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# **RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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**Blue Ridge Parkway  
Buncombe County, North Carolina**

## **Environmental Assessment**



**March 2004**



**National Park Service  
U.S. Department of the Interior**



**BLUE RIDGE PARKWAY  
RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE  
TO ACCESS BLUE RIDGE PARKWAY BRIDGE  
ENVIRONMENTAL ASSESSMENT**

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**March 2004**

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TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

---

**TABLE OF CONTENTS**

	<b>Page</b>
1.0 Purpose and Need .....	1-1
2.0 Background.....	2-1
2.1 Project Background and Scope.....	2-1
2.2 Relationship to Other Planning Projects .....	2-3
2.3 Issues and Objectives .....	2-3
2.4 Impact Topics Selected for Analysis.....	2-4
2.5 Impact Topics Eliminated from Further Evaluation.....	2-5
3.0 Alternatives.....	3-1
3.1 No-Action Alternative .....	3-1
3.2 Preferred Alternative .....	3-1
3.3 Environmentally Preferred Alternative .....	3-1
3.4 Alternatives Considered but Dismissed .....	3-3
3.5 Impact Comparison Matrix.....	3-3
4.0 Affected Environment .....	4-1
4.1 Water Resources/Water Quality .....	4-1
4.2 Terrestrial Flora.....	4-1
4.3 Visitor Experience/Viewshed.....	4-2
4.4 Socioeconomics.....	4-2
4.5 Traffic Safety.....	4-2
4.6 Park Operations .....	4-4
5.0 Environmental Consequences .....	5-1
5.1 Intensity, Duration, and Type of Impact.....	5-1
5.2 Cumulative Impacts .....	5-1
5.3 Impairment Analysis.....	5-1
5.4 Impacts on Water Resources/Water Quality .....	5-2
5.5 Impacts on Terrestrial Flora .....	5-5
5.6 Impacts on Visitor Experience/Viewshed .....	5-7
5.7 Impacts on Socioeconomics .....	5-9
5.8 Impacts on Traffic Safety .....	5-11
5.9 Impacts on Park Operations.....	5-13
6.0 Mitigation Measures.....	6-1

**RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE  
TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

---

**TABLE OF CONTENTS (CONTINUED)**

	<b>Page</b>
7.0 Consultation and Coordination.....	7-1
7.1 Coordination History .....	7-1
7.2 Agencies Receiving a Copy of this EA .....	7-1
8.0 Compliance with Federal and State Regulations.....	8-1
9.0 References .....	9-1
10.0 List of Preparers .....	10-1
10.1 National Park Service .....	10-1
10.2 City of Asheville.....	10-1
10.3 Consultants .....	10-1

Appendices

Appendix A—Chronology of Events for the Abandonment of State Routes 2766 and 2836  
Appendix B—Preliminary Schematic Drawing of Azalea Road Park Plan  
Appendix C—Agency Coordination  
Appendix D—Summary of Asheville’s Beneficial Fill Site Report  
Appendix E—Noxious Weeds List

**RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE  
TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

---

**LIST OF TABLES**

<b>Table</b>		<b>Page</b>
1	Impact Comparison Matrix.....	3-4

**LIST OF FIGURES**

<b>Figure</b>		<b>Page</b>
1	Vicinity Map.....	1-2
2	Project Site Map .....	1-3
3	Local Roadways .....	4-3

**RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE  
TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

---

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## **1.0 PURPOSE AND NEED**

The City of Asheville, North Carolina, has requested that the National Park Service (NPS), Blue Ridge Parkway (BLRI), issue a 10-year right-of-way (ROW) permit to the city. The purpose of this permit would be to allow city access to a city-owned beneficial (inert) fill site located approximately 0.15 mile west of Parkway Milepost (MP) 383 (at the Parkway bridge over the Swannanoa River) (see Figure 1). NPS authority for issuing a ROW permit for the stated purpose can be found in 16 USC Section 460a-3 and Section 460a-8. The ROW permit would allow authorized City of Asheville vehicles access to BLRI Bridge Asset No. 11283, previously designated as North Carolina Department of Transportation (NCDOT) Bridge 43, on an abandoned 0.10-mile segment of old State Route 2836 (For a chronological order of events concerning the abandonment of old State Routes 2766 and 2836, see “Chronology of Events for the Abandonment of State Routes 2766 and 2836” in Appendix A). The adjacent roadway to the bridge, which would also be included in the ROW permit issued by the NPS, has a ROW width of approximately 20 feet and is gravel-covered. This 0.10 mile NCDOT-abandoned roadway segment (State Route 2836) is located between Azalea Road (city-maintained) and a 0.15-mile segment of abandoned State Route 2766 (Hemphill Road), which is recorded (NCDOT Resolution 73-39) as crossing NPS property but maintained by the City of Asheville (Figure 2).

The city-requested ROW permit would allow limited access to the bridge and adjacent roadway. It would also allow the city to replace the bridge deck and guardrails and to improve the stability of the existing roadway with the addition of geotechnical fiber covered with approximately four inches of gravel for the width of the travel portion (12 to 15 feet). The City of Asheville would fund these improvements.

The need for this action (issuance of the ROW permit) is the City of Asheville’s requirement for access to their existing Azalea Road beneficial fill site and the NPS’ statutory requirements to fully assess the impacts of any ROW permits in order to assure protection of park resources. Beneficial fill is defined as inert fill consisting of excavated soil, broken concrete, and other chemically inert materials generated by the city’s Department of Public Works and Department of Water. Approximately 11,500 tons of inert fill is generated annually by the city.

