



WILMINGTON URBAN AREA Metropolitan Planning Organization

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Members:

City of
WILMINGTON
Lead Planning Agency

Town of
CAROLINA BEACH

Town of
KURE BEACH

Town of
WRIGHTSVILLE BEACH

NEW HANOVER
County

Town of
BELVILLE

Town of
LELAND

Town of
NAVASSA

BRUNSWICK
County

PENDER
County

CAPE FEAR
Public Transportation
Authority

North Carolina
BOARD OF
TRANSPORTATION

The mission of the Wilmington MPO is to develop and implement a comprehensive multi-modal transportation plan that supports the existing and future mobility needs and economic vitality of the Wilmington Urban Area. This shall be accomplished by protecting the environment, safe guarding the social equity, improving the quality of life for the citizens of the community, improving the local economy and providing for the safe and efficient mobility throughout the region. This is achieved through the long range transportation planning process which includes a comprehensive, continuous and cooperative approach from citizens and participating members.

Meeting Agenda

Wilmington Urban Area MPO
Transportation Advisory Committee

TO: Transportation Advisory Committee Members
FROM: Mike Kozlosky, Executive Director
DATE: October 18, 2010
SUBJECT: October 27th Meeting

A meeting of the Wilmington Urban Area MPO Transportation Advisory Committee will be held on Wednesday, October 27th at 4pm. The meeting will be held in the Lord Spencer Compton Conference Room at Wilmington City Hall.

The following is the agenda for the meeting:

- 1) Call to Order
- 2) Approval of Minutes:
 - a. 8/18/10
- 3) Public Comment Period
- 4) Old Business
- 5) Public Hearing- Resolution adopting *Cape Fear Commutes 2035 Transportation Plan*
- 6) New Business
 - a. Resolution supporting the Diverging Diamond Interchange Design at US 17/US 74/US 76 and NC 133 in Brunswick County
 - b. Resolution encouraging the consideration of bicycle and pedestrian facilities on the proposed Cape Fear Skyway
 - c. Resolution supporting the Town of Belville for the NCDOT Bicycle/Pedestrian Planning Grant Initiative
 - d. Resolution supporting Airlie Road to be considered as a North Carolina Scenic Byway
- 7) Discussion
 - a. Draft Wilmington MPO Ethics Policy
 - b. North Carolina Mobility Fund
 - c. Wilmington Multi-modal Transportation Facility
 - d. Consensus Building

- 8) Updates
 - a. City of Wilmington/Wilmington MPO
 - US 17/NC 210 Corridor Study in Pender County
 - Market Street Corridor Plan
 - b. Cape Fear Public Transportation Authority
 - c. NCDOT
- 9) Announcements
 - a. Bike/Pedestrian Committee meeting- October 14, 2010
 - b. NCDOT Listening Session- November 10, 2010
- 10) Next Meeting – December 15, 2010

Attachments:

- Minutes 8/18
- *Cape Fear Commutes 2035 Transportation Plan* (found at www.wmpo.org)
- Resolution adopting *Cape Fear Commutes 2035 Transportation Plan*
- Resolution supporting the Diverging Diamond Interchange Design at US 17/US 74/US 76 and NC 133 in Brunswick County
- Resolution encouraging the consideration of bicycle and pedestrian facilities on the Proposed Cape Fear Skyway
- Resolution supporting the Town of Belville for the NCDOT Bicycle/Pedestrian Planning Grant Initiative
- Airlie Road Scenic Byway Preliminary Application
- Resolution supporting Airlie Road to be considered as a North Carolina Scenic Byway
- E-mail from Flemming Bell regarding "Draft" Wilmington MPO Ethics Policy
- North Carolina Mobility Fund Preliminary Report
- Wilmington Multi-modal Transit Study Letter
- City of Wilmington/Wilmington MPO Project Update (September)
- NCDOT Project Update
- NCDOT Listening Session 2.0 Prioritization flyer

Meeting Notes
Wilmington Urban Area Metropolitan Planning Organization
Transportation Advisory Committee
Date: August 18, 2010

Members Present:

Jonathan Barfield, Chairman, Cape Fear Public Transportation Authority
Laura Padgett, Vice-Chair, City of Wilmington
Jack Batson, Town of Belville
Walter Futch, Town of Leland
Bill Blair, Town of Wrightsville Beach
Jim Dugan, Town of Kure Beach
Mike Ballard, Town of Navassa
Bill Saffo, City of Wilmington
Bill Sue, Brunswick County

Staff Present:

Mike Kozlosky, Executive Director
Joshuah Mello, Associate Transportation Planner

1. Call to Order

Mr. Barfield called the meeting to order at 4:03 PM. He asked everyone to take a moment to review the TAC mission statement.

2. Approval of Minutes:

Minutes for the meetings on June 23rd and the amended minutes for April 28th were approved unanimously.

3. Public Comment Period

Mr. Andy Koeppel told members that many people are aware that there has been an exchange of comments relative to the Skyway Bridge and he wanted to thank Mr. Futch for being kind enough to acquaint the members with his views on the subject. Mr. Koeppel said he believes that Mr. Futch is trying to do his best to make sure that the interests of Leland are fully protected in accordance with the sympathies of the people who live in that community. Mr. Koeppel stated that every coin has two sides. We can't look away from the fact that if the bridge is built according to the right-of-way being proposed, it's going to have a huge economic effect on all the towns in Brunswick County, as well as the north eastern section of the county. It will provide opportunities for businesses to consider locating in the area and help create a much larger tax base. That will help save the citizens in those communities from the necessity of paying higher taxes as time goes on. He told members he is asking representatives from those locations to please keep this in mind as they debate the Skyway Bridge later in the meeting. This isn't just about potential environmental concerns or traffic; it's about having an orderly pattern of growth so these communities can have the type of economic development that will make them stronger and more viable over the next 15 to 20 years. Mr. Koeppel asked members to please keep that upper most in their mind so we can see to it that this project moves forward. We want NCDOT in Raleigh to realize that this is something that is going to make us a much better region as we look forward to future growth.

Mr. Howard Capps stated he would like to address members about the efforts by the landscape architects in New Hanover County and Brunswick County to incorporate a multi-use path on the Skyway Bridge. Mr. Capps explained the reason for his interest was that he and his wife had visited Charleston, SC and saw the Cooper River Bridge and were impressed with the very attractive bike-way on the bridge. He had read an article in the Star News about the Skyway Bridge and decided to contact the engineers with URS to ask if there were any plans to incorporate a multi-use path on the

Skyway Bridge. The engineer he spoke with indicated there were no plans for pedestrian facilities to his knowledge. Mr. Capps told members following that conversation he approached other landscape architects about starting a grassroots effort to build a multi-use path on the bridge. They agreed and decided the first step would be to make the Turnpike Authority in Raleigh and the TAC aware of their request regarding the addition of a multi-use path before they started contacting other groups. He said from the conversations they have been having, there is a great deal on interest if the bridge is built. They would like to advocate for the inclusion of a Skyway multi-use lane.

Mr. Futch asked Mr. Capps if he was willing to pay the additional costs to have the multi-use path added. Mr. Capps said the answer that question is obviously no; he does not have the money. He stated he doesn't know how it could be done but the group felt that if they did not raise the issue, we would definitely not get a bike-lane on the bridge. The folks in Charleston had said there were no plans to incorporate a bike-way in the early planning stages of their bridge. It took a grassroots effort in order to make that happen. This is something that would benefit Leland, Brunswick County and New Hanover County and his group felt it would be remiss of them as planners and landscape architects to see another bridge built in the region without access for bikes and pedestrians.

Mr. Walter Hickey told members he would like to speak as a rebuttal to Mr. Koepfel's earlier comments. He stated that he currently lives in Leland and has lived in this area for the past 23 years. He said he is happy to be a "bedroom-community" and they don't need any industry. He stated that they did not need the bridge; they just need themselves. He said he thinks the Town of Leland is doing very good with taxes. He said there is enough industry over on their side.

4. Old Business

a. Resolution supporting corridor preservation of the interchange at Market Street and Military Cutoff Road extension

Mr. Barfield told members at the last meeting there was a lengthy discussion held regarding the corridor preservation at Market Street and Military Cutoff Road extension. Following two tied voting attempts on a motion, no action was taken on the item.

Mr. Futch said he disagreed. Action was taken. Mr. Barfield said there was action to not approve it and action to not modify the resolution with both ending in a tied vote. Therefore, nothing was done. He said he requested that staff bring the item back to the committee.

Mr. Barfield reminded members at that meeting he had recused himself because he represented the property owners. He told members that his comments would have been that if DOT had the resources to pay for the right-of-way acquisition then he would have definitely been in favor of the corridor preservation. He said the New Hanover County Board of Commissioners spoke very clearly that they are concerned about preserving access for Military Cutoff Road to make sure traffic flows in the years to come. Mr. Barfield made the motion to support corridor preservation of the interchange at Market Street and Military Cutoff extension. Ms. Padgett asked if he no longer have a conflict of interest. He said he did not. Ms. Padgett seconded the motion.

Mr. Barfield opened the floor for discussion. With no discussion by the board, the motion carried with seven members in favor of the resolution and Mr. Futch and Mr. Batson voted against the motion.

5. New Business

a. Resolution supporting corridor preservation for the Cape Fear Skyway

Mr. Saffo told members he needed to recuse himself from this item. Ms. Padgett made the motion to recuse Mr. Saffo. Mr. Sue seconded the motion. The motion carried unanimously.

Mr. Barfield asked if there was a motion to support corridor preservation for the Cape Fear Skyway. Mr. Futch said he thought that we had already decided that the six-months were over with. Mr. Ballard made the motion and Ms. Padgett seconded the motion.

Mr. Barfield opened the floor for discussion. Mr. Barfield asked Mr. Futch if he had anything to say. Mr. Futch said no one wanted to hear his discussion so he is not going to discuss it. Mr. Barfield told members he would open the discussions. As a professional realtor, he has two properties listed in Waterford. Last Saturday afternoon he needed to go to these properties and decided to use the Isabella Holmes Bridge to get there. To his surprise traffic was backed up from the bridge until you got over to the merge area of US 74/76. In talking with one of his clients, she asked him if something was being done to alleviate traffic in the area.

Mr. Barfield stated that the reality is that you have roughly 10,000 homes planned for Brunswick Forest, multiple lots still available in Waterford and Magnolia Greens is still not built out. The question is where are these people going to go?

He told members he went to Brunswick County again last Friday morning at 8:00am. The traffic was great going to Brunswick County but the line coming into New Hanover County was backed-up. He said he could not imagine himself trying to live in that community and having to deal with the traffic problems every day.

He said he truly believes that when looking at the TAC's mission statement, members have got to be forward thinking in the planning process to make sure that we have adequate roads for people coming here. In his opinion there is tremendous need to make this happen. It is his wish that the board approve the resolution and move it forward. He said he would like to encourage members from Brunswick County to engage their citizens and find out what they are looking for.

He told members he posted the most recent article from the Stare News on his on-line newsletter. He said he had nine people respond regarding the article. Out of the nine who responded, eight said they can't wait for this project to take place.

For those that are opposed to tolls, when he goes to Florida he could take I-95 or the Florida Turnpike and pay the toll. He stated that he always takes the turnpike. It gets him there quickly with the least amount of problems so he doesn't mind paying the toll. He said he thinks those from Brunswick and New Hanover counties that want to use the Skyway will do just that. Those that don't wish to pay a toll will still have US 74/76.

Ms. Padgett asked if the resolution is to approve the northern alignment. Mr. Kozlosky said that was correct. He explained that in October of last year staff was asked to prepare a transportation corridor official map for the northern alignment. This board directed that it be prepared in within six months. Staff was unable to meet that time frame. They received the transportation corridor map from the Turnpike Authority in June. Staff put it on board's agenda for discussion at the last meeting and it was requested that no discussion be had. Staff was directed to bring this back to this board.

Mr. Futch asked who directed staff to put this back on the agenda. Mr. Kozlosky advised him that he was directed by the Chairman, Mr. Barfield. Mr. Futch asked who gave the chair the authority to do that. Mr. Barfield reminded him that he has the authority to bring items before the board as the elected chair of the committee.

Mr. Batson said he has problems about corridor concepts. It's like taking somebody's property with emanate domain but you don't pay him anything for it. These people are locked up for years or longer and all they get are tax bills. He said he has a problem with that philosophy. If it is important enough for us to tie up their monies and their property with a corridor, it should be valuable enough for us pay them for it.

Ms. Padgett said she does not see how we could decide we don't need it because we still have growth even in hard economic times. If the state isn't going to pay for it, we could become more like other states where the counties pay for it or the cities that it's going through, similar to the interstate system. If there isn't any money, the best we can do is to plan for that corridor so when there is money it can be built. She said she doesn't like taking peoples land in that fashion either. The Wilmington City Council had discussions and indicated that it is a problem for them too. We have seen one road in this region go away because of development. The Wilmington area will never have the full outer-loop because the southern outer loop was taken off the plan because there was too much development for the right-of-way. If we don't do something, our children and grandchildren won't have the ability to get across the river.

Mr. Futch asked what happens if the NEPA process comes in next year and picks a different corridor than we have picked. Mr. Kozlosky said the board that files the map could choose to remove that corridor map from the register of deeds. Mr. Futch asked if all the development that occurred during that time is gone. Mr. Kozlosky said yes, within that corridor.

Mr. Barfield called for a vote on the motion made by Ms. Padgett. The motion carried with seven members voting in favor of the resolution and Mr. Futch and Mr. Batson voted against.

b. Resolution supporting the HUD Sustainability Communities Regional Planning grant

Mr. Kozlosky told members HUD has released an opportunity for a Sustainability Communities Regional Planning grant. The grant will support regional planning efforts to integrate housing, land use, economic and work force development, transportation and infrastructure investments. A consortium has been established, with New Hanover County and the Cape Fear Regional Planning Council taking the lead in the development of this process. The MPO is a participating agency. Applications for the grant are due on August 23rd. The resolution is asking the TAC for support in allowing the MPO Executive Director to direct staff in participation in the planning effort.

Mr. Sue told members this came to the Brunswick County Commissioners at their last meeting and it was tabled because they did not have enough information.

Mr. Futch made the motion to support the resolution and Ms. Padgett seconded the motion.

Ms. Padgett said this grant opportunity is not allowing a lot of time. Things are moving fast and she felt that the City Council didn't have a lot of information either. This is a bonafide regional effort and maybe we can have coordinated planning that could make a difference to this region as a whole.

Mr. Barfield called for the vote on the motion. The motion carried with eight members in favor of the resolution and Mr. Sue voting against.

c. Resolution supporting an amendment to the 2010-2011 Unified Planning Work Program

Mr. Kozlosky told members on August 5th the United States Senate passed a bill that included a \$2.2 billion reduction in highway contract authority. This will have an impact in a reduction to the North Carolina Department of Transportation in the amount of \$61 million. The Department is currently evaluating how they are going to resend the funds. The MPO has an un-obligated fund balance for planning in the amount of \$69,203. We have an opportunity to amend our planning budget up until March 31st of the fiscal year. Staff is proposing to appropriate those funds. Once the Department has decided how they are going to resend the funds, this committee could come back and de-obligate the funds or spend them in the current fiscal year.

Mr. Futch made the motion to support an amendment to the 2010-2011 Unified Planning Work Program. Ms. Padgett seconded the motion and it carried unanimously.

6. Discussion

a. Draft Wilmington MPO Ethics Policy

Mr. Kozlosky told members staff has been asked to put together a draft an ethic policy. Once a policy has been approved, he suggested incorporating the policy into the Bylaws. He told members Texas is currently the only state with a MPO ethics policy that he is aware of. Staff used that policy in drafting the policy for the TAC's review. Staff would like to receive comments from members and will bring a revised policy back for consideration.

Mr. Futch suggest changing the verbiage in number four of the second paragraph saying ".....having a family member related to me in the first degree." He said he is not sure who "me" is in that case and he thinks it is not consistent with the rest of the paragraph. Another thing is that it says that a member may be removed from this body. He suggested checking the statutory authority. The members of this body are not appointed by this body. They are appointed by the municipality they represent. He asked staff to check on that.

Ms. Padgett said there is certainly an expectation that the ethics policies at the state level have been strengthened but it never gets around to saying how the accusation is made or the determination is made. She told members she does not think this body can determine that somebody is in violation of this policy or the state's ethics policy. She asked what we would do if in our collective opinion that there has been a violation. If that does happen, the worst thing to happen would be for this body to not have any recourse once people feel like there are ethics violations by board members.

Mr. Sue said he thinks everyone here on this committee are elected officials and have already had to sign an ethics statement. Why wouldn't that apply to us because members are serving here as a result of being an elected official? Why do we need double ethics rules?

Mr. Futch stated he thinks there need to be ethic guidelines for this board. Mr. Barfield said he agreed. He feels we need to have a set of standards to guide us.

Mr. Kozlosky asked that this board look at the conflict of interest statement and provide feedback on exactly what this board would consider as a conflict of interest. There are four criteria listed in the draft policy and he would like to have more direction on what members feel should be the criteria.

Mr. Blair suggested contacting the League's School of Government for direction and input.

b. NCDOT Work Plan and Draft State Transportation Improvement Program

Mr. Kozlosky told members at the last Board of Transportation meeting the Department released their 5-year and 10-year work programs.

Regional highlights from the plan are:

Project	Right-of-way	Construction
Village Road Phase II (U-4063)	funded for right-of-way acquisition in 2012	construction in 2015
Village Road Widening from the interchange to south of Navassa Road (U-4002)		under construction
Interchange at Old Fayetteville Road (U-3337)	right-of-way acquisition in 2019	
Hampstead Bypass (R-3300)	\$20 million identified for right-of-way acquisition in 2017	
Market Street (U-4902C)		funded for 2012
Market Street (U-4902D)		funded for 2017
Market Street (U-4902B)		funded for 2019
Dow Road	right-of-way funding identified 2019	
Military Cutoff extension (U-4751)	right-of-way identified 2014 & 2015	construction in 2017,2018 and 2019
Kerr Ave-(U-3338B) Widening from Randall Parkway/Patrick Ave out to MLK	funded for right-of-way in 2012	construction in 2013
Kerr Ave – Interchange(U-3338C)	funded for right-of-way in 2020	
Gordon Road (U-3831)	funding to widen to 3-lane section from Wood Sorrel Drive to the interchange at N. College for 2012	
College Road	funding for upgrade from New Center Drive out to Gordon Rd	2020
Causeway- Widening interchange at 421 to interchange at 133 & US17		2013
N 3 rd Street Bridge- remove bridge and replace with fill		2015
Section "B"- Bypass (Loop project)		funded 2013 to 2020
Section "A"- Bypass		2010 - 2013
Multi-modal Transportation Center		2012
Independence Extension		2020

Mr. Futch told members in 2007 the Town of Leland agreed to give the Village Road Phase II (U-4063) project up to have the causeway widened. He said their transportation oversight committee came up with a resolution that his council passed and they feel that the project is not important enough to be on the 10-year plan. That is an \$18 million project that somebody else could use.

Mr. Kozlosky stated that this board adopted a list of prioritized projects in 2009 and it was submitted to the Department. The Village Road Phase II project was part of the Department's prioritization process.

Mr. Futch said at this point the Town of Leland does not feel that it is a priority project. They would much rather see the interchange at Old Fayetteville Road be grade separated. It is number 7 project. There are a lot of needs and some of these communities never get anything. We have Village Road-Phase I and that will help for a number of years. We are not sure in the new master plan that phase II will really be a commercial corridor and have had a lot of input from people who do not want a divided road on phase II of Village Road.

Mr. Sue reminded everyone that Tommy Wallace was on the TAC when the priorities were established. At that time he voted on that priority list.

Mr. Futch said that was right; but, at this point we are telling you that we don't think that is a priority. We know it passes by your property. It may be an ethics violation for it to pass by your property.

Mr. Sue said the issue has been that Village Road has been the main thoroughfare for Leland since he was born. Mr. Futch said they are going to change that. Mr. Futch said if he had a conflict of interest, he should let this board know. Mr. Sue said it was not a conflict of interest. Mr. Futch asked Mr. Sue if he was going to get any right-of-way money.

Mr. Sue said he took Mr. Futch a traffic count two years ago and there were 4,000 cars on Old Fayetteville Road and over 9,000 on Village Road. It's a traffic issue, period. Mr. Futch said there are 90,000 vehicles a day on the causeway and we're going to spend \$20 million on a 9,000 car road. Mr. Futch said the Town of Leland passed a resolution and as a council, they do not believe that should be a priority.

Mr. Barfield told Mr. Futch that he thought it would be good to be on one-accord as we move forward understanding that Mr. Wallace was on this board when this work was done. At that time, Leland had a representative on this board who should have gone back to the town council and briefed everyone on what was happening so you could all be in full support. Your council should have said we don't want it then. But, the TAC did not get that word from Mr. Wallace therefore this board approved what we have here. Mr. Barfield said that this project has already gone forward with DOT, so that is where we are. Mr. Futch said he really appreciates this board looking out for them by spending money on stuff they don't need.

Mr. Kozlosky finished the review of the regional project list.

Mr. Futch asked what is the total amount funded for this area for the next five years. He said when he added it up, he came to \$508 million and he doesn't know when we're going to get \$508 million. We sure haven't seen that much in the last 10 or 20 years. Mr. Padgett said we have had that much spent in our region in the last the 10 years. Mr. Pope told the members that the CIP equity for Division 3, excluding loop-funds, is normally around \$475 million over a seven year period.

Mr. Kozlosky told members the loop is not identified in the list; however, it is identified for funding. The "B" section is broken up into different segments and it's identified to begin allocation of funding in 2013 and be funded all the way out through 2020. That project was one of only six loop project funded in the state. That project was funded in its entirety based on the draft plan.

c. North Carolina Mobility Fund

Mr. Kozlosky told members in the last legislative session, the General Assembly approved the North Carolina Mobility Fund. The Department of Transportation is currently developing criteria that will be presented to the joint Legislative Transportation Oversight Committee. Per the statute, they are required to submit a final report to oversight committee by December 15, 2010.

He said he included in the packet a calendar for deadlines where the Department has requested feedback from members to develop the selection criteria. They identified a timeline of August 9th to September 9th for the first round of public input. They will then develop a preliminary report. They plan to have the report completed by September 30th. They plan to release that report and request comments between October 1st and October 29th. Once the comments are received, they will then develop a final report and plan to have it ready by November 30th and present it to the Board of Transportation on December 2nd. It will then go to the Transportation Oversight Committee on December 15th.

Mr. Kozlosky said he would encourage members to provide feedback to the Department. Mr. Kozlosky said if it is the wish of this board, he can receive member comments and submit them on behalf of the TAC. He asked the members to get any comments to him by September 2nd and he will submit them to the Department by the deadline.

Ms. Padgett asked how much money has been put in the mobility fund and how many years of the fund that the Yadkin River Bridge will take. At what point will our in-put be taken into account for the next project. Mr. Kozlosky said he will get the information and send it to her.

7. Updates

a. Cape Fear Commutes

Mr. Loving told members the Cape Fear Commutes committee is in the process of reviewing public comments and are almost through. The target to present the official plan and recommendations to members of the TAC is for the September meeting.

b. City of Wilmington/Wilmington MPO

Mr. Kozlosky provided the update on transportation projects in the City of Wilmington and Wilmington MPO.

c. Cape Fear Public Transportation Authority

Mr. Eby told members last month the Cape Fear Public Transportation Authority received concurrence for FTA on their environmental document for the station headquarters. They have submitted a \$6 million grant application with FTA.

d. NCDOT

Mr. Pope updated members on the Department activities. Mr. Sue asked if it was reported at one time that Section "A" of I-140 that funding for right-of-way had been approved. Mr. Pope said all right-of-way has been acquired for the "A" section. Mr. Sue said he meant the "B" section. Mr. Pope said yes, they have gone back and started going through the right-of-way process to purchase the properties.

Mr. Pope said in addressing Ms. Padgett's comment, the Mobility Fund will generate \$173 million in fiscal year 2011-2014 and \$58 million each fiscal year thereafter. Approximately \$150 million has been dedicated to the two phases of the I-85 corridor.

