appropriate choice of fill material, use of non-corrosive subgrade materials, and design of drainage structures capable of conveying estimated peak flows.</i></p> <p><i>The Traffic Noise Report (TNR) for the FEIS is a preliminary analysis only. As such, Design Noise Reports (DNR) will be completed as part of the final design process. All homes with a building permit issued before the project’s date of public knowledge (DoPK) are eligible for noise abatement consideration if they receive traffic noise impacts due to the project. The project’s DoPK is the date this Record of Decision was issued. Once the DoPK is established, the project area will be reviewed to identify any newer development that may not have been</i></p>  |

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|                      | <p><i>included in the preliminary noise study for inclusion in the final noise study. In fact, the preliminary noise study for most projects is almost always completed before the DoPK is established, so one of the main tasks of a final noise study is to identify and include newer development that was permitted before the project’s DoPK. Homes that were issued building permits before the project’s DoPK and that lie within the outer-most limits of the project’s traffic noise impacts will be included in the final traffic noise study.</i></p>   |
| 40-3                 | <p><u>Visual Impacts</u><br/>                     NCDOT has acknowledged that the selected alternative, 4B, will introduce significant “incompatible visual elements” for Asheville. The Montford area visual impacts are some of the worst and include largely unobstructed views of the massive I-26 bridge and I-240 flyovers, as well as the elevated 19/23/70 northbound roadway and the extremely wide section of the I-26 freeway alongside the Montford Hills to Broadway. Minimization measures to reduce these adverse visual impacts should be employed where possible, especially reduction of the size of the I-26 bridge and lanes continuing to the North. NCDOT should also enact strong measures to protect existing vegetation in these areas, and/or replace with dense and mature landscape screening to minimize visual impacts.</p> <p>Response:<br/> <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee (AC) in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the AC throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p> |
| 40-4                 | <p><u>Noise Impacts</u><br/>                     This project intersects densely-populated urban areas, and borders and bisects neighborhoods. Traffic noise reduction is a primary concern, and noise minimization should be a primary design goal. Noise walls and attached noise barriers should be employed to reduce the impact on neighborhoods. However, the Traffic Noise Report (TNR) for the FEIS does not indicate there will be any significant noise abatement for our community. In fact, for the entire stretch of expanded roadway from Hill Street to Broadway, only one very small noise barrier is recommended near Courtland Place. Since a final noise study and noise barrier assessment will be done as part of the design-build process, the issues raised by many concerned residents should be addressed at that time. To ensure that our community receives adequate noise mitigation, NCDOT should explicitly direct the design/build contractor to update all maps and noise receptor locations to ensure all eligible properties (building permit issued prior to the Date of Public Knowledge) are included in the final analysis.</p> <p>Response:</p>   |

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|                      | <i>Comment noted.</i>  |
| 40-5                 | <p><u>Adverse Impact to Riverside Cemetery</u><br/>                     NCDOT and SHPO have acknowledged the adverse impact to Riverside Cemetery, which has triggered a Section 106 mitigation process. The Montford Neighborhood Association is participating as a consulting party in the development of the Memorandum of Agreement regarding mitigations. We strongly support the joint consulting parties’ Position Paper and the minimization and mitigation requests it contains.</p> <p>Response:<br/> <i>Comment noted.</i></p>  |
| 40-6                 | <p><u>Construction Impacts</u><br/>                     Construction noise, damage, and dust are major community concerns. We request that NCDOT take any and all available measures to limit the damage and health dangers of construction.<br/>                     Best management practices for construction noise abatement and dust and pollution control should be required in the design/build contract. Activities that will produce extremely loud noises should be scheduled during times of the day when such noises will create minimal disturbance.<br/>                     Tree and shrub removal should be minimized in the ROW, especially along steep slopes as found near Courtland Place, Montford Hills, and the Hibriten expansion neighborhoods.</p> <p>Response:<br/> <i>Appropriate best management practices (BMPs) applicable to construction and maintenance for protection of surface waters, wetlands, and upland habitat will be used to control erosion, sedimentation, and stormwater runoff to the maximum extent practicable. Mechanisms will be put in place to maintain traffic flow; minimize air quality, noise, and construction lighting impacts; manage waste disposal; protect surrounding natural resources; control erosion; and handle any accidental waste spills to the maximum extent practicable.</i></p> <p><i>All reasonable efforts would be made to minimize exposure of noise-sensitive land uses to construction noise including the appropriate scheduling of construction activities.</i></p> <p><i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p> |
| 41-Brian Medlin      |  |
| 41-1                 | <p><u>Traffic</u><br/>                     Without being able to sit down and show you, I will just state the best of my ability though this email. There are multiple places that the flow of cars could be increased, footprint of the project reduced, noise levels reduced, and costs reduced. Examples would be the the Haywood Road intersection, bridge and river crossings, and the 240/26 interchange downtown. I also have concerns with the flow of traffic with the current proposal. It appears it will hinder throughput, and certain weather conditions could effect throughput even more.</p> <p>Response:<br/> <i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with</i></p>  |



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|                      | <p><i>local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>Various design refinements have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and the Hillcrest Apartment Community. Design refinements that will be implemented during the final design stage include multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, reduction of lanes on the Bowen Bridge design, among others. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p>  |
| 41-2                 | <p>This proposal has been on the drawing board for decades. It has morphed into a monster that will be expensive to solve all of the issues it creates, if they are fixable at all. Those that can not be fixed, will require potential litigation, compensation, increased health costs, reduced usage of property, all to put in an interstate update that creates more problems while neglecting to solve prior noise and environmental issues that I thought under the law, NCDOT was mandated to solve. Many people and businesses have tried to help solve these issues, while bringing down the costs of the whole project. I am at a loss as to why there are still so many things with issues in the current proposal. I currently have not seen anything show up regarding the impact this will have on our property and neighboring properties. This is something I have voiced concerns about at multiple meetings, and yet I still have not heard back from anyone, even though I was told I would hear from NCDOT officials. In conclusion, I am not sure what will come of all of this. It seems wrong in a day and age where they shut down much of the economy to save some lives over a virus that there would be a proposed interstate update that would harm many people, and NCDOT officials have stated that the harm is not NCDOT's issue. So, by continuing on with this project, NCDOT agrees to rectify all past harms, compensate all past, present, and future owners, occupants, or others, who reside on any effected properties. NCDOT agrees to pay any and all medical bills that may be related to noise, pollution, or other effects from the road systems they design or have designed, and build or have built. NCDOT also agrees to compensate said people for losses of life, liberty and/or the use of their property.</p> <p>Response:<br/> <i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>Various design refinements that have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and the Hillcrest Apartment Community. Design refinements that will be implemented during the final design stage include multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, reduction of lanes on the Bowen Bridge design, among others. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments;</i></p> |

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|                      | <i>however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i>  |
| 42-Zoe Schumaker     |  |
| 42-1                 | <p><u>Traffic</u><br/>Without being able to sit down and show you, I will just state the best of my ability though this email. There are multiple places that the flow of cars could be increased, footprint of the project reduced, noise levels reduced, and costs reduced. Examples would be the Haywood Road intersection, bridge and river crossings, and the 240/26 interchange downtown. I also have concerns with the flow of traffic with the current proposal. It appears it will hinder throughput, and certain weather conditions could effect throughput even more.</p> <p>Response:<br/><i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p>   |
| 42-2                 | <p>This proposal has been on the drawing board for decades. It has morphed into a monster that will be expensive to solve all of the issues it creates, if they are fixable at all. Those that can not be fixed, will require potential litigation, compensation, increased health costs, reduced usage of property, all to put in an interstate update that creates more problems while neglecting to solve prior noise and environmental issues that I thought under the law, NCDOT was mandated to solve. Many people and businesses have tried to help solve these issues, while bringing down the costs of the whole project. I am at a loss as to why there are still so many things with issues in the current proposal. I currently have not seen anything show up regarding the impact this will have on our property and neighboring properties. This is something I have voiced concerns about at multiple meetings, and yet I still have not heard back from anyone, even though I was told I would hear from NCDOT officials. In conclusion, I am not sure what will come of all of this. It seems wrong in a day and age where they shut down much of the economy to save some lives over a virus that there would be a proposed interstate update that would harm many people, and NCDOT officials have stated that the harm is not NCDOT's issue. So, by continuing on with this project, NCDOT agrees to rectify all past harms, compensate all past, present, and future owners, occupants, or others, who reside on any effected properties. NCDOT agrees to pay any and all medical bills that may be related to noise, pollution, or other effects from the road systems they design or have designed, and build or have built. NCDOT also agrees to compensate said people for losses of life, liberty and/or the use of their property.</p> <p>Response:<br/><i>Since publication of the DEIS, the project team met with the Montford community to provide the residents an opportunity to ask questions regarding the project and design. Two public</i></p> |

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|                      | <p><i>hearings have been held for the public to review designs. Additionally, several I-26 Connector Working Group meetings were held throughout the development of the environmental documents to discuss the project, methodologies for various technical aspects of the project, discuss policies that factor into the project design, and receive feedback from local officials and public citizens on various aspects of the project, among other things. These Working Group meetings were open to the public and meeting summaries have been made available on the City's website.</i></p>   |
| 42-3                 | <p><u>Property Takings and Proximity Impacts</u><br/>           To accommodate the 10 to 11 lanes of freeway along Montford Hills and Hibriten Drive, NCDOT appears to be taking all or portions of eleven properties. Even where property is not physically being taken, the proximity of a freeway this size will introduce noise and pollution that will negatively impact our outdoor spaces and reduce community cohesion. NCDOT should specifically request that the design/build contractor use all available design changes and/or design exceptions to avoid takings and reduce the proximity impacts of the project. For example, these impacts could be avoided or minimized by reducing the footprint and/or shifting traffic lanes to the west toward Riverside Drive, thus reducing the acknowledged “cumulative impact” on one of Asheville’s oldest historic neighborhoods. The currently published design maps also show property takings and proximity impacts along Hill Street and Courtland Avenue. However, I understand the ongoing work between NCDOT, the City of Asheville, and community members to redesign the interchange on Patton Avenue on the east side of the Bowen Bridge will reduce property taking here and could lower the US 19/23/70 roadbed along Riverside Cemetery. I applaud that effort!</p> <p>Response:<br/> <i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable. This includes various design refinements implemented after the publication of the FEIS including redesign of the Patton Avenue/I-240 interchange east of the French Broad River and in the vicinity of the Riverside Cemetery, among others, which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |
| 42-4                 | <p><u>Visual Impacts</u><br/>           NCDOT has acknowledged that the selected alternative, 4B, will change the Asheville view shed and introduce significant “incompatible visual elements”. The Montford area visual impacts include largely unobstructed views of the I-26 bridge and I-240 flyovers, as well as the elevated 19/23/70 northbound roadway and the extremely wide section of the I-26 freeway alongside the Montford Hills to Broadway.<br/>           As discussed above, minimization measures to reduce these adverse visual impacts should be employed where possible, including reduction of the size of the I-26 bridge and continuing lanes to the north; tightening of the configuration of bridges over the French Broad River; lowering of the 19/23/70 northbound lanes alongside Riverside Cemetery, and shifting the I-26 roadway west along the Montford Hills.</p>   |

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|                      | <p>NCDOT should also require the design/build contractor to protect existing vegetation in these areas, and/or replace with dense and mature landscape screening to minimize visual impacts.</p> <p>Response:<br/> <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB. This design modification eliminated the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i></p> <p><i>It is the policy of the NCDOT to include aesthetic features in its roadway designs. NCDOT will consider incorporating landscaping into the project design to promote visual continuity of the highway, minimize the loss of vegetation, and design noise attenuation features to be compatible with the surrounding natural features and development. The City of Asheville organized an Aesthetics Committee (AC) in June 2018, and NCDOT has been coordinating closely with this committee to determine which features can be completed as part of the project, and which may be included as part of a municipal agreement with the City of Asheville. NCDOT will continue to coordinate with the AC throughout the final design and construction phases of the project, via a representative from the City of Asheville.</i></p>   |
| 42-5                 | <p>Noise Impacts</p> <p>Minimizing traffic noise impacts should be an objective throughout this dense urban area. I understand that NCDOT is considering the use of Next Generation Concrete Surface throughout the project and strongly support this specification. Additionally, NCDOT should specify that continuous reinforced concrete pavement and jointless bridge structures be employed throughout the project to reduce tire noise.</p> <p>Noise walls and noise barriers along the roadbed should also be generously employed to reduce the auditory impact on neighborhoods. However, the Traffic Noise Report (TNR) for the FEIS did not indicate there any significant noise abatement for our community. In fact, for the entire stretch of expanded roadway from Hill Street to Broadway, only one very small noise barrier is recommended near Courtland Place.</p> <p>Although NCDOT has followed their standard noise policy in assessing noise impacts and evaluating noise abatement opportunities, the analysis has fallen short in two significant ways:</p> <ul style="list-style-type: none"> <li>o The GIS maps used as a basis for the TNR were not updated. As a result, a significant number of newer homes within the study area are missing from the analysis. NSA B-9 is missing sixteen homes in the Hibriten Expansion area that are adjacent to or one property removed from the NCDOT ROW. If included, these homes will substantially change the “reasonability” calculation for the B-9 noise barrier.</li> <li>o The determination if a barrier is “reasonable” is based on a calculation of square footage of barrier per impacted receptor. Therefore, the specific placement of barriers (start and stop points) can preclude a barrier from being recommended. For example, Riverside Cemetery is included in the evaluation of a noise barrier for residences along Montford Hills (NB-8). Since including Riverside Cemetery adds significant square footage to the noise barrier, but the cemetery’s benefited receptors were assigned an equivalent “weighting” of one residence, the barrier NB-8 was deemed “not reasonable.”</li> </ul> <p>Since a final noise study and noise barrier assessment will be done as part of the design/build process, the above issues should be addressed at that time. To ensure that our community receives adequate noise mitigation, NCDOT should explicitly direct the design/build contractor to update all maps and noise receptor locations to ensure all eligible properties (building permit issued prior to the Date of Public Knowledge) are included in the</p> |

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|                      | <p>final analysis. In determining the feasibility and reasonableness of noise barriers, multiple noise barrier scenarios may need to be evaluated along a given segment of the project to identify options that passes feasibility and reasonableness tests. The design/build contractor should be required to engage the City of Asheville Planning department and the Aesthetics Advisory Committee early in the noise barrier evaluation process to ensure adequate scenarios are considered, and the best outcome is achieved for noise-impacted communities.</p> <p>Response:<br/> <i>The Traffic Noise Report (TNR) for the FEIS is a preliminary analysis only. As such, Design Noise Reports (DNR) will be completed as part of the final design process. All homes with a building permit issued before the project’s date of public knowledge (DoPK) are eligible for noise abatement consideration if they receive traffic noise impacts due to the project. The project’s DoPK is the date this Record of Decision was issued. Once the DoPK is established, the project area will be reviewed to identify any newer development that may not have been included in the preliminary noise study for inclusion in the final noise study. In fact, the preliminary noise study for most projects is almost always completed before the DoPK is established, so one of the main tasks of a final noise study is to identify and include newer development that was permitted before the project’s DoPK. Homes that were issued building permits before the project’s DoPK and that lie within the outer-most limits of the project’s traffic noise impacts will be included in the final traffic noise study.</i></p> <p><i>A TNR Addendum for I-2513B was completed March 2022. Barrier B-9 as currently shown in the TNR Addendum has an area/benefit greater than what is allowed for reasonableness. With the newly constructed residences included in the calculation, the area/benefit for Barrier B-9 may still be greater than allowed for reasonableness. Barrier B-8.1 was considered along I-26 WB between Courtland Place and Westover Drive to abate noise for Riverside Cemetery, while Barrier B-8 was considered along I-26 WB between Riverside Cemetery and Pearson Drive for residences along Montford Hills. Neither of these barriers met feasibility and reasonableness criteria. The final decision on feasibility and reasonableness of noise abatement shall be made upon completion of project design, completion of a DNR and its acceptance by NCDOT, and the public involvement process.</i></p> <p><i>For the final design noise analyses, any changes that have occurred since the completion of the TNR will be included in the DNR, including design changes, updated traffic forecasts, new building permits, and changes to NCDOT policy.</i></p> <p><i>NCDOT is electing to use Next Generation Concrete, a diamond grinding surfacing method, for the concrete paving option on roadways.</i></p> |
| 42-6                 | <p><u>Construction Impacts</u><br/>           Construction noise, damage, and dust are common concerns for a project of this size in close proximity to homes, business, and gathering places. Best management practices for construction noise abatement and dust and pollution control should be required in the design/build contract. Activities that will produce extremely loud noises should be scheduled during times of the day when such noises will create minimal disturbance.<br/>           Mature tree removal should be minimized in the ROW, especially along steep slopes as found near Courtland Place, Montford Hills, and the Hibriten expansion neighborhoods.</p> <p>Response:<br/> <i>Appropriate best management practices (BMPs) applicable to construction and maintenance for protection of surface waters, wetlands, and upland habitat will be used to control erosion,</i></p>   |

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|                      | <p><i>sedimentation, and stormwater runoff to the maximum extent practicable. Mechanisms will be put in place to maintain traffic flow; minimize air quality, noise, and construction lighting impacts; manage waste disposal; protect surrounding natural resources; control erosion; and handle any accidental waste spills to the maximum extent practicable.</i></p> <p><i>All reasonable efforts would be made to minimize exposure of noise-sensitive land uses to construction noise including the appropriate scheduling of construction activities.</i></p> <p><i>NCDOT is committed to preserving riparian vegetation (native trees and shrubs) to the maximum extent possible. Where vegetation must be removed it will be reestablished within the construction limits of the project by the end of the growing season following completion of construction.</i></p>   |
| 42-7                 | <p><u>Section 106 Process - Riverside Cemetery</u></p> <p>The Section 106 consultation process is intended to engage stakeholders early in the four-step process. Unfortunately, no Section 106 outreach was conducted after NCDOT initially developed (2008) and later selected (2016) 4B as the preferred alternative. Although the FEIS states: “Since publication of the 2015 DEIS, the project team has coordinated with the owners of the West Asheville/Aycock Historic School District, William Worley House, Freeman House, and Montford Area Historic District”, no such coordination was done with Montford. In the one documented community meeting with Montford in 2016, neither Section 106 nor Riverside Cemetery were on the agenda or mentioned in the minutes. In fact, the Montford neighborhood was not engaged in a Section 106 consultation until Michael McDonough’s proactive request for consulting status was granted in December, 2019. Unfortunately, by then the work on the FEIS was virtually completed. Because of this late engagement, the MNA has not been able to provide feedback at key points in the process, as indicated by the statute and in the ACHP and FHWA guidance.</p> <p>Response:<br/> <i>Since publication of the DEIS, the project team met with the Montford community to provide the residents an opportunity to ask questions regarding the project and design. Additionally, several I-26 Connector Working Group meetings were held throughout the development of the environmental documents to discuss the project, methodologies for various technical aspects of the project, discuss policies that factor into the project design, and receive feedback from local officials and public citizens on various aspects of the project, among other things. These Working Group meetings were open to the public and meeting summaries have been made available on the City's website.</i></p> |
| 43-Steve Rasmussen   | <p>One factor the FEIS could not take into account when it was written is the coronavirus pandemic and its profound social and economic consequences. It would surely be foolish, therefore, not to delay this project's timeline, given that our local, state, and national economies are entering a deep recession and slow post-pandemic recovery of uncertain depth and length. Consider these predictable problems:</p> <ul style="list-style-type: none"> <li>- Traffic levels will likely be way down for years to come, well below the pre-pandemic projections that were used to justify the Connector.</li> <li>- Asheville's badly hit local restaurants, retailers, hotels, and other sectors on which our local economy is dependent will have enough trouble recovering without the disruption this project will cause.</li> <li>- The state may be forced to redirect funds made scarce by loss of tax revenue away from expansion projects like the Connector to critical infrastructure maintenance. And the recession-induced drop in travel could well starve NCDOT itself of gas-tax revenues, requiring</li> </ul>  |



