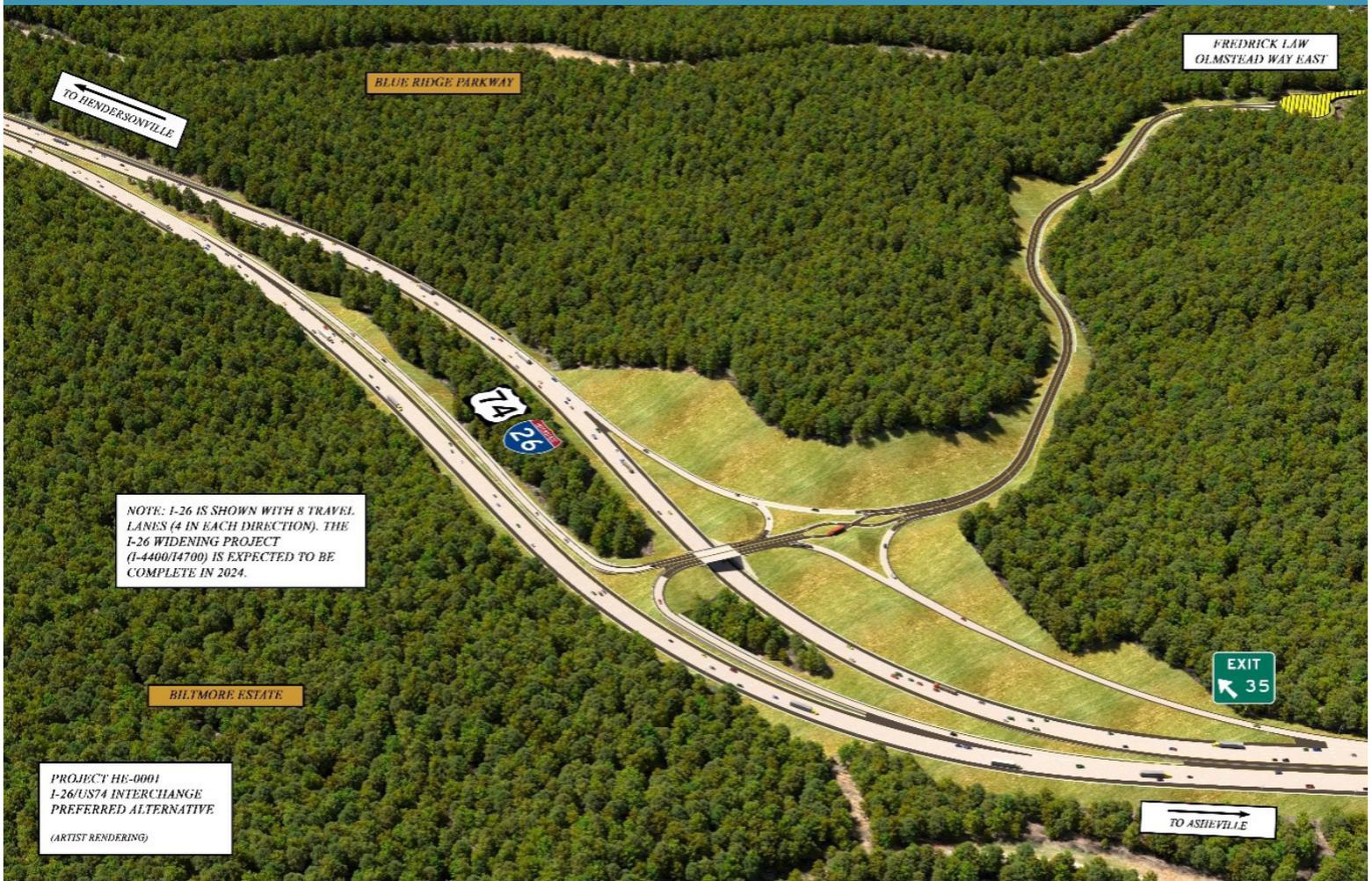


GROUND TO SKY PROJECT



Project Readiness

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



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Supplemental information, including letters of support and appendices, may be accessed:
<https://connect.ncdot.gov/resources/MPDG2023-I26DIV13/Pages/default.aspx>

Project Readiness

A. Environmental Risk

This project is a low risk for environmental concerns. Through close coordination with FHWA-NC Division, NCDOT has received all necessary approvals and authorizations to proceed with final design and construction. FHWA has approved the interchange access request IAR and Categorical Exclusion (CE) for this project in 2022. NCDOT utilized the Section 404/NEPA Merger Process to develop the transportation project ensuring alignment with state and federal resource and regulatory agencies through regular coordination and concurrence at major project development milestones, including project study area, project purpose and need, alternatives for detailed study, preferred alternative selection, and avoidance and minimization measures. NCDOT received a Section 404 individual permit (IP) from the USACE Wilmington District on August 11, 2023, authorizing construction activities associated with G2S.