8. Announcements

Mr. Kozlosky reviewed the upcoming meeting taking place for the next month.

9. Adjournment

With no further business, the meeting was adjourned at 5:05 PM

Respectfully submitted

Mike Kozlosky
Executive Director
Wilmington Urban Area Metropolitan Planning Organization

**WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION ADVISORY COMMITTEE**

RESOLUTION ADOPTING CAPE FEAR COMMUTES 2035 TRANSPORTATION PLAN

WHEREAS, the Wilmington Urban Area Metropolitan Planning Organization provides transportation planning services for the City of Wilmington, Town of Carolina Beach, Town of Kure Beach, Town of Wrightsville Beach, Town of Belville, Town of Leland, Town of Navassa, New Hanover County, Brunswick County, Pender County, Cape Fear Public Transportation Authority and the N.C. Board of Transportation; and

WHEREAS; the Wilmington Metropolitan Planning Organization has established a comprehensive, cooperative and continuing (3-C) transportation planning process to develop an annual unified planning work program, 25-year long range transportation plan and Transportation Improvement Program to facilitate the expenditure of federal funds; and

WHEREAS, the Wilmington Metropolitan Planning Organization has developed Cape Fear Commutes 2035 Transportation Plan to satisfy the requirements of the safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) as well as other federal state and local laws mandating a continuing, cooperative and comprehensive transportation planning activities ; and

WHEREAS, *Cape Fear Commutes 2035 Transportation Plan* is a product of a multi-modal, 3-C transportation planning process, compatible with the Metropolitan Planning Organizations long range vision; and

WHEREAS, *Cape Fear Commutes 2035 Transportation Plan* is fiscally constrained; and

WHEREAS, *Cape Fear Commutes 2035 Transportation Plan* was developed by the Cape Fear Commutes Citizen Advisory Committee in coordination with local elected and appointed officials, local municipal and county staff, service organizations, and the general public; and

WHEREAS, public comments were solicited at regular intervals during the planning process and a 30-day public comment period was held to receive comments on the plan.

NOW THEREFORE, be it resolved that the Wilmington Urban Area Metropolitan Planning Organization's Transportation Advisory Committee hereby adopts *Cape Fear Commutes 2035 Transportation Plan*.

ADOPTED at a regular meeting of the Wilmington Urban Area MPO Transportation Advisory Committee on October 27, 2010.

Jonathan Barfield Jr., Chair
Transportation Advisory Committee

Mike Kozlosky, Secretary

**WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION ADVISORY COMMITTEE**

**RESOLUTION SUPPORTING NCDOT'S INCORPORATE THE DIVERGING DIAMOND
INTERCHANGE INTO THE WIDENING OF US 17/US 74/US 76 (R-3601)**

WHEREAS, the Wilmington Urban Area Metropolitan Planning Organization provides transportation planning services for the City of Wilmington, Town of Carolina Beach, Town of Kure Beach, Town of Wrightsville Beach, Town of Belville, Town of Leland, Town of Navassa, New Hanover County, Brunswick County, Pender County, Cape Fear Public Transportation Authority and the N.C. Board of Transportation; and

WHEREAS, the North Carolina Department of Transportation plans to widen US 17/US 74/US 76 (the causeway) to a 6-lane facility between US 421 and NC 133 in Brunswick County (R-3601), and

WHEREAS, the widening of US 17/US 74/US76 (the causeway) alone will not improve the level of service or delays at the interchange of US 17US 74/US 76 and NC 133; and

WHEREAS, the interchange at US 17/US 74/US 76 and NC 133 is expected to begin to experience unacceptable delays and queuing in 2019 with the Partial Cloverleaf interchange; and

WHEREAS, NCDOT has developed the Partial Cloverleaf and Diverging Diamond Interchange alternatives to improve the level of service at the US 17/US74/US 76 and NC 133 interchange; and

WHEREAS, the Diverging Diamond Interchange design is anticipated to improve the level of service and reduce delay, while costing significantly less than the Partial Cloverleaf; and

WHEREAS, NCDOT expects to complete the widening project under budget and funding would be available to complete the Diverging Diamond Interchange within the existing funding allocation for the widening of US 17/US 74/US 76 (R-3601); and

NOW THEREFORE, be it resolved that the Wilmington Urban Area Metropolitan Planning Organization's Transportation Advisory Committee encourages NCDOT to incorporate the Diverging Diamond Interchange into the widening of US 17/US 74/US 76 (R-3601).

ADOPTED at a regular meeting of the Wilmington Urban Area MPO Transportation Advisory Committee on October 27, 2010.

Jonathan Barfield Jr., Chair
Transportation Advisory Committee

Mike Kozlosky, Secretary

**WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION ADVISORY COMMITTEE**

**RESOLUTION ENCOURAGING THE CONSIDERATION OF PEDESTRIAN AND BICYCLE
ACCOMODATIONS ON THE CAPE FEAR RIVER SKYWAY BRIDGE**

WHEREAS, the Wilmington Urban Area Metropolitan Planning Organization provides transportation planning services for the City of Wilmington, Town of Carolina Beach, Town of Kure Beach, Town of Wrightsville Beach, Town of Belville, Town of Leland, Town of Navassa, New Hanover County, Brunswick County, Pender County, Cape Fear Public Transportation Authority and the N.C. Board of Transportation; and

WHEREAS, the North Carolina Turnpike Authority is in the early planning stages for the Cape Fear Skyway Bridge to provide a needed connection over the Cape Fear River between New Hanover and Brunswick County, and

WHEREAS, bicycle and pedestrian facilities as an alternative means of transportation in the Wilmington Urban Area are desired by local residents to connect neighborhoods, schools, parks and regional attractions; and

WHEREAS, the 2030 Long Range Transportation Plan called for an increase in safety and security of the transportation system for motorized and non-motorized users, as well as an increase in accessibility and mobility options available to people, and a transportation system that promotes energy conservation and improve the overall quality of life; the integration and connectivity of the transportation system for people; and

WHEREAS, the 2035 Cape Fear Commutes Vision Statement for Cape Fear Commutes 2035 Transportation Plan is to provide a Transportation Plan for a safe, efficient, appropriate, responsible, integrated, multi-modal transportation system throughout the Wilmington Urban Area over the next 25 years; and

WHEREAS, the Wilmington MPO BikePed Committee was created to advise the Wilmington MPO on ways to promote the use of bicycling and walking for transportation, development of safe bicycle and pedestrian facilities, facilitate projects, plans, programs, and ideas that promote a safer environment for bicycling and walking in the Wilmington MPO planning area; and

WHEREAS, the Cape Fear Skyway is in the early planning phase and incorporation of pedestrian and bicycle facilities into the design of the bridge will address many of the goals outlined in the 2030 and 2035 Long Range Transportation Plans and Wilmington MPO BikePed Committee goals to provide a safe alternative to the automobile, making the Cape Fear Skyway Bridge a truly multi-modal facility that will provide bike and pedestrian connections to the Wilmington Cross City Trail, East Coast Greenway, and planned bike and pedestrian facilities in Brunswick County and in the Town of Leland.

NOW THEREFORE, be it resolved that the Wilmington Urban Area Metropolitan Planning Organization's Transportation Advisory Committee encourages the North Carolina Turnpike Authority to consider pedestrian and bicycle facilities in the design of the Cape Fear Skyway Bridge.

ADOPTED at a regular meeting of the Wilmington Urban Area MPO Transportation Advisory Committee on October 27, 2010.

Jonathan Barfield Jr., Chair
Transportation Advisory Committee

Mike Kozlosky, Secretary

**WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION ADVISORY COMMITTEE**

**RESOLUTION SUPPORTING THE TOWN OF BELVILLE'S APPLICATION FOR THE
NCDOT 2011 BICYCLE AND PEDESTRIAN PLANNING GRANT INITIATIVE**

WHEREAS, the Wilmington Urban Area Metropolitan Planning Organization provides transportation planning services for the City of Wilmington, Town of Carolina Beach, Town of Kure Beach, Town of Wrightsville Beach, Town of Belville, Town of Leland, Town of Navassa, New Hanover County, Brunswick County, Pender County, Cape Fear Public Transportation Authority and the N.C. Board of Transportation; and

WHEREAS, the Wilmington Metropolitan Planning Organization serves as the lead transportation planning agency to the municipalities in the Wilmington area; and

WHEREAS, the Wilmington Metropolitan Planning Organization is committed to improving safety, protecting the environment and public health, and creating an opportunity for the surrounding communities to improve their quality of life through transportation and demand management; and

WHEREAS, the North Carolina Department of Transportation has made funds available for municipalities throughout the state to create bicycle and pedestrian plans through the NCDOT 2011 Bicycle and Pedestrian Planning Grant Initiative; and

WHEREAS, the Town of Belville recognizes the need to support and promote alternative modes of transportation throughout the town and region; and

WHEREAS, it is incumbent that the Town of Belville to ensure the safety and viability of these modes; and

WHEREAS, the Town of Belville recognizes the need for a town-wide comprehensive bicycle plan.

NOW, THEREFORE, be it resolved that the Wilmington Metropolitan Planning Organization endorses the Town of Belville's application for the NCDOT 2011 Bicycle and Pedestrian Planning Grant Initiative for the development of a town-wide comprehensive bicycle plan.

ADOPTED at a regular meeting of the Wilmington Urban Area Metropolitan Planning Organization Transportation Advisory Committee on October 27, 2010.

Jonathan Barfield Jr., Chair
Transportation Advisory Committee

Mike Kozlosky, Secretary

N.C. Scenic Byway Study List Application
N.C. Department of Transportation
Roadside Environmental Unit

Airlie Road Scenic Byway (Suggested Route)

Submitted on March 26, 2010 by:
City of Wilmington & Wilmington Urban Area MPO
305 Chestnut Street, Floor 4
Wilmington, NC 28401
910-341-3234

**N.C. Scenic Byway Study List Application
N.C. Department of Transportation
Roadside Environmental Unit**

Airlie Road Scenic Byway (Suggested Route)

A) Route Description (with defined beginning and end points, road names/number, and section lengths):

The Airlie Road Scenic Byway is proposed to begin at the intersection of Wrightsville Avenue (SR 1411), Oleander Drive/Military Cutoff Road (U.S. Highway 76) and Airlie Road, extending southeast beneath a historic tree canopy for 0.9 miles (See Appendix 1). Airlie Road emerges from the canopy in a sweeping 90-degree turn to the north for 0.1 miles and continues along the Atlantic Intracoastal Waterway for 0.5 miles. The proposed byway ends at Wrightsville Avenue (U.S. Highway 74/76, SR 1411) just west of the Heide-Trask Drawbridge that leads to Wrightsville Beach over the Atlantic Intracoastal Waterway. Total length of the proposed Airlie Road Scenic Byway is 1.5 miles.

Route Length (miles): 1.5 miles

B) Intrinsic Quality Checklist (check all that apply):

- | | | | | |
|--|--|--|---|-------------------------------------|
| <input checked="" type="checkbox"/> Scenic | <input checked="" type="checkbox"/> Recreational | <input checked="" type="checkbox"/> Historical | <input checked="" type="checkbox"/> Educational | <input type="checkbox"/> Scientific |
| <input type="checkbox"/> Geological | <input checked="" type="checkbox"/> Natural | <input checked="" type="checkbox"/> Wildlife | <input checked="" type="checkbox"/> Cultural | <input type="checkbox"/> Ethnic |

Scenic:

The Airlie Road Scenic Byway is a picturesque route from beginning to end nestled between Bradley Creek and the Atlantic Intracoastal Waterway in Wilmington, North Carolina. Airlie Road’s scenic qualities are embodied in the natural surroundings and diverse architectural character. Residents and visitors begin their journey beneath the indigenous pines and live oaks on a historic concrete paved street. Along the route, travelers experience low country wetland and pastoral vistas,



Oblique aerial image of Airlie Road adjacent to the Intracoastal Waterway

followed in contrast by the bright and airy nautical scenes along the Atlantic Intracoastal Waterway.

An antique postcard of Airlie Road captures the picturesque “moss draped oaks” view that visitors experience when approaching the Atlantic Intracoastal Waterway from the west.

Airlie Gardens (300 Airlie Road), a public park, is located 0.2 miles from the route’s origin and



Postcard depicting "moss draped oaks" in the vicinity of the Intracoastal Waterway

is certainly one of the corridor’s prized gems. The 67 manicured acres impress locals and visitors alike with its elaborate gardens, sculptures, historic structures, fresh water lakes, signature azaleas, breathtaking views of Bradley Creek and inspiring walking trails.ⁱ

Gabriel’s Landing or Old Oak Point as it was once named, resides at 1005 Airlie Road. The beautiful estate with exquisite lawn is adorned with historic pines, oaks, hickories, magnolias, cedars and dogwoods among other native species. Unique to Gabriel’s Landing is the locally renowned horse farm with several red wood-frame outbuildings, guest cottage, and a historic home site, stable and gambrel-roofed barn.

Scattered along the corridor are several architecturally significant structures. The most intriguing of these is the Saint Andrew’s On-the-Sound, Episcopal Church which was built in 1923. This Spanish Mission-style architecture is uncommon in the Wilmington area, contributing appreciably to corridor’s overall scenic beauty and uniqueness.



Saint Andrew’s On-the-Sound

Views of the Atlantic Intracoastal Waterway, Wrightsville Beach and surrounding low country landscapes

from several local restaurants along the corridor exemplify the coastal lifestyle that residents and visitors can experience while socializing and enjoying local cuisine.

Recreational:

Wilmington attracts tourists from around the globe who come to enjoy coastal Carolina outdoor activities. Airlie Road is a pleasant and welcoming gateway for visitors on the way to Wrightsville Beach to engage in many of these activities. The road is also considered a bicycle-friendly alternative to Wrightsville Avenue for bicyclists traveling the River to Sea Bikeway.ⁱⁱ This route is identified on the 2010 *Wilmington, North Carolina Metropolitan Area Bicycle Map* as a “bicycle through street”. There continues to be a growing number of cycling clubs in the Cape Fear region, including Cape Fear Cyclists, who work closely with local transportation planners to establish bike routes.ⁱⁱⁱ Airlie Road has been identified by cyclists and planners alike as one of the premier rides in town because of the scenic beauty, low traffic volumes and numerous extra-curricular activities. The Wilmington YMCA Triathlon utilizes Airlie Road as an initial stage of its annual 20K bike course.^{iv} The Airlie Road corridor is also frequented by walkers and joggers who benefit from lower traffic volumes and speeds and the beautiful scenery.

Airlie Gardens adds to the recreational value of the corridor through its extensive tours and health and educational programs. Tours of the gardens include features such as the Butterfly Garden, Minnie Evans Sculpture Garden, Showcase Garden, Pergola Garden, Mystery Grave, Camellia Garden, Spring Garden, Airlie Lake and Airlie Oak.^v In addition to site tours, visitors

flock to the gardens during their Summer Concert Series.^{vi} The shows consist of jazz musicians, dancing, picnics and relaxing in the comfort of the gardens on warm summer evenings. Enchanted Airlie has also become a family recreational tradition. During the winter holiday season, festive lights adorn the gardens, holiday flowers line the area, with live music and a large scale model train display.^{vii}

Each fall Airlie Gardens hosts a Low Country Oyster Roast with live music, oysters, and all-you-can-eat Carolina barbeque under the Airlie Oak. The proceeds go to supporting the garden's environmental education programs. Specifically, money is used to improve water quality education training by funding equipment and facilitates for eco tours.^{viii}

Yoga classes for adults are also held in the gardens during the months of September and October. Certified yoga instructors teach classes in different gardens each meeting. Adult workshops are also a great recreational activity to join at Airlie Gardens. A few workshops include: "Restore your energy through photography and nature," "The language of flowers lecture and workshop," and "Jewelry workshop."^{ix} A preschool series is available for mothers and children ages 2-5. They can enjoy stories, crafts and participate in garden-themed activities.^x

Airlie Road is also home to a number of small businesses and local restaurants. Residents and visitors flock to landmark establishments such as the Dockside Restaurant, Bridge Tender, and Fish House Grill to dine and socialize along the picturesque Atlantic Intracoastal Waterway.

In addition to land-based recreational opportunities, patrons can also experience the corridor from the Intracoastal Waterway by sailing or motorized recreation vessel. Numerous restaurants along the corridor have direct waterway access and slips for their patrons to dock while they dine. Further, the Airlie Yacht Club provides direct access to the Intracoastal Waterway for recreation boating or sport.

Historical:

Airlie Road and its surroundings are historically significant to the entire Wilmington area. Mount Lebanon Chapel, the Bradley-Latimer Summer House, Gabriel's Landing, Shell Road, Airlie Gardens, the Airlie Oak, the Pembroke family and Minnie Evans are all a part of the deep embedded history of the corridor.

Mount Lebanon Chapel is the first property on Airlie Road to be recognized on the National Register of Historic Places and currently resides on the grounds of Airlie Gardens.^{xi} It was accepted to the register in October of 1986. Built in 1835, Mount Lebanon Chapel is an example of Greek Gothic Revival architecture.^{xii} Years after its original construction, vandals destroyed a considerable portion of the structure; however, in 1973 a restoration project revitalized Mount Lebanon Chapel to become the living monument



Mount Lebanon Chapel

to history that it is today. In 2000, summer worship services resumed at Lebanon Chapel for the first time in 70 years.^{xiii} A recently discovered poem (dated 1858) about the Lebanon Chapel was discovered among local Bradley family documents in 1997. The poem was named, “Our Little Church.”^{xiv} An excerpt of the poem follows:

*Now in fancy can I wander in the grove
See the bridge the river
Every spot I love
That as image is not dimmed
Let this picture prove^{xv}*

A year following the acceptance of Mount Lebanon Chapel to the National Register of Historic Places, the Bradley-Latimer Summer House also joined the list as the second historically significant structure identified on the Airlie Road corridor. The Bradley-Latimer Summer House is situated in a grove of native live oak trees overlooking Bradley Creek adjacent to Airlie Gardens. Constructed in 1855, the house is a rare surviving example of the Antebellum Civil War architecture that emerged as properties along the sound were converted from agriculture or salt production purposes to quiet summer retreats. The summer house is thought to have been constructed by Richard Bradley, Jr., who less than a year after its completion sold it to Zebulon Latimer, giving it the Bradley-Latimer name. No specific architectural style is referenced in register documents; however, they do describe the property as a one-story structure with an open floor plan and breezeways designed for residents to take advantage of summer breezes in the shade away from the mosquitoes of Bradley Creek.



Gabriel's Landing (a.k.a Old Oak Point)

Gabriel's Landing (a.k.a. Old Oak Point), shown in the adjacent picture, was added to the National Register of Historic Places in May of 2008.^{xvi} The architectural classification of the structure is Colonial Revival, which is quite rare in the Wilmington area as it reflects a more rural residential development pattern. The property itself includes 102 picturesque acres consisting of manicured gardens, estuarial marshland and native hardwood and softwood tree stands. Gabriel's

Landing is bounded to the east and south by the 90-degree bend of Airlie Road; however, the dense vegetation of the site buffers the historic home site from travelers on the roadway.

Saint Andrew's On-the-Sound, a Spanish Mission-style Episcopal Church, was built in 1923 on the north side of the Airlie Road. With the construction of a turnpike in Wilmington in 1887, beginning at the intersection of Dock and 17th Streets heading to Bradley Creek, Airlie Road was topped with oyster shells, thus earning the name „Shell Road.“^{xvii} The church on Shell Road was dedicated in April of 1924 and expanded to seat an ever growing congregation in 1980.^{xviii} It currently resides on the northeastern corner of Airlie Road at Oleander Drive and Military Cutoff Road, just south of Wrightsville Avenue. According to local historic preservation experts, while

Saint Andrew's On-the-Sound is not located on the National Register of Historic Places, its age and character contribute to the historic significance of the Airlie Road corridor.

On March 10, 1875, the North Carolina General Assembly voted to form the Wilmington & Coast Turnpike. A local newspaper article, dated March 1874 indicates that the General Assembly created the turnpike to provide the motivation and authority necessary to construct what would become the last section of "the connecting link between the mountains and the seashore".^{xix} With the turnpike established, a few local enterprising citizens began to envision and



A toll house on Shell Road circa 1898

develop support for a paved "traffic artery" that would connect Wilmington residents to the Wrightsville Sound area. The turnpike was completed in 1887 and paved with oyster shells that were eventually bleached white by the sun. This unique surface treatment earned the turnpike a permanent name of Shell Road. At the time, Shell Road was deemed to be "one of the prettiest roads in America", and was a source of great local pride. The turnpike is considered to be one of the greatest factors leading to the development of the Wrightsville Sound area and eventually Wrightsville Beach.^{xx} By and large, the Shell Road remained in its early form until the late 1940s, when the North Carolina State Highway Commission completed a widening project and installed a modern concrete travel surface.^{xxi} Since the 1940s, roadway improvements have altered the Shell Road to the point where the only remaining evidence of its existence is the current alignment of Airlie Road and the weathered concrete travel surface.

Airlie Gardens is also historically significant to the Cape Fear area. The gardens were established by Pembroke Jones in 1901 as a private estate, originally consisting of more than 2,200 acres. Sarah Jones began planting the property in 1901 and later in 1906 commissioned German landscape architect Rudolf Topel to transform the estate into a picturesque garden. Airlie reached its peak during the 1920s, at which time it was reported that over a half million azaleas and 5,000 camellias were in the garden; many of these plants still bloom and thrive in the garden. In 1999, New Hanover County purchased 67 acres of the remaining estate and it has been open to the public ever since. Airlie Garden's current mission is "to be a historic public garden with cultural and environmental education for the residents and visitors of New Hanover County."^{xxii}

Sometime around 1550, the Airlie Oak began to take root in what is now known as Airlie Gardens. In 1937, author of "Carolina Gardens," E.T.H. Shaffer wrote: "Certain live oaks at Airlie stand among the largest specimens of the noble tree to be found anywhere in the Carolinas. Here they grow so fast and magnificent, bending their long gnarled arms down protecting over the garden as though they too loved it"^{xxiii} Today, the Airlie Oak is



The Airlie Oak

more than 460 years old and a staple for visitors to the gardens. The Airlie Oak is also recognized by the North Carolina Forest Service as the largest of its species in the region with a trunk circumference of about 21 feet and a crown of approximately 104 feet. In August of 2007, the Airlie Oak was selected as Wilmington’s first “heritage tree”. The Heritage Tree program is administered by the Wilmington Tree Commission, seeking to identify and catalog the Port City’s most significant trees and protect them from harm. Trees are nominated based upon exceptional size, form or rarity, historical significance, landmark quality, and trees in notable cohesive groves.^{xxiv}



The Bottle Chapel at Airlie Gardens

Carolina Museum of Art in Raleigh.^{xxvi}

A 1991 *Star-News* article headline reads, “Angels by her side, Wilmington Salutes Minnie Evans”. The author speaks of Minnie Evans life, art style, accomplishments and charisma.^{xxv} She is an important historical figure in Wilmington and the Wrightsville Beach area. As the gatekeeper of Airlie Gardens from 1949 to 1974, Evans was extremely familiar with the grounds and now has memorial works of art dedicated to her including the Bottle Chapel at Airlie Gardens. Minnie Evans artwork can be found on display at the American Museum of Folk Art, the Portal Gallery in London, the Smithsonian Institute in Washington and the North

Adding to the historical significance of Airlie Road is a document written in 1997 by Mary McCarl-Wilson of the United Wrightsville Sound Reunion. She speaks of Wilmington and the coast with fond memories in “Footprints on our Sand.” In Wilson’s work she included a song that was written on behalf of the black community that worked on the estates of Pembroke Jones. He owned Airlie and Pembroke Jones Park, which is now Landfall and Airlie Gardens. The song reads as follows:

*I’m going to live until I die, die, die-es
 White folks now are living mighty high, high, high-h-h
 Now sticks and stones may break my bones
 But you can’t break Mr. Pembroke Jones,
 I’m gonna live anyhow until I dies.xxvii*

Educational:

The most noteworthy educational resource of the Airlie Road corridor is Airlie Gardens. A considerable part of the garden’s mission is to provide educational opportunities for the public regarding nature and the environmental issues currently facing southeastern North Carolina’s coast. Summer camps are currently offered to provide age-appropriate fun and environmental education. Field



Educational activities at Airlie Gardens

trips are also available for local schools to teach students about the environment through hands-on experiences in the field. Public programs are offered on a diverse assortment of concepts ranging from water quality to eco-friendly landscaping. Adjacent water bodies including Bradley Creek and the Atlantic Intracoastal Waterway are used to conduct educational kayak tours, where tourists float through tidal creeks and marsh areas while discussing ecology and wildlife.^{xxviii}



Kayak tour at Airlie Gardens

wonders of a tidal creek ecosystem.^{xxix}

Other organizations that provide education resources/programs at Airlie Gardens include, Cape Fear Model Railroad, North Carolina Coastal Federation, Environmental Educators of North Carolina, the Environmental Education Fund, Office of Environmental Education, New Hanover Soil and Water Conservation District, Cape Fear River Watch, Clean Water Management Trust Fund, North Carolina Coastal Reserve Program, Keep America Beautiful of New Hanover County and New Hanover County Extensive/Arboretum.^{xxx}

Wildlife:

There is an abundance of wildlife species in the Airlie Road vicinity. They compile a vast part of the natural setting along the roadway. In March of 2008, Airlie Gardens received National Wildlife Federation Status. It is now an official Certified Wildlife Habitat site. The property attracts a variety of birds, butterflies and other wildlife while helping to protect local environment. In order to be recognized and certified, the property must provide four basic elements that all wildlife need: food, water, cover and places to raise offspring. The property must also employ sustainable gardening practices.^{xxxi}



Wildlife at Airlie Gardens

A representative list of indigenous fauna includes: White Ibis, Snowy Egret, Common Egret, Great Blue Heron, Osprey, Brown Pelican, Eastern Box Turtle, Common Snapping Turtle, Eastern Black Racer Snake, Gray Fox, Legless Lizard, Gray Squirrel, Pileated Woodpecker,

Great Horned Owl, Swainton Hawk, Screech Owl, Eastern Blue Jay, Purple Martins, Painted Bunting, Northern Cardinal, Marsh Rabbit, Cottontail Rabbit, Whitetail Deer, Raccoon and Opossum.^{xxxii} There are over 115 different species of birds spotted along Airlie Road corridor and in the gardens.^{xxxiii}

Natural:

The natural qualities of the Airlie Road corridor are wide-ranging and extensive. The area is bounded to a large extent by large bodies of fresh and brackish water including Bradley Creek and the Atlantic Intracoastal Waterway, but also includes a significant amount of naturally wooded areas, manicured lawns, freshwater lakes and wetlands. The Airlie Road corridor is located within the Bradley Creek Watershed, a location that many local agencies have placed a significant amount of importance on for environmental protection and restoration.

