

GRAHAM

Greater Rural Access and Highways to Accelerate Mobility



BICYCLE & PEDESTRIAN



CLIMBING LANES



UPGRADES



ITS COMPONENTS



SAFETY

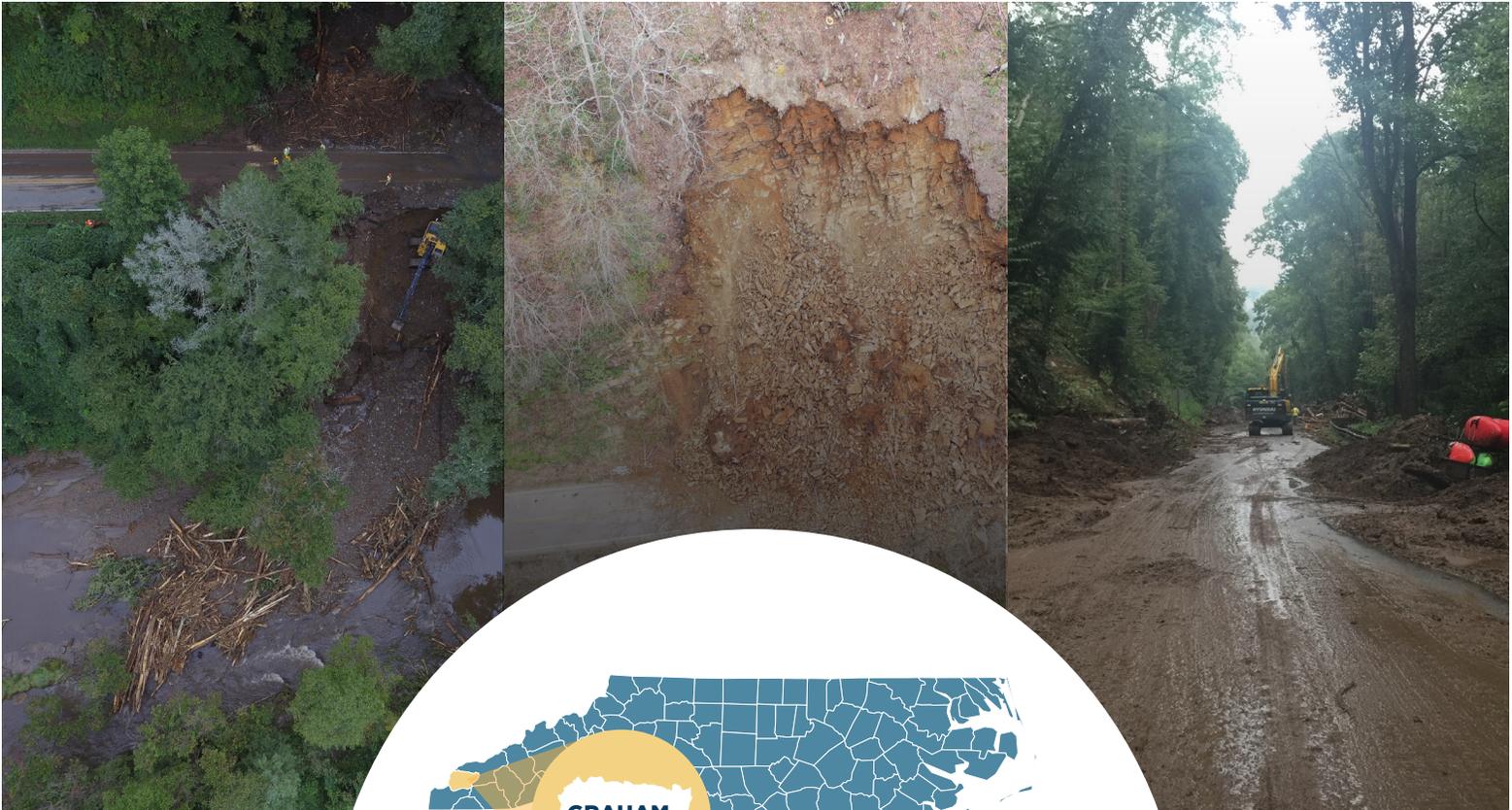


STATE OF GOOD REPAIR



WILDLIFE CROSSING

Project Readiness



**MPDG FFY 2023 and 2024
GRANT APPLICATION
AUGUST 2023**



Environmental Risk

This section describes the Schedule, Status of Required Approvals, and Public Engagement that support Project delivery.

