

APPENDIX A: Resources with No Impacts Supporting Documentation

Durham-Orange Light Rail Transit Project



October 2016



Appendix A: Resources with No Impacts Supporting Documentation

1. Introduction

As noted in Section 3 of the Supplemental Environmental Assessment (EA), each resource area was assessed to determine if the NCCU Station Refinement would result in effects to the resource. Methodologies for the NCCU Station Refinement are the same as those used in the DEIS, unless otherwise noted.

Where effects are anticipated, the effects are discussed in detail in Section 3 and summarized in Table 3-16 of the Supplemental EA. Where no effects are anticipated, the resource is not discussed further in Section 3 of the Supplemental EA, and a summary of the evaluation of that resource is included in this appendix. No impacts were determined to the following resources categories:

- Freights and passenger railroads
- Airports
- Public parkland and recreational areas/Section 6(f)
- Water resources
- Air quality

2. Freight and Passenger Railroads

The Combined FEIS/ROD (February 2016), showed no direct impacts on the daily rail operations for freight or passenger rail service, as the light rail tracks would be located on the southern side of the NCRR right-of-way on separate tracks largely within the existing Pettigrew Street cross-section, with a minimum distance of 40 feet from any potential future railroad track and a minimum of 55 feet from the nearest existing railroad track, as identified and required by NCRR. The NCCU Station Refinement would add 0.7 miles of new track in a dedicated right-of-way. There would be no impacts to freight or passenger rail service as a result of the NCCU Station Refinement. Mitigation is not required for the implementation of the NCCU Station Refinement; however, coordination with NCRR, NS, and NCDOT Rail Division will continue through design and construction for use of the NCRR right-of-way.

3. Airports

The Combined FEIS/ROD (February 2016), showed that the Alston Avenue Station is located outside of the 5,000/10,000 foot protection zones as well as the runway protection zone (RPZ), but would be within the 5 mile protection zone (as shown in DEIS Figure 3.5-1 and Figure 3.5-2). However, no impacts were expected because these facilities would be shielded by existing structures of a permanent and substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation. There would be no impacts to airport protection zones a result of the NCCU Station Refinement. Mitigation is not required for the implementation of the NCCU Station Refinement.

4. Public Parkland and Recreational Areas / Section 6(f)

This section describes the recreational facilities impacted by the D-O LRT Project as determined in the Combined FEIS/ROD (February 2016) and the changes anticipated with the NCCU Station Refinement.

Combined FEIS/ROD (February 2016)

The D-O LRT Project, as documented in the Combined FEIS/ROD, would result in impacts to three existing public parks (UNC Open Space, UNC Finley Golf Course, and USACE lands), one private park (Duke University), and one planned public park (UNC Central Park South), with a total impact to 13.3 acres of parklands. In addition, the D-O LRT Project would cross three proposed trails (East 54/Botanical Gardens, Little Creek Connector Trail, and the New Hope Creek Trail).

Mitigation measures for Parklands and Recreational Areas/ Section 6(f) identified in the Combined FEIS/ROD include:

- During Engineering and Construction, continue to coordinate with agencies with jurisdiction (i.e., UNC, North Carolina Botanical Gardens, Town of Chapel Hill, USACE, NCWRC, Duke Forest, and City-County of Durham) to minimize potential impacts to parklands and recreational resources.
- Provide financial compensation for purchase and development of replacement park property of at least equivalent value with the property acquired, or, where appropriate, enhancement of the respective agencies with jurisdiction. This mitigation will be provided for UNC Open Space, the planned UNC Central Park South, Coker Pinetum, Meadowmont Park, and Duke University properties that will be impacted by the D-O LRT Project.
- During Engineering, as the result of ongoing stakeholder coordination, incorporate site-specific commitments into the project design at UNC Finley Golf Course, UNC Cross Country Trails, and Jordan Game Lands (USACE Property).

Change in Effect

The parkland and recreational facilities identified as affected by the D-O LRT Project design in the Combined FEIS/ROD are not located in the vicinity of the NCCU Station Refinement. Therefore there would be no change to the impacts or mitigation previously disclosed in the Combined FEIS/ROD.