A representative list of indigenous plant life within the Airlie Road corridor includes: Live Oaks, American Holly, Yaupon Holly, Loblolly Pine, Water Oak, Spanish moss, Aster, Goldenrod, Salt marsh Cord grass, Black Needle Thrush, Marsh Pink, Marsh Mallow, Guardia, Marsh Elder, Sea Lavender, Cattail, Wisteria and Virginia creeper.^{xxxiv}

The property of Gabriel's Landing was originally owned by the Wright family but owner's Frank and Agnes Beane constructed the buildings and structures currently located on the property. They added several non-indigenous and/or exotic species including Camellia Japonicas, Carolina Cherries, Tea Olive, Cape Jessamine, Magnolias, Cedar trees, American Holly trees, Dogwoods, Jonquils and Narcissus to supplement the native flora. Today, these plantings are naturalized in the pine groves and along the shell roads running through the property's front yard.^{xxxv}

Cultural:

Airlie Gardens, as a natural sanctuary, is portrayed in the work of renowned artist Minnie Evans who has been exhibited in the American Museum of Folk Art and the Smithsonian among other prestigious settings. Evans is an



important African-American cultural icon. Her artwork has been described as both unique and mystifying. Tributes to Evans are currently available on the garden tour at the Bottle Chapel and the Minnie Evans Sculpture Garden.^{xxxvi} A 29-minute color film, "The Angel That Stands by Me: Minnie Evans' Paintings," is a film that explores the sources of Evans art, focusing on Airlie Gardens, and on the African-Methodist Episcopal church where the connection between her art and religious fervor becomes evident.^{xxxvii}

Watercolor artwork by Minnie Evans - Untitled

Other cultural aspects of Airlie are also portrayed in songs and poems, on postcards, in brochures, and in popular media. Modern day cultural linkages to Airlie Road include the television show, “Dawson’s Creek”, which filmed several scenes at the Dockside Restaurant.^{xxxviii} The Airlie Gardens was also depicted in the movie 28 Days with Sandra Bullock and Black Knight with Martin Lawrence.

Residents, neighbors and admirers of Airlie have supported the protection of the road for decades. In a newspaper article from 1982, the headline reads: “Residents seek help to ‘save Airlie Road’ from development.”^{xxxix} There were over 100 people opposing a hotel to be built on waterfront property of Airlie Road at Dr. Donald Getz’s Edgewater Estate. “We cannot react to this thing in a crisis manner. We need to get some people together who are willing to work to develop a long-range plan on Airlie Road... They should work to have the road protected as a state historic site.”^{xl} Although in this particular case the community was showing concern for a property development on the Atlantic Intracoastal Waterway, they were also showing their overall concern for the corridor as a whole. Both residents and visitors want to enjoy the scenic qualities of the corridor and do not want the area compromised like many other locales in the region.

C) Scenic Quality:

Is the route strikingly distinct and offer a most memorable visual experience? Yes No

The Airlie Road corridor is strikingly distinct to the Wilmington area. The scenic vistas experienced by visitors and residents while driving, biking or walking the corridor is unlike any other part of Wilmington or the region as a whole. The majestic live oak canopy, historic concrete roadway surface and magnificent stretches of undeveloped land add significant value to the road’s unique character. Although Airlie Road is home to only a small number of private residences, the scenic beauty and other intrinsic qualities are available for all to enjoy.

Appendix 2 is a visual survey depicting many of the scenic assets of Airlie Road.

D) Scenic Quality Checklist (check all characteristics that influence the visual perception of the route; note specific examples in the space provided):

Landforms

Low country estuarine landscape, tidal marsh shoreline and wetlands and lakes

Water

Bradley Creek, Atlantic Intracoastal Waterway and acres of wetlands and lakes

Vegetation

Azaleas, camellias, pergolas, cedars, oaks, Spanish Moss, dogwoods, hollies, pines, hickories, cherries, magnolias, Jonquils, Narcissus, Black Needle Thrush, Virginia Creeper, Wisteria, cattail, Sea Lavender, gerardia, Marsh Mallow, and Marsh Pink.

Cultural/Man-made

Mount Lebanon Chapel and cemetery, Airlie Gardens, Heide-Trask Drawbridge, Bradley-Latimer Summer House, Gabriel's Landing, Bradley Creek Pier, Dockside Restaurant, The Bridge Tender, Fish House Grill, The Fisherman's Wife, Saint Andrew's On-the-Sound Episcopal Church, and several docks and miscellaneous structures along the Atlantic Intracoastal Waterway.

Are these characteristics well maintained, harmonious with their environment, or exceptional in appearance? Yes No

If yes, please give supporting information. Use an additional sheet if necessary.

In general, the corridor is very well maintained with regard to the features identified by the intrinsic quality descriptions above. Characteristics of the proposed Airlie Road Scenic Byway are harmonious with their environment and exceptional in appearance. However, some intrinsic qualities and the environmental harmony may be in jeopardy in the future without additional controls on unbridled growth, outdoor advertising, roadway improvements, as well as changes to structure height and density in the area. Although numerous property owners' associations and/or public agencies control a significant amount of property along Airlie Road, additional planning and land use controls are needed to preserve the integrity and intrinsic value of the corridor.

One of the primary goals of achieving the scenic byway status is to conduct a detailed assessment of the corridor's intrinsic qualities through the development of a scenic byway corridor management plan. Wilmington planning staff is currently working on a series of neighborhood plans for a considerable portion of the city; however, the Airlie Road corridor has been excluded from the neighborhood planning process to this point. Completing a corridor management plan for this particular section of Wilmington will fulfill the need for a neighborhood plan and potential actions that the city may take to protect and promote the resources that currently exist within the Airlie Road corridor. Further, by gaining scenic byway status and completing a corridor management plan, city staff would be able to apply for grant funding in the future to maintain the historic concrete surface and to potentially improve its multi-modal operation.

E) Are there land use controls along or adjacent to the route? Yes No

If yes, attach a sheet briefly describing the particular land use control(s) present.

Several land use plans and controls are currently in effect for the Airlie Road corridor. Portions of the *Choices: Wilmington Future Land Use Plan*, *Wilmington –New Hanover County Joint Coastal Area Management Plan* (CAMA Plan) and the Wilmington Land Development Code all currently impact potential development/redevelopment initiatives along the corridor.

Wilmington Future Land Use Plan

Wilmington City Council and other review agencies must consider each policy of *Choices: Wilmington Future Land Use Plan* when evaluating the merit of new development and/or

redevelopment projects for approval. The existing commercial waterfront of Airlie Road is currently identified as a Priority Redevelopment Area by *Choices: Wilmington Future Land Use Plan*. The plan includes the following recommendations with regards to this location:

“[A] limited range of commercial uses, with a number of surface parking lots located along the waterfront. There is no public access to the water, no sidewalks along any road frontages, and no street yard landscaping. This area is currently zoned CB, Community Business, with smaller portions being zoned R-15 and R-20, Residential. Land uses include several restaurants, marinas, parking lots, offices, apartments, and a number of single family homes, some of which are on large tracts of land. The area is recommended for mixed use development which incorporates environmentally sensitive design techniques, protects views of the waterway, and provides public access. Development should include attractive building facades and utilize pervious paving materials. All new utilities should be placed underground. The streetscape should include sidewalks along all public rights-of-way and pedestrian scale lighting. This area should seek scenic byway designation and preservation of the Beane farm should be a priority.”^{xli}

The Beane farm property refers to Gabriel’s Landing. In 1936 the property owner’s were Frank and Agnes Beane.^{xlii}

The following are general recommendations from *Choices: Wilmington Future Land Use Plan* impacting the Airlie Road corridor pertaining to the environment, historic resources and public spaces:

Environment - Guiding Principle 1: Our natural environment is a key to quality of life for Wilmington residents and to attracting tourists and new development. The City will protect these assets as a priority.

Objective 1.3: Protect and enhance water resources for multiple benefits, including recreation and fish, shellfish, and wildlife resources and habitat. Protect or restore water-related uses.

Objective 1.4: Manage future development to preserve some of the remaining wetland areas and restore degraded wetland functions.^{xliii}

Environment - Guiding Principle 2: Our natural areas and green space are important for their environmental value, scenic beauty, public enjoyment, and attractiveness for tourism and new business and industry. The City will make protection of these assets a priority in land use decisions and policies.

Objective 2.1: Establish natural area preservation standards to increase the amount of protected open space in the City.

Historic Resources - Guiding Principle 1: The identification, protection, and promotion of historic resources are critical to maintaining the sense of place that contributes significantly to the quality of life and economic vitality of Wilmington.^{xliv}

Public Spaces - Guiding Principle 1: Well-designed and prominent public spaces that showcase art, sculpture, natural assets such as the river, and other amenities are important in helping to define and distinguish the character of Wilmington. The City will expand the focus and prominence of public spaces.

Objective 1.3: Maintain or increase the level of public access, both physical and visual, to the Intracoastal Waterway, the Cape Fear and Northeast Cape Fear Rivers, and the area creeks.^{xlv}

Wilmington-New Hanover County CAMA Plan

Wilmington City Council and other approving bodies must consider the recommendations of the CAMA Plan when evaluating the appropriateness of new development and/or redevelopment projects. The CAMA Plan classifies areas of New Hanover County into certain categories to provide guidance to local governments on how land uses should be managed in each particular location. The plan also identifies “Issues”, which represent specific conditions in need of attention within the community as a whole. In response to the identified issues, the plan recommends “Policies” for addressing each issue. Below are a description of the land use classification and a sample of relevant issues and policies outlined by the CAMA Plan that directly impact the Airlie Road corridor.

Land Use Classification - Resource Protection: The purpose of the Resource Protection classification is to provide for the preservation and protection of important natural, historical, scenic, wildlife and recreational resources. Parts of New Hanover County including Airlie Road contain areas of environmental or cultural sensitivity which merit protection from urban land uses. In summarizing the nature of the resource, the threat to the resource, and the focus of protection strategies, Airlie Road encompasses these strategies.

Subclass - Wetland Resource Protection: The protection needed is the loss of wetland areas to development. The primary resource protection strategy focuses on encouraging preservation of wetlands and wetland functions.^{xlvi}

Subclass – Natural Heritage Resource Protection: These areas are identified by the NC DENR Natural Heritage Program habitats that are unique and deserve attention and special protection. The main strategy is to identify areas and develop specific protection strategies.^{xlvii}

Subclass - Watershed Resource Protection: This subclass occurs along tidal creeks and is the area within ½ mile of the 100-year flood plain for the creeks. The resources are being protected from pollutant storm water runoff from impervious surfaces within the watershed. The best strategy is to minimize new impervious surfaces, retrofitting protection measures to improve water quality and to promote low impact best management practices for development.^{xlviii}

Issue 1, Water Quality: Degraded water quality has led to a strong community desire for greater protection and enhancement of surface and ground water resources and to bring all coastal water up to the highest quality possible.

The fact that much of the land of New Hanover County is already built upon – especially within the City limits – means improving water quality will require a focused effort on reducing pollutants from existing developments.

Policy 1.1: Make every effort to prevent further deterioration of estuarine water quality and loss of public trust uses in the creeks and sounds and improve water quality in all surface water bodies so that each water body meets its use designation as determined by the Divisions of Water Quality, Marine Fisheries, Health and E.P.A.^{xlix}

Policy 1.7: Continue and expand programs to reduce the effects of existing development on water quality.

Policy 1.8: Continue and expand programs for stream, buffer, wetland and vegetation restoration in and adjacent to areas that have already been developed.^l

Issue 2, Open Space: There is strong community desire to preserve remaining natural areas and to provide for the creation of additional public use areas, natural open space, greenways, bike paths, hiking trails, conservation areas, and access to our waterways.

Policy 2.1: Ensure the provision and preservation of adequate open space for the continuing enjoyment of residents, for its contribution to the community today and for generations to come, to protect our natural environment and wildlife habitats, and to provide educational and recreational opportunities.

Policy 2.4: Identify mechanisms to preserve high quality farmlands and woodlands.

Policy 2.5: Develop a greenway master plan that integrates Airlie Gardens with other parks, open space, and natural areas targeted in a natural areas preservation plan to achieve the following goals: provide public open space; protect water quality, the natural environment, and the coastal landscape; provide educational opportunities; and assure perpetual accessibility for the community.^{li}

Policy 2.8: Provide for the protection and development of public shorefront and boat access areas.

Issue 3, Environmental Protection / Quality of Life: Preserving and enhancing the special qualities of our coastal environment and its natural resources is an important component of our overall quality of life, and generates sustainable economic growth.

Policy 3.7: Ensure the protection of coastal and federally regulated wetlands and exceptional and substantial non-coastal wetlands that have important functional

significance through early identification in the development process. Review of development proposals should seek to achieve the hierarchical goals of impact avoidance, minimization, and/or mitigation.

Policy 3.12: Carefully control development and redevelopment activities within the Watershed Resource Protection and Conservation areas identified on the Land Classification Map to prevent the degradation of water quality in the creeks and sounds, to protect the public health, and to ensure the protection of these vital natural resources by reducing nutrient, pesticide, sediment, and other pollutants.^{lii}

Policy 3.15: Prohibit the use of estuarine waters, estuarine shorelines and public trust areas for development activity which would result in significant adverse impact to the natural function of these areas.

Wilmington Land Development Code

The City of Wilmington currently enforces a number of land use regulations that are intended to protect many of the intrinsic qualities identified within the Airlie Road corridor – particularly with regards to natural resources. The purpose statements for each respective article of the code pertaining to conservation resources, buffering and exceptional design are included to illustrate how each provision would impact a new development/redevelopment project within the Airlie Road corridor. Please note that Article 10 makes reference to the land use classifications identified for the Airlie Road corridor by the CAMA Plan.

Conservation Resources - Article 6: The purpose of the Conservation Resource regulations is to protect important environmental resources within the city. It is necessary to maintain the ecological important natural systems, preserve estuarine systems, shell fishing, preserve open space and protect resources that affect the city's economic development and tourism industry. Vegetation buffers are also used to promote high water quality in the creeks and sounds to protect the public and ensure protection of natural resources.^{liii}

Buffering - Article 8: This section identifies the importance of landscaping and buffering standards in the area.

1. Maintain visual character of the community
2. Screen objectionable views within and between uses
3. Define function exterior spaces
4. Reduce glare into and from the site
5. Reduce dust and other pollutants suspended in the air
6. Control noise and provide acoustical modification into and from the site
7. Influence wind patterns and their effects upon proposed uses
8. Contains odors and minimize their passage into and from the site
9. Control the direction and velocity of surface water runoff
10. Maintain the integrity of the natural heritage and provide wildlife habitat
11. Maintain indigenous species and species diversity
12. Minimize soil erosions

13. Moderate interior and exterior temperatures by controlling solar radiation, shading buildings and paved surfaces
14. Maintain the aesthetic quality of property that enhances its value
15. Transpire water
16. Reduce hazards and minimize liability
17. Encourage appropriate and professional arboricultural and landscaping practices^{liv}

Exceptional Design - Article 10: This article is specifically designated to areas that are classified as Watershed Resource Protection or Conservation Areas in the Coastal Area Management Act Land Classification Map. Under this section impervious surface area for any residential development is limited to twenty-five percent of the total buildable area with allowable increases subject to conditions in this article.^{lv}

F) Is there a continuous theme, story, underlying experience or message associated with this route? Yes No

If yes, describe in a single sentence.

With its enchanting low country vistas, rich history, diverse wildlife and ecological significance, Airlie Road could be regarded as the crown jewel of Wilmington and is certainly worthy of scenic byway designation.

ⁱ <http://www.airliegarden.org/>

ⁱⁱ www.wmpo.org

ⁱⁱⁱ <http://www.capefearcyclists.org/>

^{iv} <http://www.wwaytv3.com/sports/headlines?page=10>

^v <http://www.airliegarden.org/events.asp>

^{vi} <http://www.wilmingtontoday.com/arts-affordable-concerts/>

^{vii} <http://www.nhcgov.com/PressReleases/Documents/Enchanted%20Airlie.pdf>

^{viii} <http://www.airliegarden.org/docs/SummerProof.pdf>

^{ix} Ibid.

^x Ibid.

^{xi} <http://www.nationalregisterofhistoricplaces.com/nc/New+Hanover/state.html>

^{xii} <http://www.stjamesp.org/refresh/templates/about.php?id=8>

^{xiii} <http://www.stjamesp.org/refresh/templates/about.php?id=8>

^{xiv} Wingate, Claude. "Our Little Church," Bradley Family documents, May 1997.

^{xv} Ibid.

^{xvi} <http://www.hpo.ncdcr.gov/nr/NH2345.pdf>

^{xvii} www.wilmingtonnc.gov/quick_links/e-gov/document_library.aspx

^{xviii} <http://standrewsonthesound.org/about/history/>

^{xix} *The Wilmington Morning Star*. The Sound Road Again. March 24 1874.

^{xx} *The Wilmington Morning Star*. The Sound Road. September 3 1904.

^{xxi} Fales, Robert M. M.D. *Wilmington Yesteryear*. 1984, p.84.

^{xxii} <http://www.airliegarden.org/index.asp>

^{xxiii} <http://www.imdb.com/video/web/vi426508313/>

^{xxiv}

<http://news.google.com/newspapers?nid=1454&dat=20070820&id=OqclAAAAIIBAJ&sjid=ACAEAAAIAIBAJ&pg=2594,1984411>

^{xxv}

<http://news.google.com/newspapers?id=19kyAAAAIIBAJ&sjid=cRQEAAAIAIBAJ&pg=6134,4013971&dq=minnie+evans&hl=en>

^{xxvi} Ibid.

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- xxvii Wilson, Mary M., "Footprints on our Sand," United Wrightsville Sound Reunion. July 5 1997.
- xxviii <http://www.airliegarden.org/education.asp>
- xxix http://www.airliegarden.org/garden_tour.asp
- xxx <http://www.airliegarden.org/links.asp>
- xxxi <http://www.nhcgov.com/PressReleases/Documents/Airlie%20National%20Wildlife%20Federation.pdf>
- xxxii New Hanover County Planning Board. *Airlie Road...A Sense of Place*. Wilmington, NC New Hanover County Planning Board, 1983.
- xxxiii <http://web.eenorthcarolina.org/net/org/info.aspx?s=44039.0.0.37430>
- xxxiv New Hanover County Planning Board. *Airlie Road...A Sense of Place*. Wilmington, NC New Hanover County Planning Board, 1983.
- xxxv <http://www.hpo.ncdcr.gov/nr/NH2345.pdf>
- xxxvi <http://www.airliegarden.org/history.asp>
- xxxvii <http://ucmedia.berkeley.edu/brochures/brochuregif/art02-03.pdf>
- xxxviii <http://abclocal.go.com/wtvd/story?section=news/local&id=5918061>
- xxxix <http://news.google.com/newspapers?nid=1454&dat=19811112&id=ercsAAAAIBAJ&sjid=HhQEAAAAIBAJ&pg=2034,2353354>
- xl Ibid.
- xli R:/LongRangePlans/PriorityRedevelopmentAreas/PriorityRedevelopmentAreasReport05.01.08pdf
- xlii <http://www.hpo.ncdcr.gov/nr/NH2345.pdf>
- xliii R:/LongRangePlans/PriorityRedevelopmentAreas/PriorityRedevelopmentAreasReport05.01.08pdf
- xliv Ibid.
- xlvi Ibid.
- xlvi http://dcm2.enr.state.nc.us/Planning/Wilmington_NH/CAMA%202006%20final%20state%20cert%20draft%2005-08-06.pdf
- xlvii Ibid.
- xlviii Ibid.
- xlix Ibid.
- l Ibid.
- li Ibid.
- lii Ibid.
- liii http://www.wilmingtonnc.gov/development_services/plans_documents/land_development_code.aspx
- liv Ibid.
- lv Ibid.

**WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION ADVISORY COMMITTEE**

**RESOLUTION SUPPORTING AIRLIE ROAD TO BE CONSIDERED FOR THE NORTH
CAROLINA SCENIC BYWAY DESIGNATION**

WHEREAS, the Wilmington Urban Area Metropolitan Planning Organization provides transportation planning services for the City of Wilmington, Town of Carolina Beach, Town of Kure Beach, Town of Wrightsville Beach, Town of Belville, Town of Leland, Town of Navassa, New Hanover County, Brunswick County, Pender County, Cape Fear Public Transportation Authority and the N.C. Board of Transportation; and

WHEREAS, the scenic byway designation recognizes roadways for their archeological, cultural, historic, natural, recreational and/or scenic qualities; and

WHEREAS, Airlie Road exhibits several of these intrinsic qualities; and

WHEREAS, Airlie Road is a picturesque route from beginning to end nestled between Bradley Creek and the Atlantic Intracoastal Waterway in Wilmington, North Carolina; and

WHEREAS, Airlie Road's scenic qualities are embodied in the natural surroundings and diverse architectural character; and

WHEREAS, the Wilmington Metropolitan Planning Organization is interested in designating Airlie Road in the City of Wilmington and New Hanover County as a scenic byway; and

NOW THEREFORE, be it resolved that the Wilmington Urban Area Metropolitan Planning Organization's Transportation Advisory Committee supports the consideration of Airlie Road in Wilmington, New Hanover County for the North Carolina Scenic Byway designation.

