

FEDERAL, STATE, & OTHER CORRESPONDENCE



FEDERAL CORRESPONDENCE



47504 of the Act. Preliminary review of the submitted material indicates that it conforms to FAR Part 150 requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before November 22, 2006.

The FAA's detailed evaluation will be conducted under the provision of 14 CFR Part 150, section 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety or create an undue burden on interstate or foreign commerce, and whether they are reasonably consistent with obtaining the goal of reducing existing non-compatible land uses and preventing the introduction of additional non-compatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments relating to these factors, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps and the proposed noise compatibility program are available for examination at the following locations:

Federal Aviation Administration,
National Headquarters, Planning and
Environmental Division, APP-400,
800 Independence Avenue, SW.,
Room 621, Washington, DC 20591.

Federal Aviation Administration,
Western-Pacific Region Office,
Airports Division, Room 3012, 15000
Aviation Boulevard, Hawthorne,
California 90261.

Federal Aviation Administration,
Western-Pacific Region, San Francisco
Airports District Office, 831 Mitten
Road, Suite 210, Burlingame,
California 94010.

City of Fresno, Mr. Kevin Meikle,
Airport Planning Manager, 4995 East
Clinton Way, Fresno, CA 93727-1525.

Questions may be directed to the individual named above under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Hawthorne, California, on May 26, 2006.

Mark A. McClardy,

Manager, Airports Division, AWP-600,
Western-Pacific Region.

[FR Doc. 06-5158 Filed 6-6-06; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Henderson and Buncombe Counties, NC

AGENCY: Federal Highway
Administration (FHWA), DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for a multi-land widening of I-26 between NC 225 and I-40 in Asheville in Buncombe and Henderson Counties, North Carolina (TIP Projects I-4400 & I-4700).

FOR FURTHER INFORMATION CONTACT: Clarence W. Coleman, PE, Operations Engineer, Federal Highway Administration, 310 New Bern Avenue, Suite 410, Raleigh, North Carolina 27601-1418, Telephone: (919) 856-4350, extension 133 or Joseph S. Qubain, Project Manager, North Carolina Department of Transportation (NCDOT), 1548 Mail Service Center, Raleigh, North Carolina 27699-1548, Telephone: (919) 733-7844, extension 209.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the NCDOT, will prepare an EIS on a proposal to widen I-26 between NC 255 south of Hendersonville and I-40 near Asheville in Buncombe and Henderson Counties, North Carolina. The proposed project would be approximately 22.2 miles in length.

Improvements to the corridor are considered necessary to relieve forecasted congestion along the I-26 corridor. Alternatives under consideration include: (1) Taking no action; (2) Transportation Systems Management/Travel Demand Management (TSM/TDM) that incorporates operational improvements and demand mitigation programs and initiatives to meet the transportation demand within the I-26 corridor; and (3) a multi-lane widening of I-26 within the existing right-of-way that includes rehabilitation and widening of existing bridge structures within the project limits, including the Blue Ridge Parkway structure over I-26. The EIS will also include a regional cumulative impact study for the I-26 corridor.

To ensure that the full range of issues related to this proposed action is addressed and all significant issues are identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action, the EIS and the

cumulative impact study should be directed to the FHWA at the address provided above.

Issued on: June 1, 2006.

Thomas D. Riggsbee,

Area Engineer, Raleigh, North Carolina.

[FR Doc. 06-5201 Filed 6-5-06; 9:14 am]

BILLING CODE 4910-22-M

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad
Administration, DOT.

ACTION: Notice and request for
comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requirement (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collection of information was published on March 31, 2006 (71 FR 16412).

DATES: Comments must be submitted on or before July 7, 2006.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292), or Mr. Victor Angelo, Office of Support Systems, RAD-43, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6097). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Pub. L. 104-13, § 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On March 31, 2006, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB

Concurrence Point Number 1: Project Purpose and Need

Merger Project Team Meeting Agreement

Concurrence Point Number 1: Project Purpose and Need

Project Name/Description: I-26, Widen from US 25 in Hendersonville in Henderson County to I-40/I-240 in Buncombe County (study area boundary shown on Figures 1-2a, b, c)

TIP Project: I-4400/I-4700

The needs to be addressed by this project include:

- Improve existing and projected roadway capacity deficiencies.
- Improve insufficient pavement structure and deteriorating existing road surface conditions.

The purpose of the proposed improvements to I-26, from US 25 in Henderson County north to I-40 in Buncombe County, is to reduce congestion, with a goal of achieving an overall LOS D in the design year (2040), and improve the pavement structure.

The Project Team has concurred on this date of **June 20, 2013**, on the above mentioned project purpose and need for TIP Project I-4400/I-4700.

USACE <u><i>Stephanie A Beckwith</i></u>	NCDOT <u><i>Andrea Major</i></u>
USERA <u><i>[Signature]</i></u>	USFWS <u><i>Walker C. Swick</i></u>
WRC <u><i>Masha Chambers</i></u>	FHWA <u><i>Michael J. Gentry</i></u>
DWQ <u><i>[Signature]</i></u>	SHPO <u><i>Russell M. Eckert</i></u>
TVA <u><i>Ashley K. Faulstich</i></u>	FBRMPO <u><i>[Signature]</i></u>
EBCI <u><i>[Signature]</i></u>	NPS _____

Concurrence Point Number 2: Detailed Study Alternatives Carried Forward

Merger Project Team Meeting Agreement

Concurrence Point Number 2: Preliminary Alternatives to be Studied in Detail

Project Name/Description: I-26, Widen from US 25 in Hendersonville in Henderson County to I-40/I-240 in Buncombe County

TIP Project: I-4400/I-4700

Build Alternative 1 – “Best Fit” 6-Lane Widening Alternative: Alternative 1 would widen I-26 along the full project corridor to a 6-lane facility asymmetrically at locations that “best fit” the current roadway location and surrounding land uses. “Best Fit” locations will be evaluated and selected to improve the existing highway alignment, minimize impacts, and accommodate maintenance of traffic during construction.

Build Alternative 2 – “Best Fit” 8-Lane Widening Alternative: Alternative 2 would widen I-26 along the full project corridor to an 8-lane facility asymmetrically at locations that “best fit” the current roadway location and surrounding land uses. “Best Fit” locations will be evaluated and selected to improve the existing highway alignment, minimize impacts, and accommodate maintenance of traffic during construction.

Build Alternative 3 – “Best Fit” Traffic Report Recommendations Widening Alternative: Alternative 3 would widen I-26 as a hybrid of 6- or 8-lane segments at different locations along the project corridor. Widening to 6- or 8-lanes will be asymmetrical at locations that “best fit” the current roadway location and surrounding land uses and as outlined in the traffic report recommendations in specific areas. “Best Fit” locations will be evaluated and selected to improve the existing highway alignment, minimize impacts, and accommodate maintenance of traffic during construction.

The Project Team has concurred on this date of **June 20, 2013**, on the above mentioned preliminary alternatives to be studied in detail for TIP Project I-4400/I-4700.

USACE

Shirley A. Beckwith

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USEPA

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NPS

**PURPOSE AND NEED
AND
ALTERNATIVES CONSIDERED FOR I-26 IMPROVEMENTS**

From US 25 in Hendersonville in Henderson County to
I-40/I-240 in Buncombe County

Henderson and Buncombe Counties

STIP Project I-4400/I-4700

North Carolina Department of Transportation



MERGER CONCURRENCE POINTS 1 AND 2

June 20, 2013

[REVISED PER MERGER TEAM COMMENTS]

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1. INTRODUCTION

The North Carolina Department of Transportation (NCDOT), in cooperation with the Federal Highway Administration (FHWA), proposes transportation improvements to a segment of the I-26 corridor from US 25 in Henderson County, north to I-40 in Buncombe County. In September 2012, a Merger Screening Meeting was held. The consensus at that meeting was that the project should follow the Merger 01 process but could be removed from the process in the future, if appropriate. As such, this document is intended to include the information necessary for Merger Team members to make a determination for Concurrence Point Number 1: Project Purpose and Need as well as Concurrence Point Number 2: Preliminary Alternatives to be Studied in Detail.

This document includes the following sections: 1) Introduction, 2) Merger Concurrence Point 1 – Purpose and Need, 3) Merger Concurrence Point 2 – Alternatives Considered, 4) Project Schedule, and 5) Merger Project Team Agreement Signature Forms.

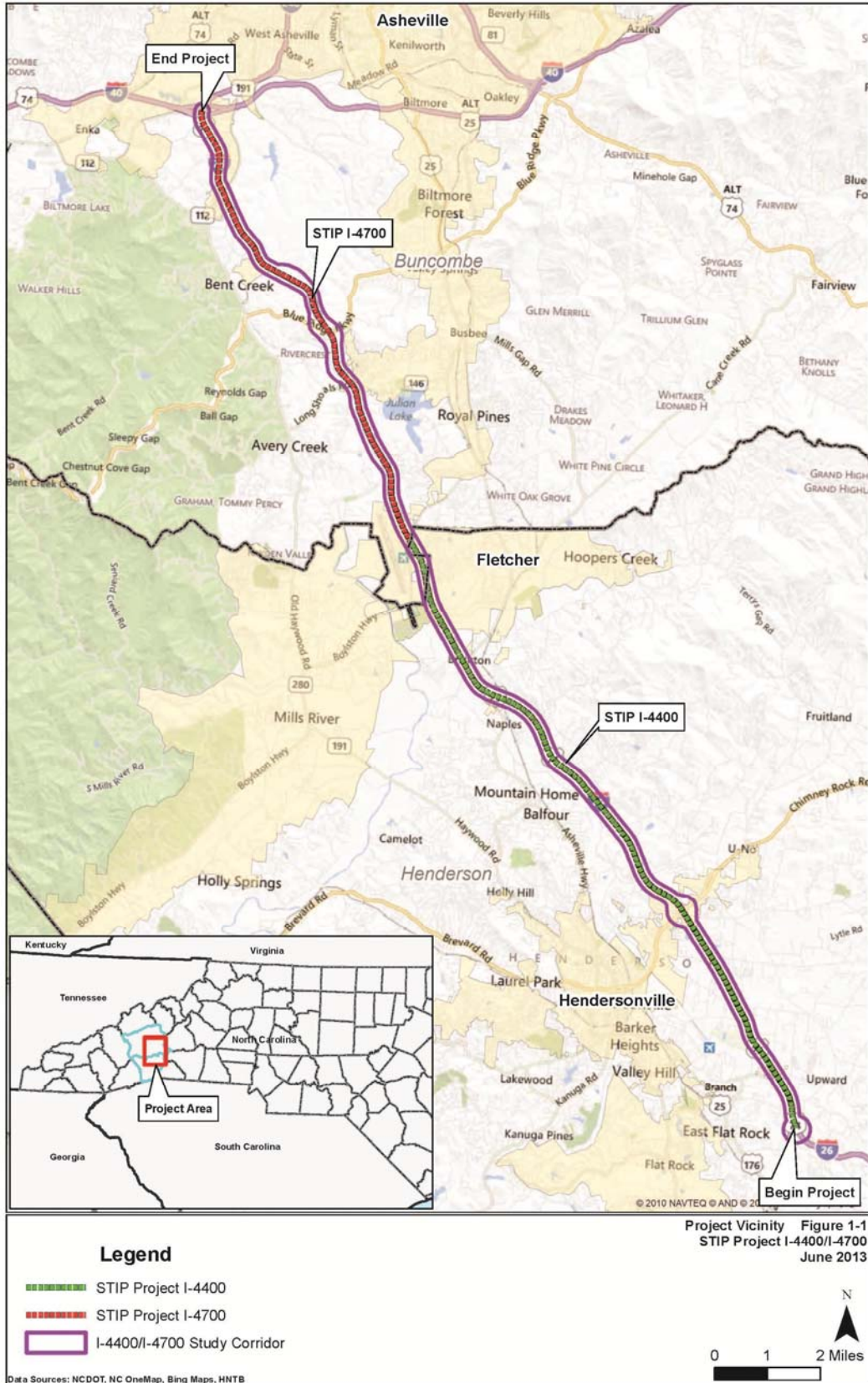
1.1 PROJECT BACKGROUND

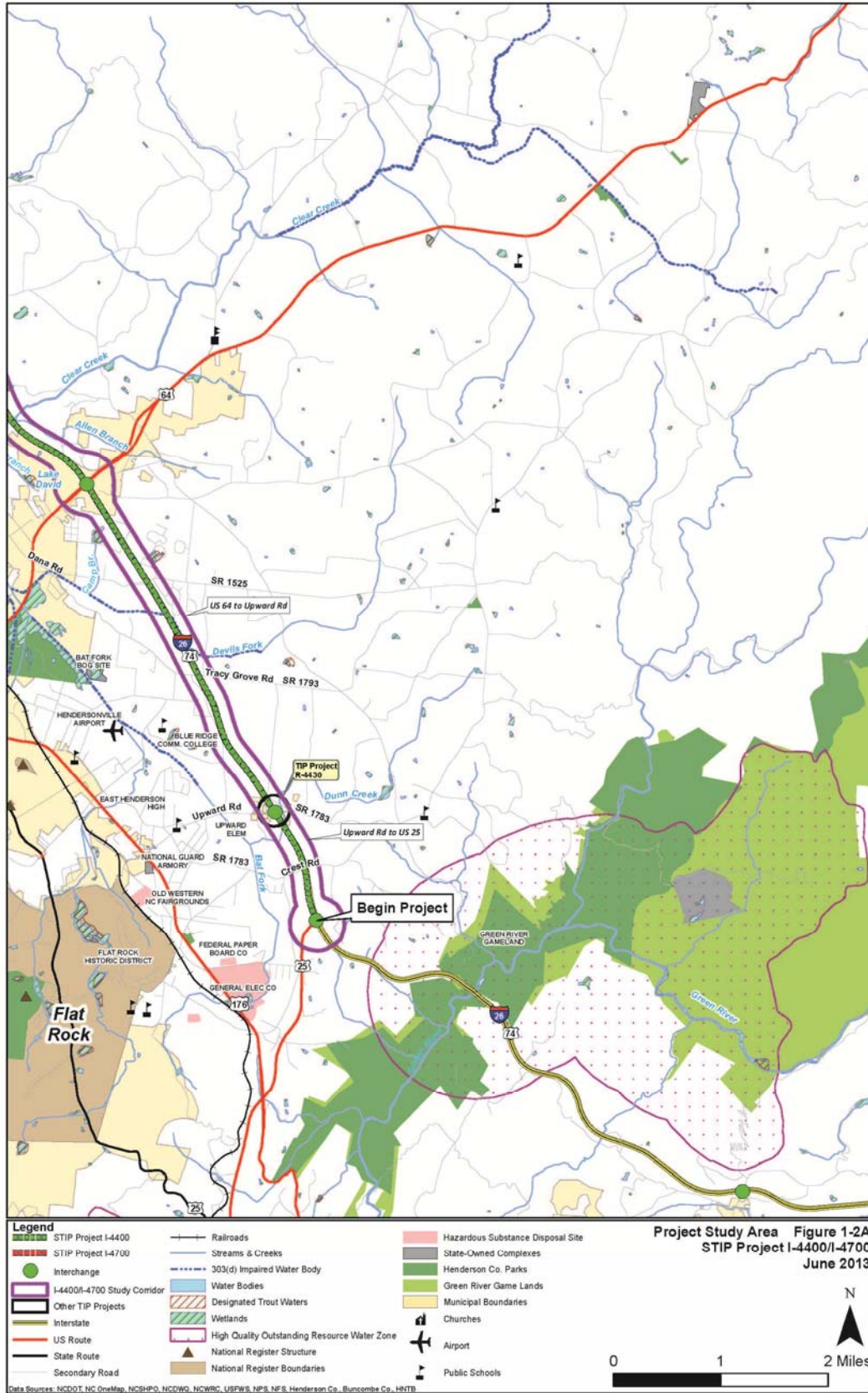
1.1.1 Project Setting

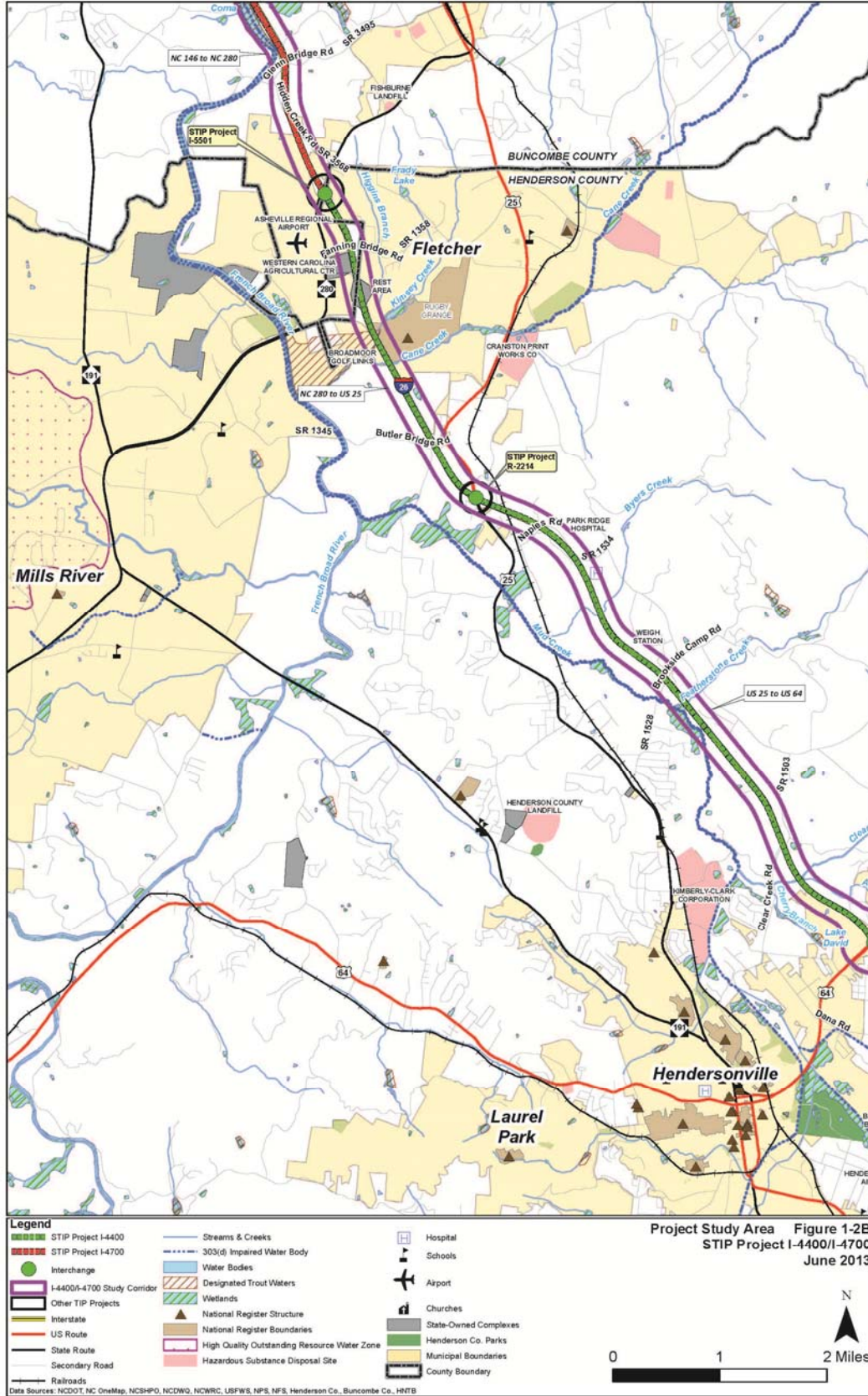
The project is located in northern Henderson County, just south of Hendersonville, and southern Buncombe County, just south of Asheville. **Figure 1-1** shows the general project vicinity. The Town of Fletcher is also in the nearby vicinity. The project study area boundaries consist of a generally 1,400ft wide corridor that follows existing I-26 along its footprint from US 25 in Henderson County, north to I-40 in Buncombe County. Expanded study areas have been included around interchanges incorporated into the I-26 project study as well as expanded study area around the Blue Ridge Parkway bridge, which has also been included in the project study. **Figures 1-2A, 1-2B, and 1-2C** illustrate the project study area.

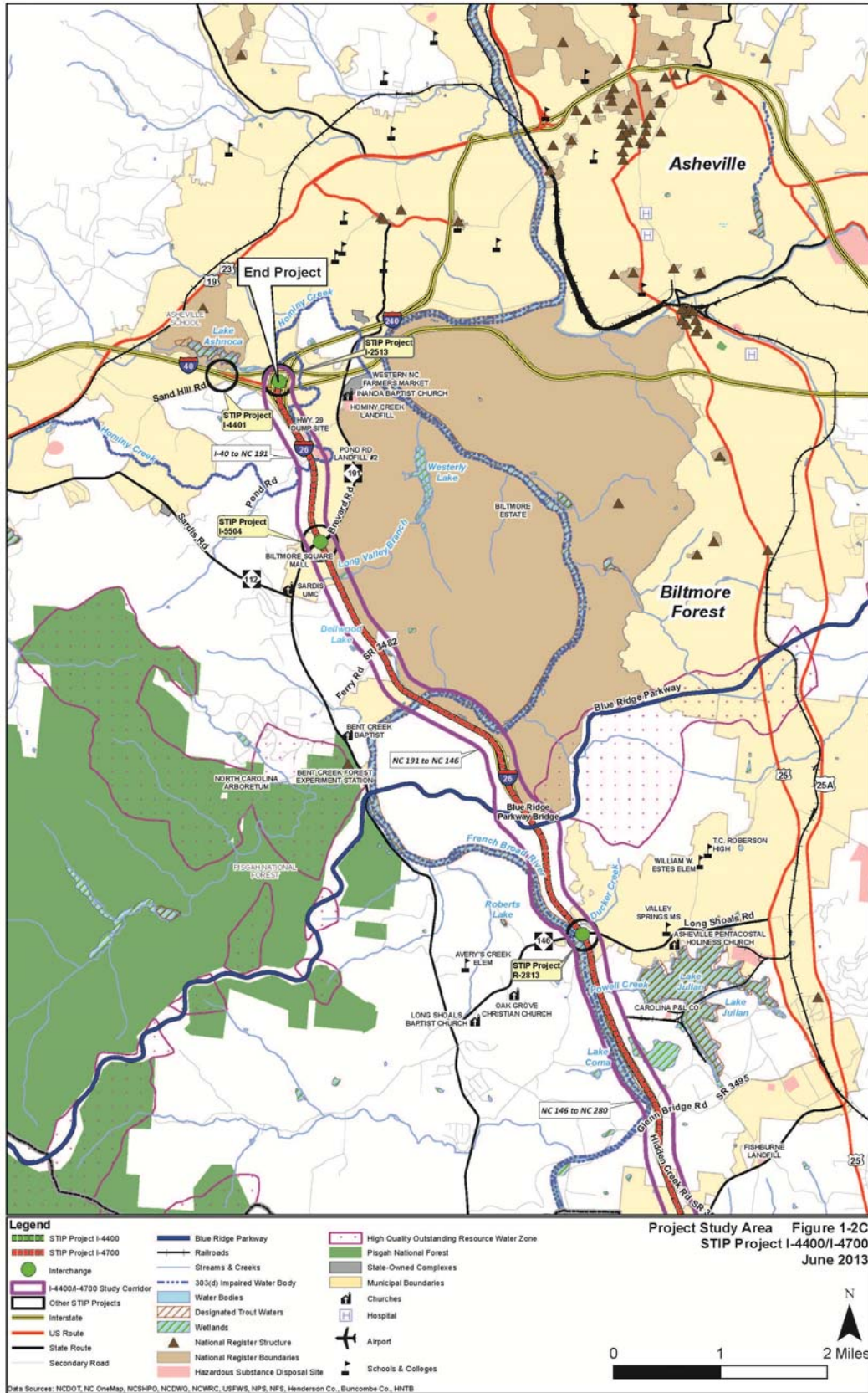
1.1.2 Project History

An Environmental Assessment was completed for STIP I-4400 (the 13.6 mile segment between US 25 and NC 280) in May 2001. A Finding of No Significant Impact was completed in January 2002 and, subsequently, the project was advertised as a Design-Build project by NCDOT. A lawsuit and resulting judgment in 2003 found that NCDOT should conduct a broader analysis of the cumulative impacts and logical termini, or project limits, of the overall expansion of the I-26 corridor. The project was subsequently placed on hold due to financial constraints. However, the growing need for improvements to the I-26 corridor was recognized and the project was reinitiated and included in the Draft NCDOT 2013-2023 STIP. In order to address the 2003 judgment, the NCDOT concluded to combine the analysis of STIP I-4400 with STIP I-4700 (the 8.6-mile segment between NC 280 and I-40) into one comprehensive Environmental Impact Statement (EIS). The EIS will address logical termini and cumulative effects in accordance with NEPA.









1.1.3 Public Involvement

The project was reinitiated in late 2012. Public comment was solicited at the first Citizens Informational Workshop held in January 2013. The consensus of the comments was in favor and support of the project and the expectation that the improvements and widening of I-26 in the project study area would facilitate improved traffic flow in the area. An additional Citizens Informational Workshop to gather further public input on detailed study alternatives is anticipated, as well as a Public Hearing after preparation of the Draft EIS.

2. MERGER CONCURRENCE POINT 1 – PURPOSE AND NEED

2.1 PROPOSED ACTION

The proposed action includes improvements to the approximate 22.2-mile segment of the I-26 corridor from US 25 in Henderson County, north to I-40 in Buncombe County. The proposed action is included in the Draft NCDOT *2013-2023 State Transportation Improvement Plan (STIP)* as project number I-4400/I-4700. The proposed action has also been identified in the French Broad River Metropolitan Planning Organization (FBR MPO) *Metropolitan Transportation Improvement Program (TIP) for FY 2011-2020*.

