

STATE CORRESPONDENCE





STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

April 7, 2006

Office of Federal Agency Programs
Advisory Council on Historic Preservation
The Old Post Office Building
1100 Pennsylvania Ave., NW, #809
Washington, D. C. 20004

Dear Sir:

SUBJECT: Start of Study, Initial Scoping Sheets and Request for Input
Improvements to I-26 between NC 225 (US 25 Connector) and I-40 in Asheville
TIP Nos. I-4400/I-4700, Buncombe and Henderson Counties
F. A. Project NHF-26-1(62)23, WBS No. 34232.1.1

This is to inform you that the Project Development and Environmental Analysis Branch is starting the project development, environmental and engineering studies for the proposed widening of I-26 from NC 225 in Henderson County to I-40 in Asheville in Buncombe County. The project is included in the 2006-2012 North Carolina Transportation Improvement Program and is scheduled for right of way and construction in Post Years.

Attached for your review and comments are the scoping information sheets for the proposed project. We would appreciate any information you might have that would be helpful in evaluating potential environmental impacts of the project. If applicable, please identify any permits or approvals that may be required by your agency. A scoping meeting will be scheduled with NCDOT staff to discuss the proposed project in more detail. In order to include your comments in our materials for this meeting, we would appreciate your response by May 22, 2006. If you would like to attend the scoping meeting, please notify the project engineer.

It is anticipated that a federally funded Environmental Impact Statement will be prepared for this project. This document will be prepared in accordance with the National Environmental Policy Act.

If you have any questions concerning the project, please contact Joseph S. Qubain, Project Development Engineer, of this Branch at (919) 733-7844, Ext. 209. Please include the TIP Project Number in all correspondence and comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory J. Thorpe".

Gregory J. Thorpe, Ph.D., Director
Project Development and Environmental Analysis Branch

GJT/plr
Attachment



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

April 7, 2006

Mr. Conrad Burrell
North Carolina Board of Transportation
Post Office Box 201
Sylva, North Carolina 28779

Dear Mr. Burrell:

SUBJECT: Start of Study, Initial Scoping Sheets and Request for Input
Improvements to I-26 between NC 225 (US 25 Connector) and I-40 in Asheville,
TIP Nos. I-4400/I-4700, Buncombe and Henderson Counties,
F. A. Project NHF-26-1(62)23, WBS No. 34232.1.1

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Federal, state, local agencies and officials are being contacted for their comments regarding this project. If you have any questions or comments concerning the project, please contact Joseph S. Qubain, Project Development Engineer, of this Branch at (919) 733-7844, Ext. 209.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory J. Thorpe".

Gregory J. Thorpe, Ph.D., Director
Project Development and Environmental Analysis Branch

GJT/plr

Attachment



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

April 7, 2006

MEMORANDUM TO: Ms. Miriam Perry
Public Transportation Division

FROM: Gregory J. Thorpe, Ph.D., Director
Project Development and Environmental Analysis Branch

SUBJECT: Start of Study, Initial Scoping Sheets and Request for Input
I-26 between NC 225 (US 25 Connector) and I-40 in Asheville,
TIP Nos. I-4400/I-4700, Buncombe and Henderson Counties,
F. A. Project NHF-26-1(62)23, WBS No. 34232.1.1

A handwritten signature in black ink, appearing to read "Gregory J. Thorpe", with a date "4/7/06" written to the right.

This is to inform you that the Project Development and Environmental Analysis Branch is starting the project development, environmental and engineering studies for the proposed widening of I-26 from NC 225 in Henderson County to I-40 in Asheville in Buncombe County. The project is included in the 2006-2012 North Carolina Transportation Improvement Program and is scheduled for right of way and construction in Post Years.

Attached for your review and comments are the scoping information sheets for the subject project (see attached map for project location). The purpose of these sheets and the related review procedure is to develop the scope of work for the project development, environmental and engineering studies. The scoping meeting for this project is scheduled for June 13, 2006 at 10:30 AM in the Project Development and Environmental Analysis Branch Conference Room (Room 470). You may provide us with your comments at the meeting or mail them to us prior to that date.

Thank you for your assistance in the project development process. If you have any questions about the meeting or the information sheets, please call Joseph S. Qubain, Project Development Engineer, at 733-7844, Ext. 209. Please include the TIP Project Number in all correspondence and comments.

GJT/plr

Attachment

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

TELEPHONE: 919-733-3141
FAX: 919-733-9794

WEBSITE: WWW.NCDOT.ORG

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

Project Development and Environmental Analysis Branch Scoping Information Sheet

<u>TIP No.:</u> <input type="text" value="I-4400 / I-4700"/>	<u>Sent Date:</u> <input type="text" value="April 7, 2006"/>
<u>WBS No.:</u> <input type="text" value="34232.1.1"/>	<u>Revision Date:</u> <input type="text"/>
<u>Federal Aid No.:</u> <input type="text" value="NHF-26-1(62)23"/>	<u>Meeting Date:</u> <input type="text" value="June 13, 2006"/>
<u>Division:</u> <input type="text" value="13 and 14"/>	<u>County:</u> <input type="text" value="Buncombe and Henderson"/>

Project Description:

I-4400: I-26 from NC 225 (US 25 Connector) to NC 280
 I-4700: I-26 from NC 280 to I-40 in Asheville

General Project Need:

The purpose of this project is to improve the level of service (LOS). I-4400 capacity analysis showed that the existing freeway is at a LOS "E" for the year 2000 and that if the roadway is not widened the conditions will deteriorate to a LOS "F" by the year 2007. Also, this project is needed to improve safety.

Metropolitan / Rural Planning Organization Area:

French Broad River MPO
Land of Sky RPO

NEPA/404 Merger Candidate?:

Yes No Not sure

Feasibility Study Completed?:

Yes No Date

Type of Environmental Documents to be Prepared / Project Schedule:

	<u>Type:</u>	<u>Dates:</u>
<u>Environmental Document:</u>	Draft EIS	May 2008
	Final EIS	June 2009
	ROD	September 2009
	<u>Right of Way:</u>	Post Years
	<u>Let:</u>	Post Years

Air Quality Status:

Non-attainment Maintenance Attainment

Design Criteria:

Length of Project Limits: Total 22.2 miles (I-4400, 13.6 miles) and (I-4700, 8.6 miles)

Type of Access Control:
(Existing / Proposed) Fully controlled access (existing and proposed)

Structure Inventory: The project includes 11 existing grade-separated crossings, and 8 existing interchanges. The Blue Ridge Parkway bridge over I-26 will be replaced to provide the horizontal clearance for a widened section.

Functional Classification: Interstate Route

Strategic Corridor Information: Designated a Strategic Highway Corridor (Freeway)

CTP/Thoroughfare Plan Designation
(Facility Type): CTP to be developed.