Although the city has ownership of the proposed Azalea Road beneficial fill site south of the Swannanoa River, they have no current access to the site across the river, and they consider construction of a new bridge on city-owned property as prohibitively expensive. The city’s current use of the Burney Mountain beneficial fill site, approximately 16.2 miles south of Asheville in Henderson County, is very costly to the city and, indirectly, to the Asheville taxpayers. The city projects a life span of approximately 34 years for the Azalea Road beneficial fill site accessible through a NPS ROW permit. However, any NPS ROW permit would expire in not more than 10 years from date of issue, and renewal would be based on a reassessment of continuing need and past adherence to permit requirements.

In consideration of issuing the ROW permit to the city, the NPS must also assess the continuing access needs of other public and private entities having deeded or permitted rights to the bridge and adjacent roadway.

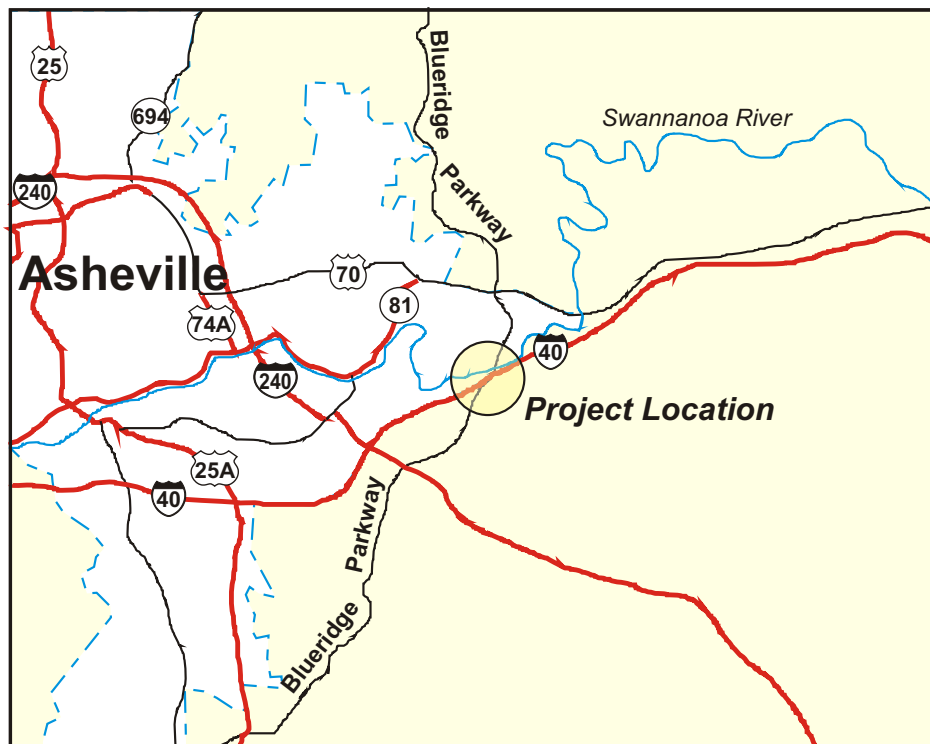
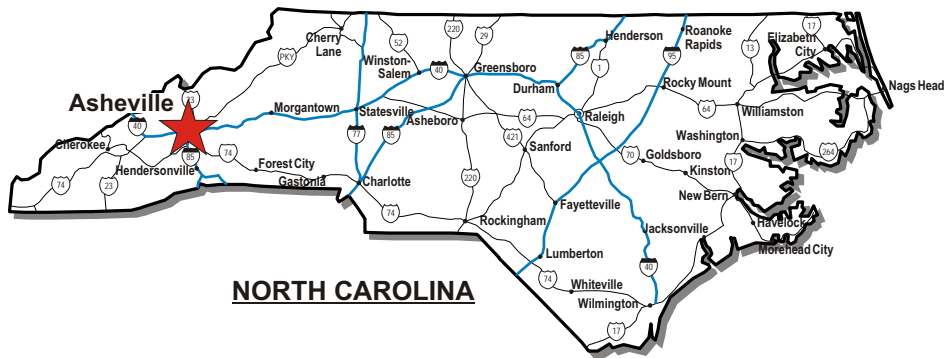


Figure 1  
**Vicinity Map**  
 Right-of-Way Permit  
 Environmental Assessment  
 Blue Ridge Parkway  
 Asheville, North Carolina

