

**LEAST ENVIRONMENTALLY DAMAGING PRACTICABLE ALTERNATIVE  
(LEDPA)/PREFERRED ALTERNATIVE SELECTION  
&  
AVOIDANCE AND MINIMIZATION**

S.R. 1228 (LIBERTY ROAD) AT INTERSTATE 40  
NEW INTERCHANGE AND LIBERTY ROAD IMPROVEMENTS, PART ON NEW LOCATION

BUNCOMBE COUNTY

STIP PROJECT I-4759

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION



**SECTION 404 /NEPA MERGER  
CONCURRENCE POINT 3  
&  
CONCURRENCE POINT 4A**

OCTOBER 11, 2017

## Meeting Agenda

1. Introductions and Sign-In
2. Purpose of Meeting
3. Project Overview and Past Concurrence Meetings
4. Evaluation of Alternatives
  - a. Least Environmentally Damaging Practicable Alternative (LEDPA) Discussion
  - b. Review Concurrence Point 3 Signature Form
5. Avoidance and Minimization Measures
  - a. Review Concurrence Point 4A Signature Form
6. Project Schedule

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## Attachment

Attachment 1. Public Hearing Summary

## 1. Introduction

The North Carolina Department of Transportation (NCDOT), in cooperation with the Federal Highway Administration (FHWA), proposes new access to Interstate 40 (I-40) at S.R. 1228 (Liberty Road) in Buncombe County. The proposed project would also include the realignment, part on new location, and upgrade of the existing Liberty Road between S.R. 1224 (Monte Vista Road) and the U.S. 19/23 (Smokey Park Highway) and N.C. 151 intersection with S.R. 1220 (Dogwood Road) (see Figure 1). The proposed action is included in the 2018-2027 State Transportation Improvement Plan (STIP) as project number I-4759 and is scheduled for right of way (ROW) acquisition to begin in fiscal year 2018 and construction to begin in fiscal year 2020.

## 2. Completed Merger Team Concurrences

### 2.1. Concurrence Point 1 – Project Purpose and Need, Study Area Defined

The Merger Team concurred on the project study area and the following Purpose and Needs statement on October 14, 2015.

The need to be addressed by this project:

- Lack of network connectivity along I-40 between US 19/23 and Wiggins Road degrades network mobility, quantity of travel<sup>1</sup> and quality of travel.
  - Achieve quality of travel by providing Level of Service D or better at the proposed project access at Interstate 40.

<sup>1</sup> Quantity of Travel refers to the traffic demand and trips completed in the study area network.

The primary purpose of the proposed project is to improve the transportation network in the study area to benefit mobility and connectivity.

### 2.2. Concurrence Point 2 – Detailed Study Alternatives to be Carried Forward

The Merger Team concurred on the following detailed study alternatives to be carried forward on April 13, 2016.

- No Build Alternative
- Build Alternative 1 (Diamond Interchange Configuration) (see Section 1.4)
- Build Alternative 2 (Partial Cloverleaf Interchange Configuration)
- Build Alternative 3 (Half Cloverleaf Interchange Configuration)

### 2.3. Concurrence Point 2A – Bridging Decisions and Alignment Review

The Merger Team concurred on the following hydraulic structures (i.e., bridging and culvert) decisions and alignment on May 26, 2016.

**Table 1. Proposed Hydraulic Structure (Number, Size, Structure Type)**

Site #	Stream (Map ID)	Alternative 1 Diamond Interchange	Alternative 2 Partial Cloverleaf Interchange	Alternative 3 Half Cloverleaf Interchange
1	Little Pole Creek (LPC)	Retain and Extend 2 @ 9' x 8' RCBC	Retain and Extend 2 @ 9' x 8' RCBC	Retain and Extend 2 @ 9' x 8' RCBC
2	Young Branch (YB)	Retain 72" SPP and add Supplemental Pipe (min=48")	Retain 72" SPP and add Supplemental Pipe (min=48")	Retain 72" SPP and add Supplemental Pipe (min=48")
3	Young Branch (YB)	1 @ 7' x 7' x 350' RCBC	<i>No Structure Required</i>	<i>No Structure Required</i>
4	Young Branch (YB)	1 @ 7' x 8' x 355' RCBC	Single 3-span (3 @ 78') 54" girder bridge*	<i>No Structure Required</i>
5	Young Branch (YB)	1 @ 8' x 8' x 248' RCBC	1 @ 8' x 8' x 248' RCBC	1 @ 8' x 8' x 248' RCBC
6	Pole Creek (PC)	Dual 3-span (1 @ 65', 2 @ 80') 54" girder bridges	Dual 3-span (1 @ 65', 2 @ 80') 54" girder bridges	Dual 3-span (1 @ 65', 2 @ 80') 54" girder bridges
Note: *The Merger Team concurred with 1 @ 7' x 8' x 375' RCBC at CP 2A. The bridge is proposed at this location to avoid impacts to Young Branch at this location.				

#### 2.4. Other Coordination

In an email dated September 15, 2016, NCDOT requested agreement from the Section 404/NEPA Merger Team to dismiss the Diamond Interchange Alternative from further consideration. All agencies indicated by email they agreed to remove the Diamond Interchange Alternative from detailed study. This decision was based on public input gathered at the first public meeting (see Section 3.1) and the fact that the Diamond Interchange would result in the greatest number of impacts (to the natural and built environments) and have the highest associated costs.

### 3. Environmental Assessment Approved

The Environmental Assessment (EA) for STIP Project I-4759 was approved on January 30, 2017 and distributed for agency comment. The EA evaluated the potential for environmental impacts for the No Build Alternative, the Partial Cloverleaf Interchange Alternative, and the Half Cloverleaf Interchange Alternative. Comments were collected through the State Clearinghouse and through correspondence with individual agencies. The Public Hearing Summary (see Section 3.2 and Attachment 1) includes NCDOT's response to agency comments.

### 4. Public Involvement Prior to Concurrence Point 3 and 4A

#### 4.1. Local Officials' Informational Meeting and Public Meeting Open House

NCDOT hosted a Local Officials' Informational Meeting and Public Meeting Open House at Francis Asbury United Methodist Church (725 Asbury Road, Candler) on August 30, 2016. Four local officials and 308 citizens signed into the meetings. NCDOT collected 87 comments during the comment period.

Three build alternatives were displayed and the public was asked to provide their preference on the alternatives. Most people who submitted comments preferred “Alternative 2”, the Partial Cloverleaf Interchange (Table 2). Overall, the public based their preference on which alternative had the least amount of impacts on their property. The estimated cost for the project was also commonly referenced.

**Table 2. Open House Public Meeting Build Alternative Preference Summary**

Alternative	Public Preference	
	Count	Percent
1 (Diamond Interchange)	16	17
2 (Partial Cloverleaf Interchange)	59	63
3 (Half Cloverleaf Interchange)	9	10
No Preference/None	9	10
Total <sup>1</sup>	93	100

<sup>1</sup>The total tallied preferences are higher than the amount of comments received due to some people preferring multiple alternatives.

#### 4.2. Informal Combined Public Hearing

NCDOT hosted a local officials’ briefing and Informal Combined (Corridor/Design) Public Hearing at Francis Asbury United Methodist Church (725 Asbury Road, Candler) on May 23, 2017. Three local officials and 195 citizens signed into the meetings. NCDOT collected 96 comments during the comment period. The Public Hearing Summary, including substantive design comments from the public, all agency comments received on the EA, and NCDOT responses, is attached to this report (Attachment 1).

The two detailed study alternatives evaluated in the EA (i.e., Partial Cloverleaf Interchange Alternative and Half Cloverleaf Interchange Alternative) were presented to the public on large-format Public Hearing Maps. Most people who submitted comments preferred the Partial Cloverleaf Interchange Alternative (Table 3). Overall, comments indicate that the public based their preference on which alternative had the least amount of impacts on their, and their neighbors, property. The lowest cost estimate and traffic flow were also commonly referenced.

**Table 3. Informal Combined Public Hearing Build Alternative Preference Summary**

Alternative	Public Preference	
	Count	Percent
Partial Cloverleaf Interchange (“Alternative 2” in prior public meeting)	59	61.5
Half Cloverleaf Interchange (“Alternative 3” in prior public meeting)	9	9.5
No Preference/None	28	29
<b>Total</b>	96	100

The US Army Corps of Engineers issued a Section 404 Public Notice for the STIP I-4759 Project (SAW-2010-01018) on May 5, 2017. The comment period ended June 5, 2017. No additional comments were collected from the Section 404 Public Notice.

## 5. Concurrence Point 3 – Least Environmentally Damaging Practicable Alternative/Preferred Alternative Selection

NCDOT and FHWA are recommending the Partial Cloverleaf Interchange Alternative as the Preferred Alternative for STIP Project I-4759.

### 5.1. Detailed Study Alternatives Impact Comparison

Table 4 (on page 5) summarizes the anticipated impacts of both detailed study alternatives (note that only environmental features that would be impacted by the proposed project are listed). No impacts are anticipated to community resources, National Register of Historic Places (NRHP) eligible or listed properties, Section 4(f) or Section 6(f) properties, or hazardous waste sites by this project.

Table 4 has been updated since the January 2017 EA and some of the impacts have changed. The EA reported stream impacts within slope stakes plus 40 feet; the stream impacts below are calculated based on slope stakes plus 25 feet. The slope stakes have been revised in several locations to avoid and minimize impacts to residences and jurisdictional streams. The EA reported findings from the Draft Traffic Noise Report; the below table reflects the conclusions of the Final Traffic Noise Report (February 2017), resulting in the reduction of one impacted receptor in each alternative.

### 5.2. Jurisdictional Stream Impact Comparison

Table 5 (on page 6) provides detail of the anticipated impacts to each jurisdictional stream. Stream impacts were analyzed based on the current design cut and fill lines (i.e., slope stakes) plus 25 feet to account for potential easements and utility relocations. There are no wetland impacts.

Table 6 also includes mitigation cost estimates for the stream impacts calculated within slope stakes plus 25 feet. The project is within the French Broad River basin (HUC 06010105060030) and is subject to “higher” mitigation fees (\$394/foot) per the NC Department of Environmental Quality’s statewide fee schedule. A 2:1 ratio was applied to the mitigation fees. Mitigation requirements will be recalculated after the impact types are determined, at a later stage in design.

### 5.3. Least Environmentally Damaging Practicable Alternative

NCDOT recommends the Partial Cloverleaf Interchange Alternative be selected as the Least Environmentally Damaging Practicable Alternative (LEDPA) since it is the least impactful to the natural and human environments. NCDOT requests concurrence on the Partial Cloverleaf Interchange Alternative.

