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

DEC 07 2015

Mr. Richard W. Hancock, P.E., Manager
Project Development and Environmental Analysis
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

Re: Federal Draft Environmental Impact Statement (DEIS) and Draft §4(f) Evaluation for the I-26 [Asheville] Connector Project, Buncombe County, North Carolina; ERP No.: FHW-E40851-NC; CEQ No.: 20150294; F.A. Project No.: MA-NHF-26-1(53); State Project No.: 34165.1.1; TIP Project No.: I-2513

Dear Mr. Hancock:

The U.S. Environmental Protection Agency Region 4 Office has received and reviewed the subject document and is commenting in accordance with §309 of the Clean Air Act (CAA) and §102(2)(C) of the National Environmental Policy Act (NEPA). The Federal Draft Environmental Impact Statement (DEIS) proposes a 7-mile interstate project that would connect I-26 in southwestern Asheville to U.S. 19-23-70 in northwest Asheville. The I-26 Connector would upgrade and widen I-240 from I-40 to Patton Avenue, and then cross the French Broad River as a new freeway to U.S. 19-23-70 slightly south of the Broadway interchange.

The EPA staff has been an active participant in the NEPA/§404 Merger process for the proposed project, including purpose and need, detailed study alternatives to be carried forward and alignment review. The EPA signed Concurrence Point 2A on April 2, 2015. Specific technical review comments on the DEIS are enclosed to this letter (See Enclosure).

Climate change could have potential effects on transportation infrastructure. We recommend that the North Carolina Department of Transportation (NCDOT) in concert with the Federal Highway Administration (FHWA) incorporate scenarios from the National Climate Assessment (NCA), released by the U.S. Global Change Resource Program[1] as a prediction of how climate change may impact this particular transportation facility. Based on future scenarios, it may be appropriate to incorporate resiliency features to withstand more frequent and/or more intense storm events as well as the impact of temperature extremes on pavement and infrastructure.

[1] http://nca2014.globalchange.gov/

The EPA rated the DEIS as 'Environmental Concerns' (EC-2), indicating that several concerns requiring additional information regarding impacts to the natural and human environment, including environmental justice (EJ) were identified. Our review identified the opportunity for potential avoidance and minimization of impacts as well as mitigation measures related to stream and wetland impacts, water quality, and EJ and community impact issues. The '2' rating indicates that the DEIS information and environmental analysis will require some additional information and clarification as the project moves forward, including: floodway and floodplain impacts, water resources impacts, impacts to threatened and endangered species, archaeological resources impacts, and the ability to secure affordable housing for potential residential relocations.

In general, the EPA supports the proposed project's purpose and need and detailed study alternatives. With appropriate disclosure and proper mitigation, this project should result in reduced adverse impacts. The EPA recommends that all of the technical comments in the enclosure be addressed in the Final EIS (FEIS). Additionally, we recommend that all relevant environmental impacts that have not been disclosed in this document or covered in the FEIS be addressed in additional NEPA documentation prior to the issuance of a Record of Decision (ROD).

Dr. Cynthia F. Van Der Wiele, of my staff, will continue to work with you as part of the NEPA/§404 Merger Team process in the identification of reasonable and feasible alternatives. Should you have any questions concerning these comments, please feel free to contact her at vanderwiele.cynthia@epa.gov or (919) 450-6811. We appreciate the opportunity to comment on the proposed I-26 Connector project.

Sincerely,

G. Alan Farmer
Director
Resource Conservation and Restoration Division

Enclosure

cc: John F. Sullivan, III, P.E, FHWA- NC
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ENCLOSURE

Draft Environmental Impact Statement
I-26 [Asheville] Connector Project
Buncombe County
ERP No.: FHW- E40851-NC; CEQ No.: 20150294

Project Purpose and Need

The primary purposes of the project are outlined in Section 1.3 of the DEIS and are aimed to: upgrade the interstate corridor from I-26 south of Asheville through the U.S. 19-23-70 interchange to meet interstate design standards; provide a link in the transportation system connecting a multi-lane freeway facility meeting interstate standards from the Port of Charleston, SC, to I-81 near Kingsport, TN; improve the capacity of existing I-240 west of Asheville to accommodate existing and forecasted [2033 design year] traffic volumes; reduce traffic delays and congestion along the I-240 crossing of the French Broad River; and increase the remaining useful service of the Captain Jeff Bowen bridges by substantially reducing the volume of traffic on this crossing of the French Broad River.