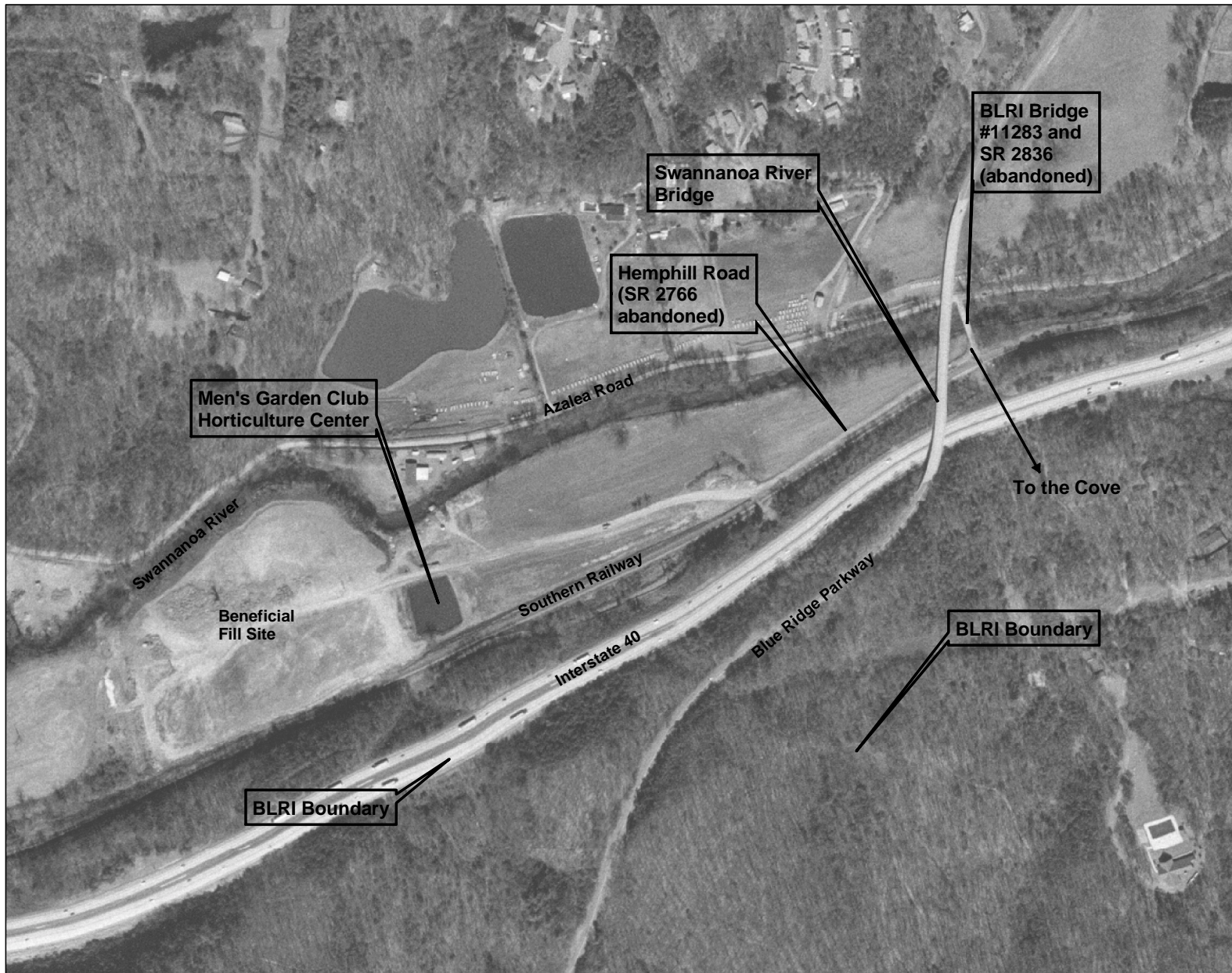


Figure 2

**Project Site Map**  
Right-of-Way Permit  
Environmental Assessment  
Blue Ridge Parkway  
Asheville, North Carolina



No Scale



# RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE TO ACCESS BLUE RIDGE PARKWAY BRIDGE

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## 2.0 BACKGROUND

### 2.1 Project Background and Scope

On April 23, 2001, the City of Asheville, North Carolina approved resolutions to purchase 155 acres of property along Azalea Road and the Swannanoa River in the eastern portion of Asheville. The purposes of purchasing the land were to develop the area as Azalea Road Park (a recreational complex of athletic fields, trails, picnic areas, etc.) and to secure a city-owned location for a beneficial fill site (City of Asheville Council Minutes May 15, 2001). An initial conceptual design for Azalea Road Park was developed in 2000 (Woolpert, 2000) (see Appendix B).

The potential beneficial fill area purchased by the city (parcel PIN #9668.18-31-2659), as part of the 155 acres for Azalea Road Park, is located south of the Swannanoa River and immediately north of the Southern Railway tracks that parallel Interstate 40 approximately 300 feet further south. The approximately 40-acre site was originally used as a location to deposit fill generated during construction of I-40 during the late 1960s. Prior to this time, the site was apparently wooded (Price, 1998). From 1972 until 1982, Grove Stone and Sand Company leased the site and extracted stone, sand, and gravel for use at other construction site locations. A Phase I Environmental Site Assessment done in 1998 for the City of Asheville reviewed the usage of the beneficial fill area (Price, 1998). There were no records found of complaints from neighbors, actions by regulators, or other activity prior to the early 1980s (Price, 1998). Several undocumented Notices of Violation (NOVs) were reportedly filed by regulatory agencies for illegal dumping during the 1980s. The City of Asheville also expressed concerns to the landowner in November 1989 about improper attention to erosion control measures, bank stabilization along the Swannanoa River, and coverage of fill material at the end of each working day (Price, 1998). The city stopped the owner from allowing the illegal disposal of asphaltic wastes construction debris into the fill area. The Division of Environmental Management issued a permit in August 1993 allowing disposal of approximately 450 cubic yards of contaminated soil containing Class I and Class II products (*e.g.* gasoline, avgas, kerosene, diesel fuel, fuel oil, and motor oil) in the fill. This was a Land Application Permit used to dispose of soil contaminated from a leaking underground storage tank at the Perry Alexander Construction Company. The disposal operation was supervised by the NCDOT Geotechnical Unit (Price, 1998). Despite various documented infractions of the North Carolina “Beneficial Fill Rule” (15A NCAC 13B.0562), the Phase I ESA concluded that there was minimal evidence of environmental contamination at the fill site (Price, 1998).