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|                      | <p>it to postpone projects like this one so that it can complete others that already underway -- or even to divert funds away from road expansion into, for example, the rapid expansion of mass-transit fleets that urban planners are now saying will be required if the repeated recurrence of coronavirus outbreaks necessitates a prolonged period of social distancing to prevent contagion.</p> <p>Response:<br/><i>The decrease in pandemic-level traffic has resumed to normal levels and does not impact traffic projects used to evaluate the purpose and need of the project. The project was also not impacted by funding, and all sections of the project remain funded in the NCDOT's Strategic Transportation Improvement Program.</i></p>   |
| 44-Adam Tripp        |  |
| 44-1                 | <p>I urge you and the DOT to consider reducing the size of the overall project as well as augmenting the noise reduction elements, particularly for the Montford neighborhood. Specifically: Please reduce the number of lanes on the I-26 bridge from six to four, and reduce the size of the new I-240 flyovers</p> <p>Response:<br/><i>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 FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>Various design refinements that have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River, Riverside Drive, Regent Park Boulevard, and the Hillcrest Apartment Community. Design refinements that will be implemented during the final design stage include multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, reduction of lanes on the Bowen Bridge design, among others. The refined preliminary designs for the Selected Alternative incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> |
| 44-2                 | <p>Please include noise barriers for I-26 adjacent to the Riverside Cemetery and the Montford neighborhood.</p> <p>Because I-26 in this area will be an expanded double decker highway, the source of road noise will not only be closer to the neighborhood, but higher in elevation, closer to the elevation of the neighborhood. Based on the review of the noise study, I can not tell that the 3-dimensional change in distance was taken into account. As such, the noise impact on the neighborhood is likely greater than anticipated and should be mitigated.</p> <p>Response:<br/><i>Elevation data for roadways, receptors (areas of frequent human use for each residence, school, etc.), barriers (buildings, bridge barriers, etc.), and terrain are included in the traffic noise model. The 2021 Traffic Noise Policy - Section 7.0 (Procedure for Predicting Future Noise Levels) states that the models use "the physical characteristics of the road (curves, hills, depressions, elevations, etc.)" for predicting the traffic noise in the project area. Noise abatement was considered along I-26 adjacent to Riverside Cemetery and the Montford</i></p>  |

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|                      | <p><i>neighborhood, but noise barriers were found to be not feasible (due to noise level reduction goals or constructability concerns) and/or not reasonable (due to noise level reduction goals or allowable noise barrier quantities per benefited receptor). The final decision on feasibility and reasonableness of noise abatement shall be made upon completion of project design, completion of a Design Noise Report (DNR) and its acceptance by NCDOT, and the public involvement process.</i></p>   |
| 45-Tom Olverson      |   |
| 45-1                 | <p>I live on Westover Drive in Asheville and am dismayed that there will be no noise barriers between Courtland and Westover. This project is already disrupting an old neighborhood in Asheville that presently hears I- 26 noise a lot. Please, include in the project noise barriers!</p> <p>Response:<br/> <i>A noise barrier to address predicted Design Year (DY) 2040 traffic noise impacts, noise wall NWB-8, was evaluated for the area between Courtland Avenue and Westover Drive as part of the traffic noise study that was recently completed for the I-26 Connector project. This study is documented in the August 2019 Traffic Noise Report (TNR). To address the predicted impacts, the noise study evaluated several different length and height combinations for noise walls extending from the Courtland Avenue/Hill Street/Atkinson Street intersection to south of Pearson Drive. Only one evaluated noise wall in this area, NWB-6.1 at the western end of Courtland Place, was found to meet NCDOT feasible and reasonable criteria set forth in the 2016 NCDOT Traffic Noise Policy and is considered preliminarily likely to be constructed. Otherwise, the evaluated walls were found to either not meet feasibility criteria because they could not provide the minimum required reduction in traffic noise for impacted receptor locations or they could not meet reasonableness criteria because the required cost-reasonable allowances could not be achieved. To meet the cost-reasonableness criterion in the Policy, the area of the noise wall required to provide the necessary noise reduction benefits cannot exceed the allowable area of noise wall per benefit. At this location, the most reasonable evaluated noise wall configuration modeled was 2,450 feet long, averaged 22 feet high, and provided the minimum noise reduction benefit to 14 receptor locations. This wall configuration results in a wall with an area of 53,900 sq. ft., or 3,850 sq. ft. per benefit, where the allowable area per benefit is 2,000 sq. ft. Consequently, this noise wall exceeded the allowable area per benefit by over 90%, was not reasonable per the Policy, and is not likely to be constructed as part of the highway project. The physical environment of the Montford area poses many acoustical engineering challenges. Many homes there are often much higher in elevation than I-26. This topography makes it difficult for noise walls to provide the required noise reduction levels without becoming too tall. The steep topography also creates problems with noise wall constructability. The recently completed traffic noise study is a preliminary analysis only. A final traffic noise study to determine actual noise wall locations will be conducted during the project's final design as part of the upcoming design/build contract. There is now no schedule for the final design noise study because the design/build contract has not been awarded.</i></p> |
| 45-2                 | <p>Thank you for the information. Can you tell me when the I-26 connector will be completed such that Westover Drive will be impacted by greater traffic noise? Is the Design Year 2040 the effective date for opening up the connector?</p> <p>Response:<br/> <i>Yes, the Design Year is 2040 which is the point in time that numbers of lanes and impacts are being evaluated for. The goal is that the proposed infrastructure will operate at an acceptable level of service up to and into that Design Year. The current scheduled date for</i></p>  |

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|                                    | <p><i>awarding the portion of the project in the vicinity of Courtland and Westover for construction to a Design-Build team, section B (I-2513B), is June 2021. Acquiring right of way for that section could begin roughly a year after the contract is awarded, so that would be mid-2022. Construction could begin within existing right of way any time after the awarding of the contract: however, the Design-Build team will have to complete their final design before beginning right of way acquisition and construction for the areas outside of existing right of way. The schedule is subject to change as conditions continue to change. The duration of construction activities will be determined closer to the time of awarding the contract.</i></p>   |
| 46-Joshua Sindy                    | <p>Missy, my name is Joshua Sindy and I live at 46 Hibriten Dr, Asheville. It has come to the attention of our community that the previous noise analysis used for Hibriten doesn't include the 16 new homes built since 2015. I would like to formally request a reevaluation of the noise analysis for the potential addition of a B-9 barrier. Any advice related to this matter would be greatly appreciated. Thank you.</p> <p>Response:<br/><i>The recently completed traffic noise study is a preliminary analysis only. A final traffic noise study to determine actual noise wall locations will be conducted during the project's final design as part of the upcoming design/build contract. All homes with a building permit issued before the project's date of public knowledge (DoPK) are eligible for noise abatement consideration if they receive traffic noise impacts due to the project. The project's DoPK is the date this Record of Decision was issued. Once the DoPK is established, the project area will be reviewed to identify any newer development that may not have been included in the preliminary noise study for inclusion in the final noise study. In fact, the preliminary noise study for most projects is almost always completed before the DoPK is established, so one of the main tasks of a final noise study is to identify and include newer development that was permitted before the project's DoPK. Homes that were issued building permits before the project's DoPK and that lie within the outer-most limits of the project's traffic noise impacts will be included in the final traffic noise study. There is now no schedule for the final design noise study because the design/build contract has not been awarded.</i></p> |
| 47-Bobby & Tricia He               | <p>Our home was not included in the recent noise analysis for the Montford Hills and Hibriten extension area, NSA B-9. My husband and I would like our home included in the noise analysis. How should we go about requesting a retest that will include our home?</p> <p>Response:<br/><i>See response to comment 46.</i></p>   |
| 48-Andrew Grein                    | <p>My home was not included in your recent noise analysis for the Montford Hills and Hibriten extension area, NSA B-9. How should I go about requesting a retest including my home?</p> <p>Response:<br/><i>See response to comment 46.</i></p>  |
| 49-Anne Young & John McLane        | <p>It has come to our attention that our home was not included in your most recent noise analysis for the Montford Hills and Hibriten extension area, NSA B-9. How should we go about requesting a retest including our home?</p> <p>Response:<br/><i>See response to comment 46.</i></p>  |
| 50-Gail Ferguson and Jane Yokoyama | <p>My home was not included in your recent noise analysis for the Montford Hills and Hibriten extension area, NSA B-9. How should I go about requesting a retest including my home? I live at 387 Pearson Dr., Asheville NC 28801</p>  |

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|                      | <p>Please also include my house at 403 Pearson (Gail Ferguson)</p> <p>Response:<br/><i>See response to comment 46.</i></p>   |
| 51-Zoe Schumaker     | <p>Questions about FEIS Traffic Noise Report dated August 2019:</p> <ol style="list-style-type: none"> <li>1. It appears the latest noise data collection was done in October 2017. Were any receptors added when this collection was done, or did the survey just use the same receptors that were used in the June 2014 collection?</li> <li>2. Per the ERV Calculation Worksheet in Appendix B, Riverside Cemetery was assigned an ERV of .04 and "3 votes" in the Barrier Voting Process. I understand the ERV results from dividing the "Equivalent Residence Value" (3.0) by the number of receptors placed in the cemetery (68). In this case, the high number of receptors "dilutes" the ERV for Riverside Cemetery. Is there a standard basis for how it was determined that 68 receptors should be placed, and how they should be arranged in the grid (e.g., distances between individual receptors)?</li> <li>3. If I am understanding Figure 3-29 correctly, NWB-6 spans from Houston Street northward, terminating about 2/3 of the way along the Riverside Cemetery roadway frontage. The NWB-8 barrier adjoins at this point and then extends to the north through Westover Drive. Neither the NWB-6 or NWB-8 barriers are deemed reasonable due to the excessive size of the barrier vs. the number of receptors positively impacted. In the case of NWB-6, a smaller barrier was evaluated, NWB-6.1, which did prove reasonable. Could a smaller barrier be evaluated for NWB-8, which would start further north, closer to the impacted residences on Westover? In other words, could a "NWB-8.1" be evaluated, starting at the junction of I-26 and 19/23/70 NB, and continuing through as per the current NWB-8? Or, am I missing some technical consideration that went into the placement of this barrier, starting further south? Again, with Riverside Cemetery only receiving an ERV of .04, it has an equivalent impact of 1 receptor, so extending this wall so far south ultimately hurts the case for a noise barrier for the residential properties to the north.</li> </ol> <p>Questions about future Traffic Noise Report(s) conducted by design/build contractor:</p> <ol style="list-style-type: none"> <li>1. Given that this is a design/build project, will the selected contractor be required to complete another TNR after the final build designs have been completed? Are there any circumstances under which a new TNR would not be required to be done? Are there be any circumstances wherein an actual reevaluation of impacted residences would not be conducted, but some other methodology used to "update" the report?</li> <li>2. If a new TNR is conducted, will it include the placement of new measuring devices at all eligible receptor locations, i.e., will new measurements be taken that include all eligible receptors? [I do understand that only homes constructed or issued a building permit by the ROD will be considered eligible in any future noise study.]</li> <li>3. What would be the approximate timing of the design/build contractor's noise collection effort? Would the placement of noise receptors for data collection occur relatively shortly after the contract is let, i.e. in 2020 or 2021?</li> </ol> |

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|                      | <p>4. What is the best method by which concerned citizens can "go on record" with information on homes that were not included in the FEIS TNR, but will be eligible for noise abatement based on the ROD?. I am aware of a number of homes that were not included in the study that are clearly impacted (adjacent to NCDOT ROW). I believe you have already heard from some of the concerned residents. I assume their communications with you are part of public record, but if there is another more preferable means to record this concern, please let me know.</p> <p>Response:</p> <p>1. <i>Approximately 400 receptor locations were added to the 2019 traffic noise study that were not included in the 2015 Traffic Noise Report (TNR), although this total did not include all new development that has occurred since the 2015 TNR. The main purpose for preparing the 2019 TNR was to update information in the 2015 TNR so that it complies with provisions in the 2016 NCDOT Traffic Noise Policy and Traffic Noise Manual for inclusion in the DEIS. A more detailed traffic noise analysis will be completed during final design, which will be documented in a Design Noise Report (DNR). This DNR will include every receptor eligible for noise abatement consideration, will be based on the project's final engineering designs, and will recommend noise wall locations based on feasibility and reasonableness criteria found in the 2016 Policy.</i></p> <p>2. <i>The use of 68 receptor points in a grid array at Riverside does not dilute the ERV, but rather spreads it across the broader area to more accurately consider the entire noise sensitive area. The 2016 Traffic Noise Manual provides guidance on establishing and evaluating grid arrays of Equivalent Receptor (ER) points to represent Equivalent Receptor Values (ERVs) calculated for areas where exterior frequent human use occurs, such as active sports areas, playgrounds, places of worship, cemeteries, trails and parks. Riverside Cemetery has an ERV of three. Equally dividing these three ER points into a gride is a much more accurate means of ERV representation by distributing the points over a wider area (the entire area of frequent human use) to better determine which areas (cells) are impacted by noise and benefited by abatement, rather than placing the three ER points into only one to three areas to represent the entire cemetery's outdoor usage. Initially, a grid consisting of 100' x 100' cells is established parallel to the highway, beginning at the right of way and extending a distance of at least 800 feet perpendicular to the highway, measured from the highway centerline for freeways like I-26. ER points are placed at the center point closest to the roadway within each cell in all usable areas of the site. The grid then is modeled to accurately assess the extent of impacts occuring over the entire cemetery rather than at only three ER points and to ensure adequate noise abatement design. For Riverside Cemetery, sixty-eight ER points were plotted along the prescribed grid within the usable areas. Each of these ER points has a value of 0.04 (3/68). Twenty of these sixty-eight ER points are predicted to be impacted by future (year 2040) traffic noise. The ERV for Riverside Cemetery remains at 3, regardless of the number of ER points used to evaluate traffic noise impacts. The key number used to determine whether noise abatement is considered is the total impacted portion of the ERV, which is calculated using the formula: Impacted ER Points X ER Point Value = impacted ERV. For the twenty impacted ER points out of the total 68 ER points, the Impacted ERV is 0.8 (20 impacted ER X 0.04 ER point value = 0.8).</i></p> <p>3. <i>NWB-6 was found not feasible because the required minimum two impacted receptors could not be benefited by the barrier. Reasonableness was not considered for this barrier since it did not first meet required feasibility criteria set by the 2016 NCDOT Traffic Noise Policy. NWB-8 was found to be feasible, but not reasonable due to the required barrier area</i></p> |

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|                      | <p><i>per benefit exceeding the allowable area per benefit found in the 2016 Policy. Multiple combinations of NWB-8 were evaluated during the 2019 Traffic noise study, one of which included only the northern section of NWB-8 and not the cemetery. This northern version also was found to be not reasonable due to excessive wall area requirements. Only the longer version of NWB-8 was included in the 2019 TNR because it required the least barrier area per benefit of all versions of NWB-8 modeled, and even it exceeded the allowable barrier area/benefit. NWB-8 will be further investigated during the final traffic noise study and will include any applicable development not included in the 2019 TNR.</i></p> <p><i>1. The recently completed traffic noise study is a preliminary analysis only. A final traffic noise study to determine actual noise wall locations is required and will be prepared during the project’s final design as part of the upcoming design/build contract. It will be documented in a Design Noise Report (DNR). Only in the case of project termination would the DNR not be required.</i></p> <p><i>2. All eligible receptors will be included in the final traffic noise study (DNR), and the noise levels at each of them will be evaluated. But this will not include noise measurements at every receptor location. New noise measurements are not required for the DNR but may be obtained if the design/build contractor and NCDOT agree that such work is justified; if new measurements are taken, it will be only at a few select locations. To further explain, noise measurements for traffic noise studies are not collected at each individual receptor location. Instead, actual noise levels are measured using sound level meters at strategic locations throughout a project area and compared to noise levels modeled using the Federal Highway Administration (FHWA) Traffic Noise Model (TNM™) software. The traffic noise model is developed to accurately depict the existing project environment, including buildings, roadways, topography, types of groundcover, traffic volumes and vehicle types, among other input factors. When actual, measured traffic noise levels very closely match the modeled traffic noise levels at each location where the measurements were obtained, the noise model is considered to be “validated” and can be relied upon to accurately predict traffic noise levels. Once the traffic noise model is validated, it is then run to produce Base Year traffic noise levels (2015 for the I-26 Connector project) for each receptor location identified along the project. Forecasted traffic volumes, speeds and vehicle mixes are subsequently added to the traffic noise model and used to predict Design Year traffic noise levels (2040 for the I-26 Connector) at each receptor location and identify those receptors that are impacted by the predicted traffic noise levels. A barrier analysis, also using the Design Year 2040 noise model runs, is then used to determine whether feasible and reasonable noise barriers can be designed to reduce the predicted noise levels of all receptors that are determined to be impacted. Noise impacts and feasible and reasonable abatement are determined based on future traffic and highway conditions (future traffic volumes with the project in place), which have to be modeled and cannot be measured. So, field measurements are not very helpful in this regard; their primary value is to validate the model that we then use to predict the future noise levels.</i></p> <p><i>3. There is now no schedule for the final design noise study because the design/build contract has not been awarded. Physical noise data collection may not be necessary during the final design noise study, as noted in the response to Question 2., above. Noise levels for receptors are determined using the traffic noise model created during the final design noise study.</i></p> <p><i>4. Homes that were issued building permits before the project’s date of public knowledge (DoPK) and that lie within the outer-most limits of the project’s traffic noise impacts will be</i></p> |



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|                        | <p><i>included in the final traffic noise study. The project’s DoPK will be the date the Record of Decision is issued for the Environmental Impact Statement, which has not yet occurred. Once the DoPK is established, the project area will be reviewed to identify any newer development that may not have been included in the preliminary noise study for inclusion in the final noise study. In fact, the preliminary noise study for most projects is almost always completed before the DoPK is established, so one of the main tasks of a final noise study is to identify and include newer development that was permitted before the project’s DoPK. NCDOT is aware new development exists within the noise-impacted areas along the project. Public correspondence with information on recent development is being maintained by NCDOT and will be provided to the design/build contractor. Additional correspondence from citizens with information on new development can be sent directly to me and will be included in the information provided to the design/build contractor.</i></p> |
| <p>52-Don Kostelec</p> | <p>Is NCDOT using this guide for things like the design of the Haywood Road ramps on the I-26 Connector? (Image attached of <a href="#"><u>Recommended Design Guidelines to Accommodate Pedestrians and Bicycles at Interchanges: An ITE Proposed Recommended Practice</u></a>)</p> <p>Response:<br/> <i>The design parameters for the project are outlined in the FEIS Section 2.6.1 and are primarily based on the requirements of AASHTO's "A Policy on Geometric Designs of Highway Streets" (6th Edition, 2011). The ITE guidance referenced below is not specifically cited in developing design criteria for the project; however, the strategies highlighted demonstrate desirable engineering practices and have been incorporated into this project to the extent practicable. The design evaluated in the FEIS is preliminary and the final design will be completed by a Design-Build team that will be required to develop a design that must be as good or better.</i></p>  |
| <p>53-Jeremy Hoff</p>  | <p>The time to move forward on this project is long overdue. I am in favor of the original plan of 8 lanes through West Asheville. Please, reconsider this proposal and do not waiver in the face of groups such as Mountain True and the SELC that are in staunch opposition no matter the facts and mitigation measures that have been presented. They are not experts on the subject matter of interstate engineering and they do not speak for a large segment of the Asheville community. Many thousands of hours and fossil burning fuels are needlessly wasted each week while gridlocked on the interstates through the I26 corridor in Asheville, if Mountain True and the likes are concerned with pollution and the community, this should be a major concern of theirs.</p> <p>Response:<br/> <i>Comment noted.</i></p>   |

## Response to Public Comments on 2020 FEIS – Appendix D2

### C2.2 Form Letter Comments and Responses

The following individuals submitted comments in the form of a standardized form letter.

| Name/<br>Comment No.  | Form Letter Comment/Response  |
|---|---|
| 54 - Robert Glenn<br>55 - Jake Quinn<br>56 - Maya Rosenbaum<br>57 - Andy Fulton<br>58 - Jennifer Gruhn<br>59 - Leo Faruq<br>60 - Melissa Williams<br>61 - Nancy Moore<br>62 - Hanne Miska<br>63 - Ron Katz<br>64 - Susan Durrence<br>65 - Garnet Fisher<br>66 - Garrett Martin<br>67 - Ian Cochrane<br>68 - Edward Cortright<br>69 - Vic Fahrer<br>70 - Rachel Stein<br>71 - Kristina Brosowsky<br>72 - Andrew Breunig<br>73 - Virginia Boyle<br>74 - Michelle Myers<br>75 - Mary Goodkind<br>76 - Maria Rusafova<br>77 - Lisa McWherter<br>78 - Susan Smith<br>79 - Jean Marie Luce<br>80 - Lynn Pace<br>81 - Roberta Wall<br>82 - Sharon LeDuc<br>83 - Michelle Paredes<br>84 - Ryan Childress<br>85 - Jane Laping<br>86 - Alicia Swaringen<br>87 - Linda Smathers<br>88 - Lawrence Ruffolo | <p>Form letter comment 1:</p> <p>Reduce the overall size of the project so it better matches the character of our small mountain city. This includes tightening up the design for all intersections and interchanges, reducing the number of lanes on the I-26 bridge from 6 to 4, reducing the size of the new I-240 flyovers, and reducing the number of vehicle lanes on the Westbound Bowen Bridge from 3 to 2.</p> <p>Save more homes and businesses. Reducing the size of the Haywood Road Interchange could save more homes and the Meadows building, an important community resource that houses close to 20 micro-businesses in West Asheville.</p> <p>Improving the intersection on Patton Avenue on the east side of the river could also save homes on Hill Street.</p> <p>Response:<br/> <i>The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as wells as the other identified needs in the purpose and need section of the FEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations; however, NCDOT has worked closely with local officials and various neighborhood leaders and organizations to further minimize the impact of the project to the extent practicable.</i></p> <p><i>Various design refinements have been implemented into the preliminary designs after publication of the FEIS, including redesign of the Patton Avenue/I-240 Interchange east of the French Broad River and in the vicinity of the Riverside Cemetery (which has allowed for a reduction in the number of relocations in the area, lowering of the roadway along Riverside Cemetery, and lowering the grade of the I-240 flyovers), Riverside Drive, Regent Park Boulevard, and designs in the vicinity of the Hillcrest Apartment Community. Other design refinements that will be implemented during the final design stage include the addition of multiple bicycle and pedestrian features, tightening of the Haywood Road interchange, and reduction of lanes on the Bowen Bridge design, among others.</i></p> <p><i>The refined preliminary designs for the Selected Alternative also incorporate numerous new or expanded retaining walls in order to minimize impacts to the natural and human environments; however, NCDOT will continue to further avoid and minimize impacts due to the project to the greatest extent practicable during final design and construction.</i></p> <p><i>Where residential and business relocations cannot be avoided, NCDOT will perform right-of-way acquisition and relocation in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) and North Carolina's Uniform Relocation Assistance and Real Property Acquisition Policies Act (NCGS 133-5 through 133-18). Microbusinesses will be treated the same as other businesses during right-of-way acquisition. Businesses within properties that are relocatees, such as those in the Meadows building, will be eligible for relocation assistance.</i></p> |
|   | <p>Form letter comment 2:</p>   |