Roadway Typical Section:
(Existing / Proposed) Existing: Four-lane median divided roadway
Proposed: Six or eight-lane median divided roadway

Typical Section in Compliance with Conformity Determination:

Yes No

Right of Way:
(Existing / Proposed) Existing: Right of Way is 270 feet for majority of the project
Proposed: Right of Way determined based on cross-section

Existing Posted Speed: 60 mph Proposed Design Speed: 70 mph

<u>Traffic (AADT):</u>	<i>Source: I-4400 EA</i>		% TTST:	6
Current Year:	(2000)	40,000 – 51,400	% Dual:	12
Design Year:	(2020)	63,300 – 76,200	% DHV:	10

Design Standards Applicable: AASHTO 3R

Railroad Involvement: Norfolk Southern Rail Corridor, one grade-separated crossing

<u>Cost Estimate:</u>	Construction:	Right of Way:	Total Cost:
TIP Estimate:	I-4400 \$83.7 M I-4700 \$ 0	I-4400 \$0 I-4700 \$0	\$83.7 million
Current Estimate:	I-4400 \$108.6 M I-4700 \$150.4 M	I-4400 \$0 I-4700 \$0	\$259 million

Sheet 4

Natural / Human Environmental Information

Water Resources:

The following table lists those streams or rivers (and classifications) that cross I-26 between I-40 in Asheville and NC 225 in Henderson County:

Stream Name	County	Classification	Stream Index Number
Hominy Creek	Buncombe	C	6-76
Long Valley Branch	Buncombe	C	6-75
UT to Dellwood Lake	Buncombe	C	6-69
French Broad River	Buncombe	B	6-(54.5)
Ducker Creek	Buncombe	C	6-63
Powell Creek	Buncombe	C	6-62
Kimsey Creek	Henderson	C	6-57-22
Cane Creek	Henderson	C	6-57-(9)
Byers Creek	Henderson	C	6-55-13
Featherstone Creek	Henderson	C	6-55-12
Clear Creek	Henderson	C	6-55-11-(5)
Devils Fork	Henderson	C	6-55-8-2
Dunn Creek	Henderson	C	6-55-8-1-1

Source: Geographic Information Systems Data from NCDOT; DWQ's North Carolina Waterbodies Listed by Subbasin (for Subbasin 04-03-02 of French Broad River)

Of those streams and rivers listed above, two are identified on the *Draft 2004 North Carolina 303(d) Impaired Waters List*. Hominy Creek has impaired biological integrity from NC 151 to the French Broad River. Clear Creek is impaired from its source to Mud Creek for impaired biological integrity.

The French Broad River runs parallel to and within 1000 feet of I-26 in southern Buncombe County, and Mud Creek and Allen Branch flow within 1000 feet of the I-26 corridor near Hendersonville. According to National Wetlands Inventory (NWI) mapping, wetlands are located along Long Valley Branch and the connecting stream to Dellwood Lake. Most of the French Broad River in Buncombe County (south of I-40) is shown as part of the National Wetlands Inventory, as is the stream connecting to Lake Coma and a larger water body just east of I-26 (near Lake Coma). Wetlands are also located along Kimsey Creek and just south of Cane Creek near the I-26 corridor.

NCDOT's GIS information reveals that there are no Division of Water Quality (DWQ) designated trout waters, but there are several trout waters designated by the Wildlife Resources Commission (WRC) of North Carolina. The French Broad River is designated as a WRC trout water through most of Buncombe County (south of I-40). In addition, a WRC trout water is located along the connecting stream to Dellwood Lake and another is located along Camp Branch, which flows into Devils Fork.

According to NCDOT GIS data, there are no water supply watersheds, outstanding resource waters or high quality waters within approximately 1000 feet of I-26 between I-40 and NC 225.

Regulations:

Designated trout waters are subject to an undisturbed buffer zone 25 feet wide or of sufficient width to confine visible siltation within twenty-five percent (25%) of the buffer zone nearest the land disturbing activity. This designation affects wastewater discharges, but there are no watershed development restrictions except the minimum 25-foot stream buffers required by the NC Division of Land Resources.

The Hendersonville ordinance requires 50-foot buffers on each side of blue line streams identified in the current USGS quadrangle maps. There should be a 30-foot area of undisturbed vegetation adjacent to the channel and a 20-foot section of managed or unmanaged vegetation. Henderson County does not have any buffer regulations, except that structures built on lots in newly platted subdivisions must remain 30 feet from the edge of any blue line streams (as indicated on USGS topographic maps). This 30-foot setback does not require vegetation.

Terrestrial Communities:

According to the Environmental Assessment (EA) previously prepared, the proposed construction associated with I-4400 was expected to be confined to the median of the existing roadway with limited activities within the shoulder sections near the bridges over Cane and Clear Creek. Consequently, the EA identified one terrestrial community within the project study area: maintained/disturbed. The remainder of the project study area will be reviewed as appropriate.

Federally Threatened and Endangered Species:

The following table lists the Federally Threatened and Endangered Species for Buncombe and Henderson Counties:

Scientific Name	Common Name	Status	County
<i>Clemmys muchlenbergii</i>	Bog Turtle	T (S/A)	B&H
<i>Felis concolor cougar</i>	Eastern cougar	E*	B
<i>Alasmidonta raveneliana</i>	Appalachian elktoe	E*	B
<i>Epioblasma capsaeformis</i>	Oyster mussel	E	B&H
<i>Glaucomys sabrinus coloratus</i>	Carolina northern flying squirrel	D	B
<i>Hybopsis monacha</i>	Spotfin Chub	T	B
<i>Helonias bullata</i>	Swamp pink	T*	H
<i>Myotis grisescens</i>	Grey bat	E**	B
<i>Isoria melodies</i>	Small whorled gogonia	T	H
<i>Geum radiatum</i>	Spreading avens	E*	B
<i>Gymnderma lineare</i>	Rock gnome lichen	E	B
<i>Sagittaria fasciculate</i>	Bunched arrowhead	E*	B&H
<i>Sarracenia rubra var. jonesii</i>	Mountain sweet pitcher-plant	E*	B&H
<i>Sysyrrinchium dichotomum</i>	White irisette	E	H
<i>Spiraea virginiana</i>	Virginia spiraea	T*	B

Source: 2001 TIP I-4400 Environmental Assessment

B = Buncombe County H= Henderson County

E = Endangered (a species that is in danger of extinction throughout all or a significant portion of its range)

T = Threatened (a species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range)

T(S/A) = Threatened (a species that is likely to become an endangered species due to similarity of appearance to another rare species that is listed for protection)

* denotes no specimen from Buncombe County found in past 20 years

** denotes incidental/migrant record-the species was observed outside its normal range

A biological conclusion of No Effect was issued for the above listed Federally-Protected Species in the EA for TIP I-4400. Mussel surveys were conducted within Cane Creek in January and February of 2001. Numerous surveys were also conducted by NCDOT personnel at various points in the French Broad River downstream of the Cane Creek/French Broad River confluence. The surveys have identified two freshwater mussel species, Creeper and Spike (*Elliptio* sp.), in the river. Neither the Appalachian elktoe, nor the oyster mussel have been found anywhere in the mainstem of the French Broad River downstream of the project area.

