

PUBLIC NOTICE

Issue Date: October 28, 2015 Comment Deadline: November 30, 2015 Corps Action ID #: SAW-2004-9986803 TIP Project No. I-2513

The Wilmington District, Corps of Engineers (Corps) has received an application from the North Carolina Department of Transportation (NCDOT) regarding a potential future requirement for Department of the Army (DA) authorization to discharge dredged or fill material into waters of the United States associated with the proposed I-26 Connector in Asheville, Buncombe County, North Carolina, TIP No. I-2513.

Specific alignment alternatives and location information are described below and shown on the attached maps. This Public Notice and attachments are also available on the Wilmington District Web Site at http://www.saw.usace.army.mil/Missions/RegulatoryPermitProgram.aspx

The Federal Highway Administration's (FHWA) Draft Environmental Impact Statement (DEIS) and related maps for this project are available on the NCDOT website at http://www.ncdot.gov/projects/i26connector/

Applicant: North Carolina Department of Transportation (NCDOT)

Project Development and Environmental Analysis

Attn: Richard W. Hancock, P.E.

1548 Mail Service Center

Raleigh, North Carolina 27699-1548

Authority

The Corps will evaluate this application to compare alternatives that have been carried forward for detailed study pursuant to applicable procedures of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344).

In order to more fully integrate Section 10 and Section 404 permit requirements with the National Environmental Policy Act of 1969, and to give careful consideration to our required public interest review and 404(b)(1) compliance determination, the Corps is soliciting public comment on the merits of this proposal and on the alternatives evaluated in the October 13, 2015, FHWA DEIS (http://www.ncdot.gov/projects/i26connector/). At the close of this comment period, the District Commander will evaluate and consider the comments received, as well as the expected adverse and beneficial effects of the proposed road construction, to select the least environmentally damaging practicable alternative (LEDPA). The District Commander is not

authorizing construction of the proposed project at this time. A final DA permit may be issued only after our review process is complete, impacts to the aquatic environment have been minimized to the maximum extent practicable, and a compensatory mitigation plan for unavoidable impacts has been approved.

Location

The proposed project is located in Asheville, Buncombe County, North Carolina, and is commonly referred to as the I-26 Connector Project. The I-26 Connector project would connect I-26 from I-40 in southwestern Asheville to US 19-23-70 in northwest Asheville and have a total length of approximately 7 miles (USACE Attachment 1). The proposed project is designated in the NCDOT 2016-2025 State Transportation Improvement Program (STIP) (June 2015) as project number I-2513.

Existing Site Conditions

The City of Asheville is located in Buncombe County within the Blue Ridge Mountains of western North Carolina. This area is characterized by relatively rugged topography, including rolling hills, high mountain peaks, and occasional alluvial plains. Buncombe County is the seventh largest county in North Carolina, with a 2010 US Census population of 238,318; the City of Asheville is the tenth largest municipality in the state, with a population of 83,393. A large portion of the land within the study area is developed, with residential and commercial areas located along existing I-240 and US 19-23-70.

The project study area is contained within the French Broad River Basin, which is located west of the Eastern Continental Divide, and lies within the French Broad River sub-basin, approximately 54 miles downstream of the headwaters of the French Broad. Water resources in the study area are part of the French Broad River Basin (U.S. Geological Survey [USGS] Hydrologic Unit 06010105). Forty-five (45) jurisdictional streams and thirty-six (36) jurisdictional wetlands have been identified in the study area. Named rivers and streams in the project area include the French Broad River, Lower Hominy Creek, Upper Hominy Creek, Moore Branch, Reed Creek, Smith Mill Creek, Ragsdale Creek, Trent Branch, and unnamed tributaries to these waters.

There are no North Carolina Wildlife Resource Commission (NCWRC) -designated trout waters, water supply watersheds (WS-I or WS-II), High Quality Waters (HQW), or Outstanding Resource Waters (ORW) within 1.0 mile downstream of the study area. The North Carolina Draft 2014 Section 303(d) list of impaired waters identifies no waters within the study area as impaired due to sedimentation or turbidity.

The existing major roads in the study area consist of 4-lane divided and 6-lane divided roads with posted speed limits of 50, 55, and 60 mph, respectively.