Project Schedule

Transportation improvement studies for this Project have been ongoing for decades, since the inception of the ADHS. Initial planning and project development for State Transportation Improvement Program (STIP) section A-0009C was paused in 2011 to allow for the development of the Graham County Comprehensive Transportation Plan and the region’s Opt-In initiative. Opt-In was a regional outreach effort undertaken to identify hot spots and build consensus at both county and regional levels for an approach that could prioritize transportation investments, including the completion of Corridor K.

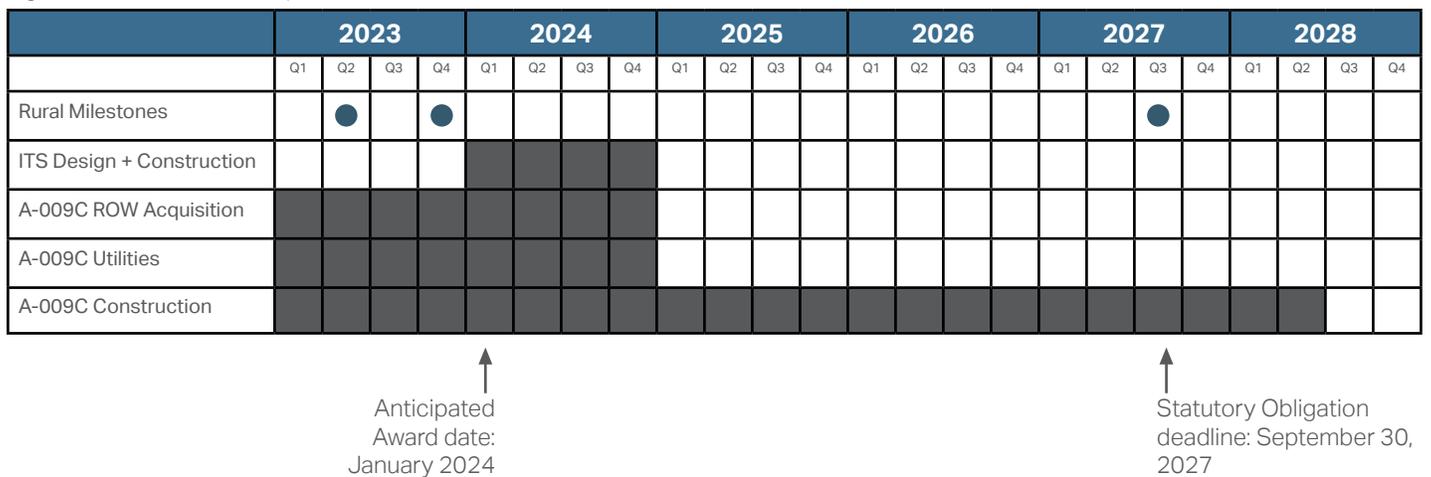
Planning for Corridor K restarted in 2015, when NCDOT undertook an integrated planning process that focused on meaningful public involvement and collaboration with public and Tribal officials, stakeholders and agency groups. In 2021, NCDOT was awarded the “National Association of Environmental Professionals Environmental Excellence Award in Environmental Management, Stewardship, Conservation and Protection”¹ for its work on this section of Corridor K.

Figure 1. Click [here](#) to see a video about project and the Environmental Excellence Award.



Environmental approvals, final design, and right of way (ROW) for A-0009C have been completed, and sections CA, CB, and CC were all let in 2022. Construction on these sections is anticipated to be complete in late 2027 or early 2028. Utility relocation has been completed for section CA and is ongoing, with anticipated completion in 2024 for the remaining sections. Rural funding is needed to complete the final section of A-0009C; if awarded, funds will be obligated immediately upon completion of the grant agreement and construction will commence in the summer of 2024. The design and construction of GRAHAM's ITS components are expected to last up to 12 months and would begin concurrent with construction for A-0009CD. Figure 1 illustrates the schedule for completion of this part of Corridor K.