In addition to re-evaluating the effects identified in the Combined FEIS/ROD, the NCCU Station Refinement area was evaluated to identify if any existing or planned parkland and recreational facilities are within the vicinity of the refinement. Two of these parks (Grant Street Park and Burton Park) were developed with grants from the Section 6(f) Land and Water Conservation Fund.

Existing Facilities

Four existing recreational facilities are located within ¼ mile of the proposed NCCU Station Refinement (see Table A-1). Grant Street Park is approximately two blocks west of Alston Avenue, and Burton Park and T.A. Grady Recreation Center are approximately two blocks east of Alston Avenue. The Bryant Bridge Trail is located to the south of Pettigrew Street and east of Alston Avenue. The trail connects South Alston Avenue and Pettigrew Street with the Bryant Bridge crossing of NC 147.

In the Combined FEIS/ROD, as a mitigation to improve pedestrian and bicycle connectivity to the Alston Avenue Station from neighborhoods south of NC 147, the Combined FEIS/ROD identified the following mitigation (mitigation for pedestrian and bicycle facilities):

- Design and implement a sidewalk or multi-use path connection from the proposed Alston Avenue Station to the existing R. Kelly Bryant Pedestrian Bridge in consultation with the City of Durham, NCDOT, the Durham Bicycle and Pedestrian Advisory Commission, and representatives from the Alston Avenue neighborhoods.

The NCCU Station Refinement would still incorporate this improvement for pedestrian and bicycle facilities. The Bryant Bridge Trail is south of the property proposed for development of the Alston Avenue Station park and ride garage on the east side of Alston Avenue and is located outside of the property proposed for the garage. The Bryant Bridge Trail would not be affected by the parking garage or any other elements of the NCCU Station Refinement.

Table A-1: Existing Parks and Recreational Facilities in the NCCU Station Refinement Area

ID	Facility	Location	Description
5	Bryant Bridge Trail	417 Lakeland Street	Off-road pedestrian/bike trail
6	Grant Street Park*	918/1200 Grant Street	Playground
8	Burton Park*	1100 Sima Avenue	Picnic shelters, basketball courts, playground
9	T.A. Grady Recreation Center	531 Lakeland Street	Multi-purpose room, kitchen, computer lab

* Parks developed using grant funds from the LWCF

Planned Facilities

Two planned facilities noted in the Combined FEIS/ROD are within ¼ mile of the NCCU Station Refinement – Pearsontown Trail and Burton Park Trail (see Table A-2). Pearsontown Trail connects Grant Street Park to NCCU west of Alston Avenue, and Burton Park Trail would be in Burton Park along Third Fork Creek east of Alston Avenue. The NCCU Station Refinement would not impact these planned facilities.

In addition to the planned facilities noted in the Combined FEIS/ROD, four new planned facilities not identified in the Combined FEIS/ROD are located near the NCCU Station Refinement – the Bryant Bridge Trail Extension and three Choice Neighborhoods Initiative proposed parks.

The 2016-2025 NCDOT STIP includes the Bryant Bridge Trail Extension (STIP Project EB-5720) as a proposed multiuse path from NC 55 to the R. Kelly Bryant Bridge east of Alston Avenue. The NCCU Station Refinement will be located in the median of South Alston Avenue, two blocks to the west of the planned Bryant Bridge Trail Extension. As the planned facility would not be within the footprint of the NCCU Station Refinement, it is not anticipated to be affected by the NCCU Station Refinement.

The Choice Neighborhood Initiative (CNI) *Southeast Central-McDougald Terrace Transformation Plan* (2014) includes proposed park sites in redevelopment plans for McDougald Terrace, the former Lincoln Apartments, and the former Fayette Place neighborhoods. The Transformation Plan also proposes improvements and expansion of Burton Park. The NCCU Station Refinement will be located in the median of the South Alston Avenue, more than three blocks from the planned park facilities. As the planned facilities would not be within the footprint of the NCCU Station Refinement, they are not anticipated to be affected by the NCCU Station.