Section 4(f) and 6(f) Properties:

Historic Sites:

- 1- Biltmore Estate
- 2- Bent Creek Forest Experiment Station
- 3- Rugby Grange National Register Historic District
- 4- Sholtz-Cantrell House (determined eligible for the National Register)

Other Cultural Resources:

- 1- Western Carolina Fairgrounds
- 2- Broadmoor Golf Links (public)

The Historic Biltmore Estate property is adjacent to the project corridor and there is a grade separated crossing of the Blue Ridge Parkway. The Blue Ridge Parkway Bridge will need to be replaced as it cannot accommodate sufficient horizontal clearance for a 6 or 8-lane section. Interviews with representatives from the National Park Service, Biltmore Estate and Biltmore Farms indicate a need to maintain traffic on the Blue Ridge Parkway and desire to straighten the alignment of the existing Blue Ridge Parkway Bridge which could result in a 4(f) impact. Representatives indicated that aesthetics were a concern regarding the French Broad River Bridge as this structure could be seen from the Biltmore Estate. Context Sensitive Solutions techniques could be implemented in the Blue Ridge Parkway Bridge replacement.

The Rugby Grange National Register Historic District is located adjacent to the I-26 Corridor. According to the TIP I-4400 EA, there were no effects on either the Rugby Grange Historic District or the Sholtz-Cantrell House. Affects to all these properties will be assessed during the study.

Relocations:

No commercial or residential relocations are anticipated.

Environmental Justice:

No disproportionate impacts to low income or minority populations are anticipated.

Hazardous Material Sites:

According to NCDOT GIS information, there are two Hazardous Material sites adjacent to the project corridor: Pond Road Landfill #2 and Highway 29 Dump site. Both are in the vicinity of the I-26/I-40 Interchange. No effects are anticipated from the above sites, all will be reviewed as appropriate.

Public Schools and Facilities:

- 1- Upward Elementary
- 2- East Henderson High School
- 3- Balfour Elementary
- 4- Avery's Creek Elementary
- 5- Valley Springs Middle School
- 6- Blue Ridge Community College

Other Public Facilities:

- 1- Asheville Regional Airport
- 2- Biltmore Square Mall
- 3- Park Ridge Hospital
- 4- Western Carolina Agricultural Center
- 5- Broadmoor Golf Links

Permits:

Section 404

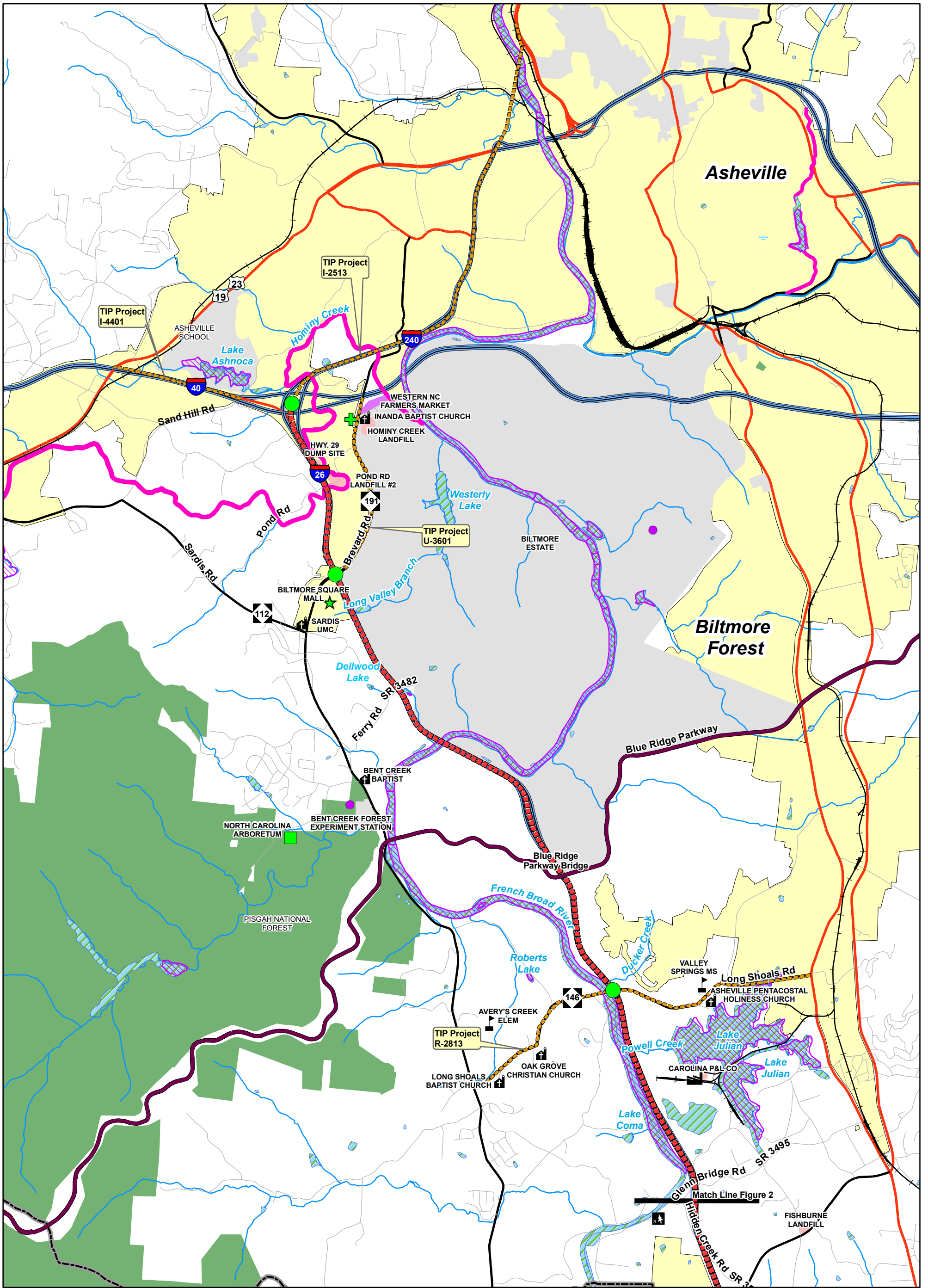
A United States Army Corps of Engineers (USACE) Section 404 permit and corresponding North Carolina Department of Natural Resources (NCDENR) Division of Water Quality 401 Certification will likely be required. Since the project is located in a designated Trout County, the authorization of a Nationwide permit by USACE is conditioned upon the concurrence of the Wildlife Resources Commission.

Tennessee Valley Authority

The proposed project is located in the Tennessee Valley Authority's (TVA) Land Management District. Pursuant to Section 26a of the TVA Act, a permit is required from all construction or development involving streams or floodplains in the Tennessee River drainage basin.