**Table 4. STIP I-4759 Anticipated Impact Comparison**

Feature <sup>1</sup>	Alternative	
	Partial Cloverleaf Interchange <sup>2</sup>	Half Cloverleaf Interchange <sup>2</sup>
<b>Natural Environment</b>		
Jurisdictional Stream (number of crossings / linear feet of stream impacts)	8 / 892	8 / 1,034
Forest (acre)	20.3	24.5
100-Year Floodplain and Floodway (acre)	1.8 (0.3 Floodway)	1.8 (0.3 Floodway)
<b>Federally-Protected Species</b>		
Northern long-eared bat <sup>3</sup>	Unresolved	Unresolved
Gray bat <sup>3</sup>	Unresolved	Unresolved
<b>Human Environment</b>		
Residential Displacements (number) <sup>4</sup>	17	22
Impacted Noise Receptors (number)	39	33
<b>Cost<sup>5</sup></b>		
Construction Cost	\$40,400,000	\$39,000,000
Utility Relocation Cost	\$1,597,776	\$1,591,080
Right-of-Way Cost	\$11,036,910	\$14,485,000
<b>Total</b>	<b>\$53,034,686</b>	<b>\$55,076,080</b>
<p><sup>1</sup> Only features with impacts listed in summary table.</p> <p><sup>2</sup> Impacts based on current roadway design slope stakes plus 25 feet.</p> <p><sup>3</sup> Bat surveys are currently underway.</p> <p><sup>4</sup> Relocations were enumerated based on current design plans, not by NCDOT-ROW and Relocations. A ROW and Relocation Report will be updated and completed prior to the FONSI.</p> <p><sup>5</sup> Costs are in the process of being updated. Updated construction cost estimates (October 2017) included; Utility and ROW costs are from the EA (January 2017).</p>		



**Table 5. Stream Impact Comparison**

Stream Name (Map ID) <sup>1</sup>	Stream Type	Compensatory Mitigation Required	Length in Project Study Area (feet)	Partial Cloverleaf Interchange		Half Cloverleaf Interchange	
				Impacts (feet) <sup>2</sup>	Mitigation Cost <sup>3</sup>	Impacts (feet) <sup>2</sup>	Mitigation Cost <sup>3</sup>
Pole Creek (PC)	P	Yes	1,560	0	\$0	0	\$0
Little Pole Creek (LPC)	P	Yes	1,390	72.5	\$57,200	174.8	\$137,750
Young Branch (YB)	P	Yes	4,570	306.2	\$241,300	321.0	\$252,900
UT to Pole Creek (SA)	I	No	0 <sup>4</sup>	0	\$0	0	\$0
UT to Little Pole Creek (SB)	P	Yes	880	68.0	\$53,500	110.3	\$86,900
UT to Young Branch (SC)	I	Yes	200	0	\$0	0	\$0
UT to Young Branch (SD)	P	Yes	790	269.3	\$212,200	269.3	\$212,200
UT to Young Branch (SE)	I	Yes	420	0	\$0	0	\$0
UT to Young Branch (SF)	P	Yes	1,550	138.5	\$109,250	121.3	\$95,600
UT to Young Branch (SG)	I	Yes	850	37.0	\$29,150	37.0	\$29,150
UT to Young Branch (SH)	I	Yes	115 <sup>5</sup>	0	\$0	0	\$0
UT to Moore Creek (SI)	P	Yes	95	0	\$0	0	\$0
<b>Total</b>			<b>12,420</b>	<b>891.5</b>	<b>\$702,600</b>	<b>1,033.7</b>	<b>\$814,500</b>

Sources: *Natural Resources Technical Report (NRTR)* (August 2010).  
Notes: UT = Unnamed Tributary; I = Intermittent; P = Perennial.  
<sup>1</sup> Map IDs correlate to Figures 2 and 3.  
<sup>2</sup> Impacts based on current roadway design slope stakes plus 25 feet.  
<sup>3</sup> Mitigation costs were calculated based on “higher” mitigation fees (\$394/foot) and a 2:1 ratio applied. Mitigation requirements will be determined once the impact type is known at a later stage of design.  
<sup>4</sup> Stream SA is day lighted adjacent to project study area and piped through project study area 200 feet to Pole Creek.  
<sup>5</sup> A portion of stream SH is piped 200 feet in project study area to Young Branch.

## 6. Concurrence Point 4A – Avoidance and Minimization

The I-40/Liberty Road project minimizes impacts to resources as a part of its design. However, it is not feasible for the proposed project to completely avoid impacts to the waters of the U.S. and still meet the purpose and need of the project. The following avoidance and minimization measures have been incorporated into the proposed project:

### Section 404 Avoidance and Minimization Measures

- The proposed Liberty Road grade separation was shifted approximately 200 feet to the west, avoiding approximately 2,000 feet of lateral impacts to Young Branch (YB) in both detailed study alternatives.
- The proposed cul-de-sac on the remnant Liberty Road alignment (-DR1-) was shifted to the north to minimize approximately 50 feet of impacts to two existing crossings (YB and SF) in the Partial Cloverleaf Interchange Alternative.
- The proposed 1 @ 7' x 8' x 375' RCBC at Site 4 (i.e., eastbound I-40 on-ramp; -Y1RPD-) was replaced with a bridge in the Partial Cloverleaf Interchange Alternative to avoid approximately 300 feet of impacts to Young Branch.
- A steeper than 2:1 reinforced fill slope was implemented on the eastbound I-40 off-ramp loop (-Y1LPD-) to avoid approximately 200 feet of fill impacts to Young Branch in the Partial Cloverleaf Interchange Alternative.

### Human Environment Avoidance and Minimization Measures

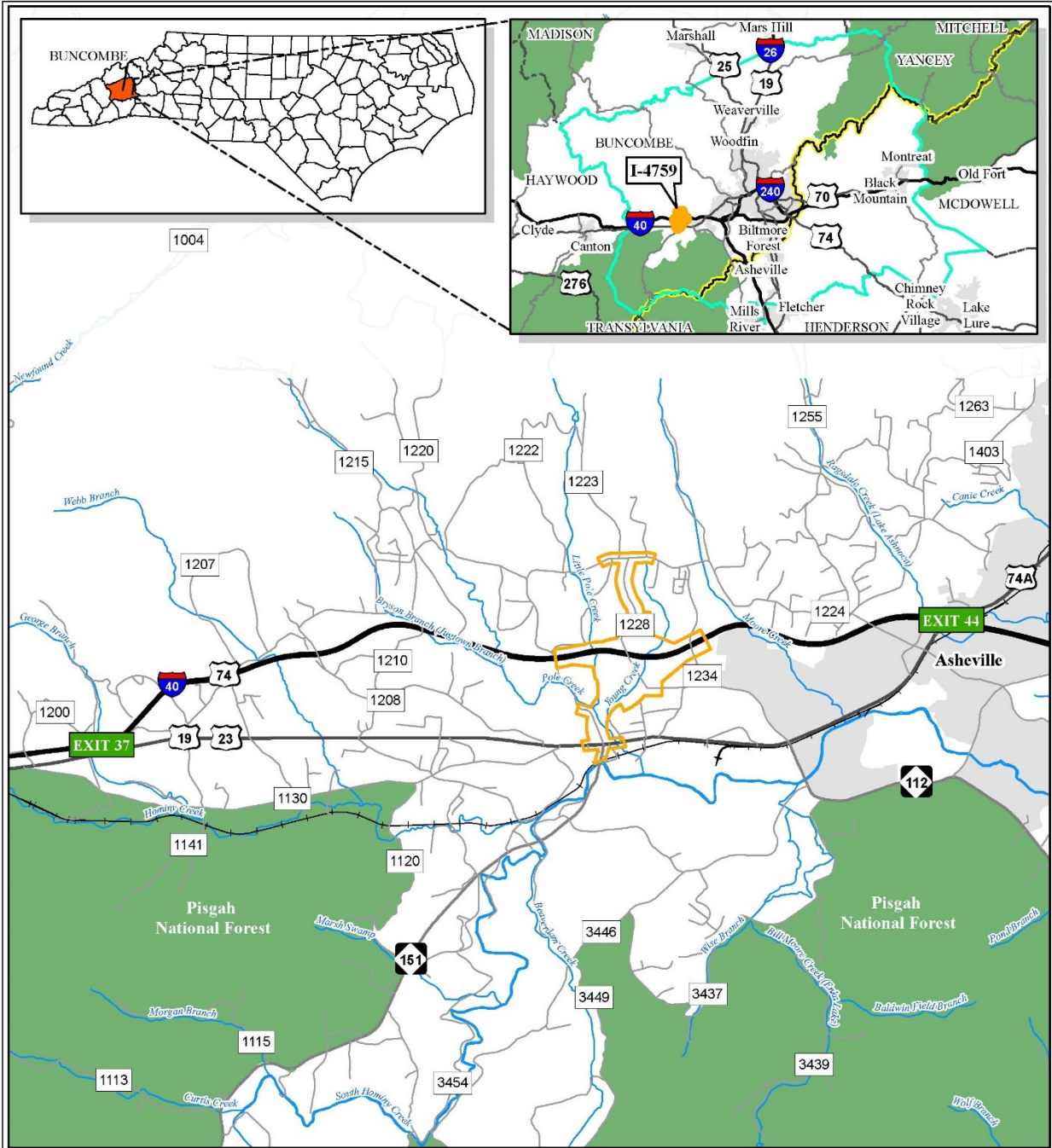
- Reduced the Liberty Road shoulder width from 8 feet (4-foot paved) to 4 feet (2-foot paved) north of I-40 to avoid several residential relocations in both detailed study alternatives.
- Shifted the proposed Valley View Drive connection to minimize impacts to one resident in the Partial Cloverleaf Interchange Alternative.
- The proposed Valley View Drive connection typical section was also reduced from 24 feet (2 12-foot lanes) to 18 feet (2 9-foot lanes) to further minimize residential impacts in this location in both detailed study alternatives.
- Alter the alignment of the proposed "Old" Liberty Road (-SR1-) connection to avoid one residential relocation in both detailed study alternatives.

## 7. Project Schedule

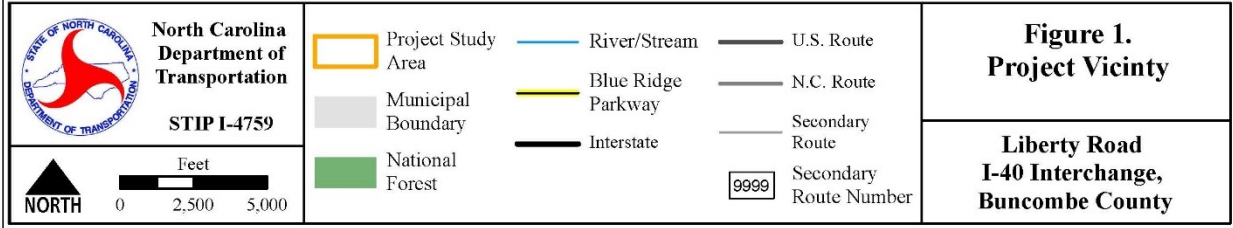
The tentative project schedule is below:

Finding of No Significant Impact (anticipated)	January 2018
Begin Right of Way Acquisition <sup>1</sup>	Fiscal Year 2018
Begin Construction <sup>1</sup>	Fiscal Year 2020

Notes: <sup>1</sup> 2018-2027 STIP; These major milestone target dates are preliminary and subject to change.