The needs for the proposed project are detailed in Section 1.2; these include: 1) *system linkage*—by completing an interstate connection from Charleston, SC to Kingsport, TN; 2) *capacity*—by providing additional capacity to reduce traffic congestion and delay; and 3) *address roadway deficiencies*—by developing a facility that meets current interstate design standards and aims to reduce vehicle crash rates.

The EPA recognizes the purpose and need of this project as a critical segment in the completion of the I-26 interstate system.

Detailed Study Alternatives

The DEIS Selection of a Build Alternative was based on several key decisions: logical termini/independent utility, roadway design criteria/typical sections, and study alternatives for each section. Table 2-13 (page 2-134) lists the detailed study alternatives and compares each to the project's purposes. On January 22, 2015, the EPA also concurred with NCDOT's Detailed Study Alternatives (Concurrence Point 2). The DEIS did not indicate a preferred alternative for each section.

EPA Recommendations: At potential wildlife "hotspot" areas along the corridor, the EPA encourages collaboration with the N.C. Wildlife Resources Commission (NC WRC) and the U.S. Fish & Wildlife Service (USFWS) to design appropriate under-and overpasses to reduce large mammal mortality and increase safety and reliability.

Existing Environments

Population Characteristics

Census data used for the DEIS noted that Limited English Proficiency (LEP) populations do not meet the Department of Justice (DOJ) LEP Safe Harbor threshold, but do indicate a Spanish-speaking population that exceeds 50 persons within the Detailed Study Area (DSA). According to Table 3-4 Limited English Proficiency (LEP) by Block Group (2007-2011), two of the block groups in the study area have LEP. These correspond to the Westgate and Emma Road/Bingham Road neighborhoods.

EPA Recommendations: Outreach should include availability of the DEIS in Spanish (as well as any other printed material related to the I-26 Connector project), and Spanish-speaking staff at public meetings and workshops.

Environmental Justice

EJ Demographics: Table 3-8 provides a summary of EJ populations within the detailed study area and includes the community, ethnic percentage and percentage of low income population.

EPA Recommendations: The EPA recommends that the FEIS continue to include public comments related to EJ as part of an ongoing responsiveness summary and indicate issues that remain unresolved. Secondly, there is strong concern regarding the difficulty in finding housing within financial means due to the substantial increase in housing values within Asheville. The EPA recommends that every effort should be made to continue to work with residents to ensure that appropriate replacement housing is available or to provide residents with last-resort housing (see NC General Statute 133-10.1). The EPA notes from the DEIS summary of impacts that the alternatives under consideration include a range of residential relocations of 194 to 227 residences. We further recommend that the FEIS summarize or reference efforts made to avoid and minimize acquisitions and displacement impacts to EJ communities.

Environmental Consequences

Parks and Recreational Facilities / Section 6(f)

Carrier Park and the French Broad River Greenway would be directly affected by the I-26 Connector Project.

EPA Recommendations: The EPA encourages collaboration with the City of Asheville during final design to develop further avoidance and minimization of impacts and to locate suitable mitigation for these impacts.

Compatibility with Local Plans

Section 4.1.2.1 discusses compatibility with local land use and transportation plans. Future land use plans are anticipated to be in harmony with the I-26 Connector and will likely result in greater infill within the urban core of Asheville.

EPA Recommendations: The EPA encourages continued coordination with the City of Asheville to avoid and minimize impacts to parks and recreational facilities. In addition, the EPA also encourages NCDOT to coordinate with the City of Asheville in order to integrate the City of Asheville's Bicycle Plan (2008) into the I-26 Connector design so that bicycle access is provided along the Smoky Park Bridges, the Amboy Road extension, as well as particular locations where bicycle facility design features would not meet the improvements included in the local plans. The EPA encourages the NCDOT to follow the Asheville Pedestrian Plan which indicates several existing pedestrian bridges crossing I-240 within the project study area. According to the Asheville Pedestrian Plan and the DEIS, Patton Avenue across the French Broad River is a corridor which particularly needs pedestrian linkage.