2.2 SUMMARY OF NEED

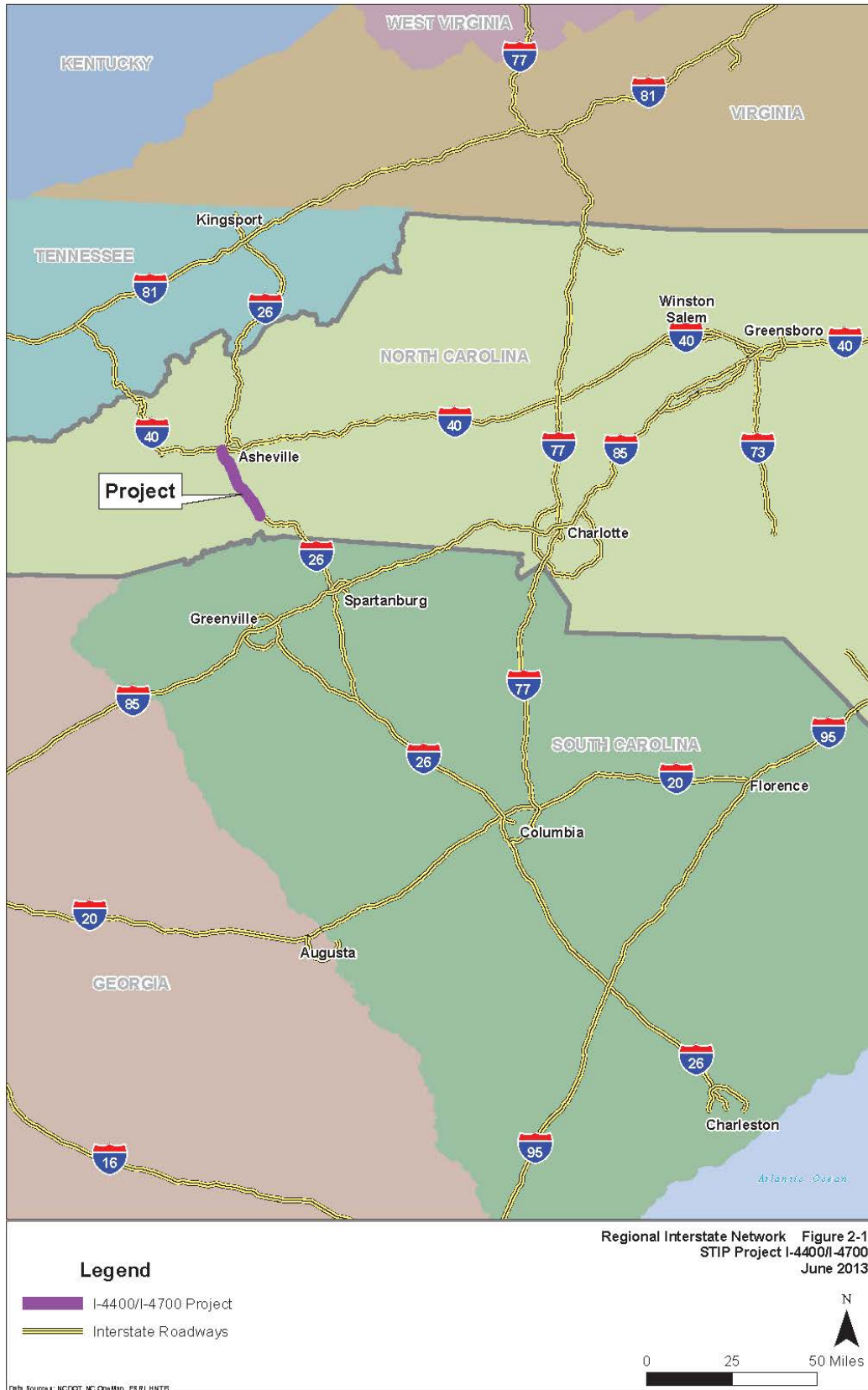
Interstate-26 is a major provider of travel for western North Carolina and the southeastern United States for the movement of both people and goods. **Figure 2-1** shows the I-26 corridor in relation to the regional interstate network. In a local function it serves as the main south-north facility for residents and business as well as providing direct access to the region's airport, Asheville Regional Airport. At the northern end of the project corridor, I-26 provides a connection to I-40, which is the major east-west corridor for the region as well as North Carolina. As a freight corridor, I-26 originates in the nation's fourth busiest container port of Charleston, South Carolina and connects the southeastern United States with the northeast via the connection with I-81 near Kingsport, Tennessee. With its current traffic demand, I-26 is approaching capacity and is anticipated to operate over capacity by design year 2040. The following sections summarize the needs for the proposed action.

2.2.1 Existing and Projected Roadway Capacity Deficiencies

Currently, I-26 in the study area is a four-lane facility with eleven existing grade-separated crossings and eight existing interchanges. Congestion is high, with sections of I-26 in the project study area currently operating at an unacceptable Level of Service (LOS) F. As projected traffic volumes increase, more sections of I-26 within the project study area are projected to degrade to LOS F.

2.2.2 Inability to Serve High-Speed Regional Travel Consistent with the Designations and Goals of State and Local Transportation Plans

The FBR MPO's 2035 Long Range Transportation Plan (LRTP) has identified improvements to the I-26 corridor in the project study area and considers them high-priority projects. Because of its statewide and regional importance, I-26 has been designated as a Strategic Highway Corridor (SHC) by NCDOT and is part of the North Carolina Intrastate System. Both designations call for this corridor to



serve high-speed regional travel. The existing study area corridor of I-26 is designated as part of the National Highway System's (NHS) Strategic Highway Network (STRAHNET). Existing and projected poor LOS along the I-26 project study corridor diminish the roadway's ability to function as part of the STRAHNET.

2.2.3 Existing Road Surface Conditions

The existing section of I-26 along the study corridor in Henderson County from US 25 north to approximately mile marker 50.3 is asphalt, while the remaining portion north to the Buncombe County line is concrete. The project section of I-26 in Buncombe County from the county line north to NC 146 is concrete, while the remaining section north to I-40 is concrete overlaid with asphalt. The existing surface has undergone major rehabilitation twice, including diamond grinding the concrete, with the latest being in 2011. In addition, during past rehabilitation efforts Divisions 13 and 14 replaced slabs and repaired joints. With the current load and volume of traffic, the facility is again showing signs of deterioration. Additional rehabilitation will not suffice for providing a quality facility because of the lack of depth of remaining concrete. Reconstruction of I-26 in the project study area will provide full depth pavement and the quality needed for high-speed, safe, and efficient travel.

2.3 SUMMARY OF PURPOSE

The purpose of the proposed improvements to I-26, from US 25 in Henderson County north to I-40 in Buncombe County, is to reduce congestion, with a goal of achieving an overall LOS D in the design year (2040), and improve the pavement structure.

2.4 EXISTING ROADWAY CONDITIONS

2.4.1 Existing Roadway Characteristics

Interstate-26 is listed as a freeway on the NCDOT 2004 Strategic Highway Corridor Vision Plan, revised July 2008. The studied portion of I-26 measures a distance of 22.2 miles and runs south-north through Henderson and Buncombe Counties as a four-lane, median-divided, full control-of-access facility between US 25 (Exit 54) in Henderson County and I-26/I-40/I-240 (Exit 31) in Buncombe County. This section of I-26 also carries the US 74 designation. The project area includes eleven existing grade-separated crossings and eight existing interchanges. In Henderson County, I-26 has interchanges with US 25, Upward Road (SR 1722), US 64, US 25 (Asheville Highway), and NC 280 (Airport Road). In Buncombe County, I-26 has interchanges with NC 280 (Airport Road), NC 146 (Long Shoals Road), NC 191 (Brevard Road), I-40, and I-240. The Blue Ridge Parkway has a grade separated crossing but no direct access. The speed limit of I-26 varies from 65 miles per hour (mph) in southern Henderson County to 60 mph in northern Henderson County, into Buncombe County, and up to I-40.

2.4.2 Existing Roadway Conditions

With limited alternative south-north routes, automobile and truck-freight through traffic utilizing I-26 are forced to share the facility with local traffic, creating several areas of congestion during peak travel periods on I-26. The I-26 corridor in the study area experiences a seasonal increase in traffic volume during the summer and fall months as tourists visit the region for recreational activities and fall foliage viewing. **Table 1** lists the 2011 annual average daily traffic (AADT) along the project section of I-26.

Accompanying this 2011 data are the existing capacities, in vehicles per day (vpd), of I-26 freeway sections based upon existing roadway characteristics. The freeway capacities vary minimally through the corridor due to the changes in the free flow speed and truck percentages. The impact of freight movement along I-26 contributes greatly to capacity issues as well as congestion.

2.4.3 Projected Conditions

Daily traffic forecast volumes for the year 2040 are based on the French Broad River Travel Demand Model (FBR TDM), adopted March 25, 2010, that takes into account the region’s socio-economic data for employment and household projections, along with historical growth rates. **Table 1** lists current daily service volumes, 2011 AADT in vpd, 2011 LOS, 2011 V/C, projected year 2040 AADT in vpd, projected year 2040 LOS, and projected year 2040 V/C. The majority of the facility currently operates at LOS D or worse, with the entire facility operating at LOS F in the future (2040).

Table 1: Existing and Projected Traffic Volumes on I-26

I-26 Section	Current Daily Service Volume (vpd) ¹	2011 AADT (vpd) ²	2011 LOS ³	2011 V/C ⁴	Projected 2040 AADT (vpd) ²	2040 LOS ³	2040 V/C ⁴
I-40 to NC 191	62,000	80,000	F	1.29	89,200	F	1.44
NC 191 to NC 146	63,600	74,000	F	1.16	90,500	F	1.42
NC 146 to NC 280	63,600	70,000	F	1.10	81,700	F	1.28
NC 280 to US 25	62,800	55,600	D	0.89	79,300	F	1.26
US 25 to US 64	64,100	51,000	D	0.80	71,800	F	1.12
US 64 to Upward Rd	63,300	47,400	D	0.75	70,100	F	1.11
Upward Rd to US 25	63,300	43,600	C	0.69	73,600	F	1.16

Source: NCDOT TPB, 2/14/2012.

Notes: 1 – Based on Daily Service Volume for level of service E to F threshold from Highway Capacity Manual 2010, Equation 10-5, p. 10-12.

2 – 2011/2040 No-Build AADT, Project Level Traffic Forecast Report TIP Projects I-4400 / I-4700 / B-5178 / I-5501. 3 – LOS – Level of Service.

4 – V/C – Volume to Capacity ratio.

2.5 CRASH DATA

With I-26 currently carrying a substantial traffic volume, and projected to carry higher traffic volumes in the future, safety is an important consideration for the project. Without improvements, the number of crashes in this area is expected to grow. Traffic crashes are often the result of deficiencies in the capacity of a transportation facility. Crash data was collected for the project area and consisted of a 30.6-mile section of I-26 from I-40 in Buncombe County through Henderson County to SR 1142 (Holbert Cove Road) in Polk County, which constitutes the approximate project area. The additional area of I-26 from US 25 to Holbert Cove Road was included for the following reasons: 1) to match the I-4400/I-4700 traffic forecast limits, 2) to assess crash rates south of the US 25 interchange, within the immediate interchange influence area, and further south along I-26, 3) to include for potential US 25 Interchange Access Request that would require a safety review to the next adjacent interchange (Holbert Cove Road). The safety review of the I-26 section from US 25 to Holbert Cove Rd is generally consistent with the rest of the I-26 corridor and does not unduly influence crash rates along the corridor. For the reasons presented, the safety review limits are appropriate while differing from the defined project limits. For crash rate purposes this location is classified as an Interstate. There were 1,006 reported

crashes along this segment from July 1, 2009 to June 31, 2012. Of those crashes, 386 involved rear-end collisions. This type of crash is expected to occur where a combination of high traffic volumes and a large number of slowing, stopping, and/or turning movements cause interruptions to the traffic flow. There is a noticeable increase in crashes along the I-26 corridor in the project area during the months of June, July, and October, a result of the additional seasonal traffic utilizing I-26. **Table 2** shows the comparison of the crash rates for the analyzed section of I-26 versus the 2008-2010 statewide rate and the calculated critical rates with a 95 percent level of confidence for a comparable route type and configuration. Current crash rates exceed the statewide crash rates in the fatal category only and do not exceed the critical crash rates in any categories.

Table 2: Crash Data for I-26

Rate	Crashes	Crashes per 100MVM	Statewide Rate ¹	Critical Rate ²
Total	1,006	52.13	78.21	81.55
Fatal	9	0.47	0.43	0.70
Non-Fatal Injury	265	13.73	21.69	23.46
Night	248	12.85	22.26	24.05
Wet	201	10.41	20.08	21.78

Source: Safety Review for TIP I-4400/I-4700, I-26 from I-40 in Buncombe County through Henderson County to SR 1142 (Holbert Cove Road) in Polk County (NCDOT, 8/31/2012).

Notes: 1 - 2008-2010 statewide crash rate for all Interstates. 2 - Based on the statewide crash rate (95 percent level of confidence)

2.6 SYSTEM LINKAGE

2.6.1 Existing Road Networks

Interstate-26 interchanges with I-85 in Spartanburg, South Carolina, as it continues on to the port of Charleston, South Carolina, and with I-40 in Asheville, North Carolina, on its way to I-81 near Kingsport, Tennessee. I-26 interchanges with US 25, which serves the region as a north-south connection between Asheville, North Carolina, and Greenville, South Carolina and US 64, which serves the region as an east-west connection between I-77 in Statesville, North Carolina, and I-75 near Chattanooga, Tennessee. The intersecting of I-26 and I-40 in Buncombe County form the center of the region's transportation system. These two important freeways interconnect the region and carry the highest percentage of trips passing through the area, while their locations in proximity to populated areas, commercial areas, and the Asheville Regional Airport also serve a significant portion of the local travel demands.

With the region's topography, national forests, and the Biltmore Estate property forcing the transportation system to follow river valley basins south of Asheville, constraints are placed on the regional transportation system that limit its expansion as well as making parallel alternate routes or grid patterns difficult to nearly impossible to develop. Other roads located away from the river valley floor are often very steep with sharp curves, have little to no shoulders, and have limited sight distances. The result is that travel of all types is funneled onto the major roadways, creating areas of congestion during peak travel periods.

These limited roadway connections support the region's agricultural service and tourism industry with connections to major metropolitan centers such as Greensboro and Raleigh, North Carolina; Greenville, South Carolina; Atlanta, Georgia; and ports of call in Wilmington, North Carolina; and Charleston, South Carolina. The National Park Service's 469-mile Blue Ridge Parkway, which connects the Shenandoah

National Park in Virginia to the Great Smoky Mountains National Park in North Carolina with its crossing over of I-26 in Buncombe County, experiences local commuter traffic on some of its sections on a daily basis.

2.6.2 Transportation Plans

In conjunction with the FBR MPO, the NCDOT developed and adopted the MPO's Comprehensive Transportation Plan (CTP) in 2008. The recommendations in the CTP are based on forecasts of growth and development expected to occur in and around the planning area over the next 25 years. The CTP listed the I-26 corridor from US 25 in Henderson County to I-40 in Buncombe County as a High Priority project for the area. The CTP indicated that *"given the importance of this facility in serving south-north traffic demands, the lack of suitable alternative routes, the large percentage of trucks, and the seasonal peaking of recreational travel, maintaining a high level of service in this corridor is critical both to the safety and comfort of the traveling public, and to the regional economy."*

Prior to the CTP development, a transportation study of the area in and around Hendersonville known as Phase I was developed and approved with the local support by the Henderson County Transportation Advisory Committee. The Phase I plan contained recommended projects in the area of I-26 that could benefit this corridor, including a new facility known as the Balfour Parkway and a multi-lane widening of SR 1006 (Howard Gap Road) that would serve as a local, north-south alternative to I-26. The recently adopted Long Range Transportation Plan (LRTP) for the FBR MPO anticipates the I-26 corridor south of I-40 in Buncombe and Henderson Counties to have significant capacity deficiencies in the year 2030. The FBR MPO is evaluating alternatives to single-occupancy vehicle travel, including \$12 million identified in the LRTP to establish regional express bus-type service in combination with the I-26 corridor.

2.6.3 Modal Relationships

The study area accommodates several integrated modes of transportation. Aside from the freight movement component, these modes utilize facilities that connect to I-26. These connecting facilities link with I-26 via grade-separated interchanges that add to the regional significance of the I-26 corridor.

Public Transportation - Asheville Redefines Transit (ART) is the only Buncombe County fixed-route public transportation provider with service within Asheville and, through a connection with Mountain Mobility, to the Town of Black Mountain. Mountain Mobility, Buncombe County's community transportation system, is a rural community transportation program, as it does not operate a fixed route service. As a demand-responsive transportation provider, Mountain Mobility works with ART to coordinate a feeder service to ART's fixed-route service that serves Asheville and Black Mountain, as well as paratransit service to the Swannanoa and Weaverville communities.

Apple Country Transit provides a limited fixed-route and deviated fixed-route service, as well as subscription and dial-a-ride transportation services for citizens of Henderson County. Greyhound Lines, Inc. also provides passenger bus and package express service to the areas of Asheville and Hendersonville.

Air Service - The Asheville Regional Airport (AVL) is located nine miles south of Asheville at the I-26 and NC 280 (Airport Road) interchange. Asheville Regional is a class C-3 airport that contains a single 8,000-

foot runway with a full parallel taxiway and 163 acres reserved for terminal use. In 2010, AVL served over 725,000 commercial passengers with a significant amount of general aviation passengers. Currently, the airport is updating its master plan to add retail and commercial land uses to its property.

Route 6 of the Asheville Transit System serves the Asheville Regional Airport seven times a day. Route 6 serves as a connection or transfer between the Asheville Transit System and the Fletcher (Blue Route) Link of Apple Country Transit from Henderson County. The Fletcher route, known as 'The Link', of Apple Country Transit provides service between Hendersonville and the Asheville Regional Airport. The I-26 and NC 280 interchange area allows the two fixed-route transit services in the planning area to link Asheville, Weaverville, Black Mountain, Fletcher, the Airport, and Hendersonville.

Rail Service - The Norfolk Southern Corporation controls three major rail corridors that pass through the region to Tennessee, South Carolina, and eastern North Carolina with several short lines of connecting track. Two tracks of Norfolk Southern's 21,300-mile network intersect in Asheville. Passenger rail service is available through AMTRAK in Greenville, South Carolina. NCDOT has adopted a phased plan, with no specified time frame, to extend passenger rail service from Salisbury, North Carolina along the Norfolk Southern track to Old Fort and on to Black Mountain and Asheville.

Motor Freight Service - The movement of goods is essential to fueling regional and domestic economic economies. According to information contained in the FBR MPO 2035 LRTP, trucks are the primary freight mode represented in the region. The LRTP notes that the FBR MPO planning area exhibits a unique challenge in regards to freight due to geographical constraints that limit the number of routes available for the transport of truck freight traffic. The LRTP also cites a Traffic Survey report conducted by NCDOT in 2009 that reported Buncombe, Haywood, and Henderson County Interstate Freight Traffic Volume in the region. According to the report, estimated daily truck traffic accounted for up to 17.5 percent of the volume of the I-26 corridor in the project study area within Henderson County and 13.5 percent of the volume of the I-26 corridor in the project study area within Buncombe County. The presence of these trucks in the traffic mix greatly increases congestion and travel times along the I-26 corridor within the study area.

2.7 SOCIAL AND ECONOMIC CONDITIONS

2.7.1 Population and Employment

Population data from the US Census Bureau indicate that both Henderson and Buncombe Counties have experienced moderate growth from 2000 to 2010. The population in Buncombe County and Henderson County grew by 15.5 and 19.7 percent between 2000 and 2010, respectively, compared to 18.5 percent in North Carolina. According to population projections provided by the North Carolina Office of State Budget and Management, the population in both Buncombe and Henderson Counties grew at an annual rate of 1.7 percent between 2002 and 2012, which was similar to the State (1.6 percent) during the same time period. The annual population growth rate in Buncombe and Henderson Counties is expected to slightly decrease over the next 20 years, but will continue to grow between 2012 and 2032 (1.3 percent in Buncombe County and 1.4 percent in Henderson County) at a higher annual rate than the State (0.96 percent).

Data from the North Carolina Department of Commerce – Division of Employment and Security (DES) indicates that Buncombe County gained jobs at an annual rate of 0.5 percent between 2001 and 2011, while Henderson County lost jobs at an annual rate of 0.4 percent during the same time frame. The DES also produces labor projections for the Workforce Development Boards (WDB) in North Carolina. The DES predicts a 0.9 percent annual increase in jobs between 2008 and 2018 in the four-county Mountain Area WDB (Buncombe County, Henderson County, Madison County, and Transylvania County). Job projections beyond the year 2018 were not available at the time of this assessment. The services-providing sector employs the largest number of people in the Mountain Area WDB, accounting for 40.9 percent of total employment. The education and health services sector is the next largest employment sector, accounting for 12.1 percent of total employment. Most jobs are located in either Asheville or Hendersonville, and the I-26 corridor in the area provides the main link for commuting patterns.

2.7.2 Commuting Patterns

Most jobs are located in either Asheville or Hendersonville, and the I-26 corridor in the area provides the main link for commuting patterns. Commuting data available from the US Census Bureau for Buncombe County show that approximately 110,365 of workers 16 years and older commute to work. Of those workers, it is estimated that 98,673 utilized roadway facilities by driving alone or carpooling by car, truck, or van.

Commuting data available from the US Census Bureau for Henderson County show that approximately 44,124 of workers 16 years and older commute to work. Of those workers, it is estimated that 40,993 utilized roadway facilities by driving alone or carpooling by car, truck, or van.

2.7.3 Growth and Development Patterns

According to information contained in the FBR MPO 2035 LRTP, growth and development patterns within the area generally reflect growth in both residential areas and service businesses to support this growth. The plan notes that the region is a popular tourist destination and a major destination for retirees and others drawn to the region's high quality of life and natural and cultural amenities.

In Buncombe County, most employment is concentrated in Asheville with some additional development along the I-26 corridor just south of I-40. Many of the land-development changes in Buncombe County have involved residential development, with some additional employment-related development. The LRTP anticipates continued residential and commercial growth in Asheville and along the I-26 corridor south of Asheville.

In Henderson County, most employment is concentrated in Hendersonville with some additional employment in the Town of Fletcher and along the I-26 and US 64 corridors. Many of the land-development changes in Henderson County have involved residential development, with some additional employment-related development. The LRTP anticipates continued residential and commercial growth along the I-26 corridor adjacent to and north of Hendersonville north to Fletcher.

2.8 LAND DEVELOPMENT PLAN

The region has experienced a unique economic transition over the past several decades as its traditional focus on the service and tourism industry has been accompanied by a focus on niche businesses in the region as well as a growing influx of retirees.

On a daily basis, tourists use I-26 to access points of interests such as the Biltmore Estate, Pisgah National Forest, Blue Ridge Parkway, the North Carolina Arboretum as well as connecting to I-40 for other destinations such as the Great Smoky Mountains National Park. Local jurisdictions attempt to regulate their land development while noting these interests and their associated traffic demand.

Buncombe County's land use plan was adopted in March of 1999. The plan was updated in June 2006 and takes into consideration the future widening of the I-26 corridor. It is intended as a guide for future commercial, residential, and industrial development. The plan notes that residential development in Buncombe County has experienced substantial growth. Marketed as a place for active retirees, Buncombe County has experienced a dramatic increase within the housing market for these retiring citizens. This residential growth has triggered a demand for services and has created development pressure that is affecting a number of conditions, including infrastructure. With a variety of mixed land uses along its corridor and concentrations of retail and commercial land uses at interchange locations that are anticipated to increase in density, I-26 serves as a critical connector for these adjacent retail and commercial land uses.

In 2004, Henderson County adopted the 2020 Comprehensive Plan and established an objective to achieve a balance between development and preservation. One of its objectives is to guide public officials in the development and management of growth and infrastructure. The plan notes that transportation is an important topic greatly affecting Henderson County residents and businesses. It also states that Henderson County must take an active role in ensuring that the transportation network adequately serves to enhance the economic vitality and quality of life of Henderson County. According to the plan, commercial land uses exist at I-26 interchanges with US 64 and NC 280 with a significant portion of the adjacent land between these interchanges as residential or undeveloped, but expected to become more developed in the future. Tourism has experienced significant growth in Henderson County over the last twenty years and is expected to maintain this high level, causing additional need for service oriented jobs and placing added demand on infrastructure.

3. MERGER CONCURRENCE POINT 2 – ALTERNATIVES CONSIDERED

3.1 SUMMARY OF ALTERNATIVES TO BE CONSIDERED

The identification, consideration, and analysis of alternatives are key to the NEPA process and the goal of objective decision-making. Consideration of alternatives leads to a solution that satisfies the transportation need and avoids and minimizes adverse impacts to environmental and community resources. This identification and consideration includes a No-Build Alternative, a review of Alternative Modes of Transportation in the project area, Transportation Systems Management and Transportation Demand Management alternatives, and an analysis of a reasonable range of Build Alternatives.

3.1.1 No-Build Alternative

The No-Build Alternative is the baseline comparative alternative for the design year (2040). The No-Build Alternative would not provide any substantial improvements to the I-26 corridor in the study area. Only typical maintenance activities would be provided along this section of I-26. The No-Build Alternative would incur neither right-of-way nor construction costs. There would be no short-term disruptions along existing roadways during construction. There would be no disruption to usage of the Blue Ridge Parkway during construction. There would be no impacts to streams, wetlands, or other natural and cultural resources, nor any residential or business relocation. However, the No-Build Alternative would not meet the purposes of and needs identified for the proposed project. It would not increase capacity nor reduce congestion. Although the No-Build Alternative would not reduce congestion, and thereby would not meet the project's purpose and need, the No-Build Alternative is recommended to be retained for additional screening so as to provide a basis for comparing the adverse impacts and benefits of the detailed study alternatives.

3.1.2 Mass Transit Alternative

The City of Asheville's ART provides bus service throughout Asheville and connects with Mountain Mobility to reach Black Mountain. Apple Country Transit provides limited fixed-route and deviated fixed-route service. Buncombe and Henderson Counties provide van transportation service for residents in need of transportation. Passenger rail service is not readily available in the project area. Expanded bus service and new rail alignments would not meet the project's purpose and need and would not be financially feasible within the time horizon under consideration. Therefore, the Mass Transit Alternative is not recommended as a detailed study alternative.