i. Detailed Project Schedule

Table 1: Project Schedule

Year	2021				2022				2023				2024				2025				2026			
Quarter	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Preliminary Design and Environmental Document																								
Receive Environmental Permit																								
Right of Way Acquisition* (Connector Road Only)																								
Final Design																								
Construction of Interchange																								
Award of USDOT Funds and Obligation																								
Let Construction Contract for Connector Road																								
Construction of Connector Road																								

*Biltmore Farms will donate the right of way required for the construction of the project.

ii. Required Approvals

The project is included in the French Broad River Metropolitan Planning Organization (FBRMPO) Metropolitan Transportation Plan (MTP) and is programmed in the current NCDOT 2024-2033 State Transportation Improvement Program (STIP) as project HE-0001.^{1,2}

As noted above, NCDOT and FHWA used the Merger Process to ensure all environmental concerns and issues were identified early in project development and, to the greatest extent practical, resolved prior to approvals. The following agencies were involved throughout project development:

- FHWA
- USACE
- NCDOT
- USEPA

¹ <https://frenchbroadrivermpo.org/wp-content/uploads/2023/06/Amendment2.pdf>

² <https://connect.ncdot.gov/projects/planning/STIPDocuments1/NCDOT%20Current%20STIP.pdf>

- USFWS
- NC Wildlife Resources Commission (WRC)
- NC Division of Water Resources (DWR)
- NC Historic Preservation Office (HPO)
- FBRMPO

NCDOT received NEPA approval in August 2022 when the FHWA-NC Division signed the Type III CE. The environmental document was subsequently circulated via the State Clearinghouse; no further comments were received.

Concurrently with the Merger Process, NCDOT received FHWA-NC Division approval of the IAR consistent with FHWA “Policy on Access to the Interstate System” (May 22, 2017). FHWA acceptance and approval of the IAR certifies that: (1) an operational and safety analysis has concluded that the proposed change in access does not have a significant adverse impact on the safety and operation of the Interstate facility or on the local street network based on both the current and the planned future traffic projections; and, (2) the proposed access connects to a public road only and will provide for all traffic movements.³

NCDOT and FHWA completed informal Section 7 consultation with US Fish and Wildlife Service (FWS), Asheville Field Office. As a result, NCDOT is implementing numerous conservation measures for the federally protected Gray bat and the Appalachian elktoe including, but not limited to, tree clearing limitations, lighting requirements, establishment of and monitoring construction effectiveness of sediment and erosion control (SEC) devices, stormwater control measures, and agency coordination.

NCDOT and FHWA engaged the NC Historic Preservation Office (HPO), National Park Service (NPS)-Blue Ridge Parkway, Biltmore Estate, and tribal governments in Section 106 consultation. No Effect and No Adverse Effect determinations were made for all but one cultural resource, the Blue Ridge Parkway. Through consultation with NPS, NCDOT and FHWA agreed to a No Adverse Effect, with conditions for the Blue Ridge Parkway. These conditions include coordination regarding future potential transportation capacity improvements, driveway permits, etc., no lighting on the connector road, and planting and maintenance of approximately 900 feet of vegetative screening. (Note: Section 106 Consultation documents are attached to the Federal CE.)

Right of Way

NCDOT is maximizing available right of way already under state ownership and maintenance by constructing the half DDI primarily within the existing right-of-way of I-26; no new right of way is required east of I-26. Right of way limits for the connector road are being established through partnership with Biltmore Farms, the landowner and developer, to accommodate a future four-lane divided facility, consistent with East FLOW west of the project. Biltmore Farms will donate the roughly 11 acres required to construct the connector road, an estimated land value of \$220,000 for which public expenditure will not be necessary. The private donation of right of way is a significant element of the project and reflects the varied public-private collaboration.

Public and Stakeholder Engagement

NCDOT hosted a virtual Local Officials’ Informational Meeting on September 3, 2021. Attendees included representatives with the following organizations: NC House of

³ <https://www.fhwa.dot.gov/design/interstate/170522.cfm>

Representatives, City of Asheville, Buncombe County, and French Broad River Metropolitan Planning Organization (FBRMPO).

Public comments were solicited by the USACE Pre-application Public Notice issued September 2, 2021 (SAW-2021-01535-PN), and by NCDOT. The USACE received written comments from NOAA's National Marine Fisheries Service (NMFS), the Catawba Tribe, the Cherokee Nation, the North Carolina Wildlife Resources Commission (NCWRC), and the NC HPO.