Table A-2: Planned Parks and Recreational Facilities in the NCCU Station Refinement Area

ID	Facility	Location	Description
3	Pearsontown Trail	Grant Park, between E. Umstead Street and Lane Street (NCCU)	Off-road pedestrian/ bike trail in Grant Park
10	Burton Park Trail	Burton Park, 531 Lakeland Street	Off-road pedestrian/ bike trail in Burton Park, along Third Fork Creek
15	Bryant Bridge Trail Extension^	NC 55 to Bryant Bridge	Off-road pedestrian/bike trail
16	Fayette Place park^	Former Fayette Place neighborhood	Choice Neighborhood Initiative potential park
17	McDougald Terrace park^	McDougald Terrace neighborhood	Choice Neighborhood Initiative potential park
18	Lincoln Apartments park^	Former Lincoln Apartments site	Choice Neighborhood Initiative potential park

* Parks developed using grant funds from the LWCF

^ Not evaluated in Combined FEIS/ROD for D-O LRT Project

Conclusions

The proposed NCCU Station Refinement does not directly affect any public parklands, greenways, trails, recreation areas or Section 6(f) resources existing or planned. As such, it is not anticipated that the NCCU Station refinement would result in a change to the effects previously disclosed in the Combined FEIS/ROD, and no additional mitigation would be needed.

5. Water Resources

This section compares the water resource impacts of the D-O LRT Project, as determined in the Combined FEIS/ROD (February 2016), to any new potential water resource impacts that would be associated with the NCCU station refinement. This section also assesses whether the impacts associated with the NCCU station refinement would result in any changes to the effects previously disclosed.

Combined FEIS/ROD (February 2016)

Jurisdictional waters of the U.S. within the D-O LRT Project corridor which were described in the Combined FEIS/ROD have been delineated and these jurisdictional limits have been verified by the United States Army Corps of Engineers (USACE). The USACE issued a Notification of Jurisdictional Determination for the project on September 13, 2016.

As reported in Table FEIS-1 of the Combined FEIS/ROD, the D-O LRT Project would have water resource impacts as follows:

- Impacts to 3,413 linear feet (0.438 acre) of streams
- Impacts to 0.558 acre of wetlands
- Impacts to 216,455 square feet (4.97 acres) of Riparian Buffer Zone 1
- Impacts to 178,517 square feet (4.10 acres) of Riparian Buffer Zone 2
- Impacts to 0.005 acre of open water/ponds
- Impacts to 6.420 acres of 100-year floodplain

- Impacts to 0.378 acre of 500-year floodplain
- Impacts to 0.880 acre of floodway

Change in Effect

No potential jurisdictional waters of the U.S. have been identified within the NCCU Station refinement corridor. An updated Request for Jurisdictional Determination has been submitted to the USACE to confirm the absence of jurisdictional waters of the U.S. within the limits of the NCCU Station refinement.

The character of the NCCU Station refinement corridor is primarily urban and developed, with limited areas of undeveloped, vegetated areas. Vegetation in these few undeveloped areas is dominated by invasive species. No streams, wetlands, riparian buffer zones, open water/ponds, 100 or 500-year floodplain areas, or floodways are located within the NCCU Station refinement corridor.

Conclusions

Mitigation commitments in the Combined FEIS/ROD address the impacts discussed above for the entire D-O LRT Project and remain in effect. No additional mitigation measures are necessary, as there are no water resources within the limits of the NCCU Station refinement and no changes to the water resource impacts previously disclosed in the Combined FEIS/ROD.

6. Air Quality

This section describes the potential air quality impacts from the D-O LRT Project as determined in the Combined FEIS/ROD (February 2016) and the changes anticipated with the NCCU Station Refinement.

Combined FEIS/ROD (February 2016)

As reported in Table FEIS-1 of the Combined FEIS/ROD, all modeled concentrations for air quality pollutants are below the National Ambient Air Quality Standards (NAAQS). The D-O LRT Project is anticipated to have only beneficial effects on regional air quality. No mitigation measures were included in the Combined FEIS/ROD in Table ROD-1.

Change in Effect

The proposed NCCU Station refinement would provide additional benefits to air quality overall (for Nox, CO, etc.). It is not anticipated that the NCCU Station refinement would substantially alter the effects previously disclosed in the Combined FEIS/ROD.

Conclusions

No mitigation would be required.