ADOPTED at a regular meeting of the Wilmington Urban Area MPO Transportation Advisory Committee on October 27, 2010.

Jonathan Barfield Jr., Chair
Transportation Advisory Committee

Mike Kozlosky, Secretary

Mike Kozlosky

From: Bell, II, A Fleming <bell@sog.unc.edu>
Sent: Thursday, September 30, 2010 11:58 PM
To: Mike Kozlosky
Cc: jbarfield@nhcgov.com; Bell, II, A Fleming; Youens, Eileen R
Subject: RE: Wilmington MPO Conflict of Interest Policy

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Kozlosky,

Thank you for the opportunity to review your draft ethics policy. I have also taken the liberty of sharing it with my colleague Eileen Youens, who also works in the fields of ethics and conflicts of interest.

However, I'm afraid that we have some bad news. To the extent that the policy involves local elected officials and purports to prohibit those officials from taking actions that are not prohibited under the North Carolina General Statutes, we think that it is unenforceable under North Carolina law, and is therefore probably not worth adopting in its current form.

The only remedies available to a board of local elected officials (e.g., a board of county commissioners or a city council) if it thinks that one of its members has behaved unethically is adoption of a non-binding resolution of censure. Boards that are composed of elected officials from various jurisdictions who are appointed by their individual boards are, if anything, even less subject to regulation.

There are three criminal statutes that involve board action and conflicts of interest: G.S. 14-234, G.S. 14-234.1, and G.S. 133-32. You can find the text of these statutes here: <http://www.sog.unc.edu/programs/purchase/statutes.html> (scroll down to "Conflicts of Interest"). Violation of any of these statutes constitutes a Class 1 misdemeanor. However, the reporting of potential violations of criminal law to the district attorney is not something that a board can be forced to do. Similarly, a district attorney cannot be required to investigate any such allegations. But it may be useful to reference these statutes in your policy to clarify what behavior is prohibited under North Carolina law.

If you have not already done so, you may wish to take a look at [A Model Code of Ethics for Local Elected Officials, with Guidelines and Appendixes](#), available from the

School of Government's publications office and library, for guidance on what is and is not permissible with respect to local elected boards.

Thanks again for the opportunity to comment. Please let Eileen or me know if you have any questions.

Best regards,

Fleming Bell

From: Mike Kozlosky [mailto:Mike.Kozlosky@wilmingtonnc.gov]
Sent: Friday, September 24, 2010 2:23 PM
To: Bell, II, A Fleming
Cc: jbarfield@nhcgov.com
Subject: Wilmington MPO Conflict of Interest Policy

Mr. Bell,

I would like to thank you in advance for agreeing to review the "draft" ethics policy for the Wilmington MPO. I have attached this "draft" policy that includes the standards of conduct, conflict of interest, notification of violation and enforcement and distribution of the policy and affidavit.

I have thought about, but have not included language that would "allow the Board to vote on if the Board believes the action is considered a violation and the next steps of action if the Board felt there was a violation." I would be interested in your opinion of this language.

Thanks again for agreeing to review this language. If you have any questions, please contact me at (910) 342-2781.

Mike Kozlosky
Executive Director
Wilmington MPO
(910) 342-2781

NORTH CAROLINA'S MOBILITY FUND

Preliminary Report

October 1, 2010

EXECUTIVE SUMMARY

In 2010 the North Carolina General Assembly (Assembly) created the North Carolina Mobility Fund (Mobility Fund) to help relieve congestion and enhance mobility across the State. Specifically, the North Carolina 2009/2010 Appropriations Act was approved to fund transportation projects, selected by the North Carolina Department of Transportation (the Department), of statewide and regional significance that relieve congestion and enhance mobility across all modes of transportation.

As part of the legislation, the Assembly directed the Department to establish a selection process and project selection criteria for the Mobility Fund by involving the public and key stakeholders. Stakeholders include, but are not limited to, the North Carolina Association of Municipal Planning Organizations, the North Carolina Association of Rural Planning Organizations, the North Carolina League of Municipalities, the North Carolina Association of County Commissioners, the North Carolina Metropolitan Mayors Coalition, and the North Carolina Council of Regional Governments.

The Assembly identified the I-85 Corridor Improvement Project's Phase II as the first project to be funded by the Mobility Fund. Subsequent Mobility Fund projects are to be advanced using the project criteria and selection process developed by the Department, in accordance with the Act. The legislation also requires preferential consideration be given to projects that meet the eligibility of the Congestion Relief and Intermodal Fund.

The legislation calls for a preliminary report to be provided to the Joint Legislative Oversight Transportation Committee (JLTOC) on October 1, 2010 and a final report on December 15, 2010. This preliminary report fulfills the first part of that requirement and provides a summary of progress to date on developing the project criteria and selection process.

The Department is conducting an extensive outreach effort to meet the ambitious December 15 reporting date. More than 70 citizens, organizations, and/or planning partners submitted comments through the initial public comment period (August 9-September 9). In addition, a formal Workgroup with members representing the organizations listed above along with Department staff has met twice to review the public comments and share their views on project criteria and a selection process. The Workgroup's discussions have been wide-ranging and substantive, and its feedback has significantly shaped the selection/criteria options that are presented in this preliminary report.

Based on these collaborative efforts, the Department proposes a set of minimum requirements for each candidate project and two potential scoring options, as described

below. These minimum requirements must be met before a project is eligible to be scored.

Minimum Project Requirements (these apply to both proposed options below):

- Projects should be associated with Statewide or Regional Tier facilities (highways, ferries, airports, railroads, busses, etc.).
- The Mobility Fund should be used for capital costs, not for maintenance or operations.
- Projects should be consistent with MPO/RPO transportation planning efforts and coordinated with local land-use plans where available.
- Projects should be able to be delivered in a relatively short amount of time.
- Proposed projects (in non-attainment areas) should have positive or neutral air quality effects and ensure transportation conformity with federal regulations.

Scoring Option One – Needs-Based Approach

Candidate projects are scored on levels of congestion, safety, condition of the infrastructure, economic impact, number of people per vehicle, ability to leverage non-DOT dollars and whether the project meets the criteria of the [Congestion and Intermodal Fund](#):

Projects are scored on a 0-to-100 scale for each weighted factor below.

Criterion	Weight
Congestion – measured by volume to capacity, which helps recognize how much demand the transportation infrastructure was designed to handle versus how much demand the transportation infrastructure has today	30%
Safety – measured by crash rates (for rail project this could be highway/rail crossings, for transit this could be collisions with other vehicles)	5%
Infrastructure Health – measured by condition of the service (or useful) life of pavement or vehicle fleet	5%
Economic Vitality / Attractiveness – measured by economic impact. The specific measure for this criterion has not been selected yet.	15%
Multi-modal – measured by the number of people per vehicle, reduction in Vehicle Miles Traveled or improvement to more than one mode of transportation	10%
Funding leverage – measured by percent of non-DOT dollars used.	25%
Congestion and Intermodal Fund – measured by whether the project meets the requirements of that fund	10%

Scoring Option Two – Benefit-Cost Approach

Candidate projects are scored on travel-time savings, economic benefit and the cost of the project, whether the project is on the Statewide Tier/Strategic Highway Corridor (SHC) and whether the project meets the criteria of the Congestion and Intermodal Fund. Projects are scored on a 0-to-100 scale for each weighted factor below.

Criterion	Weight
<p>Benefit-Cost Analysis</p> <ul style="list-style-type: none"> • Congestion relief benefits weighted 80% within this criterion – measured by travel-time savings and the number of users of the transportation infrastructure over a 30 year time period • Economic vitality weighted 20% within this criterion – measured by economic impact (specific approach to be determined) • The benefits listed above are added together and then divided by the total project cost minus non-DOT dollars 	80%
<p>Statewide Tier Facility/Strategic Highway Corridor – measured by whether the project has been identified as a Statewide Tier facility or Strategic Highway Corridor</p>	10%
<p>Congestion and Intermodal Fund – measured by whether the project meets the requirements of that fund</p>	10%

A selection process would consist of a period of time for candidate projects to be submitted sometime in the Spring of 2011. Department staff would evaluate and rank the candidate projects according to the final project criteria and share the results with the Workgroup. The Workgroup would provide their recommendations to the Department on which projects should be funded.

These minimum requirements and options are the subject of a second public comment period from October 1-29. An analysis of the public comments on these options, plus input from the Workgroup will help shape the final project criteria and selection process that will be recommended to the Board of Transportation for approval on December 2. The final report will then be presented to the JLTOC on December 15.

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INTRODUCTION

The North Carolina Assembly approved the 2009/2010 Appropriations Act to create a new fund referred to as the North Carolina Mobility Fund. The Mobility Fund provides an opportunity to address a growing list of congestion relief and mobility needs. The Mobility Fund is not subject to the equity formula.

According to § 136-188 of the Appropriations Act:

(a) The Department of Transportation shall use the Mobility Fund to fund transportation projects, selected by the Department, of statewide and regional significance that relieve congestion and enhance mobility across all modes of transportation. The Department of Transportation shall establish project selection criteria based on the provisions of this Article.

When developing the project criteria and selection process, the Department shall involve the public and other stakeholders, including, but not limited to, the North Carolina Association of Municipal Planning Organizations, the North Carolina Association of Rural Planning Organizations, the North Carolina League of Municipalities, the North Carolina Association of County Commissioners, the North Carolina Metropolitan Mayors Coalition, and the North Carolina Council of Regional Governments.

When developing the project criteria and selection process, the Department shall give preferential consideration to projects qualified to receive State grants from the Congestion Relief and Intermodal Transportation 21st Century Fund under Article 19 of Chapter 136 of the General Statutes.

The first project to be funded is I-85 Corridor Improvement Project's Phase II. Subsequent projects will be funded after project criteria and a selection process are established in accordance with the above provisions.

A preliminary report on the project selection criteria is due to the JLTOC by October 1, 2010. A final report is due to the JLTOC by December 15, 2010. This is the preliminary report.

Timeline

- August 9 – September 9: Initial round of public input
- September 13 – September 30: Preliminary report is prepared.
- October 1 – October 29: Preliminary report is released. Second round of public input
- November 1 – November 30: Final report is prepared.
- December 2: Final report presented to Board of Transportation (BOT).
- December 15: Final report presented to JLTOC

COLLABORATIVE EFFORTS UNDERWAY TO DEVELOP THE PROJECT CRITERIA AND SELECTION PROCESS

The Department has initiated a two-prong process to develop project criteria and a selection process in accordance with the provisions of the Act. First, the Department is working closely with a group of stakeholders listed in the Act to develop the selection process and criteria. This work will be amplified in the next two months by conducting additional outreach efforts with the broader membership of those stakeholder groups. The Department is also actively reaching out to the public and soliciting their thoughts on the project criteria and selection process. This extensive coordination and involvement, along with a summary of the input received, is provided on the following pages.

Workgroup Involvement and Feedback

In August, the Department organized a 24-member Workgroup of stakeholders to assist in developing project criteria and a selection process. The Workgroup consists of representatives of the following organizations:

- The North Carolina Metropolitan Planning Organization
- The North Carolina Rural Planning Organization
- The North Carolina League of Municipalities
- The North Carolina Association of County Commissioners
- The North Carolina Metropolitan Mayors Coalition
- The North Carolina Council of Regional Governments

In addition, Internal Department staff includes:

- Division Engineers
- Strategic Planning Office
- Transportation Planning Branch
- Program Development Unit
- Rail Division
- Public Transportation Division
- Aviation Division
- Ferry Division
- Bicycle and Pedestrian Division
- Information Technology Unit
- Federal Highway Administration (Advisory)

See Appendix D for a list of Workgroup members.

Workgroup Meeting # 1 Summary

The Workgroup held an “organizational meeting” on August 24 and agreed to meet monthly. In this first meeting, the Workgroup identified and discussed several major

topics and issues that should be considered as the project criteria and selection process develop. Those topics and issues included:

- Leveraging other funds - should leveraging of other funds towards Mobility Funds be a consideration? What else could a region free up to deliver key Mobility Fund projects? (i.e., Are regions willing to leverage funds from other projects?)
- Rural and urban issues - the process should avoid pitting “rural” and “urban” regions against each other.
- All modes are important – the process should not be biased towards highway-only projects.
- Adhere to the statute and solve other problems like the I-85 Corridor Bridge issue. Each Division probably has a few high profile, expensive but necessary projects.
- Mobility Fund projects should be delivered sooner rather than later – it is important that projects be “ready to go,” so that the public can see projects being built sooner rather than later.
- Develop support for Mobility Projects – This process should focus on broad parameters and criteria, and require/reward local support for the project. Also, while resolutions should be used to support a project, the process should ensure this does not become “I’ll support your project if you will support mine.”
- The process needs to consider whether Mobility Fund projects fix an “old problem” or should it be used to tackle something “new.”
- No one-size-fits-all project – the Workgroup indicated that both major projects, as well as smaller, less expensive but still high-benefit projects, should be considered. For example, there may be some small cost but high benefit projects like the “Pembroke Turn,” which is a rail project key to more efficient freight logistics.
- Interstate Maintenance needs – Recognizing the Mobility Fund does not provide funding for interstate maintenance, the Workgroup requested the final report highlight other needs of the North Carolina transportation system.
- Use Mobility Fund as a funding source - It was suggested that the Mobility Fund could be used as a funding source with certain criteria, similar to Congestion Mitigation and Air Quality (CMAQ) funding.

Workgroup Meeting # 2 Summary

On September 21st, the Workgroup met a second time to review the public comments and discuss the Department's proposed options for the project criteria and selection process. The facilitated meeting resulted in a productive discussion regarding the type of criteria and process that should be proposed for further public comment. A brief summary of these discussions/issues is provided in the following paragraphs.

Minimum Requirements for Mobility Fund projects

Workgroup members were highly engaged in the discussion about what the minimum requirements should be for Mobility Fund projects, as well as about the approach and criteria for selection. That discussion was wide-ranging, and many different points of view and perspectives were shared. Through the course of the day-long meeting, several themes began to emerge as important to the group, and the points listed below reflect general agreement of the workgroup.

Recognizing that the purpose of the Mobility Fund is to *relieve congestion and enhance mobility across all modes of transportation* and that those projects which meet the Congestion and Intermodal Fund requirements are to receive preferential consideration, the workgroup generally agreed on the following minimum requirements:

- It is important for projects to be associated with Statewide or Regional Tier facilities. It is also important for other modal projects, beyond highways, to have the opportunity to compete for funds.
- The Mobility Fund should be used for capital costs, not for maintenance or operations.
- It is important for Mobility Fund projects to be consistent with Metropolitan Planning Organization (MPO) / Rural Planning Organization (RPO) transportation planning efforts and coordinated with local land-use plans where available. (It should be noted that members expressed interest in using this process as an opportunity to encourage regional planning and make strategic transportation investments).
- It is important that Mobility Fund projects can be delivered in a relatively short amount of time. As one member put it, "*We should think of this as a delivery fund, not a fund for more planning.*" Therefore, a substantial amount of work should be completed for the proposed projects (such as the completion of environmental documents or feasibility studies).
- Proposed projects (in non-attainment areas) should have positive or neutral air quality effects and ensure transportation conformity with federal regulations.

- There was significant discussion around whether a candidate Mobility Fund project should or should not already be listed in the Department's new 10-year Work Program. However, through the course of discussion, the group agreed that it is important for other emerging projects to have an opportunity to compete for funding. In other words, they shouldn't be excluded from applying.
- There was also significant discussion about whether a minimum project cost should be identified. Through the discussion, members indicated that it is important for both large, high-cost congestion projects, as well as smaller, quick-hit mobility projects to have an opportunity for funding, and thus, no minimum project cost was identified.

The minimum requirements described above provide the first level of screening for projects proposed to receive Mobility Funds. Specific selection approaches and criteria are outlined in the section entitled Preliminary Proposals for Project Selection. That section also provides additional detail on the Workgroup discussion during the second meeting.

Public Involvement Process

In August and September, the Department initiated an extensive effort to gather public input regarding the project criteria and selection process. The Department provided the following questions, which were intended to stimulate comments and discussion. **It was made clear these questions do not reflect the Department's policy or goals for the selection process or the Mobility Fund. They were presented for discussion purposes only.**

- What should the selection criteria consist of? For example, should it consider travel time savings; current and future volume-to-capacity ratios; economic development; economically distressed counties; connections to intermodal terminals (airports, seaports, etc.), military bases, major hospitals and universities/community colleges; major employment centers; current and future freight volumes; ability to leverage other funds (bonds, tolls, etc.); safety needs.
- How should projects that qualify to receive state grants from the Congestion Relief and Intermodal Transportation 21st Century Fund receive "preferential consideration" as stated in the legislation?
- Should a benefit-cost methodology or some other methodology be used to rank candidate projects? What would be factored into such a methodology?

A number of avenues were used to reach out to the public and stakeholder groups, including press releases, a new social media site (Citizens Connect), a promotional video, and solicitation of input via Workgroup member distribution lists. Several media outlets also ran stories encouraging the public to provide comments to the Department.

After the initial comment period ended, Department staff reviewed, analyzed and shared the comments with the Workgroup. More than 70 citizens, organizations, and/or planning partners submitted comments. While the majority of comments were related to project criteria and selection process, several comments were related to specific projects or were not related to the Mobility Fund. A detailed list of those comments and Department responses are attached as Appendix A.

Summary of Comments

The comments are grouped by topic and then by frequency using a 1-4 star scale.

★ = 1-4 comments

★ ★ = 5-8 comments

★ ★ ★ = 9-12 comments

★ ★ ★ ★ = 13-16 comments

Types of Projects

The Department received numerous comments about the kinds of projects that should be funded through the Mobility Fund. Not unexpectedly, the public indicated support for modal projects like transit and for highway projects such as urban loops and new interstates. Interestingly, the public also indicated that they would like to see projects such as signal improvements, ramp metering and improved message signs, which allow traffic to flow more smoothly without having to build new lanes. The numbers of comments associated with the specific kind of project the public would like to be funded are provided below:

- Transit ★ ★ ★ ★
- Urban loops/new interstates ★ ★ ★
- Technology and improved traffic signal coordination ★ ★ ★
- Passenger rail ★ ★
- Safety ★
- Maintaining current infrastructure ★
- Interstate widening ★
- Access management ★

Scoring Related

The public also provided a number of comments on the scoring factors that ought to be considered in the Mobility Fund selection process. The most frequently cited criteria included benefit-cost analysis, a measure of economic vitality and congestion measures. However, not all comments supported the idea that cost of a project should be considered. Below is a tally of the numbers of comments provided about each potential criterion.

- Benefit-cost analysis ★ ★ ★
- Economic vitality ★ ★ ★
- Congestion (based on travel time & volume/capacity ratio) ★ ★ ★
- Statewide Tier preference ★ ★
- Leverage other funds (public or private) ★ ★
- Consistency with land use ★ ★
- Preference given to projects that meet Intermodal Fund criteria ★ ★
- Enhance connection to other modes (multimodal) ★ ★
- Environmental and social effects ★ ★
- Intermodal terminals ★
- Crash rates ★
- Don't use cost ★
- Hurricane evacuation ★

Other Considerations

Public comments were also received on a number of other issues, as outlined below:

- Focus on expensive projects ★ ★
- Focus on moderately scaled regional projects ★
- Conscious of geographic funding distribution ★
- Local coordination of data and process ★
- Establish a selection committee ★
- Model criteria after TIGER II selection process ★
- Use Mobility Fund as a funding source ★
- Set aside modal allocation ★

PRELIMINARY PROPOSALS FOR PROJECT SELECTION

The Department has prepared two preliminary scoring options based on public comment and Workgroup input. These two options, along with a summary of the Workgroup’s discussion, are presented below.

Scoring Option One – Needs-Based Approach

Criterion	Weight	Group discussion
Congestion – measured by volume to capacity, which helps recognize how much demand the transportation infrastructure was designed to handle versus how much demand the transportation infrastructure has today	30%	The original Department proposal suggested weighting this factor at 20%; however, the Workgroup recommended increasing the weight to better address congestion –so this fund will better solve the problem it was intended to fix.
Safety – measured by crash rates (for rail project this could be highway/rail crossings, for transit this could be collisions with other vehicles)	5%	Though there was some discussion about other funds that are available to address safety concerns, the Workgroup indicated that safety ought to be considered.
Infrastructure Health – measured by condition of the infrastructure (such as pavement condition, service life of transit or rail vehicle).	5%	Although the Workgroup acknowledged that there are other funds to address infrastructure health needs, they wanted this criterion added, so that if all things for a project were equal, the one with a worse condition would rank higher.
Economic Vitality / Attractiveness – measured by economic impact. The specific measurement approach for this criterion has not been selected yet. The Department will provide	15%	There was good discussion around this criterion, and it was revised from the Department’s original suggestion of 30% weight on economic development (15% for job creation and 15% for economic vitality/attractiveness) to 15% for economic vitality alone. The Workgroup is interested in learning more about economic impacts, though some members

<p>additional information to the Workgroup in its next meeting to further explore how to measure economic vitality.</p>		<p>expressed confusion about why economic impact should be included as a Mobility Fund criterion.</p>
<p>Multi-modal – measured by number of people per vehicle, reduction in Vehicle Miles Traveled or improvement to more than one mode of transportation</p>	<p>10%</p>	<p>The Workgroup agreed with the Department’s suggestion on weight and modified the criterion from either a yes/no approach (where full points would either be awarded for a project that provides multi-modal benefits or no points would be awarded at all) to a graduated approach where points would be awarded based on a scale tied to the amount of improvement.</p>
<p>Funding leverage – measured by percent of non-DOT dollars used</p>	<p>25%</p>	<p>There was significant discussion within the Workgroup related to this criterion. The group agreed and supports the Department’s position that federal earmark funds should not be counted as leveraged funds (though some acknowledged it would be tempting to do so). The Workgroup also agreed that toll funds could be used to leverage Mobility Funds.</p>
<p>Congestion and Intermodal Fund – measured by whether the project meets the requirements of that fund</p>	<p>10%</p>	<p>The Workgroup acknowledged the Assembly’s intent that certain projects which meet the Fund’s criteria should receive preferential treatment. Workgroup agreed with Department’s suggested 10% weight.</p>

Scoring Option Two – Benefit-Cost Approach

While this approach is similar to the needs-based approach described on the previous pages, the most important distinction is that the cost of a project is considered in this approach. Some Workgroup members indicated a strong interest in this approach “so that we can tell which projects give us the biggest bang for our buck.” Other members expressed concern that good rural candidate projects would not compete well due to high construction costs (such as projects in the mountains).

Criterion	Weight	Group discussion
<p>Benefit-Cost Analysis</p> <ul style="list-style-type: none"> • Congestion relief benefits weighted 80% within this criterion – measured by travel-time savings and the number of users of the transportation infrastructure over a 30-year period • Economic vitality weighted 20% within this criterion – measured by economic impact (specific approach to be determined) • The benefits listed above are added together and then divided by the total project cost minus non-DOT dollars 	80%	<p>The original Department proposal suggested weighting transportation benefits at 70%; however, the workgroup recommended increasing the weight to 80% to better address congestion.</p> <p>Much like the earlier discussion, the workgroup recognized the importance of leveraging other funds and so agreed with the Department’s suggestion of subtracting the amount of non-DOT funds provided from sources other than the Department from the project costs. By subtracting non-DOT Funds, the cost is decreased, and the overall benefit/cost score will be improved, resulting in a higher project ranking.</p> <p>Some members also requested future population growth be factored into this calculation.</p>
<p>Statewide Tier Facility/Strategic Highway Corridor – measured by whether the project has been identified as a Statewide Tier facility or Strategic Highway Corridor</p>	10%	<p>The workgroup discussed the importance of identifying projects to improve connectivity between major activity centers. They suggested adding this criterion in an effort to recognize those corridors that have already gone through a vetting process and have been identified as important to the state and/or region.</p>

Congestion and Intermodal Fund – measured by whether the project meets the requirements of that fund	10%	The Workgroup acknowledged the Assembly's intent that certain projects, which meet the Fund's criteria, should receive preferential treatment. Workgroup agreed with Department's suggested 10% weight.
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NEXT STEPS

The Department will continue to seek public comment, as well as stakeholder input, to refine the preliminary options through the month of October.