NCDOT mailed 1,000 postcard notices to area residents and business owners and asked citizens to review project information, including mapping, renderings, videos, and cost and schedule information on the [project website](#)⁴ using traditional outreach methods, social media, and email. Special accommodations were made for ADA and language assistance (LA). NCDOT received 259 comments by phone, email and through the website between September 2–October 4, 2021. NCDOT prepared a comment-response memorandum to address substantive questions and comments about the proposed project and reviewed the comments with relevant regulatory agencies prior to selection of the Preferred Alternative.

NCDOT announced the selection of the Preferred Alternative on February 23, 2022, and encouraged the public to review updated information, mapping, and the comment-response memorandum available on the project website.

The USACE issued a Public Notice on April 19, 2023, following NCDOT's individual permit application. No additional substantive comments were received.

iii. Project Risks and Mitigation Strategies

G2S has cleared the environmental and permitting requirements and preliminary design is progressing into final design this year for the overall G2S project. Several project risks have been addressed through the project development process, resulting in special project commitments to be executed prior to, during, and after construction. Because required right of way will be donated, there is low risk for delays due to real property acquisition. The project has local and state approval and support, including the \$30 million NC Legislative authorization. The greatest present risk is securing the remaining funding required to complete the project as soon as reasonably possible.

NCDOT has achieved necessary federal approvals and documented multiple project commitments to address impacts to federally protected species and their habitat as well as historic properties. These commitments, traditionally captured in a "green sheet", are tracked through an NCDOT Commitment Tracker, which identifies the responsible party and will require validation upon completion. One such conservation measure for the protection of the endangered Gray bat limits tree clearing to the winter months. NCDOT completed clearing for the interchange only before April 1, 2023. Because the project has been thoroughly reviewed by regulatory and resource agencies and the public, risk of controversy is low. NCDOT will continue to inform the public and stakeholders throughout the project construction phase following best practice, as appropriate.

NCDOT's construction contractor who is currently building the I-26 widening project is currently bidding materials in anticipation of negotiating a supplemental agreement to build this interchange, beginning as early as August 2023. This agreement is expected to advance project construction, leverage material buying power associated with the larger, ongoing interstate

⁴ www.publicinput.com/I26-exit35-buncombe

widening project, significantly reduce any mobilization time and costs, and construct the project in a more convenient manner for the public by taking advantage of existing road closures.

The state of North Carolina has invested a significant portion of funds required for the completion of this project; however, it does not cover the full cost. NCDOT's statewide transportation improvement needs fall short of available funding, necessitating diversifying the funding sources to the greatest extent possible. Should NCDOT not receive USDOT MPDG funds to cover the G2S funding gap, project delivery may be delayed as NCDOT works to secure additional funding. Additional measures will be undertaken including, but not limited to, application for other state and federal grant funds. The goal is to complete the funding package as reasonably quickly as possible so that the project schedule is not compromised and so the flow of benefits may begin as early as possible.

B. Technical Capacity

NCDOT has the technical capacity to successfully deliver the project in compliance with applicable Federal requirements. NCDOT manages a robust, statewide transportation improvement and maintenance program, including over 2,300 transportation projects across all modes through close partnership with FHWA-NC Division (and other USDOT modal agencies).

The NCDOT Office of Civil Rights promotes and ensures equal access and equal opportunity for customers and employees participating in North Carolina transportation programs that receive federal and/or state funding. The office enforces federal and state laws and regulations that prohibit discrimination on the basis of race, color, national origin, disability, age and, in certain circumstances, genetics, sex and religion.

NCDOT has extensive experience administering USDOT discretionary grant awards and has the technical experience and resources dedicated to the successful delivery of G2S. This includes expertise in proven project and risk management techniques. NCDOT maintains effective management systems and processes that provide leadership with reasonable assurance that internal controls for ensuring policy and programmatic requirements are being consistently adhered to. NCDOT oversees a compliant and effective Construction Engineering and Inspection (CEI) program.

G2S will comply with all applicable Federal requirements including but not limited to Buy America provisions, ADA regulations, Civil Rights requirements, Federal Motor Vehicle Safety Standards (FMVSS), and/or the Federal Motor Carrier Safety Regulations (FMCSR).

C. Financial Completeness

NCDOT is committing \$32.5 million for the implementation of G2S which includes the \$2.5 million ARC Grant and approximate \$2.9 million expended for project development and permitting through June 2023. NCDOT conducted a Value Assessment Study based on the preliminary design and reviewed several design recommendations and cost containment methods, implementing those that were practical. The current cost estimates are based on preliminary design quantities and were updated in July 2023 with current unit prices, resulting in the current cost estimate of approximately \$57.7 million, including 20% contingency.

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