Sources: NCDOT, NCDEQ, USDA, Buncombe Co. GIS, NC OneMap, HNTB. Credit: HNTB North Carolina PC 2016



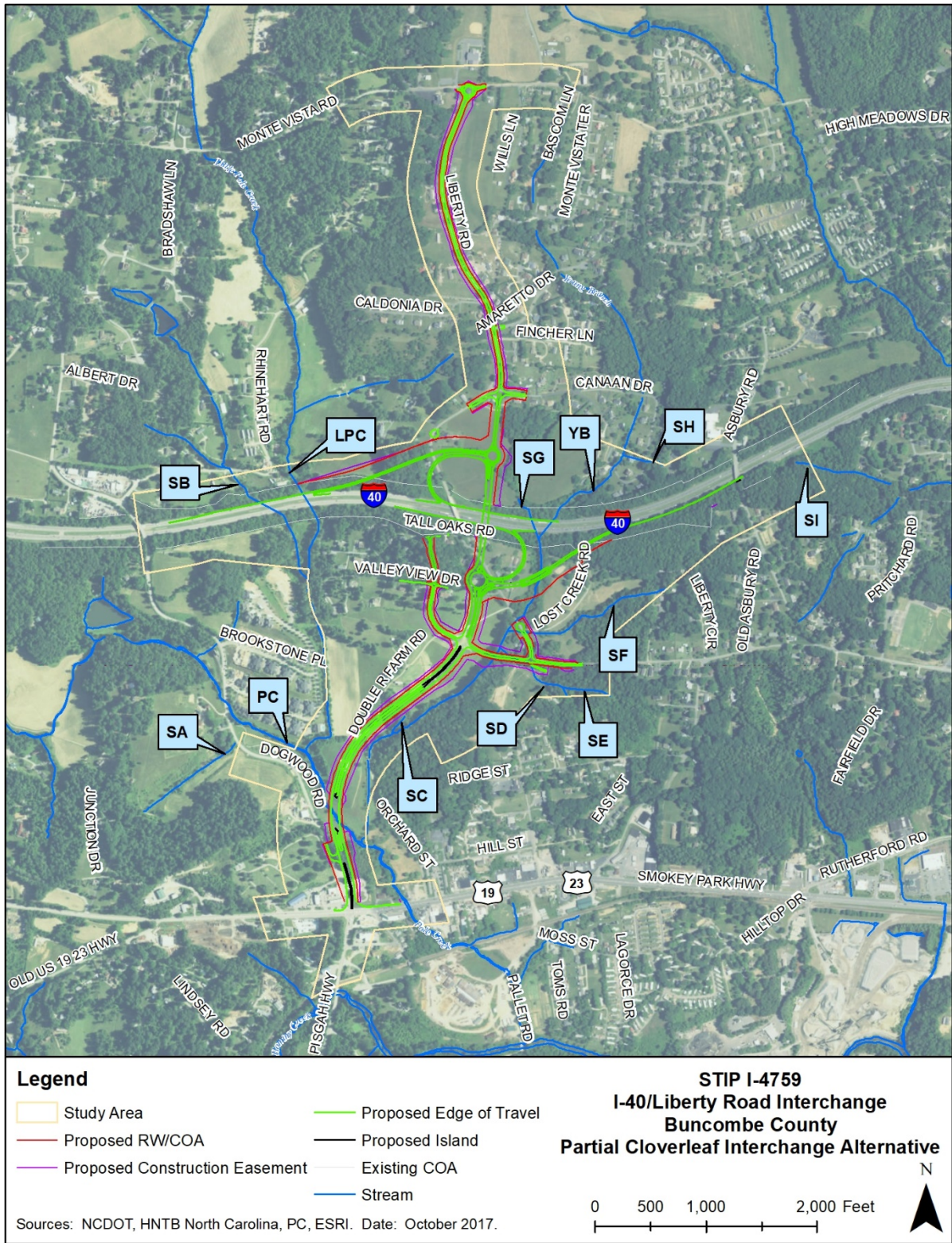
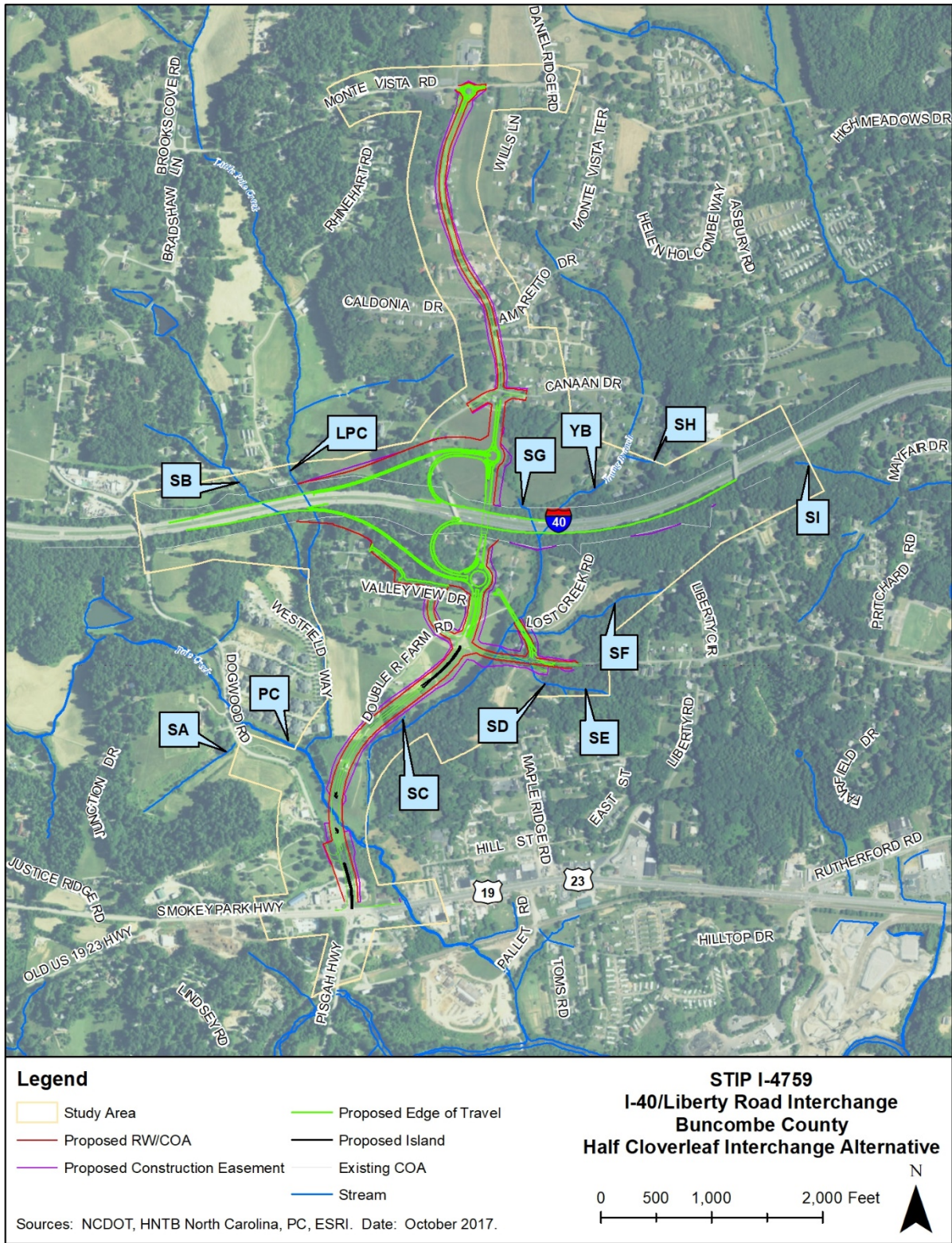
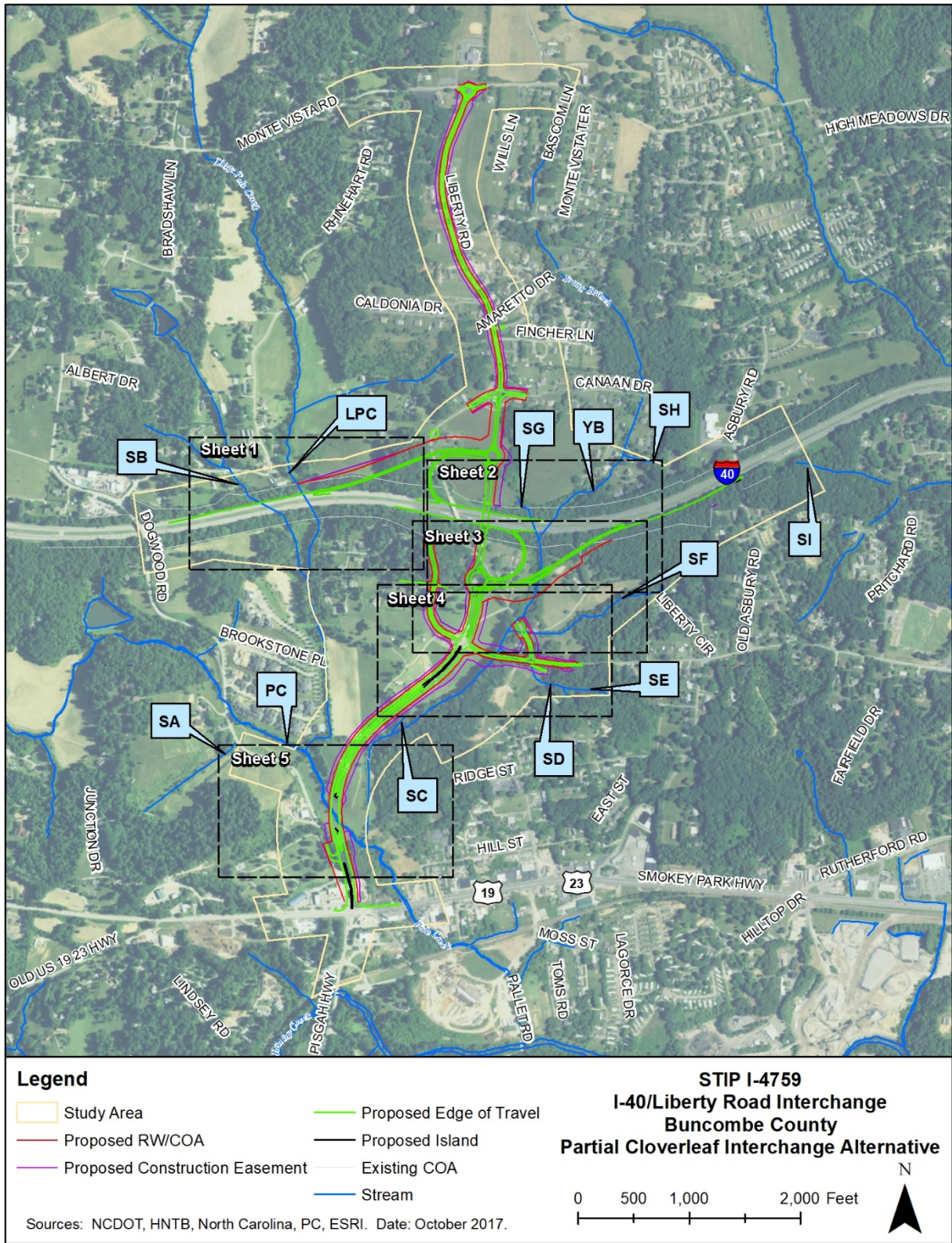