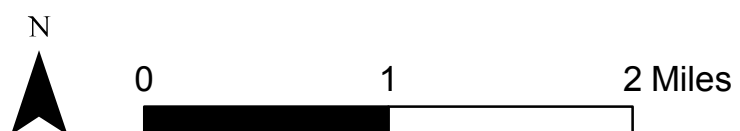
FAA

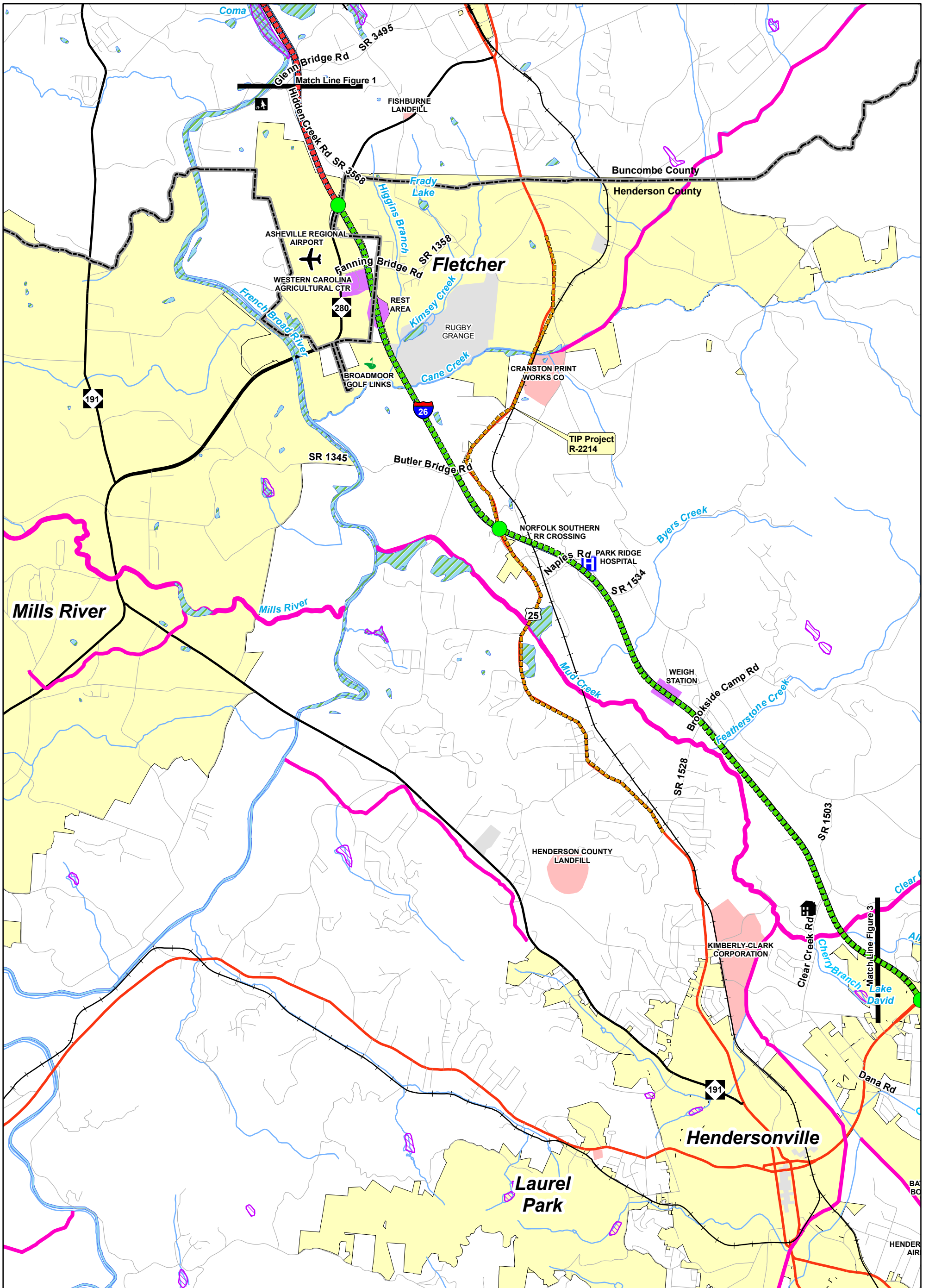
Coordination with the Federal Aviation Administration (FAA) will be done with respect to flight paths and conflicts with navigational aids associated with the Asheville Regional Airport.



- Legend**
- | | | | |
|--------------------|--------------------------|------------------------------|------------------------------|
| TIP Project I-4400 | Biltmore Square Mall | Airport | 303(d) Impaired Water Bodies |
| TIP Project I-4700 | Broadmoor Golf Links | Schools & Colleges | WRC Designated Trout Waters |
| Interchange | Corcoran Page Park | Sholtz-Cantrell House | Streams & Creeks |
| Interstate | Lake Julian Power Plant | National Register Structures | Water Bodies |
| US Route | North Carolina Arboretum | Hazardous Substance Site | NWI Wetlands |
| State Route | Park Ridge Hospital | National Register District | Pisgah National Forest |
| Secondary Road | Post Office | Churches | Green River Game Lands |
| Blue Ridge Parkway | | State Owned Complexes | Other TIP Projects |
| Railroads | | | |
| Municipal Boundary | | | |