Activity on the fill site has been minimal since the mid-1990s. The 40-acre site has an elevation of 20 to 25 feet above the surrounding land, and is above the 100-year floodplain of the Swannanoa River. Progress Energy (PE) maintains an electrical transmission line across the beneficial fill site. The 75-foot high poles are on a 100-foot ROW belonging to PE. The portion of the existing beneficial fill site that would be used by the city is an approximately 5-acre area located south of the existing power line ROW and north of the railroad.

City of Asheville zoning for the beneficial fill site is RS 2. As mentioned above, the beneficial fill site is adjacent to city-owned lands on both sides of the Swannanoa River that are planned to become Azalea Road Park, which will accommodate a variety of recreational amenities including soccer fields, playgrounds, picnic areas, trails, baseball fields, and other facilities (Woolpert, 2001). The city plans to incorporate the use of the beneficial fill site after its closure into the long-range plan for Azalea Road Park development, possibly using the site as a sledding hill or for other purposes. It is estimated that the final elevation of the beneficial fill

## **RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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site will be approximately 40 to 45 feet above the existing site grade (60 to 70 feet above the surrounding floodplain elevation) (Woolpert, 2001).

Under North Carolina law (15NCAC 13B.0562), “beneficial fill” sites do not require a permit as long as they meet all the following conditions:

- Inert debris is strictly limited to concrete, brick, concrete block, uncontaminated soil, rock and gravel.
- The fill activity involves no excavation.
- The purpose of the fill activity is to improve the long-term land use potential.
- The fill activities comply with all other applicable Federal, State, and local laws, ordinances, rules, and regulations including, but not limited to, zoning restrictions, floodplain restrictions, wetland restrictions, mining regulations, sedimentation and erosion control regulations. Fill activity also shall not contravene groundwater standards.

The Azalea Road beneficial fill site as proposed would meet the above criteria. The city obtained approval of an erosion and sedimentation control plan associated with operation of the beneficial fill site from the North Carolina Department of Environment and Natural Resources (NCDENR) in December 2001 (see Appendix C).

In addition to the NPS, current occasional users of the BLRI bridge over the Swannanoa and adjacent roadways include the Billy Graham Training Center at the Cove (Cove), railroad maintenance crews, the Men’s Garden Club of Asheville, Progress Energy (PE) maintenance and line crews, and Mountains to Sea Trail hikers. The Cove has deed-reserved rights to a 10-foot road ROW from Azalea Road to their property. This ROW includes the bridge (BLRI Bridge 11283) over the Swannanoa River (Figure 2). The Cove also has a deed-reserved water line through BLRI property near the bridge as well as a permitted sewer line under the bridge. The Cove uses the bridge on a daily basis during the summer (May to August) for summer camp access, primarily by vendors and maintenance personnel. The bridge access also serves as an emergency entrance/exit during the summer camp season. Billy Graham Training Center staff contacted the City of Asheville in July 2003 expressing concerns about pedestrian hazards associated with the deteriorated wooden bridge railings. This letter was forwarded to the NPS. Southern Railway Company maintains a 200-foot-wide deed-reserved ROW (100 feet either side of the rail centerline) along its tracks located less than 0.10 mile south of the bridge. Railway maintenance personnel occasionally use the bridge to access signal systems, power lines, communications systems, etc. along their ROW. The Men’s Garden Club of Asheville maintains their Horticultural Center (small nursery and greenhouse operation) on city property immediately east of the beneficial fill site. Members working at the Horticulture Center maintain a key to the lock on the bridge. PE maintains a deed-reserved ROW associated with the power lines crossing both BLRI and city property, and they have the right to access the area for purposes of vegetation control and other maintenance requirements. Although not associated with any deed or permit, the North Carolina Mountains to Sea Trail traverses abandoned State Route 2836 and Bridge 43. This is a portion of trail Section 7 extending between Pisgah Inn and the BLRI Folk Art Center.

All remaining sections of abandoned State Route 2766 (Hemphill Road), including the BLRI-owned segment (abandoned State Route 2836) and the contiguous City of Asheville-owned 0.15-mile segment of State Route 2766, are unpaved, hard-packed gravel roadbeds with travel surfaces of approximately 10 feet in width. Depending on location, the roadbeds are slightly elevated (one to two feet) above the natural floodplain. However, they are still within the 100-year floodplain. The bridge deck is highly deteriorated. The NPS recently repaired and replaced the wooden bridge railings. Federal Highway Administration personnel inspected the bridge

## **RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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structure in 1999. They found the bridge in overall fair condition and structurally safe for automobiles and pickup trucks. However, they listed several repairs that need to be made in order to rate the bridge at the necessary HS15 (15 ton) rating for heavy construction equipment (dump trucks). The city plans to make these repairs as part of deck replacement if the ROW permit is approved.