Figure 2. Partial Cloverleaf Interchange Alternative



**Figure 3. Half Cloverleaf Interchange Alternative**



**Figure 4. Partial Cloverleaf Interchange Alternative – Jurisdictional Impacts**

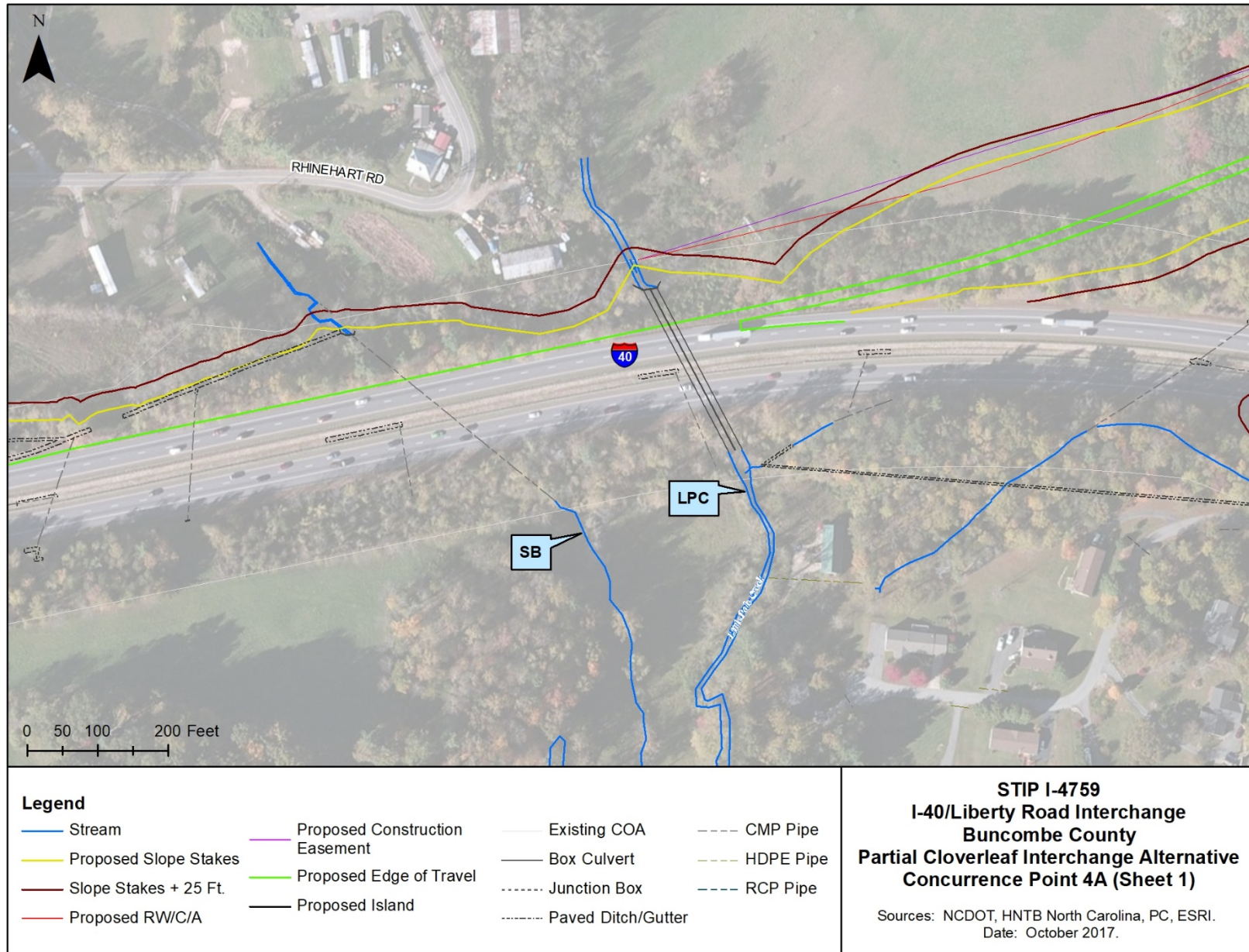
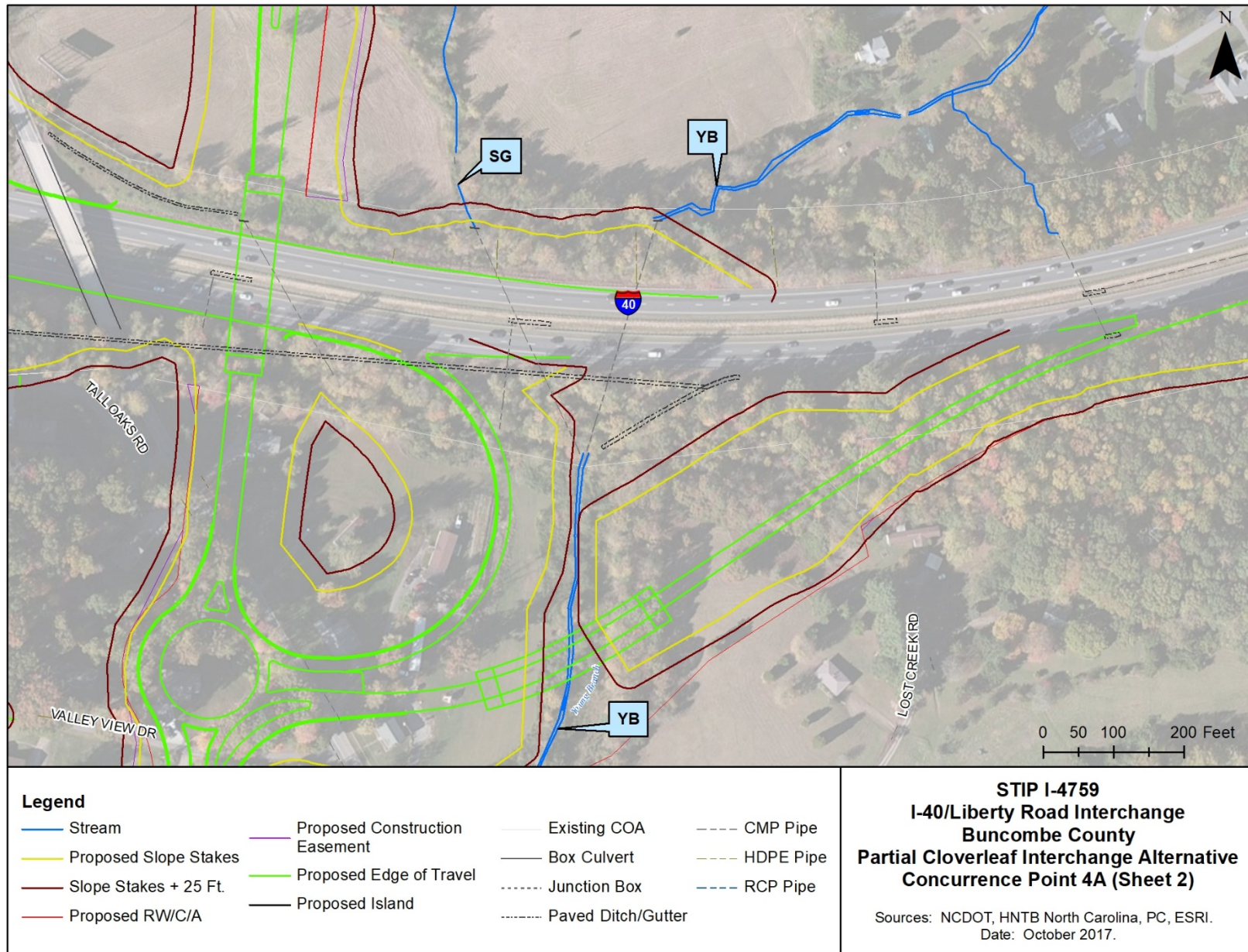
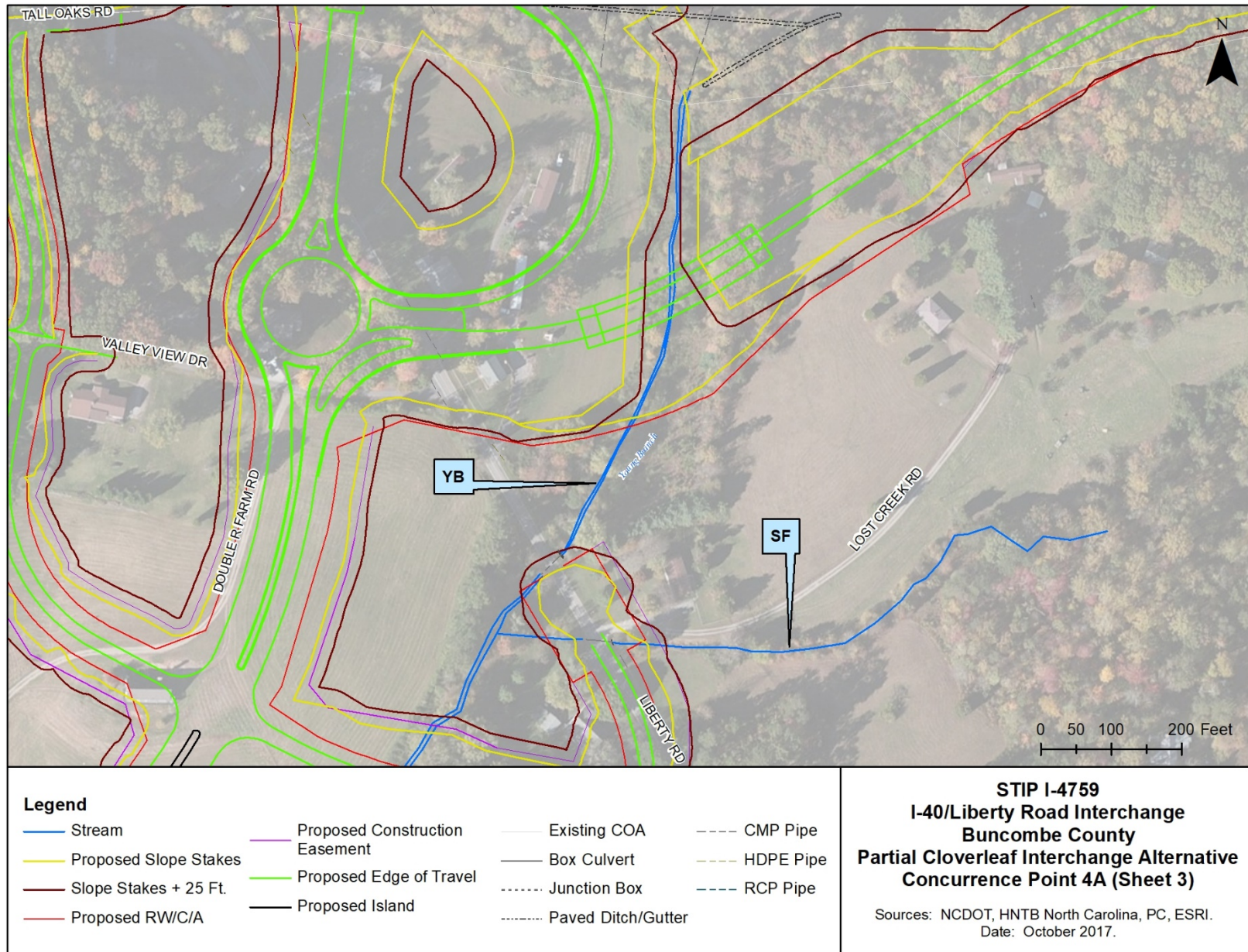


Figure 5. Partial Cloverleaf Interchange Alternative – Jurisdictional Impacts (Sheet 1)