Figure 1
T.I.P. Project I-4400/I-4700

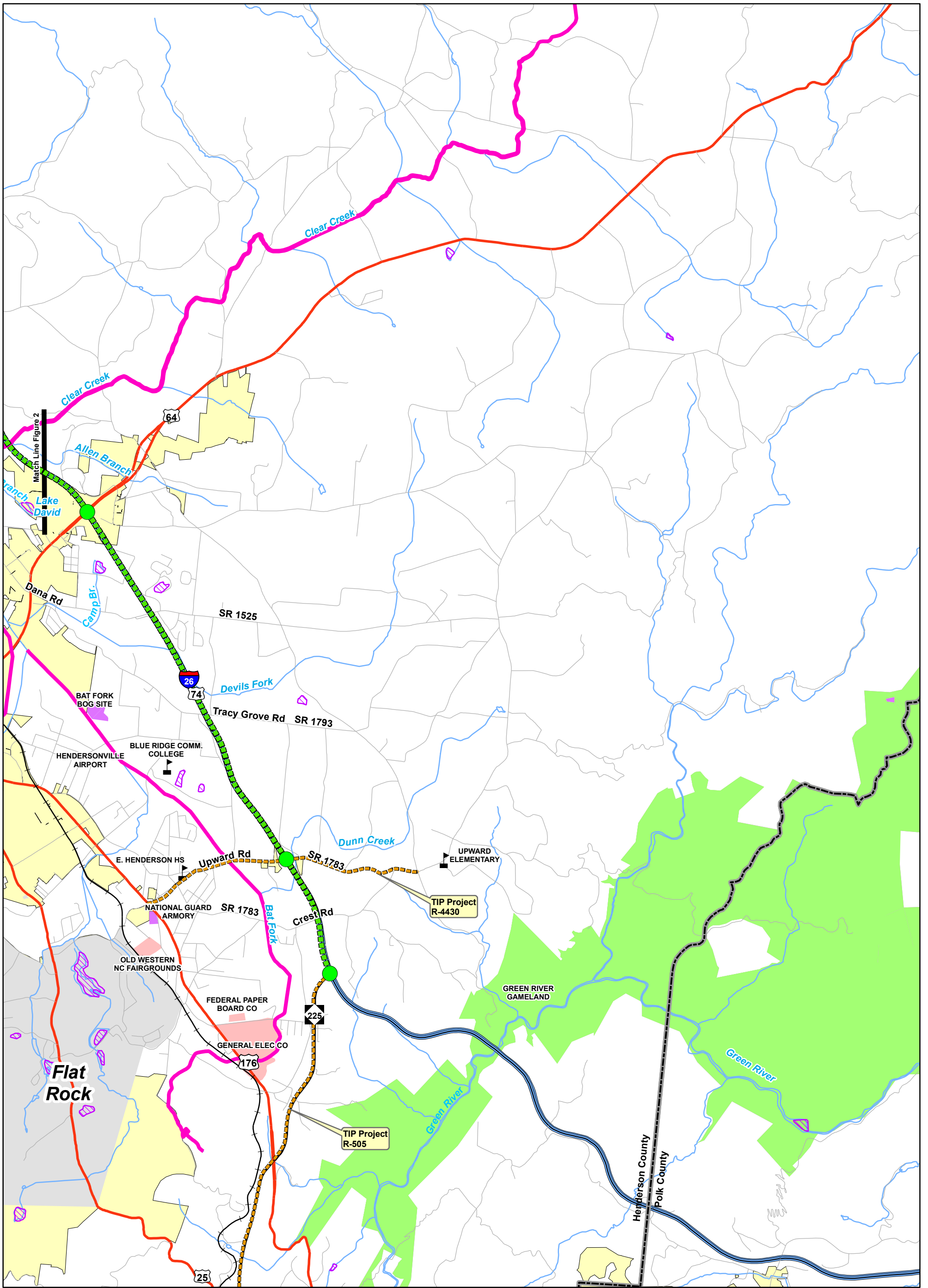




- Legend**
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|--------------------|--------------------------|------------------------------|------------------------------|
| TIP Project I-4400 | Biltmore Square Mall | Airport | 303(d) Impaired Water Bodies |
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| Interstate | Lake Julian Power Plant | Sholtz-Cantrell House | Water Bodies |
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| Secondary Road | Post Office | Churches | Green River Game Lands |
| Blue Ridge Parkway | | State Owned Complexes | Other TIP Projects |
| Railroads | | | |
| Municipal Boundary | | | |

Figure 2
T.I.P. Project I-4400/I-4700





- Legend**
- | | | | |
|--------------------|------------------------------|------------------------|------------------------------|
| TIP Project I-4400 | Biltmore Square Mall | Airport | 303(d) Impaired Water Bodies |
| TIP Project I-4700 | Broadmoor Golf Links | Corcoran Page Park | WRC Designated Trout Waters |
| Interchange | Lake Julian Power Plant | Schools & Colleges | Streams & Creeks |
| Interstate | Sholtz-Cantrell House | Water Bodies | NWI Wetlands |
| US Route | National Register Structures | Pisgah National Forest | Green River Game Lands |
| State Route | Hazardous Substance Site | Other TIP Projects | |
| Secondary Road | National Register District | | |
| Blue Ridge Parkway | Churches | | |
| Railroads | Post Office | | |
| Municipal Boundary | State Owned Complexes | | |

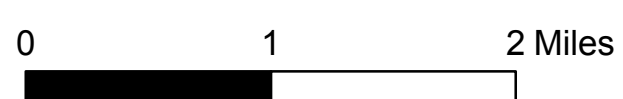


Figure 3
T.I.P. Project I-4400/I-4700





☒ 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



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

February 7, 2017

Ms. Anita Barnett
United States Department of the Interior
National Park Service, Southeast Regional Office
Atlanta Federal Center, 1924 Building
100 Alabama Street SW
Atlanta, GA 30303

Dear Ms. Barnett:

The Federal Highway Administration (FHWA) and North Carolina Department of Transportation (NCDOT) are seeking clarification for the involvement of the Mountains to Sea Trail (MST) and your acknowledgement of the *de minimis* use to the Biltmore Estate for the proposed I-26 Widening project in Henderson and Buncombe Counties, NC (State Transportation Improvement Program [STIP] Project Nos. I-4400 and I-4700).

Mountains to Sea Trail

In correspondence dated June 28, 2016 (L7617, PIN 16296), the US Department of Interior (DOI) acknowledged the Section 4(f) use of the Blue Ridge Parkway and the *de minimis* use of the Mountains to Sea Trail (MST), satisfying the requirements of Section 4(f) for these resources. However, in comments provided by the DOI on the project's Draft Environmental Impact Statement (DEIS) and Draft Section 4(f) Evaluation on October 20, 2016 (ER 16/0489, 9043.1), the DOI refers to the MST as a Section 106 property on page 3. The MST is a recreational resource not a Section 106 property, and as such was not reviewed by the North Carolina State Historic Preservation Officer (SHPO). Further, on page 4 DOI stated no objection to the approval of the Section 4(f) Evaluation for the Blue Ridge Parkway and the MST contingent on the "development and full execution" of a Memorandum of Agreement (MOA) for the project. The MST will not be addressed in a MOA for Section 106 resources and is not subject to mitigation.

Biltmore Estate *de minimis*

In accordance with 23 CFR Part 774 (Sections 774.3(b) and 774.17) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, the FHWA and NCDOT intend to make a *de minimis* finding based on your concurrence with the Section 106 determination of "No Adverse Effect" for the Biltmore Estate (see attached signed Effects Form). The DOI previously acknowledged that the SHPO determined the project would result in No Adverse Effect to the Biltmore Estate (ER 16/0489, 9043.1).

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
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
1000 BIRCH RIDGE DRIVE
RALEIGH, NC 27610

The proposed I-26 Widening project in Henderson and Buncombe Counties, NC (State Transportation Improvement Program [STIP] Project Nos. I-4400 and I-4700) would require some small sections of new right of way to accommodate cut and fill slopes, and the Control of Access fencing would be relocated as needed in these areas (see attached figures and access the August 2016 Public Hearing Maps at the project website: <https://www.ncdot.gov/projects/i26widening/>). Construction activity would require minimal tree removal along the length of property that borders the interstate. Some fill impacts to wetlands adjacent to the historic resource, but within the existing NCDOT right of way, would occur.

As the official with jurisdiction over the National Historic Landmark (NHL), Biltmore Estate, I concur in a determination that the proposed transportation project as described in this letter and shown on the accompanying attachments would not adversely affect the activities, features, or attributes that qualify the Biltmore Estate for Section 4(f) protection. I have also been informed, based on my concurrence, the FHWA intends to make a *de minimis* finding regarding impacts to the Biltmore Estate, thus satisfying the requirements of Section 4(f).

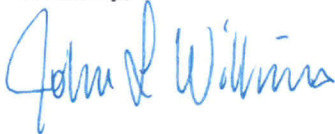
Date: 3/8/17 Signature: 

After signing and dating this letter, please return a copy to my attention within 30 days of the date of this letter to the following address:

North Carolina Department of Transportation
Project Development and Environmental Analysis
1548 Mail Service Center
Raleigh, NC 27699-1548

The NCDOT is thankful for your assistance in making this transportation project possible. Should you have any questions or concerns, please contact me at (919) 707-6178 or jlwilliams@ncdot.gov.

Sincerely,



John Williams, PE
Project Development Engineer
North Carolina Department of Transportation

cc: Mark Woods – NPS
Suzette Molling – NPS
Andy Otten – NPS
Felix Davila – FHWA
Mary Pope Furr – NCDOT



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

February 21, 2017

Ms. Smith Raynor
NC State Parks
1615 Mail Service Center
Raleigh, NC 27699-1615

Dear Ms. Raynor:

The Federal Highway Administration (FHWA) and North Carolina Department of Transportation (NCDOT) are seeking your acknowledgement of the *de minimis* use of the French Broad River Paddle Trail and of the Mountains to Sea Trail for the proposed I-26 Widening project in Henderson and Buncombe Counties, NC (State Transportation Improvement Program [STIP] Project Nos. I-4400 and I-4700).