3.1.3 Transportation System Management Alternative

Transportation System Management (TSM) Alternative improvements typically involve low-cost, minor transportation improvements to increase the capacity of an existing facility, and do not include reconstructing or adding additional through lanes to the existing highway. TSM improvements on I-26 in the study area, such as ramp termini modifications, acceleration/deceleration lane lengths, and signing upgrades, would not noticeably reduce congestion. Therefore, the TSM Alternative would not meet the project's purpose and need and is not recommended as a detailed study alternative.

3.1.4 Transportation Demand Management Alternative

Transportation Demand Management (TDM) Alternatives typically include strategies that result in more efficient use of transportation resources by changing traveler behavior. Typically, TDM improvements do not involve major capital improvements. Such improvements can include staggered work hours, flex-time (employer focused), and ride-sharing. While ride-sharing strategies, including carpools and vanpools, can provide a flexible option to transit for some travelers, the ability of these voluntary programs to substantially reduce traffic volumes on particular roadways is minimal. Although TDM measures would help optimize the efficiency of traffic flow on I-26 in the study area, the highway would remain congested due to the projected high volumes of traffic. As such, the TDM Alternative would not meet the purpose and need of the project and is not recommended as a detailed study alternative.

3.1.5 Build Alternatives

Build Alternative 1: “Best Fit” 6-Lane Widening Alternative - Alternative 1 would widen I-26 along the full project corridor to a 6-lane facility asymmetrically at locations that “best fit” the current roadway location and surrounding land uses. “Best Fit” locations would be evaluated and selected to improve the existing highway alignment, minimize impacts, and accommodate maintenance of traffic during construction. The additional traffic lanes would increase capacity and reduce congestion. The Build Alternative 1 – “Best Fit” 6-Lane Widening Alternative would meet the purpose and need of the project and is recommended as a detailed study alternative.

Build Alternative 2 – “Best Fit” 8-Lane Widening Alternative - Alternative 2 would widen I-26 along the full project corridor to an 8-lane facility asymmetrically at locations that “best fit” the current roadway location and surrounding land uses. “Best Fit” locations would be evaluated and selected to improve the existing highway alignment, minimize impacts, and accommodate maintenance of traffic during construction. The additional traffic lanes would increase capacity and reduce congestion. The Build Alternative 2 – “Best Fit” 8-Lane Widening Alternative would meet the purpose and need of the project and is recommended as a detailed study alternative.

Build Alternative 3 – “Best Fit” Traffic Report Recommendations Widening Alternative - Alternative 3 would widen I-26 as a hybrid of 6- or 8-lane segments at different locations along the project corridor. Widening to 6- or 8-lanes would be asymmetrical at locations that “best fit” the current roadway location and surrounding land uses and as outlined in the traffic report recommendations in specific areas. “Best Fit” locations would be evaluated and selected to improve the existing highway alignment, minimize impacts, and accommodate maintenance of traffic during construction. The additional traffic lanes would increase capacity and reduce congestion. The Build Alternative 3– “Best Fit” Traffic Report Recommendations Widening Alternative would meet the purpose and need of the project and is recommended as a detailed study alternative.

4. PROJECT SCHEDULE

The following bullets outline the tentative project schedule. These major milestone target dates are preliminary and subject to change.

- Project Technical Reports 2013 – 2015
- Draft Environmental Impact Statement Late 2015
- Public Hearing 2016
- Final Environmental Impact Statement Late 2016
- Record of Decision 2017
- Begin Right-of-Way Acquisition 2018
- Begin Construction 2020

5. MERGER PROJECT TEAM MEETING AGREEMENT SIGNATURE FORMS

5.1 Concurrence Point Number 1: Project Purpose and Need

Merger Project Team Meeting Agreement

Concurrence Point Number 1: Project Purpose and Need

Project Name/Description: I-26, Widen from US 25 in Hendersonville in Henderson County to I-40/I-240 in Buncombe County (study area boundary shown on Figures 1-2a, b, c)

TIP Project: I-4400/I-4700

The needs to be addressed by this project include:

- Improve existing and projected roadway capacity deficiencies.
- Improve insufficient pavement structure and deteriorating existing road surface conditions.

The purpose of the proposed improvements to I-26, from US 25 in Henderson County north to I-40 in Buncombe County, is to reduce congestion, with a goal of achieving an overall LOS D in the design year (2040), and improve the pavement structure.

The Project Team has concurred on this date of **June 20, 2013**, on the above mentioned project purpose and need for TIP Project I-4400/I-4700.

USACE <u><i>April A. Beckwith</i></u>	NCDOT <u><i>Andrea Major</i></u>
USERA <u><i>[Signature]</i></u>	USFWS <u><i>Walter L. Justice</i></u>
WRC <u><i>Maisha Chambers</i></u>	FHWA <u><i>Michael J. Gentry</i></u>
DWQ <u><i>[Signature]</i></u>	SHPO <u><i>Renee Medkiff-Easley</i></u>
TVA <u><i>Ashley K. Faulless</i></u>	FBRMPO <u><i>[Signature]</i></u>
EBCI <u><i>[Signature]</i></u>	NPS _____

5.2 Concurrence Point Number 2: Detailed Study Alternatives Carried Forward

Merger Project Team Meeting Agreement

Concurrence Point Number 2: Preliminary Alternatives to be Studied in Detail

Project Name/Description: I-26, Widen from US 25 in Hendersonville in Henderson County to I-40/I-240 in Buncombe County

TIP Project: I-4400/I-4700

Build Alternative 1 – “Best Fit” 6-Lane Widening Alternative: Alternative 1 would widen I-26 along the full project corridor to a 6-lane facility asymmetrically at locations that “best fit” the current roadway location and surrounding land uses. “Best Fit” locations will be evaluated and selected to improve the existing highway alignment, minimize impacts, and accommodate maintenance of traffic during construction.

Build Alternative 2 – “Best Fit” 8-Lane Widening Alternative: Alternative 2 would widen I-26 along the full project corridor to an 8-lane facility asymmetrically at locations that “best fit” the current roadway location and surrounding land uses. “Best Fit” locations will be evaluated and selected to improve the existing highway alignment, minimize impacts, and accommodate maintenance of traffic during construction.

Build Alternative 3 – “Best Fit” Traffic Report Recommendations Widening Alternative: Alternative 3 would widen I-26 as a hybrid of 6- or 8-lane segments at different locations along the project corridor. Widening to 6- or 8-lanes will be asymmetrical at locations that “best fit” the current roadway location and surrounding land uses and as outlined in the traffic report recommendations in specific areas. “Best Fit” locations will be evaluated and selected to improve the existing highway alignment, minimize impacts, and accommodate maintenance of traffic during construction.

The Project Team has concurred on this date of **June 20, 2013**, on the above mentioned preliminary alternatives to be studied in detail for TIP Project I-4400/I-4700.

USACE *Shelley A. Beckwith* NCDOT *Andrew Meyer*

USERA *[Signature]* USFWS *Matthew C. Zornick*

WRC *Maria Chambers* FHWA *Michael J. Gentry*

DWQ *[Signature]* SHPO *Renee Heckhill-Easley*

TVA *Ashley Faulstich* FBRMPO *[Signature]*

EBCI *[Signature]* NPS *[Signature]*

4. MERGER PROJECT TEAM AGREEMENT SIGNATURE FORM

Merger Project Team Agreement

Concurrence Point 2A: Bridging Decisions and Alignment Review

Project Name/Description:

I-26, Widen from US 25 in Hendersonville in Henderson County to
I-40/I-240 in Buncombe County

TIP Project: I-4400/I-4700

Bridging Decisions: Based on the current preliminary hydraulics design for the existing major drainage structures for TIP Project I-4400/I-4700, the proposed culvert and bridging recommendations are presented in the following table:

SITE	PROPOSED HYDRAULIC STRUCTURE Number, Size, Structure Type, (Additional Length)		
	6-LANE WIDENING	8-LANE WIDENING	HYBRID 6-/8-LANE WIDENING
3	Retain and extend 1 @ 6' x 6' RCBC (18' [RT]/47' [LT])	Retain and extend 1 @ 6' x 6' RCBC (25' [RT]/27' [LT])	Retain and extend 1 @ 6' x 6' RCBC (18' [RT]/47' [LT])
4*	Retain 2 @ 8' x 8' RCBC ; add supplemental pipe	Retain and extend 2 @ 8' x 8' RCBC; add supplemental pipe (45' [RT]/18' [LT])	Retain 2 @ 8' x 8' RCBC ; add supplemental pipe
7*	Retain and extend 3 @ 9' X 10' RCBC (42' [RT]/20' [LT])	Retain and extend 3 @ 9' X 10' RCBC (42' [RT]/70' [LT])	Retain and extend 3 @ 9' X 10' RCBC (42' [RT]/20' [LT])
10	Retain 1 @ 6' x 6' RCBC	Retain and extend 1 @ 6' x 6' RCBC (0' [RT]/8' [LT])	Retain 1 @ 6' x 6' RCBC
11	Remove and replace Dual 3 - Span RC Deck Bridges; L (Min) = 230'	Remove and replace Dual 3 - Span RC Deck Bridges; L (Min) = 230'	Remove and replace Dual 3 - Span RC Deck Bridges; L (Min) = 230'
12	Retain and extend 1 @ 7' x 7' RCBC (18' [RT]/0'[LT])	Retain and extend 1 @ 7' x 7' RCBC (26' [RT]/18' [LT])	Retain and extend 1 @ 7' x 7' RCBC (18' [RT]/0'[LT])
13	Retain 3 @ 8' x 8' RCBC	Retain and extend 3 @ 8' x 8' RCBC; add supplemental pipe (32' [RT]/52' [LT])	Retain 3 @ 8' x 8' RCBC
14	Retain and extend 2 @ 8' x 8' RCBC; add supplemental pipe (21' [RT]/16' [LT])	Retain and extend 2 @ 8' x 8' RCBC; add supplemental pipe (33' [RT]/28' [LT])	Retain and extend 2 @ 8' x 8' RCBC; add supplemental pipe (21' [RT]/16' [LT])
16	Remove and replace Dual 3 - Span RC Deck Bridges; L (Min) = 210'	Remove and replace Dual 3 - Span RC Deck Bridges; L (Min) = 210'	Remove and replace Dual 3 - Span RC Deck Bridges; L (Min) = 210'
17	Retain and extend 3 @ 7' x 7' RCBC; add supplemental pipe (20' [RT]/30' [LT])	Retain and extend 3 @ 7' x 7' RCBC; add supplemental pipe (36' [RT]/48' [LT])	Retain and extend 3 @ 7' x 7' RCBC; add supplemental pipe (36' [RT]/48' [LT])
18	Retain 1 @ 6' x 5' RCBC - 66" RCP w/ HW	Retain and extend 1 @ 6' x 5' RCBC - 66" RCP w/ HW (0' [RT]/8' [LT])	Retain and extend 1 @ 6' x 5' RCBC - 66" RCP w/ HW (0' [RT]/8' [LT])
19	Retain and extend 1 @ 6' x 6' RCBC; add supplemental pipe (22' [RT]/27' [LT])	Retain and extend 1 @ 6' x 6' RCBC; add supplemental pipe (48' [RT]/27' [LT])	Retain and extend 1 @ 6' x 6' RCBC; add supplemental pipe (48' [RT]/27' [LT])

SITE	PROPOSED HYDRAULIC STRUCTURE Number, Size, Structure Type, (Additional Length)		
	6-LANE WIDENING	8-LANE WIDENING	HYBRID 6-/8-LANE WIDENING
23	Retain and extend 2 @ 10' x 10' RCBC (28' [RT]/0' [LT])	Retain and extend 2 @ 10' x 10' RCBC (80' [RT]/24' [LT])	Retain and extend 2 @ 10' x 10' RCBC (80' [RT]/24' [LT])
24	Retain 1 @ 8' x 8' RCBC	Retain 1 @ 8' x 8' RCBC	Retain 1 @ 8' x 8' RCBC
25	Remove and replace Dual 6 - Span RC Deck Bridges; L (Min) = 460'	Remove and replace Dual 6 - Span RC Deck Bridges; L (Min) = 460'	Remove and replace Dual 6 - Span RC Deck Bridges; L (Min) = 460'
26	Retain 1 @ 66" SPP w/ HW; 1 @ 14' x 14' RCBC (vehicle underpass)	Retain and extend 1 @ 66" SPP w/ HW; 1 @ 14' x 14' RCBC (vehicle underpass) (20' [RT]/40' [LT])	Retain and extend 1 @ 66" SPP w/ HW; 1 @ 14' x 14' RCBC (vehicle underpass) (20' [RT]/40' [LT])

*Evaluate bridges at Sites 4 and 7 for the 8-Lane Alternative.

The Merger Team has concurred on this date of February 11, 2015, on the above proposed culvert and bridging recommendations for TIP Project I-4400/I-4700.

USACE

[Signature]

NCDOT

[Signature]

[Signature]
USEPA

[Signature]

WRC

[Signature]

FHWA

[Signature]

DWR

[Signature]

SHPO

[Signature]

TVA

FBRMPO

[Signature]

EBCI

Memorandum of Agreement

among the

North Carolina
Department of Transportation

the

U.S. Department of the Interior
National Park Service

and the

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

for the

Preliminary Design of the
Blue Ridge Parkway Bridge over Interstate 26

in

Buncombe County, NC

PURPOSE

The purpose of this Memorandum of Agreement (Agreement) is to establish the roles, responsibilities, funding, and procedures by which the North Carolina Department of Transportation (NCDOT); the U.S. Department of the Interior, National Park Service (NPS); the U.S. Department of Transportation, Federal Highway Administration's North Carolina Division (FHWA-NC) and Eastern Federal Lands Highway Division (EFLHD), collectively agreed to as the "Parties", will jointly participate in engineering services to complete preliminary design sufficient to obtain NPS Design Advisory Board approval as well as National Environmental Policy Act (NEPA) documentation and National Historic Preservation Act (NHPA) compliance, hereinafter referred to as the "Work", for replacement of the Blue Ridge Parkway Bridge over Interstate 26 (I-26) (hereinafter called the Project) in Buncombe County, NC, as part of the NCDOT's State Transportation Improvement Program (STIP) project I-4700B.

AUTHORITIES

WHEREAS, NCGS 136-18(12) authorizes the NCDOT to enter into this Agreement with the federal government and cooperating agencies to provide funding for the Project and associated Work; and,

WHEREAS, the NPS is authorized to enter into this Agreement pursuant to authority contained in 16 U.S.C. § 1-3 and 31 U.S.C § 1535; and,

WHEREAS, 23 U.S.C. 308(a) authorizes the FHWA to perform engineering and other services in connection with the survey, design, construction, and improvements of highways for other Federal or State cooperating agencies; and,

WHEREAS, the FHWA-NC is the Federal agency with administrative, financial and project implementation, and management oversight of the NCDOT's Federal-aid Highway Program; and,

WHEREAS, the NCDOT and NPS have requested that FHWA provide engineering services for the proposed Project; and,

WHEREAS, the NCDOT proposes to multi-lane widen I-26 from NC 146, Long Shoals Road, (Exit 37) to I-40 in Buncombe County (8.6 miles) under STIP project I-4700B to reduce congestion along the I-26 corridor. Because of the proximity of the existing interior bents to the existing travel lanes, this widening requires the replacement of the Blue Ridge Parkway Bridge over I-26, near Milepost 36, in Buncombe County, NC; and,

WHEREAS, funds for engineering and compliance services will be provided to the EFLHD by the NCDOT for the Work; and,

WHEREAS the NCDOT, NPS and FHWA have agreed to pursue the necessary Work to obtain necessary NEPA documentation and compliance, and before the completion of NEPA the parties will meet to determine the final delivery method for construction of the project; and,

WHEREAS, although this Agreement is subject to the provisions of the Anti-Deficiency Act (31 U.S.C. §1341(a)(1)), the Parties understand, recognize and agree that the EFLHD is not responsible for any percentage part of the cost of this Work; and,

WHEREAS, 23 U.S.C. §104(f)(3) provides that a State may transfer funds apportioned or allocated under Title 23 to the FHWA to finance a project eligible for assistance under such title; and,

WHEREAS, 23 U.S.C. 132 allows the State to make a deposit or payment to the EFLHD for work performed under an agreement and seek reimbursement for the federal share of the amounts deposited or paid with Federal-aid highway funds.

NOW THEREFORE, the NCDOT, NPS, FHWA-NC, and EFLHD do hereby mutually agree as follows:

ARTICLE I: SCOPE OF WORK (Obligations, Responsibilities, and Funding)

A. The NCDOT agrees to:

1. Assign and designate a point of contact so that all communication regarding the Work will be coordinated and managed through such person; and,
2. Review any documentation provided by the EFLHD; and,
3. Participate in the general coordination of all field reviews, progress meetings, and other Project development activities and milestones as applicable to this Work; and,
4. Provide survey and mapping to EFLHD required for the Work along the Parkway; and,
5. Amend the previously prepared Natural Resources Technical Report (including field investigations and feature delineations) to encompass the expanded study area for the bridge replacement and required roadway approach work; and,
6. Provide the required funding for the Work; and,
7. Incorporate the needs and requirements of the NPS to ensure acceptance and NPS adoption of the NCDOT/FHWA's environmental document for their I-26 widening project including appropriate NPS NEPA documentation and NPS NEPA decision for actions on NPS lands; and,
8. Assist EFLHD with activities necessary to provide the required final environmental clearances and coordination of the Work; and,
9. Prepare Federal easement survey and/or right-of-way plans and legal descriptions (for both Federal and non-Federal lands, as applicable) for any right-of-way or easement for the NCDOT widening of I-26 across NPS Parkway right-of-way boundary;

B. The NPS agrees to:

1. Act as a cooperating agency for preparation of the NCDOT/FHWA NEPA document for the replacement of the Blue Ridge Parkway Bridge over I-26; and,
2. In accordance with the schedule included in Attachment B, provide applicable NPS information and direction (including but not limited to written text) for inclusion in the NEPA document so the NPS can adopt and utilize the NCDOT/FHWA lead NEPA document for issuing a NPS NEPA decision for those project actions on NPS lands as well as be responsible for guiding the decisions associated with improvements and actions on NPS lands, or where NPS interests are involved; and,
3. Assign and designate a project point of contact so that all communication regarding the Work will be coordinated and managed through such person; and,
4. In accordance with the schedule included in Attachment B, perform required archaeological surveys/field investigations along Parkway property within the project study area and upon completion will prepare a Management Summary detailing the results of the investigations. A final report detailing the analysis and findings will be completed by the NPS. NPS will coordinate with NCDOT during this process and supply NCDOT with copies of any summaries, reports, and correspondence to/from the Historic Preservation Office; and
5. Draft and coordinate Section 106, Historic Preservation documentation for NPS, to incorporate requirements of the Historic Preservation Office, for approval of the preferred bridge design immediately after said design is selected; and,
6. Participate in all design field reviews, progress meetings, and other Project development activities and milestones as applicable; and,
7. Approve, in writing, the final design standards for all improvements related to NPS-owned right-of-way; and,
8. Facilitate a Value Analysis (VA) and Choosing by Advantage (CBA) study for the Parkway realignment and final design of the Parkway bridge over I-26, with involvement of all partners and draft a final analysis report for review and approval of NPS, NCDOT and EFLHD; and,
9. Assist EFLHD with activities necessary to provide the required final environmental clearances and coordination for STIP project I-4700B; and,
10. Grant right-of-entry and permits as required to the FHWA, authorized contractors, NCDOT, and other parties as required for the purposes of environmental studies, design, and other Project-related activities;

C. The FHWA-NC agrees to:

1. Be responsible for guiding decisions associated with the Federal-aid Highway Program, or where Federal-aid interests are involved; and,
2. Participate in the project development process as applicable.

D. The EFLHD agrees to:

1. Be the lead agency for and provide for overall coordination of the Work and designate a Project Manager; and,
2. Accept funding from the NCDOT for the Work; and,
3. Coordinate and develop a scope and budget for the Work and obtain NCDOT concurrence; and,
4. Coordinate a schedule to complete the Work with the parties to this Agreement as included in Attachment B, incorporated and made a part of this Agreement as included herein; and,
5. Conduct and assist the NPS and the NCDOT with alternatives development and evaluation for those actions impacting the project design and the use of NPS lands and assist in incorporating applicable recommendations into the NCDOT/FHWA environmental document for the I-4700B STIP project; and,
6. In accordance with the schedule included in Attachment B, conduct necessary geotechnical investigations as part of the Work and supply the investigations to NCDOT for review (including the subsurface inventory report, foundation recommendations with notes, boring plans and boring logs; and,
7. Coordinate and incorporate requirements of NPS, Historic Preservation Office, NCDOT, other applicable federal, state and local agencies, utilities, and interested public and private parties; and,
8. Prepare preliminary 30% bridge replacement design plans (including design assumptions, typical sections, horizontal and vertical alignments, cross sections, slope stakes, and if necessary utility plans for all alternatives), construction schedules, and Estimates and other Project documents sufficient to obtain NPS DAB approval and complete NPS NEPA and NHPA documentation up to and including the Record of Decision; and,
9. Proceed with design (of the preferred alternative) beyond 30% to the maximum extent practical prior to a decision for the final delivery method for construction of the Parkway Bridge; and,

10. Draft a legal right-of-way description, from survey plans provided by NCDOT, for widening and constructing the Parkway Bridge over I-26 (for both Federal and non-Federal lands, as applicable) for any easements or right-of-way between NCDOT and the NPS. The approved document will be filed by all partners; and,
11. In accordance with Attachment A, provide digital design files to the Parties; and,
12. Hold regular meetings with all Parties regarding the status of the Work; and,
13. Allow the Parties to participate in field reviews, onsite inspections, and records reviews and to monitor the Work; and,
14. Provide technical assistance to the NPS as necessary through completion of design of the Parkway bridge in coordination with the NCDOT; and,
15. Maintain records of all actions, contracts and expenditures on the Work in sufficient level of detail to allow identification of the nature of the expenditures made. The FHWA will retain these records for a period of six (6) years after the Project records are closed out to provide complete information in response to an audit of either its own records or of NCDOT's records of the Project; and
16. Promptly initiate design Work close-out and return unexpended funds to all parties as soon as final costs are known.

ARTICLE II: DISBURSEMENT OF FUNDS

- A. Upon execution of this Agreement, the NCDOT will reimburse funds based on the EFLHD's estimated costs as included herein.
- B. All costs associated, directly or indirectly, with any and all Work performed under this Agreement including, but not limited to EFL engineering services and NPS NEPA documentation and compliance shall be paid for by the NCDOT.
- C. The estimated costs for the Work (based on the Scope of Work and Schedule described in Attachments A and B) are as follows:

Activity	Estimated Cost
Estimated EFLHD Engineering Services cost:	\$285,000.00
Estimated NPS NEPA documentation/compliance cost:	\$40,000.00
Contingency:	\$25,000.00
Total Estimated Cost:	\$350,000.00

The costs above are estimated only and will be adjusted during the design process to include the actual costs of such services limited to a maximum of \$350,000.00. Any costs above the

maximum amount must be approved in writing by all Parties in a Supplemental Agreement prior to the work being performed.

- D. It is the understanding and agreement of all Parties that the costs associated with this Work will be paid for entirely by NCDOT in accordance with this Agreement. The funds will be provided by NCDOT in accordance with current EFLHD and NCDOT policies. Nothing in this Agreement will prevent NCDOT from seeking reimbursement for applicable costs for this Work from the FHWA-NC in the future. The schedule for this Project is hereto attached, marked as Attachment A and made a part of this Agreement.
- E. Before any expenses are incurred or funds are expended by EFLHD for the Work, EFLHD and NCDOT will enter into a reimbursable agreement. After execution of the reimbursable agreement, EFLHD will obtain authority to expend reimbursable funds for the completion of the Work. EFLHD will submit monthly invoices to NCDOT which include all necessary documentation as agreed to by the parties to reimburse EFLHD for eligible Work expenditures as outlined in this Agreement. Within 30 days of receipt of the monthly invoices, NCDOT will review and, if acceptable, NCDOT will make payment. The EFLHD will not perform the Work until the reimbursable agreement is executed.
- F. The EFLHD and NPS will execute a separate interagency agreement to reimburse the NPS for NEPA documentation and compliance costs. EFLHD will provide NCDOT copies of NPS billing documentation to support such expenditures for the Work.
- G. If the EFLHD or NPS's costs are anticipated to exceed the funds thus made available to the EFLHD in the reimbursable agreement, the EFLHD will request additional funds in time to have the additional funds in place before funds are exhausted in accordance with Article II.C. All Work will cease until additional funds are received by the EFLHD. If costs are less than anticipated for the Work, the reimbursable agreement will be amended during the closeout process.
- H. EFLHD will maintain separate financial records for this Work and will track and monitor all funds provided to it.
- I. Upon completion of the Work or as soon as the financial records for the Work are closed, the EFLHD will initiate closure of the reimbursable agreement with the NCDOT within 60 days.
- J. This Agreement may be terminated by mutual written consent of all parties with 30 days written notice of the termination to the Points of Contact included herein. This Agreement may also be terminated if either the NEPA process or funding availability requires a change and the Parties are not able to agree to the change. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the parties prior to termination. Any costs incurred by EFLHD and NPS up to the point of termination will be considered allowable and will be paid for by NCDOT. Costs generated after the termination date will not be allowable. All funds remaining after termination will be returned to the appropriate Parties as included in Article II.I.