Looking ahead to November, the Department will continue to work in a collaborative way with the Workgroup by providing a summary of public comments and spending a significant amount of time during the November meeting to refine the project criteria and selection process for the Mobility Fund. Thereafter, a status update will be provided to the Board of Transportation.

After the Board of Transportation approves the project criteria and selection process, the Department will provide a final report to the JLTOC on December 15, 2010.

APPENDICES

A – Public Comments (in their entirety)

Mobility Fund Project Criteria and Selection Process - Comments from First Comment Period

Commenter	Comment	Response
Jim McBryde - Blythe Construction Co.	<p>Priorities should be roadways or structures which are unsafe</p> <p>Modifications to existing roads to eliminate hydroplaning and accommodate current traffic</p> <p>Complete partially complete Interstates and major roads</p> <p>Repairs to extend useful life</p> <p>Do not spend funds on new road or expansion to enhance private, commercial or industrial development</p>	<p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p>
Michele Smith - Mooresville	Consider road improvements in Mooresville Road area, i.e.. Perth Rd., Bluefield Rd., Cornelius Rd and 177 needs an interchange and Fern Hill Rod should be widened.	This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.
Kelly Sopp - Mooresville	Need timing for traffic lights in "historic area" and not for new development projects	This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.
Unknown - Contact Us website	Why do we need roads when cities have no land use regulation.	Comment will be considered in developing project criteria. The Department believes that land use and transportation planning need to be better coordinated and integrated.
Kathy Brown	This area needs reliable, efficient public transportation- a perimeter route between Raleigh, Durham and Chapel Hill	The criteria for projects of Statewide and Regional significance is yet to be determined. If public transportation between Raleigh, Durham and Chapel Hill meets the regional and statewide significance criteria, it will be evaluated as a candidate projects for the Mobility Fund.
Gary Whitaker Law	Winston-Salem needs a beltway and Mobility Fund should build the Eastern Beltway.	The criteria for projects of Statewide and Regional significance is yet to be determined. If the Winston-Salem beltway project meets the regional and statewide significance criteria, it will be evaluated as a candidate projects for the Mobility Fund.
Colas - Mooresville	Route 150 needs to be widened and traffic lights coordinated. Also, add a light rail line from Statesville to Charlotte.	This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.
Bill Barlow - NCDOT Public Transportation Division	Mass transit for the Triangle. Also, if Yadkin River Bridge is the poster child, then other projects should be large projects not funded by Strategic Prioritization	The criteria for projects of Statewide and Regional significance is yet to be determined. If mass transit for the Triangle meets the regional and statewide significance criteria, it will be evaluated as a candidate projects for the Mobility Fund. The comment about large projects will be considered in the development of project criteria and selection process.
Pat Simmons - NCDOT Rail Division	Criteria should include partners who are willing to invest or assure service outcomes that are beneficial. Have good experience with use of private dollars invested, financial need and policy	This comment will be considered in developing the project criteria and selection process.
Jennifer Link	<p>Davis Dr. – access to 540 wants access restored.</p> <p>Highway 54 widening- Is only two lanes between Lichtin Blvd and Maynard Rd. in Cary- needs to be 4-lanes.</p> <p>McKrimmon Parkway & Davis Dr. Intersection-need re-strip lanes so 2 are straight through whereas now only 1 is straight through. May need additional lanes.</p>	<p>This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.</p> <p>This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.</p> <p>This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.</p>
Leona Johnson - Oates Rd. in Mooresville	Wants left turn restored into Fat Boys Restaurant and shopping center near NC 150.	This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.
Rick Vivolo - Savannah Subdivision in Wake County	Widening of Morrisville-Carpenter Road between Davis Dr. and NC 54 needs to be a priority- sidewalks are not complete.	This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.
Andrew Koeppel - Wilmington	<p>Restore rail line between Castel Hayne and Wallace to help Wilmington Multi-Modal facility and benefit State Port as well as passenger service.</p> <p>Complete Interstate connection between Wilmington and Charlotte. Now that Union County by-pass is about to begin, need a date to construct R-4441 (by-pass in Anson County) to link to Rockingham- Hamlet bypass.</p>	<p>NCDOT and local officials are working together to make this happen. DOT has applied for federal rail funds to re-study this corridor since the study done several years ago is out of date. The criteria for projects of Statewide and Regional significance is yet to be determined. If this rail link meets the regional and statewide significance criteria, it will be evaluated as a candidate projects for the Mobility Fund.</p> <p>Progress on upgrading the highway from Wilmington to Charlotte is moving forward. New interchange construction in Bolton and Evergreen will start this Fall. An at-grade intersection at Chadbourne has been closed. This corridor protection is very high on the MPO prioritization list. The criteria for projects of Statewide and Regional significance is yet to be determined. If this Interstate connection meets the regional and statewide significance criteria, it will be evaluated as a candidate projects for the Mobility Fund.</p>

Mobility Fund Project Criteria and Selection Process - Comments from First Comment Period

Commenter	Comment	Response
	Shelby By-Pass will provide interstate connectivity between Charlotte and Asheville	This comment provides a candidate project. Project criteria and selection process are yet to be determined. If the project meets the criteria, it will be evaluated for the Mobility Fund
Linda Godbout - Terrel, NC	Project R-2307 (NC 27 in Lincolnton to I-77- widen to multi-lanes) Sections B and C should have priority over Section A there are numerous accidents and this is a major access corridor and evacuation route.	Section C is funded in 10-year Work Program. Sections A and B are not funded simply because sufficient funding is not available. Project criteria and selection process are yet to be determined. If the project meets the criteria, it will be evaluated for the Mobility Fund.
North Carolina Ports Authority	<p>Improve connectivity for freight</p> <p>Enhance/improve "last mile" connecting port facility to nearest Interstate/highway.</p> <p>Complete interstate grade highway access to/from key origin/destination markets within the State to ports (Wilmington to Charlotte; Morehead City to I-95)</p> <p>Initiation of intermodal service for containers on rail) and support CSX National Gateway project for access to markets.</p> <p>Capital funding for port improvements</p> <p>Unimpeded movement of goods from NC military installations through NC ports and airports via roads and rail</p>	<p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment provides a candidate project. Project criteria and selection process are yet to be determined. If the project meets the criteria, it will be evaluated for the Mobility Fund</p> <p>This comment provides a candidate project. Project criteria and selection process are yet to be determined. If the project meets the criteria, it will be evaluated for the Mobility Fund</p> <p>This comment provides some candidate projects. Project criteria and selection process are yet to be determined. If these projects meet the criteria, they will be evaluated for the Mobility Fund.</p> <p>This comment provides a candidate project. Project criteria and selection process are yet to be determined. If the project meets the criteria, it will be evaluated for the Mobility Fund</p> <p>This comment provides a candidate project. Project criteria and selection process are yet to be determined. If the project meet the criteria, it will be evaluated for the Mobility Fund</p>
Wendell Bailey - Bostic, NC	My idea for better traffic flow is better traffic lights at intersections.	This comment provides a candidate project. Project criteria and selection process are yet to be determined. If the project meets the criteria, it will be evaluated for the Mobility Fund
Steve Hall	Need four solid lanes from New Bern to Jacksonville, NC and the actual development of Interstate 70 from New Bern to Raleigh.	This comment provides some candidate projects. Project criteria and selection process are yet to be determined. If these projects meet the criteria, they will be evaluated for the Mobility Fund
Douglas Jackson - Raleigh	<p>Add exit ramps to Jones Franklin Road on I-440 East and on-ramp on I-440 West</p> <p>Reedy Creek Br. over I-40 needs repair and add single lane on/off ramps. Add parking area on north side of I-40.</p> <p>Fix congestion at Crossroads. No easy way to access key roads upon exiting.</p> <p>Install exterior escalators in downtown Raleigh, North Hills and Cary similar to what is in Las Vegas</p> <p>Need elevated shopping center (like North Hills) where Aviation Parkway, Chapel Hill Rd and railroad meet and put railroad into a tunnel.</p>	<p>This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.</p> <p>This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.</p> <p>This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.</p> <p>This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.</p> <p>This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.</p>
Drew Johnson - Barnhill Contracting	<p>Consider projects in urban areas. A few projects were pulled to concentrate on Charlotte issues.</p> <p>Consider Goldsboro Bypass; Fayetteville Outer Loop; Columbia 64 improvements; Greenville US 264 Outer Loop completion for Mobility Fund projects.</p>	<p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment provides some candidate projects. Project criteria and selection process are yet to be determined. If these projects meet the criteria, they will be evaluated for the Mobility Fund.</p>
Anne Hughes - Plymouth	Need to improve traffic signal at US 17 /NC 45 in Merry Hill	This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.
Daryl Vreeland - Greenville MPO	<p>Use benefit-cost methodology. More points for statewide impact, disaster evacuation routes, and hazardous material routes</p> <p>Something similar to Loop Process could be used. Other factors to consider:</p> <ul style="list-style-type: none"> travel time savings current and future volume-to-capacity ratios economic development economically distressed counties connections to intermodal terminals (airports, seaports, etc) military bases major hospitals universities/community colleges major employment centers current and future freight volumes ability to leverage other funds safety needs 	<p>This comment and suggested ranking criteria will be considered in developing project criteria and selection process.</p> <p>This comment and supporting factors will be considered in developing project criteria and selection process.</p>
	<p>Clear definition of eligibility which eliminates projects without statewide impacts</p> <p>Use a six criterion selection matrix to rank projects (matrix is attached separately)</p>	<p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p>

Mobility Fund Project Criteria and Selection Process - Comments from First Comment Period

Commenter	Comment	Response
High Point MPO	<p>Do NOT use cost as a ranking criterion but as a final selection filter.</p> <p>Projects must serve State or regional transportation (to/from regions, major activity centers, multi-modal hubs, passenger and freight hubs on principal arterials or higher, railway facilities, port facilities, fixed guide way facilities that offer an alternative to state or regional highway travel or pedestrian and bike facilities.</p> <p>Do not use "equity formula" to divide funds. Projects are likely to be in excess \$100 million, thus do not use cost as a ranking factor.</p> <p>Consider six criterion</p> <ol style="list-style-type: none"> 1. Economic Vitality- 20% - Economic effect measures include access to airports, intermodal hubs, major job centers, retail centers or tourist destinations 2. Safety- 25% - Projects should resolve safety problems 3. Freight Movement- 20% - Freight movement(logistics) should be separate consideration 4. Accessibility and Mobility- 20% - Reduced travel times, provide intermodal links, or eliminate bottlenecks. 5. Environmental and Social Factors- 10%- Projects should support environmental and economic sustainability 6. Eligibility for Congestion Relief and Intermodal Transportation 21st Century Fund- 5%- Legislated criterion-Projects not eligible receive no points. 	<p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>Mobility Funds are not subject to the Equity Formula. This comment will be considered in developing the project criteria and selection process.</p> <p>This comment and the supporting six criterion will be considered in developing project criteria and selection process.</p>
Elena Talanker - Transportation Planning Branch	<p>Consider use of GIS in the project selection process but it may not be ready until Prioritization 3.0</p> <p>Cited a CALTRANS report which believes transportation is California's largest source of greenhouse gas (GHG) emissions (38% of the state's total GHG emissions). Also, increased VMT will increase GHG emissions but there is no research on how to prioritize projects on basis of GHG emissions.</p> <p>Cited a Utah 2009 graduate thesis paper proposing a two tier system. Tier 1 – population and education, existing infrastructure, economic attractiveness, tourism. Tier2 – congestion, economics, environmental impacts, safety</p> <p>Research from "Smart Growth America" shows that fixing transportation infrastructure through the economic stimulus programs underway improves capacity of facilities, resets depreciation clock and is more productive economically than expanding the capital stock</p>	<p>Thank you for the comment.</p> <p>Upon further review of the report, it also stated there are other important factors that play a role in assessing projects, including cost, regional scale impacts, and co-pollutants and operational impacts such as reductions in delay. Also, Duke Nicholas Institute professors claim 35% of GHG emissions in NC are from transportation sector and 65% from other sources.</p> <p>This thesis provides some excellent information via a literature review outlining project selection criteria from Ohio and a proposed Utah system. To our knowledge, however, the two-tier system outlined in the thesis however, has not yet been adopted by Utah DOT.</p> <p>Thank you for the comment and it will be considered in the development of project criteria and selection process.</p>
Avant Coleman - Upper Coastal Plain COG	<p>Each region should receive funds not just large metro regions. Concern is a fair distribution of funds. I-95 upgrade is needed.</p>	<p>This comment will be considered in developing the project criteria and selection process. The comment about I-95 upgrade is needed indicates this should be considered a candidate project. The criteria for projects is yet to be determined. If this meets the final criteria, it will be evaluated as a candidate projects for the Mobility Fund</p>
French Broad River MPO	<p>Passenger rail should receive priority</p> <p>Use mobility funds to fund Complete Streets policy, i.e. regional transit facilities and modify streets/thoroughfares to accommodate non-motorized traffic and reduce long-term VMT. Multi-modalism will create greater efficiency.</p>	<p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p>
Northwest Piedmont COG	<p>Don't let it become a slush fund for the General Assembly.</p> <p>Use it for projects that are more than 50% of the Division's TIP allocation, (i.e. costly projects)</p> <p>Use if for Interstate maintenance and bridges</p> <p>Look at secondary report to get more info.</p> <p>A significant amount of funding has gone East. How much?</p> <p>Who decides where the money goes?</p> <p>End the funding source after Yadkin River project and put funds back into TIP formula and pull it out when another emergency hits- i.e. US 64 bridge between Outer Banks and mainland.</p> <p>Should Universities and hospital get funding but these are not transportation oriented and are not usually in rural areas.</p>	<p>Thank you for the comment but it appears to be beyond developing project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>The Department abides by the equity formula in developing the TIP. Urban Loop projects are now prioritized and programmed according to a prioritization process which has been open and transparent to the public.</p> <p>See above response. Transportation reform is about taking the politics out of transportation decision-making.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p>
Robert Webb - Asheville	<p>Fund the I-26 Connector in Asheville.</p>	<p>This comment provides a candidate project. Project criteria and selection process are yet to be determined. If the project meets the criteria, it will be evaluated for the Mobility Fund This comment will be considered in developing the project criteria and selection process.</p>

Mobility Fund Project Criteria and Selection Process - Comments from First Comment Period

Commenter	Comment	Response
Stuart Matthew - Onslow County Planning & Development Department	Projects should be of Statewide and Regional Significance, relieve congestion, enhance mobility across all modes of transportation, have economic benefits of the project to the area and please consider how long has the jurisdiction/area been waiting for the project to be funded. Measure significance to a region, i.e. universities, military, hospitals, airports, , etc.	This comment will be considered in developing the project criteria and selection process.
	Measure congestion (v/c or peak hour average travel speed)	This comment will be considered in developing the project criteria and selection process.
	Benefit Cost has strong merits, especially if benefits criteria were confined to reductions in traffic and cost was requested funding from Mobility Fund.	This comment will be considered in developing the project criteria and selection process.
	Give credit for increased access to one or more alternative modes of transportation.	This comment will be considered in developing the project criteria and selection process.
	Benefit Cost Considerations should include secondary benefits, calculate transportation efficiency benefits, standard planning horizon, discount rate, crash reduction benefits and service life of the project.	This comment will be considered in developing the project criteria and selection process.
Cabarrus-Rowan MPO	Emphasize projects of statewide significance.	This comment will be considered in developing the project criteria and selection process.
	Give preference to Mobility Projects on Statewide Tier from Prioritization 1.0.	This comment will be considered in developing the project criteria and selection process.
	Use traffic models to predict future volume/capacity ratios.	The Department does not have traffic models to predict v/c ratios across all modes statewide.
	Consider economic development as a variable but realize economic benefits are difficult to compare statewide.	This comment will be considered in developing the project criteria and selection process.
	Do not use Mobility Fund as matching funds for projects and use them only for projects that cannot advance otherwise.	This comment will be considered in developing the project criteria and selection process.
	Cost should not be a limiting factor as projects that will generate substantial benefit often have higher cost.	This comment will be considered in developing the project criteria and selection process.
	Seek concurrence from MPOs and RPOs to ensure consistency with local priorities and plans.	This comment will be considered in developing the project criteria and selection process.
Initiate a Mobility Fund Committee with substantial local representation to review project submittals and selection, similarly as is done with enhancement projects and planning grants.	This comment will be considered in developing the project criteria and selection process.	
Mecklenburg-Union MPO	Emphasize projects of statewide significance using projects from Prioritization 1.0 that ranked high on Mobility on Statewide tier.	This comment will be considered in developing the project criteria and selection process.
	Emphasize multi-modal, i.e. provides an alternative travel mode to relieve congestion or serves an alternative route to a major travel corridor or Interstate.	This comment will be considered in developing the project criteria and selection process.
	Preference for Innovative or sustainable long-term value) projects.	This comment will be considered in developing the project criteria and selection process.
Gary Faulkner	First, define and identify Mobility Corridors (as was done for Strategic Highway Corridors)	This comment will be considered in developing the project criteria and selection process.
	Use factors of safety, traffic volumes, economic needs, cost to construct and delivery timeframe.	This comment will be considered in developing the project criteria and selection process.
	Once criteria is defined, put more access control policies in place.	Thank you for the comment.
	Mobility and land use must be part of a Mobility plan.	This comment will be considered in developing the project criteria and selection process.
	Building bypasses of bypasses must be reduced by better controlling the	Thank you for the comment.
Monica Sanders	NC needs to wake up to better public transit and light rail.	Thank you for the comment.
Joel Setzer - NCDOT Division 14	Consider setting aside a small amount of funds to Divisions to address spot bottlenecks within a prescribed criteria.	This comment will be considered in developing the project criteria and selection process.
Stan Polanis - Winston-Salem Department of Transportation	Cost should not be a part of ranking factors because projects that have most benefits to a region are typically higher cost.	This comment will be considered in developing the project criteria and selection process.
	Focus on unimproved or unbuilt sections of national interstate system or multi-modal hubs critical to freight and passenger movements.	This comment will be considered in developing the project criteria and selection process.
	Include elements related to safety, congestion, freight mobility, air quality conformity, and economic development	This comment will be considered in developing the project criteria and selection process.
	Long Range Transportation Plans, Regional Travel Demand Models and MPO's should be consulted throughout process.	This comment will be considered in developing the project criteria and selection process.
	Initiate a Mobility Fund Committee with substantial local representation to review project submittals and make project selection recommendations to BOT. NCDOT has used similar committees for Enhancement projects and planning grants.	This comment will be considered in developing the project criteria and selection process.
Unknown - Contact Us website	Consider a rail system that will transport commuters throughout the State to the major cities of Charlotte, Winston-Salem, Greensboro, Raleigh, Durham, Wilmington, Fayetteville, etc. 24/7.	This comment provides a candidate project. Project criteria and selection process are yet to be determined. If this project meets the criteria, it will be evaluated for the Mobility Fund.
Wilmington MPO	Consider the following criteria: Level of Service analysis and ranking criteria for all modes. Measures of effectiveness from multi-modal projects Efforts to leverage multiple funding sources Funding for all modes. Coordination with local land use development policies Consistency with community and statewide planning efforts Address economic growth, mode connectivity, environmental protection and safety	This comment and the supporting nine criterion will be considered in developing project criteria and selection process.

Mobility Fund Project Criteria and Selection Process - Comments from First Comment Period

Commenter	Comment	Response
	Use a performance driven approach to projects Improved access to hospitals and improvements for hurricane evaluations.	
Unknown - Contact Us website	Do not use funds to replace existing facilities unless they add capacity. Consider investing a portion into railroad improvements to create the infrastructure for a commuter rail in the Piedmont (Charlotte thru Raleigh to Goldsboro).	This comment will be considered in developing the project criteria and selection process. This comment provides a candidate project. Project criteria and selection process are yet to be determined. If the project meets the criteria, it will be evaluated for the Mobility Fund
David King - Triangle Transit	Minimum of 33% of funds go to Intermodal Fund to provide state matching funds for major transit projects. Currently, there is no funding source for Intermodal Fund. Score projects on consistency with locally adopted land use plans and how well they facilitate sustainable land use, economic development and competitiveness, environmental impacts, energy conservation, VMT reduction, greenhouse gas reduction, defining planned growth areas, connections to Major economic activity centers, support for existing infrastructure, promotion of choice via multi-modal transportation system, evaluation of Return on Investment on a per acre or per mile basis. Ensure sufficient funding goes to projects in urban and metropolitan areas. Projects should leverage other funding and give preference to projects competing for Federal funding outside normal funding. Project evaluation metrics be consistent with Federal government initiatives i.e. Housing and Urban Development, EPA. Also, consider recommendations of Legislative Study Commission on Urban Growth and Infrastructure Issues from last year's budget.	This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process.
Ralph Potter, Jr. - Cove City, NC	A letter was submitted. He asks to designate SER 1005 from Dover to NC 55 near New Bern as US 70A and it needs resurfacing.	Thank you for the comment. The issue has been referred to Division Engineer for follow-up.
Patricia Morton - Jacksonville	Lives on Halltown Road where it intersects to US 17 North to Maysville. Speed limit was 35 a long time ago but now is higher. Concerns are that children board the school bus and she has to remove many small animals because traffic will not slow down.	Thank you for the comment. The issue has been referred to Division Engineer for follow-up
Durham-Chapel Hill-Carrboro MPO	Set aside a substantial percentage for the Intermodal Fund to provide State share of large transit projects funded by local options taxes. Only allow large projects. Transit projects should receive equal consideration Scoring should be facilitate compact growth(liveable, walkable, bikeable communities), redevelopment of brown fields, promote multi-modal systems, reduce congestion and promote safe and efficient systems, enhance connectivity and accessibility, manage access, support economic development, protect critical natural environment and sensitive areas, incorporate context sensitive solutions, maintain safe levels of air quality, noise and transportation impacts, promote energy conservation, VMT reduction and greenhouse gas reduction goals. Jurisdictions or regions applying should be evaluated on following criteria: define planned growth areas, and encourage development of brown fields, coordinate transportation systems and future land use patterns, promote multi-modal transportation systems, reduce congestion and promotes safe system operations, enhance street connectivity and accessibility thru access management tools, design collector road systems to guide growth, support economic development, protect critical natural resources and environmentally sensitive areas, maintain safe levels of air quality , noise and other impacts, promote energy conservation, VMT reduction, and greenhouse gas reduction goals, reduce driver distraction through education, enforcement and sign control,, develop comprehensive action plans for highway safety, consistency with other transportation and land-use plans. Create a NC Mobility Fund Committee to review projects and makes project selection to NCDOT staff and BOT, similar to enhancement projects and bicycle and pedestrian planning grants. Commend work on TIP and loop prioritization processes, and use elements of those for Mobility Fund.	This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process. Thank you for the comment. It will be considered in developing project criteria and selection process.
Anthony Prinz	Funds should be allocated to facilities with considerable strategic value. Specifically, strategic highway corridors, areas with a significant military presence and hurricane evacuation routes. Improvements should be targeted toward corridors and/or intersections with significant and consistent peak hour delay. While capacity improvements are key, safety should also be heavily weighed. Look favorably on projects to retrofit existing roadways with access controls such as improved driveway spacing and replacement of two-way left-turn lanes with raised medians. These are generally lower-cost, high-impact projects that result in improved roadway capacity and safety.	This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process.