I-40 is a major east-west interstate facility and is the principal highway access to the Asheville area from the east and west and is located to the south of the Asheville central business district. I-240 is a semicircular east-west urban interstate facility that provides a freeway loop through

downtown Asheville, spanning the French Broad River, and connecting with I-40 to the east and west of town. At the I-240 interchange with US 19-23, east of the French Broad River, US 70 joins US 19-23 to the north. Here, I-240 and US 74A join US 19-23 from the north and Patton Avenue from the east, where they all continue west across the river as Patton Avenue on the Captain Jeff Bowen Bridges. US 19-23-74A (Patton Avenue) splits off from I-240 at the Patton Avenue interchange west of the French Broad River. I-240 and US 19-23 Business continue south to the US 19-23 Business/SR 3458 (Haywood Road) interchange, where US 19-23 Business exits and follows Haywood Road to the west. I-240 continues southwestward through the SR 3556 (Amboy Road) and NC 191 (Brevard Road) interchanges and terminates at I-40. See USACE Attachment 2 for the existing road network in the study area and the project sections (i.e., Sections C, A, and B).

Applicant's Stated Purpose

The primary purposes of the proposed project are to:

- Upgrade the Interstate corridor from I-26 south of Asheville through the US 19-23 interchange to meet design standards for the Interstate system;
- Provide a link in the transportation system connecting a direct, multi-lane freeway facility meeting interstate standards from the Port of Charleston, South Carolina, to I-81 near Kingsport, Tennessee;
- Improve the capacity of existing I-240 west of Asheville to accommodate the existing and forecasted (2033 design year) traffic in this growing area;
- Reduce traffic delays and congestion along the I-240 crossing of the French Broad River, which currently operates at capacity; and
- Increase the remaining useful service of the existing Captain Jeff Bowen Bridges by substantially reducing the volume of traffic on this vital crossing of the French Broad River.

Project Description

NCDOT proposes to improve the existing I-26, I-240, and US 19-23-70 corridors from south of the I-26/I-40/I-240 interchange to the US 19-23-70 interchange with SR 1781 (Broadway). This would include upgrading the I-26/I-40/I-240 interchange and improving I-240 (including the interchanges) between the I-26/I-40/I-240 interchange and the I-240 interchange with US 19-23-74A/Patton Avenue west of the French Broad River. At the I-240 interchange with US 19-23-74A/Patton Avenue, a northward freeway on new location would be constructed that would cross the French Broad River and merge into existing US 19 23-70. This project is approximately 7 miles long.

Detailed Study Alternatives

The project is broken into three separate sections (USACE Attachment 2). Section C is the westernmost part of the project, followed by Section A, which is located east of Section C, then Section B, which is north east of section A. The information in this public notice is organized to follow this west to east progression (i.e., Sections C, A, and B).

Section C of the project includes the area around the I-26/I-40/I-240 interchange. Section A is the widening and improvements along I-240 from slightly north of the I-26/I-40/I-240 interchange to slightly south of Patton Avenue. Section B of the project is from slightly south of the Patton Avenue interchange to US 19-23-70 near the Broadway interchange and includes a new roadway and bridges across the French Broad River.

Four build alternatives in Section C, one build alternative in Section A, and four build alternatives in Section B were selected as detailed study alternatives. USACE Attachments 3-11 depict the nine (9) detailed study alternatives. The following is a brief description of each alternative:

Section C – **Alternative A-2**: Alternative A-2 would include upgrading the I-26/I-40/I-240 interchange to a four-level interchange with four high-speed flyover ramps for the left turn movements. Alternative A-2 would include improvements to the US 19-23-74A (Smoky Park Highway) interchange and also upgrade the Brevard Road interchange on I-40 by replacing the loop in the southeast quadrant of the interchange with a ramp in the southwest quadrant. The westbound direction of I-40, between Brevard Road and I-26/I-240, would include a parallel roadway that would allow for traffic exiting and entering the freeway to make the movements away from the main through traffic along I-40. In the eastbound direction of I-40, the exit ramp to Brevard Road would be bridged over the entrance ramp from I-26/I-40. Traffic from I-26/I-240 would not be allowed to exit to Brevard Road along I-40.

Section C – Alternative C-2: Alternative C-2 would also provide a four-level interchange at I-26/I-40/I-240, similar to Alternative A-2; however, two of the four flyover ramps would be converted to loops. Alternative C-2 would include minor improvements to the US 19-23-74A (Smoky Park Highway) interchange and also upgrade the Brevard Road interchange along I-40, with the general configuration remaining the same as the existing interchange. Both the eastbound and westbound direction of I-40, between Brevard Road and I-26/I-240, would include a parallel roadway that would allow for traffic exiting and entering the freeway to make the movements away from the main through traffic along I-40.