Figure 1. schedule for completion



Notes:
 NEPA for A-0009C (FONSI) completed in 2021
 Final Design for A-0009C completed in 2022
 Construction began for A-0009CA and A-0009CB in October 2022
 Construction began for A-0009CC in January, 2023

1 <https://www.naep.org/naep-2021-awards>



Required Approvals

The Project is ready to move forward to letting upon notice of award and a signed grant agreement. Key schedule milestones that have been met include:

1. The Project being included in the STIP.
2. The Environmental Assessment being completed on August 26, 2020 and the Finding of No Significant Impact (FONSI) signed on March 19, 2021. The FONSI includes a series of Project commitments to avoid, minimize and mitigate adverse impacts related to acidic rock treatment and other geotechnical considerations; as well as hazardous waste handling, and water quality and habitat protection. A copy of the EA report and FONSI are provided with the [Supplemental Materials](#) provided with this application.
3. All real property and right-of-way acquisition has been completed.
4. All required federal, Tribal, state and local permits and approvals have been secured. This is evidenced by the three segments of A-0009 that have moved forward into construction while funding for the remaining A-0009 segment plus ITS components is being sought. These parts of the Project could not have moved forward without such approvals.

Section 106 requirements for the Project are actively being addressed through a Programmatic Agreement Task Force (PATF) formed by a Project-specific Programmatic Agreement. The PATF meets quarterly to address historic architectural and archeological concerns.

Thus far, all historic architectural sites have received a "no effects" determination from the PATF. NCDOT is working with the PATF to address remaining archeological concerns and any construction changes or discoveries. The Project is rich with Tribal resources that NCDOT is working diligently to protect and preserve. All required environmental and construction permits, including those pursuant to section 401 and 404 of the Clean Water Act, were obtained for the Project in the summer of 2022. The 401 and 404 permits contain special conditions related to "Eastern Band of Cherokee Indian (EBCI) Guidelines for the Treatment of Human Remains and Funerary

Objects," as well other special conditions negotiated with the ECBI. A diligent and unique multi-lateral partnership exists with the ECBI that was developed through the merger process used to advance this Project, as explained in the Public Engagement section below.

Public Engagement

This Project followed the NEPA / 404 Merger process, which combines NEPA environmental review with Section 404 permitting to streamline project development and permitting for projects that have competing resources. It is a shared-decision making process that allows agencies to discuss and reach agreement on various project decisions (called "concurrence points").

Since mid-2015, FHWA and NCDOT have coordinated a number of Project team meetings, stakeholder group meetings and local officials' meetings; as well as one public meeting. Early meetings focused on developing and reaching consensus on the planning approach for A-0009C; subsequent meetings focused on implementing the process.

In July 2015, transportation and resource agency leadership met to reinstate studies and identify themes for a new Project approach. A "fresh look" was developed with a focus on early and ongoing collaboration to help avoid schedule delays by proactively identifying and addressing concerns. This new process placed emphasis on early and continuous input from, and participation of, local elected officials and local government staff, Tribal staff, and federal/state regulatory and resource agencies. This group is collectively referred to as the "Project team."

Local officials from Graham and Cherokee Counties have served key roles in the Project through participation in team meetings, helping to identify Project needs and vetting potential design options. At the October 11, 2017 Project team meeting, NCDOT and FHWA emphasized that local input would drive the project.

Key

- Agency Meetings
- AT Stakeholder Meetings
- Environmental Stakeholder Meetings
- Public and Local Officials' Meetings
- Tribal Coordination

2015	
●	7/2: Agency Leadership Kickoff Meeting
●	9/30-10/1: Project Team Meeting
●	12/5: Project Team Teleconference

2016	
●	3/17: Project Team Meeting
●	5/19: Project Team Meeting
●	8/23-24: Design Workshop

2017	
●	8/8: New Team Members Orientation
●	9/14 & 9/17: Design Study Report Webinars
●	9/26: Project Team Teleconference
●	10/10: Agency Leadership Meeting
●	10/11: Project Team Meeting
●	10/31: FHWA, USACE & NCDOT Coordination Call
●	11/13: Local Officials Meeting

2018	
●	2/12: Local Officials Meeting
●	3/5: AT Stakeholders Teleconference
●	4/16: AT Stakeholders Teleconference
●	6/1: AT Stakeholders Teleconference
●	6/14: Local Officials Meeting
●	6/18: FHWA, Bureau of Indian Affairs Teleconference
●	8/23: New Team Members Orientation
●	8/27: FHWA & Chief of EBCI Coordination Meeting
●	8/30: New Team Members Orientation
●	9/27: USACE Leadership Update Meeting
●	9/28: Local Officials Teleconference
●	10/19: Local Officials Meeting
●	10/31: Local Officials Teleconference
●	12/12: Design Study Report Webinar
●	12/17: Project Team Meeting