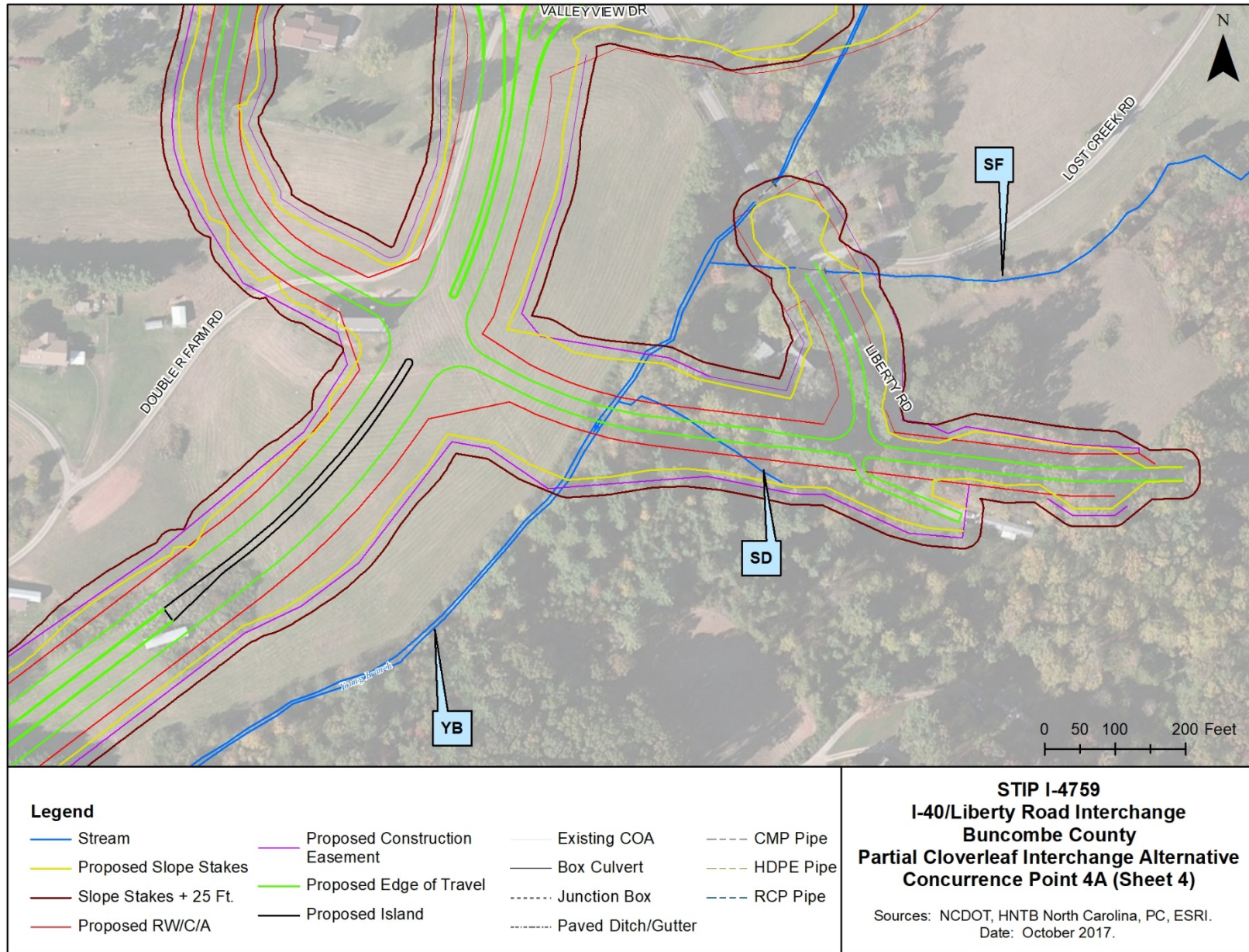


**Figure 6. Partial Cloverleaf Interchange Alternative – Jurisdictional Impacts (Sheet 2)**

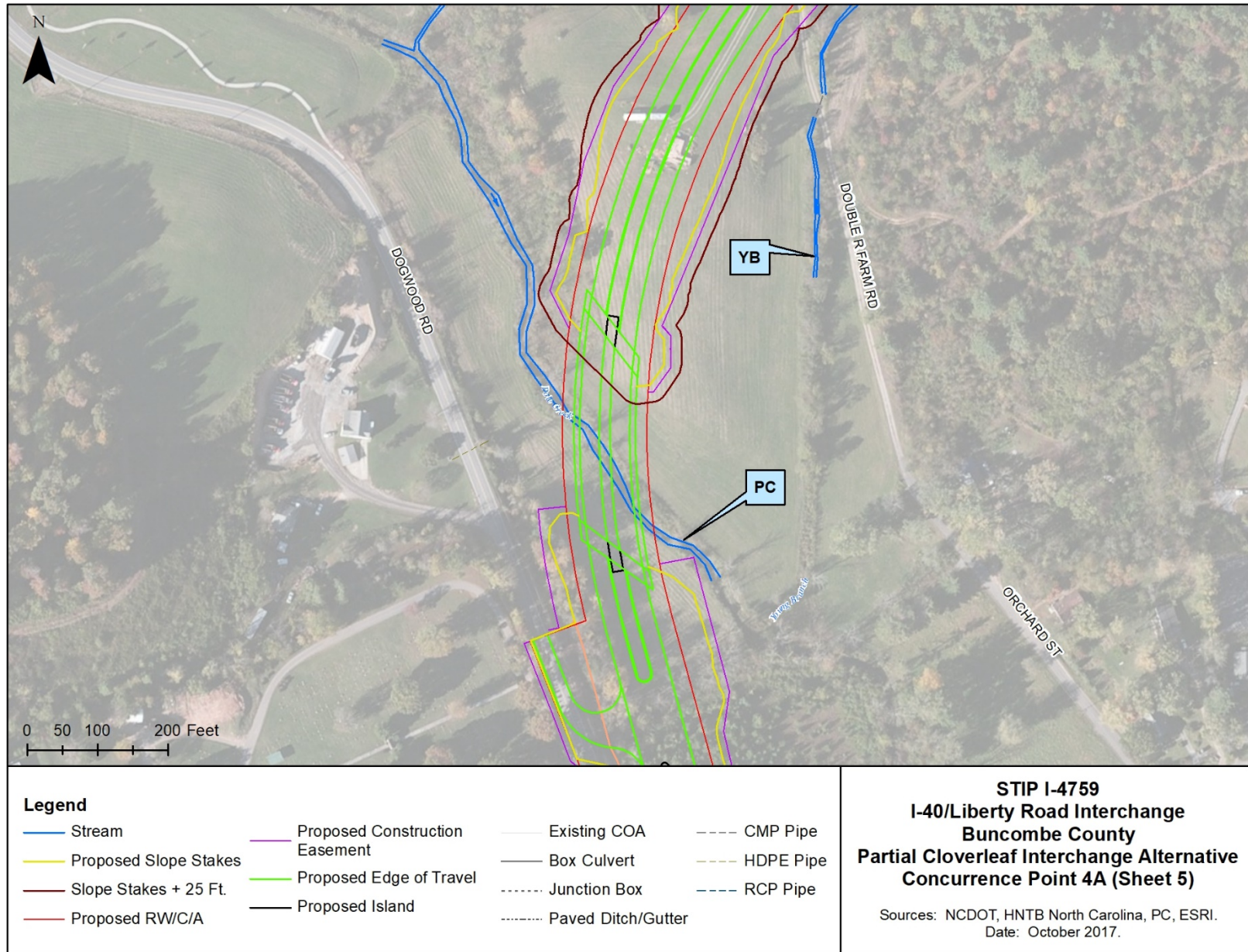




**Figure 7. Partial Cloverleaf Interchange Alternative – Jurisdictional Impacts (Sheet 3)**



**Figure 8. Partial Cloverleaf Interchange Alternative – Jurisdictional Impacts (Sheet 4)**



**Figure 9. Partial Cloverleaf Interchange Alternative – Jurisdictional Impacts (Sheet 5)**

## Section 404/NEPA Merger Project Team Meeting Agreement

### Concurrence Point Number 3

#### Least Environmentally Damaging Practicable Alternative (LEDPA)/Preferred Alternative Selection

**Project Name/Description:** I-40/S.R. 1228 (Liberty Road). Convert grade separation to an interchange and realign on new location and upgrade to the existing Liberty Road between S.R. 1224 (Monte Vista Road) and the U.S. 19/23 (Smokey Park Highway) and N.C. 151 intersection with S.R. 1200 (Dogwood Road).

**STIP Project:** I-4759

The Merger Team has concurred on this date of **October 11, 2017** that the checked alternative is the **Least Environmentally Damaging Practicable Alternative** for **STIP Project I-4759**:

( ) *Partial Cloverleaf Interchange Alternative* – The partial cloverleaf interchange configuration includes a ramp in the southeast and northwest quadrants (Figure 2).

( ) *Half Cloverleaf Interchange Alternative* – The half cloverleaf interchange configuration includes a ramp in the southwest and northwest quadrants (Figure 3).

USACE \_\_\_\_\_

USEPA \_\_\_\_\_

NCDOT \_\_\_\_\_

FHWA \_\_\_\_\_

USFWS \_\_\_\_\_

FBRMPO \_\_\_\_\_

SHPO \_\_\_\_\_

NCWRC \_\_\_\_\_

NCDWR \_\_\_\_\_

## Section 404/NEPA Merger Project Team Meeting Agreement

### Concurrence Point Number 4A

#### Avoidance and Minimization

**Project Name/Description:** I-40/S.R. 1228 (Liberty Road). Convert grade separation to an interchange and realign on new location and upgrade to the existing Liberty Road between S.R. 1224 (Monte Vista Road) and the U.S. 19/23 (Smokey Park Highway) and N.C. 151 intersection with S.R. 1200 (Dogwood Road).

**STIP Project:** I-4759

The current design for the project will affect six streams.

#### Section 404 Avoidance and Minimization Measures

- The proposed Liberty Road grade separation was shifted approximately 200 feet to the west, avoiding approximately 2,000 feet of lateral impacts to Young Branch (YB) in both detailed study alternatives.
- The proposed cul-de-sac on the remnant Liberty Road alignment (-DR1-) was shifted to the north to minimize approximately 50 feet of impacts to two existing crossings (YB and SF) in the Partial Cloverleaf Interchange Alternative.
- The proposed 1 @ 7' x 8' x 375' RCBC at Site 4 (i.e., eastbound I-40 on-ramp; -Y1RPD-) was replaced with a bridge in the Partial Cloverleaf Interchange Alternative to avoid approximately 300 feet of impacts to Young Branch.
- A steeper than 2:1 reinforced fill slope was implemented on the eastbound I-40 off-ramp loop (-Y1LPD-) to avoid approximately 200 feet of fill impacts to Young Branch in the Partial Cloverleaf Interchange Alternative.

#### Human Environment Avoidance and Minimization Measures

- Reduced the Liberty Road shoulder width from 8 feet (4-foot paved) to 4 feet (2-foot paved) north of I-40 to avoid several residential relocations in both detailed study alternatives.
- Shifted the proposed Valley View Drive connection to minimize impacts to one resident in the Partial Cloverleaf Interchange Alternative.
- The proposed Valley View Drive connection typical section was also reduced from 24 feet (2 12-foot lanes) to 18 feet (2 9-foot lanes) to further minimize residential impacts in this location in both detailed study alternatives.
- Alter the alignment of the proposed "Old" Liberty Road (-SR1-) connection to avoid one residential relocation in both detailed study alternatives.