Response to Public Comments on 2020 FEIS – Appendix D2

| Name/<br>Comment No.   | Form Letter Comment/Response  |
|--|---|
| 89 - Jo-An Vargo<br>90 - Elizabeth Dutton<br>91 - Amanda Levesque<br>92 - Monica Schall<br>93 - Beatrice Nathan<br>94 - Greg Borom<br>95 - Philippe Deguise<br>96 - Anna Koloseike<br>97 - Howard Waxman<br>98 - Miranda Murray<br>99 - Krista Stearns<br>100 - Thomas Jordan  | Work collaboratively to meet the community’s strong desire to minimize the visual and auditory impacts of the project -including on the historic Riverside Cemetery, whose visitors request peace and quiet.<br><br>Response:<br><i>Since publication of the FEIS, NCDOT has continued to hold periodic meetings with the City of Asheville, local organizations, adjacent neighborhoods, historic property owners, and the Burton Street community, in order to better understand concerns and to obtain input on how the project could be further refined. This has resulted in various design modifications to further minimize the impacts of the project through refined project designs. There has also been significant coordination with the City of Asheville Aesthetics Committee, the I-26 Working Group, and the Burton Street Neighborhood Association Working Group.</i>  |
| 101 - Susan Eggerton<br>102 - Lani Blakeslee<br>103 - Garard Voos<br>104 - Zax Milkereit<br>105 - Nancy Walton<br>106 - Steve Mann<br>107 - Cate Scales  | <i>The preliminary design was modified in the vicinity of Riverside Cemetery, resulting in lower profiles of I-240/ US 23 NB and eliminating the need for the retaining wall adjacent to Riverside Cemetery. Mitigation commitments for this resource and other historic and archaeological resources is included in the Memorandum of Agreement (MOA) developed in coordination with property owners and Section 106 consulting parties.</i>   |
| 108 - Carolyn Dorner<br>109 - Erin Gregory<br>110 - Jonathan Whittington<br>111 - Veronica Crane-Lindsey<br>112 - Frank Enneking<br>113 - Hallie Payne<br>114 - Tony Hauser<br>115 - Laura Carideo<br>116 - Nathan Boniske<br>117 - Ami Worthen<br>118 - David Goldsmith<br>119 - Tom Stork<br>120 - Jane Yokoyama<br>121 - Jennifer Woods<br>122 - Matthew Woodin<br>123 - Karen Larken<br>124 - Randy Walsh<br>125 - James Schall<br>126 - Jess Kutch<br>127 - Jason Krekel<br>128 - Thomas Hinton<br>129 - Andrea Baty<br>130 - Catie Morris<br>131 - Jeanne Cummings<br>132 - Rebekah Robinson<br>133 - Susan Roderick | Form letter comment 3:<br>Improve safety and options for pedestrians and bikers. The project should make the speed limit on the new Bowen Bridge no more than 30 mph so it can be a safe place to walk and bike. It should make the bridge-crossing by Haywood Road safer for pedestrians, and prioritize bike and pedestrian safety at all intersections. Reducing the number of lanes on the Westbound Bowen Bridge will also create more room for pedestrians and bikers.<br><br>Response:<br><i>The preliminary designs for the selected alternative have been developed with consideration to the current City of Asheville Pedestrian Plan, City of Asheville Comprehensive Bicycle Plan, City of Asheville Parks, Recreation, Cultural Arts, &amp; Greenways Master Plan, and the Buncombe County Greenways and Trails Master Plan. Pursuant to NCDOT policies and guidelines regarding bicycle and pedestrian accommodations and complete streets, in areas where existing sidewalks are being disturbed, the designs show these sidewalks being replaced as a part of the proposed designs. In areas where the various plans propose future pedestrian accommodations, the designs have been developed to accommodate or not preclude these elements from being constructed by the various agencies. NCDOT is committed to Complete Streets improvements and will continue to coordinate efforts with the City of Asheville to incorporate these amenities into the project in compliance with design and cost-sharing guidelines.</i><br><br><i>NCDOT has coordinated closely with the City of Asheville to develop a “betterments” list identifying areas of bicycle/pedestrian infrastructure to be constructed during the project under a municipal agreement with the City of Asheville. These include sidewalks, bicycle lanes, and a multi-use path on Amboy Road; sidewalks, widened berms, and a multi-use path along Shelburne Road; a multi-use path on Brevard Road; sidewalks on the Haywood Road bridge; sidewalk on the north side and multi-use path on the south side of Patton Avenue; berms and sidewalks for the Hillcrest Connector and Atkinson Street; and sidewalk improvements for Bear Creek Road and Sandhill Road.</i> |

Response to Public Comments on 2020 FEIS – Appendix D2

| <b>Name/<br/>Comment No.</b> | <b>Form Letter Comment/Response</b>  |
|------------------------------|--|
|                              | <i>Since publication of the FEIS, NCDOT has continued to work closely with the City of Asheville, various neighborhoods and organizations, and the City's Aesthetics Committee to further minimize designs and make the project fit within the context of Asheville.</i> |



## APPENDIX E: AGENCY COORDINATION

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## APPENDIX E-1: FEDERAL AGENCY COORDINATION

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

**MAR 12 2020**

John F. Sullivan, III, P.E.  
Federal Highway Administration  
310 New Bern Avenue  
Suite #410  
Raleigh, North Carolina 27601

Re: EPA Comments on the Final Environmental Impact Statement for STIP Project No. I-2513,  
I-26 Ashville Connector, Buncombe County, North Carolina; CEQ No. 20200024

Dear Mr. Sullivan:

The U.S. Environmental Protection Agency has reviewed the referenced Final Environmental Impact Statement (FEIS) in accordance with its responsibilities under section 309 of the Clean Air Act and section 102(C) of the National Environmental Policy Act (NEPA). The North Carolina Department of Transportation (NCDOT) and the Federal Highway Administration (FHWA) are proposing a 7-mile interstate project that would connect I-26 in southwestern Asheville to U.S. 19-23-70 in northwest Asheville. The I-26 Connector would upgrade and widen I-240 from I-40 to Patton Avenue, and then cross the French Broad River as a new freeway to U.S. 19-23-70 slightly south of the Broadway interchange.

The EPA has been an active participant in the North Carolina NEPA/§404 Merger process for the proposed project. The EPA reviewed the draft environmental impact statement and provided comments that identified environmental concerns related to socioeconomics, wetlands, and water quality impacts, and requested additional information in a letter dated December 7, 2015. On May 18, 2016, the EPA also concurred on the preferred and least environmentally damaging practicable alternative for Sections A through C as it provides the best balance for minimizing impacts to the human and natural environment. Based on our review of the FEIS and Appendix H1, the FHWA and the NCDOT substantively addressed our comments.

The EPA appreciates the opportunity to provide comments regarding this proposed project. If you have any questions concerning these comments, please feel free to contact Amanetta Somerville of my staff at [somerville.amanetta@epa.gov](mailto:somerville.amanetta@epa.gov) or (404) 562-9025.

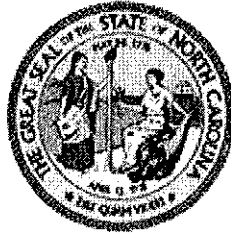
Sincerely,

A handwritten signature in blue ink that reads "Mark J. Fite".

Mark J. Fite  
Director  
Strategic Programs Office

## APPENDIX E-2: STATE AGENCY COORDINATION

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NORTH CAROLINA  
Environmental Quality

ROY COOPER

Governor

MICHAEL S. REGAN

Secretary

S. DANIEL SMITH

Director

February 24, 2020

## MEMORANDUM

To: Lyn Hardison, Environmental Coordinator, Office of Legislative and Intergovernmental Affairs

Through: Amy Chapman

From: Kevin Mitchell, Division of Water Resources, Asheville Regional Office DS  
KM

Subject: Comments on the Final Environmental Impact Statement related to proposed I-26 Connector from I-26 to US 19-23-70 that includes the I-26/ I-40/ I -240 interchange, Buncombe County, Federal Aid Project No. NHF-26-1(53), TIP I-2513.

This office has reviewed the referenced document dated January 9, 2020. The NC Division of Water Resources (NCDWR) is responsible for the issuance of the Section 401 Water Quality Certification for activities that impact Waters of the U.S., including wetlands. It is our understanding that the project as presented will result in impacts to jurisdictional wetlands, streams, and other surface waters. The NCDWR offers the following comments based on review of the aforementioned document:

### **Project Specific Comments:**

1. This project is being planned as part of the 404/NEPA Merger Process. As a participating team member, the NCDWR will continue to work with the team.
2. To meet the requirements of NCDOT's NPDES permit NCS000250, the road design plans shall provide treatment of the stormwater runoff through BMPs as detailed in the most recent version of the *North Carolina Department of Transportation Stormwater Best Management Practices Toolbox* manual. The BMPs should, to the MEP, be selected and designed to reduce impacts of the target pollutants of concern (POCs) for the receiving waters.

### **General Comments:**

3. The environmental document should provide a detailed and itemized presentation of the proposed impacts to wetlands and streams with corresponding mapping. If mitigation is necessary as required by 15A NCAC 2H.0506(h), it is preferable to present a conceptual (if not finalized) mitigation plan with the environmental documentation. Appropriate mitigation plans will be required prior to issuance of a 401 Water Quality Certification.
4. Environmental impact statement alternatives shall consider design criteria that reduce the impacts to streams and wetlands from storm water runoff. To meet the requirements of NCDOT's NPDES permit NCS000250, these alternatives should include road designs that allow for treatment of the storm water runoff through best management practices as detailed in the most recent version of the *North Carolina Department of*



North Carolina Department of Environmental Quality | Division of Water Resources  
512 North Salisbury Street | 1617 Mail Service Center | Raleigh, North Carolina 27699-1617  
919.707.9000

*Transportation Stormwater Best Management Practices Toolbox* manual, which includes BMPs such as grassed swales, buffer areas, preformed scour holes, retention basins, etc.

5. After the selection of the preferred alternative and prior to an issuance of the 401 Water Quality Certification, the NCDOT is respectfully reminded that they will need to demonstrate the avoidance and minimization of impacts to wetlands (and streams) to the maximum extent practical. In accordance with the Environmental Management Commission's Rules (15A NCAC 2H.0506[h]), mitigation will be required for impacts of greater than 1 acre to wetlands. In the event that mitigation is required, the mitigation plan shall be designed to replace appropriate lost functions and values. The North Carolina Division of Mitigation Services may be available to assist with wetland mitigation.
6. In accordance with the Environmental Management Commission's Rules (15A NCAC 2H.0506[h]), mitigation will be required for impacts of greater than 300 linear feet to any single stream. In the event that mitigation is required, the mitigation plan shall be designed to replace appropriate lost functions and values. The North Carolina Division of Mitigation Services may be available to assist with stream mitigation.
7. Future documentation, including the 401 Water Quality Certification Application, shall continue to include an itemized listing of the proposed wetland and stream impacts with corresponding mapping.
8. The NCDWR is very concerned with sediment and erosion impacts that could result from this project. The NCDOT shall address these concerns by describing the potential impacts that may occur to the aquatic environments and any mitigating factors that would reduce the impacts.
9. An analysis of cumulative and secondary impacts anticipated as a result of this project is required. The type and detail of analysis shall conform to the NC Division of Water Resources Policy on the assessment of secondary and cumulative impacts dated April 10, 2004.
10. The NCDOT is respectfully reminded that all impacts, including but not limited to, bridging, fill, excavation and clearing, and rip rap to jurisdictional wetlands, streams, and riparian buffers need to be included in the final impact calculations. These impacts, in addition to any construction impacts, temporary or otherwise, also need to be included as part of the 401 Water Quality Certification Application.
11. Where streams must be crossed, the NCDWR prefers bridges be used in lieu of culverts. However, we realize that economic considerations often require the use of culverts. Please be advised that culverts should be countersunk to allow unimpeded passage by fish and other aquatic organisms. Moreover, in areas where high quality wetlands or streams are impacted, a bridge may prove preferable. When applicable, the NCDOT should not install the bridge bents in the creek, to the maximum extent practicable.
12. Whenever possible, the NCDWR prefers spanning structures. Spanning structures usually do not require work within the stream or grubbing of the streambanks and do not require stream channel realignment. The horizontal and vertical clearances provided by bridges shall allow for human and wildlife passage beneath the structure. Fish passage and navigation by canoeists and boaters shall not be blocked. Bridge supports (bents) should not be placed in the stream when possible.
15. Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. To meet the requirements of NCDOT's NPDES permit NCS000250, please refer to the most recent version of the *North Carolina Department of Transportation Stormwater Best Management Practices Toolbox* manual for approved measures.
16. Sediment and erosion control measures should not be placed in wetlands or streams.



17. Borrow/waste areas should avoid wetlands to the maximum extent practical. Impacts to wetlands in borrow/waste areas will need to be presented in the 401 Water Quality Certification and could precipitate compensatory mitigation.
18. The 401 Water Quality Certification application will need to specifically address the proposed methods for stormwater management. More specifically, stormwater shall not be permitted to discharge directly into streams or surface waters.
19. Based on the information presented in the document, the magnitude of impacts to wetlands and streams may require an Individual Permit (IP) application to the Corps of Engineers and corresponding 401 Water Quality Certification. Please be advised that a 401 Water Quality Certification requires satisfactory protection of water quality to ensure that water quality standards are met and no wetland or stream uses are lost. Final permit authorization will require the submittal of a formal application by the NCDOT and written concurrence from the NCDWR. Please be aware that any approval will be contingent on appropriate avoidance and minimization of wetland and stream impacts to the maximum extent practical, the development of an acceptable stormwater management plan, and the inclusion of appropriate mitigation plans where appropriate.
20. If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills. Concrete shall be handled in accordance with the NPDES Construction General Permit NCG010000.
21. If temporary access roads or detours are constructed, the site shall be graded to its preconstruction contours and elevations. Disturbed areas shall be seeded or mulched to stabilize the soil and appropriate native woody species shall be planted. When using temporary structures the area shall be cleared but not grubbed. Clearing the area with chain saws, mowers, bush-hogs, or other mechanized equipment and leaving the stumps and root mat intact allows the area to re-vegetate naturally and minimizes soil disturbance.
22. Unless otherwise authorized, placement of culverts and other structures in waters and streams shall be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and downstream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by the NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact the NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required.
23. If multiple pipes or barrels are required, they shall be designed to mimic natural stream cross section as closely as possible including pipes or barrels at flood plain elevation, floodplain benches, and/or sills may be required where appropriate. Widening the stream channel should be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage.
24. If foundation test borings are necessary; it shall be noted in the document. Geotechnical work is approved under General 401 Certification Number 3883/Nationwide Permit No. 6 for Survey Activities.
25. Sediment and erosion control measures sufficient to protect water resources must be implemented and maintained in accordance with the most recent version of North Carolina Sediment and Erosion Control Planning and Design Manual and the most recent version of NCS000250.





26. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of the NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water.
27. While the use of National Wetland Inventory (NWI) maps, NC Coastal Region Evaluation of Wetland Significance (NC-CREWS) maps and soil survey maps are useful tools, their inherent inaccuracies require that qualified personnel perform onsite wetland delineations prior to permit approval.
28. Heavy equipment should be operated from the bank rather than in stream channels in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into streams. This equipment shall be inspected daily and maintained to prevent contamination of surface waters from leaking fuels, lubricants, hydraulic fluids, or other toxic materials.
29. Riprap shall not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed.
30. Riparian vegetation (native trees and shrubs) shall be preserved to the maximum extent possible. Riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.

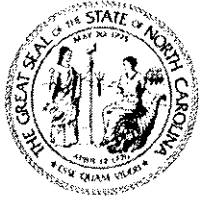
The NCDWR appreciates the opportunity to provide comments on your project. Should you have any questions or require any additional information, please contact Kevin Mitchell at (828) 296-4650 or [kevin.mitchell@ncdenr.gov](mailto:kevin.mitchell@ncdenr.gov).

Electronic copy only distribution:

Lori Beckwith, US Army Corps of Engineers, Asheville Field Office  
Felix Davila, Federal Highway Administration  
Amanetta Somerville, US Environmental Protection Agency  
Amy Chapman, Division of Water Resources  
Kevin Moore, NC Department of Transportation  
File Copy



North Carolina Department of Environmental Quality | Division of Water Resources  
512 North Salisbury Street | 1617 Mail Service Center | Raleigh, North Carolina 27699-1617  
919.707.9000



NORTH CAROLINA  
Environmental Quality

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Governor

MICHAEL S. REGAN  
Secretary

MICHAEL SCOTT  
Director

TO: Lyn Hardison, Environmental Coordinator

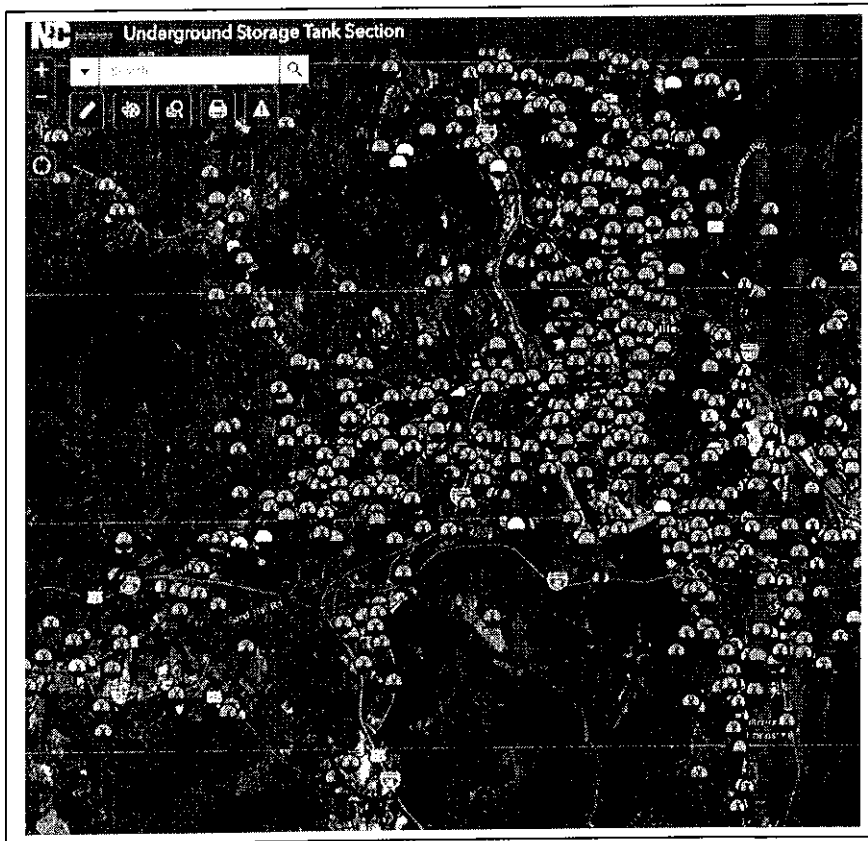
FROM: Caroline LaFond, Regional UST Supervisor

COPY: Scott Bullock, Corrective Action Branch Head, Sharon Brinkley, Administrative Secretary

DATE: February 25, 2020

RE: Environmental Review – Project Number 20-0169 – Buncombe County - Proposed project is for the I 26 Connector, from I 26 to US 19 23 70 that includes the I 26/I 40/I 240 interchange.