ARTICLE III: GENERAL TERMS AND CONDITIONS

- A. This Agreement contains the entire agreement and understanding of the Parties, and may not be amended, modified, or discharged nor may any of its terms be waived except by a Supplemental Agreement in writing signed by all of the Parties.
- B. The failure of a Party to insist in any instance upon strict performance of any of the terms, conditions, or covenants contained, referenced, or incorporated into this Agreement shall not be construed as a waiver or a relinquishment of the Party's rights to the future performance of such terms, conditions, or covenants.
- C. The headings and captions herein are inserted for convenient reference only and the same shall not limit or construe the Articles, paragraphs, sections, or subsections to which they apply or otherwise affect the interpretation thereof.
- D. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each such term and provision of the Agreement shall be valid and be enforced to the fullest extent permitted by applicable law.
- E. Nothing set out in this Agreement shall constitute a waiver of the Parties' rights to seek any and all damages to the extent authorized by law, nor shall anything in this Agreement limit any defenses that the Parties may have with respect to such claims for damages.
- F. Nothing in this Agreement shall be construed as creating any rights of enforcement by any person or entity that is not a Party hereto, nor any rights, interest, or third party beneficiary status for any entity or person other than the Parties hereto.
- G. This Agreement has been drafted jointly by the Parties hereto. As a result, the language used in this Agreement shall be deemed to be the language chosen by the Parties to express their mutual intent and no rule of strict construction shall be applied against any Party.
- H. All parties to the Agreement will be afforded the opportunity to inspect, review and comment on, at any time, work in progress, the financial records, and any other supporting documentation related to this Agreement; and to participate in all meetings and field reviews.
- I. This Agreement is assignable; however, no transfer or assignment of this Agreement, or any part thereof or interest therein, directly or indirectly, voluntarily or involuntarily, shall be made unless such transfer or assignment is first approved in writing by all Parties, which approval shall not be unreasonably withheld.
- J. The Parties accept full responsibility for any property damage, injury, or death caused by the acts or omissions of their respective employees, acting within the scope of their employment, or their contractors' scope of work, to the extent allowed by the law. All claims shall be processed pursuant to applicable governing law.

- K. Any claim filed alleging an injury during the performance of this Agreement, which may be traced to a party, shall be received and processed by the party having responsibility for the particular injury-causing condition, under the law that governs such party.
- L. Nothing in this Agreement shall be construed as limiting or affecting the legal authorities of the Parties, or as requiring the Parties to perform beyond their respective authorities. Nothing in this Agreement shall be deemed to bind any Party to expend funds in excess of available appropriations.
- M. The Parties shall not discriminate in the selection of employees or participants for any employment or other activities undertaken pursuant to this Agreement on the grounds of race, creed, color, sex, or national origin, and shall observe all of the provisions of Titles VI and VII of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000(d) et. seq.). The Parties shall take positive action to ensure that all applicants for employment or participation in any activities pursuant to this Agreement shall be employed or involved without regard to race, creed, color, sex, or national origin.
- N. No member of, or Delegate to, or Resident Commissioner in Congress shall be admitted to any share or part of this Agreement, or to any benefits that may arise therefrom, unless the share or part or benefit is for the general benefit of a corporation or company.
- O. The Parties will abide by the provisions of 18 U.S.C. §1913 (Lobbying with Appropriated Monies).
- P. Contracts entered into by any Federal Agency pursuant to this Agreement are subject to all laws governing federal procurement and to all regulations and rules promulgated there under, whether now in force or hereafter enacted or promulgated, except as specified in this Agreement.
- Q. Nothing in this Agreement shall be construed as in any way impairing the general powers of the parties for supervision, regulation, and control of its property under such applicable laws, regulations, and rules.
- R. This Agreement shall be in force and effect and shall remain in effect until the work, including payment, has been completed to the mutual satisfaction of all Parties. This Agreement will terminate when all transfers of funds are completed and all work associated with this Agreement has been approved by the Parties in writing.
- S. The Parties hereby acknowledge that the individual executing the Agreement on their behalf is authorized to execute this Agreement on their behalf and to bind the respective entities to the terms contained herein and that he has read this Agreement, conferred with his attorney, and fully understands its contents.
- T. It is the policy of the NCDOT not to enter into any agreements with parties that have been debarred by any government agency (Federal or State). By execution of this Agreement, the Parties confirm that their contractors are not excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any

entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

- U. The Parties agree to comply with the provisions of the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973, P.L. 93-112, and other applicable Federal regulations relating hereto, issued by the U.S. Department of Transportation.
- V. The Parties, and all agents, will ensure that all contractors, sub-contractors, or sub-recipients agree to comply with Title 49 CFR Part 32.400, Drug-Free Workplace requirements and/or Federal Acquisition Regulation (FAR) Subpart 23.5, Drug Free Workplace.
- W. By Executive Order 24 and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation , and the Office of the Governor).

ARTICLE IV: KEY OFFICIALS AND CONTACTS

Designated points of contact for the coordination of this project are as follows:

<u>Key Official</u>	<u>Point of Contact</u>
A. For the NCDOT: Mr. Michael L. Holder, PE Chief Engineer North Carolina Department of Transportation Transportation Building 1 S. Wilmington St. Raleigh, NC 27601 Phone: (919) 707-2500 Email: mholder@ncdot.gov	Mr. Richard W. Hancock, PE Project Development Unit Head North Carolina Department of Transportation Transportation Building 1548 Mail Service Center Raleigh, NC 27699-1548 Phone: (919) 707-6000 Email: rwhancock@ncdot.gov
Mr. Rodger Rochelle, PE Administrator of the Technical Services Division North Carolina Department of Transportation Transportation Building 1 S. Wilmington St. Raleigh, NC 27601 Phone: (919) 707-2900 Email: rdrochelle@ncdot.gov	

B. For the NPS:

Mr. Mark H. Woods
Superintendent
Blue Ridge Parkway
U.S. Dept. of the Interior
National Park Service
199 Hemphill Knob Road
Asheville, NC 28803
Phone: (606) 248-1050
Email: mark_woods@nps.gov

Mr. Larry Hultquist
Project Manager DSC-T
Blue Ridge Parkway
U.S. Dept. of the Interior
National Park Service
199 Hemphill Knob Road
Asheville, NC 28803
Phone: (828) 348-3482
Email: larry_hultquist@nps.gov

C. For the FHWA-NC Division:

Mr. John Sullivan, PE
Division Administrator
Federal Highway Administration
North Carolina Division
310 New Bern Avenue, Suite 410
Raleigh, NC 27601
Phone: (919) 747-7000
Email: John.Sullivan@dot.gov

Mr. Michael Batuzich
Environmental Specialist
Federal Highway Administration
North Carolina Division
310 New Bern Avenue, Suite 410
Raleigh, NC 27601
Phone: (919) 747-7033
Email: Michael.Batuzich@dot.gov

D. For the EFLHD:

Ms. Karen Schmidt
Director, Program Administration
Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, VA 20166
Phone: (703) 404-6276
Email: Karen.Schmidt@dot.gov

Ms. Yanina Kirtley, PE, PMP
Project Manager
Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, VA 20166
Phone: (571) 434-1556
Email: Yanina.Kirtley@dot.gov

ARTICLE V: FUNDING LIMITATIONS

Nothing in this Agreement shall be interpreted to require obligations or payments in violation of the Anti-Deficiency Act, 31 U.S.C. 1341.

All terms and conditions of this Agreement are dependent upon, and subject to, the allocation of funds for the purpose set forth in the Agreement and the Agreement shall terminate if funds cease to be available. The NCDOT will immediately notify all parties in writing if funds cease to be available and the Agreement will terminate in accordance with Article II.J.

ARTICLE VI: STANDARDS

EFLHD shall complete the Work (design) in accordance with the current applicable American Association of State Highway Transportation Officials (AASHTO), FHWA, Manual of Uniform Traffic Devices Control (MUTCD) and NCDOT standards and guides in cooperation with NCDOT.

ARTICLE VII: DISPUTE RESOLUTION

Disputes should be resolved at the lowest level possible. The dispute should be clearly defined in writing and understood by all Parties. Any dispute between the Parties that cannot be resolved by the Project points of contact shall be formally presented in writing to the Chief Engineer of NCDOT, the Superintendent of the Blue Ridge Parkway, and the Division Director for EFLHD for review and resolution. Any resolution of the dispute shall be reduced to writing signed by the reviewers.

If the dispute cannot be resolved by the second level of review, then the matter may be presented to the Administrator of the Technical Services Division of the NCDOT, the NPS Regional Director, Southeast Region, and the Administrator of the FHWA.

IN WITNESS THEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized representatives.

**STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION**

**Approved By the Board of
Transportation:**



Mr. Michael L. Holder, PE
Chief Engineer



7/22/15
Date

APRIL 2, 2015

Date

MOA-DTFH71-15-X-50014 Interstate 26

**U.S. DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
BLUE RIDGE PARKWAY**

Mr. Mark H. Woods
Superintendent

Date

MOA-DTFH71-15-X-50014 Interstate 26

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
NORTH CAROLINA DIVISION**



7/23/15

Mr. John Sullivan, PE
Division Administrator

Date

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
EASTERN FEDERAL LANDS HIGHWAY DIVISION**

Karen A. Schmidt

15 JUL 2015

Ms. Karen A. Schmidt
Director, Program Administration

Date

ATTACHMENT A
Scope of Work

The Scope of Work and estimated engineering costs under this Memorandum of Agreement are based on, but not limited to, the following activities:

Project Management – Necessary communication and coordination of various preliminary design activities within the EFL, NPS and NCDOT, and manage schedule and budget (12 man-days).

Alignment Alternatives – The projection of at least three alternative horizontal and vertical alignments that satisfy the purpose and need of the project. Develop typical sections, preliminary earthwork, and prepare construction schedules and engineer's estimates for design alternatives (21 man-days).

Bridges Alternatives – Type size and location drawings for various bridge alternatives including a retrofit/modification of the existing bridge, steel girder bridge alternative, and concrete bridge alternatives based on various alignment alternatives (120 man-days).

Design Visualization – 3D renderings of each alternative alignment and bridge for use as part of Public Meetings, NPS Value Analysis and Design Board approvals (10 man-days).

Geotechnical Analysis – Evaluation of existing geotechnical information, field borings (and appropriate material lab testing) at each abutment/pier location for foundation assessment and preliminary design recommendations (62 man-days).

Environment – Assistance to the NPS to prepare necessary NEPA documentation to meet both NPS and FHWA NEPA requirements. Participation with NPS in necessary activities to complete NEPA compliance; including to fully prepare and analyze NEPA alternatives, and work with NCDOT staff to appropriately coordinate and incorporate NPS documentation into the Draft and Final EIS (77 man-days).

NPS Activities - NPS work necessary to complete the NEPA compliance including coordination with SHPO, Value Analysis (VA) and Choosing by Advantages (CBA) facilitation and documentation, and approval through the NPS Design Advisory Board (\$40,000).

ATTACHMENT B

Work Schedule

Activity	Estimated Completion
Develop Draft Alignment/Bridge Alternatives for Draft EIS for submittal to NCDOT	<i>Completed</i>
Submit MOA to NPS Solicitor's Office for review	<i>Completed</i>
Distribute Agreement for Signature	June 2015
Coordinate Funds Transfer between NCDOT and EFL	July 2015
Complete Alignment/Bridge Alternatives for NPS Value Analysis	October 2015
NPS Value Analysis	November 2015
Publish Draft EIS (NCDOT)	November 2015
NPS Design Advisory Board Review	November 2015
Prepare Final EIS Documentation for Submittal to NCDOT	February 2016
Publish Final EIS/ROD (NCDOT)	June 2016
NPS Adoption of Final EIS and NPS ROD	July 2016

**Federal Highway Administration
Federal Lands Highway
REIMBURSABLE AGREEMENT - DTFH71-15-X-50030
(for use with non-federal agencies only)**

PARTIES TO THE AGREEMENT

Reimbursing Organization	Organization to be Reimbursed
North Carolina Department of Transportation Transportation Building 1 S. Wilmington St. Raleigh, NC 27601	U.S. Department of Transportation Federal Highway Administration Eastern Federal Lands Highway Division 21400 Ridgetop Circle, Sterling, VA, 20166-6511
Obligation Number: 36030.1.FS3 DUNS Number: 788142946 Tax Identification # (TIN): 56-6000967	Appropriation Chargeable: 1515370I26NEPA R31.PE.15G0.37 1537000000

POINTS OF CONTACT FOR THE AGREEMENT

Reimbursing Organization Finance Point of Contact	Organization to be Reimbursed Finance Point of Contact
Name: Ms. Angie Asycue Address: 1 South Wilmington Street Raleigh, North Carolina 27601 Phone: (919) 707-4238 E-mail: awayscue@ncdot.gov	Name: Ms. Corine Broadaway, Financial Manager Address: 21400 Ridgetop Circle, Sterling VA, 20166-6511 Phone: 703-404-6220 E-mail: corine.broadaway@dot.gov
Reimbursing Organization Program Point of Contact	Organization to be Reimbursed Program Point of Contact
Name: Mr. Michael L. Holder, PE Address: 1 South Wilmington Street Raleigh, North Carolina 27601 Phone: (919) 707-2500 E-mail: mholder@ncdot.gov	Name: Ms. Yanina Kirtley, Project Manager Address: 21400 Ridgetop Circle Sterling VA, 20166-6511 Phone: 571-434-1556 E-mail: Yanina.Kirtley@dot.gov

PERIOD OF PERFORMANCE	LEGAL AUTHORITY
From: 06/01/2015 To: 9/30/2016	23 U.S.C. 308(a) and NCGS 136-18(12)
TOTAL AGREEMENT AMOUNT	PAYMENT TERMS AND SCHEDULE
\$350,000.00	EFLHD will prepare and submit detailed invoices to NCDOT which include all necessary documentation as agreed to by the parties.

DESCRIPTION OF SUPPLIES, SERVICES, AND DELIVERABLES



To include engineering services to complete preliminary design sufficient to obtain NPS Design Advisory Board approval as well as National Environmental Policy Act (NEPA) documentation and National Historic Preservation Act (NHPA) compliance for the replacement of the Blue Ridge Parkway Bridge over Interstate 26 (I-26) in Buncombe County, NC, as part of the NCDOT's State Transportation Improvement Program (STIP) project I-4700B.

The Total Agreement Amount is based on an estimate for work to be performed and will be adjusted during the design process to include the actual costs of such services limited to a maximum of \$350,000.00.

The work is being performed in accordance with Memorandum of Agreement No. DTFH71-15-X-50014.

Agreement Termination: Parties to the agreement shall provide 120 days' notice for cancellation or termination of supplies, services, and/or deliverables described in this agreement.

AUTHORIZED APPROVALS

For Reimbursing Organization	For Organization to be Reimbursed
 Signature _____ Date <u>7/22/15</u> Title: Chief Engineer, NCDOT	 Signature _____ Date <u>7/23/15</u> Title: Director, Program Administration

NCDOT BOT APPROVAL: MAY 7, 2015

Version 1.0, 3/18/2013



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

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

SENT VIA ELECTRONIC CORRESPONDENCE

MAY -8 2015 In Reply Refer to: HFPP-15

Mr. Richard W. Hancock, PE
Project Development Unit Head
North Carolina Department of Transportation
Transportation Building
1548 Mail Service Center
Raleigh, NC 27699-1548

Subject: Memorandum of Agreement No. DTFH71-15-X-50014 for Preliminary Design of the Blue Ridge Parkway Bridge over Interstate 26

Dear Mr. Hancock:

Enclosed for the Chief Engineer's signature and approval by the Board of Transportation, is the subject Memorandum of Agreement (MOA) DTFH71-15-X-50014 for the Preliminary Design of the Blue Ridge Parkway Bridge over Interstate 26. Please print one copy of page 12, sign and scan a colored copy of the signature page back to Ms. Diana Schaffer, Management and Program Analyst, at Diana.Schaffer@dot.gov, by May 26, 2015.

By separate letter, a copy of this MOA has been sent to the National Park Service, Blue Ridge Parkway, and our North Carolina Division for their signatures.

Once we receive all the signature pages, a fully executed copy will be distributed to all Parties via electronic email. If you have any questions, please contact Mr. Alan Teikari, Highway Design Engineer, at 703-404-6277.

Sincerely yours,

Kurt A. Dowden
Planning and Programming Manager

Enclosure

cc:

Mr. John Conforti, Project Development Group Supervisor, NCDOT, w/ copy of enclosure
Mr. Larry Hultquist, Project Manager DSC-T, BLRI, NPS
Mr. John Sullivan, Division Administrator, FHWA-NC
Mr. Jimmy Travis, Manager of the Programs Management Office, NCDOT
Mr. Undrea Major, Project Development Engineer, NCDOT
Mr. Ricky Tipton, Division Construction Engineer, NCDOT
Mr. Kevin Moore, Project Engineer, NCDOT
Mr. Steve Kendall, Project Design Engineer, NCDOT
Mr. J.J. (Jay) Swain Jr., Division Engineer, NCDOT
Ms. Kristina Solberg, Senior Planning Engineer, NCDOT
Ms. Kiersten Bass, Consultant, NCDOT

Memorandum of Agreement

among the

North Carolina
Department of Transportation

the

U.S. Department of the Interior
National Park Service

and the

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

for the

Preliminary Design of the
Blue Ridge Parkway Bridge over Interstate 26

in

Buncombe County, NC

PURPOSE

The purpose of this Memorandum of Agreement (Agreement) is to establish the roles, responsibilities, funding, and procedures by which the North Carolina Department of Transportation (NCDOT); the U.S. Department of the Interior, National Park Service (NPS); the U.S. Department of Transportation, Federal Highway Administration’s North Carolina Division (FHWA-NC) and Eastern Federal Lands Highway Division (EFLHD), collectively agreed to as the “Parties”, will jointly participate in engineering services to complete preliminary design sufficient to obtain NPS Design Advisory Board approval as well as National Environmental Policy Act (NEPA) documentation and National Historic Preservation Act (NHPA) compliance, hereinafter referred to as the “Work”, for replacement of the Blue Ridge Parkway Bridge over Interstate 26 (I-26) (hereinafter called the Project) in Buncombe County, NC, as part of the NCDOT’s State Transportation Improvement Program (STIP) project I-4700B.

AUTHORITIES

WHEREAS, NCGS 136-18(12) authorizes the NCDOT to enter into this Agreement with the federal government and cooperating agencies to provide funding for the Project and associated Work; and,

WHEREAS, the NPS is authorized to enter into this Agreement pursuant to authority contained in 16 U.S.C. § 1-3 and 31 U.S.C § 1535; and,

WHEREAS, 23 U.S.C. 308(a) authorizes the FHWA to perform engineering and other services in connection with the survey, design, construction, and improvements of highways for other Federal or State cooperating agencies; and,

WHEREAS, the FHWA-NC is the Federal agency with administrative, financial and project implementation, and management oversight of the NCDOT’s Federal-aid Highway Program; and,

WHEREAS, the NCDOT and NPS have requested that FHWA provide engineering services for the proposed Project; and,

WHEREAS, the NCDOT proposes to multi-lane widen I-26 from NC 146, Long Shoals Road, (Exit 37) to I-40 in Buncombe County (8.6 miles) under STIP project I-4700B to reduce congestion along the I-26 corridor. Because of the proximity of the existing interior bents to the existing travel lanes, this widening requires the replacement of the Blue Ridge Parkway Bridge over I-26, near Milepost 36, in Buncombe County, NC; and,

WHEREAS, funds for engineering and compliance services will be provided to the EFLHD by the NCDOT for the Work; and,

WHEREAS the NCDOT, NPS and FHWA have agreed to pursue the necessary Work to obtain necessary NEPA documentation and compliance, and before the completion of NEPA the parties will meet to determine the final delivery method for construction of the project; and,

WHEREAS, although this Agreement is subject to the provisions of the Anti-Deficiency Act (31 U.S.C. §1341(a)(1)), the Parties understand, recognize and agree that the EFLHD is not responsible for any percentage part of the cost of this Work; and,

WHEREAS, 23 U.S.C. §104(f)(3) provides that a State may transfer funds apportioned or allocated under Title 23 to the FHWA to finance a project eligible for assistance under such title; and,

WHEREAS, 23 U.S.C. 132 allows the State to make a deposit or payment to the EFLHD for work performed under an agreement and seek reimbursement for the federal share of the amounts deposited or paid with Federal-aid highway funds.

NOW THEREFORE, the NCDOT, NPS, FHWA-NC, and EFLHD do hereby mutually agree as follows:

ARTICLE I: SCOPE OF WORK (Obligations, Responsibilities, and Funding)

A. The NCDOT agrees to:

1. Assign and designate a point of contact so that all communication regarding the Work will be coordinated and managed through such person; and,
2. Review any documentation provided by the EFLHD; and,
3. Participate in the general coordination of all field reviews, progress meetings, and other Project development activities and milestones as applicable to this Work; and,
4. Provide survey and mapping to EFLHD required for the Work along the Parkway; and,
5. Amend the previously prepared Natural Resources Technical Report (including field investigations and feature delineations) to encompass the expanded study area for the bridge replacement and required roadway approach work; and,
6. Provide the required funding for the Work; and,
7. Incorporate the needs and requirements of the NPS to ensure acceptance and NPS adoption of the NCDOT/FHWA's environmental document for their I-26 widening project including appropriate NPS NEPA documentation and NPS NEPA decision for actions on NPS lands; and,
8. Assist EFLHD with activities necessary to provide the required final environmental clearances and coordination of the Work; and,
9. Prepare Federal easement survey and/or right-of-way plans and legal descriptions (for both Federal and non-Federal lands, as applicable) for any right-of-way or easement for the NCDOT widening of I-26 across NPS Parkway right-of-way boundary;

B. The NPS agrees to:

1. Act as a cooperating agency for preparation of the NCDOT/FHWA NEPA document for the replacement of the Blue Ridge Parkway Bridge over I-26; and,
2. In accordance with the schedule included in Attachment B, provide applicable NPS information and direction (including but not limited to written text) for inclusion in the NEPA document so the NPS can adopt and utilize the NCDOT/FHWA lead NEPA document for issuing a NPS NEPA decision for those project actions on NPS lands as well as be responsible for guiding the decisions associated with improvements and actions on NPS lands, or where NPS interests are involved; and,
3. Assign and designate a project point of contact so that all communication regarding the Work will be coordinated and managed through such person; and,
4. In accordance with the schedule included in Attachment B, perform required archaeological surveys/field investigations along Parkway property within the project study area and upon completion will prepare a Management Summary detailing the results of the investigations. A final report detailing the analysis and findings will be completed by the NPS. NPS will coordinate with NCDOT during this process and supply NCDOT with copies of any summaries, reports, and correspondence to/from the Historic Preservation Office; and
5. Draft and coordinate Section 106, Historic Preservation documentation for NPS, to incorporate requirements of the Historic Preservation Office, for approval of the preferred bridge design immediately after said design is selected; and,
6. Participate in all design field reviews, progress meetings, and other Project development activities and milestones as applicable; and,
7. Approve, in writing, the final design standards for all improvements related to NPS-owned right-of-way; and,
8. Facilitate a Value Analysis (VA) and Choosing by Advantage (CBA) study for the Parkway realignment and final design of the Parkway bridge over I-26, with involvement of all partners and draft a final analysis report for review and approval of NPS, NCDOT and EFLHD; and,
9. Assist EFLHD with activities necessary to provide the required final environmental clearances and coordination for STIP project I-4700B; and,
10. Grant right-of-entry and permits as required to the FHWA, authorized contractors, NCDOT, and other parties as required for the purposes of environmental studies, design, and other Project-related activities;

C. The FHWA-NC agrees to:

1. Be responsible for guiding decisions associated with the Federal-aid Highway Program, or where Federal-aid interests are involved; and,
2. Participate in the project development process as applicable.

D. The EFLHD agrees to:

1. Be the lead agency for and provide for overall coordination of the Work and designate a Project Manager; and,
2. Accept funding from the NCDOT for the Work; and,
3. Coordinate and develop a scope and budget for the Work and obtain NCDOT concurrence; and,
4. Coordinate a schedule to complete the Work with the parties to this Agreement as included in Attachment B, incorporated and made a part of this Agreement as included herein; and,
5. Conduct and assist the NPS and the NCDOT with alternatives development and evaluation for those actions impacting the project design and the use of NPS lands and assist in incorporating applicable recommendations into the NCDOT/FHWA environmental document for the I-4700B STIP project; and,
6. In accordance with the schedule included in Attachment B, conduct necessary geotechnical investigations as part of the Work and supply the investigations to NCDOT for review (including the subsurface inventory report, foundation recommendations with notes, boring plans and boring logs; and,
7. Coordinate and incorporate requirements of NPS, Historic Preservation Office, NCDOT, other applicable federal, state and local agencies, utilities, and interested public and private parties; and,
8. Prepare preliminary 30% bridge replacement design plans (including design assumptions, typical sections, horizontal and vertical alignments, cross sections, slope stakes, and if necessary utility plans for all alternatives), construction schedules, and Estimates and other Project documents sufficient to obtain NPS DAB approval and complete NPS NEPA and NHPA documentation up to and including the Record of Decision; and,
9. Proceed with design (of the preferred alternative) beyond 30% to the maximum extent practical prior to a decision for the final delivery method for construction of the Parkway Bridge; and,

10. Draft a legal right-of-way description, from survey plans provided by NCDOT, for widening and constructing the Parkway Bridge over I-26 (for both Federal and non-Federal lands, as applicable) for any easements or right-of-way between NCDOT and the NPS. The approved document will be filed by all partners; and,
11. In accordance with Attachment A, provide digital design files to the Parties; and,
12. Hold regular meetings with all Parties regarding the status of the Work; and,
13. Allow the Parties to participate in field reviews, onsite inspections, and records reviews and to monitor the Work; and,
14. Provide technical assistance to the NPS as necessary through completion of design of the Parkway bridge in coordination with the NCDOT; and,
15. Maintain records of all actions, contracts and expenditures on the Work in sufficient level of detail to allow identification of the nature of the expenditures made. The FHWA will retain these records for a period of six (6) years after the Project records are closed out to provide complete information in response to an audit of either its own records or of NCDOT’s records of the Project; and
16. Promptly initiate design Work close-out and return unexpended funds to all parties as soon as final costs are known.

ARTICLE II: DISBURSEMENT OF FUNDS

- A. Upon execution of this Agreement, the NCDOT will reimburse funds based on the EFLHD’s estimated costs as included herein.
- B. All costs associated, directly or indirectly, with any and all Work performed under this Agreement including, but not limited to EFL engineering services and NPS NEPA documentation and compliance shall be paid for by the NCDOT.
- C. The estimated costs for the Work (based on the Scope of Work and Schedule described in Attachments A and B) are as follows:

Activity	Estimated Cost
Estimated EFLHD Engineering Services cost:	\$285,000.00
Estimated NPS NEPA documentation/compliance cost:	\$40,000.00
Contingency:	\$25,000.00
Total Estimated Cost:	\$350,000.00

The costs above are estimated only and will be adjusted during the design process to include the actual costs of such services limited to a maximum of \$350,000.00. Any costs above the

maximum amount must be approved in writing by all Parties in a Supplemental Agreement prior to the work being performed.