The Merger Team has concurred on this date of **October 11, 2017** with the **Avoidance and Minimization Measures** listed above for **STIP Project I-4759**.

USACE \_\_\_\_\_

USEPA \_\_\_\_\_

NCDOT \_\_\_\_\_

FHWA \_\_\_\_\_

USFWS \_\_\_\_\_

FBRMPO \_\_\_\_\_

SHPO \_\_\_\_\_

NCWRC \_\_\_\_\_

NCDWR \_\_\_\_\_

**Attachment 1**  
**Public Hearing Summary**





# I-40 / LIBERTY ROAD INTERCHANGE

## STIP PROJECT NO. I-4759

### BUNCOMBE COUNTY

## Post-Hearing Meeting

July 10, 2017

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The North Carolina Department of Transportation (NCDOT) and the Federal Highway Administration (FHWA) published the Environmental Assessment (EA) for State Transportation Improvement Program (STIP) Project I-4759, I-40/Liberty Road Interchange, on January 30, 2017. NCDOT held the Local Officials' Informational Meeting and Informal Combined Public Hearing on May 23, 2017 to present the build alternatives and the findings of the EA and associated technical studies. Comment periods on the EA and from the Informal Combined Public Hearing concluded on June 23, 2017. This document summarizes the comments received.

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#### Attachments

- 1: Public Hearing Handout
- 2: Comment Matrix
- 3: Vistas of Westfield Comment Letter
- 4: Agency Comment Letters

## **Local Officials' Informational Meeting**

**Date:** May 23, 2017

**Time:** 10:00 to 12:00 pm

**Place:** Francis Asbury United Methodist Church, 725 Asbury Road, Candler

A meeting for the local officials was held prior to the open forum public hearing. Local officials were notified that the public hearing was scheduled and posted on NCDOT's website by email on April 28, 2017. The email indicated a formal invitation for the local officials' informational meeting would follow by mail. The email was sent to the following addresses:

- Representative Brian Turner, [brian.turner@ncleg.net](mailto:brian.turner@ncleg.net)
- Senator Terry Van Duyn, [terry.vanduy@ncleg.net](mailto:terry.vanduy@ncleg.net)
- Commissioner Joe Belcher, [joe.belcher@buncombecounty.org](mailto:joe.belcher@buncombecounty.org)
- Commissioner Wanda Greene, [wanda.greene@buncombecounty.org](mailto:wanda.greene@buncombecounty.org)
- Commissioner Brownie Newman, [brownie.newman@buncombecounty.org](mailto:brownie.newman@buncombecounty.org)
- Commissioner Robert Pressley, [robert.pressley@buncombecounty.org](mailto:robert.pressley@buncombecounty.org)
- Lyuba Zuyeva, [lyuba@landofsky.org](mailto:lyuba@landofsky.org)

NCDOT sent a formal Local Officials' Informational Meeting invitation by mail on May 1, 2017.

The local officials meeting began at 10:00 am. Three local officials signed in at the meeting: Tristan Winkler, French Broad River Metropolitan Planning Organization (MPO); Vicki Eastland, Land of Sky Rural Planning Organization (RPO), and Lyuba Zuyeva, French Broad River MPO. Joe Belcher, Buncombe County Board of Commissioners District 3, signed in at the Combined Public Hearing. No formal presentation was offered, and the local officials were addressed individually. In general, feedback about the inclusion of roundabouts for traffic control at intersections was positive. Ms. Zuyeva also inquired about the cost estimate for the sidewalks on the proposed Liberty Road grade separation.

## **Informal Combined Public Hearing**

**Date:** May 23, 2017

**Time:** 4:00 to 7:00 pm

**Place:** Francis Asbury United Methodist Church, 725 Asbury Road, Candler

The Informal Combined (Corridor/Design) Public Hearing was held in the Francis Asbury United Methodist Church Gymnasium (725 Asbury Road, Candler) beginning at 4:00 pm. In addition to postcard invitation distributed to the project mailing list, NCDOT ran advertisement in the following newspapers:

- *Asheville Tribune* – April 27, May 4, May 11, and May 18, 2017
- *Mountain Xpress* – April 26, May 3, May 10, and May 17, 2017
- *Asheville Citizen Times* – April 26, April 30, May 3, May 7, May 14, May 21, and May 22, 2017
- *Asheville Daily Planet* – April 26, April 30, May 3, May 7, May 14, May 21, and May 22, 2017

Additionally, NCDOT ran radio advertisements for five workdays beginning on May 16, 2017 on local Asheville stations. These advertisements were made as a part of the morning and evening “traffic reports”.

The public hearing was an informal open house format, allowing the public to speak directly with project team members. In addition to the project team and local officials, 195 people signed in at the public hearing. Attendees were provided a handout (**Attachment 1**) containing a variety of information about the project, including:

- the purpose and format of the meeting;
- how public input would be reviewed;
- the project status and current schedule;
- the project purpose and need;
- the environmental impacts and cost estimates reported in the EA;
- description and graphics of the build alternatives;
- project contacts;
- the Title VI Public Involvement Form; and
- the comment sheet.

Two sets of the Public Hearing Maps were displayed on the walls and a third set of maps was laid out on tables in the center of the gymnasium. Additionally, a Traffic Noise Station, Right of Way and Relocation Assistance Station, and Roundabout Informational Station – which included a continuously running video of how to drive a roundabout – were staffed and available for the public to visit. Two copies of the EA were laid out on tables for public review. A Kid’s Table and three Comment Tables were set up. Informational boards about the Project Timeline, National Environmental Policy Act (NEPA) Study Process, a map of Other Funded STIP Projects in the Project Vicinity; and Impacts of the Alternatives summary table, were arranged around the gymnasium, as well.

A news crew from WLOS in Asheville signed in at the Public Hearing.

Many attendees own property in the direct vicinity of the proposed project. Ninety-six (96) comments were received during the comment period, which ended June 23, 2017 (**Attachment 2**). One comment letter received from members of the Vistas of Westfield community includes 72 signatures (**Attachment 3**). Two individuals who signed the community letter also submitted individual comments that more-or-less reiterated the points expressed in the community letter; these duplicates were not counted twice in the summary below.

As shown in **Table 1**, most people who submitted comments preferred the Partial Cloverleaf Interchange Alternative. Overall, comments indicate that the public based their preference on which alternative had the least amount of impacts on their, and their neighbors, property. The lowest cost estimate and traffic flow were also commonly referenced.

TABLE 1: PUBLIC PREFERENCE OF ALTERNATIVE		
ALTERNATIVE	PUBLIC PREFERENCE	
	Count	Percent
Partial Cloverleaf Interchange ("Alternative 2" in prior public meetings)	59	61.5
Half Cloverleaf Interchange ("Alternative 3" in prior public meetings)	9	9.5
No Preference/None	28	29
<b>Total</b>	96	100

*Note on Public Preference:* There was some confusion at the public hearing regarding the build alternatives' names. Multiple attendees asked, "Which one is Option 2"? This is likely the result of the August 2016 Public Meeting where three build alternatives were presented for public comment and were numbered: Alternative 1 (Diamond Interchange) (since dismissed from detailed study), Alternative 2 (Partial Cloverleaf Interchange), and Alternative 3 (Half Cloverleaf Interchange). A stakeholder (Michelle Pace-Wood) was passing out small pieces of paper at the public hearing that included a list of five comments (**Exhibit 1**). One of the comments reads, "I prefer the #2 interchange plan". Several people used all five comments verbatim, others appear to have picked and chosen from the list. Individuals at the hearing, including Michelle Pace-Wood, were told that the Partial Cloverleaf Interchange corresponds to the Alternative 2 (or "Option 2") presented at the August 2016 Public Meeting. Commenters who preferred "#2 interchange plan" or "Option 2" were placed within the Partial Cloverleaf preference. Further, it became clear immediately following the meeting that people were still viewing the August 2016 Alternative maps on the project website. Those comments that were received through NCDOT's "Contact Us" online comment system after the meeting that stated a preference for Alternative 2, or "Option 2", were also placed in the Partial Cloverleaf preference.

General comment themes were extracted where possible. The most common themes are enumerated in **Table 2**.

1. I support the new Liberty Rd interchange
2. I would like better access from Dogwood to Bojangles'
3. I prefer the #2 interchange plan
4. I would like to see more speed reduction measures on Liberty Rd.
5. I would like to see flower beds in the middle of the roundabouts

**Exhibit 1. Small pieces of paper with five suggested comments were distributed at the Public Hearing by Michelle Pace-Wood.**

TABLE 2: RECURRING COMMENT THEMES	
COMMENT THEME	FREQUENCY
Support Project	36
Build Project As Soon As Possible	14
Disagree with Project Location and/or Analysis	6
Design-Related	28
Landscaping/Aesthetics Improvements	18
Noise Related	6
Speed Reduction Measures for Liberty Road	15

*Note that a single commenter may mention more than one theme.*

Several commenters specifically mentioned the proposed roundabouts. Eight individuals mentioned roundabouts positively and four individuals negatively. The letter from the members of the Vistas of Westfield community, containing 72 signatures, stated opposition to the proposed roundabouts (**Attachment 3**).

Several comments mentioned improvements outside the scope of this project, including curb and gutter on Monte Vista Road, widening Sardis Road, and improvements to the Sardis Road and Brevard Road intersection.

“What I Heard Forms” were filled out by several NCDOT and consultant staff present. The content of these forms mostly duplicated the written comments received. A few notes, however, were not represented in written comments. One attendee requested that they – and the public in general – be notified once the Preferred Alternative is selected. One attendee requested caution lights be installed in advance of the Monte Vista/Liberty Road intersection. Another individual noted that the well on parcel 123 also services parcel 124.

Unabridged public comments are included in the full Comment Matrix attached to this summary (**Attachments 2 and 3**). **Table 3** summarizes the design-related comments received. The “Comment No.” column from the full Comment Matrix (**Attachment 2**) is included in **Table 3** for reference. Of the 28 design-related comments, 18 refer to access to Bojangles’ via Dogwood Road. These comments are combined into a single comment for the purposes of this summary; however, the comment numbers are listed. Other comments were grouped based on areas along the project; therefore, the comment numbers will not appear sequentially.

Additional design considerations were raised by members of the Vistas of Westfield community. Due to the scope and breadth of the community’s comments, they are summarized separately following the table.