I searched the Petroleum Underground Storage Tank (UST) and Non-UST Databases and have identified numerous petroleum incidents on or adjacent to the proposed project area. Please see the map below:



The following comments are pertinent to my review:

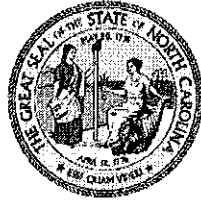
The Asheville Regional Office (ARO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum ASTs within the project area. The UST Section should be contacted regarding use of any proposed or on-site petroleum USTs or ASTs. We may be reached at (828) 296-4500.

Any petroleum USTs or ASTs must be installed and maintained in accordance with applicable local, state, and federal regulations. For additional information on petroleum ASTs it is advisable that the North Carolina Department of Insurance at (919) 661-5880 ext. 239, USEPA (404) 562-8761, local fire department, and Local Building Inspectors be contacted.

Any petroleum spills must be contained and the area of impact must be properly restored. Petroleum spills of significant quantity must be reported to the North Carolina Department of Environmental Quality (NCDEQ) – Division of Waste Management (DWM) UST Section in the ARO.

Any soils excavated during demolition or construction that show evidence of petroleum contamination, such as stained soil, odors, or free product must be reported immediately to the local Fire Marshall to determine whether explosive or inhalation hazards exist. Also, notify the UST Section of the ARO. Petroleum contaminated soils must be handled in accordance with all applicable regulations.

Any questions or concerns regarding spills from petroleum USTs, ASTs, or vehicles should be directed to the UST Section at (828) 296-4500. If you have any questions or need additional information, please contact me via email at [caroline.lafond@ncdenr.gov](mailto:caroline.lafond@ncdenr.gov) or by phone at (828) 296-4644.



NORTH CAROLINA  
Environmental Quality

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

MICHAEL SCOTT  
Director

DATE: February 26, 2020

TO: Michael Scott, Division Director through Sharon Brinkley

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

RE: NEPA Project 20-0169, Buncombe County, N.C.  
NCDOT I-26 Connector, Asheville

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The Solid Waste Section has reviewed the Final Environmental Impact Statement for the NCDOT proposed construction of an I 26 Connector, from I 26 to US 19 23 70 that includes the I 26/I 40/I 240 interchange in Buncombe County, North Carolina. Comments were provided on the Draft Environmental Impact Statement for this project that there are three closed unpermitted solid waste disposal sites that may be located within the project area. Notices for these sites are recorded in the Buncombe County Register of Deeds at Book 1846 on Page 101, Book 1700 on Page 260, and Book 1775 on Page 408. Otherwise the review has been completed and has found no adverse impact on the surrounding community and likewise knows of no situations in the community, which would affect this project from a solid waste perspective.

During the project, every feasible effort should be made to minimize the generation of waste, to recycle materials for which viable markets exist, and to use recycled products and materials in the development of this project where suitable. Any wastes generated by this project that cannot be beneficially reused or recycled must also be disposed of at a solid waste management facility approved to manage the respective waste type. The Section strongly recommends that any contractors are required to provide proof of proper disposal for all waste generated as part of the project.

A list of permitted solid waste management facilities is available on the Solid Waste Section portal site at: <http://deq.nc.gov/about/divisions/waste-management/waste-management-rules-data/solid-waste-management-annual-reports/solid-waste-permitted-facility-list>

Please contact Mr. Kris Riddle, Environmental Senior Specialist, with any questions regarding solid waste management for this project. Mr. Riddle may be reached at (828) 296-4705 or by email at [kris.riddle@ncdenr.gov](mailto:kris.riddle@ncdenr.gov).

Cc: Jason Watkins, Field Operations Branch Head  
Kris Riddle, Environmental Senior Specialist





NORTH CAROLINA  
Environmental Quality

ROY COOPER  
*Governor*  
MICHAEL S. REGAN  
*Secretary*  
MICHAEL SCOTT  
*Director*

Date: March 2, 2020

To: Michael Scott, Director  
Division of Waste Management

Through: Janet Macdonald  
Inactive Hazardous Sites Branch – Special Projects Unit

From: Bonnie S. Ware  
Inactive Hazardous Sites Branch

Subject: NEPA Project #20-0169, NC Department of Transportation, Buncombe County, North Carolina

The Superfund Section has reviewed the proximity of sites under its jurisdiction to the NC Department of Transportation project. Proposed project is for the Final Environmental Impact Statement - for the I 26 Connector, from I 26 to US 19 23 70 that includes the I 26/I 40/I 240 interchange. TIP I 2513.

Forty-seven (47) sites were identified within one mile of the site. The Superfund Section recommends that site files be reviewed to ensure that appropriate precautions are incorporated into any construction activities that encounter potentially contaminated soil or groundwater. Superfund Section files can be viewed at: <http://deq.nc.gov/waste-management-laserfiche>.

Please contact Janet Macdonald at 919.707.8349 if you have any questions.

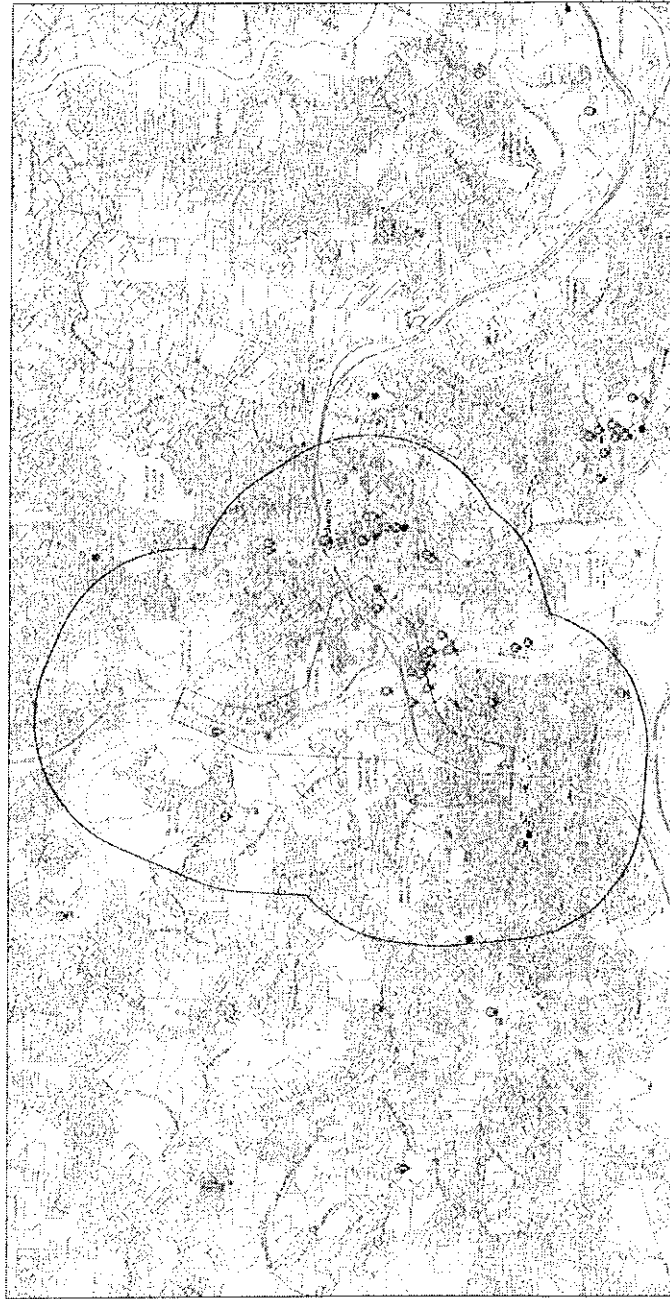


# SEPA/NEPA Review Report

## Area of Interest (AOI) Information

Area : 7,435.7 acres

Mar 2 2020 12:58:46 Eastern Standard Time



146 Download Location View

- Pending
- Recalled
- Active Eligible
- Inactive Eligible
- No Further Interest
- Pending
- Pre-Administrative Landfill Sites
- DSDA Certified - Copy
- Inactive Hazardous Sites
- Parcels (Polygon) - Parcels

1463003

0 0.47 0.95 1.90

5 9.75 1.9 3.80

1463003

1463003 Data provided by the State of Washington, Department of Ecology, Office of Environmental Compliance and Enforcement, and the State of Washington, Department of Ecology, Office of Environmental Compliance and Enforcement.



20-0169 Buncombe County

## Summary

| Name                             | Count | Area(acres) | Length(mi) |
|----------------------------------|-------|-------------|------------|
| Certified DSCA Sites             | 5     | N/A         | N/A        |
| Federal Remediation Branch Sites | 0     | N/A         | N/A        |
| Inactive Hazardous Sites         | 11    | N/A         | N/A        |
| Pre-Regulatory Landfill Sites    | 1     | N/A         | N/A        |
| Brownfields Program Sites        | 30    | N/A         | N/A        |

## Certified DSCA Sites

| # | Site_ID  | Site_Name                  | Count |
|---|----------|----------------------------|-------|
| 1 | DC110001 | Swannanoa Laundry          | 1     |
| 2 | DC110005 | Nu-Way Cleaners            | 1     |
| 3 | DC110007 | Swannanoa Cleaners         | 1     |
| 4 | DC110008 | Crisp One Hour Cleaners    | 1     |
| 5 | DC110011 | Bon Ton Cleaners & Laundry | 1     |

## Inactive Hazardous Sites

| #  | EPAID        | SITENAME                      | Count |
|----|--------------|-------------------------------|-------|
| 1  | NCD003951878 | SQUARE D COMPANY              | 1     |
| 2  | NCD986188787 | ASHEVILLE COAL GAS PLANT #1   | 1     |
| 3  | NONCD0002626 | ROBERTS ST ORGANICS           | 1     |
| 4  | NONCD0002878 | ROBERTS ST HATCHERY           | 1     |
| 5  | NONCD0003030 | EAST-WEST CAPITAL             | 1     |
| 6  | NONCD0003070 | MCDOWELL ST SOLVENTS          | 1     |
| 7  | NONCD0002066 | METPRO PROP.(FOR DRY CLEANER) | 1     |
| 8  | NONCD0002263 | HAYWOOD RD CONTAMINATION      | 1     |
| 9  | NONCD0000032 | ASHEVILLE COAL GAS PLANT #2   | 1     |
| 10 | NONCD0001162 | CHAMPION FINISHING CO         | 1     |
| 11 | NONCD0001451 | CAROLINA TIRE #2936           | 1     |

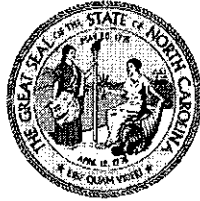
## Pre-Regulatory Landfill Sites

3/2/2020

| # | EPAID        | SITENAME            | Count |
|---|--------------|---------------------|-------|
| 1 | NONCD0000811 | Pearson Bridge dump | 1     |

Brownfields Program Sites

| #  | BF_ID      | BF_Name                        | Count |
|----|------------|--------------------------------|-------|
| 1  | 1005806011 | EDACO Junkyard                 | 1     |
| 2  | 1705913011 | Minico II                      | 1     |
| 3  | 1805814011 | East West Capital              | 1     |
| 4  | 1900415011 | Champion Finishing Co          | 1     |
| 5  | 1901515011 | Asheville Foundry Inn          | 1     |
| 6  | 1903715011 | South Market Street            | 1     |
| 7  | 1907615011 | Phil Mechanic Property         | 1     |
| 8  | 2001716011 | Asheville Tannery              | 1     |
| 9  | 1103407011 | B & H Sheet Metal              | 1     |
| 10 | 1501711011 | RiverLink Outdoor Adventure    | 1     |
| 11 | 1605412011 | Asheville Hardware             | 1     |
| 12 | 1602112011 | Belgium Brewing                | 1     |
| 13 | 1301809011 | Wilma Dykeman Riverway         | 1     |
| 14 | 701503011  | Historic Cotton Mill           | 1     |
| 15 | 903305011  | Asheville Ice Plant            | 1     |
| 16 | 1402110011 | Deal Motors                    | 1     |
| 17 | 1402610011 | The Old Wood                   | 1     |
| 18 | 1502711011 | Riverside Drive                | 1     |
| 19 | 1705513011 | RAD Lofts                      | 1     |
| 20 | 2104217011 | The Patton                     | 1     |
| 21 | 2205018011 | Johnson's Arco Service Station | 1     |
| 22 | 1100707011 | Day Warehouse                  | 1     |
| 23 | 1403910011 | WNC Stockyard                  | 1     |
| 24 | 1301509011 | Broad Street Development       | 1     |
| 25 | 1402910011 | Andy's Heating & Air           | 1     |
| 26 | 1402210011 | Providence Place               | 1     |
| 27 | 1703613011 | Minico Bldg                    | 1     |
| 28 | 2304419011 | RAD Asheville                  | 1     |
| 29 | 2307319011 | JJQ Investments (RFR)          | 1     |
| 30 | 2308919011 | Swannanoa Laundry              | 1     |



NORTH CAROLINA  
*Environmental Quality*

ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

MICHAEL SCOTT  
*Director*

March 2, 2020

To: Lyn Hardison, Environmental Assistance and SEPA Coordinator  
Division of Environmental Assistance and Customer Service

From: Melodi Deaver, Administrative Specialist  
Division of Waste Management, Hazardous Waste Section

RE: NEPA Review, Project# 20-0169, NC Dept. of Transportation (Buncombe County)

The Hazardous Waste Section has reviewed the proposed project for the I 26 Connector, from I 26 to US 19 23 70 that includes the I 26/I 40/I 240 interchange TIP I 2513 and would like to make the following comment:

Any hazardous waste generated from the demolition, construction, operation, maintenance, and/or remediation (e.g. excavated soil) from the proposed project must be managed in accordance with the North Carolina Hazardous Waste Rules. The demolition, construction, operation, maintenance, and remediation activities conducted will most likely generate a solid waste, and a determination must be made whether it is a hazardous waste. If a project site generates more than 220 pounds of hazardous waste in a calendar month, the HWS must be notified, and the site must comply with the small quantity generator (SQG) requirements. If a project site generates more than 2200 pounds of hazardous waste in a calendar month, the HWS must be notified, and the facility must comply with the large quantity generator (LQG) requirements.

Generators are required to determine their generator status and both SQGs & LQGs are required to obtain a site EPA Identification number for the generation of hazardous waste.

Should any questions arise, please contact Melodi Deaver at 919-707-8204

Respectfully,

Melodi Deaver

Compliance Branch  
Hazardous Waste Section



State of North Carolina Department of Environmental Quality  
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Asheville  
 Project Number: 20-0169 Due Date: 03/02/2020  
 County: Buncombe

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

|                          | PERMITS  | SPECIAL APPLICATION PROCEDURES or REQUIREMENTS  | Normal Process Time (statutory time limit) |
|--------------------------|--|---|--|
| <input type="checkbox"/> | Permit to construct & operate wastewater treatment facilities, non-standard sewer system extensions & sewer systems that do not discharge into state surface waters.   | Application 90 days before begins construction or award of construction contracts. On-site inspection may be required. Post-application technical conference usual.   | 30 days (90 days)                          |
| <input type="checkbox"/> | Permit to construct & operate, sewer extensions involving gravity sewers, pump stations and force mains discharging into a sewer collection system   | Fast-Track Permitting program consists of the submittal of an application and an engineer's certification that the project meets all applicable State rules and Division Minimum Design Criteria.   | 30 days (N/A)                              |
| <input type="checkbox"/> | NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.   | Application 180 days before begins activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit- whichever is later. | 90-120 days (N/A)                          |
| <input type="checkbox"/> | Water Use Permit   | Pre-application technical conference usually necessary.   | 30 days (N/A)                              |
| <input type="checkbox"/> | Well Construction Permit   | Complete application must be received and permit issued prior to the installation of a groundwater monitoring well located on property not owned by the applicant, and for a large capacity (>100,000 gallons per day) water supply well.   | 7 days (15 days)                           |
| <input type="checkbox"/> | Dredge and Fill Permit   | Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.   | 55 days (90 days)                          |
| <input type="checkbox"/> | Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)   | Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).   | 90 days                                    |
| <input type="checkbox"/> | Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900   | N/A   | 60 days (90 days)                          |
| <input type="checkbox"/> | Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950   | Please Note - The Health Hazards Control Unit (HHCU) of the N.C. Department of Health and Human Services, must be notified of plans to demolish a building, including residences for commercial or industrial expansion, even if no asbestos is present in the building.                | 60 days (90 days)                          |
| <input type="checkbox"/> | The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres are to be disturbed. Plan must be filed with and approved by applicable Regional Office (Land Quality Section) at least 30 days before beginning activity. A NPDES Construction Stormwater permit (NCG010000) is also usually issued should design features meet minimum requirements. A fee of \$65 for the first acre or any part of an acre. An express review option is available with additional fees. |   | 20 days (30 days)                          |
| <input type="checkbox"/> | Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.  |   | (30 days)                                  |
| <input type="checkbox"/> | Sedimentation and erosion control must be addressed in accordance with _____ Local Government's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.   |   | Based on Local Program                     |
| <input type="checkbox"/> | Compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program which regulates three types of activities: Industrial, Municipal Separate Storm Sewer System & Construction activities that disturb ≥1 acre.  |   | 30-60 days (90 days)                       |
| <input type="checkbox"/> | Compliance with 15A NCAC 2H 1000 -State Stormwater Permitting Programs regulate site development and post-construction stormwater runoff control. Areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state.  |   | 45 days (90 days)                          |

State of North Carolina Department of Environmental Quality  
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Asheville  
 Project Number: 20-0169 Due Date: 03/02/2020  
 County: Buncombe

|                                     | PERMITS   | SPECIAL APPLICATION PROCEDURES or REQUIREMENTS  | Normal Process Time (statutory time limit) |
|-------------------------------------|---|---|--|
| <input type="checkbox"/>            | Mining Permit   | On-site inspection usual. Surety bond filed with DEQ Bond amount varies with type mine and number of acres of affected land. Affected area greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.  | 30 days (60 days)                          |
| <input type="checkbox"/>            | Dam Safety Permit   | If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, and certify construction is according to DEQ approved plans. May also require a permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage of the total project cost will be required upon completion. | 30 days (60 days)                          |
| <input type="checkbox"/>            | Oil Refining Facilities   | N/A   | 90-120 days (N/A)                          |
| <input type="checkbox"/>            | Permit to drill exploratory oil or gas well   | File surety bond of \$5,000 with DEQ running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to DEQ rules and regulations.  | 10 days N/A                                |
| <input type="checkbox"/>            | Geophysical Exploration Permit  | Application filed with DEQ at least 10 days prior to issue of permit. Application by letter. No standard application form.  | 10 days N/A                                |
| <input type="checkbox"/>            | State Lakes Construction Permit   | Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property   | 15-20 days N/A                             |
| <input checked="" type="checkbox"/> | 401 Water Quality Certification   | Compliance with the T15A 02H .0500 Certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323.  | 60 days (130 days)                         |
| <input type="checkbox"/>            | Compliance with Catawba, Goose Creek, Jordan Lake, Randleman, Tar Pamlico or Neuse Riparian Buffer Rules is required. Buffer requirements: <a href="http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program">http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program</a>  |   |  |
| <input type="checkbox"/>            | Nutrient Offset: Loading requirements for nitrogen and phosphorus in the Neuse and Tar-Pamlico River basins, and in the Jordan and Falls Lake watersheds, as part of the nutrient-management strategies in these areas. DWR nutrient offset information: <a href="http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information">http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information</a>  |   |  |
| <input type="checkbox"/>            | CAMA Permit for MAJOR development   | \$250.00 - \$475.00 fee must accompany application  | 75 days (150 days)                         |
| <input type="checkbox"/>            | CAMA Permit for MINOR development   | \$100.00 fee must accompany application   | 22 days (25 days)                          |
| <input checked="" type="checkbox"/> | Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.   |   |  |
| <input checked="" type="checkbox"/> | Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.  |   |  |
| <input checked="" type="checkbox"/> | Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq., Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100. |   | 30 days                                    |
| <input checked="" type="checkbox"/> | If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.   |   | 30 days                                    |
| <input type="checkbox"/>            | Plans and specifications for the construction, expansion, or alteration of the _____ water system must be approved through the _____ delegated plan approval authority. Please contact them at _____ for further information.   |   |  |



State of North Carolina Department of Environmental Quality  
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Asheville  
 Project Number: 20-0169 Due Date: 03/02/2020  
 County: Buncombe