In accordance with 23 CFR Part 774 (Sections 774.3(b) and 774.17), the FHWA and NCDOT intend to make a *de minimis* finding based on your concurrence with a No Adverse Effect to the French Broad River Paddle Trail and the Mountains to Sea Trail.

The proposed I-26 Widening project in Henderson and Buncombe Counties, NC (STIP Project Nos. I-4400 and I-4700) would require a temporary use of the French Broad River during construction and demolition of the I-26 bridge over the river. It is anticipated that the bridge construction and demolition would occur in stages and that passage under the bridge would be maintained. Paddle accesses, campgrounds, and businesses along the French Broad River will be signed and/or notified by NCDOT prior to and during demolition and construction activity. No additional impacts beyond construction are anticipated.

As the official with jurisdiction over the French Broad River Paddle Trail, I concur in a determination that the proposed transportation project as described in this letter would not adversely affect the activities, features, or attributes that qualify the French Broad River Paddle Trail for Section 4(f) protection. I have also been informed, based on my concurrence, the FHWA intends to make a *de minimis* finding regarding impacts to the French Broad River Paddle Trail, thus satisfying the requirements of Section 4(f).

Date: 3-16-2017

Signature: _____

Amelia Raynor

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
PROJECT DEVELOPMENT AND
ENVIRONMENTAL ANALYSIS
1548 MAIL SERVICE CENTER
RALEIGH, NC 27699-1548

Telephone: (919) 707-6000
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Website: www.ncdot.gov

Location:
1000 BIRCH RIDGE DRIVE
RALEIGH, NC 27610

The proposed project will also have a minimal impact to the Mountains to Sea Trail (MST) due to the realignment of the Blue Ridge Parkway (BRP) bridge. In a letter dated June 28, 2016 (attached) the National Park Service (NPS), landowner, described the impacts to the MST. In summary these include: shifting the MST approximately 70 feet south with minor improvements to the trailhead at Blue Ridge Parkway (BRP) Milepost (MP) 392.1; relocating the MST to the proposed new BRP bridge to cross I-26; and shifting the MST approximately 110 feet south of the trail intersection at BRP MP 391.7 with minor trailhead improvements. In this letter, the Blue Ridge Parkway (NPS) concurred that the minimal direct use of the MST constituted a *de minimis* use under Section 4(f).

As the official with jurisdiction over the Mountains to Sea Trail, I concur in a determination that the proposed transportation project as described in this letter would not adversely affect the activities, features, or attributes that qualify the Mountains to Sea Trail for Section 4(f) protection. I have also been informed, based on my concurrence, the FHWA intends to make a *de minimis* finding regarding impacts to the Mountains to Sea Trail, thus satisfying the requirements of Section 4(f).

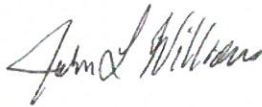
Date: 3-16-2017 Signature: Amelia Rayner

After signing and dating this letter, please return a copy to my attention within 30 days of the date of this letter to the following address:

North Carolina Department of Transportation
Project Development and Environmental Analysis
1548 Mail Service Center
Raleigh, NC 27699-1548

The NCDOT is thankful for your assistance in making this transportation project possible. Should you have any questions or concerns, please contact me at (919) 707-6178 or jwilliams@ncdot.gov.

Sincerely,



John Williams, PE
Project Development Engineer
North Carolina Department of Transportation

cc: Felix Davila – FHWA

Attachment

Kat Bukowy

From: Sanderson, Mike <jmsanderson@ncdot.gov>
Sent: Wednesday, April 13, 2016 11:23 AM
To: Dagnino, Carla S; Jennifer Harris; Kat Bukowy; Barrett, William A; michael.batuzich@dot.gov
Cc: Williams, John L; Gray, Jared S; Medlin, Kenneth N; Manley, Chris
Subject: RE: I-26 Widening and BRP Bridge - I-4400/I-4700 - NLEB and NC HPO Coordination

The Blue Ridge Parkway has a specific agreement with the U.S. Fish and Wildlife Service regarding Northern Long-eared Bats beyond the final 4(d) rule. As Suzette noted, tree clearing on BRP property will be allowed between August 15 and May 15. This agreement was made in Feb, 2016.

The Park Service does surveys on a regular basis. If they find a maternity roost tree, they will be required to consult with the USFWS.

Let me know if I can assist with further clarification.

Mike Sanderson

Senior Environmental Scientist
Biological Surveys Group
North Carolina Department of Transportation

919 707 6154 office
919 610 1037 mobile
jmsanderson@ncdot.gov

1598 Mail Service Center
Raleigh NC 27699-1598



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From: Dagnino, Carla S
Sent: Tuesday, April 12, 2016 12:22 PM
To: Jennifer Harris; Kat Bukowy; Barrett, William A; michael.batuzich@dot.gov
Cc: Williams, John L; Sanderson, Mike
Subject: RE: I-26 Widening and BRP Bridge - I-4400/I-4700 - NLEB and NC HPO Coordination

Hi Jennifer,

I have asked Mike Sanderson to clarify that the Park Service will still need this moratorium even though the project is consistent with USFWS 4(d) rule. He is out of the office today, but will be in tomorrow and said he will address it with our BSG staff working on the NLEB issues.

We hope to have some information to you this week regarding the moratorium.

Thanks.
Carla

From: Jennifer Harris [<mailto:jhharris@HNTB.com>]
Sent: Tuesday, April 12, 2016 12:11 PM
To: Kat Bukowy; Dagnino, Carla S; Barrett, William A; michael.batuzich@dot.gov
Cc: Williams, John L
Subject: FW: I-26 Widening and BRP Bridge - I-4400/I-4700 - NLEB and NC HPO Coordination

FYI

Jennifer Harris, P.E., CPM

Senior Project Manager

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Raleigh, NC 27609

Direct 919.424.0427

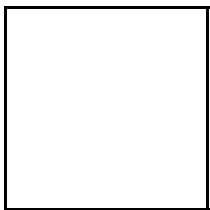
Mobile 919.656.7003

From: Molling, Suzette [mailto:suzette_molling@nps.gov]
Sent: Tuesday, April 12, 2016 12:10 PM
To: Jennifer Harris
Cc: Williams, John L (jlwilliams@ncdot.gov)
Subject: Re: I-26 Widening and BRP Bridge - I-4400/I-4700 - NLEB and NC HPO Coordination

Jennifer,

It is just tree clearing. Thanks for double-checking with me!

Suzette Molling
Environmental Protection Specialist
Blue Ridge Parkway
828.348.3432



On Thu, Apr 7, 2016 at 3:03 PM, Jennifer Harris <jhharris@hntb.com> wrote:

Suzette,

In reading the new language you sent, the commitment now references “project activities” whereas before the commitment pertained to “tree clearing” only. If the commitment now pertains to “project activities”, please provide a definition of “project activities” (I assume that would include tree clearing as well as any other construction activities).

Thanks for your continued help!

