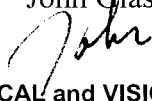


Source:

John Glascock



Agenda Item No. REP 108-11

FISCAL and VISION NOTES:

City Fiscal Impact Enter all that apply:	
\$285,460	City's current net FY cost.
\$285,460	Amount of Funds Already appropriated
\$0	Amount of budget amendment needed
\$0	Estimated 2 yr net costs: One-time
\$0	Operating / On-going
Program Impact:	
N	New program/ agency (Y/N)
N	Duplicates/expands an existing program (Y/N)
N	Fiscal impact on any local political subdivision (Y/N)
Resources Required:	
N	Requires add'l FTE personnel? (Y/N)
N	Requires additional facilities? (Y/N)
N	Requires additional capital equipment? (Y/N)
Mandates:	
N	Federal or state mandated? (Y/N)
Vision Implementation Impact Enter Below All That Applies: Refer to Website:	
Y	Vision Impact? (Y/N or if N, go no further)
12	Primary Vision, Strategy and/or Goal Item#
12.4.1 12.4.2	Secondary Vision, Strategy and/or Goal Item#
Task #	FY10/FY11 Implementation Task#

TO: City Council

FROM: City Manager and Staff



DATE: June 22, 2011

RE: Hominy Creek Trail Phase 2: Trail Alignment on Three Parcels at the East End of the Project

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration a report discussing the Hominy Creek Trail alignment through the parcels shown on the attached Diagram 1.

DISCUSSION:

At the January 18, 2011 Council meeting, three parcels were removed from the Ordinance to acquire easements for the Hominy Creek Trail project to allow staff additional time to discuss possible trail alignment options with the adjacent property owners with the goal of reaching a consensus on the trail alignment.

Two alignments have been considered for this portion of Hominy Trail. The attached Diagram 2 shows the two possible trail alignments referred to as the Creek-side Trail Alignment and the Road-side Trail Alignment. The primary difference in the two alignments is how the trail goes beyond the Columbia Canine Sports Center property, which is owned by K-9 Venture Associates LLC, and 3 Chix LLC (K-9 / 3 Chix). Both trail alignments pass under the outer road and I-70 to connect with the existing Hominy Creek Trail which was constructed by The Links development north of I-70.

The Creek-side Trail Alignment is the original concept that was presented at the May 7, 2009 IP meeting. This alignment was originally shown since it followed the creek and provided the most scenic alignment and user facility for the Hominy Creek Trail. At the IP meeting, the K-9 / 3 Chix property managing partner was strongly opposed to the Creek-side Trail Alignment. The owners' concerns were that the trail location on the back side of their property would negatively affect their business of training dogs in the open area of their property between the parking lot and the creek. There are also concerns about dogs-in-training negatively interacting with trail users.

Following the IP meeting, staff worked with the K-9/3 Chix managing partner to address issues and concerns with the project. As a result, the original trail alignment was modified and is shown on Diagram 2 as the Road-side Trail Alignment. This alignment avoids the back area of the K-9 / 3 Chix property by heading north between the Frech property and the K-9 / 3 Chix property up to the outer road

where the trail follows the outer road eastward to the Hominy Creek. While the Road-side Trail Alignment is not as desirable from a trail users viewpoint, the alignment provided a viable option to get the trail connected to the north side of I-70 while working with the adjacent owners to address their concerns. The project presented by staff at the September 7, 2010 public hearing included the Road-side Trail Alignment. Following the public hearing, council directed staff to proceed with the project. The project design and Right of Way descriptions proceeded using the approved Road-side Trail Alignment. Staff prepared the Ordinance to acquire easements for first reading at the January 3, 2011 Council meeting.

Prior to the approval of the Ordinance to acquire, staff was notified that the Frechs were strongly opposed to the Road-side Trail Alignment since it required bringing the trail northward along their eastern property line to get to the outer road. They asked that the trail not be brought to the outer road but rather stay along the creek, and that the trail be located as close as possible to the creek in order to minimize the impact to their property. The easements for the Frech property and the K-9 / 3 Chix property were removed from the Ordinance to acquire to allow staff time to discuss possible trail alignment options with these two adjacent property owners with the goal of reaching a consensus on the trail alignment.