- D. It is the understanding and agreement of all Parties that the costs associated with this Work will be paid for entirely by NCDOT in accordance with this Agreement. The funds will be provided by NCDOT in accordance with current EFLHD and NCDOT policies. Nothing in this Agreement will prevent NCDOT from seeking reimbursement for applicable costs for this Work from the FHWA-NC in the future. The schedule for this Project is hereto attached, marked as Attachment A and made a part of this Agreement.
- E. Before any expenses are incurred or funds are expended by EFLHD for the Work, EFLHD and NCDOT will enter into a reimbursable agreement. After execution of the reimbursable agreement, EFLHD will obtain authority to expend reimbursable funds for the completion of the Work. EFLHD will submit monthly invoices to NCDOT which include all necessary documentation as agreed to by the parties to reimburse EFLHD for eligible Work expenditures as outlined in this Agreement. Within 30 days of receipt of the monthly invoices, NCDOT will review and, if acceptable, NCDOT will make payment. The EFLHD will not perform the Work until the reimbursable agreement is executed.
- F. The EFLHD and NPS will execute a separate interagency agreement to reimburse the NPS for NEPA documentation and compliance costs. EFLHD will provide NCDOT copies of NPS billing documentation to support such expenditures for the Work.
- G. If the EFLHD or NPS's costs are anticipated to exceed the funds thus made available to the EFLHD in the reimbursable agreement, the EFLHD will request additional funds in time to have the additional funds in place before funds are exhausted in accordance with Article II.C. All Work will cease until additional funds are received by the EFLHD. If costs are less than anticipated for the Work, the reimbursable agreement will be amended during the closeout process.
- H. EFLHD will maintain separate financial records for this Work and will track and monitor all funds provided to it.
- I. Upon completion of the Work or as soon as the financial records for the Work are closed, the EFLHD will initiate closure of the reimbursable agreement with the NCDOT within 60 days.
- J. This Agreement may be terminated by mutual written consent of all parties with 30 days written notice of the termination to the Points of Contact included herein. This Agreement may also be terminated if either the NEPA process or funding availability requires a change and the Parties are not able to agree to the change. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the parties prior to termination. Any costs incurred by EFLHD and NPS up to the point of termination will be considered allowable and will be paid for by NCDOT. Costs generated after the termination date will not be allowable. All funds remaining after termination will be returned to the appropriate Parties as included in Article II.I.

ARTICLE III: GENERAL TERMS AND CONDITIONS

- A. This Agreement contains the entire agreement and understanding of the Parties, and may not be amended, modified, or discharged nor may any of its terms be waived except by a Supplemental Agreement in writing signed by all of the Parties.
- B. The failure of a Party to insist in any instance upon strict performance of any of the terms, conditions, or covenants contained, referenced, or incorporated into this Agreement shall not be construed as a waiver or a relinquishment of the Party's rights to the future performance of such terms, conditions, or covenants.
- C. The headings and captions herein are inserted for convenient reference only and the same shall not limit or construe the Articles, paragraphs, sections, or subsections to which they apply or otherwise affect the interpretation thereof.
- D. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each such term and provision of the Agreement shall be valid and be enforced to the fullest extent permitted by applicable law.
- E. Nothing set out in this Agreement shall constitute a waiver of the Parties' rights to seek any and all damages to the extent authorized by law, nor shall anything in this Agreement limit any defenses that the Parties may have with respect to such claims for damages.
- F. Nothing in this Agreement shall be construed as creating any rights of enforcement by any person or entity that is not a Party hereto, nor any rights, interest, or third party beneficiary status for any entity or person other than the Parties hereto.
- G. This Agreement has been drafted jointly by the Parties hereto. As a result, the language used in this Agreement shall be deemed to be the language chosen by the Parties to express their mutual intent and no rule of strict construction shall be applied against any Party.
- H. All parties to the Agreement will be afforded the opportunity to inspect, review and comment on, at any time, work in progress, the financial records, and any other supporting documentation related to this Agreement; and to participate in all meetings and field reviews.
- I. This Agreement is assignable; however, no transfer or assignment of this Agreement, or any part thereof or interest therein, directly or indirectly, voluntarily or involuntarily, shall be made unless such transfer or assignment is first approved in writing by all Parties, which approval shall not be unreasonably withheld.
- J. The Parties accept full responsibility for any property damage, injury, or death caused by the acts or omissions of their respective employees, acting within the scope of their employment, or their contractors' scope of work, to the extent allowed by the law. All claims shall be processed pursuant to applicable governing law.

- K. Any claim filed alleging an injury during the performance of this Agreement, which may be traced to a party, shall be received and processed by the party having responsibility for the particular injury-causing condition, under the law that governs such party.
- L. Nothing in this Agreement shall be construed as limiting or affecting the legal authorities of the Parties, or as requiring the Parties to perform beyond their respective authorities. Nothing in this Agreement shall be deemed to bind any Party to expend funds in excess of available appropriations.
- M. The Parties shall not discriminate in the selection of employees or participants for any employment or other activities undertaken pursuant to this Agreement on the grounds of race, creed, color, sex, or national origin, and shall observe all of the provisions of Titles VI and VII of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000(d) et. seq.). The Parties shall take positive action to ensure that all applicants for employment or participation in any activities pursuant to this Agreement shall be employed or involved without regard to race, creed, color, sex, or national origin.
- N. No member of, or Delegate to, or Resident Commissioner in Congress shall be admitted to any share or part of this Agreement, or to any benefits that may arise therefrom, unless the share or part or benefit is for the general benefit of a corporation or company.
- O. The Parties will abide by the provisions of 18 U.S.C. §1913 (Lobbying with Appropriated Monies).
- P. Contracts entered into by any Federal Agency pursuant to this Agreement are subject to all laws governing federal procurement and to all regulations and rules promulgated there under, whether now in force or hereafter enacted or promulgated, except as specified in this Agreement.
- Q. Nothing in this Agreement shall be construed as in any way impairing the general powers of the parties for supervision, regulation, and control of its property under such applicable laws, regulations, and rules.
- R. This Agreement shall be in force and effect and shall remain in effect until the work, including payment, has been completed to the mutual satisfaction of all Parties. This Agreement will terminate when all transfers of funds are completed and all work associated with this Agreement has been approved by the Parties in writing.
- S. The Parties hereby acknowledge that the individual executing the Agreement on their behalf is authorized to execute this Agreement on their behalf and to bind the respective entities to the terms contained herein and that he has read this Agreement, conferred with his attorney, and fully understands its contents.
- T. It is the policy of the NCDOT not to enter into any agreements with parties that have been debarred by any government agency (Federal or State). By execution of this Agreement, the Parties certify that neither they nor their agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this

transaction by any Federal or State Agency or Department and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

- U. The Parties agree to comply with the provisions of the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973, P.L. 93-112, and other applicable Federal regulations relating hereto, issued by the U.S. Department of Transportation.
- V. The Parties, and all agents, including all contractors, sub-contractors, or sub-recipients agree to comply with Title 49 CFR Part 32.400, Drug-Free Workplace requirements.
- W. By Executive Order 24 and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor’s Cabinet Agencies (i.e. Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation , and the Office of the Governor).

ARTICLE IV: KEY OFFICIALS AND CONTACTS

Designated points of contact for the coordination of this project are as follows:

Key Official

Point of Contact

A. For the NCDOT:

Mr. Michael L. Holder, PE
Chief Engineer
North Carolina
Department of Transportation
Transportation Building
1 S. Wilmington St.
Raleigh, NC 27601
Phone: (919) 707-2500
Email: mholder@ncdot.gov

Mr. Richard W. Hancock, PE
Project Development Unit Head
North Carolina
Department of Transportation
Transportation Building
1548 Mail Service Center
Raleigh, NC 27699-1548
Phone: (919) 707-6000
Email: rwhancock@ncdot.gov

Mr. Rodger Rochelle, PE
Administrator of the Technical Services Division
North Carolina
Department of Transportation
Transportation Building
1 S. Wilmington St.
Raleigh, NC 27601
Phone: (919) 707-2900
Email: rdrochelle@ncdot.gov

B. For the NPS:

Mr. Mark H. Woods
Superintendent
Blue Ridge Parkway
U.S. Dept. of the Interior
National Park Service
199 Hemphill Knob Road
Asheville, NC 28803
Phone: (606) 248-1050
Email: mark_woods@nps.gov

Mr. Larry Hultquist
Project Manager DSC-T
Blue Ridge Parkway
U.S. Dept. of the Interior
National Park Service
199 Hemphill Knob Road
Asheville, NC 28803
Phone: (828) 348-3482
Email: larry_hultquist@nps.gov

C. For the FHWA-NC Division:

Mr. John Sullivan, PE
Division Administrator
Federal Highway Administration
North Carolina Division
310 New Bern Avenue, Suite 410
Raleigh, NC 27601
Phone: (919) 747-7000
Email: John.Sullivan@dot.gov

Mr. Michael Batuzich
Environmental Specialist
Federal Highway Administration
North Carolina Division
310 New Bern Avenue, Suite 410
Raleigh, NC 27601
Phone: (919) 747-7033
Email: Michael.Batuzich@dot.gov

D. For the EFLHD:

Ms. Karen Schmidt
Director, Program Administration
Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, VA 20166
Phone: (703) 404-6276
Email: Karen.Schmidt@dot.gov

Ms. Yanina Kirtley, PE, PMP
Project Manager
Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, VA 20166
Phone: (571) 434-1556
Email: Yanina.Kirtley@dot.gov

ARTICLE V: FUNDING LIMITATIONS

Nothing in this Agreement shall be interpreted to require obligations or payments in violation of the Anti-Deficiency Act, 31 U.S.C. 1341.

All terms and conditions of this Agreement are dependent upon, and subject to, the allocation of funds for the purpose set forth in the Agreement and the Agreement shall terminate if funds cease to be available. The NCDOT will immediately notify all parties in writing if funds cease to be available and the Agreement will terminate in accordance with Article II.J.

ARTICLE VI: STANDARDS

EFLHD shall complete the Work (design) in accordance with the current applicable American Association of State Highway Transportation Officials (AASHTO), FHWA, Manual of Uniform Traffic Devices Control (MUTCD) and NCDOT standards and guides in cooperation with NCDOT.

ARTICLE VII: DISPUTE RESOLUTION

Disputes should be resolved at the lowest level possible. The dispute should be clearly defined in writing and understood by all Parties. Any dispute between the Parties that cannot be resolved by the Project points of contact shall be formally presented in writing to the Chief Engineer of NCDOT, the Superintendent of the Blue Ridge Parkway, and the Division Director for EFLHD for review and resolution. Any resolution of the dispute shall be reduced to writing signed by the reviewers.

If the dispute cannot be resolved by the second level of review, then the matter may be presented to the Administrator of the Technical Services Division of the NCDOT, the NPS Regional Director, Southeast Region, and the Administrator of the FHWA.

IN WITNESS THEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized representatives.

**STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION**

**Approved By the Board of
Transportation:**

Mr. Michael L. Holder, PE Date
Chief Engineer

Date

**U.S. DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
BLUE RIDGE PARKWAY**

Mr. Mark H. Woods
Superintendent

Date

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
NORTH CAROLINA DIVISION**

Mr. John Sullivan, PE
Division Administrator

Date

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
EASTERN FEDERAL LANDS HIGHWAY DIVISION**

Ms. Karen A. Schmidt, PE Date
Director, Program Administration

ATTACHMENT A
Scope of Work

The Scope of Work and estimated engineering costs under this Memorandum of Agreement are based on, but not limited to, the following activities:

Project Management – Necessary communication and coordination of various preliminary design activities within the EFL, NPS and NCDOT, and manage schedule and budget (12 man-days).

Alignment Alternatives – The projection of at least three alternative horizontal and vertical alignments that satisfy the purpose and need of the project. Develop typical sections, preliminary earthwork, and prepare construction schedules and engineer’s estimates for design alternatives (21 man-days).

Bridges Alternatives – Type size and location drawings for various bridge alternatives including a retrofit/modification of the existing bridge, steel girder bridge alternative, and concrete bridge alternatives based on various alignment alternatives (120 man-days).

Design Visualization – 3D renderings of each alternative alignment and bridge for use as part of Public Meetings, NPS Value Analysis and Design Board approvals (10 man-days).

Geotechnical Analysis – Evaluation of existing geotechnical information, field borings (and appropriate material lab testing) at each abutment/pier location for foundation assessment and preliminary design recommendations (62 man-days).

Environment – Assistance to the NPS to prepare necessary NEPA documentation to meet both NPS and FHWA NEPA requirements. Participation with NPS in necessary activities to complete NEPA compliance; including to fully prepare and analyze NEPA alternatives, and work with NCDOT staff to appropriately coordinate and incorporate NPS documentation into the Draft and Final EIS (77 man-days).

NPS Activities - NPS work necessary to complete the NEPA compliance including coordination with SHPO, Value Analysis (VA) and Choosing by Advantages (CBA) facilitation and documentation, and approval through the NPS Design Advisory Board (\$40,000).

ATTACHMENT B**Work Schedule**

Activity	Estimated Completion
Distribute Agreement for Signature	May 2015
Coordinate Funds Transfer between NCDOT and EFL	May 2015
Develop Draft Alignment/Bridge Alternatives for Draft EIS for submittal to NCDOT	May 2015
Publish Draft EIS (NCDOT)	June 2015
Complete Alignment/Bridge Alternatives for NPS Value Analysis	August 2015
NPS Value Analysis	September 2015
NPS Design Advisory Board Review	October 2015
Prepare Final EIS Documentation for Submittal to NCDOT	January 2016
Publish Final EIS/ROD (NCDOT)	April 2016
NPS Adoption of Final EIS and NPS ROD	May 2016



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

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

SENT VIA ELECTRONIC CORRESPONDENCE

FEB 11 2013

In Reply Refer To: HFHD-15

Mr. Dre Major
Project Development Engineer
NCDOT- Project Development and Environmental Analysis
1548 Mail Service Center
Raleigh, NC 27699

Subject: Proposed Widening and Improvement of I-26 in Henderson and Buncombe Counties
State Transportation Improvement Program (STIP) Project No. 1-440011-4700

Dear Mr. Major:

On January 31, 2013, Eastern Federal Lands Highway Division's (EFLHD) bridge engineers attended the North Carolina Department of Transportation's (NCDOT) informational workshop on the subject project. Our understanding of the project is that the NCDOT will widen a 22.2 mile section of the existing four-lane Interstate 26 to six or eight lanes from U.S. Route 25 in Henderson County to Interstate 40 in Buncombe County, and that this project will include replacing the existing Blue Ridge Parkway bridge over the interstate. At the request of the National Park Service (NPS), the EFLHD would like to participate in this project by providing an in-house design for the Blue Ridge Parkway bridge over the interstate.

We have several questions regarding the project, specifically as it concerns the Blue Ridge Parkway bridge. We would appreciate your responses to the following:

- Are there any conceptual designs for the project?
- When will the design for the bridge begin?
- Is there a conceptual typical section for future Interstate 26?
- Do you envision retaining walls in the vicinity of the bridge?
- What will the "horizontal clear zone" be under the bridge?
- What type of structure is being planned for the bridge?
- Will the proposed bridge be on a new alignment in order to keep the existing bridge open to traffic during construction?
- Will there be any special aesthetic considerations for the new bridge?

Please be aware that if the NCDOT concurs with the NPS's request for the EFLHD to design and construct the bridge, then it will be necessary to provide funding to the EFLHD through a Memorandum of Agreement and/or a Federal-Aid funding transfer. We will contact you in the near future to schedule a meeting with your agency to discuss this project and our potential involvement. Please contact me at 571-434-1556 if you have any questions.

Sincerely yours,



Yanina Kirtley, P.E.
Project Manager

cc:

Mr. Kent Cochran, Transportation Program Manager, NPS-SERO, Atlanta, GA
Mr. Larry Hultquist, Project Manager, DSC, NPS, Asheville, NC
Mr. Andy Otten, Landscape Architect, DSC, NPS, Asheville, NC
Mr. Phil Francis, Superintendent, BLRI, NPS, Asheville, NC
Mr. Michael Molling, Chief of Maintenance, BLRI, NPS, Asheville, NC
Mr. John F. Sullivan III, Division Administrator, FHWA (HDA-NC), Raleigh, NC



IN REPLY REFER TO:

United States Department of the Interior

National Park Service
Blue Ridge Parkway
199 Hemphill Knob Road
Asheville, North Carolina 28803



D30(BLRI)

December 4, 2013

Ms. Jennifer Harris, PE
Western Region Project Development Section Head
1548 Mail Service Center
Raleigh NC, 27699-1548
Jhharris@ncdot.gov

Subject: Blue Ridge Parkway Bridge over Interstate 26.

Reference: Design Criteria, and Environmental documentation for Blue Ridge Parkway bridge over I26, provided by the Parkway to Eastern Federal Lands Highway Division Office (EFLHD), Bridge Engineering Division and to NCDOT. This design criterion is applicable to the Environmental Impact Statement (EIS), or EA by NCDOT and the National Park Service (NPS).

Dear Ms. Jennifer Harris:

We highly appreciate the opportunity to meet NCDOT officials with responsibility for the subject project during our recent meeting on October 29, 2013. We are grateful for the opportunity to discuss the environmental compliance issues and the design of the Blue Ridge Parkway bridge over Interstate 26. We have reviewed and do approve of the summary for the meeting minutes provided to us by NCDOT. We agree the meeting minutes adequately and concisely summarize our discussions in this meeting. We look forward to continuing with the next steps and action items necessary to complete the NEPA environmental documentation for this project. As was agreed in this meeting, the Blue Ridge Parkway (BLRI) will patiently wait for notice from NCDOT of pending funding approvals for the widening of I-26, which is expected in February or March of 2014. We understand that a follow up meeting to discuss proceeding with the NEPA compliance documentation for replacement of the I-26 bridge would best occur once notice of funding approval has been released. Blue Ridge Parkway offers our point of view of the pending MOU between EFLHD, NCDOT, and BLRI. We would like to express in this letter our position of preference for NEPA documentation requirements. As agreed, we have finalized BLRI talking points for design criteria for the Blue Ridge Parkway bridge over I-26, as follows below, for your consideration.

DESIGN CRITERIA, MOU, AND SCOPE OF WORK, FOR THE PARKWAY BRIDGE OVER INTERSTATE 26

Discussions for Memorandum of Understanding between NCDOT, EFLHD, and NPS: Blue Ridge Parkway (BLRI) has requested that a Memorandum of Understanding (MOU) be written and approved between NCDOT, EFLHD, and BLRI for the design and construction of the new parkway bridge over I26. With this MOU, NCDOT would agree to fund EFLHD for the design and construction management of this new parkway bridge. When completed, it is understood the bridge will become the property and maintenance responsibility of the Blue Ridge Parkway. EFLHD and NCDOT solicitors will review and resolve the requirement of PE seals on all bridge design documents. This project is a niche project for EFLHD, and EFLHD has completed many projects between State



and Federal agency partners, in particular with the NCDOT (BLRI Parkway Bridge over US 421). EFLHD has past experience and internal resource capability in both highway and bridge design to deliver this type of construction project with the constraints identified by both partners including top-down construction, no disruption to I-26, no parkway closure, and the special needs of the NPS. Separating this project for design and construction from the overall I-26 widening project is highly desirable and advantageous. If no right-of-way is likely needed, this project can be constructed well in advance of future I-26 construction and can avoid future construction coordination issues. I-26 could be completed without further interruption or coordination with the NPS. State laws that (a) exempt Federal employees from stamping plans and (b) prohibit the DOT from advertising projects without a PE stamp need to be resolved by higher level officials within the State. Since the Parkway bridge is a federally-owned bridge, lies entirely within federal land, and the NCDOT is neither required to inspect nor maintain the bridge, then there would seem no logical reason to require the new bridge plans to be either stamped or constructed by the NCDOT. The cost to replace the bridge is the responsibility of the State because of their project to widen I-26. The 47-year old bridge is in good condition, and the NPS has no other reason to replace the bridge for many years to come.

EIS/EA Documentaion, Background and Future Planning: The NCDOT is beginning an EIS for the project and held a public scoping meeting in January 2013. The project is proposed to be let in 2020, with design complete in 2018 for R/W acquisition. Both the NPS and NCDOT have agreed that the I-26 EIS will be sufficient and a separate NPS environmental document will not be necessary. However, in the October 29, 2013 meeting between EFLHD, NCDOT, and BLRI a separate NPS, EA will be further discussed as a documentation option for NEPA compliance. The EIS, or EA must provide at least three feasible alternative proposals for replacing the bridge that can be addressed in the NCDOT, EIS, and evaluated by an NPS value analysis and choosing-by-advantage technique. Blue Ridge Parkway has shared a PowerPoint presentation with NCDOT that advises about the VA-CBA process and technique. Preferred design must be submitted to the National Park Service, Development Advisory Board (DAB). The NCDOT EIS, or a separate NPS, Environmental Assessment (EA), will address documentation for advantages and potential cumulative environmental impacts of all alternatives including the preferred alternative during the public review process. To expedite the NEPA compliance documentation for the I26, bridge, Blue Ridge Parkway believes it prudent and efficient to complete that documentation in a separate NPS, Environmental Impact statement. However, we are aware of the political issues surrounding the widening of I26 and thus the replacement of the Blue Ridge Parkway bridge over I26. Therefore, we will concur with NCDOT on the ideal compliance documentation procedure and methodology that might be recommended.

Talking Points for Design Criteria for the Parkway Bridge over Interstate 26

- 1) **Significance of the existing Parkway Bridge over I26:** The existing bridge is listed as a contributing resource to the historic landscape of Blue Ridge Parkway. The Blue Ridge Parkway has been nominated as a National Historic Landscape and must be managed as such. The new bridge must be designed and constructed to NPS road and bridge standards and the design must reflect historic use of materials, aesthetic values, public health and safety, constructability, ease for emergency services, preservation of natural and cultural resources and other issues that could be reflected in the NPS value analysis and choosing-by-advantage analysis studies. Blue Ridge Parkway needs to consider historic use of materials such as granite parapet and granite approach guardrails to this bridge. One design alternative might include concrete support columns that are faced with granite stone. To preserve aesthetic resources Blue Ridge Parkway will require screened views to I26 from the Parkway with revegetation of the new parkway alignment and along the I26 corridor to within ½ mile either north or south of the new bridge. A bridge railing or granite stone parapet that screens views from the Parkway to I26 is recommended.
- 2) **Retrofit of the Existing Parkway Bridge Over I26:** Because the steel girders of the existing bridge are approaching the end of its serviceable life cycle, Blue Ridge Parkway requires that the existing

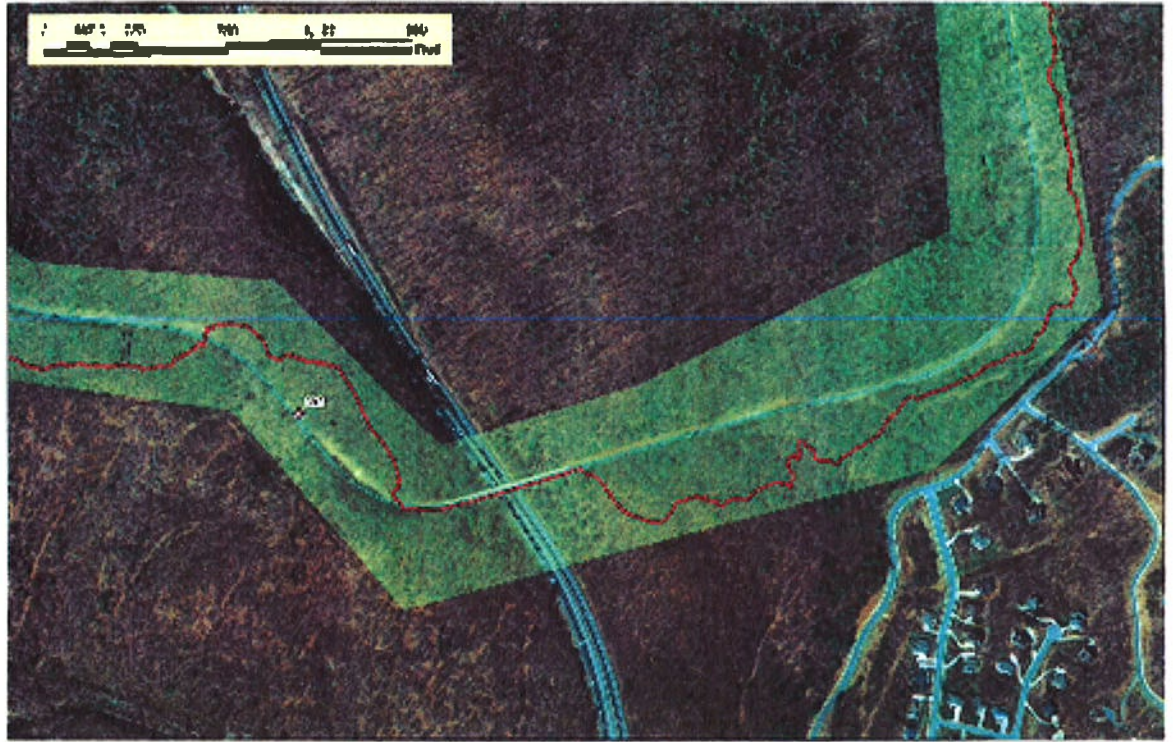
bridge be removed to construct an entirely new bridge. Retrofit of the existing bridge with an arch or other engineered solution to enable the existing bridge to span the planned widening of I26 shall not be approved by Blue Ridge Parkway.