Noise Impacts

Tables 4-7 (page 4-51) and 4-28 (page 4-64) lists the preliminary noise barrier evaluation results and sites recommended for barrier construction based upon the NCDOT's Traffic Noise Abatement Policy (2011). The EPA understands that a more detailed review of specific locations will be performed during the final design process.

EPA Recommendations: The EPA encourages the design and implementation of evergreen roadside vegetation in locations that do not meet the threshold for noise barriers. The use of vegetative roadside screening ameliorates noise impact issues, visual quality impacts, as well as provides potential mitigative effects for downwind vehicle emissions from near-roadway air pollutants.

Floodplains and Floodways

Table 4-11 (page 4-72) lists the FEMA floodplain and floodway impacts. Impacts to the 500-year floodplain was not included in the DEIS.

EPA Recommendations: Floodplains and floodways are vital to reducing the likelihood of localized flooding during storm events, particularly as the Asheville area continues to urbanize. The EPA supports Alternative F-1 (Section C) and Alternative 4-B (Section B) as the alternatives having the least impacts to floodplains and floodways. The EPA prefers bridges to culverts at hydraulic crossings. The EPA encourages engineering design that incorporates resiliency strategies into the I-26 Connector project to mitigate the likelihood of flooding in low-lying, flood-prone areas in addition to the identified FEMA 100-year floodplain and floodways. Such design will ensure that the project purpose and need is met with regard to a robust, reliable transportation system as well as mitigate for extreme weather events that are anticipated to increase as a result of climate change.

Historic and Archaeological Resources

Section 4.1.4 addresses Historic and Archaeological Resources. Table 4-21 lists the determination of effects on Section 106 historic resources.

EPA Recommendations: The FEIS should address what measures will be proposed to alleviate the No Adverse Effect on the historic properties. If no measures are proposed, documentation should include why mitigation is not possible since the majority of these buildings and historic neighborhood districts are in active, daily use by the citizens (including children) of Asheville, and represent vital community resources. The EPA encourages ongoing coordination with the State Historic Preservation Office and the Eastern Band of Cherokee Indians in identifying and mitigating any impacts to archaeological resources as the most recent survey was submitted in 2007.

Water Resources

The I-26 Connector project will substantially increase the amount of impervious surface area (see Table 4-24); thus, treatment of stormwater runoff is critical to protecting water quality.

EPA Recommendations: The EPA supports Alternative F-1 (Section C) and Alternative 4 (Section B) as the alternatives having the least impacts to streams and wetlands based upon the DEIS summary impact tables. Further avoidance and minimization during final design will be necessary to reduce impacts to aquatic resources, particularly those streams and wetlands that have a higher quality rating using the NC Stream Assessment Methodology (SAM) and the NC Wetland Assessment Methodology (WAM), respectively.

Protected Species

Table 4-31 lists the federally-protected species found within Buncombe County and the biological conclusions regarding the I-26 Connector project's effects. Seven threatened/endangered species have habitat present within the DSA; two species are as of yet unresolved with regard to their biological conclusions and one species is indicated as "may effect-not likely to adversely effect."

EPA Recommendations: The EPA encourages further collaboration with the U.S. Fish and Wildlife Service and the NC Wildlife Resources Commission during final design to avoid and minimize impacts to threatened and endangered species. Two species of bats have the potential for adverse effects as a result of the project. Several recent studies have examined the use of bridges and culverts as [day and night] bat roosting habitat[1]. Structural design with regard to particular species should be considered during final design.

Climate Change Adaption

We recommend considering climate adaption measures based on how future climate scenarios may impact the proposed project in the FEIS. The NCA contains scenarios for regions and sectors, including transportation. Using NCA or other peer review-reviewed climate scenarios to inform alternatives analysis and possible changes to the proposal can improve resilience and preparedness for climate change. Changing climate conditions can affect a proposed project as well as the project's ability to meet the designated purpose and need.

[1] See: http://www.icoet.net/downloads/99paper21.pdf