



Legislation Text

File #: [18-0987], Version: 1

Adopt a Resolution Opposing North Carolina Department of Transportation Incursion into the Oosting Natural Area.

Overview: On November 13, 2018, the Orange County Board of Commissioners adopted a resolution opposing North Carolina Department of Transportation (NCDOT) incursion into the Oosting Natural Area. This area is a segment of Duke Forest adjacent to Whitfield Road, just north of the I-40 intersection with NC 86/Martin Luther King Jr Boulevard. Upon adoption, the Board of Commissioners requested the Town's support of the resolution.

Recommendation(s):

That the Council adopt the attached resolution opposing NCDOT incursion into the Oosting Natural Area and requesting that NCDOT consider alternatives to disrupting this area and impacting homes in the Northwood community.

Additional Background:

NCDOT recently began [publicizing <https://www.ncdot.gov/news/press-releases/Pages/2018/2018-11-01-i-40-orange-county-bottleneck.aspx>](https://www.ncdot.gov/news/press-releases/Pages/2018/2018-11-01-i-40-orange-county-bottleneck.aspx) a project to widen I-40 in Orange County. (This included scheduling a public meeting in Chapel Hill on November 5, which was postponed due to the OWASA water main break and has not yet been rescheduled.) Funding for the project could be approved in mid-2019, with right-of-way purchasing projected to start in 2021 and construction in 2023.

As part of that project, NCDOT is also considering changes to and around the NC 86 exit of I-40 to help alleviate rush hour issues. Proposed changes to Eubanks Road, south of the I-40/NC 86 intersection, would impact homes in the Northwood community.

Proposed changes to Whitfield Road, north of the I-40/NC 86 intersection, would impact the Henry J. Oosting Natural Area. In addition to being part of Duke Forest, this area lies within the Rural Buffer, which defines Chapel Hill's urban services boundary. It is recognized by the North Carolina Department of Natural and Cultural Resources' [Natural Heritage Program <https://www.ncnhp.org/activities/conservation/registered-heritage-areas>](https://www.ncnhp.org/activities/conservation/registered-heritage-areas) as a Registered Heritage Area.

Attachments:

- Resolution
- NCDOT design drawing - I-40/NC 86 interchange - Alternate 2
- NCDOT design drawing segment - Whitfield Road
- NCDOT design drawing segment - Eubanks Road/Northwood Community
- Orange County Board of Commissioners Resolution 2018-072

A RESOLUTION OPPOSING NORTH CAROLINA DEPARTMENT OF TRANSPORTATION INCURSION INTO THE OOSTING NATURAL AREA (2018-12-05/R-3)

WHEREAS, the Town of Chapel Hill has a longstanding commitment to environmental protection; and

WHEREAS, for more than 30 years Chapel Hill, in partnership with Orange County and Carrboro, has been committed to development according to a joint land-use plan that protects significant natural areas in the central part of the county, including large sections of Duke Forest in the area designated as the "Rural Buffer"; and

WHEREAS, the Henry J. Oosting Natural Area, a segment of Duke Forest adjacent to Whitfield Road at the northeast quadrant of the Interstate 40 intersection with NC 86/Martin Luther King Boulevard, is within the area recognized by local governments for protection; and

WHEREAS, the Oosting Natural Area is a Registered Natural Heritage Area, placed in 2004 in the protection program stipulated by the North Carolina Nature Preserves Act, providing crucial connectivity of natural habitats in an increasingly urban and suburban setting across Orange and Durham counties; and

WHEREAS, the Oosting Natural Area was recognized in 1979 by the North Carolina Department of Transportation's (NCDOT) own Planning and Research Branch for "protective measures" during the design and construction of I-40; and

WHEREAS, the Oosting Natural Area, managed by Duke University for "long range ecological research and related activity" since 1959, currently is host to extensive research activities; and

WHEREAS, any environmental assessment conducted by or on behalf of NCDOT that fails to take into account the rare value of the Oosting Natural Area is insufficient and misleading.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council calls upon NCDOT to avoid any additional road or construction incursion into the Henry J. Oosting Natural Area in association with redesigning this interchange or widening I-40 now or in the future.

BE IT FURTHER RESOLVED that the Council requests that NCDOT carefully consider alternatives to disrupting not only this key segment of Duke Forest but also the homes potentially impacted within the Northwood community through options presented on November 5, 2018.

This the 5th day of December, 2018.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council opposes NCDOT incursion into the Oosting Natural Area and requests that NCDOT consider alternatives to disrupting this area and impacting homes in the Northwood community.