Thanks,
Jennifer

Jennifer Harris, P.E., CPM

Senior Project Manager

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Direct 919.424.0427

Mobile 919.656.7003

From: Molling, Suzette [mailto:suzette_molling@nps.gov]

Sent: Thursday, April 07, 2016 1:20 PM

To: Jennifer Harris

Subject: Re: I-26 Widening and BRP Bridge - I-4400/I-4700 - NLEB and NC HPO Coordination

Jennifer,

Please re-word the mitigation to following, thanks!

As the project area might be within habitat that is suitable for the endangered Northern Long-eared Bat (NLEB), project activities shall be allowed between August 15 - May 15.

In the event that any northern-long eared bat roost trees are documented within 0.25 miles of the

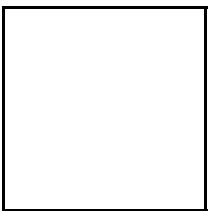
project action area, regardless of the time of year, the park will seek consultation with the US Fish and Wildlife Service before work proceeds.

Suzette Molling

Environmental Protection Specialist

Blue Ridge Parkway

828.348.3432



On Tue, Apr 5, 2016 at 10:28 AM, Jennifer Harris <jhharris@hntb.com> wrote:

Good morning,

I wanted to follow up with you about the NLEB and the NC HPO coordination.

NPS requirements for NLEB:

At our last meeting, NCDOT provided the following updates about their requirements (excerpt from the meeting summary follows):

Bill Barrett and Carla Dagnino explained that pursuant to this project, a conclusion of no Northern long-eared bats (NLEB), their hibernacula, or nesting sites have been found within a 0.25 mile radius. If this conclusion should change prior to or during construction, NCDOT will adhere to the agreed upon final Section 4(d) rule of the Endangered Species Act, codified at 50 C.F.R. §17.40(o), effective February 16, 2016. US Fish and Wildlife Service (USFWS) has 30 days from March 17, 2016, the date NCDOT sent a letter to USFWS regarding this project, to dispute this biological conclusion. Carla Dagnino will provide language for the Draft Environmental Impact Statement (EIS) regarding NLEB.

An action item from the meeting was to contact Suzette to get updates and clarify the USFWS requirements regarding the NLEB for the NPS. The previous language from NPS included the following:

“Based on USFWS consultation for this project, below is the updated mitigation regarding tree removal. Trees removal shall occur between August 15 and May 15. But no trees shall be removed within 0.25 mile of a known NLEB roost tree, regardless of the time of year the action is to be taken.”

Have the NPS requirements changed? If these requirements stand, are we correct in our interpretation that if there is a NLEB roost tree within 0.25 mile of an area where trees are proposed to be cleared, the current requirements state the trees can never be removed. Is that the case?

NC HPO Coordination:

I wanted to touch base with you regarding the 3/28/2016 letter from NC HPO to NPS regarding the Blue Ridge Parkway bridge replacement structure and sidewalks – what are the next steps for coordination on this matter?

Thank you for your assistance on these items.

Regards,

Jennifer

Jennifer Harris, P.E., CPM

Senior Project Manager

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343 E. Six Forks Road, Suite 200
Raleigh, NC 27609

Direct 919.424.0427

Mobile 919.656.7003

From: Jennifer Harris

Sent: Tuesday, April 05, 2016 10:14 AM

To: 'warafat@ncdot.gov'; 'michael.batuzich@dot.gov'; 'Byrd, Beth (beth_byrd@nps.gov)'; 'rtipton@ncdot.gov'; 'george.choubah@dot.gov'; 'Yanina.Kirtley@dot.gov'; 'larry_hultquist@nps.gov'; 'suzette_molling@nps.gov'; 'sheila_gasperson@nps.gov'; 'jack.vandop@dot.gov'; 'anita_barnett@nps.gov'; 'jmsanderson@ncdot.gov'; 'jarobbins@ncdot.gov'; 'taharris@ncdot.gov'; 'cdagnino@ncdot.gov'; 'sdkendall@ncdot.gov'; 'michael_molling@nps.gov'; 'dweaver@ncdot.gov'; 'Earl.Dubin@dot.gov'; 'Alan.Teikari@dot.gov'; 'Lisa.Landers@dot.gov'; 'drcalhoun@ncdot.gov'; 'ksolberg@ncdot.gov'; Kat Bukowy; 'Hancock, Richard W'; 'James.Martin@dot.gov'; 'mfurr@ncdot.gov'; 'wabarrett@ncdot.gov'; 'Williams, John L (jlwilliams@ncdot.gov)'; 'Hratch.Pakhchian@dot.gov'; 'kmoore@ncdot.gov'; 'Laad, Anamika'; 'aaron.williams@dot.gov'; 'mshahidi@ncdot.gov'

Subject: RE: I-26 Widening and BRP Bridge - I-4400/I-4700

Good morning everyone,

I am providing the attached as the final meeting summary from our last meeting/call on 3/22/2016.

Please take a few minutes to provide your availability for our next meeting in this doodle poll
- <http://doodle.com/poll/6qughgudb5tp6xfh> I add a meeting for this month to your calendars shortly.

Please let me know if you have any questions, comments or concerns.

Thanks,
Jennifer

Jennifer Harris, P.E., CPM

Senior Project Manager

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343 E. Six Forks Road, Suite 200
Raleigh, NC 27609

Direct 919.424.0427

Mobile 919.656.7003

From: Jennifer Harris

Sent: Wednesday, March 23, 2016 2:13 PM

To: warafat@ncdot.gov; michael.batuzich@dot.gov; Byrd, Beth (beth_byrd@nps.gov); rtipton@ncdot.gov; george.choubah@dot.gov; Yanina.Kirtley@dot.gov; larry_hultquist@nps.gov; suzette_molling@nps.gov; sheila_gasperson@nps.gov; jack.vandop@dot.gov; 'anita_barnett@nps.gov'; jmsanderson@ncdot.gov; 'jarobbins@ncdot.gov'; taharris@ncdot.gov; cdagnino@ncdot.gov; sdkendall@ncdot.gov; michael_molling@nps.gov; 'dweaver@ncdot.gov'; Earl.Dubin@dot.gov; Alan.Teikari@dot.gov; Lisa.Landers@dot.gov; drcalhoun@ncdot.gov; [ksolberg@ncdot.gov](mailto:klsolberg@ncdot.gov); Kat Bukowy; 'Hancock, Richard W'; 'James.Martin@dot.gov'; 'mfurr@ncdot.gov'; wabarrett@ncdot.gov; Williams, John L (jlwilliams@ncdot.gov); Hratch.Pakhchanian@dot.gov; kmoore@ncdot.gov; 'Laad, Anamika'; aaron.williams@dot.gov; mshahidi@ncdot.gov

Subject: I-26 Widening and BRP Bridge - I-4400/I-4700

Good afternoon,

Thank you all for your participation in the meeting yesterday discussing the I-26 widening project and the BRP realignment and bridge replacement. I have attached a draft meeting summary for your review and comment. *Please provide your comments, if any, by close of business Wednesday, March 30, 2016* and following that, a final meeting summary will be distributed for your records.