Section C – Alternative D-1: Alternative D-1 would be similar to both Alternatives A-2 and C-2 but would include three high-speed flyover ramps and one loop for the left turn movements at the I-26/I-40/I-240 interchange. Alternative D-1 would include minor improvements to the US 19-23-74A (Smoky Park Highway) interchange and also upgrade the Brevard Road interchange on I-40 by converting it to an interchange with ramps in all four quadrants. The eastbound and westbound direction of I-40, between Brevard Road and I-26/I-240, would include the ramps connecting to I-40 being bridged over the ramps from I-40.

Section C – **Alternative F-1**: Alternative F-1 would maintain the existing two-level interchange configuration of the I-26/I-40/I-240 interchange and provide the two missing movements. Alternative F-1 would upgrade the existing interchange by providing additional through lanes and would provide a new loop from I-240 westbound to I-40 eastbound and a ramp from I-40 westbound to I-240 eastbound. Alternative F-1 would include minor improvements to the US 19-23-74A (Smoky Park Highway) interchange. A portion of the Brevard Road interchange along I-40 would be upgraded, with the general configuration remaining the same as the existing interchange. Due to the increased distance between the interchanges, no special features are needed to alleviate the traffic operations problems with weaving vehicles.

Section A – I-240 Widening Alternative: The I-240 Widening Alternative would include expanding the existing I-240 four-lane roadway to an eight-lane roadway with interchanges at Brevard Road, Amboy Road, and Haywood Road. During the traffic capacity analysis for this project, this section was also analyzed as a six-lane roadway. However, the roadway segments operated at a level of service (LOS) of E or F as a six-lane roadway. FHWA has adopted by regulation a LOS D or better in urban areas, this roadway was determined to require eight lanes. The most substantial change in the configuration of Section A would be the extension of Amboy Road across I-240 to Brevard Road, opposite Shelburne Road. The Amboy Road extension would provide for all traffic movements, which would be an upgrade from the existing interchange. The interchange at Brevard Road would include ramps in all quadrants except the northeast quadrant. Traffic destined for Brevard Road from I-240 westbound/I-26 eastbound would exit at the Amboy Road exit and use the Amboy Road extension to Brevard Road. The interchange at Haywood Road would be similar to the existing configuration, with a few minor changes. The exit ramp from I-240 eastbound to Hanover Street would be eliminated and the ramp would connect directly to Haywood Road. In addition, the short segment of the I-240 eastbound entrance ramp that allows traffic in both directions would be eliminated.

Section B – Alternative 3: Alternative 3 would begin slightly south of Patton Avenue and extend I-26 to the north, while I-240 would remain along its existing path across the Captain Jeff Bowen Bridges. A new service road on the north side of Patton Avenue would be constructed that would provide access to Westgate Shopping Center, Regent Park Boulevard, and Resort Drive and include ramps to and from I-26. North of Patton Avenue, I-26 would run northward and cross over the Blue Ridge Southern Railroad and Emma Drive, before turning to the northeast and crossing the French Broad River. I-26 would connect to existing US 19-23-70 on the east side of the French Broad River, approximately one-half mile south of the Broadway interchange. The Patton Avenue/I-240/US 19-23-70 interchange on the east side of the French Broad River would not be modified under Alternative 3.

Section B – Alternative 3-C: Alternative 3-C is almost identical in configuration and design to Alternative 3 with the exception of the new alignment location for the I-26 freeway after the I-240 split. The Alternative 3-C alignment would turn east instead of going north and would cross the French Broad River on two bridge structures approximately 2,500 feet north of the Captain Jeff Bowen Bridges before connecting with US 19-23-70.

Section B – Alternative 4: Alternative 4 would also begin slightly south of Patton Avenue and would extend I-26 along a similar path as Alternative 3, crossing the French Broad River and connecting to US 19-23-70 approximately one-half mile south of the Broadway interchange. The major difference in Alternative 4 is that it would separate local and I-240 traffic across the Captain Jeff Bowen Bridges by rerouting I-240 to the north along a pair of new flyover bridges. Alternative 4 includes a standard interchange configuration at Patton Avenue, with ramps in all four quadrants, on the west side of the French Broad River. Ramps on the north side would include a pair of ramps that connect Patton Avenue to both I-240 and I-26. On the east side of the French Broad River, the Patton Avenue/I-240/US 19-23-70 interchange would be modified to allow I-240 to curve to the north and include a partial interchange that connects to Patton Avenue. For Alternative 4, Patton Avenue would become a local street and the Captain Jeff Bowen Bridges would be converted from an interstate freeway to a local street crossing.