2019	
●	2/11: Business Stakeholders Meeting
●	2/11: Environmental Stakeholders Meeting
●	2/12 & 2/14: Public Meeting
●	4/9: Local Officials Meeting
●	7/25: Cultural Resources Teleconference
●	7/31: AT Stakeholders Teleconference
●	8/8: Town of Robbinsville NHS Resolution
●	8/20: Stecoah Heights Meeting
●	9/3: Cherokee County Board of Commissioners
●	9/12: Environmental Stakeholders Teleconference
●	9/16: Merger Screening Meeting with USACE, DEQ, FHWA
●	9/17: Historic Architecture Coordination Meeting
●	10/1: AT Stakeholders Teleconference
●	10/3: USACE/FHWA Pre-Merger Discussion
●	10/7: Graham County Emergency Management
●	10/9: Concurrence Points 1 & 2 Meeting
●	10/10: Local Officials Meeting
●	10/15: Section 7 Coordination Teleconference
●	10/21: Environmental Stakeholders Teleconference
●	10/23: State Historic Preservation Office Meeting
●	10/24: Swain County Board of Commissioners
●	11/5: Graham County Board of Commissioners
●	11/14: EBCI Natural Resources Coordination Call
●	11/15: AT Stakeholders Teleconference
●	11/18: EBCI Attorney General's Office Coordination Call
●	11/19: Graham County Board of Commissioners
●	11/20: Concurrence Point 2A Meeting
●	11/22: Environmental Stakeholders Teleconference
●	11/25: Southwestern RPO Public Meeting
●	12/3: Graham County NHS Resolution
●	12/10: Lake Santeetlah NHS Resolution
●	12/10: Environmental Stakeholders Teleconference
●	12/16: AT Stakeholders Teleconference
●	12/16: Local Officials Meeting
●	12/17: EBCI Attorney General's Office Teleconference
●	12/18: Fontana Dam NHS Resolution

2020	
●	1/7: Project Team Teleconference
●	1/22: Project Team Teleconference
●	1/27: EBCI THPO Call
●	1/29: Project Team Teleconference
●	1/29: USACE, NCDWR, NCWRC Teleconference
●	2/7: USFWS Coordination Teleconference
●	2/19: FHWA, NCDOT & EBCI Councilmember Work Session
●	3/6: AT Stakeholders Teleconference
●	3/13: Cultural Resources Teleconference
●	3/27: USFS Teleconference
●	4/8: Section 106 AT Pre-Effects Meeting
●	4/16: AT Stakeholders Teleconference
●	4/22: USACE Teleconference
●	5/5: Environmental Stakeholders Teleconference
●	5/20: Concurrence Point 2 Meeting (Revisit)
●	6/1: Section 106 Effects Meeting
●	6/11: USFWS Coordination Teleconference
●	6/17: WaysSouth Teleconference
●	7/1: Environmental Stakeholders Teleconference
●	7/1: AT Stakeholders Teleconference
●	7/25: EBCI Attorney General's Office Teleconference
●	7/30: AT Stakeholders Teleconference
●	8/10: FHWA, NCDOT, NCSHPO, Advisory Council on Historic Preservation Meeting
●	8/11: FHWA, USACE, NCDWR, & NCDOT Pre-CP 3/4A Meeting
●	8/13: USFS Environmental Assessment Comments Discussion
●	8/17: USFS Environmental Assessment Comments Discussion

Stakeholder Coordination

NCDOT and FHWA have coordinated with several groups that have provided input throughout the Project development process. These groups include Appalachian Trail (AT) stakeholders, environmental advocacy stakeholders, and local business stakeholders. The AT stakeholder group is comprised of members of the FHWA, the Appalachian Trail Conservancy (ATC), National Park Service (NPS), State Historic Preservation Office (SHPO), and the U.S. Forest Service (USFS). AT stakeholder discussions center around both direct and visual impacts to the AT and impacts to USFS lands. Coordination with AT stakeholders is ongoing.

The environmental advocacy group is comprised of organizations including WaysSouth, the Southern Environmental Law Center (SELC), Defenders of Wildlife, the Wilderness Society, Mountain True, and the Hiwassee River Watershed Coalition. Coordination with environmental advocacy groups is ongoing.

The local business stakeholder group is represented by members of the Graham Revitalization Economic Action Team (GREAT), Stecoah Valley Center, Graham County Travel and Tourism, Graham County Schools administration, the Cherokee County Economic Development group, and the Robbinsville Envisioning Vital Vibrant Economic Development & Urban Prosperity (REVVED UP) group. Additionally, the Appalachian Regional Commission (ARC) participated in local business stakeholder meetings.