Mobility Fund Project Criteria and Selection Process - Comments from First Comment Period

Commenter	Comment	Response
	<p>Priority should be given to implementing many moderately-scaled projects rather than a few large projects. This way many communities benefit from this significant transportation investment and funds can be distributed throughout the state.</p> <p>A portion of the mobility fund should be specifically set aside for ITS enhancements and to pilot technology enhancements.</p>	<p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p>
Charlotte Area Transit System	<p>Projects should be beyond capacity of equity formula.</p> <p>Measure benefits associated with diverse range of projects and modes.</p> <p>Use elements from US Dot's Tiger and Tiger II process, i.e.</p> <p>Promote: State of Good Repair (infrastructure health), economic competitiveness benefit/cost, mobility improvements, congestion relief, Federal and local participation, economic impact), sustainability air quality improvement, VMT reduction, energy conservation), livability (coordinated transportation and land use plan, coordination with housing needs assessment and plan, promotion of mixed-use transit oriented development, inclusion of pedestrian and bicycle friendly elements), safety, innovation/partnership innovative financing and project delivery, public-private and public-public partnerships.)</p>	<p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p>
Greensboro MPO	<p>Use a benefit-cost methodology</p> <p>Model TIGER II benefit cost analysis framework- with emphasis on livability m mobility, safety and environmental impacts</p> <p>Use performance-based project selection processes for major projects that focus on full range of economic, environmental, and social costs and benefits of investments.</p> <p>Complaints about Urban Loop prioritization methodology should not be associated with Benefit-Costa analysis methodology: to the contrary BCA would effectively address the concerns with the Urban Loop prioritization process and its reliance on non-monetized proxy estimates of a restricted set of benefits.</p> <p>The secondary criteria of TIGER II (job creation and economic stimulus, innovation, partnership, and projects readiness and NEPA) should be considered.</p> <p>Data Forecasting requires forecasting data usage levels and various impacts into the future and well-documented and generally accepted procedures are available for this process.</p> <p>The Department should propose a method for qualification for fund grants. The legal qualification for MPO plans and for housing and transit plans seems straightforward.</p> <p>An increased and sustained revenue source is needed.</p> <p>Interstate maintenance should be exempt from equity formula.</p> <p>Rebalance Highway Trust Fund allocations from current 25% for Loops and almost 65% to Intrastate program to secure increased loop program revenues and meet key needs and loop projects are very high local and State priority. Without this rebalancing, there will likely be a need to focus Mobility fund on Loop projects at the expense of multi-modal mission.</p>	<p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>Thank you for the comment, however, it is beyond developing project criteria and selection process.</p> <p>Thank you for the comment, however, it is beyond developing project criteria and selection process.</p> <p>Thank you for the comments, however, the rebalancing of the trust fund is beyond developing project criteria and selection process.</p>
Ed Johnson - Capital Area MPO	<p>CAMPO staff supports Greensboro comments. Plus: Statewide Tier needs to be defined for all modes of travel and then use Mobility Fund as a source for funding Statewide tier projects.</p> <p>Do not use Mobility fund to postpone updating the current equity formula, i.e. modernize it sooner to be in line with addressing current and future transportation needs of State.</p>	<p>Thank you for the comment.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>Thank you for the comment, however, it is beyond developing project criteria and selection process.</p>
Chris Lukasina - Capital Area MPO	<p>Focus on being a flexible funding source that can be used for highly effective projects regardless of transportation mode that do not easily fit into other dedicated or more traditional funding sources. Multimodalism in the Mobility Fund should be applied with a congestion-relief perspective, addressing major rail corridors, urban fixed guide way systems, and grade separations necessary to ensure the success of the SEHSR and other statewide rail initiatives.</p> <p>Define Statewide tier across all modes.</p> <p>Address areas of congestion and inflated travel times within and between urban areas without regard to equity. Do not use equity formula for any part of Mobility fund.</p> <p>Do not use Mobility fund for urban loops or toll projects.</p> <p>Transit fleet expansion with limited operational assistance and cost-effective ITS or TDM activities would be acceptable.</p> <p>Data used to guide decisions should be vetted through MPOs and RPOs.</p> <p>Leverage local or regional investments and address immediate needs through innovative solutions.</p>	<p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p>

Mobility Fund Project Criteria and Selection Process - Comments from First Comment Period

Commenter	Comment	Response
	Carefully vet any limit on number of project submissions with MPOs/RPOs.	This comment will be considered in developing the project criteria and selection process.
Joe Milazzo II - Regional Transportation Alliance	<p>Supports a minimum 1/3 allocation of future NC Mobility Fund resources for transit projects that will receive local option funding and are eligible for State grants under the Intermodal Fund, with no maximum allocation percentage specified. This helps ensure a multimodal focus for the fund, provide the</p> <p>Require "preferential consideration" for Intermodal bill-eligible transit projects, and enables the state's limited resources to go further by combining them with local option resources.</p> <p>Supports Mobility Fund selection and prioritization criteria for highway projects based on factors similar to the urban loop prioritization method, such as travel time savings, congestion levels, traffic volumes, and connectivity.</p>	<p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process. The law requires preferential consideration for projects that qualify for the Intermodal Fund.</p> <p>This comment will be considered in developing the project criteria and selection process.</p>
Jake Cashion - Greater Winston-Salem Chamber of Commerce	<p>Mobility fund should help meet the needs of statewide logistics and congestion mitigation challenges while mitigating the NCDOT region's responsibility to fund projects of statewide significance.</p> <p>Piedmont is a unique geographical position that must be leveraged through a sound transportation system.</p> <p>Determine key benefits and not cost when determining "need". Take into account total economic impact from job creation to the number of businesses and citizens the project will support statewide.</p> <p>Use priority or urgency) for obtaining necessary environmental permits because this increases project delivery efficiencies and "time is money".</p> <p>Once a project is funded, please protect corridor and resolve right-of-way acquisition and pay fair market value asap.</p> <p>Use reduction in travel times for strategic freight movement as criteria.</p> <p>Any new capacity projects should not cause reduction in equity funds available to a Region.</p>	<p>This comment will be considered in developing the project criteria and selection process.</p> <p>Thank you for the comment.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>Thank you for the comment. It will be considered as part of the project development process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p>
Southern Environmental Law Center	<p>The law exempts the Mobility Fund from the Hghway Trust Fund Law.</p> <p>Similarly the fund exempts the fund from the "Equity Formula".</p> <p>Project criteria should track the objectives of the Intermodal Fund Law which may weigh against Highway Trust fund and toll road projects.</p> <p>Use the Fund to usher in a more comprehensive approach to transportation planning, oriented towards long-term solutions.</p> <p>Cost should be a factor but should be more than just construction costs. Use benefit-cost in a derivative fashion, i.e. cost per new rider or cost per milte or cost per linear mile.</p> <p>Use indirect benefits in calculations but recognizes that such estimations may be difficult to calculate on a project-by-project basis. Also, leverage the local tax base into this factor in accordance with Intermodal Fund law section 136-252b4.</p> <p>Do not interpret "statewide and regional significance" to impose a cost "floor" on projects.</p> <p>Fund demonstration projects of transportation and land use "scenario-based modeling", "context sensitive designs", "road diets", "access management strategies", and "alternative fuel bus and transit" practices.</p> <p>Ensure objectives from Intermodal Fund law of "housing needs assessment and plan", "an adequate and sustainable source of funding for it share of costs and approved "transit plan" are used.</p> <p>Transit plans include: anticipated traffic congestion relief, improvement of air quality, reduction in anticipated energy consumption, promotion bike-ped friendly environment connected to transit stations, promote mixed use and transit-oriented developments to encourage multi-modal mobility,</p> <p>Coordination of housing needs assessment, access to public transportation for areas with disproportionate number of households below the area median income, coordination and planning with local education agencies to reduce transportation costs, coordination with local governments with zoning jurisdiction to carry out elements of the plan.</p> <p>The elements above does not mean only public transit projects should be eligible but rail and highway could be eligible if they demonstrate that projects advance these criteria and objectives.</p> <p>The Intermodal Bill policies could be restated as follows to become Mobility Bill selection criteria: congestion relief over long-term, air quality benefits, reuction in per capita fossil fue use including greenhouse gas emissions, `opportunities for bike-ped to reduce personal trips, mixed use and transit oriented development to reduce personal trips, linkage to affordable housing for transit-dependent populations, multi-modal access to job-sheds, including for low income populations, multi-modal access to schools secondary, colleges, universities), local zoning in place to support transit use by encouraging mixed use communities of appropriate density, local financial participation for transportation investment.</p>	<p>Thank you for the comment. This issue is being researched.</p> <p>Thank you for the comment. The Department agrees with the comment.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p> <p>This comment will be considered in developing the project criteria and selection process.</p>

Mobility Fund Project Criteria and Selection Process - Comments from First Comment Period

Commenter	Comment	Response
	The above criteria are consistent with "preferential consideration" and advances the important state goals of "environmental sensitivity" and reducing VMT by at least "25%". Also this should provide insight into how well different projects would advance objective.	This comment will be considered in developing the project criteria and selection process.
AppalCART (Watauga County)	We have to reinvent the wheel for this. Our RPO has an objective Criteria for ranking projects that works very well. The state probably uses something similar. Why not take the money and use 1/3 for highway projects; 1/3 for public transportation projects; and 1/3 for rail projects Supplement existing formula programs rather than coming up with another grant process. There are too many funding pots for Public Transportation now. I would supplement the <i>FTA SECTION 5307</i> program for urban and 5311 for rural. It would be far better to increase the operating percentage than to come up with another program you do not have staff to administer and we do not have time to apply for.	This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process.
Comments Submitted via Citizens Connect		
Bryan Morton	Cap tolls- we already pay so these are double taxation Direct highways - Consider building the following: 1. Raleigh to Charlotte 2. Charlotte to Fayetteville 3. Winston-Salem to Fayetteville Raleigh congestion areas: 1. Any place on Capital Blvd, Glenwood Ave., or Millbrook Ave. Capital Blvd on/off ramps from/to I-440. The 540 exit to I-40 & exiting I-40 to Page Rd. That's a commuting nightmare. Where I-40 splits into I-440 and the Benson (beach) exit	This comment will be considered in developing the project criteria and selection process. This comment contains potential candidate projects that will be considered if they meet the project criteria and selection process. This comment contains potential candidate projects that will be considered if they meet the project criteria and selection process. This comment contains potential candidate projects that will be considered if they meet the project criteria and selection process. This comment contains potential candidate projects that will be considered if they meet the project criteria and selection process. This comment contains a potential candidate projects that will be considered if it meet the project criteria and selection process.
Kathy Brown	Reliable, efficient public transportation. There needs to be a perimeter route that runs between Raleigh, Durham, and Chapel Hill which intersects at many points providing direct transportation with only one changeover. Also, there is no public transportation in Morrisville.	This comment will be considered in developing the project criteria and selection process. Thank you for the comment.
A.C. Reynolds	Northern Beltway in Forsyth County is the only road project that should be the highest priority in the state. Without cost where would project be ranked in Urban Loop Process?	This comment provides a candidate project once project criteria and selection process are in place. The project is ranked under the Urban Loop Process and that information has already been provided to Mr. Reynolds. Will evaluate it at the appropriate time under the Mobility Fund.
Chris Grano	Reinstall the trees that were taken down 10-15 years ago between MM17and 30. Motorists are looking at lake. No tolls Place signs to educate people about passing, merging and trucks out of left lane.	Thank you for the comment. This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process.
Derrick Rubright - Raleigh	Would like to see increased pedestrian accessibility in North Raleigh, specifically sidewalks on Litchford Road between Old Wake Forest Road and Rowland Road.	This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.
Lee Bonacum	Agrees with Chris Gano that I-77 is congested many days north and south because people like to look at the water between exits 28 and 33.	Thank you for the comment
Chris Law - Durham County	Consider widening Hwy 70 in Durham County due to the increase of traffic count and residents.	This comment is project related that appears to be more of a local issue rather than a project of regional or statewide significance. It has been referred to the NCDOT Division Engineer for consideration.
Alan Trieglaff	I think the money should be spent to pay more state employees to stand around and do nothing like most state workers do.	Thank you for the comment
Dennis Johnson	Instead of using the fund to start a new project we should use it to finish some projects that are only partly completed. Some projects that need completed are the loops that were started and only done halfway.	This comment will be considered in developing the project criteria and selection process.
Anthony Foster	1) attract private sector money or support; 2) provide the greatest "bang for the buck" (e.g., efficient movement of transit and private vehicles); 3) address congestion on corridors of regional and statewide significance; 4) enhance traffic related information to residents and visitors (e.g., real-time travel information on highway signs or CAD/AVL projects for transit systems); and 5) improve the mobility options for seniors and persons with disabilities.	These comment will be considered in developing project criteria and selection process.
Kendal Smith	Roads widened and/or made bicycle friendly. It is important for both inside the city limits (Raleigh, Durham, Chapel hill...) creating connections to other transportations means (buses, trains) as well as routes that bicycle enthusiasts use.	This comment will be considered in developing the project criteria and selection process.

Mobility Fund Project Criteria and Selection Process - Comments from First Comment Period

Commenter	Comment	Response
Leo Suarez	Alternate transit growth is stagnant. Explore ways to make our current highways more efficient. Examples could include more information signs, real time traffic data on the web, faster response to accidents, traffic forecasting to encourage people to plan ahead, better lighting, more rest stops. HOV lanes. Current car sharring programs need a bigger boost, or attract smart entrepreneurs to start a private car sharing program. Education/marketing programs are needed to show alternatives exist.	This comment will be considered in developing the project criteria and selection process.
Michael DeHaan	Less construction focused on highways/rail and more on fixing regional/local bottlenecks like signaling intersections and widening short sections of roads to improve commute times.	This comment will be considered in developing the project criteria and selection process.
Verinda Perfinder	Stop with the after school license checks. Go fight crime. Develop criteria that analyzes how much the improvement would cost for the next 50 years if is constructed and compare it versus what it would cost the taxpayers if it were not built. The latter being based on commuter delays, emissions, etc. It seems that the criteria and analysis lacks the comparison of not doing something versus just looking at the benefits. Also, finish what has been started with loop projects. Need less new projects.	Thank you for the comment. This comment will be considered in developing the project criteria and selection process.
Loretta Barren	Consider developing performance measures for mobility and congestion and evaluate projects based on whether they will actually achieve the desire performance measure. The answer to relieving congestion is not always building a new location roadway or widening. Travel demand management and ITS should be considered as well. Rather than trying to compare apples to oranges (highways to transit or bikes/ped) designate the funds to the individual modes. This will let you compare transit projects against transit projects, etc. This could also allow you to take in to account livability and quality of life.	This comment will be considered in developing the project criteria and selection process. This comment will be considered in developing the project criteria and selection process.
Jenna Moore	Spend the money on a true analysis of where public transportation options are lacking a direct route and fill the hole.	This comment will be considered in developing the project criteria and selection process.
Rae Buckley	High speed rail for the Triangle	This comment provides a candidate project. Project criteria and selection process are yet to be determined. If the project meets the criteria, it will be evaluated for the Mobility Fund.
Jim McNealy	The current public transportation options need to be further researched and expanded, before money is spent on new options.	This comment will be considered in developing the project criteria and selection process.
Marian Sciacchitano	It would be nice to have more mobility on the Outer Banks such as bus service and more sidewalks. To enhance the sidewalks and Route 158 NCDOT should create a fund to hire people to clean up the TRASH and add more plantings to enhance the beauty of the Outer Banks.	This comment provides candidate projects. Project criteria and selection process are yet to be determined. If the projects meet the criteria, they will be evaluated for the Mobility Fund.
Phil Mason	Design new roads and retrofit existing roads where possible to accommodate transit, bicycles and pedestrians to enhance mobility options. Commuting infrastructure is needed for bicycles between communities in the Triangle. As it is, the roads are all about cars, that is very clear.	This comment will be considered in developing the project criteria and selection process.
Elizabeth Adams	Better signage for the park-n-ride lots, better amenities including real-time bus information, bike racks at bus stops, dedicated bus/HOV lanes for rush hour traffic, better integration of bus service with existing and future rail service, and other multi-modal investments are needed	Thank you for the comment. This comment also provides candidate projects. Project criteria and selection process are yet to be determined. If the projects meet the criteria, they will be evaluated for the Mobility Fund.
L C	<p>Consider smart investments for projects statewide.</p> <p>All traffic signals under NCDOT maintenance should be LED</p> <p>Roads that are slated to be four lanes, widen or built on new location should do right-of-way acquisition now. When it comes time to build the road, the land is already there.</p> <p>Turning lanes should be lengthen where necessary</p> <p>Implementation of 85th percentile studies on roadways that see a high number of motorists going more than 6mph over the speed limit</p> <p>All toll roads that pay off the bonds and loaned money, by state law, should be a free road.</p> <p>Counties should remain barred from maintaining roads in the state unless a county has a population of over 200,000 people and the county is more than 85% urbanized.</p> <p>All freeways that have not been assigned number exits, should be given that based on the highway's length. (like the interstates and freeways currently)</p> <p>New toll roads considered by the NC Turnpike Authority can only be a minimum length of 50 to 75 miles long with limited exits and must be high speed exits to major roads. The current toll roads that are under construction or waiting to be built are grandfathered.</p> <p>Propose a study for Interstate 95 to be relocated as a 6 lane freeway with limited exits between north of Fayetteville and Lucama & south of Fayetteville and by the SC state line before South Of The Border. The I-95 sections that are bypassed will revert to US 301.</p>	<p>This comment will be considered in developing project criteria and selection process</p> <p>Thank you for the comment.</p> <p>Thank you for the comment.</p> <p>Thank you for the comment.</p> <p>Thank you for the comment.</p> <p>Thank you for the comment.</p> <p>Thank you for the comment.</p> <p>Thank you for the comment.</p> <p>Thank you for the comment.</p> <p>This comment contains a potential candidate project that will be considered if it meets the project criteria and selection process</p>

Mobility Fund Project Criteria and Selection Process - Comments from First Comment Period

Commenter	Comment	Response
	<p>Propose a study to build a Durham to Spartanburg SC Turnpike Road that parallels I-85 with limited exits. This could be the only road that can remain as a toll road whether it is paid or not. It would facilitate inter-regional traffic to avoid the congested parts of the Triangle/Triad/Charlotte</p> <p>Hire an inspector to do quality assurance on our roadways to make the signs are posted. Signs such as where primary numbered highways are turning and making sure all speed drops have the "REDUCE SPEED AHEAD" and if applicable "BEGIN XX 1000 FEET AHEAD" signs. Finally, speed limit signage are properly posted and not obstructed by vegetation or anything else.</p> <p>Rumble strips on ALL four lane highways</p> <p>Highway reflectors mandatory on roadways seeing traffic volumes more than 20,000 to 30,000 AADT on a case by case study</p> <p>Improved traffic light synchronization</p> <p>A study to improve the I-40 corridor and add travel lanes with collector/distributor lanes at busy interchanges.</p>	<p>This comment contains a potential candidate project that will be considered if it meets the project criteria and selection process</p> <p>Thank you for the comment.</p> <p>Thank you for the comment.</p> <p>Thank you for the comment.</p> <p>This comment will be considered in developing project criteria and selection process</p> <p>This comment contains a potential candidate project that will be considered if it meets the project criteria and selection process</p>
Robert Stratton	Maintain what we have now, no more intermodal, replace all the mass transit planners, enforce speed limits, stop trucks that over weight and speeding.	Thank you for the comment.
William Hague	<p>Increase the level of service on existing facilities before constructing new routes.</p> <p>Score structurally deficient and functionally obsolete bridges – Non-bridge projects in the STIP that include replacing structurally deficient and functionally obsolete bridges should be scored and weighted.</p> <p>Fund the most-needed sections of a project, rather than the entire project. Example is the new I-26 bridge across the French Broad River (Section B) use the mobility fund, but leave the other sections (widening of I-240 [Section A] and reconfiguring Section C(I-26 interchange) subject to current funding and scheduling.</p> <p>Regional significance versus state significance – A notable example of this is with the urban loop prioritization process. It is unfair for the smaller cities to compete against larger cities for urban loop funding and unfair to fund the lower ranked projects with the mobility fund. NCDOT should consider using the mobility fund to help fund the highest ranked urban loop projects.</p> <p>Widen exit-to-exit and use the mobility fund to widen the sections with the highest congestion and traffic volumes closest to a city first.</p>	<p>This comment will be considered in developing project criteria and selection process</p> <p>This comment will be considered in developing project criteria and selection process</p> <p>This comment will be considered in developing the project criteria and selection process. This comment also contains a potential candidate project that will be considered if it meets the project criteria and selection process.</p> <p>This comment will be considered in developing project criteria and selection process</p> <p>This comment will be considered in developing project criteria and selection process</p>
Sean Ulmer	Pave every gravel road in the state and people will buy better, higher price vehicle's. thus the state bringing in more tax rev. with the price of land now low buying right of ways would be less now than in 25 yrs. make a bold move now and the state will reap the Benefits down the road..	Thank you for the comment.

B – Mobility Fund Legislation

Also located at: <http://www.ncleg.net/Sessions/2009/Bills/Senate/PDF/S897v8.pdf>

ESTABLISH NC MOBILITY FUND

SECTION 28.7.(a) Chapter 136 of the General Statutes is amended by adding a new Article to read:

"Article 14A.

"North Carolina Mobility Fund.

"§ 136-187. Creation of the North Carolina Mobility Fund.

(a) A special fund designated as the North Carolina Mobility Fund is hereby created. The Mobility Fund consists of revenue from appropriations or transfers by the General Assembly.

(b) The amounts deposited to the Mobility Fund shall be used as provided in this Article, notwithstanding any provision of Article 14 of this Chapter to the contrary. The provisions of G.S. 136-17.2A shall not apply to the application of the Mobility Fund.

"§ 136-188. Use of North Carolina Mobility Fund.

(a) The Department of Transportation shall use the Mobility Fund to fund transportation projects, selected by the Department, of statewide and regional significance that relieve congestion and enhance mobility across all modes of transportation. The Department of Transportation shall establish project selection criteria based on the provisions of this Article.

(b) The initial project funded from the Mobility Fund shall be the widening and improvement of Interstate 85 north of the Yadkin River Bridge.

"§ 136-189. Reports by Department of Transportation.

The Department of Transportation shall develop, and update annually, a report containing a completion schedule for all projects to be funded from the Mobility Fund, including the SL2010-0031 Session Law 2010-31 Page 155 selection criteria and reasoning used for each project. The annual update shall indicate the projects, or portions thereof, that were completed during the preceding fiscal year, any changes in the original completion schedules, and the reasons for the changes. The report shall also include the Department's anticipated schedule for future projects. The Department shall submit the report and the annual updates to the Joint Legislative Transportation Oversight Committee."

SECTION 28.7.(b) The Department of Transportation shall develop selection criteria under G.S. 136-188, as enacted by this act, and shall report to the Joint Legislative Transportation Oversight Committee on its development of the selection criteria. A preliminary report on the selection criteria for projects is due to the Joint Legislative Transportation Oversight Committee by October 1, 2010. A final report is due to the Joint Legislative Transportation Oversight Committee by December 15, 2010. When developing the project criteria and selection process, the Department shall give

preferential consideration to projects qualified to receive State grants from the Congestion Relief and Intermodal Transportation 21st Century Fund under Article 19 of Chapter 136 of the General Statutes. When developing the project criteria and selection process, the Department shall involve the public and other stakeholders, including, but not limited to, the North Carolina Association of Municipal Planning Organizations, the North Carolina Association of Rural Planning Organizations, the North Carolina League of Municipalities, the North Carolina Association of County Commissioners, the North Carolina Metropolitan Mayors Coalition, and the North Carolina Council of Regional Governments.

SECTION 28.7.(c) G.S. 136-176(b2), as amended by Subsection 25.5.(f) of S.L. 2008-107, reads as rewritten:

"(b2) There is annually appropriated to the North Carolina Turnpike Authority from the Highway Trust Fund the sum of ninety-nine million dollars (\$99,000,000). eighty-four million dollars (\$84,000,000). Of the amount allocated by this subsection, twenty-five million dollars (\$25,000,000) shall be used to pay debt service or related financing costs and expenses on revenue bonds or notes issued for the construction of the Triangle Expressway, twenty-four million dollars (\$24,000,000) shall be used to pay debt service or related financing expenses on revenue bonds or notes issued for the construction of the Monroe Connector/Bypass, fifteen million dollars (\$15,000,000) shall be used to pay debt service or related financing expenses on revenue bonds or notes issued for the construction of the Mid-Currituck Bridge, and thirty-five million dollars (\$35,000,000) twenty million dollars (\$20,000,000) shall be used to pay debt service or related financing expenses on revenue bonds or notes issued for the construction of the Garden Parkway. The amounts appropriated to the Authority pursuant to this subsection shall be used by the Authority to pay debt service or related financing costs and expenses on revenue bonds or notes issued by the Authority to finance the costs of one or more Turnpike Projects, to refund such bonds or notes, or to fund debt service reserves, operating reserves, and similar reserves in connection therewith. The appropriations established by this subsection constitute an agreement by the State to pay the funds appropriated hereby to the Authority within the meaning of G.S. 159-81(4). Notwithstanding the foregoing, it is the intention of the General Assembly that the enactment of this provision and the issuance of bonds or notes by the Authority in reliance thereon shall not in any manner constitute a pledge of the faith and credit and taxing power of the State, and nothing contained herein shall prohibit the General Assembly from amending the appropriations made in this subsection at any time to decrease or eliminate the amount annually appropriated to the Authority. Funds transferred from the Highway Trust Fund to the Authority pursuant to this subsection are not subject to the equity formula in G.S. 136-17.2A."