An old field area with a variety of common grasses, broadleaf weeds, and tree saplings within the floodplain area between the unpaved roadway and the river is partially on BLRI property and partially on city-owned property. The BLRI portion was formerly leased for private agricultural and grazing use. Several mounds of dredged spoil material and an old dredge are located on the city-owned portion of this old field area. The former property owner apparently dredged a portion of the river either in an attempt to reduce flooding and/or to use for cap material on the fill site. The only substantially wooded area in the immediate vicinity is riparian woodlands along the river. The section of Swannanoa River flowing westward through the area is a NCDENR hatchery-supported stream for trout with catchable-size rainbow, brook, and brown trout stocked throughout the months of March through August.

### **2.2 Relationship to Other Planning Projects**

The most potentially significant future project planned within the immediate vicinity of this section of the Blue Ridge Parkway and the beneficial fill site is the City of Asheville's proposed development of Azalea Road Park (Woolpert, 2001). As mentioned in Section 2.1, the 155 acres of Swannanoa River floodplain and adjacent lands purchased by the city in 2001 included the existing beneficial fill site. Because of the continuing expenses incurred by the City of Asheville to dispose of beneficial (inert) fill, development of the beneficial fill site has the highest priority in the eventual development of the Azalea Road Park area. Construction of the recreational facilities for the park will be phased and completed over the next 5 to 10 years. This future development will change traffic patterns and use of Azalea Road west of the BLRI Bridge 43 area. The concept plans for Azalea Park Road also include construction of a vehicular and pedestrian bridge over the Swannanoa River approximately 0.6 mile west of BLRI Bridge 11283 (see Conceptual Design in Appendix B). This new park bridge would connect the soccer field area north of the Swannanoa to various facilities south of the river including a baseball field complex. These facilities south of the river would be located immediately west of the beneficial fill site, which would also be accessible from this new bridge and road. The initial concept plan for Azalea Road Park included construction of a gym complex on the existing beneficial fill site. However, construction of the gym is no longer planned for the beneficial fill site. Besides the Azalea Road Park plan, there are no other known projects planned in the immediate vicinity by any governmental entity or individual.

### **2.3 Issues and Objectives**

Since the city plans only to improve above-water portions of the bridge and to minimally improve the existing roadway areas, the NPS needs to primarily consider the potential short and long-term indirect and cumulative impacts stemming from issuance of a ROW permit to the City of Asheville. Some potential direct impacts could arise from city trucks and other authorized vehicles using the NPS-controlled bridge and the abandoned portion of State Route 2836, *e.g.*, increased roadway dust generation, increased potential for vehicular accidents, etc. However, impacts in the surrounding areas resulting from the city's access to the beneficial fill have the potential to be more substantial. Some members of nearby residential neighborhoods have voiced concern about what materials have historically been placed in the beneficial fill

# **RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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site, how the city would control or monitor what new material is added to the site, and the impact of increased truck traffic in the local area. Other issues include potential increases in noise and dust from fill operations, long-term erosion control and fill stability, the increased visibility of the site within the viewshed of the BLRI as it crosses the Swannanoa River, increased potential for fuel spills, increased potential for introducing/spreading invasive plant species, and general liability issues associated with increased heavy equipment operations and control of public access.

## **2.4 Impact Topics Selected for Analysis**

### **2.4.1 Water Resources/Water Quality**

Despite impacts from upstream development, water quality in the Swannanoa River within the vicinity of BLRI Bridge 11283 and immediately downstream is relatively good and supports a hatchery-maintained trout fishery. Although no in-water work on the bridge or elsewhere is planned by the city if issued the ROW permit, the increased truck traffic on the bridge and in the area generally increases the potential for accidents and fuel spills that could enter the river. Fuel spills at the fill site or along the road away from the river could also potentially impact local groundwater. Close controls on fill composition would also need to be vigilantly maintained to prevent unauthorized dumping of petroleum-based materials and other chemical substances into the beneficial fill.

### **2.4.2 Terrestrial Flora**

Movement of soil from locations throughout the Asheville area through NPS lands and depositing of soil at the beneficial fill site presents opportunities for introducing or spreading exotic invasive and/or noxious weed species onto BLRI and adjacent lands. Although the NPS does active management to control such species in higher elevation areas of the park, similar management in lowland habitats such as within the project area, is a low priority.

### **2.4.3 Visitor Experience/Viewshed**

Portions of the roadway and the entire beneficial fill site lie within the Swannanoa River valley viewshed from the Blue Ridge Parkway. Visitors traveling the Parkway may potentially notice increased fill site activity including dust generation, presence of heavy equipment, bare soil areas, and artificial topographic changes.

### **2.4.4 Socioeconomics**

The expense incurred by the City of Asheville in disposing of beneficial fill generated from city operations was a deciding factor in the city's decision to purchase the beneficial fill site as part of the land acquisition for Azalea Road Park in 2001. These continuing disposal costs are the primary reason for the city's request for a NPS ROW permit to access the beneficial fill site.

## **RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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### **2.4.5 Traffic Safety**

Some increase in local truck traffic on Azalea Road would occur if the city's Azalea Road beneficial fill site becomes available for use through the issuing of the ROW permit. Additional traffic across BLRI Bridge 11283 would also increase safety concerns for any pedestrians using the bridge and adjacent roadways. These pedestrians could be Mountains to Sea Trail hikers, Cove summer camp personnel, and garden club members working at their Horticultural Center near the beneficial fill site. Any increase in truck or other forms of traffic may also result in congestion of the roadway at times.