- 3) **Bridge Design Criteria:** The new bridge must be designed to span a minimal six lane highway with a safety median, but preferably should be designed to span 8 lanes with a safety median included. The preliminary construction estimate for the new Parkway bridge is \$15-20 million, but various bridge and roadway alignment alternatives must be evaluated. NCDOT, with agreement of Blue Ridge Parkway, has suggested an iconic structure (such as an arch) serving as a gateway into Asheville. EFLHD has looked at various alternatives and is considering a segmental variable depth box girder bridge structure (with no arch) which is less costly and is aesthetically desirable. Imprinting the title "Blue Ridge Parkway" into the concrete side of the bridge has been discussed as a potential design feature to give the bridge a signature identity. The bridge must be designed for 100 year life span with low maintenance and inspection requirements and low life cycle costs. The bridge must meet the NPS standard for load and carrying capacity on Blue Ridge Parkway.
- 4) **ROW Alignment of the New Bridge:** Final alignment of the bridge must remain within the Blue Ridge Parkway existing bridge right of way (ROW), which is approximately a total width of 700 feet from centerline of parkway. Land exchanges on either side of the new bridge alignment cannot be approved.
- 5) **Parkway Realignment for the New Bridge:** The new bridge can be positioned either north or south of the existing bridge, so that visitor traffic can continue along the existing bridge until construction of the new bridge and parkway mainline realignment construction is complete. The new bridge can be designed with a curved alignment to achieve a safe new alignment of the parkway with minimal impact to natural resources. Provide at least two alternative parkway mainline road realignments for review by Blue Ridge Parkway and the Denver Service Center. Parkway realignment proposals and the preferred alternative shall be included in NCDOT, VA/CBA analysis, EIS, and in Development Advisory Board documentation.
- 6) **EFLHD Bridge Design:** shall provide horizontal and vertical alignment for the parkway realignment. Realignment drawings will include layout, grading, construction limitations for tree clearing, drainage, erosion control, detail construction and construction specifications, estimates and any other pertinent contract drawings required to complete the construction of the bridge to meet industry standards. Grading of the new parkway realignment must include grade rounding as it typical along the parkway and a planting plan to revegetate the existing alignment as well as the old parkway alignment to be abandoned. Vertical realignment of the parkway should remain as-close to the existing alignment as possible (within six inches, along the entire route). Superelevation grading of the new curved alignment either of the roadway and/or bridge will be required and approved.
- 7) **Lessen Impact to Parkway Commuter Traffic:** This section of parkway is within an established commuter zone requiring that any detour of traffic shall be permitted only on a short term basis not to exceed 2 months. This detour could only be implemented from November 1, to April 15 of any two successive years. The understood detour shall be from SR 25, to Interstate 40, back to the Parkway at route 191, and this detour shall be signed for both north and south bound traffic.
- 8) **Lessen Impact of Bridge Construction on I26 Construction:** Top down construction of the bridge is required because the bridge must be constructed so as not to interrupt traffic flow along Interstate 26 at any time. Traffic along Blue Ridge Parkway can only be interrupted on a short-term (maximum two month duration), under the signed detour outlined above. It is required that demolition of the

existing bridge be coordinated with NCDOT and BLIR, with a best practices plan to accomplish demolish safely for all stakeholders and with uninterrupted traffic flow along I26.

- 9) **Lessen Suicide Attempts:** The existing bridge has a history of suicides so it will be a requirement to provide a minimal of three railing designs that deter suicide attempts. The bridge railing must meet requirements for AASHTO crash worthy designation. Blue Ridge Parkway would like to consider historic use of granite stone masonry on the parkway for the approach guardwalls and possibly parapet wall construction of the bridge.

- 10) **The Mountains to Sea Trail (MST) Planning:** is aligned to pass directly over the existing bridge. The walk connection to the trail does not need to meet ADAAG code requirements as the Mountains-to-Sea trail is not a designated accessible trail system. The walk will not be multiuse and need not be designed for bicycling access. Requirements for an AASHTO safety railing between the motor road and the walking surface can be waived by historic design precedence of the Blue Ridge Parkway and NPS standards. When the new bridge is constructed it will likely have to be curved with the inside of the curve on parkway right (PKR) as we believe the ideal alignment shall be to place the new bridge on the (Hendersonville) side of the existing bridge thus lengthening the sharp curve radii along the parkway on the Cherokee side of the bridge. MST trail approaches the bridge on the (Cherokee) side from PKR. We would not want MST hikers to cross the parkway on the Cherokee side because that side has the least sight distance to oncoming cars. Hikers could cross the bridge on PKR along the sidewalk on the inside of the curve (Asheville side of bridge). We believe that we can then align the MST trail to cross under the bridge on PKR to PKL, where the MST trail continues. We believe this could be done rather than have hikers cross traffic. We would plan to have just a curb separation between walk and parkway motor road unless FHWA requires a rail between walk and driving surface as they have done at Natchez Trace Parkway. See MST trail alignment in the following photo.



11) Parking Provision Planning for MST: Blue Ridge Parkway is planning to place parking/ overlook at the south and/or north end of the bridge where construction staging and abandonment of the existing bridge will occur. This will serve as a trail head for the MST in this area. Bridge designers should take this into consideration when designing the horizontal curves. The design capacity for these parking areas shall be analyzed by Blue Ridge Parkway, but at this time we expect it to be for approximately 30 vehicles

Contact Information

Mr. Mark Woods, Superintendent of Blue Ridge Parkway
Telephone: (828) 348-3405
email: mark_woods@nps.gov

Mr. Michael Molling, Chief of Maintenance, Blue Ridge Parkway
Project Leader for Blue Ridge Parkway
Telephone (828) 348-3445

Mrs. Suzette Molling, Environmental Protection Specialist, Blue Ridge Parkway
Lead for Environmental Compliance
Telephone (828) 348-3432

Mr. Larry Hultquist, Project Manager DSC-T, for Blue Ridge Parkway
Project Coordinator
Telephone Office (828) 348-3482, Cell (828) 779-0195

Respectfully,



Mark Woods
Superintendent, Blue Ridge Parkway

cc: David J. Anderson, Steven Kidd, Bambi Teague, Steven Stinnett, Mike Molling, Suzette Molling, Dennis Atkins, Monika Mayr, Michael Ryan



United States Department of the Interior
NATIONAL PARK SERVICE



Blue Ridge Parkway
199 Hemphill Knob Road
Asheville, North Carolina
28803

From: Mark Woods, Superintendent, Blue Ridge Parkway
To: Undrea J. Majors, NCDOT
Date: 2/27/2014

Subject: NCDOT, Project number I-4400/I-4700

Reference: Invitation to Blue Ridge Parkway for signatory member for the subject project.


Dear Mr. Undrea Majors;

This letter is in reference to your recent correspondence with Mr. Larry Hultquist, Park POC for the subject project, NCDOT, I-4400/I-4700. As I understand it, NCDOT is requesting whether or not the Parkway would wish to have a signatory member on their board for this project. As I understand it, a signatory member would be expected to participate in many meetings and be cosignatory on important correspondence relative to the entire reroute of the I26 corridor, including NEPA-EIS documentation, land exchanges, planning, design, and so on. With this letter, we are officially stating that it will not be necessary for a Blue Ridge Parkway official to serve as a signatory member for the subject projects. The entire NCDOT, Project I-4400/I-4700 is beyond the scope of involvement that we believe is necessary for Blue Ridge Parkway.

Mr. Majors, you have assured us that we would not be required to have a signatory member for the NCDOT I-4400/I-4700 project, to be completely involved with the NEPA documentation, planning, design, or land exchange issues within a 1-mile corridor for the replacement of the Parkway Bridge over I26. It is understood that I or an agreed-upon representative, Deputy Superintendent, Monika Mayr, would sign any official documentation originating from the Parkway or through NCDOT that is relative to the replacement of the I26 bridge within a 1-mile corridor of this bridge along the proposed route of I26, or any correspondence that may be relative to the Blue Parkway proposed reroute. This documentation might include, but is not limited to, NEPA compliance, traffic control issues, Parkway reroute, planning or design of the bridge replacement within the agreed-upon 1-mile corridor. As agreed, Larry Hultquist, DSC Project Manager, will continue to be our Point-of-Contact (POC) for the subject project and will keep us informed of important milestones or issues relative to the I26 bridge replacement.

We appreciate the invitation from NCDOT, for Blue Ridge Parkway to provide a signatory member for the NCDOT, I-4400/I-4700, I26 reroute project, but respectfully decline that honor as not being necessary for Parkway needs or requirements at this time.

Sincerely;

A handwritten signature in black ink, appearing to read "Mark Woods". The signature is stylized and cursive.

Mark Woods
Superintendent, Blue Ridge Parkway

CC: Larry Hultquist, POC, Monika Mayr, Deputy Superintendent



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

July 22, 2014

Mr. Mark Woods
Superintendent, Blue Ridge Parkway
United States Department of the Interior
National Park Service
199 Hemphill Knob Road
Asheville, NC 28803

Subject: Blue Ridge Parkway Bridge over I-26, Design Criteria and Environmental Documentation

Dear Mr. Woods:

The following information is in response to your letter, dated December 4, 2013 regarding the Blue Ridge Parkway bridge over I-26 and the referenced design criteria and environmental documentation. NCDOT has reviewed the talking points for the design criteria and has the following response.

Significance of the existing Parkway Bridge over I-26. NCDOT acknowledges the unique character, landscape, and history of the Blue Ridge Parkway. Although the bridge is listed as a contributing resource to the historic landscape, the bridge construction and material type is typical to bridges across the state and unique only in its height above I-26. NCDOT shares the NPS values of public health and safety, constructability, and preservation of natural and cultural resources. Re-vegetation along the new Parkway alignment to shield the approaches to the bridge from views of I-26 is something that can be explored. Vegetation of the I-26 corridor itself is not likely due to the hazards it could introduce. However, bridge railing to accommodate for a bicycle safe height may adequately screen views from the Parkway to I-26. Material types can be investigated as the planning process continues.

Retrofit of the Existing Parkway Bridge over I-26. Within the "Discussion for Memorandum of Understanding between NCDOT, EFLHD, and NPS", the NPS letter indicates that the existing bridge is 47-years old, in good condition, and the NPS has no other reason to replace the bridge for many years to come. However, this section says that the bridge is approaching the end of its serviceable life cycle due to the condition of the steel girders. The latest bridge inspection report, which was not prepared by NCDOT, indicates a sufficiency rating of 22 out of 100 and that it is functionally obsolete. This is in agreement with NPS's latter statement that the bridge is near the end of its serviceable life and in need of replacement regardless of the I-26 widening project. NPS may be financially obligated for a pro-rated portion of the replacement cost. State maintained bridges are usually listed on the NCDOT Bridge Program for replacement or rehabilitation when the sufficiency rating falls below 50 out of 100. Also, it should be noted that retrofit of the existing bridge may need to be investigated if it is a viable alternative.

Bridge Design Criteria. NCDOT agrees that the new bridge must be designed for the future. The proposed design should accommodate at least 8 lanes, a median, and shoulders on I-26. We agree that various bridge and roadway alignments alternatives must be evaluated. We also agree that the bridge should be designed with low maintenance and inspection requirements and life cycle costs. NCDOT utilizes the AASHTO LRFD Bridge Design Specifications which are calibrated for a 75-year design life. This design life is acceptable to FHWA for all bridges on the National Highway System. Additional measures to increase the design life should be the responsibility of BLRI.

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS
1548 MAIL SERVICE CENTER
RALEIGH NC 27699-1548

TELEPHONE: 919-707-6000
FAX: 919-250-4224
WEBSITE: www.NCDOT.GOV

LOCATION:
CENTURY CENTER, BUILDING A
1000 BIRCH DRIVE
RALEIGH NC 27610

In the October 29, 2013 meeting minutes, it was noted that a “signature bridge” was not being pursued. Terry Gibson noted that the NCDOT was embarking on making bridges more aesthetically pleasing, but funds were limited and there would be a threshold to the amount of funds that could be expended for aesthetics. Even so, NCDOT will investigate alternatives with NPS, the State Historic Preservation Office, and FHWA in the planning process so that Section 4(f), Section 6(f), and Section 106 requirements can be satisfied. NCDOT will finance an “in-kind bridge” which satisfies these requirements. Any other enhancements beyond those that satisfy the requirements will have to be negotiated between NCDOT and NPS, and NPS will be asked to pay for the cost of those enhancements. Imprinting of “Blue Ridge Parkway” into the concrete side of the bridge may not be readable due to the height of the bridge, but can be investigated.

ROW Alignment of the New Bridge. The final alignment of the bridge should be able to remain within the Blue Ridge Parkway existing right of way.

Parkway Realignment for the New Bridge. Alternative alignments for the new bridge can be studied both north and south of the existing bridge and reviewed by the appropriate entities. A realignment of the Parkway will provide for the least amount of disturbance to visitor traffic.

EFLHD Bridge Design. NCDOT welcomes NPS input from EFLHD regarding horizontal and vertical alignment, layout, grading, construction limitations for tree clearing, drainage, erosion control, construction specifications, and estimate items for the Parkway realignment during the preliminary design and planning phase of the project. NCDOT will evaluate these designs along with NPS and incorporate them into the EIS. Grade rounding and reforestation/vegetation will be discussed as the planning continues. Superelevation grading of the new roadway and bridge will need to be appropriate for the design speed and curvature of the proposed alignment.

Lessen Impact to Parkway Commuter Traffic. NCDOT understands that this section of Parkway is within an established commuter zone and will work with NPS to minimize the duration of off-site detouring and schedule such detouring. The suggested detour from US 25, to I-40, back to the Parkway at NC 191 seems reasonable. NCDOT takes note of the desired maximum of two months duration for an off-site detour, and that it can be implemented from November 1 to April 15 of any two successive years.

Lessen Impact of Bridge Construction on I-26 Construction. NCDOT shares the same interest with NPS to minimize interruption of traffic flow along I-26 and the Blue Ridge Parkway. Construction methods including top down construction will be investigated in the planning process. Construction of the new bridge and demolition of the old bridge will need to be coordinated between NCDOT and BLRI to be accomplished as safely and efficiently as possible.

Lessen Suicide Attempts. NCDOT will investigate various AASHTO crashworthy rail types and welcomes input from NPS as noted above. NCDOT anticipates that the railings will be of bicycle safe height (48 to 54 inches) due to the Mountains to Sea Trail and other multi-modal uses of the Blue Ridge Parkway. Whether additional measures to deter suicide attempts will be allowable will depend on consultation with the State Historic Preservation Office and FHWA such that Section 4(f), Section 6(f), and Section 106 requirements can be satisfied. If the additional deterrent measures are deemed allowable pending these consultations, their inclusion would be as a betterment cost to the NPS. The betterment cost would be the additional cost beyond what would be required for pedestrians to safely cross the bridge.

NCDOT can consider historic use of granite stone masonry on the Parkway for the approach guardwalls if they are similar in nature to other guardwalls in the vicinity along the Blue Ridge Parkway. There are no guardwalls approaching the existing structure and wooden guardrail on only one approach. The cost for guardwalls over and above standard approach guardrail would most likely be considered a betterment with the cost to be borne by the NPS. For reference, the Blue Ridge Parkway approaches to the bridge over the French Broad River and NC 191 nearby have plain concrete guardwalls.

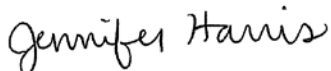
The Mountains to Sea Trail (MST) Planning. NCDOT understands that the MST does not need to meet ADAAG code requirements as the Mountains-to-Sea trail is not a designated accessible trail system. NCDOT takes note that the walkway on the bridge does not need to be designed for bicycling access and an AASHTO safety railing between the motor road and the walking surface can be waived by historic design precedence of the Blue Ridge Parkway and NPS standards. Any width for the MST on the bridge beyond the standard width of bridge would be negotiated as a betterment cost to be borne by the NPS. The width and location of the MST would be determined through the planning process.

The supplied photo of the MST shows the trail crossing the existing Parkway on the Cherokee side of the existing bridge and crossing I-26 on the Hendersonville side of the existing bridge. The design criteria seems to indicate a desire to eliminate that crossing and place the walkway on the Asheville side of the proposed bridge and bring the MST under the other end of the proposed bridge to join the existing MST alignment. NCDOT recommends that the MST realignment be considered after the preliminary plans are complete. NCDOT cannot commit to placing the trail under the bridge at this time.

Parking Provision Planning for MST. NCDOT understands that BLRI is planning to place a parking/overlook at the south and/or north ends of the bridge where construction staging and abandonment of the existing bridge would occur and would take that into consideration when designing the horizontal curves and planning re-vegetation of the approaches to the new bridge. NCDOT expects BLRI and their affiliates to design the parking/overlook areas and will coordinate with BLRI to accommodate for those plans. Payment for this work is expected to be a NPS/BLRI expenditure. NCDOT is concerned that the planned parking in the vicinity of the bridge may attract pedestrians to enter onto the bridge on a regular basis and to use it as an informal overlook, rather than a facility for MST users that are crossing the bridge. NCDOT does not believe this is something that should be encouraged.

We greatly appreciate your agencies' patience and cooperation as we work to advance this high priority project. We look forward to continuing to work closely with you as we complete the project's environmental study.

Sincerely,



Jennifer H. Harris, PE
Project Development Section Head, Western Region/Turnpike
Project Development & Environmental Analysis Unit

Electronic Copy:

Laurin Lineman, EFLHD Director of Project Delivery, laurin.lineman@dot.gov
Alan Teikari, EFLHD Chief Highway Design Branch, alan.teikari@dot.gov
George Choubah, EFLHD Bridge Design Team Leader, George.choubah@dot.gov
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Undrea Major, Project Development Engineer, NCDOT PDEA – Western Region, ujmajor@ncdot.gov
Mitch Batuzich, FHWA, Michael.batuzich@fhwa.dot.gov



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

North Carolina Division

May 26, 2015

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

In Reply Refer To:
HDA-NC

Mr. Mark Woods
Superintendent
Blue Ridge Parkway
199 Hemphill Knob Road
Asheville, NC 28803-8686

Dear Mr. Woods:

The Federal Highway Administration (FHWA) in cooperation with the North Carolina Department of Transportation (NCDOT) is initiating an environmental impact statement (EIS) for the I-26 Widening Project in Buncombe County, North Carolina (TIP# I-4400/4700). In accordance with 40 CFR 1501.6 of the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act (NEPA), we are requesting your agency be a cooperating agency.

We are requesting your agency to be a cooperating agency because the project will require replacement of the Blue Ridge Parkway (BRP) Bridge crossing I-26 which your agency has jurisdiction over. Designation as a cooperating agency does not imply that your agency supports the proposed project.

The I-26 Widening Project begins at I-40 in Asheville and extends south to US 25 in Hendersonville, approximately a 22.2-mile segment of the I-26 corridor. Currently, I-26 congestion is high, with sections of I-26 in the project study area currently operating at an unacceptable Level of Service (LOS) F. As projected traffic volumes increase, more sections of I-26 within the project study area are projected to degrade to LOS F. The purpose of the project is to reduce congestion and reconstruct I-26 in the project area in order to maintain high-speed, safe, and efficient regional transportation infrastructure for both local commuter trips and regional inter and intrastate travel.

Your agency's involvement should entail those areas under its jurisdiction and expertise. As a cooperating agency pursuant to NEPA, the following activities will occur:

1. Invite you to coordination meetings including NEPA/Section 404 Merger meetings;
2. Through FHWA and NCDOT Merger process, your agency will have an opportunity to comment on the project's purpose and need, range of alternatives and impacts to the aforementioned BRP bridge as early practicable;

3. FHWA and NCDOT will make available to your agency, as early as practicable, environmental and socioeconomic resources located within the project area and general location of alternatives;
4. Your agency shall identify, as early as practicable, any issues regarding the project's environmental and socioeconomic impacts that could substantially delay or prevent approval;
5. Consult with you on any relevant technical studies that will be required for the project; and
6. Include information in the project environmental documents that cooperating agencies need to discharge their NEPA responsibilities and any other requirements regarding jurisdictional permits and/or other approvals

You have the right to expect that the EIS will enable you to discharge your jurisdictional responsibilities. Likewise, you have the obligation to tell us if, at any point in the process, your needs are not being met. We expect that at the end of the process the EIS will satisfy your NEPA requirements including those related to project alternatives, environmental consequences and mitigation. Further, we intend to utilize the EIS and our subsequent record of decision as our decision-making documents and as the basis for the permit application. We expect the permit application to proceed concurrently with the EIS approval process.

We look forward to your response to our request for your agency to be a cooperating agency and a participating agency and to working with you on this transportation project. The favor of a reply is requested by June 25, 2015. If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EIS, please contact Mitch Batuzich at 919-747-7033 or michael.batuzich@dot.gov

Sincerely,

/s/ Michael V. Batuzich

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

File:

Reading File: 2015e26pe01.mvb

MVBatuzich:dkr:05/26/2015

From: Hultquist, Larry <larry_hultquist@nps.gov>
Sent: Tuesday, July 21, 2015 4:27 PM
To: Conforti, John G; Major, Undrea J; Jennifer Harris
Subject: Fwd: Cooperating Agency Status I-26 Project

FYI, Superintendent Mark Woods approves the inclusion of the Blue Ridge Parkway, as a Cooperating Agency in the EIS.

Larry Hultquist

Project Manager DSC-T, PMP
Office: (828) 348-3482
Cell: (828) 779-0195

----- Forwarded message -----

From: **Mark Woods** <mark_woods@nps.gov>
Date: Tue, Jul 21, 2015 at 4:19 PM
Subject: Cooperating Agency Status I-26 Project
To: "michael.batuzich@dot.gov" <michael.batuzich@dot.gov>
Cc: Suzette Molling <Suzette_Molling@nps.gov>, Larry Hultquist <larry_hultquist@nps.gov>

Michael,

My apology for the delay responding to the request of cooperating agency status for the I-26 Project. The Parkway does request to be included as a cooperating agency.

If you have questions please feel free to contact me.

Mark H. Woods
Superintendent
Blue Ridge Parkway

July 22, 2015

Memorandum:

To: Superintendent, Blue Ridge Parkway (BLRI)

From: BLRI Archeologist, R. Steven Kidd

Subject: Archeological survey of Area of Potential Effect (APE) associated with parkway reroute and I-26 bridge replacement.

INTRODUCTION

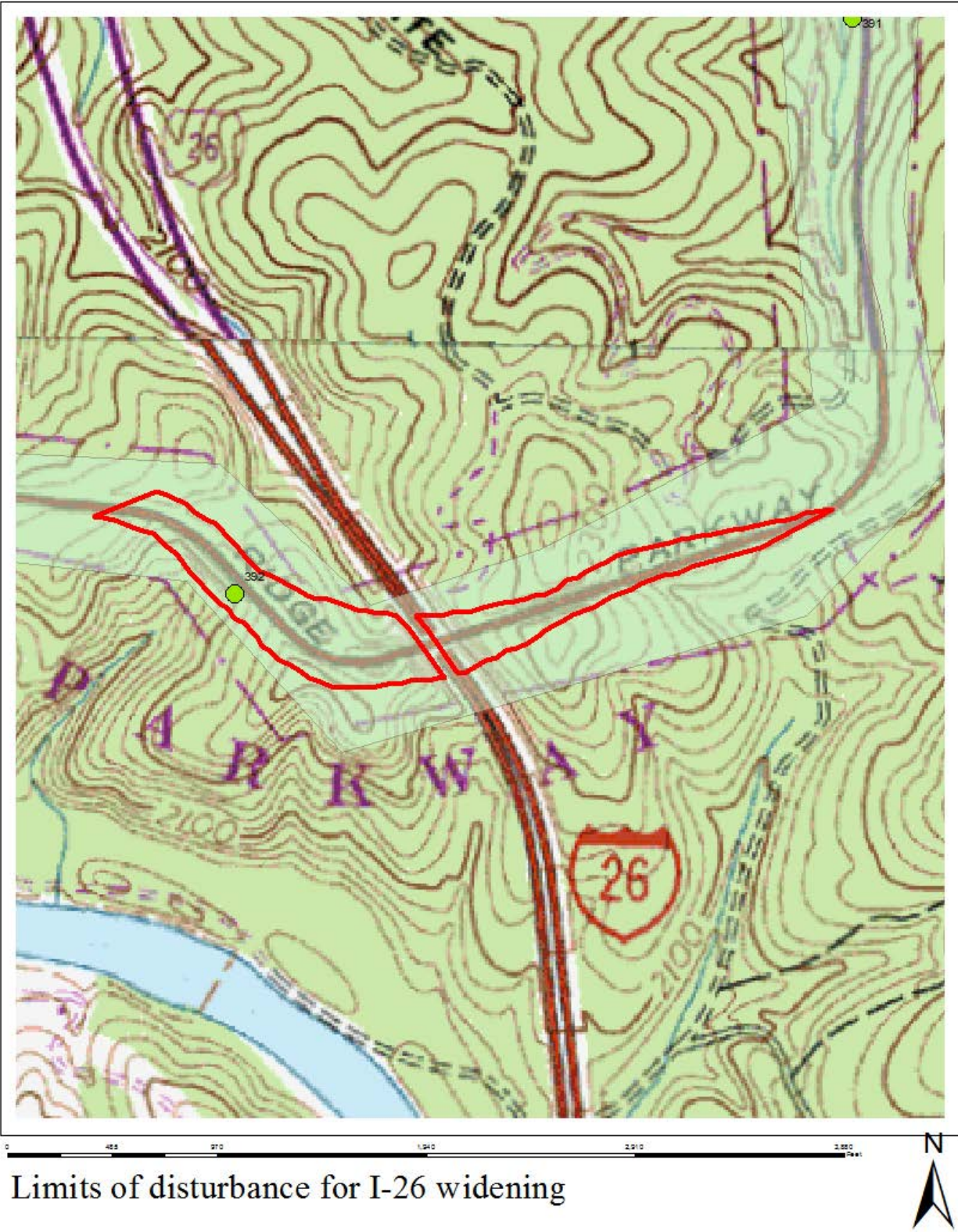
On July 21, 2015 BLRI archeologist Steven Kidd conducted a pedestrian survey of the proposed limits of disturbance associated with replacement of the Blue Ridge Parkway bridge over I-26 between Mileposts 391-392. Review of known archeological sites from the North Carolina Office of State Archaeology and the National Park Service's (NPS) Archeological Site Management Information System (ASMIS) resulted in the determination that no known sites would be impacted from the proposed bridge replacement and reroute of the parkway. The area included within the proposed APE was previously disturbed during initial construction and grading of the parkway. It is the determination of the BLRI archeologist that no archeological sites would be affected by the proposed project.