**TABLE 3: COMMENTS FROM PUBLIC REGARDING THE PROJECT DESIGN**

Comment No. (Comment Matrix)	Name	Comment	Response
7, 25, 49, 52, 54, 56, 63, 66, 68, 69, 71, 74, 75, 78, 80, 84, 85, 86	Jeffrey, Ken, Lori, Michelle, Eden, Cami, Cristine, Lynda, Shelby, Kennedy, Sharon, John, Margaret, Paula, Lindsey, Andrea, Tammy, Teddy	Better access to the Bojangles' directly from Dogwood Road to provide better access and ease congestion at the U.S. 19/23/N.C. 151 intersection.	<p>NCDOT will continue to explore access options to Bojangles'. The current design allows travelers to make a right turn onto the proposed Liberty Road and make a U-turn at the U.S. 19/23 signal. The current intersection design accommodates U-turns by passenger vehicles. Southbound Liberty Road left turns will be "protected" (i.e., green arrow), allowing protected U-turns to northbound Liberty Road. Right turn from westbound U.S. 19/23 will not be permitted (i.e., red arrow) at the same time as the southbound Liberty Road protected left turns. Alternately, travelers may make a left onto U.S. 19/23 and a left onto northbound Liberty Road.</p> <p>A full movement driveway onto Dogwood Road would not comply with NCDOT's <i>Policy on Street and Driveway Access to North Carolina Highways</i> (July 2003) by introducing an access connection within the "functional area of the intersection". In addition to meeting Dogwood Road approximately 60 feet from the proposed intersection (NCDOT'S <i>Policy</i> recommends 130 feet for rural, 35 mph conditions), it occurs in a sharp curve which contributes to an unsafe condition. NCDOT may restrict access to right-in/right-out or other limited movement through the addition of a raised median on Dogwood Road.</p> <p>NCDOT does not support providing a median break for Liberty Road between U.S. 19/23 and Dogwood Road due to the spacing between the two proposed signals.</p>

**TABLE 3: COMMENTS FROM PUBLIC REGARDING THE PROJECT DESIGN**

Comment No. (Comment Matrix)	Name	Comment	Response
11	Bradley	Intersection at Smokey Park Highway – right hand lane needs to be turn only. Cemetery exit (onto Dogwood Road)?	<p>The right-hand lane on southbound Liberty Road should be a right-turn only onto U.S. 19/23, as stated. The hearing map will be updated to reflect this change.</p> <p>NCDOT will coordinate with the Pisgah View Memorial Park cemetery to determine an acceptable solution to the proposed loss of the driveway on Dogwood Road.</p> <p>Like the response regarding access to Bojangles’, a portion of the current Dogwood Road may be repurposed as an extended cemetery driveway. Allowing access north to Dogwood Road would result in similar operational and safety issues as those described above.</p>
41	Bob	The proposed Dogwood Road intersection with the proposed Liberty Road connects too close to U.S. 19/23. With the short space shown on the map, the queue line is insufficient. Traffic will back up both on Dogwood and Liberty Road. If the Dogwood Road intersection could be moved north to the lettering “Philip H. Roberson” writing it would allow traffic to enter the new exit road and prevent traffic backups on Dogwood Road and the exit. It would require another bridge over the creek, but alleviating the problem before construction is far better than having to live with a preventable problem or having to reconstruct later.	<p>In the current design, the U.S. 19/23 intersection with Liberty Road is approximately 500 feet south of the proposed Dogwood Road intersection. According to the traffic analysis, the proposed Liberty Road and Dogwood Road intersection will operate acceptably in the design year (i.e., 2040). Further, the traffic analysis indicated that the current design provides sufficient storage length on the proposed Liberty Road to prevent left-turn queues from spilling back into through lanes.</p> <p>Another bridge over Pole Creek introduces additional design challenges, as well as increased construction and maintenance costs. NCDOT will monitor the proposed Liberty Road intersections in this area and consider future improvement projects, through the local planning process, if needed.</p>

**TABLE 3: COMMENTS FROM PUBLIC REGARDING THE PROJECT DESIGN**

Comment No. (Comment Matrix)	Name	Comment	Response
26	Geraldine	Please consider using the land across from me [parcel 81]. There is no one living in the cabin there above the curve. Maybe you could consider a retaining wall. Or a bigger ditch. I would really like to stay here.	NCDOT has implemented design revisions to avoid and minimize impacts to this parcel.
28	Amanda	If you are going to put it there [Valley View Drive connection] could you at least put the access road up against my property line with [parcel] #48 and #54 so that I won't lose the property in between the access road and properties #48 and #54?	<p>In the Partial Cloverleaf Interchange Alternative, the proposed Valley View Drive connection travels through parcel 49. In the Half Cloverleaf Interchange Alternative, parcel 49 is a residential relocation.</p> <p>NCDOT has implemented design revisions in the Partial Cloverleaf Interchange Alternative that shifts the proposed Valley View Drive connection to the west to the extent possible within parcel 49.</p>
91	Herbert	<p>1) Where the new access road to Valley View Drive and Whispering Oaks intersects with the new Liberty Road and the old Liberty Road in a four-way intersection needs to have a roundabout or traffic signal (preferably roundabout). This will be dangerous with just stop signs. Putting another roundabout there would be taking pro-active steps for traffic safety - might save a life.</p> <p>2) Concerning the new section of access road between Valley View Drive and Whispering Oaks. The property it is going to cut across in the Partial</p>	<p>NCDOT has examined this intersection and determined that the existing and projected peak hour turn movements do not warrant a traffic signal at this location. Therefore, a stop sign control is included in the current design. The stop sign will adequately and safely accommodate the projected 2040 traffic volumes. If traffic conditions change in the future, there are options for evaluating higher level traffic controls (e.g., roundabout or traffic signal) at the Valley View Drive intersection with Liberty Road.</p> <p>NCDOT has implemented design revisions in the Partial Cloverleaf Interchange Alternative that shifts the proposed Valley View</p>



**TABLE 3: COMMENTS FROM PUBLIC REGARDING THE PROJECT DESIGN**

Comment No. (Comment Matrix)	Name	Comment	Response
		Cloverleaf Interchange plan belongs to my daughter, Amanda R. Cole (#49) at 3 Valley View Drive. If you could locate the edge of the ROW out to the property line to the west that would have much less impact on her property value. As it is drawn now, there is a considerable amount of property that would be left completely unusable.	Drive connection to the west to the extent possible within parcel 49.
92	Michael	Where Valley View Road connects to the new road there should be a stop light or roundabout instead of stop signs. This could be dangerous crossing over to reach I-40. Also, has there been any consideration for the deer population in the area.	<p>NCDOT has examined this intersection and determined that the existing and projected peak hour turn movements do not warrant a traffic signal at this location. Therefore, a stop sign control is included in the current design. The stop sign will adequately and safely accommodate the projected 2040 traffic volumes. If traffic conditions change in the future, there are options for evaluating higher level traffic controls at the Valley View Drive intersection with Liberty Road.</p> <p>The proposed Liberty Road bridge over Pole Creek would provide passage for deer and other wildlife under the roadway.</p>
96	Reuben	Liberty Road, and associated -Y-lines should include a minimum 5-foot paved shoulder to accommodate bicycles and pedestrians.	<p>The proposed 4-lane section (Liberty Road south of I-40) includes 8-foot shoulders (4 feet would be paved). The proposed Liberty Road grade separation over I-40 includes 8-foot shoulders. The proposed 2-lane section (Liberty Road north of I-40) includes 4-foot shoulders (2 feet would be paved).</p> <p>NCDOT’s “WalkBikeNC” Plan (2013) states that a five-foot (or more) paved shoulder is preferred on facilities with a posted</p>

**TABLE 3: COMMENTS FROM PUBLIC REGARDING THE PROJECT DESIGN**

Comment No. (Comment Matrix)	Name	Comment	Response
			<p>speed limit of 55 miles per hour (mph). The proposed speed limit for Liberty Road is 45 mph. The proposed four-foot paved shoulder is adequate in this condition, and will also provide an improved condition, over existing, for pedestrians.</p> <p>NCDOT reduced the shoulder section north of I-40 from 8-foot shoulders (4 feet would be paved) to the current proposed 4-foot shoulders (2 feet would be paved) to avoid several residential relocations. NCDOT will not expand the typical section north of I-40.</p> <p>Buncombe County has expressed interest in cost sharing the construction of 5-foot sidewalks on both sides of the proposed Liberty Road grade separation.</p>
—	What I Heard Form	The well in parcel 123 also services parcel 124.	NCDOT will account for the loss of water service through the right of way acquisition process and provide compensation to restore service, as needed.
—	What I Heard Form	Caution lights should be installed in advance of the Monte Vista/Liberty Road intersection.	The need for advance caution lights is not currently recommended in conjunction with either the signal or roundabout options. Appropriate signage and warning will be applied to either the signal or roundabout options in compliance with current NCDOT policies.

### Vistas of Westfield Community

Seventy-two (72) individuals signed the community's comment letter (**Attachment 3**) with three individuals providing comments at the public hearing but not signing the community letter (seventy-five [75] members of the community commented on the project). The community letter states that they "would appreciate your holding a meeting just for the residents of Vistas of Westfield" to discuss the following issues and design options.

Among the community's stated concerns, with NCDOT's responses following in *italics*:

1. **Control of access:** The community requests full control of access along the four-lane median divided section of the proposed Liberty Road from U.S. 19/23 to the interchange, citing anticipated negative impacts to their property values and traffic congestion if control of access is not provided.

*The current design for the 4-lane Liberty Road includes a raised center median, and allows left-turns at established intersections (i.e., proposed Dogwood Road and proposed Valley View Drive/ "Old" Liberty Road). Buncombe County is responsible for zoning regulations in this area, and any concerns regarding future development and allowable land uses should be directed to the county planning and zoning department. The south side of the proposed Liberty Road south of I-40 is paralleled by Young Branch which may constrain future development. Any potential future driveways and/or median revisions would be reviewed for operational and safety standards by NCDOT prior to implementation.*

2. **Noise:** The community believes that a noise study was not conducted for much of the Vistas of Westfield.

*The Public Hearing Maps included "noise study areas" that delineated a sub-set of receptors that were studied in the Traffic Noise Report (February 2017). NCDOT studied the potential for noise impacts to the Vistas of Westfield in its' entirety. However, the Public Hearing Maps only displayed the receptors that may be benefitted from the construction of "preliminarily feasible and reasonable" noise barriers. NCDOT determined that the proposed project would not result in a noise impact to most of the Vistas of Westfield community; therefore, these receptors were not included in the "Noise Study Areas" depicted on the Public Hearing Maps. A noise impact is defined in NCDOT's Traffic Noise Policy (October 6, 2016) as "a receptor for which the predicted hourly equivalent traffic noise level 1) meets or exceed the approach criteria value [67 decibels for Activity Category B – residential, and C – active sports areas, etc.] ... or 2) exceeds the existing ambient noise level by 10 dB(A) or more.*

3. **Privacy:** The community is concerned about unhindered views from the four-lane median divided section of the proposed Liberty Road to the community, specifically the community clubhouse and pool. They have requested a visual barrier along the proposed road, e.g. privacy fence, screen of trees, etc.

*The Vistas of Westfield are more-or-less bound by Pole Creek to the south and Little Pole Creek to the east. The community clubhouse and pool are in the southeast corner of the community. Both creeks*

*are bordered by trees. NCDOT will not impact these streams near the Vistas of Westfield and the project would not impact their vegetative buffers.*

4. **Move the U.S. 19/23 Intersection:** The community would prefer to see the four-lane median divided section of the proposed Liberty Road relocated to the east, as far from the Vistas of Westfield as possible. The community proposes that NCDOT cross Young Branch (a smaller creek, and thus shorter bridge, as opposed to the crossing of Pole Creek) and connect to Orchard Street, utilizing the FEMA buyout properties and purchasing the Miami Hotel which “desperately needs to be demolished”. The community proposes a connection road that crosses over U.S. 19/23 from Orchard Street and roughly parallels the north side of Hominy Creek to a new intersection with N.C. 151 just south of U.S. 19/23. The community sights the difficulties with the design at Dogwood Road as currently proposed for access to the Bojangles’ and gas station. The community suggests the current Dogwood Road intersection proposal would cause hazardous and unsafe conditions for emergency response vehicles from the Enka-Candler Fire Station on N.C. 151 south of U.S. 19/23. The community also requests the installation of sidewalks, particularly between Vistas of Westfield and “Dogwood Corners” (i.e., U.S. 19/23/N.C. 151) and a permanent solution to the “deteriorating bridge” (i.e., Dogwood Road over Pole Creek).