### **2.4.6 Park Operations**

More traffic and other activity across BLRI lands would result in increased potential liability issues and an increased need to monitor the permit holder to insure compliance with the provisions of the permit.

## **2.5 Impact Topics Eliminated from Further Evaluation**

### **2.5.1 Geologic Resources**

Possible impacts to geologic strata and soils would be to city-owned land, not NPS land. Though approximately 11,500 tons of inert fill materials would be added to the beneficial fill site per year over an initially permitted 10-year timeframe, issues of fill site stability, erosion control, and sedimentation would be the responsibility of the City of Asheville. In this regard, the North Carolina Department of Environment and Natural Resources (NCDENR) has provided a Letter of Approval (dated December 13, 2001) to the City of Asheville approving their erosion and sedimentation control plan at the beneficial fill site (see letter in Appendix C). The approval letter is valid for three (3) years and is conditioned upon compliance with federal and state water quality laws, regulations, and rules. Consequently, geologic and soil resources are eliminated as topics for this environmental analysis.

### **2.5.2 Floodplains and Wetlands**

These two topics were eliminated based on the following:

- There would be no in-water work planned as part of the repairs to BLRI Bridge 11283,
- There would be minimal to no changes in the elevation of the existing roadbeds,
- There would be no new impervious surface area,
- All fill materials would be deposited on the existing beneficial fill site, which has an average elevation of more than 20 feet above the 100-year floodplain, and
- No wetlands would be impacted.

### **2.5.3 Prime and Unique Farmlands**

Access to and operation of the beneficial fill site would not impact any lands in agricultural production. The proposed action would not prevent BLRI from again leasing the old field site near the beneficial fill site for agricultural use.

## **RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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### **2.5.4 Land Use**

The proposed action includes no changes in existing land use. Additionally, the location is isolated from any nearby incompatible uses (*e.g.*, residential), and use of the beneficial fill site is a component of Asheville's long-term plan to develop Azalea Road Park.

### **2.5.5 Rare, Threatened, or Endangered Species**

There are no known rare, threatened, or endangered species in the immediate vicinity of beneficial fill site, the access roads, or the bridge.

### **2.5.6 Wildlife or Wildlife Habitat**

Adjacent wooded and old field habitats in the vicinity of the beneficial fill site and access routes are typical of the surrounding area and would not be directly impacted by beneficial fill operations. The proposed beneficial fill site has been highly disturbed over the years and has a cover of vegetation characterized by numerous non-native herbaceous weed species. Hatchery trout are stocked in the adjacent portions of the Swannanoa River, and any potential impacts to this fishery will be addressed under Water Quality. There is no in-water work planned in repairing the existing NPS bridge and there would be no disturbance of riparian vegetation associated with the proposed action.

### **2.5.7 Cultural Resources**

No excavation or other ground-disturbing activities other than work on top of the existing beneficial fill site are planned as part of the proposed action. Therefore, there are no potential impacts to subsurface prehistoric or historic archaeological resources. Except for the Blue Ridge Parkway itself, there are no existing structures or sites, including BLRI Bridge 11283, within the immediate vicinity of the project that are eligible for listing on the National Register of Historic Places (NRHP). Also, although the Parkway's historic cultural landscape, including viewsheds, is a cultural resource, this subject will be analyzed under Visitor Experience/Viewshed. In any event, the beneficial fill site would only briefly be visible from the Parkway (approximately 0.5 second traveling at the speed limit of 45 miles per hour) Furthermore, the proposed beneficial fill location is not within any viewshed from a parkway overlook. The Thomas Wolfe cabin shown as a "historic site" on the Azalea Road Park map in Appendix B is listed as a historic structure by Buncombe County, but it is not a listed property on the NRHP. Additionally, the proposed beneficial fill site is not visible from the cabin location.

### **2.5.8 Hazardous Waste**

Hazardous wastes are excluded from the solid waste stream classified as inert and eligible for disposal in the beneficial fill site. A Phase I Environmental Site Assessment of the beneficial fill site and other lands purchased by the city in for Azalea Road Park found no evidence of significant past contamination of the site (Price, 1998). Therefore, this issue area will not be addressed in this EA.

## **RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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### **2.5.9 Air Quality**

Clean Air Act, as amended (42 USC 7401 et seq.). Section 118 of the Clean Air Act requires all federal facilities to comply with existing federal, state, and local air pollution control laws and regulations.

The issuance of the ROW permit and the city's use of the bridge and road would present no significant deterioration of ambient air. Access to the beneficial fill site and fill site operations have the potential to temporarily increase local levels of particulates mainly in the form of localized fugitive dust. Some minor emissions from equipment operations would also be expected. But neither overall park air quality nor regional air quality would be affected. For these reasons, air quality is dismissed as an impact topic.

### **2.5.10 Environmental Justice (Executive Order 12898 Compliance)**

No known low-income or minority populations are in the immediate vicinity of the beneficial fill site nor would any such populations be directly or indirectly impacted by NPS granting city access to the site.

### **2.5.11 Soundscape Management**

In accordance with NPS Management Policies (2001) and Director's Order #47, Sound Preservation and Noise Management, an important part of the NPS mission is preservation of natural soundscapes associated with National Park Units. Although beneficial fill operations would increase noise levels in the immediate vicinity, the general surrounding developed environment is already heavily impacted by noise from I-40, the railroad, and other local roadway traffic. Additionally, there is no area along the Parkway near the Swannanoa River bridge for visitors to pull off of the roadway and overlook the viewshed/soundshed where the beneficial fill site is located. Therefore, travelers along the Parkway would not be able to discern low to moderate changes in noise levels associated with beneficial fill access or operations.