Staff contacted the managing partner for K-9 / 3 Chix properties and flagged a proposed Creek-side Trail Alignment across the property. In discussions with the managing partner it is apparent the owners are still strongly opposed to a trail in this area between their parking lot and the creek, and they believe there will be negative impacts to their business and the trail users with a trail at the back of the property. In consideration of the impasse in reaching a consensus, staff has further studied the trail corridor and future roadway needs in the vicinity in an effort to bring additional considerations into the factors leading to a recommended trail alignment.

The future Ballenger Lane extension from Clark Lane southward to St. Charles Road and Richland Road is shown on the City of Columbia Major Roadway Plan. The future Ballenger Lane extension will include an overpass bridge spanning I-70, the south outer road and the Hominy Creek. There will not be an interchange with I-70 or an intersection with the south outer-road. The Ballenger Lane overpass was originally not a critical factor in determining the Hominy Creek Trail alignment. This is due to the fact that the future Ballenger Lane overpass will be spanning the outer road and creek, and also the trail. If the trail location needs to be adjusted slightly in the future with the bridge construction, that will be an easy matter.

The Missouri Department of Transportation (MoDOT) performed the East Columbia Environmental Impact Study (EC-EIS) to identify east Columbia's current and future transportation needs. The EC-EIS recently received approval by the Federal Highway Administration by the issuance of a Record of Decision (ROD) for the EC-EIS on June 24, 2010. The EC-EIS identifies the preferred alternatives for major roadways in the area as the eastward extension of Stadium Boulevard to Lake of the Woods interchange at I-70, the Ballenger Lane extension and the future improvement of Route WW. While the Stadium Extension and Route WW improvements will be MoDOT projects, the Ballenger Lane extension will be a City of Columbia project. The EC-EIS approved corridor for the Ballenger Lane extension is shown on the attached Diagram 3. The approved corridor shown for Ballenger Lane is 300 ft wide.

Diagram 4 shows the Ballenger Lane extension corridor and trail area in more detail. Since the future Ballenger overpass will be bridging over this area, the future overpass width will likely not be 300 ft wide and the future alignment will be determined to stay within the EC-EIS corridor while also considering financial issues such as avoiding structures as much as possible. At this time, it appears the future extension of Ballenger Lane Extension will likely be within the western portion of the approved

corridor. The Frech tract is approximately 300 ft wide with the eastern approximately 180 ft of the tract affected by the Ballenger Lane extension corridor. At this time, it appears as though the future Ballenger Lane extension will likely require acquisition of the entire Frech property.

Staff is proposing to negotiate with the Frechs for the purchase of their property using roadway corridor preservation funds, similar to the acquisition of property that was done for the future Creasy Springs Road re-alignment. Negotiations will be based on a real estate appraisal. Following negotiation, once a price is agreed upon, staff will bring forth an ordinance authorizing a contract for the purchase of the property. If negotiations are unsuccessful, staff would recommend proceeding with acquisition of the trail easements only. Staff met with the Frechs to inform them of this proposal to acquire their entire property and they are receptive to the negotiation process proceeding.

The successful purchase of the Frech property will provide needed Right of Way for the future extension of Ballenger Lane and will also facilitate construction of the Hominy Creek Trail project along the Road-side Trail Alignment. The portion of the Frech property needed for the trail alignment is proposed to be paid for from Non-Motorized grant funds. Staff is recommending proceeding in the manner outlined above with the Hominy Creek Trail Phase 2 following the Road-side Trail Alignment as approved at the public hearing.