In addition, please participate in this “doodle poll” to help me identify the best time for us to have another conference call in April (please note that I will be out of the office between March 24 and April 4): <http://doodle.com/poll/6qughgudb5tp6xfh>

Please let me know if you have any questions, comments or concerns.

Thanks for your help,

Jennifer

Jennifer Harris, P.E., CPM

Senior Project Manager

■ HNTB North Carolina, P.C. | 100 YEARS OF INFRASTRUCTURE SOLUTIONS

343 E. Six Forks Road, Suite 200
Raleigh, NC 27609

Direct 919.424.0427

Mobile 919.656.7003

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Kat Bukowy

From: Chambers, Marla J <marla.chambers@ncwildlife.org>
Sent: Thursday, August 10, 2017 3:44 PM
To: Barrett, William A
Cc: Kat Bukowy
Subject: RE: I-4000_4700

Follow Up Flag: Follow up
Flag Status: Flagged

We do not propose a trout moratorium for Dingle Creek. I hope to have formal comments on the project next week.

Sorry for the delay, I've been having computer trouble and a heavy work schedule.

Thanks,
Marla

****PLEASE NOTE MY NEW PHONE NUMBER****

Marla Chambers // NCDOT Coordinator
Habitat Conservation Program

NC Wildlife Resources Commission

c/o NCDOT

206 Charter Street

Albemarle, North Carolina 28001

Direct Office Line: 704-244-8907

mobile: 704-984-1070

Marla.chambers@ncwildlife.org

ncwildlife.org



From: Barrett, William A
Sent: Thursday, July 27, 2017 1:00 PM
To: Chambers, Marla J <marla.chambers@ncwildlife.org>
Cc: Kat Bukowy (kbukowy@HNTB.com) <kbukowy@HNTB.com>
Subject: I-4000_4700

Hi Marla,

I appreciate you having gotten back in touch with me. As discussed, the NCWRC Scoping Letter listed streams that appear to be crossed by the project. Dingle Creek and associated UTs cross the project study boundary of the project, back when the NRTR was conducted, but just in the "arm along the BRP". Dingle Creek was not included in the listing in the letter, so I am inquiring about it specifically, regarding status as NCWRC Trout Water.

I am attaching the following:

- I-4400_4700 Dingle Creek (contains a Master Figure showing entire project and where Sheets are located along project, Topo Sheet 18 showing Dingle Creek, and associated Aerial Sheet 18 showing Dingle Creek.
- Figure 5 BRP Bridge Options.

The "Bridge Options Sheet" shows that construction will not be near Dingle Creek or its associated UTs, but as it has been included in documents, we'd like to get the Trout call on it.

Thanks for your attention to this request. I look forward to hearing back from you.

William A. Barrett
Environmental Senior Specialist
Environmental Analysis Unit
Environmental Coordination & Permitting
North Carolina Department of Transportation

919 707 6103 office
wabarrett@ncdot.gov

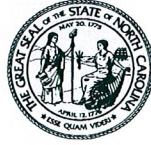
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Raleigh, NC 27610



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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

July 16, 2018

Mr. John F. Sullivan, III
Division Administrator
Attention: Felix Davila
Preconstruction & Environment Engineer
Federal Highways Administration – NC Division
310 New Bern Avenue, Suite 410
Raleigh, NC 27601-1418

SUBJECT: Endangered Species Act Section 7 Biological Assessment for the gray bat (*Myotis grisescens*; MYGR) and Appalachian elktoe (*Alasmidonta raveneliana*) for the proposed widening of Interstate 26 (I-26) from US 25 in Henderson County to the Interstate 40 (I-40) and Interstate 240 (I-240) interchange in Buncombe County. WBS No. 34232.1.1/36030.1.1, Federal Aid Project No. NHF-26-1(62)23/IMNHF-026-1(86)9, STIP No. I-4400/I-4700.

Dear Mr. Davila:

Attached is a copy of the final Biological Assessment and appendices for the subject project. The North Carolina Department of Transportation staff has concluded the proposed action will incur a biological conclusion of "May Affect – Likely to Adversely Affect" call for the species in question. We request that you forward a copy of the BA to the US Fish and Wildlife Service in order to initiate formal Endangered Species Act Section 7 consultation for the gray bat (*Myotis grisescens*; MYGR) and Appalachian elktoe (*Alasmidonta raveneliana*) under STIP No. I-4400/I-4700

If you need further information, or have any questions concerning the attached materials, please contact Marissa Cox at (919)707-6153.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip S. Harris III".

for Philip S. Harris III, PE, CPM, Unit Head
Environmental Analysis Unit

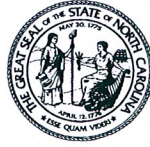
Cc:
Marella Buncick, US Fish & Wildlife Service
Lori Beckwith, USACE
Derrick Weaver, NCDOT

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL ANALYSIS UNIT
1598 MAIL SERVICE CENTER
RALEIGH NC 27699-1598

TELEPHONE: 919-707-6000
FAX: 919-250-4224

WEBSITE:
[HTTPS://CONNECT.NCDOT.GOV/RESOURCES/ENVIRON
MENTAL/PAGES/DEFAULT.ASPX](https://connect.ncdot.gov/resources/environmental/PAGES/DEFAULT.ASPX)

LOCATION:
CENTURY CENTER, BUILDING B
1020 BIRCH RIDGE DRIVE
RALEIGH NC 27610



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

August 16, 2018

Mr. John F. Sullivan, III
Division Administrator
Attention: Felix Davila
Preconstruction & Environment Engineer
Federal Highways Administration – NC Division
310 New Bern Avenue, Suite 410
Raleigh, NC 27601-1418

SUBJECT: Endangered Species Act Section 7 Biological Assessment for the gray bat (*Myotis grisescens*; MYGR) and Appalachian elktoe (*Alasmidonta raveneliana*) for the proposed widening of Interstate 26 (I-26) from US 25 in Henderson County to the Interstate 40 (I-40) and Interstate 240 (I-240) interchange in Buncombe County. WBS No. 34232.1.1/36030.1.1, Federal Aid Project No. NHF-26-1(62)23/IMNHF-026-1(86)9, STIP No. I-4400/I-4700.

Dear Mr. Davila:

Attached is a copy of the final Biological Assessment and appendices for the subject project. The North Carolina Department of Transportation staff has concluded the proposed action will incur a biological conclusion of "May Affect – Likely to Adversely Affect" call for the species in question. We request that you forward a copy of the BA to the US Fish and Wildlife Service in order to initiate formal Endangered Species Act Section 7 consultation for the gray bat (*Myotis grisescens*; MYGR) and Appalachian elktoe (*Alasmidonta raveneliana*) under STIP No. I-4400/I-4700

If you need further information, or have any questions concerning the attached materials, please contact Marissa Cox at (919)707-6153.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip S. Harris III".

Philip S. Harris III, PE, CPM, Unit Head
Environmental Analysis Unit

Cc:
Marella Buncick, US Fish & Wildlife Service
Lori Beckwith, USACE
Derrick Weaver, NCDOT

MAILING ADDRESS:
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MENTAL/PAGES/DEFAULT.ASPX](https://connect.ncdot.gov/resources/environmental/PAGES/DEFAULT.ASPX)

LOCATION:
CENTURY CENTER, BUILDING B
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RALEIGH NC 27610