PROJECT DESCRIPTION

The North Carolina Department of Transportation (NCDOT) and the Blue Ridge Parkway have agreed that the current grade separation structure over I-26 will need to be removed, the parkway rerouted, and a new bridge placed over the interstate as a result of the widening of I-26. As a result of the minor reroute and bridge replacement an archeological survey was undertaken to determine if archeological sites present within the APE would be affected (Figure 1). Previous research of known archeological sites in the area resulted in the determination that no known sites would be affected. An archeological survey conducted in 1988 for the construction of the Mountains to Sea Trail (MST) within the APE by the Southeast Archeological Center (SEAC Acc 0785) did not locate any archeological sites at the time the trail tested.

Research of parkway archival records resulted in the discovery of a grading plan that revealed that the area within the APE had been greatly altered during initial construction (Figure 2). Fieldwork in the area confirmed this to be the case. Pedestrian survey of the proposed realignment corridor revealed that most of the parkway east of Interstate 26 had been built up from cuts outside the road corridor. The section of parkway west of Interstate 26 was created from cuts into the southern bank and subsequent fill on the northern edge of the parkway. The area proposed for parkway realignment falls within the area originally disturbed from parkway construction.

The areas directly outside obvious cuts and fills are on slopes greater than 20% and would not be likely locations for prehistoric occupations. No evidence of rockshelters were encountered during the survey and no evidence of historic use of the area was discovered other than a small section of Biltmore Forest's farmroad that was obliterated when the parkway was constructed (Figure 3).



Limits of disturbance for I-26 widening

Figure 1. Location of proposed bridge replacement and parkway reroute. Area archeologically surveyed.

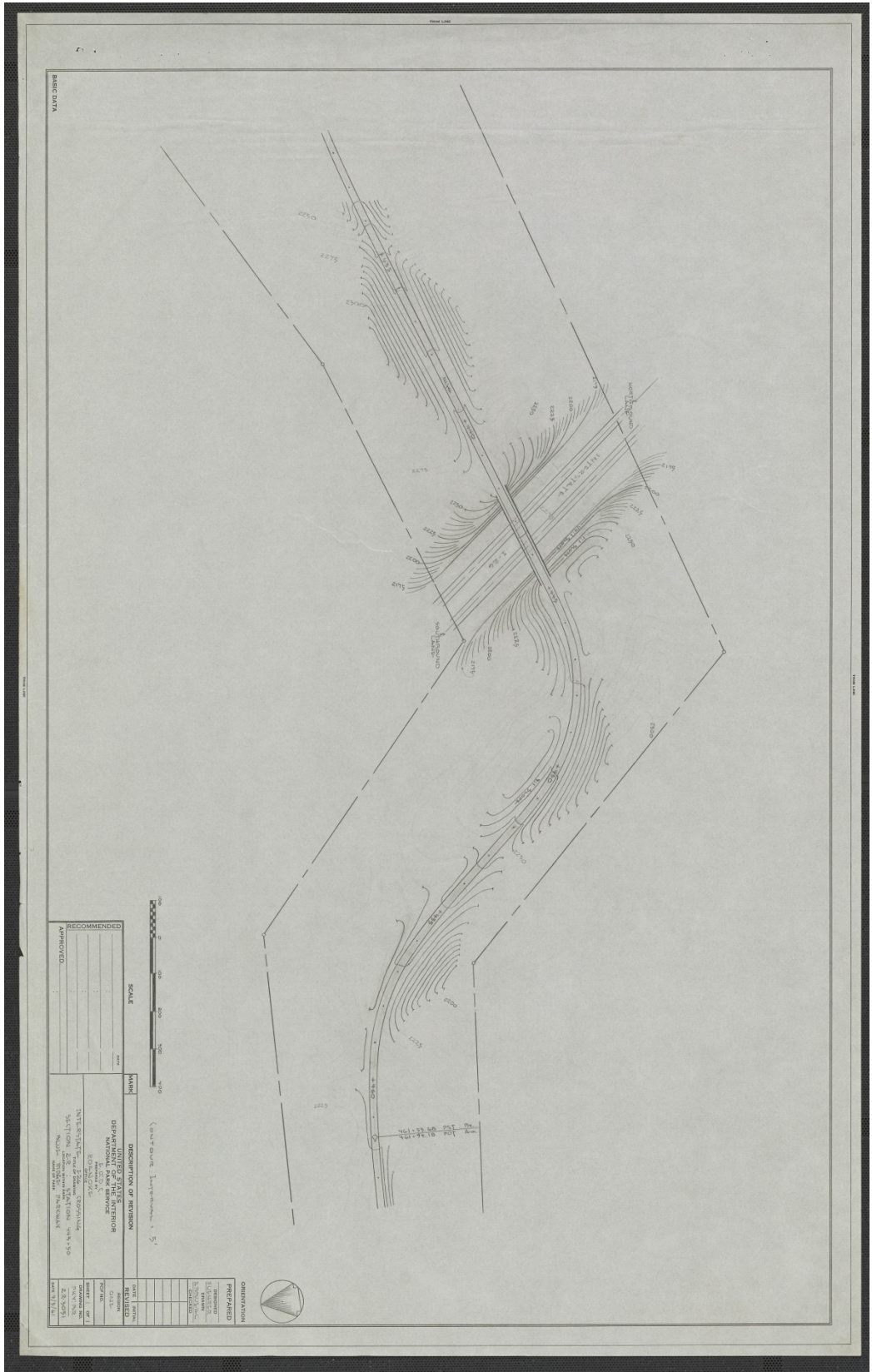


Figure 3. 1961 grading plan of proposed APE.



Figure 3. 1955 Map of parkway route within Biltmore property. Location of I-26 added later.

CONCLUSIONS AND RECOMMENDATIONS

Pedestrian testing of the area resulted in the finding that no significant archeological sites will be affected by the proposed actions at each location. Initial construction of the Parkway resulted in tremendous amount of soil disturbance in the form of cuts, fills, and grading that would have destroyed any sites that existed in the area prior to construction. Given the terrain in this area prior to Parkway construction it isn't likely that significant sites would have occurred in this location do to the relatively few areas that exhibit slopes of less than 20%. It is the BLRI archeologists recommendation that no further archeological testing is required at this location prior to bridge replacement or parkway reroute.



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Blue Ridge Parkway
199 Hemphill Knob Road
Asheville, North Carolina 28803



H30

August 3, 2015

Renee Gledhill-Earley
State Historic Preservation Office
4617 Mail Service Center
Raleigh, NC 27699-4617

ER 01-8333

DRAFT letter -
* LGH/BJS 8-18-15

Due 8/14/15

Dear Ms Gledhill-Earley:

Due 9/10/15 #

In compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, we are writing to you concerning an archeological survey of the proposed limits of disturbance associated with replacement of the bridge over I-26.

An archeological survey of the Area of Potential Effect (APE) was conducted by the Blue Ridge Parkway archeologist Steven Kidd on July 21, 2015. His report (attached) resulted in a determination that no archeological sites were present within the APE.

It is the determination of the National Park Service that this project will have no adverse effect on cultural resources or sites eligible or potentially eligible for listing in the National Register of Historic Places. If you concur with this determination, please sign on the line provided below and return this letter to us. If we have not received this response within 30 days, as provided by 36 CFR 800.5(b) and (c), then we will consider our responsibilities under Section 106 of the National Historic Preservation Act, as amended, and 36 CFR Part 800 to be completed.

Sincerely,

Steven Kidd
Cultural Resource Program Manager/Archeologist

I concur (X)

I do not concur ()

Renee Gledhill-Earley, EPC

9.3.15

NC State Historic Preservation Office

Date

AUG 07 2015

From: Molling, Suzette <suzette_molling@nps.gov>
Sent: Tuesday, September 15, 2015 12:11 PM
To: Jennifer Harris
Cc: Larry Hultquist
Subject: BLRI Preferred Alternative for I-26 Bridge (PIN 16296)

Jennifer,

Without an analysis to review for each of the proposed alternatives to see the degree of environmental impacts of each one, Larry and I discussed the information provided in the technical report sent by FHWA on 8/27/15. We also reviewed some estimated construction amounts and areas of disturbance that would be required for each alternative. Based on the information available at this time, Alternative 4 is the park's preferred alternative for the DEIS. Keep in mind that the preferred alternative may change between the draft and final EIS based on input received from the public and government agencies, and the NPS is not obligated to select the preferred alternative for implementation. To date, Alternative 4 best meets the NPS statutory mission and responsibility.

I believe we should also include the 4 alternatives in the maps prepared for the public hearing since we have to make this determination now without the environmental analysis.

Please let me know if you have questions.

Suzette Molling
Environmental Protection Specialist
Blue Ridge Parkway
828.348.3432





IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE

Blue Ridge Parkway
199 Hemphill Knob Road
Asheville, North Carolina 28803

H30
PIN 16296

March 8, 2016

Renee Gledhill-Earley
State Historic Preservation Office
4617 Mail Service Center
Raleigh, NC 27699-4617

Dear Ms. Gledhill-Earley:

In compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (54 U.S.C. 306108), the National Park Service (NPS) is writing to consult with your office on the proposed demolition and replacement of the bridge along the Blue Ridge Parkway (Parkway) over Interstate 26 in Buncombe County (ER 01-8333). The NPS is cooperating with the North Carolina Department of Transportation (NCDOT) and the Eastern Federal Lands Highway Division Office (FHWA) on Section 106 compliance and the design of the replacement bridge. Consultation began early in project planning and on August 3, 2015, NPS submitted an archeological survey of the Area of Potential Effect (APE) and found *no archeological sites* on Blue Ridge Parkway property. Your office concurred with this finding on September 3, 2015. The NPS also finds that the demolition of the existing bridge is an *adverse effect* since the Parkway (roadway) is a contributing resource to the proposed National Historic Landmark historic district.

Since that time, the NPS, NCDOT, and FHWA conducted a Value Analysis/Choosing By Advantages (VA/CBA) workshop and the draft study from that meeting is available along with the draft Section 4(f) evaluation. We understand from correspondence with NCDOT and FHWA that your office provided comments on these studies and suggested sidewalks be provided on both sides of the new bridge. The NPS would like to offer additional comments related to features of the bridge design meant to minimize the adverse effect, knowing that additional mitigation will be necessary.

Specific comments:

- Any suicide fencing would not be required by the Blue Ridge Parkway. The unique visual character of the designed landscape is our preeminent concern and no bridges along the 469-mile route have tall suicide fences. The proposed 42' concrete railing identified in the VA/CBA study is preferred due to compatibility with other examples along the Parkway and meets pedestrian safety requirements. The issue of suicide fencing for such an elevated bridge was discussed during the VA/CBA workshop and dismissed.

- The arched girder design was dismissed during the VA/CBA workshop due to construction restraints. The footers of this bridge design would not have allowed the necessary width needed to add additional lanes to I-26 at this location. The arched design would require a retrofit to the existing bridge deck, mandating full replacement of the bridge deck in twenty years, causing excessive life cycle costs. There is no design precedent on the Parkway for a steel arched bridge, which encouraged the group to dismiss this option at the workshop.
- The preferred design of a 5' raised sidewalk on the west side of the bridge would accommodate current safety standards for pedestrians using the Mountain to Sea Trail (MST) as it crosses the I-26 Bridge. The elevated sidewalk would provide a measure of additional safety by reducing the conflict between bicycles and pedestrians. To further increase safety, the MST would be realigned along the abandoned section of Parkway at the northern approach to the bridge and would remain aligned at the existing location from the southern approach to the bridge. To preserve symmetrical design a raised 2 to 3 foot walk could be included on the east side of the bridge. All bridges on the Blue Ridge Parkway have raised walks on one or both side of the bridge and are integral to the bridge parapet wall.

We look forward to working with your office, NCDOT and FHWA as this project continues. If you have any questions, please contact Beth Byrd, Acting Cultural Resource Specialist at the Blue Ridge Parkway at (404) 507-5793 or beth_byrd@nps.gov.

Sincerely,



Beth Byrd
Acting Cultural Resource Specialist

Attachment: Draft Value Analysis workshop report

CC:

Mary Pope Furr, NCDOT
Larry Hulquist, DSC- Blue Ridge Parkway
Suzette Molling, Blue Ridge Parkway
Jack VanDop, FHWA
Jennifer Harris, HNTB North Carolina
Lisa Landers, FHWA



United States Department of the Interior



NATIONAL PARK SERVICE
Blue Ridge Parkway
199 Hemphill Knob Road
Asheville, North Carolina 28803

IN REPLY REFER

H30

JUN 06 2016

Renee Gledhill-Earley
State Historic Preservation Office
4617 Mail Service Center
Raleigh, NC 27699-4617

Dear Ms. Gledhill-Earley:

Thank you for your letter received March 28, 2016, regarding the replacement Blue Ridge Parkway (Parkway) Bridge over I-26. The National Park Service (NPS) understands the need for a balanced appearance in addition to pedestrian safety on the new proposed bridge. While we agree that symmetry is an important element in the design of the new bridge, we would like to discuss outstanding concerns and work with your office, North Carolina Department of Transportation (NCDOT), and Eastern Federal Lands Highway Division (EFLHD) to accomplish a design that maintains a balanced visual appearance for users approaching the bridge.

The Value Analysis recommended a 5-foot wide raised concrete walkway be installed on Parkway right (west side), or low super-elevation side of the new bridge to counterbalance the curved alignment. On this side of the bridge, the new walkway would align with the Mountains to Sea Trail (MST) approach from the south side of the bridge. On the north approach of the new bridge, the MST would be realigned along the abandoned section of Parkway, and the crossing of the MST would be relocated (from Parkway right to left) further from the bridge to a straighter alignment of the Parkway, which would make this trail crossing safer for hikers. Varying options have been proposed by EFLHD Bridge Engineers for the walkway crossing of the new I-26 Bridge. The impacts of having a 5-foot wide raised concrete walkway installed on both sides of the bridge are discussed in the following analysis.

Cost and Safety Impacts to a Symmetrical Walkway Design

- A walking surface, on at least one side of the bridge at grade level to the road surface, and separated only by a white stripe from the travel surface, has been proposed. Blue Ridge Parkway and Federal Highway Safety and Bridge Engineers assessed this design to be particularly unsafe in that it would result in errant vehicle conflict between bicyclists, pedestrians and motorists. The new I-26 Bridge will have a curved alignment with limited sight distances, which makes this design particularly unsafe. The Linn Cove Viaduct is a curved bridge with widened lanes and no raised walking surfaces on either side. The Blue Ridge Parkway does not allow pedestrians to walk on the bridge because of the particular unsafe conditions. The I-26 Bridge differs from Linn Cove Viaduct due to the fact that the MST is aligned across this bridge, which invites hikers/pedestrians to routinely cross the bridge.

- EFLHD Safety Engineers and park staff suggest that having a walkway on both sides of the bridge could encourage a very unsafe pedestrian crossing of the bridge that is within a curved alignment. All the bridges in the Asheville corridor along the Parkway have a raised concrete surface on both sides of the bridge; however, these bridges have a straight alignment. The raised concrete surfaces adjoining the bridge rail are approximately 2.5 to 3 feet wide and are not intended to be pedestrian walk surfaces.
- Federal Highway Bridge and Safety Engineers have stated that because of the curved alignment of the I-26 Bridge and considering its limited sight distances, a minimum 5-foot raised walking surface would be needed to meet pedestrian safety requirements at the Parkway design speed limit of 45 MPH. A narrower walking surface would require reduced speed limits to less than 45 MPH or a revised bridge alignment. In addition, EFLHD Bridge Engineers recommend a minimum 5-foot width for at least one walkway to meet ADAAG handicap access codes. Although meeting this requirement may not be necessary currently, it may be necessary in the future.
- A 5- foot wide raised concrete walkway on both sides of the bridge would widen the bridge deck surface by 15 percent with a construction cost increase of 2.1 million dollars.
- The Value Analysis study for the new I-26 Bridge considered varying walkway design and trail realignment options and determined the minimal impact to the MST would be to preserve its present alignment on the south side of the bridge. It was determined there would be minimal impact to the MST to realign it along the abandoned alignment of the Parkway, to insure a safer trail crossing from Parkway right to left, as it presently does on the north side of the bridge. This trail realignment would move the trail crossing to a more ideal location than the existing trail crossing by improving sight distance away from the bridge.

In conclusion, the new I-26 Bridge is designed to be offset from the existing bridge so that the existing bridge can remain in place as the new bridge is being constructed. The new bridge will itself have a curve alignment to realign the Parkway motor road away from the existing bridge and to resolve a tight radius curve along the Parkway south of the bridge. Considering the curved alignment of the new bridge, Federal Highway Bridge and Safety Engineers have stated that a 5-foot wide raised walkway, aligned along the low side of the bridge super-elevation, provides the maximum pedestrian safety, meanwhile addressing the need to provide access for the MST and balancing the visual experience of driving along the Parkway. It is the low or west side of the new bridge that the existing Mountains-to-Sea Trail will be follow, also making that side the ideal location for the walkway.

We would like to discuss your comments about symmetry in the context of these safety and access concerns. We hope that NCDOT will address any cost concerns and together we can continue consultation on this project to minimize adverse effects.

Sincerely,



Mark Woods
Superintendent



United States Department of the Interior



NATIONAL PARK SERVICE
Blue Ridge Parkway
199 Hemphill Knob Road
Asheville, North Carolina 28803

IN REPLY REFER

L7617
PIN 16296

JUN 28 2016

Ms. Jennifer Harris
Mr. Bill Barrett
North Carolina, Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

Dear Mr. Barrett and Ms. Harris:

The Section 4(f) documentation for the new Blue Ridge Parkway Bridge over I-26 describes impacts to the Mountains to Sea Trail (MST) as follows. Within the project area, the MST intersects the Blue Ridge Parkway at three locations (Posts with directional arrows and the MST logo mark these locations) (see Figure 2).

- 1) The realigned Blue Ridge Parkway would shift approximately 70 feet south in the location of the trail crossing at Milepost 392.1. This shift would require minor improvements to the trail at the relocated crossing, including installation of wayfinding markers; however, the trail would remain on the existing alignment.
- 2) At Milepost 391.9, the Blue Ridge Parkway realignment would be located approximately at the same location as the motor road currently; however, minor improvements to adjust the grade may be required at the trail head to tie into the improved motor road. The MST would be relocated to the proposed new Blue Ridge Parkway Bridge to cross I-26.
- 3) The realigned Blue Ridge Parkway would shift approximately 110 feet south in the location of the trail intersection at Milepost 391.7 on the east side of the bridge through a steep cut section. This shift would require minor improvements to the trail at the relocated crossing, including the resetting of wayfinding markers; however, the trail would remain on the existing alignment. Though some minor work is anticipated at the relocated motor road intersections, including but not limited to grading and the resetting of wayfinding signs, the trail would remain on the existing alignment – except as it crosses I-26 on the replacement Blue Ridge Parkway Bridge. This work would be minor in nature and would not alter any

features that contribute to the MST's recreational use and/or aesthetic qualities. The initial clearing activity associated with project construction would be of short duration and during a time of low probable usage (i.e., winter). Therefore, the minimal direct use of the MST constitutes a *de minimis* use under Section 4(f).

The Blue Ridge Parkway has sent a letter to the North Carolina State Historic Preservation Office stating that Blue Ridge Parkway supports the design of a single walk crossing on the low or west side of the bridge. With this decision, the Blue Ridge Parkway agrees that the minimal direct use of the MST does constitute a *de minimis* use under Section 4(f).

Sincerely,

A handwritten signature in black ink, appearing to read "Mark H. Woods". The signature is fluid and cursive, with the first name "Mark" being the most prominent.

Mark H. Woods
Superintendent

cc:

NPS:

SERO-Anita Barnett, Beth Byrd

BLRI-Mike Molling, Suzette Molling, Larry Hultquist, Andy Otten, Craig Yow

NCDOT:

Mitch Batuzich, Undrea Major, John Williams, Kristina Solberg

FHWA;

Jack VanDop, Lisa Landers, Allan Teikari, Yanina Kirtley, Hratch Pakhchanian

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)	3. Date of Land Evaluation Request 10/13/14	4. Sheet 1 of <u>1</u>
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1. Name of Project STIP Project I-4400/I-4700	5. Federal Agency Involved Federal Highway Administration
2. Type of Project Highway Widening	6. County and State Henderson County, NC

PART II (To be completed by NRCS)		1. Date Request Received by NRCS 10/13/14	2. Person Completing Form Milton Cortes
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		4. Acres Irrigated none	Average Farm Size 68 acres
5. Major Crop(s) CORN	6. Farmable Land in Government Jurisdiction Acres: 132.945 % 57	7. Amount of Farmland As Defined in FPPA Acres: 132.945 % 57	
8. Name Of Land Evaluation System Used Henderson County, NC LESA	9. Name of Local Site Assessment System N/A	10. Date Land Evaluation Returned by NRCS 10/23/14	

PART III (To be completed by Federal Agency)	Alternative Corridor For Segment			
	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly	4.83	22.64	9.10	
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	4.83	22.64	9.10	0

PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	1.26	7.78	3.54	
B. Total Acres Statewide And Local Important Farmland	3.57	14.86	5.56	
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	0.0036	0.0170	0.0068	
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	12%	12%	12%	

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)				
	52	52	52	

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points				
1. Area in Nonurban Use	15	11	11	11	
2. Perimeter in Nonurban Use	10	7	7	7	
3. Percent Of Corridor Being Farmed	20	6	8	6	
4. Protection Provided By State And Local Government	20	20	20	20	
5. Size of Present Farm Unit Compared To Average	10	6	6	6	
6. Creation Of Nonfarmable Farmland	25	0	1	0	
7. Availability Of Farm Support Services	5	5	5	5	
8. On-Farm Investments	20	18	18	18	
9. Effects Of Conversion On Farm Support Services	25	0	0	0	
10. Compatibility With Existing Agricultural Use	10	0	1	0	
TOTAL CORRIDOR ASSESSMENT POINTS	160	73	77	73	0

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	52	52	52	
Total Corridor Assessment (From Part VI above or a local site assessment)	160	73	77	73	0
TOTAL POINTS (Total of above 2 lines)	260	125	129	125	0

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>
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5. Reason For Selection:

Signature of Person Completing this Part: Jonathan Williamson, HNTB	DATE 10/13/14
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NOTE: Complete a form for each segment with more than one Alternate Corridor

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected - 20 points
Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ?

(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)

As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)	3. Date of Land Evaluation Request 10/13/14	4. Sheet 1 of <u>1</u>
---	--	------------------------

1. Name of Project STIP Project I-4400/I-4700	5. Federal Agency Involved Federal Highway Administration
--	---

2. Type of Project Highway Widening	6. County and State Buncombe County, NC
--	--

PART II (To be completed by NRCS)	1. Date Request Received by NRCS 10/13/14	2. Person Completing Form Milton Cortes
--	---	---

3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	4. Acres Irrigated / Average Farm Size none / 67 acres
---	--

5. Major Crop(s) CORN	6. Farmable Land in Government Jurisdiction Acres: 185,350 % 46	7. Amount of Farmland As Defined in FPPA Acres: 31,000 % 15
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8. Name Of Land Evaluation System Used Buncombe County, NC LESA	9. Name of Local Site Assessment System N/A	10. Date Land Evaluation Returned by NRCS 10/23/14
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PART III (To be completed by Federal Agency)	Alternative Corridor For Segment			
	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly	0.50	1.77	1.77	
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	0.50	1.77	1.77	0

PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	0.00	0.00	0.00	
B. Total Acres Statewide And Local Important Farmland	0.50	1.77	1.77	
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	0.0016	0.0057	0.0057	
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	13%	13%	13%	

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)				
	84	84	84	

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points				
1. Area in Nonurban Use	15	9	9	9	
2. Perimeter in Nonurban Use	10	3	3	3	
3. Percent Of Corridor Being Farmed	20	2	2	2	
4. Protection Provided By State And Local Government	20	20	20	20	
5. Size of Present Farm Unit Compared To Average	10	5	5	5	
6. Creation Of Nonfarmable Farmland	25	0	1	1	
7. Availability Of Farm Support Services	5	4	4	4	
8. On-Farm Investments	20	17	17	17	
9. Effects Of Conversion On Farm Support Services	25	0	0	0	
10. Compatibility With Existing Agricultural Use	10	0	0	0	
TOTAL CORRIDOR ASSESSMENT POINTS	160	60	61	61	0

PART VII (To be completed by Federal Agency)				
Relative Value Of Farmland (From Part V)	100	84	84	84
Total Corridor Assessment (From Part VI above or a local site assessment)	160	60	61	61
TOTAL POINTS (Total of above 2 lines)	260	144	145	145

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>
-----------------------	---	-----------------------	--

5. Reason For Selection:

Signature of Person Completing this Part: Jonathan Williamson, HNTB	DATE 10/13/14
---	-------------------------

NOTE: Complete a form for each segment with more than one Alternate Corridor

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected - 20 points
Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ?

(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)
As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

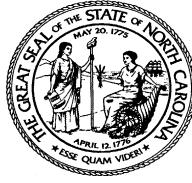
Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

STATE CORRESPONDENCE





North Carolina Department of Cultural Resources
State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Pat McCrory
Secretary Susan Kluttz
December 29, 2014

Office of Archives and History
Deputy Secretary Kevin Cherry

MEMORANDUM

TO: Mary Pope Furr
Office of Human Environment
NCDOT Division of Highways

FROM: Renee Gledhill Earley 
Environmental Review Coordinator

SUBJECT: Historic Structures Survey Report, I-26 improvements from US 25 in Hendersonville to I-40/240 in Asheville, I-4400 and I-4700, Henderson and Buncombe Counties, ER 01-8333

Thank you for your letter of December 10, 2014, transmitting the above-referenced report. We have reviewed the document and offer the following comments.

We concur that **Rugby Grange (HN0042) and the Biltmore Estate (BN0004) are listed in and remain eligible for listing in the National Register of Historic Places (NRHP)**. We do, however wonder about the difference in Rugby Grange's boundaries as noted in the report. The nomination states that there are 300.17 acres included, but the report suggests that 256 acres is an appropriate boundary. Unless there is a documented reason to reduce the boundary, we believe that the NRHP boundaries should stand.