SECTION 28.7.(d) Any funds appropriated to the North Carolina Turnpike Authority in fiscal year 2009-2010 under G.S. 136-176(b2) to cover debt service or related financing costs for the Monroe Connector/Bypass project and that remain unencumbered at the end of fiscal year 2009-2010 are hereby transferred to the North Carolina Mobility Fund, as enacted by this act, to be used for Phase II of the Yadkin River Bridge project, which is the widening and improvement of Interstate 85 north of

the Yadkin River Bridge. Additionally, there is transferred from the Highway Trust Fund to the Mobility Fund the sum of fifteen million dollars (\$15,000,000) for fiscal year 2010-2011 to be used for Phase II of the Yadkin River Bridge project.

SECTION 28.7.(e) The Joint Legislative Transportation Oversight Committee shall study the debt affordability for State transportation funding. The study shall include a comparison of State transportation debt practices to those of other states with strong credit Page 156 Session Law 2010-31 SL2010-0031 ratings and shall make recommendations on the appropriate use of debt for strategic transportation projects. The Committee shall contract with the Kenan-Flagler Business School at the University of North Carolina at Chapel Hill for the completion of the study. The committee shall report the results of the study to the 2011 General Assembly.

SECTION 28.7.(f) G.S. 105-187.9 reads as rewritten:

"§ 105-187.9. Disposition of tax proceeds.

...

(b) Transfer. General Fund Transfer. – In each fiscal year year, the State Treasurer shall transfer the amounts provided below from the taxes deposited in the Trust Fund to the General Fund. The transfer of funds authorized by this section may be made by transferring one-fourth of the amount at the end of each quarter in the fiscal year or by transferring the full amount annually on July 1 of each fiscal year, subject to the availability of revenue.

(1) The sum of seventy-one million dollars (\$71,000,000). forty million dollars (\$40,000,000).

...

(c) Mobility Fund Transfer. – In each fiscal year, the State Treasurer shall transfer thirty-one million dollars (\$31,000,000) from the taxes deposited in the Trust Fund to the Mobility Fund. The transfer of funds authorized by this section may be made by transferring one-fourth of the amount at the end of each quarter in the fiscal year or by transferring the full amount annually on July 1 of each fiscal year, subject to the availability of revenue."

SECTION 28.7.(g) G.S. 136-176(b2), as amended by subsection (c) of this section, reads as rewritten:

"(b2) There is annually appropriated to the North Carolina Turnpike Authority from the Highway Trust Fund the sum of eighty-four million dollars (\$84,000,000). ninety-nine million dollars (\$99,000,000). Of the amount allocated by this subsection, twenty-five million dollars (\$25,000,000) shall be used to pay debt service or related financing costs and expenses on revenue bonds or notes issued for the construction of the Triangle Expressway, twenty-four million dollars (\$24,000,000) shall be used to pay debt service or related financing expenses on revenue bonds or notes issued for the construction of the Monroe Connector/Bypass, fifteen million dollars (\$15,000,000) shall be used to pay debt service or related financing expenses on revenue bonds or notes issued for the construction of the Mid-Currituck Bridge, and twenty million dollars (\$20,000,000) thirty-five million dollars (\$35,000,000) shall be used to pay debt service or related financing

expenses on revenue bonds or notes issued for the construction of the Garden Parkway. The amounts appropriated to the Authority pursuant to this subsection shall be used by the Authority to pay debt service or related financing costs and expenses on revenue bonds or notes issued by the Authority to finance the costs of one or more Turnpike Projects, to refund such bonds or notes, or to fund debt service reserves, operating reserves, and similar reserves in connection therewith. The appropriations established by this subsection constitute an agreement by the State to pay the funds appropriated hereby to the Authority within the meaning of G.S. 159-81(4). Notwithstanding the foregoing, it is the intention of the General Assembly that the enactment of this provision and the issuance of bonds or notes by the Authority in reliance thereon shall not in any manner constitute a pledge of the faith and credit and taxing power of the State, and nothing contained herein shall prohibit the General Assembly from amending the appropriations made in this subsection at any time to decrease or eliminate the amount annually appropriated to the Authority. Funds transferred from the Highway Trust Fund to the Authority pursuant to this subsection are not subject to the equity formula in G.S. 136-17.2A."

SECTION 28.7.(h) G.S. 105-187.9, as amended by subsection (f) of this section, reads as rewritten:

"§ 105-187.9. Disposition of tax proceeds.

...

(b) General Fund Transfer. – In each fiscal year, the State Treasurer shall transfer the amounts provided below from the taxes deposited in the Trust Fund to the General Fund. The transfer of funds authorized by this section may be made by transferring one-fourth of the amount at the end of each quarter in the fiscal year or by transferring the full amount annually on July 1 of each fiscal year, subject to the availability of revenue. (1) The sum of forty million dollars (\$40,000,000). twenty-six million dollars (\$26,000,000).

...

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(c) Mobility Fund Transfer. – In each fiscal year, the State Treasurer shall transfer thirty-one million dollars (\$31,000,000) forty-five million dollars (\$45,000,000) from the taxes deposited in the Trust Fund to the Mobility Fund. The transfer of funds authorized by this section may be made by transferring one-fourth of the amount at the end of each quarter in the fiscal year or by transferring the full amount annually on July 1 of each fiscal year, subject to the availability of revenue."

SECTION 28.7.(i) G.S. 105-187.9(b) is repealed.

SECTION 28.7.(j) G.S. 105-187.9(c), as amended by subsection (h) of this section, reads as rewritten:

"(c) Mobility Fund Transfer. – In each fiscal year, the State Treasurer shall transfer forty-five million dollars (\$45,000,000) fifty-eight million dollars (\$58,000,000) from the taxes deposited in the Trust Fund to the Mobility Fund. The transfer of funds authorized by this section may be made by transferring one-fourth of the amount at the end of each

quarter in the fiscal year or by transferring the full amount annually on July 1 of each fiscal year, subject to the availability of revenue."

SECTION 28.7.(k) G.S. 136-176(b2), as amended by subsection (g) of this section, reads as rewritten:

"(b2) There is annually appropriated to the North Carolina Turnpike Authority from the Highway Trust Fund the sum of ninety-nine million dollars (\$99,000,000). one hundred twelve million dollars (\$112,000,000). Of the amount allocated by this subsection, twenty-five million dollars (\$25,000,000) shall be used to pay debt service or related financing costs and expenses on revenue bonds or notes issued for the construction of the Triangle Expressway, twenty-four million dollars (\$24,000,000) shall be used to pay debt service or related financing expenses on revenue bonds or notes issued for the construction of the Monroe Connector/Bypass, fifteen million dollars (\$15,000,000) twenty-eight million dollars (\$28,000,000) shall be used to pay debt service or related financing expenses on revenue bonds or notes issued for the construction of the Mid-Currituck Bridge, and thirty five million dollars (\$35,000,000) shall be used to pay debt service or related financing expenses on revenue bonds or notes issued for the construction of the Garden Parkway. The amounts appropriated to the Authority pursuant to this subsection shall be used by the Authority to pay debt service or related financing costs and expenses on revenue bonds or notes issued by the Authority to finance the costs of one or more Turnpike Projects, to refund such bonds or notes, or to fund debt service reserves, operating reserves, and similar reserves in connection therewith. The appropriations established by this subsection constitute an agreement by the State to pay the funds appropriated hereby to the Authority within the meaning of G.S. 159-81(4). Notwithstanding the foregoing, it is the intention of the General Assembly that the enactment of this provision and the issuance of bonds or notes by the Authority in reliance thereon shall not in any manner constitute a pledge of the faith and credit and taxing power of the State, and nothing contained herein shall prohibit the General Assembly from amending the appropriations made in this subsection at any time to decrease or eliminate the amount annually appropriated to the Authority. Funds transferred from the Highway Trust Fund to the Authority pursuant to this subsection are not subject to the equity formula in G.S. 136-17.2A."

SECTION 28.7.(l) Subsections (f) and (g) of this section become effective July 1, 2011. Subsection (h) of this section becomes effective July 1, 2012. Subsections (i), (j), and (k) of this section become effective July 1, 2013. The remainder of this section becomes effective July 1, 2010.

C – Congestion Relief & Intermodal 21st Century Transportation Fund

Also located at:

http://www.ncdot.org/download/about/mobilityfund/Article19_IntermodalCongestionRelief.pdf

NC General Statutes - Chapter 136 Article 19.
Congestion Relief and Intermodal 21st Century Transportation Fund.

§ 136-250. Congestion Relief and Intermodal Transportation 21st Century Fund.

There is established in the State treasury the Congestion Relief and Intermodal Transportation 21st Century Fund, hereinafter referred to as the Fund. The Fund shall consist of all revenues appropriated and allocated to it. Interest on earnings of the Fund shall remain within the Fund. (2009-527, s. 1.)

§ 136-251. Findings of fact.

The General Assembly finds that:

- (1) Increased use of rail for transport of freight will reduce highway congestion as well as allow economic expansion in a way that lessens the impact on the State highway system.
- (2) Public transportation, in addition to a program of urban loops and toll roads, will enable North Carolina to have a balanced 21st century transportation system.
- (3) As part of its initial program of internal improvements, the State capitalized the North Carolina Railroad in the 1840s and invested in other railroads, and those internal improvements led to North Carolina's rapid economic development. The North Carolina Railroad, with a 317-mile corridor from Charlotte to Morehead City, is still owned by the State.
- (4) Improved rail facilities and restoration of abandoned rail lines can allow increased access to the North Carolina State ports and military installations located within the State.
- (5) Session Law 2005-222 found that expanding and upgrading passenger, freight, commuter, and short-line rail service is important to the economy of North Carolina; and provided that the State would seek to provide matching funds partly so it can leverage the maximum federal and private participation to fund needed rail initiatives, such as the restoration of the rail corridor from Wallace to Castle Hayne and a rail connection between north-south and east-west routes in the vicinity of Pembroke.
- (6) Rail freight plays a vital role in economic development throughout the State. Intermodal service depends on partnerships with railroads, trucking companies, seaports, and others in the transportation logistics chain. North Carolina has 3,250 mainline miles of track, with Class I railroads holding seventy-nine percent (79%) of the trackage rights, the remainder controlled by local railroads and switching and terminal railroads. The 2006 Mid-Cycle Update to the North Carolina Statewide Intermodal Transportation Plan identified seven hundred ninety-nine million dollars (\$799,000,000)

in freight rail needs over the next 25 years, including maintenance and preservation, modernization, and expansion.

(7) North Carolina's short-line railroads play a key role in the State's economic development and transportation service and are needed to provide essential services to other modes of transportation and the North Carolina port system. North Carolina agriculture is dependent upon essential service by short-line railroads. State funds are needed to maintain short-line railroads as viable contributors to economic development, agriculture, and transportation in this State in order to prevent the loss of regional rail service. The Department of Transportation reported that 44,992 rail cars handled by short-lines kept 179,688 trucks off North Carolina highways. Short-line railroads are essential to preserve and develop jobs in rural and small urban areas of North Carolina.

(8) Intermodal facilities and inland ports can greatly reduce freight traffic on North Carolina's highway system, reducing demand, congestion, and damage.

(9) The proposed North Carolina International Terminal will need high-capacity intermodal access.

(10) Most of North Carolina's growth is in its urban regions. According to the State Data Center, during the first decade of the 21st century, sixty-six percent (66%) of the projected 1,270,000 growth in population is in 15 urban counties surrounding Charlotte, Raleigh, and the Triad, while forty percent (40%) is in just six counties: Mecklenburg, Wake, Durham, Orange, Forsyth, and Guilford.

(11) This large urban population growth greatly taxes resources. Despite the visionary creation of the Highway Trust Fund by the 1989 General Assembly and the funding of urban loop highways, congestion continues to worsen. Creation of a special fund to help meet urban transportation needs with alternatives such as rail transit and buses, coupled with land-use planning, will spur and guide economic development in a more economically and environmentally sound manner. Investment in public transportation facilitates economic opportunity to the State through job creation, access to employment, and residential and commercial development. Public transportation also protects the public health by decreasing air pollution and reducing carbon emissions. It reduces traffic congestion, road expenditures, public and private parking costs, and the number of traffic accidents. Charlotte's recent success in opening the first phase of its light rail system, with ridership significantly over projections, shows that North Carolinians are willing to use transportation alternatives.

(12) Significant local revenues are needed to match State funds so that a major portion of the expenses is borne by the localities receiving the majority of the benefits. A local option sales tax for public transportation was approved by a fifty-eight percent (58%) favorable vote in Mecklenburg County in 1998 and reaffirmed by a seventy percent (70%) favorable vote in 2007. Extending this authority to additional jurisdictions, along with other revenue options, will enable localities to demonstrate local support for additional transit options.

(13) Surveys have indicated broad public support for providing additional public transportation options and for allowing localities to generate revenue to match State grants. (2009-527, s. 1.)

§ 136-252. Grants to local governments and transportation authorities.

(a) Eligible Entities. – The following entities are eligible to receive grants under this

section from the Fund for public transportation purposes, which includes planning and engineering:

(1) Cities.

(2) Counties.

(3) Public transportation authorities under Article 25 of Chapter 160A of the General Statutes.

(4) Regional public transportation authorities under Article 26 of Chapter 160A of the General Statutes.

NC General Statutes - Chapter 136 Article 19 3

(5) Regional transportation authorities under Article 27 of Chapter 160A of the General Statutes.

(b) Requirements. – A grant may be approved from the Fund only if all of the following conditions are met:

(1) The application is approved by all Metropolitan Planning Organizations under Article 16 of this Chapter whose jurisdiction includes any of the service area of the grant applicant.

(2) The applicant has approved a transit plan that includes the following:

a. Relief of anticipated traffic congestion.

b. Improvement of air quality.

c. Reduction in anticipated energy consumption.

d. Promotion of a pedestrian- and bike-friendly environment around and connected to transit stations.

e. Promotion of mixed-use and transit-oriented developments and other land-use tools that encourage multimodal mobility.

f. Coordination with the housing needs assessment and plan provided in subdivision (3) of this subsection.

g. Promotion of access to public transportation for individuals who reside in areas with a disproportionate number of households below the area median income.

h. Coordination and planning with local education agencies to reduce transportation costs.

i. Coordination with local governments with zoning jurisdiction to carry out elements of the plan.

The applicant may also include plans for new public transportation services and public transportation alternatives beyond those required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101, et seq.) that assist individuals with disabilities with transportation, including transportation to and from jobs and employment support services.

(3) The applicant has approved a housing needs assessment and plan, or includes with its application such assessment and plan (or assessments and plans) approved by another unit or units of local government within its service area, that includes the following:

a. A housing inventory of market rate, assisted housing units, and vacant residential parcels.

b. An analysis of existing housing conditions, affordable housing needs, and housing needs for specific population groups, such as people who are elderly, are disabled, have special needs, or are homeless.

- c. A catalogue of available resources to address housing needs.
 - d. Identification of potential resources and a strategy to provide replacement housing for low-income residents displaced by transit development and to create incentives for the purpose of increasing the stock of affordable housing to at least fifteen percent (15%) within a one-half mile radius of each transit station and bus hub to be affordable to families with income less than sixty percent (60%) of area median income.
 - e. Goals, strategies, and actions to address housing needs over a five-year period.
- (4) The applicant has an adequate and sustainable source of funding established for its share of project costs.
- (5) The applicant agrees to submit to both the Secretary and each Metropolitan Planning Organization that approved the application a periodic update of the implementation of both the transit plan and the housing needs assessment and plan. Each Metropolitan Planning Organization receiving such update shall afford interested parties the opportunity to comment on the update.
- (c) Multiyear Allotments. – Grants from the Fund may be committed for a multiyear basis to stabilize the phased implementation of a plan, including multiyear allotments. The Secretary of Transportation, after consultation with the Board of Transportation, shall approve, and amend from time to time, a rolling multiyear projection of up to 15 years for allocation of funds under this section. No applicant is eligible under the 15-year plan projection for more than one-third of the total funds to be granted under this Article during that 15-year period.
- (d) Cap; Matching Requirement. – A grant under this section may not exceed twenty-five percent (25%) of the cost of the project and must be matched by an equal or greater amount of funds by the applicant. In evaluating projects, qualification for federal funding shall be considered. (2009-527, s. 1.)

§ 136-253. Grants to other units.

- (a) Eligible Entities; Purposes. – State agencies and railroads are eligible to receive grants under this section from the Fund for any of the following purposes:
- (1) Assistance to short-line railroads to continue and enhance rail service in the State so as to assist in economic development and access to ports and military installations. This may involve both the Rail Industrial Access Program and the Short Line Infrastructure Access Program, as well as other innovative programs. Grants under this subdivision shall not exceed fifty percent (50%) of the nonfederal share and must be matched by equal or greater funding from the applicant. Total grants under this subdivision may not exceed five million dollars (\$5,000,000) per fiscal year.
 - (2) Assistance to any railroad in the construction of rail improvements, intermodal or multimodal facilities or restorations to (i) serve ports, military installations, inland ports or (ii) improve rail infrastructure to reduce or mitigate truck traffic on the highway system. Grants under this subdivision shall not exceed fifty percent (50%) of the nonfederal share and must be matched by equal or greater funding from the applicant. Total grants under this subdivision may not exceed ten million dollars (\$10,000,000) per fiscal year.
 - (3) Assistance (i) to the State ports in terminal railroad facilities and operations, (ii) to improve access to military installations, and (iii) to the North Carolina International Terminal. Grants under this subdivision shall not exceed fifty

percent (50%) of the nonfederal share and must be matched by equal or greater funding from the applicant. Total grants under this subdivision may not exceed ten million dollars (\$10,000,000) per fiscal year.

(4) Expansion of intercity passenger rail service, including increased frequency and additional cities serviced. Routes under this subdivision must extend beyond the territorial jurisdiction of a transportation authority.

(b) Commuter Rail Service Grants. – State agencies, railroads, transportation authorities under Article 25 of Chapter 160A of the General Statutes, regional public transportation authorities under Article 26 of Chapter 160A of the General Statutes, and regional transportation authorities under Article 27 of Chapter 160A of the General Statutes are eligible to receive grants under this section from the Fund for the introduction of commuter rail service. Routes under this subsection must extend beyond the territorial jurisdiction of a transportation authority. (2009-527, s. 1.)

§ 136-254. Grant approval.

All grants made under this Article are subject to approval of the Secretary of Transportation after consultation with the Board of Transportation. The Fund may be administered in conjunction with G.S. 136-44.20 and G.S. 136-44.36, but any funds allocated under those sections shall continue to be available as provided therein. (2009-527, s. 1.)

§ 136-255. Expenditure.

No monies shall be expended from the Fund until appropriated by the General Assembly. (2009-527, s. 1.)

§ 136-256. Funds remain available until expended.

Appropriations to the Fund remain available until expended. (2009-527, s. 1.)

D – Workgroup Members

Last Name	First Name	Organization/Unit	Email Address	Phone
Argabright	Van	NCDOT Program Development Branch	vargabright@ncdot.gov	(919) 733-2039
Barlow	Bill	NCDOT Public Transportation Division	wrbarlow@ncdot.gov	(919) 733-4713
Black	Paul	Triangle Area RPO	pblack@tjcog.org	(919) 558-9397
Collins	Jennifer	Goldsboro Urban Area MPO	jcollins@ci.goldsboro.nc.us	(919) 580-4327
Dabney	Unwanna	Federal Highway Administration (Advisory)	Unwanna.Dabney@dot.gov	(919) 747-7023
Davis	Mike	NCDOT Information Technology	msdavis5@ncdot.gov	(919) 707-2032
Fearing	Charles	NCDOT Ferry Division	cfearing@ncdot.gov	(252) 473-3461
Holder	Mike	NCDOT Division Twelve	mholder@ncdot.gov	(704) 480-9025
Hughes	Craig	High Country RPO	chughes@regiond.org	(828) 265-5434
Huskins	Betty	North Regional Council of Governments	betty@ridgetopassociates.com	(828) 273-0276
Leonard	Kevin	North Carolina Association of County Commissioners	kevin.leonard@ncacc.org	(919) 715-4369
Lewis	Bobby	NCDOT Division Four	bobbylewis@ncdot.gov	(252) 237-6164
Lukasina	Chris	Capital Area MPO	chris.lukasina@ci.raleigh.nc.us	(919) 996-4402
Meyer	Paul	North Carolina League of Municipalities	pmeyer@nclm.org	(919)715-3930
Mills	Mike	NCDOT Division Seven	mmills@ncdot.gov	(336) 334-3192
Patel	Alpesh	NCDOT Strategic Planning Office	agpatel@ncdot.gov	(919) 715-8717
Simmons	Pat	NCDOT Rail Division	pbsimmons@ncdot.gov	(919) 733-7245
Stewart	Jill	NCDOT Information Technology	jestewart@ncdot.gov	(919) 707-2022
Talanker	Elena	NCDOT Transportation Planning Branch	etalanker@ncdot.gov	(919) 733-4705
Vine-Hodge	John	NCDOT Bicycle and Pedestrian Division	jvinehodge@ncdot.gov	(919) 807-0772
Voelker	Don	NCDOT Strategic Planning Office	djvoelker@ncdot.gov	(919) 715-0951
Walston	Bobby	NCDOT Aviation Division	bwalston@ncdot.gov	(919) 840-0112
Wasserman	David	NCDOT Strategic Planning Office	dswasserman@ncdot.gov	(919) 715-1273
White	Julie	North Carolina Metropolitan Mayor's Coalition	jwhite@nclm.org	(919) 715-7895



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

September 23, 2010

Mike Kozlosky, Executive Director
Wilmington Urban Area MPO
305 Chestnut St., Floor 4
Wilmington, NC 28401

Dear Mr. Kozlosky:

Subject: **Wilmington Multimodal Transit Center**, in Wilmington, New Hanover County, WBS# 42914

The North Carolina Department of Transportation (NCDOT) Rail Division is evaluating the construction of a Wilmington Multimodal Transit Center (WMTC) in Wilmington, New Hanover County (see Figure 1). The WMTC will provide a facility for connections between various modes of transportation in central Wilmington.

The purpose of the WMTC is to serve as a centrally-located center that would optimize the interaction between local buses, intra-city buses, taxis, bicycles, pedestrians, and planned passenger rail service. The construction of the WMTC would encourage increased use of alternative travel modes.

The WMTC will accommodate the growing population in the Wilmington area. According to a recent transit study, the Wilmington urban area is expected to see a 75% increase in population between 2005 and 2035, with an 86% increase in employment. Within the City of Wilmington the population is projected to grow by 39% during this time period, with a 63% growth in employment. As the population of the region increases, this project is needed to combine rail with other transportation modes to improve the movement of passengers in the region.

Three previous studies have investigated the construction of the WMTC. Two studies; *The Wilmington Urban Area Multi-Modal Transportation Center Feasibility Study (2000)*, and the *Wilmington Multi-Modal Transportation Center Evaluation Report (2004)*, applied selection criteria to various sites, compared the sites to each other, and developed a recommendation on a preferred site.