### **2.5.12 Lightscape Management**

According to NPS Management Policies (2001), the NPS strives to preserve natural ambient landscapes, which are natural resources and values that exist in the absence of human-caused light. There are no plans to add additional lighting to the access roads or to the beneficial fill site area.

**RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE  
TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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# RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE TO ACCESS BLUE RIDGE PARKWAY BRIDGE

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## 3.0 ALTERNATIVES

### 3.1 No-Action Alternative

The No-Action Alternative on the part of the NPS would be a denial of the City of Asheville's request for a ROW permit to access Bridge 43 and adjacent portions of abandoned State Route 2836 in order to begin using the city-owned Azalea Road beneficial fill site. In the short term, the No-Action Alternative would result in the city's continued use of the Burney Mountain beneficial fill site and/or other locations within feasible driving distance from Asheville. The city would continue incurring tipping fees and other costs associated with the use of a non-city-owned fill site. In the long-term, the No-Action Alternative would result in the eventual construction of a temporary bridge downstream from NPS-controlled lands to access the beneficial fill site. The NPS would need to repair the deck on Bridge 43 because of safety concerns. Existing access arrangements for the bridge and adjacent roadway for the Cove, the Men's Garden Club of Asheville, railroad and electric utility maintenance crews, and hikers on the Mountains to Sea Trail would remain unchanged.

### 3.2 Preferred Alternative

The Preferred Alternative is issuance of a 10-year BLRI ROW permit to the City of Asheville for access to Bridge 43 and the adjacent portions of abandoned State Route 2836. Issuing this permit would allow City of Asheville Department of Public Works and Water Department trucks and equipment to access the beneficial fill site. Prior to using the bridge, the city would make needed repairs identified by the FHWA inspection. These repairs would only include replacing the deck at an estimated total cost of \$25,000, as the railings were replaced by the NPS in 2003. The city would also overlay approximately 950 linear feet of the existing roadbed with geofabric and cover with crushed gravel for added durability. However, the city would not re-grade or pave the roadbed. The city estimates an average of 5 to 7 truck loads of beneficial fill would be brought to the site daily with a possible range of from 0 to almost 20 truck loads per day depending upon operational requirements. A total of approximately 11,500 tons of material would be placed in the beneficial fill annually. Planned truck access to the site would be via the US 70 and Azalea Road intersection east of the Parkway. A 250-gallon diesel tank would be located near the beneficial fill site to supply on-site earth-moving equipment with fuel. The city would be responsible for maintaining site access control using the vehicle gate between Azalea Road and the bridge.

### 3.3 Environmentally Preferred Alternative

The Environmentally Preferred Alternative is determined by applying the criteria suggested in NEPA, which is guided by the Council on Environmental Quality (CEQ). The CEQ provides direction that "...the Environmentally Preferred Alternative is the alternative that will promote the national environmental policy as expressed in NEPA's Section 101." Using the six criteria from Section 101 detailed below, it was determined that the Preferred Alternative (granting of the ROW permit) is the Environmentally Preferred Alternative. The rationale for this determination is provided for each of the Section 101 criteria below.

***Criterion 1—Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.*** The Preferred Alternative best fulfills this criterion. Intergenerational environmental stewardship by the NPS, and particularly by park units such as the BLRI, is

## **RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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heavily dependent upon the stewardship of adjacent landowners—in this case the City of Asheville. By cooperating with the city and issuing a ROW permit, the NPS is assisting the city in maintaining control over the disposal of their beneficial fill at a location remote from most city and Buncombe County residents. City control of the site helps insure proper long-term fill management while, at the same time saving the taxpayers of Asheville considerable funds that can be used for quality of life improvements such as construction of Azalea Road Park. The No-Action Alternative and its lack of partnering with the city would result in the city and citizens of Asheville spending unnecessary funds to continue disposing of beneficial fill at privately owned locations.

***Criterion 2—Assure for all generations safe, healthful, productive, and aesthetically and culturally pleasing surroundings.*** Implementation of the Preferred Alternative would include the review of ROW permit provisions at least every 10 years and would allow continual monitoring of city compliance with permit conditions throughout the duration of a permit. This situation would provide NPS oversight on activities potentially impacting safety, health, and aesthetics within a Parkway viewshed that they would not have if the city gained access to the Azalea Road beneficial fill site without using NPS lands and facilities. The No-Action Alternative would result in no NPS legal oversight over Azalea Road beneficial fill activities. Such lack of NPS oversight could result in construction of an unaesthetic temporary bridge within the Swannanoa River viewshed, a lack of vegetational screening around the beneficial fill, and other changes adverse to the interests of the BLRI.

***Criterion 3—Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences.*** Again, the Preferred Alternative would allow city use of their controlled access beneficial fill site with NPS oversight on issues of proper use, safety, aesthetics, etc. The No-Action Alternative would, at the least, delay the city's planned use of their existing beneficial fill site and would take any NPS involvement out of the decision-making process concerning both site access and operation.