FISCAL IMPACT:

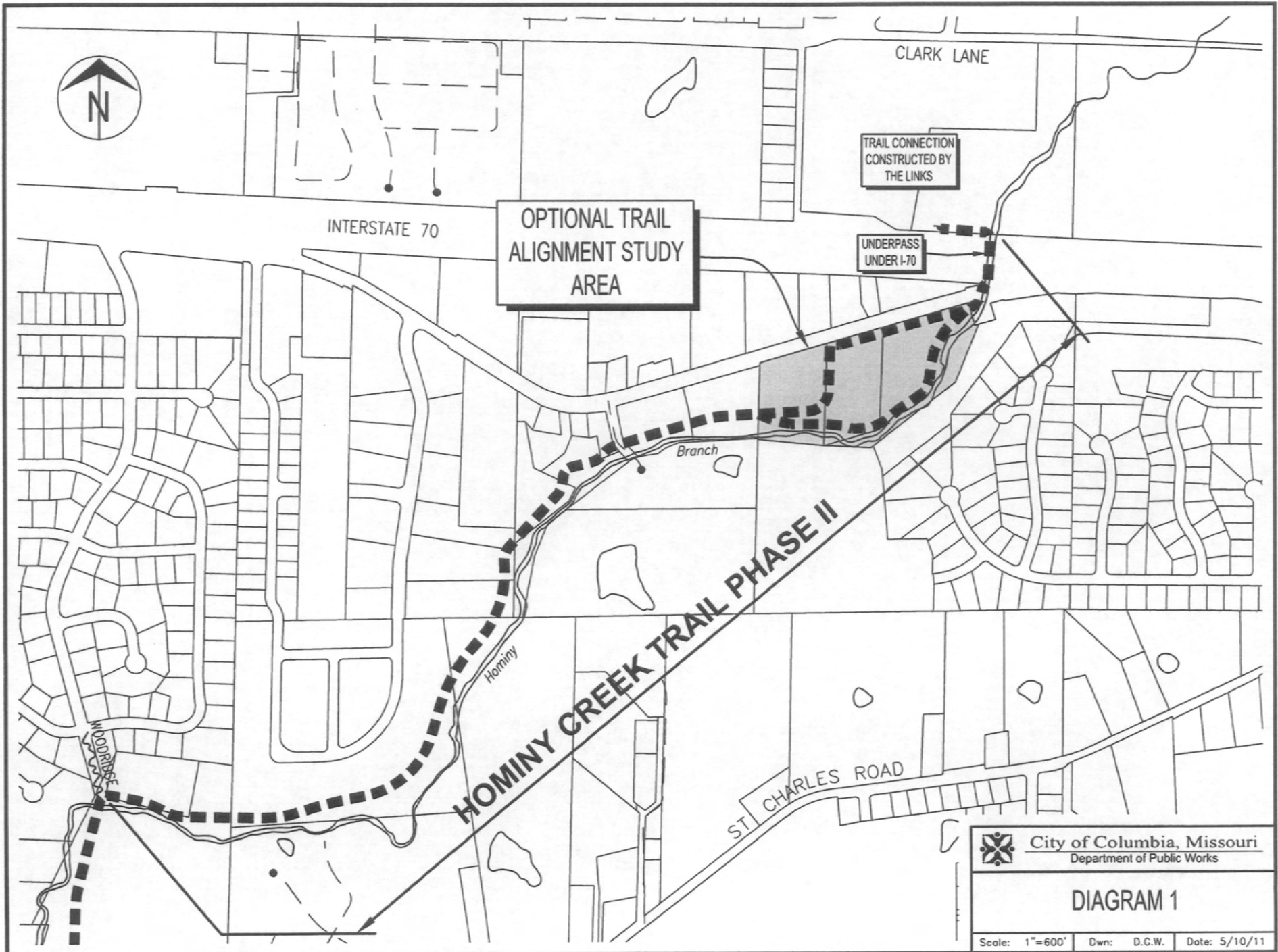
The estimated total cost for Phase II of the Hominy Creek Trail project is \$1,151,544 (\$115,098 for design, \$148,000 for easements and \$886,857 for construction) with \$285,640 appropriated to date. The project will be paid from the GetAbout Non-Motorized Transportation Pilot Program.


VISION IMPACT:

Supports 12.4 – An extensive, safe network of trails and 13.1 – a safe, interconnected, non motorized transportation network.

SUGGESTED COUNCIL ACTIONS:

Council direct staff to proceed with negotiations for the purchase of the Frech tract and to bring forward an Ordinance to acquire the K-9 / 3 Chix easements as needed for construction of the Hominy Creek Trail Phase 2 project.