The third study, *Transit Needs Study for the Wilmington Multi-Modal Transportation Center, 2009*, analyzed the proposed WMTC in context with other area plans, presented the views of downtown transportation stakeholders, considered functional requirements, site design considerations and conceptual site layouts.

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
RAIL DIVISION
1553 MAIL SERVICE CENTER
RALEIGH NC 27699-1553

TELEPHONE: 919-733-7245
FAX: 919-715-6580

WEBSITE: www.bytrain.org

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

Results of the studies performed over the past 10 years resulted in the identification of one location as the preferred development site (see Figure 2). Various site concepts are under consideration. This site is located 300-feet north of Red Cross Road, bounded on the north by Hanover Road, on the west by 3rd Street and on the east by 4th Street.

As a part of the scoping process we would appreciate any information you have that would be helpful in evaluating potential community and environmental impacts for this project. If applicable, please identify any permits and/or approvals required by your agency.

Please note that there will be no formal interagency scoping meeting for this project. This letter constitutes solicitation for scoping comments related to the project. It is desirable that you respond by **November 8, 2010**, so that your comments can be used in the preparation of a proposed Federally-funded Environmental Assessment in accordance with the National Environmental Policy Act of 1969.

The US Fish and Wildlife Service lists eight endangered and four threatened species for New Hanover County (updated August 5, 2010). The listed species include the following:

<i>Common Name</i>	<i>Scientific Name</i>	<i>Status</i>
Red-cockaded woodpecker	<i>Picoides borealis</i>	Endangered
Wood stork	<i>Mycteria Americana</i>	Endangered
Cooley's meadowrue	<i>Thalictrum cooleyi</i>	Endangered
Rough-leaved loosestrife	<i>Lysimachia asperulaefolia</i>	Endangered
West Indian manatee	<i>Trichechus manatus</i>	Endangered
Red wolf	<i>Canis rufus</i>	Endangered
Hawksbill sea turtle	<i>Eretmochelys imbricate</i>	Endangered
Leatherback sea turtle	<i>Dermochelys coriacea</i>	Endangered
Piping Plover	<i>Charadrius melodus</i>	Threatened
Seabeach amaranth	<i>Amaranthus pumilus</i>	Threatened
Green sea turtle	<i>Chelonia mydas</i>	Threatened
Loggerhead sea turtle	<i>Caretta caretta</i>	Threatened

Investigations will be conducted to determine if any endangered or threatened species are in the project study area.

The project area will also be reviewed to determine if the project will affect any properties that may be eligible for the National Register of Historic Places.

Thank you for assisting us in this study. If you require further information regarding the proposed action or the environmental analysis process, please contact me by phone at (919) 715-6684 or by email at rlwhite@ncdot.gov.

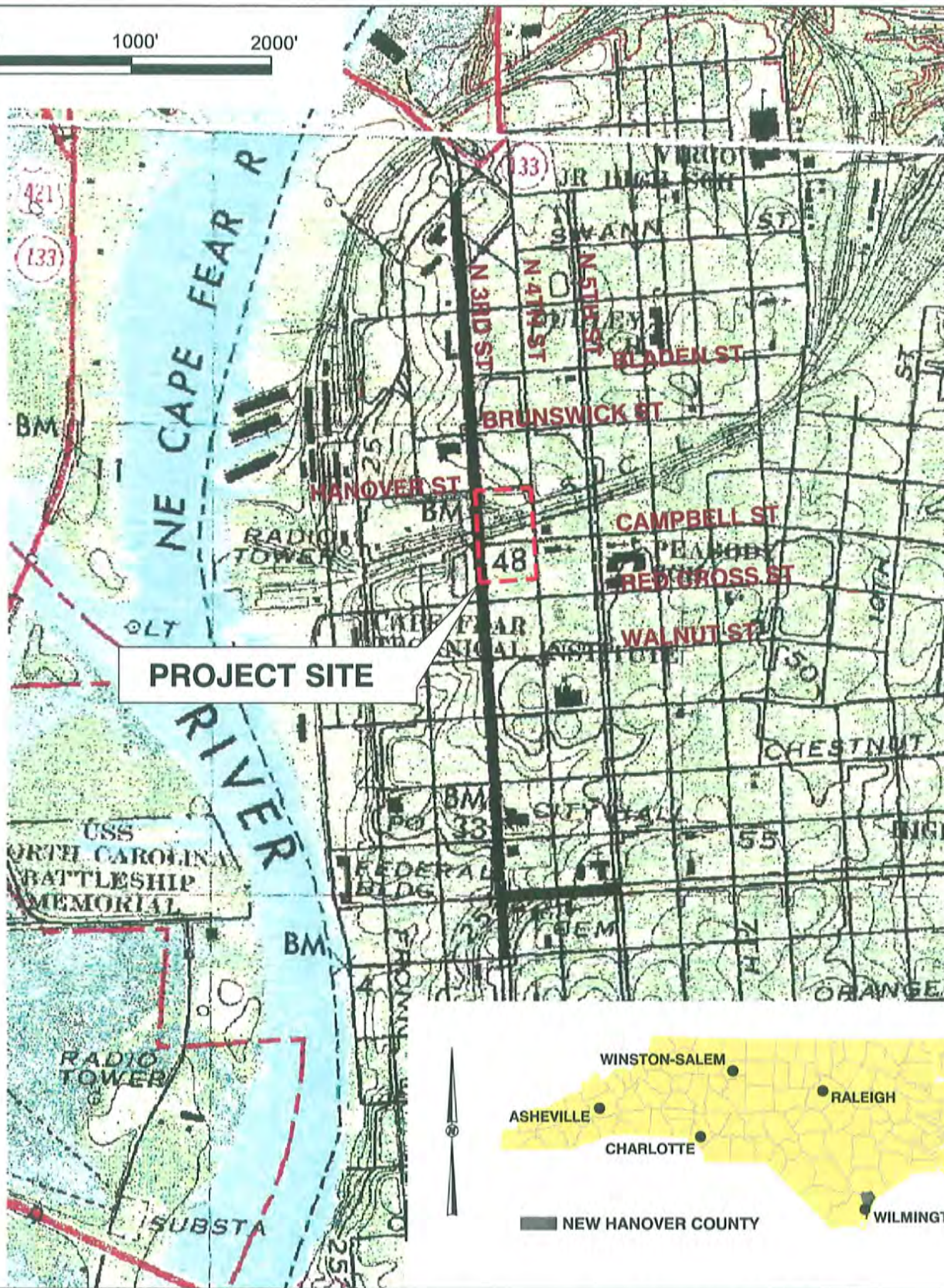
Sincerely,

A handwritten signature in black ink, appearing to read "Ryan L. White". The signature is fluid and cursive, with the first name "Ryan" being the most prominent part.

Ryan L. White, P.E.
Rail Project Development Engineer
NCDOT Rail Division
Environmental and Planning Branch

RW/wk
Attachments

0' 1000' 2000'



PROJECT SITE



PREPARED FOR:
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION



PREPARED BY:
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FIGURE 1 - LOCATION MAP WILMINGTON MULTIMODAL TRANSIT CENTER

WILMINGTON, NEW HANOVER COUNTY
SEPTEMBER 7, 2010



Figure 2 - Project Site
WILMINGTON MULTIMODAL TRANSIT CENTER
Wilmington, New Hanover County
September 7, 2010

***City of Wilmington/Wilmington MPO
Project Update
September 2010***

WILMINGTON BYPASS (No significant change)

Project Description/Scope: Construct the Wilmington Bypass from US 421 in New Hanover County to US 17 in Brunswick County.

Current Status: NCDOT has let the design and construction of the Wilmington Bypass Section “A” from US 17 to US 74/76 as a “design-build” project. They anticipate completing this section of the Bypass in 2013. NCDOT prepared an “*Urban Loop Prioritization Process*” that prioritized the 10 urban loops across the state. NCDOT released the results of the Urban Loop Prioritization Process in August. The Wilmington Bypass “Section B” is funded from FY 2013 through 2020.

Next Step: Work to identify potential funding to expedite construction of the Wilmington Bypass Section “B”. The projects expected completion date is 2020.

CAPE FEAR COMMUTES 2035 TRANSPORTATION PLAN

Project Description/Scope: Cape Fear Commutes 2035 is a federally-mandated assessment of the current and future transportation needs of people and goods within the Wilmington MPO area. Cape Fear Commutes 2035 will create a long range transportation plan with recommendations for how those needs should be addressed over the next 25 years.

Current Status: The MPO committee charged with crafting the Cape Fear Commutes 2035 Transportation Plan has finalized the draft plan. Comments were received during the 30-day public comment period and staff met with the Citizen Advisory Committee (CAC) on August 18th. Staff is addressing the comments in the final plan.

Next Step: Staff anticipates presenting the final plan to the TAC in October and potentially to City Council in December.

CAPE FEAR SKYWAY

Project Description/Scope: Construct the Cape Fear Skyway that will link from in the vicinity of US 17 to Independence Boulevard and Carolina Beach Road.

Current Status: On August 18th the maps for the proposed northern alignment were presented to the Wilmington MPO’s Transportation Advisory Committee (TAC). The TAC endorsed a resolution that encourages New Hanover County, City of Wilmington, Brunswick County and Town of Leland to utilize North Carolina General Statute 136-44.50 to file a Transportation Corridor Official map for the proposed Cape Fear Skyway. The Town of Leland has schedule a public hearing for October 30, 2010 to discuss the filing of the Transportation Official Corridor map.

Next Step: Work with New Hanover and Brunswick counties, Town of Leland and City of Wilmington to preserve a corridor for the future Cape Fear Skyway from Independence Boulevard/Carolina Beach Road intersection to a location in the vicinity of US 17 and the Wilmington Bypass in Brunswick County. Work with North Carolina delegation to provide the necessary “gap” funding for the construction of the Cape Fear Skyway.

CITY OF WILMINGTON COLLECTOR STREET PLAN

Project Description/Scope: Complete a city-wide area collector street plan for the City of Wilmington including Monkey Junction.

Current Status: The Wilmington MPO has selected Stantec to complete the City of Wilmington Collector Street Plan. Staff has developed a scope of services and fee.

FIT COMMUNITY 2009 GRANT

Project Description/Scope: Submit a designation and grant application to the Fit Community 2009 grant program.

Current Status: The Ann Street Bicycle Boulevard is officially open and grant-funded promotional activities will continue as planned until September 2010. The final ride was held on September 18th.

Next Step: Let the Ann Street at South 5th Avenue intersection improvement project for bid in September, with construction to begin later in the fall.

5TH AVENUE PAVEMENT MARKING PLAN

Current Status: Kimley-Horn and Associates was hired to complete the design. The City has received and commented on the 90% design plans. Staff completed the data collection and a signal warrant analysis at the intersections of 5th Avenue/Grace, 5th/Princess, 5th/Chestnut and 5th/Red Cross. It has been determined the signals do not meet the traffic warrants; however, staff is currently reviewing the site distances.

Next Step: Complete the site distance analysis. Receive the 100% design plans. Bid and construct the revised pavement markings.

GARY SHELL CROSS-CITY TRAIL

Current Status: Construction on Phase I will be completed by the end of September. Construction on Phase II will be completed by the end of September. (A recommended cross-section and alignment along Mallard Street, Rill Road and Teal Street was approved by City Council on August 3rd). Kimley-Horn Associates, Inc. has completed design and permitting for Phases IIIA and IIIG. NCDOT has signed the municipal agreement and all necessary documentation has been submitted to FHWA.

Next Step: Phase IIIA and IIIG will be let for bid later in the fall.

MARKET STREET CORRIDOR PLAN

Project Description/Scope: Develop a corridor plan for Market Street from Colonial Drive to the Pender County line.

Current Status: The Wilmington MPO has received the final Market Street Corridor plan.

Next Step: Hold a joint City/County Planning Commission meeting in October and present the corridor plan to City Council, County Commissioners and Transportation Advisory Committee in January.

N. 3RD STREET CORRIDOR STREETScape IMPROVEMENTS

Project Description/Scope: In May 2006, a transportation bond referendum was approved that included \$5 million in improvements to the North 3rd Street corridor.

Current Status: The City has received the 100% final design plans and the 100% opinion of probable costs. Staff has worked with Cape Fear Public Utility Authority (CFPUA) to develop an Inter-local Agreement for the construction of the improvements along North 3rd Street.

Next Step: Bid the construction of the North 3rd Street improvements by the end of the year.

MASONBORO LOOP/MASONBORO SOUND/PINE GROVE

Project Description/Scope: Realign the intersection of Masonboro Loop/Masonboro Sound and Pine Grove Drive.

Current Status: The encroachment permit is in hand. The deeds for additional right-of-way have been secured from owners by the Attorney's Office. The negotiations are underway with the utility companies for their relocation. The project has been bid, however the bids were rejected

Next Step: Rebid the project and begin construction.

NEIGHBORHOOD TRAFFIC MANAGEMENT

Project Description/Scope: Construct neighborhood traffic management improvements in the Pine valley East neighborhood.

Current Status: Due to funding, transportation planning staff was forced to prioritize the neighborhood traffic management improvements in Pine Valley East. The City opened and the low bidder was Barnhill Construction. The PO was approved by the City Council.

Next Step: The City will begin construction of the identified improvements in Pine Valley East on October 4th.

RANDALL PARKWAY

Project Description/Scope: Widen Randall Parkway from South College Road to Independence Boulevard.

Current Status: The consultant (WK Dickson) is finalizing the design. Property Acquisition continues, with offer letters being sent to parcel owners as appraisals and review appraisals are complete. Plats showing the existing and proposed ROW acquisition have been recorded. The environmental permitting is commencing.

Next Step: The City expects to solicit bids in late 2010, with construction expected to commence early 2011.

SAFELIGHT

Current Status: Seven of 13 sites upgraded to ATS technology, 3 sites have NCDOT permits for upgrade, the last three sites need new or revised plans to complete upgrade of system. The system has been at full operation strength except for one site affected by the Wrightsville Avenue road closure.

Next Step: Construct three permitted sites, finalize plans and procure NCDOT permits for last three sites. Two new sites and one upgraded site will have to be independently certified for UL compliance to pass county electrical inspection and receive power service.

TRAFFIC SIGNAL SYSTEM UPGRADE/EXPANSION 08TS10

Current Status: All contract construction and 30-day observation is complete. The camera and intersection at Eastwood at Rogersville, the intersections of the 6th Street RR Bridge, the Princess Place Fire Station, and the Pine Valley camera will be connected pending the final documentation for fiber optic testing.

Next Steps: Connect all remaining off system intersections and cameras and begin process of closing-out project upon receipt of fiber optic certification in an acceptable format from the contractor. Complete NCDOT reimbursement requests.

US 17/NC 210 CORRIDOR STUDY

Project Description/Scope: Develop a corridor plan for US 17 from Washington Acres to Sloop Point Road and NC 210 from US 17 to Island Creek Road.

Current Status: The Wilmington MPO has advertised a Request for Qualifications and received nine proposals. Staff is currently reviewing the proposals and plans to have a consultant under contract by November 1st.

Next Step: Develop the corridor study. The expected completion date is June 2011.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

October 15, 2010

TIP Projects:

R-2245: Second bridge to Oak Island over the intercoastal waterway.
Under construction

Open to traffic by the end of October 2010; two-lane two-way pattern

B-0682: Bridge to Sunset Beach over the intercoastal waterway.
Under construction

Estimated Contract Completion Date December of 2010

U-4733: intersection improvements SR 1411 (Wrightsville Avenue), from Forest Hills Drive to SR 2313 (Wilshire Boulevard).

Estimated Contract Completion Date middle of October 2010

U-3462: Town of Shallotte, SR 1357 (Smith Avenue) extension from West of US 17 Business to NC 130. Under construction and funded by stimulus.

Estimated Contract Completion Date Dec. 2010

R-4002: widen SR 1472 (Village Road) from SR 1437 (Old Fayetteville Road)/SR 1435 (South Navassa Road) to east of US 17 Interchange ramps, to a 4-lane divided facility.

Estimated Contract Completion Date June 2011

B-4030: replace Bridge #9 over Bear Branch, on NC 130.

Estimated Contract Completion Date December 2010

W-5103 – US 421 (Carolina Beach Road) from George Anderson Road to SR 1100 (River Road) construct various safety improvements at 20+ intersections.

Estimated Contract Completion Date 7/1/2012

Memorial Bridge – painting of the Memorial Bridge.

Lane closures are not allowed from Memorial Day to Labor Day (fall/winter time) for the following times: 5:00 AM to 7:00 PM

Lane closures are not allowed from Memorial Day to Labor Day (spring/summer time) for the following times: 6:00 AM to 7:00 PM Monday thru Thursday

Contractor will be allowed to completely close the bridge for the following times:
April 13, 2010 to June 11, 2010 from 7:00 PM to 5:00 AM.

Estimated Contract Completion Date Spring 2011

B-5215 – SR 1115 (Stone Chimney Road) replace bridge #49 over branch of Lockwood Folly River. **Availability Date August 2, 2010; contractor has 120 days to complete**

B-5217 – SR 1115 (Stone Chimney Road) replace bridge #59 over branch of Lockwood Folly River. **Availability Date August 2, 2010; contractor has 120 days to complete**

B-5216 – SR 1115 (Stone Chimney Road) replace bridge #58 over branch of Lockwood Folly River. **Availability Date August 2, 2010; contractor has 120 days to complete**

W-5104 – NC 132 (College Road) from US 421 (Carolina Beach Road) to US 117 (Shipyard Blvd.) construct various safety improvements at 10+ intersections.

Letting Date November 16, 2010

Public Information Meeting October 19, 2010

R-2633 AA & AB: Construction of I-140 (Wilmington Bypass) from US 17 to US 74/76.

Availability Date March 29, 2010

Estimated Contract Completion Date July 3, 2013

U-3338 B: Widening of Kerr Ave. from Randell Parkway to Martin Luther King, Jr. Parkway.
Start Date May 2013

R-3601 US 17/74/76: Widening across the “causeway”, between Leland and Wilmington. AT the beginning the planning process. We will move into the merger process afterwards and then to design. A scoping meeting will be held in the next couple of months.

Start Date July 2013

R-3432 – SR 1163 (Georgetown Road) extend from SR 1184 (Ocean Isle Beach Road) to NC 179. Start Date June 2013

U-4902 C: construct a concrete median island from SR 1402 (Porter's Neck Road) to Colonial Drive (non-system road). Project is in the planning process and awaiting the completion of the Market Street Corridor Study.

R-2633 B: Construction of I-140 (Wilmington Bypass) from US 74/76 to US 421.

R-5021: NC 211 widening, from NC 87 to SR 1500 (Midway Road).

R-4063: widen SR 1472 (Village Road) from SR 1435 (South Navassa Road) to SR 1438 (Lanvale Road).

Military Cutoff Road Extension (U-4751) and Hampstead Bypass (R-3300): extending Military Cutoff Road from Market Street to the Wilmington Bypass, with an interchange at the Bypass. NCDOT and the merger team are scheduled to have selected a preferred alternative by Winter 2009/2010 and complete the final environmental impact statement by Summer 2010.

FS-0203C Feasibility Study for College Road: from SR 1327 (Gordon Road) to US 17 (Market Street).

Division Projects:

SR 1448 (Middle River Road): full depth patching from NC 211 to the paved end of system. Schedule to be under contract in the November 2010

SR 1345 (Royal Oak Road): mill patch the rutted section of SR 1345 (Royal Oak Road), due to increased truck traffic. Schedule to be under contract in the November 2010

SR 1403 (Middle Sound Loop Road): redesign the intersection of SR 1403 (Middle Sound Loop Road) and SR 1407 (Darden Road), into a roundabout design. Design is complete and our schedule is to construct the roundabout in the summer of 2010, when school is complete.

Work complete except small areas of widening at radii

Resurfacing Projects:

New Hanover County contract (C202188):

- US 421** milling and resurfacing from Snows Cut Bridge to Carolina Sands Drive.
- US 117/NC 132** resurfacing from SR 1322 (Murrayville Road) to bridge over I-40.
- SR 1574 (Service Road)** milling and resurfacing from SR 1573 to SR 1573.
- SR 1592 (Landsdowne Road)** mill patching and resurfacing from NC 132 to SR 1516 (Navaho Trail).
- SR 1516 (Navaho Trail)** mill patching and resurfacing from SR 1592 to SR 1492 (Masonboro Loop Road).
- SR 1492 (Masonboro Loop Road)** patching and resurfacing from SR 1517 (Trails End Road) to SR 1505 (Beasley Road).
- SR 1411 (Dawson Street Extension)** resurfacing from US 76 (Oleander Drive) to SR 1411 (Wrightsville Avenue).
- SR 1411 (Wrightsville Avenue)** patching from SR 1411 to Independence Boulevard.
- SR 1411 (Wrightsville Avenue)** patching from Huntington Road to US 76.
- SR 1411 (Wrightsville Avenue)** milling and resurfacing from US 76 to US 74.
- SR 2313 (Wilshire Boulevard)** patching from SR 1411 to SR 1175 (Kerr Avenue)
- SR 1302 (North 23rd Street)** milling and resurfacing from US 17 Bus. To north of RR Tracks.

Estimated Contract Completion Date Fall 2010

Brunswick & New Hanover Counties contract (C202476):

Brunswick County:

- NC 87** resurface from NCL of Boiling Springs to US 17, including spiral widening at various locations.
- NC 211** resurface from 0.24 mile west of the Town of St. James to 0.18 mile east of SR 1500 (Midway Road).
- SR 1300 (Calabash Road NW)** resurface from SR 1308 (Etheridge Road NW) to NC 904,
- SR 1132 (Shell Point Road)** resurface from NC 130 to SR 1130 (Mt. Pisgah Road),
- SR 1417 (Malmo Loop Road)** resurface from NC 87 to US 74/76,
- SR 1426 (Mt. Misery Road)** resurface from US 74/76 to SR 1426

New Hanover County:

- US 421 Truck** resurface from 0.02 mile north of US 421 to 0.01 mile north of Queen Street (non-system).
- SR 1301 (Princess Place Road)** resurface from US 17 Business to 17th Street.

Estimated Contract Completion Date November 2010

Pender County contract (C202475):

- NC 11** resurface from US 421 to US 117, including spiral widening at various locations.

Estimated Contract Completion Date November 2010

Brunswick County contract (C202562):

US 17 milling the outside lane and resurfacing the full width, from US 17 Business (southside of Bolivia) to US 17 Business (northside of Shallotte).

Estimated Contract Completion Date December 2010

Pender County contract:

NC 53 (Burgaw Highway) mill & resurface approaches to Bridge #34 (over the Cape Fear River), Bridge #37 (over Angola Creek just west of NC 50) & Bridge #39 (over Moores Creek just east of NC 50).

Estimated Contract Completion Date September 2010

prioritization2.0

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

Listening Sessions

Join us and offer your feedback!

NCDOT is hosting four listening sessions across the state to get your input on the way we prioritize projects.

When and Where

- **Nov. 8 at 9 a.m. in Raleigh**

RDU Airport Authority (1000 Trade Drive, RDU Airport)

As you enter the airport area, follow signs to Rental Car Return. RDU Center is located across from Thrifty Car Rental.

- **Nov. 10 at 9 a.m. in Kinston**

Global Transpark Center Training Facility (Auditorium)

<http://www.ncgtp.com/center.html>

- **Nov. 15 at 9 a.m. in Greensboro**

Greensboro Coliseum Special Events Center, Meeting Room 1 (A and B)

http://www.greensborocoliseum.com/guest_services/directions

- **Nov. 16 at 10 a.m. in Morganton**

Western Piedmont Community College (Foothills Higher Education Center)

<http://www.wpcc.edu/academics.php?cat=18%E2%80%8E>

Agenda

- **Opening Comments / Welcome — NCDOT Staff**
- **Overview of Prioritization 1.0 — NCDOT Staff**
Current scoring system, submittal process, web interface and accomplishments
- **Data Driven Approach (Non-Highway Modes) – NCDOT Staff**
Presentations from Aviation, Bicycle & Pedestrian, Ferry, Rail and Public Transportation Divisions
- **Open Discussion — Attendees**
Input for creating Prioritization 2.0
- **Closing / Next Steps — NCDOT Staff**