***Criterion 4—Preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice.*** The Preferred Alternative would facilitate viewshed preservation, needed bridge improvements, and general NPS oversight. By partnering with the city and, in turn, helping the city save money on disposal of beneficial fill, the NPS, through the Preferred Alternative implementation, would also indirectly assist the city in having a greater ability to fund other community projects such as full development of Azalea Road Park that benefit all of Asheville's citizenry. The Preferred Alternative would also include NPS oversight in minimizing potential impacts to water quality along this stretch of the Swannanoa River. The No-Action Alternative would result in the NPS causing the city to spend substantially more money to manage beneficial fill, thus taking funds away from other community programs.

***Criterion 5—Achieve a balance between population and resource use that will permit high standards of living and wide sharing of life's amenities.*** As stated in previous criteria, the Preferred Alternative would facilitate resource protection by the NPS through enforcement of permit provisions while, at the same time, partnering with the city in saving funds for other needed requirements benefiting Asheville's citizens. The No-Action Alternative would cause the city to spend additional funds on disposing of fill at more remote privately owned locations.

***Criterion 6—Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.*** Implementation of the Preferred Alternative would facilitate the city's ability to "recycle" inert fill soils and other materials, *i.e.* removing

## **RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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previously deposited materials for use at excavation sites throughout the city where fill is needed. The No-Action Alternative would not facilitate this recycling since the city would not have control over the private beneficial fill sites and there would undoubtedly be an additional charge by owners of private fill sites if the city wanted to remove fill.

### **3.4 Alternatives Considered but Dismissed**

#### **3.4.1 Use of Other Sites in Buncombe or Surrounding Counties as a Beneficial Fill Site**

The City of Asheville conducted an extensive study of alternative beneficial fill site locations in 2001. Seven sites, including the Azalea Road site were evaluated using the criteria of mileage costs, labor costs (transportation), operational costs, site costs, land costs, and tip fees. The estimate useful life of each fill location was examined with and without recycling (recycling being defined as the periodic removal of deposited fill material for use in backfilling various sites, *e.g.* where large volumes of soil were excavated to repair a major water main leak). The study also noted the number of private residences within 100 feet of the truck route to the various sites. A summary of the study findings is given in Appendix D. Although calculated total costs per ton for several of the evaluated sites were lower than the costs for the Azalea Road site, many of these sites were in or adjacent to residential neighborhoods and/or also had a much shorter projected useful life. An additional intangible factor with all of the sites other than Azalea Road was that the city did not own the site and would not be able to control public access to the site. This would potentially increase the city's liability should unacceptable, unauthorized materials be placed in the fill sites by the public resulting in contamination or a notice of violation from regulators. For these reasons, the use of other potential beneficial fill sites is not being considered by the city and will not be analyzed as part of the EA.

#### **3.4.2 City Construction of a New Bridge for Access to the Azalea Road Beneficial Fill Site**

The Azalea Road Park concept plan indicates the future construction of a permanent vehicular and pedestrian bridge approximately 0.6 miles west and downstream from the location of BLRI Bridge 43. However, the envisioned function of this bridge would be to connect recreational areas of Azalea Road Park and not to serve as a western access to the beneficial fill site. Use of the bridge by trucks and heavy equipment would present a safety hazard to people within the recreational portion of the park both along Azalea Road and on the bridge and park roads. Given the incompatibility and safety concerns of using the proposed bridge for both heavy truck access and use by park visitors, this alternative approach to accessing the city's beneficial fill site is not considered feasible and is not analyzed in this EA.

The city also considered the possible construction of a temporary bridge between Azalea Road and the beneficial fill site on city-owned property. However, the cost of bridge construction, the environmental (including floodplain) concerns associated with construction and the fact that an alternative access route over BLRI property is in such close proximity, makes this approach unfeasible under present circumstances. Therefore, this alternative is not analyzed in this EA.

### **3.5 Impact Comparison Matrix**

An impact comparison matrix is provided in Table 1.

**RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE  
TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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**Table 1  
Impact Comparison Matrix**

<b>Impact Area</b>	<b>No-Action Alternative</b>	<b>Preferred Alternative</b>
Water Resources and Water Quality	No impact.	Individually, the Preferred Alternative would have a long-term, minor, adverse impact on water quality along the adjoining segment of the Swannanoa River; cumulatively, this alternative would have a long-term, minor, adverse impact on water quality.
Terrestrial Flora	No impact.	Long-term, minor, adverse impact; cumulatively, this alternative would have a long-term, negligible, beneficial impact.
Visitor Experience and Viewshed	No individual, short-term or long-term impacts; cumulative, long-term, negligible, beneficial impact.	An individual, long-term, minor, adverse impact; a cumulative, long-term, minor, adverse impact on the viewshed.
Socioeconomics	Both individual and cumulative long-term, moderate, adverse impacts on the economics of beneficial fill activities, but long-term, minor beneficial impact on site security and useful life.	An individual, long-term, moderate, beneficial economic impact and a long-term, minor, beneficial impact on site security and useful life span of the beneficial fill; also a cumulative, long-term, minor, beneficial impact.
Traffic Safety	No individual, short-term or long-term impact on pedestrian or vehicular safety in the vicinity of the Parkway and beneficial fill site; a cumulative, long-term, negligible, beneficial impact on Azalea Road traffic safety.	Individual and cumulative long-term, minor, adverse impacts for recreational use (campers and hikers) and truck traffic.
Park Operations	No impact.	A short-term and long-term, negligible, adverse impact on the NPS permit administration program; a long-term, minor, adverse impact on NPS liability exposure; and no cumulative impacts on park operations.