Section B – Alternative 4-B: Alternative 4-B is similar to Alternative 4 by separating the local and I-240 traffic across the Captain Jeff Bowen Bridges. However, Alternative 4-B would strive to minimize the footprint of the design and include I-26 turning to the east and crossing the French Broad River approximately one-half mile north of the existing Captain Jeff Bowen Bridges. Alternative 4-B would be identical to Alternative 4 in the vicinity of the Patton Avenue/I-240/US 19-23-70 interchange and include flyover ramps for I-240 that are similar to those in Alternative 4. The interchange configuration at Patton Avenue would be slightly different for Alternative 4-B, with a loop in the southwest quadrant that connects to Patton Avenue opposite Regent Park Boulevard. The I-26 crossing would be shifted farther to the south and result in a more compact interchange on the east side of the French Broad River. I-26 would follow the existing alignment of US 19-23-70 for a longer distance along the edge of the Montford Neighborhood through the Broadway interchange. As with Alternative 4, Alternative 4-B would allow Patton Avenue to become a local street and the Captain Jeff Bowen Bridges would be converted from an interstate freeway to a local street crossing.

How many lanes would be included for the I-26 Connector?

The design standards for interstate facilities require that the design must accommodate the traffic volumes for at least 20 years from the time the project begins construction. Therefore, the minimum number of lanes required to accommodate the projected traffic volumes were evaluated for each section of the project. The I-26 Connector would include eight through travel lanes (four in each direction) for the section from I-40 to Patton Avenue (where it is combined with I-240) and six through travel lanes (three in each direction) from Patton Avenue to Broadway.

Proposed impacts to Waters of the U.S.

The impacts to waters of the U.S. for each of the nine (9) alternatives that were studied in detail are listed below. Note that only one (1) alternative in each section (i.e., C, A, and B) will be chosen for the overall project, so the overall project will consist of three (3) alternatives – one alternative in Section C, one in Section A, and one in Section B. These impact estimates were calculated on design slope stake limits plus a 25-foot buffer.

Section C

Alternative A-2 Impact 2,966 lf of stream and 2.65 acres of wetland.

Alternative C-2 Impact 2,780 lf of stream and 2.39 acres of wetland.

Alternative D-1 Impact 2,939 If of stream and 2.05 acres of wetland.

<u>Alternative F-1</u> Impact 1,978 If of stream and 1.9 acres of wetland.

Section A

I-240 Widening

Alternative Impact to 798 If of stream and 0.01 acre of wetland.

Section B

Alternative 3 Impact to 3,874 lf of stream and 0.22 acre of wetland.

Alternative 3-C Impact to 3,638 If of stream and 0.11 acre of wetland.

Alternative 4 Impact to 1,840 lf of stream and 0.23 acre of wetland.

Alternative 4-B Impact to 2,128 If of stream and 0.1 acre of wetland.

Cultural Resources

The FHWA is the lead federal agency for this project and, in accordance with Section 106 of the National Historic Preservation Act (NHPA), will make determinations and request concurrence with these determinations from the North Carolina State Historic Preservation Office (NCSHPO). Additionally, if and when necessary, adverse effects to historic resources will be resolved through execution of a memorandum of agreement.

According to the FHWA:

The study area includes 16 historic resources that are either on the National Register of Historic Places (NRHP) or eligible for inclusion on the Register. Based on consultation with the NCSHPO, the historic resources are evaluated in accordance with Section 106 of the NHPA and the effects on the property are determined based on the magnitude of the effect on the property. Three classifications are included in the evaluation: "no effect," "no adverse effect," and "adverse effect." The project would have "no effect" on all alternatives for six of the historic resources. Six additional properties were determined to have "no adverse effect" for all alternatives being considered. Section B – Alternatives 3 and 3-C would have "no effect" for the Montford Area Historic District and "no adverse effect" for Alternative 4, but would have an "adverse effect" for Alternative 4-B. The Montford Hills Historic District would have a "no

adverse effect" for Alternative 4-B and "no effect" for Alternatives 3, 3-C, and 4. The Montford Hills/Hibriten Drive Boundary Expansion would have "no adverse effect" for Alternatives 3, 3-C, and 4 and "no effect" for Alternative 4-B. West Asheville/Aycock School Historic District would have an "adverse effect" in Section A.

The study area includes four archaeological sites that have been determined to be eligible for the NRHP and an additional seven sites that would require additional evaluation to determine whether they are eligible. The project would potentially affect several of the archaeological sites, and additional evaluation will occur once a preferred alternative is determined.