We concur that **the Sholtz-Cantrell Estate (HN0059) and Blue Ridge Parkway (NC0001) have been determined eligible for listing in the NRHP and remain eligible for listing**. We agree with the reduction in the boundary of the Sholtz-Cantrell Estate as shown on the map on page 36 of the report. Comparing the maps on pages 35 and 36, one has to understand that the blue boundary along Clear Creek Road is obscured by the red road symbology. As noted on page 9, the bridge carrying the Blue Ridge Parkway over I-26 at Milepost 391.79 is a contributing resource on the Parkway.

We concur that **the following properties are also eligible for listing in the NRHP** for the reasons outlined and the proposed boundaries appear appropriate.

- **McMurray House (Windy Hill) (HN1904)** – Criterion C for architecture
- **Camp Orr (Camp Pinewood) (HN1905)** – Criteria A and C for entertainment/recreation and architecture
- **Hyder Dairy Farm (HN1906)** – Criteria A and C for agriculture and architecture
- **Mountain Sanitarium (HN1907)** – Criteria A and C for health/medicine and architecture. A better boundary map is needed for this property. It is not clear exactly where the 532 acres are located on the map on page 84.

We concur that **the following properties are not eligible for listing in the NRHP:**

- **Frank Justus House (HN1192)**
- **Williamson-Patton Family Cemetery (HN1076)**
- **Boiling Springs Baptist Church (BN6012)**

Barring new or additional information to the contrary, we also agree that the sixty-four (64) remaining properties listed in the report are not eligible for listing in the NRHP.

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 comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.



**North Carolina Department of Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Pat McCrory
Secretary Susan Kluttz

Office of Archives and History
Deputy Secretary Kevin Cherry

November 18, 2014

MEMORANDUM

TO: Matt Wilkerson
Office of Human Environment
NCDOT Division of Highways

FROM: Ramona M. Bartos *RMB for Ramona M. Bartos*

SUBJECT: I-26 from NC 225 to NC 280, I-4400/I-4700, Buncombe and Henderson Counties,
ER 01-8333

Thank you for your letter of October 22, 2014, concerning the archaeological reconnaissance for the above project.

During the reconnaissance it was determined that 31BN122 has been previously destroyed or incorrectly plotted on the original site form, and will not be affected by the proposed project, and that 31HN198 lies outside the current APE. We concur that no further work is needed for these sites in association with the proposed project.

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 comment, please contact Renee Gledhill-Earley, environmental review coordinator, at 919/807-6579. In all future communication concerning this project, please cite the above referenced tracking number.

CONCURRENCE FORM FOR ASSESSMENT OF EFFECTS

Project Description: Proposed widening of I-26 from US 25 south of Hendersonville to I-40 south of Asheville

On May 19, 2015, representatives of the

- North Carolina Department of Transportation (NCDOT)
- Federal Highway Administration (FHWA)
- North Carolina State Historic Preservation Office (HPO)
- Other

Reviewed the subject project and agreed on the effects findings listed within the table on the reverse of this signature page.

Signed:

Mary Pope 5/21/2015
 Representative, NCDOT Date

[Signature] 5-21-15
 FHWA, for the Division Administrator, or other Federal Agency Date

Renee Hedhill-Easley 5.21.15
 Representative, HPO Date

Property and Status	Alternative	Effect Finding	Reasons
McMurray House (Windy Hill) (HN1904) DE-Criterion C	6-Lane & Hybrid	No Adverse Effect	Access road along west side of property will be temporarily closed during construction but does not impact access to the house.
	8-Lane	No Adverse Effect with commitments **4(f) <i>de minimis</i>	Access road along west side will be permanently closed and requires removal of a row of recently planted trees. Noise at the structure predicted to increase by 5 decibels. Access to the house will not be impacted. NCDOT will contact the property owner to discuss replanting trees and noise abatement measures such as storm windows or insulation.
Camp Orr (Camp Pinewood) (HN1905) DE-Criteria A&C	6-Lane & Hybrid	No Adverse Effect **4(f) <i>de minimis</i>	Some small sections of new ROW required on east side of interstate to accommodate cut and fill slopes and the Control of Access fencing will be relocated as needed in these areas. Requires some tree removal along length of property that borders interstate. Some fill impacts to wetlands adjacent to historic property, but within NCDOT existing ROW. Does not impact contributing resources.
	8-Lane	No Adverse Effect **4(f) <i>de minimis</i>	Some small sections of new ROW required on both sides of interstate to accommodate cut and fill slopes and the Control of Access fencing will be relocated as needed in these areas. Requires some tree removal along length of property that borders interstate. Some fill impacts to wetlands adjacent to historic property, but within NCDOT existing ROW. Does not impact contributing resources
Sholtz-Cantrell Estate (HN0059) DE-Criterion A	6-Lane & Hybrid	No Effect	No construction work within property boundary. Viewshed from house will not be impacted.
	8-Lane	No Effect	No construction work within property boundary. Viewshed from house will not be impacted.

Hyder Dairy Farm (HN1906) DE-Criteria A&C	6-Lane & Hybrid	No Adverse Effect **4(f) <i>de minimis</i>	Some small sections of new ROW required on both sides of interstate to accommodate cut and fill slopes and the Control of Access fencing will be relocated as needed in these areas. Requires minimal tree removal along length of property that borders interstate. Does not impact contributing resources. Viewshed from house will not be impacted.
	8-Lane	No Adverse Effect **4(f) <i>de minimis</i>	Some small sections of new ROW required on both sides of interstate to accommodate cut and fill slopes and the Control of Access fencing will be relocated as needed in these areas. Requires minimal tree removal along length of property that borders interstate. Does not impact contributing resources. Viewshed from house will not be impacted.
Mountain Sanitarium (HN1907) DE-Criteria A&C	6-Lane & Hybrid	No Effect	No construction work within property boundary.
	8-Lane	No Effect	No construction work within property boundary.
Rugby Grange (HN0042) NR-Criteria A&C	6-Lane	No Effect	No construction work within property boundary. Some fill impacts to wetlands adjacent to historic property, but within NCDOT existing ROW. Viewshed from house will not be impacted.
	8-Lane & Hybrid	No Effect	No construction work within property boundary. Some fill impacts to wetlands adjacent to historic property, but within NCDOT existing ROW. Viewshed from house will not be impacted.
Blue Ridge Parkway (NC0001) DE-Criteria A&C	6-Lane	Adverse Effect **4(f)	Bridge carrying Blue Ridge Parkway over I-26 will be demolished and replaced with a new structure developed in collaboration with Eastern Federal Lands, Blue Ridge Parkway, NCDOT, NC-HPO, and FHWA.
	8-Lane & Hybrid	Adverse Effect **4(f)	Bridge carrying Blue Ridge Parkway over I-26 will be demolished and replaced with a new structure developed in collaboration with Eastern Federal Lands, Blue Ridge Parkway, NCDOT, NC-HPO, and FHWA.

Biltmore Estate (BN0004) NR-Criteria A,B,C,&D National Historic Landmark	6-Lane	No Adverse Effect **4(f) <i>de minimis</i>	Some small sections of new ROW required to accommodate cut and fill slopes and the Control of Access fencing will be relocated as needed in these areas. Requires minimal tree removal along length of property that borders interstate. Some fill impacts to wetlands adjacent to historic property, but within NCDOT existing ROW. Does not impact contributing resources.
	8-Lane & Hybrid	No Adverse Effect **4(f) <i>de minimis</i>	Some small sections of new ROW required to accommodate cut and fill slopes and the Control of Access fencing will be relocated as needed in these areas. Requires minimal tree removal along length of property that borders interstate. Some fill impacts to wetlands adjacent to historic property, but within NCDOT existing ROW. Does not impact contributing resources.

Initialed: NCDOT MPB FHWA DB HPO RJR

FHWA Intends to use the HPO's concurrence as a basis for a "de minimis" finding for the following properties, pursuant to Section 4(f):

1. McMurray House (Windy Hill) (HN1904)
2. Camp Orr (Camp Pinewood) (HN1905)
3. Hyder Dairy Farm (HN1906)
4. Biltmore Estate (BN0004)



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Blue Ridge Parkway
199 Hemphill Knob Road
Asheville, North Carolina 28803



H30

August 3, 2015

Renee Gledhill-Earley
State Historic Preservation Office
4617 Mail Service Center
Raleigh, NC 27699-4617

ER 01-8333

DRAFT letter -
* LGH/BJJ 8-18-15

Due 8/14/15

Dear Ms Gledhill-Earley:

Due 9/10/15 #

In compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, we are writing to you concerning an archeological survey of the proposed limits of disturbance associated with replacement of the bridge over I-26.

An archeological survey of the Area of Potential Effect (APE) was conducted by the Blue Ridge Parkway archeologist Steven Kidd on July 21, 2015. His report (attached) resulted in a determination that no archeological sites were present within the APE.

It is the determination of the National Park Service that this project will have no adverse effect on cultural resources or sites eligible or potentially eligible for listing in the National Register of Historic Places. If you concur with this determination, please sign on the line provided below and return this letter to us. If we have not received this response within 30 days, as provided by 36 CFR 800.5(b) and (c), then we will consider our responsibilities under Section 106 of the National Historic Preservation Act, as amended, and 36 CFR Part 800 to be completed.

Sincerely,

Steven Kidd
Cultural Resource Program Manager/Archeologist

I concur (X)

I do not concur ()

Renee Gledhill-Earley, EPC

NC State Historic Preservation Office

9.3.15

Date

AUG 07 2015



North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Pat McCrory
Secretary Susan Kluttz

Office of Archives and History
Deputy Secretary Kevin Cherry

March 28, 2016

Beth Byrd, Acting Cultural Resources Specialist
Blue Ridge Parkway
199 Hemphill Knob Road
Asheville, NC 28803

beth_byrd@nps.gov

Re: Demolition and Replacement of Blue Ridge Parkway Bridge over I-26, Buncombe County,
ER 01-8333

Dear Ms. Byrd:

Thank you for your letter of March 8, 2016, concerning the above-referenced undertaking, which will adversely affect the National Register-eligible Blue Ridge Parkway and is part of a larger project to improve I-26 from NC 225 to NC 280 (I-4400 & I-4700). We understand that this portion of that project is to be considered separately and have a separate Section 106 consultation due to the involvement and cooperation of the National Park Service (NPS), Eastern Federal Lands Highway Division Office (FHWA), and the North Carolina Department of Transportation (NCDOT).

Since representatives of the State Historic Preservation Office (HPO) were unable to attend the December 2015 Value Analysis/Choosing by Advantages workshop, we appreciate the information provided in your letter. It helps answer questions that were raised at an informal meeting between staff of NCDOT and HPO.

We now understand the reasoning behind the decisions to not use suicide fencing on the new bridge and to reject the arched girder design. However, we do not agree with the proposal to install a sidewalk on only the west side of the bridge. Or, to use a five foot (5') sidewalk on the west side and a two to three foot (2 – 3') sidewalk on the east side of the bridge. While we very much support pedestrian safety, we also believe that symmetry is an important element in the design of the new bridge and believe that this is supported by the statement on page 34 of the "Draft Value Analysis Study - REPLACEMENT OF BLUE RIDGE PARKWAY BRIDGE OVER INTERSTATE 26, Federal Project Number–NC_ST_BLRI_I26_NEPA, January 2016."

Design recommendation – The Caltrans Type 80 rail is the recommended bridge railing design. The final design should adjust the railing heights on both sides of the bridge to account for the superelevation and *to maintain a balanced appearance for users approaching the bridge*. However, the design adjustments must maintain the crash ratings.


Having consulted with the Blue Ridge Parkway for more than thirty years on bridges, guard walls and rails, overlooks, and other historic structures, I personally understand that these elements are part of what makes the Parkway unique, that they have evolved over decades, and warrant our time and effort to ensure that any new element be compatible and complimentary to the whole. Thus, I look forward to continuing our conversation and consultation on the project as a whole and this issue in particular.

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.

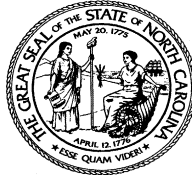
Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,



 Ramona M. Bartos

cc: Mary Pope Furr, NCDOT, mfurr@ncdot.gov
Jennifer Harris, HNTB/NC, jhharris@HNTB.com



North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Pat McCrory
Secretary Susan Kluttz

Office of Archives and History
Deputy Secretary Kevin Cherry

April 8, 2016

MEMORANDUM

TO: Mary Pope Furr
Office of Human Environment
NCDOT Division of Highways

FROM: Renee Gledhill-Earley 
Environmental Review Coordinator

SUBJECT: Historic Structures Survey Report for Improvements to I-26 and US Hwy 25 interchange,
I-4400/I-4700, Buncombe and Henderson Counties, ER 01-8333

Thank you for your letter of March 15, 2016, transmitting the above-referenced report. We have reviewed the report and offer the following comments.

We concur that **Hill View Subdivision (HN1911) is not eligible for listing** in the National Register of Historic Places for the reasons outlined in the report.

We also concur that the **George D and Eunice B. Cureton House (HN1912) is eligible for listing** in the National Register of Historic Places under Criterion C and that the proposed boundaries appear appropriate.

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 comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.

CONCURRENCE FORM FOR ASSESSMENT OF EFFECTS

Project Description: Proposed widening of I-26 from US 25 south of Hendersonville to I-40 south of Asheville (EFFECTS FOR CURETON HOUSE ONLY, OTHER EFFECTS RECORDED ON MAY 2015 EFFECTS FORM)

On 4/26/2016, representatives of the

- North Carolina Department of Transportation (NCDOT)
Federal Highway Administration (FHWA)
North Carolina State Historic Preservation Office (HPO)
Other

Reviewed the subject project and agreed on the effects findings listed within the table on the reverse of this signature page.

Signed:

Mary Pope
Representative, NCDOT
Date: 4/26/2016

[Signature]
FHWA, for the Division Administrator, or other Federal Agency
Date: 4-26-16

Renee Medhill-Easley
Representative, HPO
Date: 4/26/16

Federal Aid #: NHF-26-1(62)23 TIP#: I-4400/I-4700 Counties: Henderson/Buncombe

Property and Status	Alternative	Effect Finding	Reasons
Cureton House DE-Criterion C	6-lane 3 hybrid	adv. effect	visual - tree clearing 3 easements audible - noise levels
	8-lane	adv. effect	visual - tree clearing 3 easements audible - noise levels

Initialed: NCDOT MPA FHWA DB HPO Ruse

FHWA Intends to use the HPO's concurrence as a basis for a "de minimis" finding for the following properties, pursuant to Section 4(f):



☒ North Carolina Wildlife Resources Commission ☒

Gordon Myers, Executive Director

TO: Carla Dagnino, Project Management, Western Region
Natural Environment Section, PDEA Unit, NCDOT

FROM: Marla Chambers, Western NCDOT Projects Coordinator *Marla Chambers*
Habitat Conservation Program, NCWRC

DATE: October 17, 2013

SUBJECT: Scoping review of NCDOT's proposed improvements to I-26 from NC 225 in Henderson County to I-40 in Buncombe County, North Carolina. TIP No. I-4400/I-4700.

North Carolina Department of Transportation (NCDOT) is requesting comments from the North Carolina Wildlife Resources Commission (NCWRC) regarding impacts to fish and wildlife resources resulting from the subject project. Staff biologists have reviewed the information provided and have the following preliminary comments. These comments are provided in accordance with the provisions of the state and federal Environmental Policy Acts (G.S. 113A-1 through 113-10; 1 NCAC 25 and 42 U.S.C. 4332(2)(c), respectively), the Clean Water Act of 1977 (33 U.S.C. 466 et seq.) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d), as applicable.

The NCDOT proposes to improve I-26 from NC 225 in Henderson County to I-40 in Buncombe County for a project length of 22.2 miles. NCWRC submitted scoping comments for this project in 2006 (5/30/2006). At that time NCDOT indicated that plans were to widen I-26 to a six- or eight-lane divided roadway; no proposed typical section or details were provided in the recent scoping request. These comments, while updated, are very similar to the previous letter.

The project appears to cross the following waters: Hominy Creek (Class C), Long Valley Branch (Class C), unnamed tributary to Dellwood Lake (Class C), French Broad River (Class B), Ducker Creek (Class C), Powell Creek (Class C), Kimsey Creek (Class C), Cane Creek (Class C), Byers Creek (Class C), Featherstone Creek (Class C), Clear Creek (Class C), Devils Fork (Class C), and Dunn Creek (Class C). Other waters may also be impacted by the proposed project, such as Mud Creek and Allen Branch. Several of these streams appear to be on the

State's 303(d) list of impaired waters. We are not aware of any reproducing trout populations in the project corridor.

A recreational fishery exists in the French Broad River and there is the potential for the Appalachian elktoe (*Alasmidonta raveneliana*), a federal and state Endangered (E) mussel, to occur in the river between the confluences of Little River and Mills River, possibly further downstream. The creeper (*Strophitus undulatus*), state Threatened (T), is known in the French Broad River throughout Henderson County to Avery Creek in Buncombe and the slippershell mussel (*Alasmidonta viridis*), state E, is known from the Mills River confluence to Avery Creek. The blotched chub (*Erimystax insigninis*), Federal Species of Concern (FSC) and state Significantly Rare (SR), and the French Broad River Crayfish (*Cambarus reburus*), FSC and state SR, occur in the river and tributaries throughout the project area. The Eastern Hellbender (*Cryptobranchus a. alleghaniensis*), FSC and state Special Concerns (SC), and Mudpuppy (*Necturus maculosus*), state SC, occur in the French Broad River main stem and its major tributaries, including but not limited to: Mills River, Cane Creek, Hominy Creek and Bent Creek. Mills River is particularly important for these two species; protection from impacts and sediment must be a high priority.

Sediment and erosion control measures should, at a minimum, adhere to the design standards for sensitive watersheds. Measures need to be in place to determine the acid rock potential and prevent any negative impacts from occurring. Also, a significant amount of truck traffic travels I-26 in the area. Hazardous spill basins should be incorporated into the project to protect the French Broad River. We also recommend floodplain culverts, where appropriate, to reconnect the floodplain, spread out flood flows, and reduce flood damage.

NCWRC is very concerned about impacts to wetlands, bog turtles (*Glyptemys muhlenbergii*), state T and federal T due to Similarity in Appearance, and other listed reptiles and amphibians in the project area. High quality, ecologically important wetlands exist on both sides of I-26 from the I-40 junction to the airport exit and are sensitive to disturbance. The bog turtle and mole salamander (*Ambystoma talpoideum*), state Special Concern (SC), occur in the Biltmore Estates area. Other listed species, such as the longtail salamander (*Eurycea longicauda*), state SC, and four-toed salamander (*Hemidactylium scutatum*), state SC, have been documented along the French Broad River in the Bent Creek area. Surveys should be conducted and steps taken to avoid impacts to these sensitive species and their habitat. We recommend these important wetlands be preserved as part of the mitigation strategy for this project.

NCWRC has concerns regarding both direct and indirect impacts to the streams, wetlands, fish, and wildlife. We also request that NCDOT investigate the rate of accidents that involve wildlife, such as vehicle collisions with deer and bear, and identify areas of habitat fragmentation affecting small and large wildlife species in the project area. The Biltmore Estates area may be of concern with regards to both collisions with deer and with reconnecting reptile and amphibian populations. Wildlife crossings may be appropriate to improve safety for drivers and reconnect wildlife populations fragmented by the highway.

In addition, to help facilitate document preparation and the review process, our general information needs are outlined below:

1. Description of fishery and wildlife resources within the project area, including a listing of federally or state designated threatened, endangered, or special concern species. Potential borrow areas to be used for project construction should be included in the inventories. A listing of designated plant species can be developed through consultation with the following programs:

The Natural Heritage Program
<http://www.ncsparks.net/nhp>
1601 Mail Service Center
Raleigh, N. C. 27699-1601

and,

NCDA Plant Conservation Program
P. O. Box 27647
Raleigh, N. C. 27611
(919) 733-3610

2. Description of any streams or wetlands affected by the project. If applicable, include the linear feet of stream that will be channelized or relocated.
3. Cover type maps showing wetland acreage impacted by the project. Wetland acreage should include all project-related areas that may undergo hydrologic change as a result of ditching, other drainage, or filling for project construction. Wetland identification may be accomplished through coordination with the U. S. Army Corps of Engineers (USACE). If the USACE is not consulted, the person delineating wetlands should be identified and criteria listed.
4. Cover type maps showing acreage of upland wildlife habitat impacted by the proposed project. Potential borrow sites and waste areas should be included.
5. Show the extent to which the project will result in loss, degradation, or fragmentation of wildlife habitat (wetlands or uplands).
6. Include the mitigation plan for avoiding, minimizing or compensating for direct and indirect degradation in habitat quality as well as quantitative losses.
7. Address the overall environmental effects of the project construction and quantify the contribution of this individual project to environmental degradation.
8. Provide a discussion of the probable impacts on natural resources, which will result from secondary development, facilitated by the improved road access.
9. If construction of this facility is to be coordinated with other state, municipal, or private development projects, a description of these projects should be included in the environmental document, and all project sponsors should be identified.

Thank you for the opportunity to provide input in the early planning stages of this project. If you have any questions regarding these comments, please contact me at (704) 545-3841.

cc: Marella Buncick, USFWS
Amy Chapman, NCDWR
Chris Militscher, USEPA
Andrea Leslie, NCNHP



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

NICHOLAS J. TENNYSON
SECRETARY

March 11, 2016

Memorandum to: Bill Barrett, Environmental Senior Specialist
NES, Environmental Coordination and Permitting Group

From: Matt Haney, Environmental Senior Specialist
NES, Biological Surveys Group

Subject: Biological Conclusion Update for Appalachian elktoe for
the Proposed Widening of I-26 from I-40 to NC 225, TIP I-
4400 and I-4700, Buncombe and Henderson Counties.
WBS # 36030.1.2 and 34232.1.1

A freshwater mussel report for this project was completed by The Catena Group on October 24, 2013. In this report a Biological Conclusion of "May Affect-Not Likely to Adversely Affect" for Appalachian elktoe was given on several of the streams crossed by this project. After doing further research, it is of the NCDOT biologists' opinion that this Biological Conclusion should be changed to "No Effect" for Appalachian elktoe based on the following information:

- Most of the streams crossed by the project are located in urbanized areas, which contribute to more runoff from impervious surfaces.
- There are 15 NPDES facilities within two miles of the stream crossings.
- Lack of species diversity. Only two mussel species (*Strophitus undulatus* and *Elliptio complanata*) were found during surveys.
- Only nine total live mussels were found during surveys.
- No live mussels were found in seven of the streams crossed by the project.
- The closest known occurrence of Appalachian elktoe to this project is 13 river miles downstream from this project.

Biological Conclusion: No Effect for Appalachian elktoe for TIP I-4400 and I-4700

OTHER CORRESPONDENCE



SOUTHERN ENVIRONMENTAL LAW CENTER

Telephone 828-258-2023

22 SOUTH PACK SQUARE, SUITE 700
ASHEVILLE, NC 28801-3494

Facsimile 828-258-2024

March 15, 2013

Via U.S. Mail and Electronic mail

Mr. Dre Major
NCDOT – Project Development and Environmental Analysis
Project Development Engineer
1548 Mail Service Center
Raleigh, NC 27699-1548
ujmajor@ncdot.gov

Re: *Proposed widening and Improvement of I-26, STIP No. I-4400/I-4700*

Dear Mr. Major:

Please accept these comments on behalf of the Western North Carolina Alliance and the Southern Environmental Law Center.

We are grateful for the opportunity to comment early in the process for the I26 project. At this early stage, we hope only to flag key issues for consideration as NCDOT's preliminary evaluation and needs assessment continues. We look forward to future opportunities to engage in the public process for this project.

First, we believe strongly that the nature and scope of the project should be driven by legitimate transportation needs. We recognize that the existing corridor is in need of improvement. In this time of strained transportation budgets, however, the scale of proposed improvements must be limited by a sober assessment of current road capacity and future traffic demand.

Second, we want to emphasize several challenges associated with any widening of the current highway footprint. The study corridor encompasses Progress Energy's Skyland coal-fired steam plant and, most notably, two wet storage coal-ash ponds operated at that site. The current interstate crosses over permitted and unpermitted waste discharge points from the plant and in close proximity to the large earthen impoundments that hold back a slurry of wet coal ash and industrial waste. Furthermore, groundwater under the current interstate footprint is contaminated with a variety of constituents associated with coal ash including thallium and selenium. Any structural changes to the footprint of the interstate, the size or configuration of cut and fill slopes associated with the interstate, groundwater gradients, and culverted streams and stormwater conveyances will present a substantial logistical challenge for NCDOT. Similar challenges may be presented by the Pond Road Landfill and dump site, also within the project corridor. Project

planning must emphasize alternatives to minimize structural work that threatens the integrity of measures designed to prevent the spread of pollution at these sites.

Third, major road construction so close to the French Broad River has the potential to significantly impact the aquatic life of the river itself, in addition to the smaller tributaries, crossed by the highway. The French Broad River is already heavily impacted by sedimentation from the surrounding watershed. Failure of stormwater and sedimentation control practices associated with this project could have a substantial impact on the river, when considered cumulatively with other impacts in the watershed. We urge NCDOT to minimize earth moving in close proximity to the river and ensure that the highest possible standards of stormwater control are applied to any unavoidable grading work.

Fourth, NCDOT must design its project to avoid any adverse consequences to the integrity or operation of the Blue Ridge Parkway, itself a major economic driver for the region. We are concerned that expansion of the current footprint, if not carefully designed and planned, could disrupt operation of the Parkway, which must be avoided at all costs.

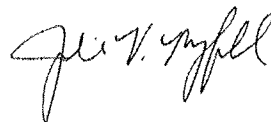
Finally, the study corridor includes significant community resources, including local elementary schools and Park Ridge hospital. We ask NCDOT to make special effort to minimize the impact of construction and changed traffic patterns on these facilities.

We appreciate NCDOT's obvious commitment to public involvement on this regionally significant project. If we can answer any questions about these comments or provide other information helpful to NCDOT as it evaluates this project, please do not hesitate to contact us.

Sincerely,



Austin D. Gerken Jr.
Senior Attorney
Southern Environmental Law Center



Julie Mayfield
Executive Director
Western North Carolina Alliance