Tribal Coordination

Tribal coordination has been ongoing since the Project's restart in 2015 and will be maintained for the duration of the project. The Project is undertaking coordination with all impacted local Tribes, including the Cherokee Nation, the Eastern Band of Cherokee Indians, the United Keetoowah Band of Cherokee Indians, the Catawba Nation, and the Muscogee (Creek) Nation.



One of the only Golden Winged Warbler populations in NC is found along the ANST in the Project corridor

Technical Capacity

GRAHAM is the culmination of a multi-year planning effort that has been underscored by community involvement and support. NCDOT will serve as the Rural 2023 Discretionary Grant Applicant and Recipient responsible for administering the grant if selected for award, and will provide oversight of project delivery. GRAHAM is technically feasible with low levels of environmental and project risk. Roadway and ITS improvements are one of NCDOT's primary functions and NCDOT has delivered thousands of similar projects. As the Project sponsor, NCDOT will apply its experience in successfully delivering multiple other rural projects. The addition of the Project's ITS components does not require significant design changes, and NCDOT will ensure that these improvements will meet relevant state and federal specifications.

NCDOT tracks its own performance across a variety of metrics. In 2022, the Department completed 93 percent of its projects on time, besting its goal of 90 percent, according to its Annual Report.

NCDOT manages federal funds on an annual basis and has the policies and systems in place to report in compliance with federal requirements for spending. For example, regarding Buy America, NCDOT will include a special provision in all construction contracts requiring the contractor to furnish a notarized certification that all manufactured products and construction materials permanently incorporated into any project will meet requirements of the Build America, Buy America (BABA) Act of the Infrastructure Investment and Jobs Act (IIJA).

NCDOT has dedicated Grants Administration staff in each of its major divisions. Each reports up through the finance department to the Division Director. Since the early days of the TIGER program (2009), the Department has completed or is successfully managing more than 10 discretionary grants over multiple modes and programs. Through this work, the grants staff has developed the reporting structure necessary for tracking, monitoring, and providing status updates to U.S. DOT on the discretionary grants that it has been awarded. NCDOT has committed the staff and program resources necessary to meet the U.S. DOT's expectations and fully deliver all projects funded through discretionary grants.

Potential Risk	Mitigation Strategy
<p>Environmental and geotechnical</p> <ul style="list-style-type: none"> Excavation of acidic rock is required for construction Trout waters are located in the project area Disturbance of culturally significant areas/project schedule delays due to Section 106 effects 	<ul style="list-style-type: none"> The amount of potential acidic rock excavation is small enough that even very high results could be economically and feasibly treated A moratorium on all work within a 25-ft buffer disturbance zone of trout-supporting streams will be in place January 1 - April 15 of any given year Communication with the PATF on construction schedules in culturally significant areas, hired a project specific environmental consultant to monitor the construction activities, monitor the need for data recovery
<p>Construction Impacts</p> <ul style="list-style-type: none"> Temporary construction detours may impact access and travel time Construction could impact ANST access 	<ul style="list-style-type: none"> Completing construction in a timely manner Communicating detours and construction schedules to the community through multiple channels in English and Spanish Access to the ANST will be maintained during construction. A safe pedestrian route for ANST hikers will be maintained, including wayfaring and construction warning signs, a clearly marked route for hikers through or around the construction site and a construction flagger/guide through active construction
<p>Project Costs</p> <ul style="list-style-type: none"> The remote location, difficult terrain, materials shortages and inflation causing volatility in materials and construction costs 	<ul style="list-style-type: none"> NCDOT anticipates approximately \$51.5 million of additional ADHS funding will be authorized in fiscal years 2024-2026, which is sufficient to cover GRAHAM and other ADHS project commitments in the state. Substantial contingency was included in the Project budget to account for these uncertainties (see Project Budget Narrative for more information).
<p>Buy America Requirements</p> <ul style="list-style-type: none"> Federal statute requires that steel or iron materials be domestically manufactured 	<ul style="list-style-type: none"> NCDOT will include a special provision in all construction contracts requiring the contractor to furnish a notarized certification that all manufactured products and construction materials permanently incorporated into any project will meet requirements of the Build America, Buy America (BABA) Act of the Infrastructure Investment and Jobs Act (IIJA)

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