Section 4(f) of the Department of Transportation Act of 1966

Section 4(f) provides protection to historic properties, public parks, and recreation areas. The proposed project would result in a "use" of five to six historic properties and two park/recreation areas, depending on the selected alternative. Use of a Section 4(f) property occurs when land is permanently incorporated into a transportation facility; or when there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose; or when there is a constructive use (a project's proximity impacts are so severe that the protected activities, features, or attributes of a property are substantially impaired). The following resources would include use of a Section 4(f) property: Biltmore Estate (Section C – Alternatives A-2 and C-2), Asheville School (all Section C alternatives), West Asheville/Aycock School Historic District (Section A), Carrier Park (Section A), French Broad River Greenway (Section A), William Worley House (all Section B alternatives), Montford Hills Historic District (Section B – Alternative 4-B), and Montford Hills & Hibriten Drive Expansion (Section B – Alternatives 3, 3-C, and 4).

Endangered Species

The following table contains the federally listed threatened and endangered species for Buncombe County and determinations made by the FHWA, the lead federal agency for this project.

Scientific Name	Common Name	Federal Status ^a	Habitat Present	Biological Conclusion ^a
Clemmys muhlenbergii	Bog turtle	T(S/A)	No	Not required
Glaucomys sabrinus coloratus	Carolina northern flying squirrel	E	No	No effect
Myotis grisescens	Gray bat	E	Yes	Unresolved ^b
Myotis septentrionalis	Northern long-eared Bat	T	Unknown	Unresolved ^b
Hybopsis monacha	Spotfin chub ^c	T	Yes	No effect
Alasmidonta raveneliana	Appalachian elktoe ^c	E	Yes	MA-NLAA
Microhexura montivaga	Spruce-fir moss spider	E	No	No effect
Epioblasma florentina walker	Tan riffleshell c, d	Е	Yes	MA-NLAA
Solidago spithamaea	Blue Ridge goldenrod c	Е	No	No effect
Sagittaria fasciculata	Bunchedarrowhead ^c	E	Yes	No effect
Sarracenia jonesii	Mountain sweet pitcher plant ^c	E	No	No effect
Geum radiatum	Spreading avens	E	No	No effect
Spiraea virginiana	Virginia spiraea ^c	T	Yes	No effect
Gymnoderma lineare	Rock gnome Lichen	Е	No	No effect

^a E - Endangered; T - Threatened; T(S/A) - Threatened due to similarity of appearance; MA-NLAA – May Affect-Not Likely to Adversely Affect

The FHWA has determined that this project may affect, but is not likely to adversely affect, the Appalachian Elktoe and the Tan Riffleshell; the determination for the Gray and Northern long-eared bats is unresolved at this time. The FHWA will complete the necessary screening and surveys for the Gray and Northern long-eared bats and will make determinations for these species. All determinations, other than no effect determinations, will require concurrence from the US Fish and Wildlife Service (Service).

Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

b NCDOT Biological Surveys Group will be responsible for habitat screening and surveys for this project.

c Historic record (the species was last observed in the county more than 50 years ago).

d Obscure record (the date and/or location of observation is uncertain).

Compensatory Mitigation

The purpose of compensatory mitigation is to offset unavoidable functional losses to the aquatic environment resulting from project impacts to waters of the United States. NCDOT will investigate potential on-site stream and wetland mitigation opportunities once a preferred alternative has been chosen. If on-site mitigation is not feasible, or a sufficient amount of mitigation is not available on-site, mitigation will be provided by the NC Division of Mitigation Services (NCDMS).

Commenting Information

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidated State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to select the least environmentally damaging practicable alternative (LEDPA) for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of a Corps of Engineers Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

NCDOT is holding a pre-hearing open house and public hearing for this project on November 16, 2015, in the Grand Ballroom of the Renaissance Hotel in Asheville. NCDOT representatives will be available between 4 p.m. and 6:30 p.m. to answer questions and receive comments concerning the proposed project. The opportunity to submit written comments or questions will also be provided. The public may attend at any time during the above mentioned hours. A formal presentation will begin at 7 p.m. The presentation will consist of an explanation of the proposed corridor location, design, right of way, relocation requirements/procedures, and the state-federal relationship. The hearing will be open to those present for statements, questions, and comments. The presentation and comments will be recorded and a transcript will be prepared. The Corps will receive a copy of the public comments.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, November 30, 2015. Written comments should be submitted to Ms. Lori Beckwith, US Army Corps of Engineers, Asheville Regulatory Field Office, 151 Patton Avenue, Room 208, Asheville, NC 28801-5006, telephone 828-271-7980. Written comments can also be submitted by email to loretta.a.beckwith@usace.army.mil





