*Relocating the proposed Liberty Road south of I-40 would require additional engineering and environmental studies to determine the extent of potential impacts and would invariably delay the project schedule. Among considerations in the current alignment were the most direct connection to U.S. 19/23/N.C. 151 and the fewest stream crossings. Though Young Branch is a smaller channel, NCDOT would still have to cross Pole Creek (south of U.S. 19/23, as suggested) resulting in two bridges and extra construction and maintenance costs for the project. The current route provides a direct connection to N.C. 151 which is an important component of the project’s need and purpose (i.e., connectivity) to accommodate projected 2040 traffic volumes. As suggested, a connection to N.C. 151 south of U.S. 19/23 would result in additional new roadway length and resulting construction and maintenance costs.*

*If a route crossing Young Branch were constructed, NCDOT would have to clear a large expanse of forest to connect to Orchard Street. The FEMA buyout properties indicate potential challenges in constructing a roadway through this area. NCDOT would have to introduce fill through this section – which may not be feasible depending on the FEMA-regulated floodplain’s characteristics – or construct an elevated structure to raise the road out of the floodplain. These potential horizontal design challenges may make intersecting U.S. 19/23 challenging, too.*

*The Miami Motel and Restaurant (BN6291) is determined eligible for listing on the National Register of Historic Places (NRHP) by the State Historic Preservation Office (SHPO). The Miami Motel and Restaurant was determined eligible for listing on the NRHP under Criterion C in the area of architecture as an excellent surviving example of an early 1950s single-building roadside motel and a unique representation of a themed hotel in Buncombe County. The demolition of the property would*

*result in additional costs associated with mitigation of an adverse effect under Section 106 of the National Historic Preservation Act.*

*A connection road that crosses over U.S. 19/23 and roughly parallels the north side of Hominy Creek poses additional design challenges, and construction and maintenance costs. As mentioned, NCDOT would still have to bridge Pole Creek. The Norfolk Southern Railroad and the Candler Refuse Disposal Area (a pre-regulatory landfill site) pose additional constraints south of U.S. 19/23.*

*NCDOT routinely engages with local fire and emergency rescue services in the vicinity of their transportation projects to ensure these public services may be maintained during and after project construction. The Buncombe County Emergency Services and Deputy Fire Marshall have been engaged in this project and no such concerns have been raised by these service providers. The Enka-Candler Fire Station on N.C. 151, south of U.S. 19/23, will benefit from improved roadway connections included in this project.*

*The construction of sidewalks is completed through a cost sharing agreement between NCDOT and the local jurisdiction, Buncombe County in this instance. No sidewalks are currently proposed; however, NCDOT will continue to coordinate with Buncombe County to explore pedestrian/bicycle accommodations for this project. NCDOT currently proposes 4-foot paved shoulders on Liberty Road which is considered an improvement over the current roadside conditions on Dogwood Road.*

*Bridge 100294 (S.R. 1220/Dogwood Road over Pole Creek) was constructed in 1978 and has a bridge sufficiency rating of 75.81. The bridge is neither structurally deficient nor functionally obsolete based on NCDOT's February 15, 2017 List of Bridges and Current Status. There are no current plans to replace this bridge.*

**Access to and from Liberty Road at I-40:** The community is expressing concerns about the suitability of the proposed roundabouts, specifically with regards to trucks and trailers. The community is opposed to the roundabouts at the interchange ramp terminals. The community indicates the preference of "traffic lights" in lieu of the proposed roundabouts.

*The proposed roundabouts are designed to safely accommodate all vehicles. The interchange ramp terminal roundabouts were designed with a WB-67 design vehicle (according to American Association of State Highway and Transportation Officials [AASHTO] standards), which corresponds to a large semi-trailer, interstate truck with a 53-foot trailer (73.5 feet in total length).*

### **Comments on the Environmental Assessment**

The Environmental Assessment (EA) was signed on January 30, 2017 by FHWA and NCDOT and published for comment. Comments were accepted throughout the public comment period, ending June 23, 2017.

**Table 4** includes a list of agency comments on the EA and the date received. The U.S. Army Corps of Engineers (USACE) issued a Section 404 Public Notice on May 5, 2017. The end of the USACE comment period was June 5, 2017. One comment was received from the National Marine Fisheries Service (NMFS) stating the project would not occur near essential fish habitat. Agency letters are included in **Attachment 4**.

<b>TABLE 4: AGENCY COMMENTS ON THE ENVIRONMENTAL ASSESSMENT</b>			
<b>Representative, Agency</b>	<b>Date Received</b>	<b>Comment</b>	<b>Response</b>
Cynthia van der Wiele, Ph.D., USEPA	April 21, 2017	Multiple utilities are located within the project study area. Consequently, a medium to high level of utility lines will need to be relocated due to the road and interchange improvements. If the impacts from these utility relocations were not included in the table of impacts, the EPA requests that these be accounted for during NCDOT NEPA/404 Merger meetings as well as the Finding of No Significant Impact (FONSI) document.	As design continues, the location and relocation of utilities will be further evaluated. Impacts were calculated based on functional design slope stakes plus 40 feet to capture potential utility relocations and drainage requirements.
Lori Beckwith, USACE	June 5, 2017	The purpose of the project on page 4 is slightly different than it is on the CP1 form - "...between the Enka - Candler area and the City of Asheville" is not on the CP1 form. Please revise.	The project purpose will be revised in the FONSI.
	June 5, 2017	I didn't see it, but please correct me if I'm mistaken - it would be appropriate to include a discussion of logical termini in this NEPA document. Whether or not you include it in the EA, we'll need it for the USACE decision document, which we'll prepare after your final application is submitted.	NCDOT will provide a logical termini discussion to the USACE for their use in their decision document.
	June 5, 2017	Page 22 under invasive species - "NCDOT will manage invasive plant species as appropriate." What does this mean, exactly?	The last sentence has been revised to read, "NCDOT will manage the identified invasive plant species encountered within NCDOT's right of way through targeted spraying during construction."
	June 5, 2017	To make sure I have the correct number of residential relocations under the build alternatives - the Partial Cloverleaf would have 34 and the Half Cloverleaf would have 40 - is this correct?	This is correct, and what was reported in the EA. However, design revisions implemented for avoidance and minimization measures has reduced the overall number of residential relocations. NCDOT will provide the revised relocation numbers at CP 3.

<b>TABLE 4: AGENCY COMMENTS ON THE ENVIRONMENTAL ASSESSMENT</b>			
<b>Representative, Agency</b>	<b>Date Received</b>	<b>Comment</b>	<b>Response</b>
	June 9, 2017	The JD for this project has expired. I've coordinated with you/NCDOT (Erin Cheely) and believe the new JD request will be submitted soon (note - a PJD will suffice for permit issuance). As a reminder, the JD site visit will need to occur prior to the CP 3 meeting and the updated information concerning waters of the U.S. (for impact descriptions on the maps), if revised during the site visit, must be available to the Merger Team in the meeting packet.	Noted. NCDOT-NES will coordinate with USACE and revised/updated waters of the U.S. impacts and descriptions, as necessary, will be presented at CP 3.
	June 9, 2017	For the impact table for the CP 3 meeting packet - please ensure that the amount and type of impact is noted with specificity - e.g., 120 lf of relocation, 150 lf of bank stabilization, 39 lf of culvert, etc.	NCDOT will not have the appropriate level of design to make these distinctions prior to, or at, the CP 3 meeting. The amount of impacts will be reported based on updated functional design slope stakes plus forty feet.
	June 9, 2017	Once the ESA Section 7 consultation is complete, please ensure that we're copied on all FHWA/NCDOT determination documentation and concurrence letters/emails from the USFWS. I believe that the Gray bat is not resolved yet.	Noted. NCDOT will copy USACE on all appropriate Section 7 consultation.
Marella Buncick, USFWS	June 5, 2017	No specific comments.	—
Marla Chambers, NCWRC	March 13, 2017	We have reviewed the EA ... and are participating in the Merger process .... Our concerns and recommendations were outlined in our scoping comments, dated 5/7/2008, which were included in the EA document. Those comments remain valid and we would like to reiterate the importance of local action to minimize the secondary and cumulative effects on water quality and wildlife habitat, which can also protect the health quality of life of the public.	Comment noted.
Renee Gledhill-Earley, NCDNCR	February 23, 2017	No comment.	—
Kevin Barnett, NCDEQ	April 5, 2017	No concerns with the content of this document.	—



<b>TABLE 4: AGENCY COMMENTS ON THE ENVIRONMENTAL ASSESSMENT</b>			
<b>Representative, Agency</b>	<b>Date Received</b>	<b>Comment</b>	<b>Response</b>
David B. Mattison, NCDWM-Federal Remediation Branch	February 27, 2017	.... Two sites were identified within an approximate 1-mile radius of the proposed project as noted in the table below. The identified sites are not anticipated to affect the project or vice versa, however, if the construction encounters groundwater, it is recommended that site files be reviewed so that appropriate health and safety precautions can be implemented as needed. [ID# NONCD0002679 - Vulcan Materials; ID# NONCD0000162 - Candler Refuse Disposal Area]	Comment noted.
Deb Aja, NCDWM-Solid Waste Section, Western District	March 7, 2017	The review has been completed and has seen no adverse impact on the surrounding community and likewise knows of no situations in the community, which would affect this project from a solid waste perspective. During the construction and any demolition, every feasible effort should be made to minimize the generation of waste, to recycle materials for which viable markets exist, and to use recycled products and materials in the development of this project where suitable. Any waste generated by this project that cannot be beneficially reused or recycled must be disposed of at a solid waste management facility approved to manage the respective waste type. The Section strongly recommends that any contractors are required to provide proof of proper disposal for all waste generated as part of the project.	Comment noted.

<b>TABLE 4: AGENCY COMMENTS ON THE ENVIRONMENTAL ASSESSMENT</b>			
<b>Representative, Agency</b>	<b>Date Received</b>	<b>Comment</b>	<b>Response</b>
Intergovernmental Review Project Comments, NCDEQ	March 8, 2017	... 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. .... A) Dredge and Fill Permit, B) Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. ...., C) 401 Water Quality Certification, D) Notification of proper regional office is requested if "orphan" underground storage tanks (USTs) are discovered during any excavation operation, E) 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 ...., F) 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 Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.	Thank you for the comment. NCDOT will obtain the DEQ permit(s) and/or approvals noted to comply with state law.
Suzanne Mason, NCNHP	February 22, 2017	No comment.	—
Daniel Sellers, NCDOT-TPB FBRMPO	February 27, 2017	No comment.	—
John D. Brubaker, NCDEM-NC Floodplain Mapping Program	No date	No comment.	—