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

| Division                      | Initials | No comment               | Comments   | Date Review    |
|-------------------------------|----------|--------------------------|--|----------------|
| DAQ                           | PVB      | <input type="checkbox"/> | Contact the WNC Regional Agency at 828-250-6777 for air quality issues in Buncombe County.   | 2/13/20        |
| DWR-WQROS (Aquifer & Surface) | AWM &    | <input type="checkbox"/> | Stream and wetland crossings associated with th project will likely require a 401 Water Quality Certification. Contact Kevin Mitchell at 828-296-4500 for additional information. Construction BMPs and sound erosion control measures shall be utilized to avoid discharging sediment laden water to streams and wetlands, which may result in a water quality violation. & Any well, including water supply and monitoring, that is removed from service as a result of the project shall be abandoned in accordance with 15A NCAC 02C .0113 and reported in accordance with 15A NCAC 02C .0114.   | 2/21/20<br>/ / |
| DWR-PWS                       | FLW      | <input type="checkbox"/> | Plan approval through Public Water Supply Section is required if existing waterlines are relocated or new water lines are constructed as a result of this project. See checked boxes above for more information.   | 2/14/20        |
| DEMLR (LQ & SW)               | MMS      | <input type="checkbox"/> | Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.<br><br>For this site compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program may be required. This program regulates three types of activities: Industrial, Municipal Separate Storm Sewer System and Construction activities that disturb greater than or equal to 1.0 acre.   | 2/18/20        |
| DWM – UST                     | CEL      | <input type="checkbox"/> | I searched the Petroleum Underground Storage Tank (UST) and Non-UST Databases and have identified numerous petroleum incidents on or adjacent to the proposed project area. The following comments are pertinent to my review:<br><br>The Asheville Regional Office (ARO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum ASTs within the project area. The UST Section should be contacted regarding use of any proposed or on-site petroleum USTs or ASTs. We may be reached at (828) 296-4500.<br><br>Any petroleum USTs or ASTs must be installed and maintained in accordance with applicable local, state, and federal regulations. For additional information on petroleum ASTs it is advisable that the North Carolina Department of Insurance at (919) 661-5880 ext. 239, USEPA (404) 562-8761, local fire department, and Local Building Inspectors be contacted.<br><br>Any petroleum spills must be contained and the area of impact must be properly restored. Petroleum spills of significant quantity must be reported to the North Carolina Department of Environmental Quality (NCDEQ) – Division of Waste Management (DWM) UST Section in the ARO.<br><br>Any soils excavated during demolition or construction that show evidence of petroleum contamination, such as stained soil, odors, or free product must be reported immediately to the local Fire Marshall to determine whether explosive or inhalation hazards exist. Also, notify the UST Section of the ARO. Petroleum contaminated soils must be handled in accordance with all applicable regulations.<br><br>Any questions or concerns regarding spills from petroleum USTs, ASTs, or | 2/24/20        |

(A)

NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: BUNCOMBE

F02: HIGHWAYS AND ROADS

STATE NUMBER: 20-E-4220-0169  
DATE RECEIVED: 02/04/2020  
AGENCY RESPONSE: 03/02/2020  
REVIEW CLOSED: 03/05/2020

MS RENEE GLEDHILL-EARLEY  
CLEARINGHOUSE COORDINATOR  
DEPT OF NATURAL & CULTURAL RESOURCE  
STATE HISTORIC PRESERVATION OFFICE  
MSC 4617 - ARCHIVES BUILDING  
RALEIGH NC

H

CH 96-0472

2/25/2020  
Due: ~~02/22/2020~~

REVIEW DISTRIBUTION

DEPT OF AGRICULTURE  
DEPT OF ENVIRONMENTAL QUALITY  
DEPT OF NATURAL & CULTURAL RESOURCE  
DEPT OF TRANSPORTATION  
DNCR - NATURAL HERITAGE PROGRAM  
DPS - DIV OF EMERGENCY MANAGEMENT  
LAND OF SKY REGIONAL COUNCIL

3/6/2020  
A-- see letter ~~2/28/2020~~  
f77

Due: 03/18/2020

PROJECT INFORMATION

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

H--

DESC: Proposed project is for the I-26 Connector, from I-26 to US 19-23-70 that includes the I-26/I-40/I-240 interchange. TIP I-2513. - View document at <https://xfer.services.ncdot.gov/pdea/EnvironmentalDocs/Documents/>

CROSS-REFERENCE NUMBER: 08-E-4220-0293 16-E-4220-0133

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

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

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

SIGNED BY: Renee Gledhill-Earley

DATE: 3.10.20

FEB 18 2020



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

Governor Roy Cooper  
Secretary Susi H. Hamilton

Office of Archives and History  
Deputy Secretary Kevin Cherry

March 10, 2020

**MEMORANDUM**

To: State Clearinghouse

From: Renee Gledhill-Earley *RGE*  
Environmental Review Coordinator

Re: I-26 Connector in Asheville, I-2513, Buncombe County, CH 96-0472

On February 4, 2020, we received notification from the State Clearinghouse of the submission of the Final Environmental Impact Statement (FEIS) for the above-referenced project.

The proposed project consists of an interstate freeway project that would connect I-26 from I-40 in southwestern Asheville to US 19-23-70 in northwest Asheville and have a total length of approximately 7 miles.

The archaeological survey for this project was conducted prior to selection of preferred alternative. That survey documented twenty-nine archaeological sites, four of which (31BN623, 31BN825, 31BN826, and 31BN828) were determined eligible for listing in the National Register of Historic Places (NRHP). Seven additional sites (31BN814, 31BN823, 31BN867, 31BN868, 31BN870, 31BN871, and 31BN873) were recommended for further additional investigations (e.g., limited topsoil stripping and deep testing) to fully assess their NRHP eligibility.

We look forward to reviewing the findings from the evaluation testing at the sites that have not yet been assessed for listing in the NRHP and found to be within the selected preferred alternative. We also look forward to commenting on the data recovery plan for 31BN826, the only site of the four that were determined eligible that will be adversely affected by construction. Finally, we look forward to consulting on the MOA to mitigate the adverse effects at that site, and any others if it is determined that there are additional adverse effects based on testing or changes in project plans.

While we agree with the findings of effect on historic buildings and districts, we would strongly recommend that the Memorandum of Agreement (MOA) include all the Environmental Commitments contained in the "Green Sheets." This recommendation is based on our understanding that the project is likely to be Design/Build. Our experience with such projects is that information and commitments located in diverse places/documents tend to be overlooked in the early planning stages. Thus, we are ready and willing to begin consultation for the drafting of a MOA that will ensure that conditions placed on the project to avoid adverse effects are fully documented along with the stipulations to mitigate the adverse effects to historic properties.

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

Thank you for your cooperation and consideration. If you have questions concerning the above comments, please contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or [environmental.review@ncdcr.gov](mailto:environmental.review@ncdcr.gov). In all future communication concerning this project, please cite the above-referenced tracking number.

cc: Matt Wilkerson, NCDOT  
Mary Pope Furr, NCDOT

[mtwilkerson@ncdot.gov](mailto:mtwilkerson@ncdot.gov)  
[mfurr@ncdot.gov](mailto:mfurr@ncdot.gov)

**From:** [Rocco, Joanna](#)  
**To:** [Nangle, Rachel](#)  
**Subject:** FW: [External] Final Environmental Impact Statement for STIP I-2513, I-26 Connector, Buncombe County  
**Date:** Thursday, March 12, 2020 12:01:19 PM  
**Attachments:** [image001.png](#)

---

**From:** Jones, Damon <cdjones2@ncdot.gov>  
**Sent:** Monday, March 09, 2020 3:04 PM  
**To:** Rocco, Joanna <joanna.rocco@aecom.com>  
**Cc:** Wilkerson, Matt T <mtwilkerson@ncdot.gov>  
**Subject:** RE: [External] Final Environmental Impact Statement for STIP I-2513, I-26 Connector, Buncombe County

Hi Joanna,

I have gotten comments back on the FEIS from the Office of State Archaeology (OSA). There were a couple of things that got missed.

In the Green Sheet, can a commitment for site 31BN623 please be added?

- Site 31BN623 is recommended NRFHP-eligible under Criterion A. It was determined during a June 30, 2015 meeting with State Historic Preservation Office and FHWA that there would be no adverse effect to the site with the placement of fill. However, NCDOT will place iron markers at either end of wall at site 31BN623 that is to be covered with fill to mark its extent. This work will be done prior to the place of fill.

We also need to change some of the wording for 31BN623 in Section 5.1.2 Archaeological Resources (Page 5-4). Could you please replace with...

- Site 31BN623, the Lower Hominy Hydroelectric Power Plant site, is recommended NRHP-eligible under Criterion A due to its association with the early hydroelectric and streetcar industries. This site has the potential to be impacted by the construction activities associated with the preferred alternative; however, it was determined that the placement of fill would cause No Adverse Effect to the resource. Prior to being buried by fill, iron markers will be placed at either end of the standing wall associated with the Power Plant to mark its extent within the project limits.

Finally, a couple of sentence need deleting in Section 3.4.2.2 NRHP-Unassessed Resources and Deep Testing Area, first paragraph (page 3-60). Could you please remove...

- Site 31BN871 is located within the existing right-of-way for the project but will not be impacted by construction. A commitment to avoidance of this site will be carried forward through the construction phase of the project.

I think that is it for us. I hope that I was able to clear-up everything else with OSA. Let me know if you have any further questions or concerns.

Damon Jones

Archaeologist  
Environmental Analysis Unit  
N.C. Department of Transportation  
919 707 6076 office  
919 250 4224 fax  
[cdjones2@ncdot.gov](mailto:cdjones2@ncdot.gov)

1020 Birch Ridge Drive  
1598 Mail Service Center  
Raleigh, NC 27699-1598



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

---

**From:** Rocco, Joanna <[joanna.rocco@aecom.com](mailto:joanna.rocco@aecom.com)>  
**Sent:** Wednesday, February 5, 2020 3:50 PM  
**To:** Somerville, Amanetta <[Somerville.Amanetta@epa.gov](mailto:Somerville.Amanetta@epa.gov)>; 'claire\_ellwanger@fws.gov' <[claire\\_ellwanger@fws.gov](mailto:claire_ellwanger@fws.gov)>; Beckwith, Loretta A CIV USARMY CESAW (USA) <[Loretta.A.Beckwith@usace.army.mil](mailto:Loretta.A.Beckwith@usace.army.mil)>; Felix Davila Felix.Davila <[Felix.Davila@dot.gov](mailto:Felix.Davila@dot.gov)> (<[Felix.Davila@dot.gov](mailto:Felix.Davila@dot.gov)>) <[Felix.Davila@dot.gov](mailto:Felix.Davila@dot.gov)>; Clarence.Coleman@dot.gov; Chambers, Marla J <[marla.chambers@ncwildlife.org](mailto:marla.chambers@ncwildlife.org)>; Mitchell, Robert K <[kevin.mitchell@ncdenr.gov](mailto:kevin.mitchell@ncdenr.gov)>; Gledhill-earley, Renee <[renee.gledhill-earley@ncdcr.gov](mailto:renee.gledhill-earley@ncdcr.gov)>; Tristan Winkler <[tristan@landofsky.org](mailto:tristan@landofsky.org)>; [joyce\\_stanley@ios.doi.gov](mailto:joyce_stanley@ios.doi.gov); [syerka@nc-chokeee.com](mailto:syerka@nc-chokeee.com); [jfowler@achp.gov](mailto:jfowler@achp.gov); [amymathis@fs.fed.us](mailto:amymathis@fs.fed.us); 'kputnam@ashevillenc.gov' <[kputnam@ashevillenc.gov](mailto:kputnam@ashevillenc.gov)>; Julie Mayfield <[juliemayfield@avlcouncil.com](mailto:juliemayfield@avlcouncil.com)>; [avril.pinder@buncombecounty.org](mailto:avril.pinder@buncombecounty.org); Environmental Policy Unit <[EPU@ncdot.gov](mailto:EPU@ncdot.gov)>; Gibbs, Mark T <[mgibbs@ncdot.gov](mailto:mgibbs@ncdot.gov)>; Cannon, Steven L <[slcannon@ncdot.gov](mailto:slcannon@ncdot.gov)>; Merithew, Brendan W <[bwmerithew@ncdot.gov](mailto:bwmerithew@ncdot.gov)>; Robinson, Beverly G <[brobinson@ncdot.gov](mailto:brobinson@ncdot.gov)>; Lackey, Jeff <[jefflackey@ncdot.gov](mailto:jefflackey@ncdot.gov)>; Werner, Christopher M <[cmwerner@ncdot.gov](mailto:cmwerner@ncdot.gov)>; Cockburn, Johanna I <[jicockburn@ncdot.gov](mailto:jicockburn@ncdot.gov)>; Harris, Philip S <[pharris@ncdot.gov](mailto:pharris@ncdot.gov)>; Robbins, Jamille A <[jarobbins@ncdot.gov](mailto:jarobbins@ncdot.gov)>; Wilson, Diane <[pdwilson1@ncdot.gov](mailto:pdwilson1@ncdot.gov)>; Uchiyama, David <[duchiyama@ncdot.gov](mailto:duchiyama@ncdot.gov)>; Marshall, Harrison <[hmarshall@ncdot.gov](mailto:hmarshall@ncdot.gov)>; Hinnant, David B <[dbhinnant@ncdot.gov](mailto:dbhinnant@ncdot.gov)>; Pair, Missy <[mpair@ncdot.gov](mailto:mpair@ncdot.gov)>; Lancaster, Jamie J <[jlancaster@ncdot.gov](mailto:jlancaster@ncdot.gov)>; Furr, Mary Pope <[mfurr@ncdot.gov](mailto:mfurr@ncdot.gov)>; Wilkerson, Matt T <[mtwilkerson@ncdot.gov](mailto:mtwilkerson@ncdot.gov)>; Jones, Damon <[cdjones2@ncdot.gov](mailto:cdjones2@ncdot.gov)>; Paugh, Leilani Y <[lypaugh@ncdot.gov](mailto:lypaugh@ncdot.gov)>; Cox, Marissa R <[mrcox@ncdot.gov](mailto:mrcox@ncdot.gov)>; Dagnino, Carla S



<[cdagnino@ncdot.gov](mailto:cdagnino@ncdot.gov)>; Jamison, John <[johnjamison@ncdot.gov](mailto:johnjamison@ncdot.gov)>; Morgan, Stephen R <[smorgan@ncdot.gov](mailto:smorgan@ncdot.gov)>; Lauffer, Matthew S <[mslauffer@ncdot.gov](mailto:mslauffer@ncdot.gov)>; McDaniel, Andrew H. <[ahmcdaniel@ncdot.gov](mailto:ahmcdaniel@ncdot.gov)>; Moore, Brenda L <[blmoore@ncdot.gov](mailto:blmoore@ncdot.gov)>; Hanks, Brian <[bhanks@ncdot.gov](mailto:bhanks@ncdot.gov)>; Stutts, David S <[dstutts@ncdot.gov](mailto:dstutts@ncdot.gov)>; Bruton, Teresa M <[tbruton@ncdot.gov](mailto:tbruton@ncdot.gov)>; Fischer, Kevin <[wkfischer@ncdot.gov](mailto:wkfischer@ncdot.gov)>; Snead, Jerry M <[jmsnead@ncdot.gov](mailto:jmsnead@ncdot.gov)>; Pilipchuk, John L <[jpilipchuk@ncdot.gov](mailto:jpilipchuk@ncdot.gov)>; Clark, Shane C <[scclark@ncdot.gov](mailto:scclark@ncdot.gov)>; Harris, David B <[davidharris@ncdot.gov](mailto:davidharris@ncdot.gov)>; Parish, Jennifer S <[jenniferparish@ncdot.gov](mailto:jenniferparish@ncdot.gov)>; Lacy, Kevin <[klacy1@ncdot.gov](mailto:klacy1@ncdot.gov)>; Hummer, Joseph E <[jehummer@ncdot.gov](mailto:jehummer@ncdot.gov)>; Dunlop, James H <[jdunlop@ncdot.gov](mailto:jdunlop@ncdot.gov)>; Hinton, Kimberly D <[kdhinton@ncdot.gov](mailto:kdhinton@ncdot.gov)>; Groundwater, Elise K <[ekgroundwater@ncdot.gov](mailto:ekgroundwater@ncdot.gov)>; Mayhew, Brian K <[bmayhew@ncdot.gov](mailto:bmayhew@ncdot.gov)>; [vrpridemore@ncdot.gov](mailto:vrpridemore@ncdot.gov); Sanders, Byron <[bsanders@ncdot.gov](mailto:bsanders@ncdot.gov)>; McIntyre, Ray <[rmcintyre@ncdot.gov](mailto:rmcintyre@ncdot.gov)>; Wasserman, David S <[dswasserman@ncdot.gov](mailto:dswasserman@ncdot.gov)>; Alavi, J S <[jalavi@ncdot.gov](mailto:jalavi@ncdot.gov)>; Harris, James B <[jbharris@ncdot.gov](mailto:jbharris@ncdot.gov)>; Walston, Bobby L <[bwalston@ncdot.gov](mailto:bwalston@ncdot.gov)>

**Cc:** Moore, Kevin E <[kemoore2@ncdot.gov](mailto:kemoore2@ncdot.gov)>; Weaver, Derrick G <[dweaver@ncdot.gov](mailto:dweaver@ncdot.gov)>; celia.miars <[celia.miars@aecom.com](mailto:celia.miars@aecom.com)>

**Subject:** [External] Final Environmental Impact Statement for STIP I-2513, I-26 Connector, Buncombe County

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

All,

NCDOT has completed a Final Environmental Impact Statement for the subject project. The document can be found by NCDOT employees on the SharePoint Team Site at <https://connect.ncdot.gov/site/preconstruction/division/div13/I-2513/Project%20Development/FEIS%20for%20Agency%20Distribution?d=wa3dae24c491d458ea688a1ed8ae72470>.

The document may also be accessed by outside agencies as well as the general public at [https://xfer.services.ncdot.gov/pdea/EnvironmentalDocs/Documents/STIP\\_I-Projects/I-2513%20FEIS%20January%202020/](https://xfer.services.ncdot.gov/pdea/EnvironmentalDocs/Documents/STIP_I-Projects/I-2513%20FEIS%20January%202020/) or on the project website at <https://www.ncdot.gov/projects/asheville-i-26-connector/Pages/final-environmental-impact-statement.aspx>.

Distribution of the Final Environmental Impact Statement is being made on behalf of the Federal Highway Administration in accordance with 23 CFR 771. The document is also being distributed for review to other agencies as appropriate.

Please send any comments, requests, or acknowledgement letters concerning the Final Environmental Impact Statement to Kevin Moore at [kemoore2@ncdot.gov](mailto:kemoore2@ncdot.gov). Your comments should be received by Friday, April 3, 2020.

Sincerely,

Joanna Rocco

**Joanna H. Rocco**, AICP  
Senior Environmental Planner/Project Manager  
Transportation  
Office: 919-239-7179  
Mobile: 919-607-7975  
[joanna.rocco@aecom.com](mailto:joanna.rocco@aecom.com)

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NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

~~James Topher~~  
Daniel S.

COUNTY: BUNCOMBE

F02: HIGHWAYS AND ROADS

STATE NUMBER: 20-E-4220-0169  
DATE RECEIVED: 02/04/2020  
AGENCY RESPONSE: 03/02/2020  
REVIEW CLOSED: 03/05/2020

MS JEANNE STONE  
CLEARINGHOUSE COORDINATOR  
DEPT OF TRANSPORTATION  
STATEWIDE PLANNING - MSC #1554  
RALEIGH NC

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DPS - DIV OF EMERGENCY MANAGEMENT  
LAND OF SKY REGIONAL COUNCIL

Transportation Planning  
Division

FEB 14 2020

**PROJECT INFORMATION**

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

DESC: Proposed project is for the I-26 Connector, from I-26 to US 19-23-70 that includes the I-26/I-40/I-240 interchange. TIP I-2513. - View document at <https://xfer.services.ncdot.gov/pdea/EnvironmentalDocs/Documents/>

CROSS-REFERENCE NUMBER: 08-E-4220-0293 16-E-4220-0133

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

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

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

SIGNED BY: 

DATE: 2/17/20

NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

FEB 14 2020

COUNTY: BUNCOMBE

F02: HIGHWAYS AND ROADS

STATE NUMBER: 20-E-4220-0169

DATE RECEIVED: 02/04/2020

AGENCY RESPONSE: 03/02/2020

REVIEW CLOSED: 03/05/2020

MS CINDY WILLIAMS  
CLEARINGHOUSE COORDINATOR  
DPS - DIV OF EMERGENCY MANAGEMENT  
FLOODPLAIN MANAGEMENT PROGRAM  
4218 MAIL SERVICE CENTER  
RALEIGH NC

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LAND OF SKY REGIONAL COUNCIL

**PROJECT INFORMATION**

APPLICANT: NCDOT

TYPE: National Environmental Policy Act  
Final Environmental Impact Statement

DESC: Proposed project is for the I-26 Connector, from I-26 to US 19-23-70 that includes the I-26/I-40/I-240 interchange. TIP I-2513. - View document at <https://xfer.services.ncdot.gov/pdea/EnvironmentalDocs/Documents/>

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

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

SIGNED BY:



DATE: 21 Feb 2020

NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: RUNCOMBE

F02: HIGHWAYS AND ROADS

STATE NUMBER: 20-E-4220-0169  
DATE RECEIVED: 02/04/2020  
AGENCY RESPONSE: 03/02/2020  
REVIEW CLOSED: 03/05/2020

MR RODNEY BUTLER  
CLEARINGHOUSE COORDINATOR  
DNCR - NATURAL HERITAGE PROGRAM  
1651 MAIL SERVICE CENTER  
RALEIGH NC

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DNCR - NATURAL HERITAGE PROGRAM  
DPS - DIV OF EMERGENCY MANAGEMENT  
LAND OF SKY REGIONAL COUNCIL

**PROJECT INFORMATION**

APPLICANT: NCDOT

TYPE: National Environmental Policy Act  
Final Environmental Impact Statement

DESC: Proposed project is for the I-26 Connector, from I-26 to US 19-23-70 that includes the I-26/I-40/I-240 interchange. TIP I-2513. - View document at <https://xfer.services.ncdot.gov/pdea/EnvironmentalDocs/Documents/>

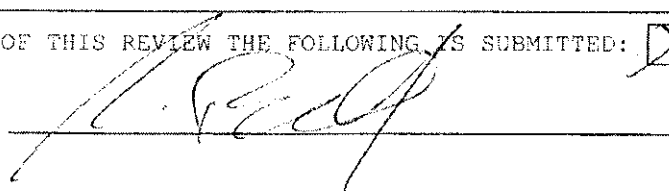
CROSS-REFERENCE NUMBER: 08-E-4220-0293 16-E-4220-0133

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

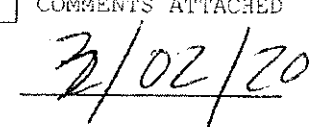
If additional review time is needed, please contact this office at (919)807-2425.

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

SIGNED BY:



DATE:



## APPENDIX E-3: LOCAL AGENCY COORDINATION

---



Theodore J. Figura, Jr.  
Chair, I-26 Connector Aesthetics Committee  
118 Logan Avenue  
Asheville, NC 28806  
April 17, 2020

Derrick Weaver, PE  
Environmental Policy Unit Head  
North Carolina Department of Transportation  
1548 Mail Service Center  
Raleigh, NC 27699

Re: I-26 Connector Project Final Environmental Impact Statement (FEIS), STIP I-2513

Dear Mr. Weaver:

On behalf of the City of Asheville I-26 Aesthetics Committee, I am providing the following comments on the I-26 Connector Project Final Environmental Impact Statement (FEIS). These comments pertain to only matters involving to the Aesthetics Committee itself and the role of the Committee in the Project. They do not include recommendations of the Committee, which will be made to the Asheville City Council for their consideration and approval. Nor, do they include any comments about the Project per se, or about other matters contained in the FEIS, although such comments may be made by members of the Aesthetics Committee individually. Thus, these comments are intentionally narrow in scope and any omission does not imply concurrence by the Aesthetics Committee or its members with statements or conclusions of the FEIS not addressed herein.

In these comments, I wish to point out several errors and omissions concerning the Aesthetics Committee which I hope to see corrected in a revision to the FEIS or through another appropriate vehicle.

- 1) Cover and Summary: Project Commitments – Historic Architectural Resources and Chapter 4: Montford Community (Section B) (p. 4-8) and Montford Area Historic District (p. 4-47)

The Aesthetics Committee is not limited in its cooperation with NCDOT to “design appropriate landscaping measures to minimize the visual effects of the elevated roadway adjacent to the cemetery.” We ask that the FEIS be amended to reflect this. A more accurate statement would be that “NCDOT is working with the Asheville Aesthetics Advisory Committee (AAC), formed in late 2018, **to design appropriate architectural, landscaping, and other mitigation measures, including engineering design recommendations**, in order to minimize the adverse visual **and noise** effects of the elevated roadway adjacent to the cemetery.”

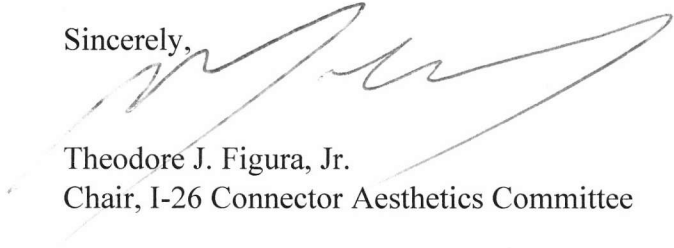
- 2) Cover and Summary: Project Commitments and Chapter 4: Mitigation (p.4-34) and Chapter 8, Section 2.2.2 (page 8-10) – The Aesthetics Committee wishes to be consulted on relevant design decisions made by the design-build contractor throughout the duration of the Project. Therefore, we ask that the last sentence of the 4<sup>th</sup> bullet on the third page of the FEIS Project Commitments be amended to state, “NCDOT will coordinate with the AAC and the City of Asheville throughout the remaining planning and design of the project, **including design decisions made during project construction.**” We also ask that the second to the last sentence in Chapter 4: Mitigation be amended to state: “...an Aesthetics Advisory Committee (AAC) has been re-established by the City of Asheville to work with NCDOT and the city to address aesthetic issues throughout the planning, design **and construction** of the project.” The first sentence of Section 8.2.2.2 should be amended to read: “...the City of Asheville established an AAC to work with NCDOT and the city to address aesthetic issues throughout the planning, design **and construction** of the project.”
- 3) Cover and Summary: “How would the visual quality be changed?” (pp. ix-x) – The Aesthetics Committee disagrees with the statement that “Visual impacts of Section B would generally be enhanced or improved for those using the facility.” While views of the region may be enhanced while crossing the French Broad River, if bridge design permits views, the visual experience of the Interstate traveler is likely to deteriorate due to the expanded number of lanes throughout the Project. Besides the inherent visual unattractiveness of concrete travel lanes, travelers will experience loss of aesthetically pleasing green medians for which concrete medians will be substituted (even if the impact is softened through raised plantings), and the more intimate, natural feel of the current Interstate experience is likely to be lost. This statement also ignores the visual impact of Interstate travelers on Section A, which would deteriorate for the reasons explained above. A more correct statement would be that “**Visual impacts of Section B would be mixed for those using the facility and visual impacts of Section A are most likely to deteriorate for those using the facility.**”
- 4) Chapter 8: Aesthetics Advisory Committee (p. 8-11)– We recommend that all members of the current Aesthetics Committee be listed and that the last sentence be revised to say: “and includes the following past and current members” since some members have resigned. **Added to the list should be Ken Dierks, Foster de la Houssaye, Joseph (Joe) Minicozzi, and Lynn Raker.**

- 5) Appendix F-2 – There are a number of errors and omissions in this appendix concerning the Aesthetics Committee.
- a. The Aesthetics Committee meeting of November 30, 2018 is not listed and the minutes to that meeting are not included. Minutes can be found on the City of Asheville’s website at [https://drive.google.com/drive/folders/1R7Hkoc\\_OGq57b7ymDG6kj-vTCmtnxlrP](https://drive.google.com/drive/folders/1R7Hkoc_OGq57b7ymDG6kj-vTCmtnxlrP)
  - b. The Aesthetics Committee meeting of February 21, 2019 is indicated as having no minutes available. These are available on the City of Asheville’s website at [https://drive.google.com/drive/folders/1FnvH\\_D1Va5nXbp8avEJdFfulicSraPKY](https://drive.google.com/drive/folders/1FnvH_D1Va5nXbp8avEJdFfulicSraPKY)
  - c. The Aesthetics Committee meeting of March 12, 2019 is not listed and the minutes to that meeting are not included. Minutes can be found on the City of Asheville’s website at [https://drive.google.com/drive/folders/1FnvH\\_D1Va5nXbp8avEJdFfulicSraPKY](https://drive.google.com/drive/folders/1FnvH_D1Va5nXbp8avEJdFfulicSraPKY)
  - d. The Aesthetics Committee meeting of April 16, 2019 is not listed and the minutes to that meeting are not included. Minutes can be found on the City of Asheville’s website at [https://drive.google.com/drive/folders/1FnvH\\_D1Va5nXbp8avEJdFfulicSraPKY](https://drive.google.com/drive/folders/1FnvH_D1Va5nXbp8avEJdFfulicSraPKY)
  - e. The Aesthetics Committee meeting of May 21, 2019 is indicated as having no minutes available. These are available on the City of Asheville’s website at [https://drive.google.com/drive/folders/1FnvH\\_D1Va5nXbp8avEJdFfulicSraPKY](https://drive.google.com/drive/folders/1FnvH_D1Va5nXbp8avEJdFfulicSraPKY)
  - f. An draft version of the Organizing Principles of the Aesthetics Committee adopted on March 19, 2019 is included in the FEIS (hard copy as the last item in Appendix F2—the meeting summary and document are missing from the online version of the FEIS). The adopted document is attached in the email transmitting these comments. The date of the meeting at which the Organizing Principles were adopted is also incorrectly given as March 22, 2019. Please correct the date of the meeting and substitute the adopted document.

Derrick Weaver, PE  
Page Four  
April 17, 2020

Thank you for your consideration of these comments and I look forward to the referenced statements being corrected in a revised FEIS or as noted in the ROD, as the case may be.

Sincerely,

A handwritten signature in black ink, appearing to read 'Theodore J. Figura, Jr.', written over a light blue horizontal line.

Theodore J. Figura, Jr.  
Chair, I-26 Connector Aesthetics Committee

cc: I-26 Aesthetics Committee Members  
Julie Mayfield, City of Asheville  
Ken Putnam, City of Asheville  
Kevin Moore, NCDOT  
Mark Gibbs, NCDOT





City of Asheville  
TRANSPORTATION DEPARTMENT  
P.O. Box 7148  
Asheville, NC 28802  
Phone: (828) 259-5943  
www.ashevillenc.gov

April 17, 2020

Mr. Kevin Moore, PE  
Senior Project Manager - Divisions 11-14  
Project Management Unit  
NCDOT  
1582 Mail Service Center  
Raleigh, NC 27699-1582

Dear Kevin:

The City of Asheville greatly appreciates the close and effective working relationship that we have had with the North Carolina Department of Transportation (NCDOT) during the past several years via a working group and Aesthetic Committee process to address a range of issues regarding the I-26 Connector project identified as I-2513. In addition, the City of Asheville greatly appreciates NCDOT's willingness to adopt several changes to the project.

The City Council of the City of Asheville adopted Resolution # 20-57 (see attached copy) regarding the subject project on March 24, 2020 and we respectfully request that it be accepted as a part of the official comments for the Final Environmental Impact Statement (FEIS). As stated in the resolution, the City of Asheville seeks a continued close working relationship with NCDOT and its design-build contractor on the ongoing design of aesthetics improvements for the project. In addition, the City of Asheville respectfully requests the NCDOT to strongly consider the following items:

- Continue collaborating with the I-26 Working Group to develop improved designs for the east side of the Patton Avenue Corridor and the Jeff Bowen Bridge and incorporate them into the Record of Decision (ROD) or the Request for Proposals (RFP).
- Further reduce the size and impact of the project by tightening the footprint of all urban intersections throughout the project corridor; specifically, the Haywood Road interchange, reducing the number of lanes on the new I-26 bridge over the river and continuing north to the Broadway exit, reducing the height and radius of the I-240 flyover bridges, and reducing the visual and auditory impacts on Riverside Cemetery and the adjacent Montford neighborhood.
- Evaluate the design team qualifications, not only for multi-disciplinary representation to include urban planning, bridge design, structural engineering and landscape architecture, but also for demonstrated experience implementing creative transportation solutions that are contextually sensitive to both the natural environment and the urban character of a scenic destination city such as the City of Asheville. Substantial weight should be assigned in the RFP evaluation criteria to the qualifications of the responder's design team as described in the previous sentence. An aesthetics scope of work reflecting the recommendations of the City's Aesthetics Committee should be included in the RFP. Involve the City of Asheville in the RFP process including reviewing and making comments on the responses to the RFP.
- Consider (NCDOT and the design-build contractor) any new land use, greenway, or other plans or design proposals developed that impacts or relates to the project after the Record of Decision (ROD) is signed.

- Use (NCDOT and the design-build contractor) local businesses and residents to the greatest degree possible in the construction of the project.
- Work (NCDOT) with the City to determine a suitable use for land underneath new bridges within the project limits so that the land could be put to use for the benefit of City of Asheville residents.
- Support (NCDOT) the City's acquisition of available right-of-way in the Patton Avenue corridor in a "development-ready" state to further the redevelopment of that corridor as envisioned by the City.
- Consider (NCDOT and the design-build contractor) the City as a key partner and consult with the City during the entire contract period on all aesthetic and design modifications giving full consideration to the City's views.

Please let me know if additional information is needed.

Respectfully,

A handwritten signature in black ink, appearing to read "Ken Putnam", with a stylized flourish at the end.

Ken Putnam, PE  
Transportation Department Director

KP/

Attachment



**RESOLUTION NO. 20- 57**

**RESOLUTION REGARDING THE NORTH CAROLINA DEPARTMENT  
OF TRANSPORTATION I-26 CONNECTOR TIP PROJECT-2513**

---

WHEREAS, the North Carolina Department of Transportation ("NC DOT") has issued a Final Environmental Impact Statement ("FEIS") for the I-26 Connector Project, TIP Project I-2513 ("the project"); and

WHEREAS, NCDOT is seeking public input on the FEIS; and

WHEREAS, the City of Asheville is providing comments to NCDOT on the FEIS through a letter and this resolution; and

WHEREAS, the I-26 and I-240 corridors are critical to local and regional residents, visitors, interstate travelers, and regional commerce; and

WHEREAS, the project has been in the planning since the late 1980s; and

WHEREAS, traffic congestion and safety are continuing challenges along I-240 and I-26 through Asheville; and

WHEREAS, the Asheville community has long advocated through various efforts - from the Community Coordinating Committee report in 2000 that laid out key design principles, to the I26 Group that fought the proposed eight lanes in West Asheville, to the 2008 Asheville Design Center efforts that gave rise to Alternative 4B, to the I-26 ConnectUs Project that has advocated similar design principles since 2009, to every City Council-adopted resolution on this project - that the project be smaller and less impactful, have better bike/pedestrian connectivity, separate interstate from local traffic and return Patton Avenue to a surface street; and

WHEREAS, the City of Asheville and NCDOT have worked together in the I-26 Working Group since 2016 to address a range of issues raised in Resolution 15-232, adopted by City Council on December 8, 2015; and

WHEREAS, the City of Asheville appreciates the collaboration and hard work that NCDOT has put into the I-26 Working Group and NCDOT's willingness to adopt several changes to the project; and

WHEREAS, as reflected in Resolution 16-163, adopted by City Council on July 5, 2016, the selection of Alt. 4B as the preferred alternative honored the preference of the City of Asheville and enabled the City's priority of returning Patton Ave. to a surface street, thus allowing for the creation of a new gateway into downtown and an urban, multi-modal boulevard with new, infill development - all of which will help Asheville grow sustainably and create opportunities for economic investment and development; and

WHEREAS, Alt. 4B also had the least amount of impact on the Burton Street community and provides the opportunity for a new connection from Hillcrest directly to Patton Ave; and

WHEREAS, the final maps and FEIS reflect other improvements to the project sought by the City of Asheville as a result of the I-26 Working Group's efforts, including a reduction in the overall size and impact of the project on neighborhoods and businesses in West Asheville due to the selection of a six-lane alternative for I-240, an improved Brevard Rd-Amboy-Rd interchange, full connectivity at the I-240/I-40/I-26 interchange with the smallest footprint and other design improvements that have significantly reduced the number of houses and businesses taken; and

WHEREAS, other improvements include improved community connectivity through five miles of new and expanded bicycle and pedestrian infrastructure throughout the project corridor that will better and more safely connect people to downtown, West Asheville, the French Broad River, and numerous neighborhoods; and

WHEREAS, there remain outstanding design elements along the Patton Avenue Corridor and the Jeff Bowen Bridge yet to be adopted by NCDOT that are reflected in a memo dated September 19, 2018 from Sam Schwartz Consulting LLC to Ken Putnam (the "Schwartz Memo"), specifically including redesigning the interchange on the east side of the bridge and ensuring the westbound bridge has only two travel lanes and a generous bike and pedestrian path; and

WHEREAS, securing NCDOT's commitment to incorporate the designs advanced in the Schwartz Memo is critical to achieving the City of Asheville's long-standing goal of turning the Patton Avenue Corridor into a dense, urban, multi-modal, mixed-use corridor; and

WHEREAS, there remain other opportunities to tighten the footprint of all intersections between surface roads and the interstate throughout the project in order to make roads safer for cyclists and pedestrians and to possibly further reduce impacts on homes and businesses; and

WHEREAS, there remain unresolved design issues regarding the size of new I-26 bridge over the French Broad River and of the interstate as it travels north to the Broadway exit; the size, height, and expanse of the I-240 flyover bridges; and the visual and auditory impacts of the project on the historic Riverside Cemetery and the adjacent Montford neighborhood; and

WHEREAS, City Council appointed the I-26 Connector Project Aesthetics Committee ("Aesthetics Committee") in order to study carefully the aesthetic conditions within the project and make recommendations for their improvement; and

WHEREAS, the City of Asheville and the Aesthetics Committee have received assurances from NCDOT that the approved recommendations of the Aesthetics Committee ("the Aesthetic Recommendations") will be incorporated into the design-build Request for Proposals and into the design-build contract for the project and reflected in the final design of the project; and

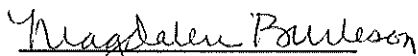
WHEREAS, the City of Asheville seeks a continued close working relationship with NCDOT and its design-build contractor on the ongoing design of and aesthetic improvements to this project and appreciates NCDOT's commitment to that ongoing relationship;

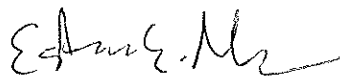
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The City of Asheville calls on NC DOT to continue collaborating with the I-26 Working Group to develop improved designs for the east side of the Patton Avenue Corridor and the Jeff Bowen Bridge and incorporate those into the Record of Decision or the Request for Proposals; and
2. The City of Asheville further calls on NC DOT and its future design-build contractor to further reduce the size and impact of the project by:
  - a. tightening the footprint of all urban intersections throughout the project corridor, specifically including the Haywood Road interchange;
  - b. reducing the number of lanes on the new I-26 bridge over the river and continuing north to the Broadway exit;
  - c. reducing the height and radius of the I-240 flyover bridges; and
  - d. reducing the visual and auditory impacts on Riverside Cemetery and the adjacent Montford neighborhood; and
3. The City of Asheville further calls on NCDOT, with regard to the Request for Proposals and Aesthetic Recommendations, that:
  - a. NCDOT evaluate the design team qualifications, not only for multi-disciplinary representation to include urban planning, bridge design, structural engineering and landscape architecture, but also for demonstrated experience implementing creative transportation solutions that are contextually sensitive to both the natural environment and the urban character of a scenic destination city such as Asheville;
  - b. Substantial weight be assigned in RFP evaluation criteria to the qualifications of the responder's design team as described above;
  - c. NCDOT include in its RFP an Aesthetics Scope of Work ("ASW") reflecting the Aesthetics Recommendations;
  - d. NCDOT include the City in the RFP development and revision process;

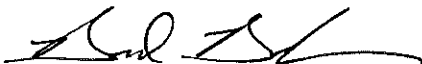
- e. the proposals submitted be evaluated on the degree to which they achieve the goals and objectives of the ASW and any additional improvements and betterments; and
  - f. the City be allowed to review and comment on the responses to the RFP; and
4. The City further calls on NCDOT and the design-build contractor to consider any new land use, greenway, or other plans or design proposals developed after the Record of Decision is signed that impact or relate to the project; and
  5. The City further calls on NCDOT and the design-build contractor to utilize local businesses and residents to the greatest degree possible in the construction of the project; and
  6. The City of Asheville further calls on NCDOT to work together to determine a suitable use for land underneath new bridges in the project so that land is put to use for the benefit of Asheville residents; and
  7. The City of Asheville further calls on NCDOT to support the City's acquisition of available right of way in the Patton Avenue Corridor in a "development-ready" state to further the redevelopment of that corridor as envisioned by the City; and
  8. The City of Asheville be considered a key partner with NCDOT and the design-build contractor and that NCDOT consult with the City during the contract period on all aesthetic and design modifications, giving full consideration to the City's views.

Read, approved and adopted this the 24<sup>th</sup> day of March, 2020.

  
City Clerk

  
Mayor

Approved as to form:

  
City Attorney

## APPENDIX B

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### MEMORANDUM OF AGREEMENT

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**MEMORANDUM OF AGREEMENT  
AMONG THE  
FEDERAL HIGHWAY ADMINISTRATION,  
the  
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
and the  
NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICE  
PURSUANT TO 36 CFR § 800.6  
regarding the  
I-26 CONNECTOR  
BUNCOMBE COUNTY, NORTH CAROLINA  
NCDOT TIP No. I-2513                      FA No. MANHF-26-1(53)**

**WHEREAS**, the Federal Highway Administration (FHWA), under the authority of 23 U.S.C. 101 et seq., implements the Federal-aid Highway Program (Program) in the state of North Carolina by funding and approving transportation projects that are administered by the North Carolina Department of Transportation (NCDOT), and FHWA plans to fund the I-26 Connector project in Buncombe County, NC (the Undertaking); and

**WHEREAS**, the North Carolina FHWA Division Administrator is the "Agency Official" responsible for ensuring that the Program in the state of North Carolina complies with Section 106 of the National Historic Preservation Act (NHPA)(54 U.S.C. § 306108), as amended, and codified in its implementing regulations, 36 CFR Part 800, as amended (August 5, 2004); and

**WHEREAS**, the Undertaking consists of improvements to the I-40 interchanges with Smoky Park Highway, I-26/I-240 and Brevard Road (Section C), upgrading I-240 (as well as interchanges at Brevard Road, Amboy Road, and Haywood Road) from the I-26/I-240 interchange with I-40 to the I-240 interchange with Patton Avenue, west of the French Broad River (Section A), and constructing I-26 on new location from the Patton Avenue interchange north across the French Broad River, tying into US 19/23/70 south of Broadway (Section B); and

**WHEREAS**, the FHWA has determined that the Undertaking will have an adverse effect upon Riverside Cemetery, a contributing element within the Montford Area Historic District, and archaeological site 31BN826, properties listed in or determined eligible for listing in the National Register of Historic Places (NRHP), (hereinafter historic property/ies); and

**WHEREAS**, the FHWA has determined that the Undertaking will have no adverse effect upon the following historic properties: Freeman House, William Worley House, West Asheville/Aycock School Historic District, Great Smoky Mountain Park Bridge (Buncombe County Bridge No. 323), and archaeological site 31BN623 (Lower Hominy Hydroelectric Plant) provided the environmental commitments stipulated in this Memorandum of Agreement (MOA) are fulfilled; and



**WHEREAS**, the FHWA has consulted with the North Carolina State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the NHPA; and

**WHEREAS**, FHWA has notified the Advisory Council on Historic Preservation (Council) of the adverse effects and the Council has declined to comment or participate in the consultation; and

**WHEREAS**, NCDOT has participated in the consultation and has been invited by the FHWA and SHPO to be a signatory to this MOA; and

**WHEREAS**, the following parties were granted consulting party status by FHWA and have been invited to concur with this MOA: the Montford Neighborhood Association, the City of Asheville Transportation and Planning and Urban Design Departments, and the Preservation Society of Asheville and Buncombe County; and

**WHEREAS**, the following Tribal Historic Preservation Offices (THPO) were consulted regarding this Undertaking and have been invited to concur with this MOA: Eastern Band of the Cherokee Indians (EBCI), the Cherokee Nation (CN), the United Keetoowah Band of Cherokee Indians in Oklahoma (UKB), the Muscogee (Creek) Nation (MCN), and the Catawba Nation; and

**WHEREAS**, the consulting parties agree that the recovery of significant information from archaeological site 31BN826 may be done in accordance with the published guidance from the Council and the North Carolina Office of State Archaeology; and

**WHEREAS**, the consulting parties agree that it is in the public interest to expend funds for the recovery of significant information from archaeological site 31BN826 to mitigate the adverse effect of the Undertaking; and

**WHEREAS**, to the best of our knowledge and belief, no human remains, associated or unassociated funerary objects or sacred objects, or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001), are expected to be encountered in the archaeological work:

**NOW THEREFORE**, the FHWA, NCDOT and the North Carolina SHPO agree that the Undertaking shall be implemented in accordance with the following stipulations take into account the effects of the Undertaking on historic properties, archaeological site 31BN826, and any archaeological resource identified during further testing and determined eligible for the NRHP.

## STIPULATIONS

The North Carolina Division of FHWA and NCDOT shall ensure that the following measures are implemented:

### **I. Riverside Cemetery within the Montford Area Historic District (BN0022)**

After consultation with the SHPO, the Asheville City Parks and Recreation Department, the Montford Neighborhood Association, the City of Asheville Transportation and Planning and Urban Design Departments, and the Preservation Society of Asheville and Buncombe County, NCDOT agrees to lessen the property impacts resulting from the Undertaking by providing funding or services for the following measures.

1. Vibration Studies and Monitoring Plan
  - a. Development of Vibration Monitoring Plan: NCDOT's Geotechnical Engineering Unit, in consultation with NCDOT Division 13, shall develop a vibration monitoring plan for the Undertaking, to include on-site research during final design as well as monitoring during construction. The recommendations of the plan shall be provided to SHPO and concurring parties (except for the EBCI, CN, UKB, MCN, and Catawba Nation) for their comments prior to adoption.
  - b. Baseline Studies: On-site research, done prior to construction, will measure existing vibration exposure, determine sensitivity of key funerary monuments and assign thresholds accordingly.
  - c. Vibration Monitoring: Vibration monitoring will be conducted on key funerary monuments within Riverside Cemetery, recommended in the aforementioned vibration monitoring plan. When a reading exceeds the established threshold, an alarm will sound and the Contractor or the cemetery manager shall immediately contact NCDOT's Division 13 Resident Engineer to assess the situation.
  - d. Pre-construction Surveys: NCDOT will conduct pre-construction surveys of all key funerary monuments within Riverside Cemetery to record a "before" condition so that any construction-related damage can be accurately identified. The City of Asheville shall identify the key funerary monuments to be included in the Vibration Monitoring Plan, pre-construction surveys and inventories noted above
2. Auditory Effects:
  - a. Design Noise Report: In accordance with the Department's Traffic Noise Policy, NCDOT's Design Build Team, shall complete a Design Noise Report for the Undertaking which includes recommendations for abatement measures for traffic noise impacts. If the Design Noise Report concludes that noise wall barriers along the boundaries of the Montford Historic District are preliminarily deemed to meet feasibility and reasonableness criteria then further consultation on the appearance of the barriers will be required with SHPO and the concurring parties.
  - b. Pavement: NCDOT is not proposing pavement as a noise abatement for this project, however, in accordance with all design standards/criteria, NCDOT elects to use low noise pavement surface treatments for any concrete and/or



asphalt surfaces and minimize the number of joints on the roadway structures in the vicinity of Riverside Cemetery. NCDOT cannot commit to the utilization of these specific surface treatments in perpetuity or to maintenance schedules that keep the auditory qualities of these lower noise pavement designs at their premium.

- c. Memorandum of Understanding: NCDOT's Division 13 will develop a Memorandum of Understanding (MOU) with the Asheville City Parks and Recreation Department to outline how the city will notify NCDOT of funerals. Protocols will be established to limit construction noise during such events.

### 3. Right-Of-Way

- a. Pre-Construction Tree Survey: It is understood that all existing vegetation and trees within the highway right-of-way parallel to the Riverside Cemetery will likely be removed during construction. To mitigate these impacts along the Riverside Cemetery boundary, NCDOT's Design-Build Team shall conduct a tree survey of existing trees exceeding 6.0" diameter that are targeted for removal within the existing highway Right-Of-Way, will remain in the existing highway Right-Of-Way, or are within the Riverside Cemetery that their root system may be impacted during construction. The Design-Build Team's survey shall include in its documentation, but not be limited to the following information: 1) tree species and measurements (DBH, canopy width, and height), 2) approximate age, and 3) overall health/life expectancy, and 4) potential construction impacts, as well as management recommendations for trees adjacent to the highway Right-Of-Way that may be impacted. The recommendation may include, but not limited to, additional fertilization, pruning or overall removal and replacement.
- b. Planting within highway Right-Of-Way: Re-vegetation of the highway right-of-way parallel to the cemetery boundary will be planned and implemented in accordance with NCDOT's Guidelines for Planting within Highway Right-of-Way. All new plant materials will be warranted for three growing seasons and replaced by NCDOT if they fail within that time.
- c. Planting within highway Right-Of-Way will be congruent with existing vegetation and trees along the Riverside Cemetery boundary.
- d. Replacement of Trees: If trees within Riverside Cemetery are damaged due to construction within the highway Right-Of-Way then NCDOT will follow the management recommendations in the pre-construction tree survey (additional fertilization, pruning, or overall removal and replacement). Replacement of trees will follow Asheville's Code of Ordinances Section 7-11-13 (landscape & buffering standards) and Appendix 7-C (recommended species list). All new plant materials will be warranted for three growing seasons and replaced by NCDOT if they fail within that time.
- e. Right-Of-Way Fence: The fence that marks the highway Right-Of-Way parallel to the cemetery boundary will be a black metal fence that is approved by the Asheville City Parks and Recreation Department, the SHPO, and NCDOT.

### 4. Landscaping within Riverside Cemetery:



- a. Additional areas of concentrated landscaping will be included within the boundaries of Riverside Cemetery adjacent to the highway and will be developed through consultation with the Asheville City Parks and Recreation Department, SHPO, and other concurring parties.
  - b. Landscaping will follow Asheville's Code of Ordinances Section 7-11-13 (landscape & buffering standards) and Appendix 7-C (recommended species list). All new plant materials will be warranted for three growing seasons and replaced by NCDOT if they fail within that time.
  - c. Preliminary Post-Construction Landscape Design plans will be provided to SHPO, the Asheville City Parks and Recreation Department, and the concurring parties for their review and comment.
  - d. NCDOT (or its contractor) shall install the landscaping after completion of roadway construction work along the historic boundary of the cemetery. All new plant materials will be warranted for three growing seasons and replaced by NCDOT if they fail within that time.
5. Roadway Design and Appearance:
- a. In accordance with all design standards / criteria, NCDOT's Design-Build Team will be encouraged to modify the Department's preliminary design in proximity to the Riverside Cemetery. Specifically, along the Cemetery boundary, the Design-Build Team will be encouraged to lower the US 19/US 23/US 70 roadway and shift the facility westward without incorporating design exceptions or increasing right of way impacts or relocations.
  - b. The retaining wall will be designed to extend along the entire Riverside Cemetery boundary adjacent to the proposed project.
  - c. The appearance of the retaining walls along the cemetery's boundary will be formed concrete walls with a simulated masonry surface treatment. The surface treatment will be designed to resemble stacked stone walls and may be painted, stained, or tinted. Choices of aesthetic wall treatments will be provided to SHPO, the Asheville Transportation Department, the Asheville City Parks and Recreation Department, and the concurring parties for their review and comment prior to final approval. The preferred surface texture and color will be included in NCDOT's final design.
6. Roadway Lighting: Roadway lighting will be designed and constructed to minimize the dispersion of light ("spillover") beyond the highway Right-Of-Way. NCDOT will not install high mast poles adjacent to the cemetery. Instead NCDOT will install single pole, shoulder and/or barrier mounted, lighting with LED illumination in this area.
7. Duke Energy Line Relocation: The transmission lines currently on Courtland Place will be rerouted northwest to a point near the southwest boundary of Riverside Cemetery and US 19/US 70.
- a. A 70-foot Permanent Utility Easement (PUE) will be cleared of trees and a single pole erected to hold the lines. Duke Energy will erect the shortest pole that meets the needs of the line in this location.
  - b. Prior to construction Duke Energy will flag any "danger trees" located outside the 70-foot PUE that are adjacent to or within the boundaries of the cemetery. If any "danger trees" exist, Duke Energy will consult with NCDOT, SHPO

and the Asheville City Parks and Recreation Department prior to any removal of the “danger trees” and will prioritize tree trimming over removal and replacement.

## **II. Freeman House (BN2470)**

After consultation with the SHPO and the property owner, NCDOT agrees to lessen the audible and visual impacts resulting from the Undertaking by providing funding or services for the following measures.

1. Noise Abatement: Upon satisfactory completion of the work, NCDOT will reimburse the property owner for the costs to install central heat/AC, storm windows, and insulation based on the lowest of 3 bids provided to NCDOT by the property owner. If the property owner chooses, NCDOT will make payment directly to a third-party contractor(s).
2. Landscaping: NCDOT (or its contractor) shall install landscaping along the edges of the property facing the new facility after completion of the project. All new plant materials will be warranted for three growing seasons and replaced by NCDOT if they fail within that time period.

## **III. William Worley House (BN2442)**

After consultation with the SHPO and the property owner, NCDOT agrees to lessen the audible and property impacts resulting from the Undertaking by providing funding or services for the following measures.

1. Noise Abatement: Upon satisfactory completion of the work, NCDOT will reimburse the property owner for the costs to install central heat/AC, storm windows, and insulation based on the lowest of 3 bids provided to NCDOT by the property owner. If the property owner chooses, NCDOT will make payment directly to a third-party contractor(s).
2. Retaining Wall: NCDOT will install a retaining wall, with permanent underground easements, within the property boundary along the western boundary of the property to reduce right-of-way impacts.

## **IV. West Asheville/Aycock School Historic District (BN1839)**

After consultation with the SHPO, the principal of Aycock School, and the Asheville School District Superintendent, NCDOT agrees to lessen the property impacts resulting from the Undertaking by providing funding or services for the following measures.

1. Parking: To minimize Aycock’s School’s loss of parking spaces, NCDOT has agreed to provide the school with new parking lots and vehicular circulation routes as shown on the plans provided to SHPO on October 7, 2019.
2. Trees: NCDOT will preserve the screening trees along the west side of classrooms by erecting temporary fencing around the trees and tree protection signs, during construction.
3. Fencing: NCDOT will install permanent fencing (a minimum of 6 feet in height and of the school’s chosen materials) between the Greenway and the west side of



the school yard.

4. Protection measures: NCDOT will protect the trees and Arrowhead monument on school grounds along Haywood Road by erecting tree protection signs and temporary fencing around the trees and monument, during construction.

**V. Great Smoky Mountain Park Bridge (Buncombe County Bridge No. 323)**  
(BN2469 - Patton Avenue Westbound)

After consultation with the SHPO and the Asheville Aesthetics Advisory Committee, NCDOT agrees to remove the cantilevered sidewalk and convert the bridge to a two-lane facility with a minimum 10-foot sidewalk on the existing deck. The existing bridge rails and pedestrian lights will be replaced with designs that meet current safety standards and are congruent with the original “art moderne” style of the bridge.

1. The SHPO concurred in a letter dated June 19, 2020 that the subject undertaking will not adversely affect the bridge. Any changes to the bridge concepts after the execution of this MOA, as shown in the renderings appended to this document, shall require approval from NCDOT structure design and the SHPO.
2. Any repairs to the historic substructure shall follow the *Secretary of the Interior's Standards for Rehabilitation*.
3. Additional streetscape enhancements such as benches, planters, ornamental lights, or flags shall require approval from NCDOT structure design and the SHPO.

**VI. Archaeological Site 31BN623 (Lower Hominy Hydroelectric Plant)**

After consultation with the SHPO, NCDOT agrees to lessen the property impacts resulting from the Undertaking by providing services for the following measures.

1. Iron markers will be placed at each end of a wall associated with site 31BN623 to mark its extent prior to the placement of fill within the project limits. The exact locations of the markers will be provided to the SHPO for its records.
2. Any changes in the vicinity of 31BN623 to the preferred alternative preliminary design after the execution of this MOA shall require approval from the SHPO.

**VII. Data Recovery at Archaeological Site 31BN826 and Further Deep Testing at Archaeological Sites 31BN823, 31BN826, 31BN868, 31BN870, 31BN871, 31BN873 and 22 Additional Acres**

1. In consultation with the SHPO, EBCI, CN, UKB, MCN, and Catawba Nation NCDOT will develop a Data Recovery Plan (DRP) for Site 31BN826, which has been determined eligible for the NRHP and will be affected by the Undertaking.
2. If Sites 31BN823, 31BN868, 31BN870, 31BN871, 31BN873 and any new sites are determined eligible for the NRHP through further testing and affected by the Undertaking, NCDOT, in consultation with the SHPO, EBCI, CN, UKB, MCN, and Catawba Nation, will develop, separate DRPs for those sites.
3. NCDOT will ensure that the DRPs, are implemented after the highway Right-Of-Way is acquired and prior to construction activities within the site location.
4. Upon completion of the Data Recovery efforts, NCDOT will prepare and forward a Management Summary to the SHPO, EBCI, CN, UKB, MCN, and Catawba Nation detailing the results of the Data Recovery efforts for all the eligible sites.



5. Upon receipt of the Management Summary, the SHPO, EBCI, CN, UKB, MCN, and Catawba Nation will respond within fifteen (15) days to the recommendations contained within the Management Summary.
6. Upon acceptance of the recommendations contained in the Management Summary, the SHPO, EBCI, CN, UKB, MCN, and Catawba Nation will issue NCDOT documentation that the Data Recovery field investigations have been completed.
7. The analysis and report preparation, detailing the eligible sites, will be completed by NCDOT, or their consultant(s), within eighteen (18) months after completion of the fieldwork.

### **VIII. Unanticipated Discoveries**

In accordance with 36 CFR 800.11(a), if NCDOT identifies additional cultural resource(s) during construction, all work will be halted within the limits of the resource(s) and the FHWA and the SHPO will be contacted. The NCDOT and FHWA will initiate the appropriate agency and/or Tribal coordination required for a determination of eligibility or recovery effort. If after consultation between the Signatories and concurring parties, additional mitigation is determined necessary, the NCDOT, in consultation with the Signatories and concurring parties, will develop and implement appropriate protection/mitigation measures for the resource(s). Inadvertent or accidental discovery of human remains will be handled in accordance with North Carolina General Statutes 65 and 70.

### **IX. Amendments**

Should any of the Signatory Party(ies) to this MOA believe that its terms cannot be carried out or that an amendment to the terms must be made, that party(ies) shall immediately consult with the other party(ies) to develop amendments in accordance with 36 CFR 800.6(c)(7). This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy, signed by all the signatories, is filed with the ACHP. If an amendment cannot be agreed upon, the dispute resolution process set forth in Stipulation X will be followed.

### **X. Dispute Resolution**

Should any of the Parties to this MOA object within thirty (30) days to any plans or documentation provided for review pursuant to this MOA, the FHWA shall consult with the objecting party(ies) to resolve the objection. If the FHWA or the objecting party(ies) determines that the objection cannot be resolved, the FHWA will forward all documentation relevant to the dispute to the Council. Within thirty (30) days after receipt of all pertinent documentation, the Council will either:

1. Provide the FHWA with recommendations, which the FHWA will take into account in reaching a final decision regarding the dispute, or
2. Notify the FHWA that it will comment pursuant to 36 CFR Section 800.7(c) and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR Section 800.7(c)(4) with reference to the subject of the dispute.

Any recommendations or comments provided by the Council will be understood to pertain only to the subject of the dispute; the signatories' responsibilities that are not the subject of the dispute will remain unchanged.

**XI. Termination**

Any of the Signatory Party(ies) to this MOA may terminate the MOA by providing notice to the other parties, provided that the signatories and concurring parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. Termination of this MOA will require compliance with 36 CFR 800. This MOA may be terminated by the execution of a subsequent MOA that explicitly terminates or supersedes its terms.

**XII. Duration**


Unless terminated pursuant to Stipulation XI above, this MOA will be in effect until the FHWA in consultation with the other Signatory Parties, determines that each of its terms have been fulfilled or if NCDOT is unable or decides not to construct the Undertaking.

**Execution**

Execution of this MOA by FHWA, NCDOT, and the North Carolina SHPO, its subsequent filing with the Council, and implementation of its terms evidence that the FHWA has afforded the Council an opportunity to comment on the Undertaking, and that FHWA has taken into account the effect of the Undertaking on the historic properties and archaeological sites 31BN623 and 31BN826.

AGREE:


**U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY  
ADMINISTRATION, NORTH CAROLINA DIVISION**

By:  \_\_\_\_\_ Date 1/28/2021  
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John Sullivan, PE, Division Administrator

**STATE OF NORTH CAROLINA, DEPARTMENT OF TRANSPORTATION**

By:  \_\_\_\_\_ Date 1/27/2021  
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Chris M. Werner, P.E., Technical Services Administrator

**NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICE**

By:  \_\_\_\_\_ Date 1/27/2021  
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Ramona M. Bartos, State Historic Preservation Officer



**MEMORANDUM OF AGREEMENT  
AMONG THE  
FEDERAL HIGHWAY ADMINISTRATION,  
the  
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
and the  
NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICE  
PURSUANT TO 36 CFR § 800.6  
regarding the  
I-26 CONNECTOR  
BUNCOMBE COUNTY, NORTH CAROLINA  
NCDOT TIP No. I-2513                      FA No. MANHF-26-1(53)**

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**CONCUR:**

**Eastern Band of the Cherokee Indians:**

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The Honorable Richard Sneed  
Principal Chief  
Eastern Band of the Cherokee Indians

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Date

**MEMORANDUM OF AGREEMENT  
AMONG THE  
FEDERAL HIGHWAY ADMINISTRATION,  
the  
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
and the  
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**CONCUR:**

**The Cherokee Nation:**

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The Honorable Chuck Hoskin, Jr.  
Principal Chief  
Cherokee Nation

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Date

**MEMORANDUM OF AGREEMENT  
AMONG THE  
FEDERAL HIGHWAY ADMINISTRATION,  
the  
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
and the  
NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICE  
PURSUANT TO 36 CFR § 800.6  
regarding the  
I-26 CONNECTOR  
BUNCOMBE COUNTY, NORTH CAROLINA  
NCDOT TIP No. I-2513                      FA No. MANHF-26-1(53)**

Execution of this MOA by FHWA, NCDOT, and the North Carolina SHPO, its subsequent filing with the Council, and implementation of its terms evidence that the FHWA has afforded the Council an opportunity to comment on the Undertaking, and that FHWA has taken into account the effect of the Undertaking on the historic properties and archaeological sites 31BN623 and 31BN826.

**CONCUR:**

**The United Keetoowah Band of Cherokee Indians in Oklahoma:**

\_\_\_\_\_

The Honorable Joe Bunch                      Date  
Chief  
United Keetoowah Band of Cherokee Indians in Oklahoma



**MEMORANDUM OF AGREEMENT  
AMONG THE  
FEDERAL HIGHWAY ADMINISTRATION,  
the  
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
and the  
NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICE  
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**CONCUR:**

**Muscogee (Creek) Nation:**

---

The Honorable David Hill  
Principal Chief  
Muscogee (Creek) Nation

---

Date

**MEMORANDUM OF AGREEMENT  
AMONG THE  
FEDERAL HIGHWAY ADMINISTRATION,  
the  
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
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**CONCUR:**

**Catawba Nation:**

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William Harris  
Principal Chief  
Catawba Nation

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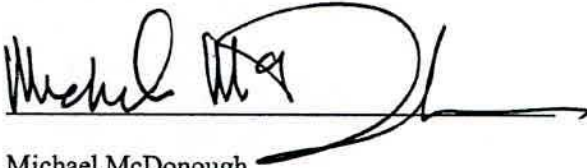
Date

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**CONCUR:**

**Montford Neighborhood Association:**



Michael McDonough  
Board President  
Montford Neighborhood Association

2-17-21

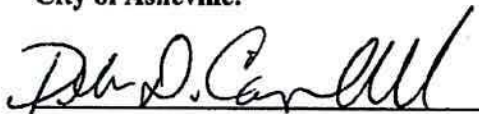
Date

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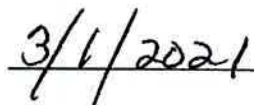
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**CONCUR:**

**City of Asheville:**

  
\_\_\_\_\_

Debra Campbell  
City Manager  
City of Asheville

  
\_\_\_\_\_

Date

**MEMORANDUM OF AGREEMENT  
AMONG THE  
FEDERAL HIGHWAY ADMINISTRATION,  
the  
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**CONCUR:**

**Preservation Society of Asheville and Buncombe County:**

\_\_\_\_\_  
Jesse Landl  
Executive Director  
Preservation Society of Asheville and Buncombe County

\_\_\_\_\_  
Date

Appendix – Bowen Bridge Renderings of May 2020



## APPENDIX C

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### Hillcrest Apartments Community 2/15/22 Meeting Summary

## MEETING SUMMARY



To: Project File

From: Joanna Rocco  
AECOM

Date: June 14, 2022

RE: **I-2513 Small Group Meeting, Hillcrest Apartment Community  
February 15, 2022  
NCDOT STIP Project I-2513 (I-26 Connector)**

---

### Attendees:

Felix Davila – FHWA  
Michael Dawson – FHWA  
Rhodney Norman – Asheville Housing Authority  
Angela Young – Hillcrest Apartments  
Mark Gibbs – NCDOT  
Harrison Marshall – NCDOT  
Kevin Moore - NCDOT  
Simone Robinson - NCDOT  
Brendan Merithew – NCDOT  
Joanna Rocco - AECOM  
Neil Dean - AECOM

The project team held a meeting with the Hillcrest Apartment Community virtually on February 15, 2022 via Microsoft Teams. The meeting was held to inform attendees of modifications made from the original design in the vicinity of the Hillcrest community, and to provide them a chance to comment or ask questions. Before the meeting formally began, aspects of the meeting's user interface were explained for the attendees. A copy of the presentation is attached to this summary.

Kevin Moore began the meeting by providing a brief description of the project's scope and location and listing modifications affecting the apartment community. Maps were shown to display Hillcrest's location within Section B of the project. An overview was given of the changes between the 2018 and current 2022 designs for I-26, including the improvements for bicycle and pedestrian access and a posted speed reduction on Patton Avenue. Next, Kevin provided a set of graphics for the six improvements within and surrounding Hillcrest. Both top-down and lateral conceptualizations were shown to help visualize these improvements.

Kevin noted the deadline for feedback and questions for the meeting is March 15, 2022. After these comments are submitted and addressed, a meeting summary would be composed and distributed to the rest of the residents of the community. A FAQ based on the comments would also be posted on the project's website if needed.

MEETING SUMMARY

February 15, 2022

Page 2 of 2

Questions, Comments, and Responses:

- Moving Eastward from the Bowen Bridge, where does NCDOT's control for Patton Avenue end?
  - State maintained boundary is at Clingman Avenue.
- Would road to Clingman be 35 mph?
  - Yes, the interchange from I-26 to Patton Avenue would drop at eastern side of interchange from 45 to 35 mph across the bridges to Clingman Avenue.
- Is this proposal guaranteed? It's been discussed for years, and members of the community would like to see the change, and there's currently some fear the community will be removed.
  - This proposal is a result of City of Asheville coordinating with NCDOT. Asheville specifically wanted the Hillcrest community to be taken into consideration and the features around it to be enhanced and made more livable. The features being integrated are intended to improve mobility and access.



**NORTH CAROLINA**  
Department of Transportation



**I-26 Connector Project**  
**Asheville, Buncombe County**  
**STIP Project No. I-2513**

Hillcrest Apartment Community Meeting

February 15, 2022

1


**WELCOME  
TO THE  
VIRTUAL  
MEETING**

- Representatives from NCDOT and the City of Asheville
- Short presentation about the project and design modifications near Hillcrest community
- Opportunity for public comment/questions

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## For the best experience...

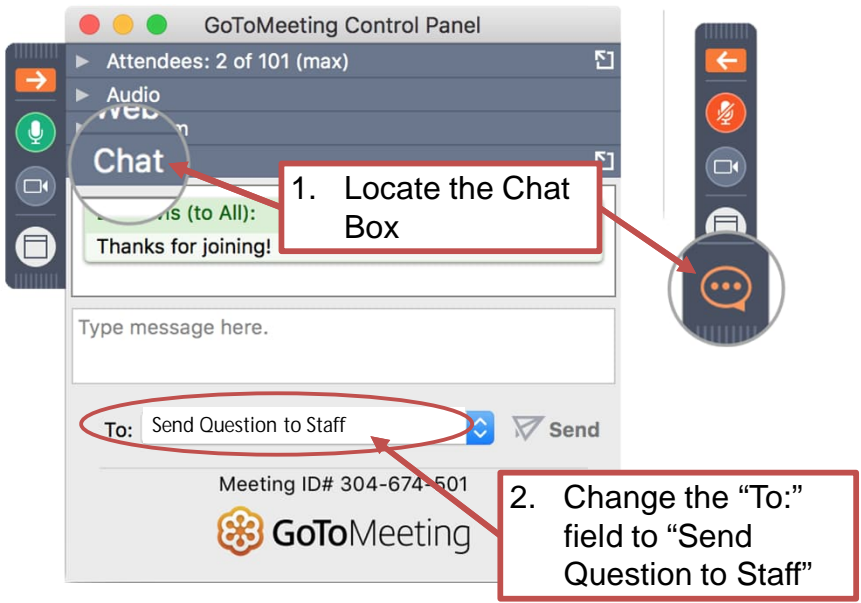


- Close all other applications
- Turn off your web camera
- Use the chat box to participate and ask questions

Note: This webinar is being recorded.

3

3



GoToMeeting Control Panel

Attendees: 2 of 101 (max)

Audio

Chat

1. Locate the Chat Box

Thanks for joining!

Type message here.

To: Send Question to Staff

2. Change the "To:" field to "Send Question to Staff"

Meeting ID# 304-674-501

GoToMeeting

4

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## WHAT IS THE I-26 CONNECTOR PROJECT?

- Connect I-26 in southwest Asheville to U.S. 19/23/70 in northwest Asheville
- Approximately 7 miles long
- Split into four sections; A, B, C, & D
- Environmental document 2022

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## WHAT ARE WE HERE TO DISCUSS?

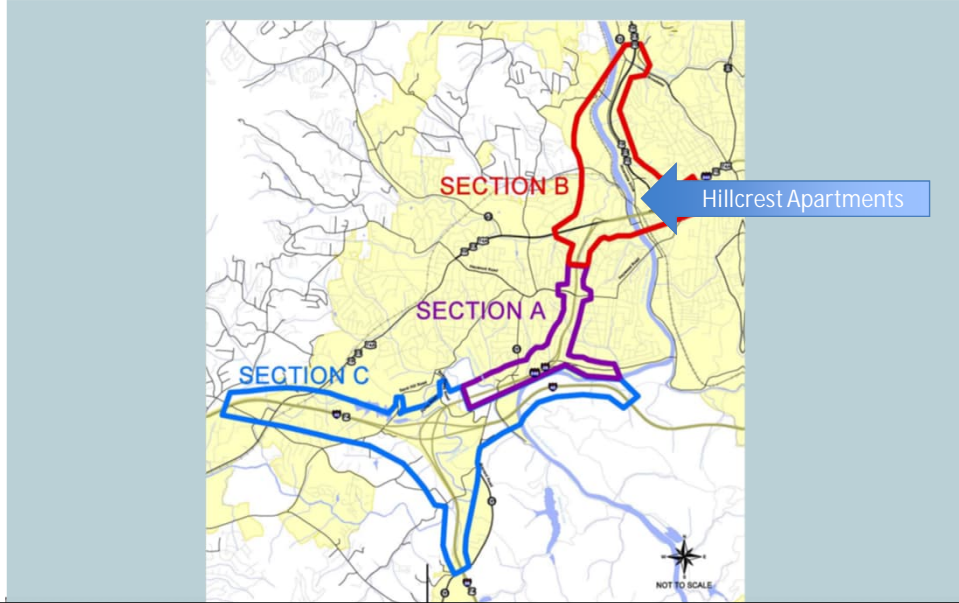
- Project designs in vicinity of Hillcrest community
- Discuss updated designs including:
  - New sidewalk connections
  - Additional vehicle/pedestrian access to community
  - Pedestrian bridge replacement

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## Project Map



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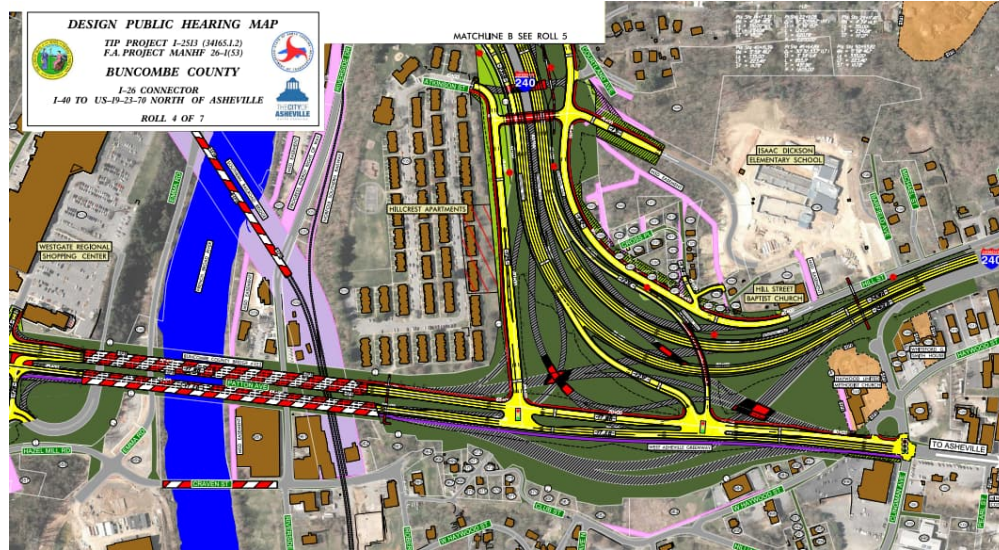
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## DESIGN COMPARISON

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# I-26 Connector Designs (2018)

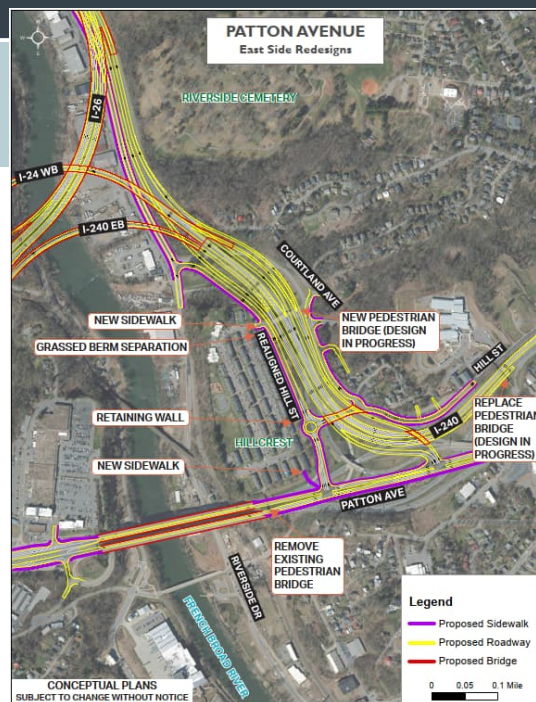


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## I-26 Connector Designs (Current)

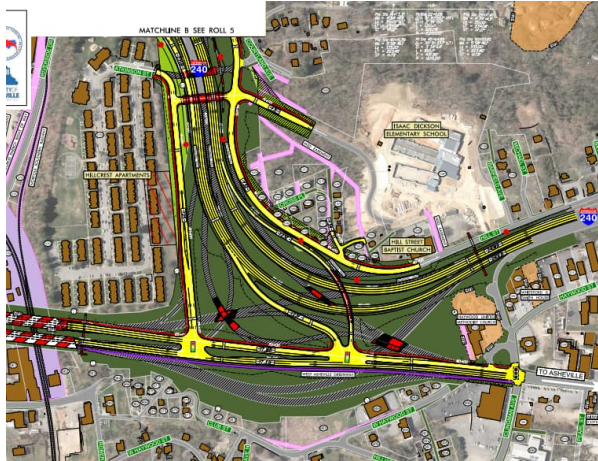
- Proposed improvements include:
  - Realigned Hill Street
  - New sidewalks
  - Grassed buffer between apartments and Hill Street
  - New pedestrian bridge/replacement of pedestrian bridge (ADA accessible)
  - Patton Avenue design modifications
    - Removal of I-240 traffic
    - Multi-use path
    - Reduced speed



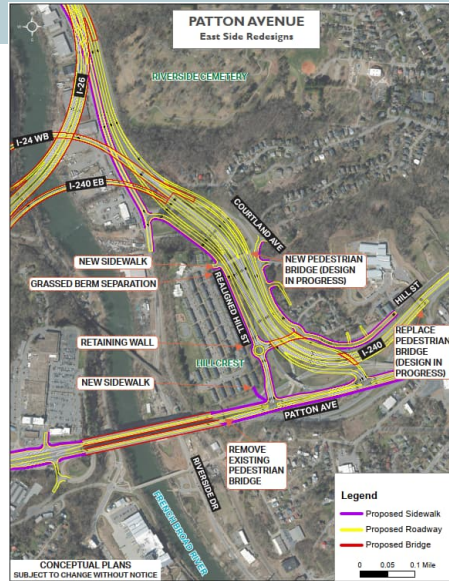
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## 2018 Designs



## Current Designs



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# IMPROVEMENTS NEAR HILLCREST COMMUNITY

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# Summary of Improvements

## Description of Proposed Improvements

- 1 Sidewalk connecting the Hillcrest community to the realigned Hill Street.
- 2 Sloped grassed buffer separating residences from realigned Hill Street.
- 3 Sidewalk connecting the southeast corner of Hillcrest community to Patton Avenue.
- 4 Retaining wall separating residences from roundabout on realigned Hill Street.
- 5 Bird's eye view of sidewalk connecting the southeast corner of Hillcrest community to Patton Avenue.
- 6 Patton Avenue looking towards downtown Asheville.



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I-26 Connector

## View #1



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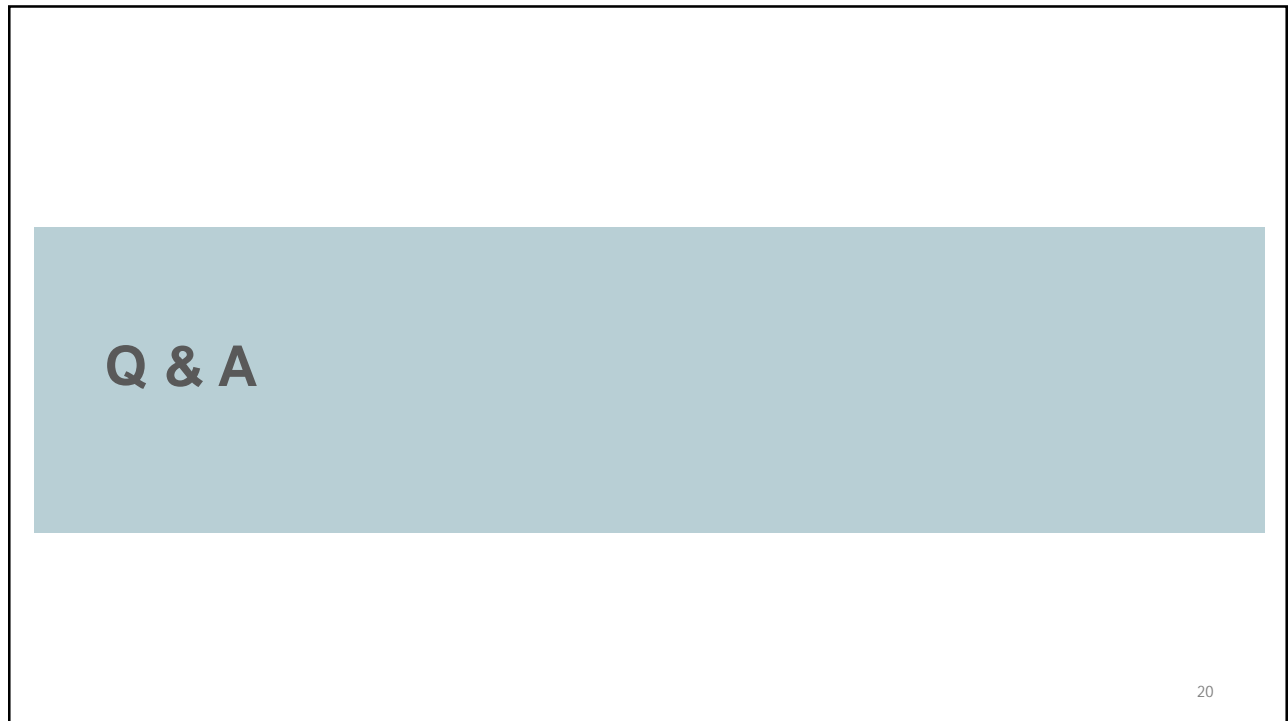
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View #6

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## NEXT STEPS


- Collect feedback/questions from residents by March 15<sup>th</sup>
- Comments reviewed/comment follow-up
- Meeting summary distribution
- FAQs posted to project website

21

21

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## Comments?



Phone:  
Toll-Free Project Hotline  
(800) 233-6315

Email:  
Kevin E. Moore, P.E.  
Senior Project Manager  
[kemoore2@ncdot.gov](mailto:kemoore2@ncdot.gov)

Mail:  
Kevin E. Moore, P.E.  
1582 Mail Service Center  
Raleigh, NC 27699-1582

COMMENTS REQUESTED BY March 15, 2022

22

22