	City of Columbia, Missouri Department of Public Works		
	<h2>DIAGRAM 1</h2>		
Scale: 1"=600'	Dwn: D.G.W.	Date: 5/10/11	




ROAD-SIDE TRAIL ALIGNMENT

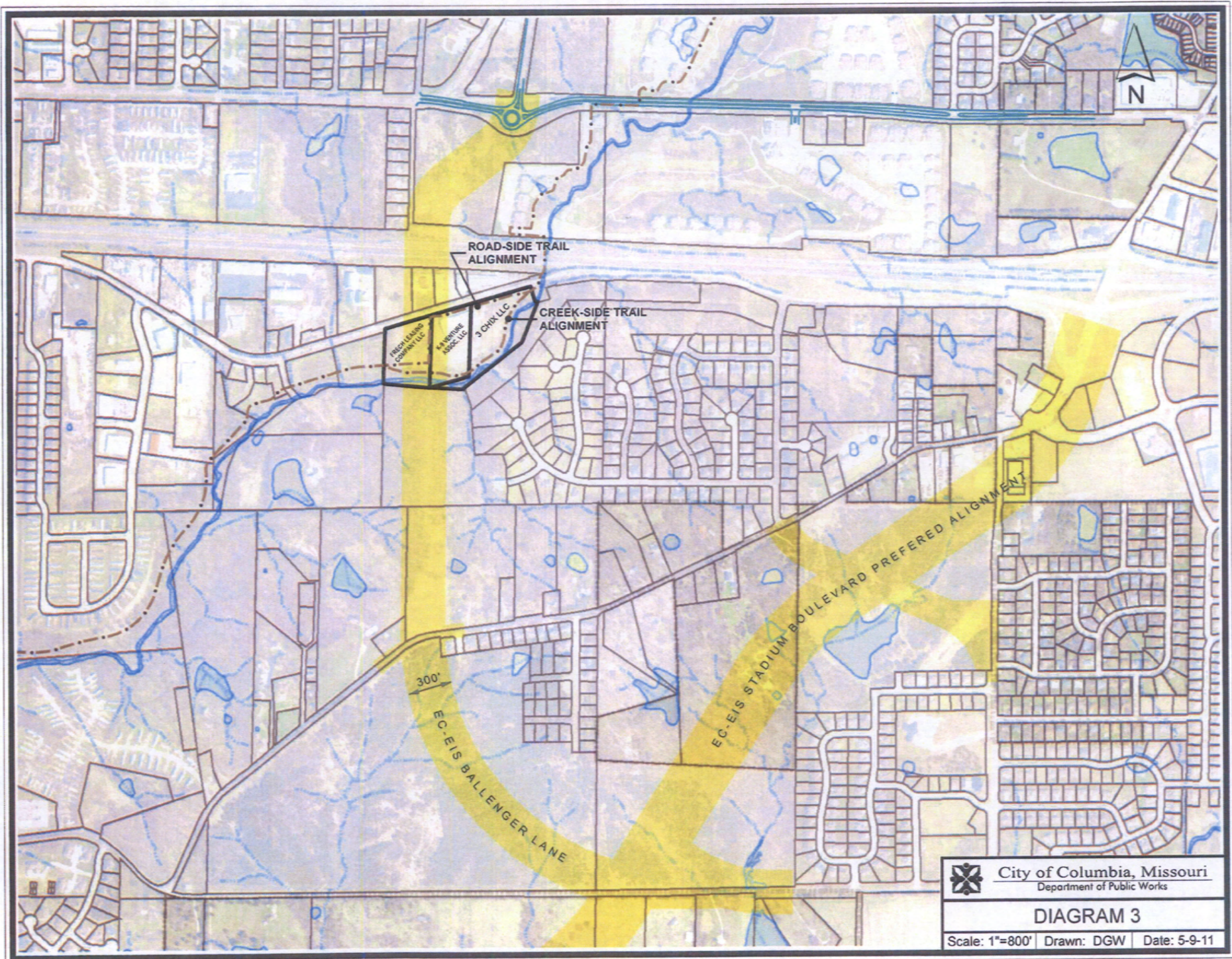
CREEK-SIDE TRAIL ALIGNMENT

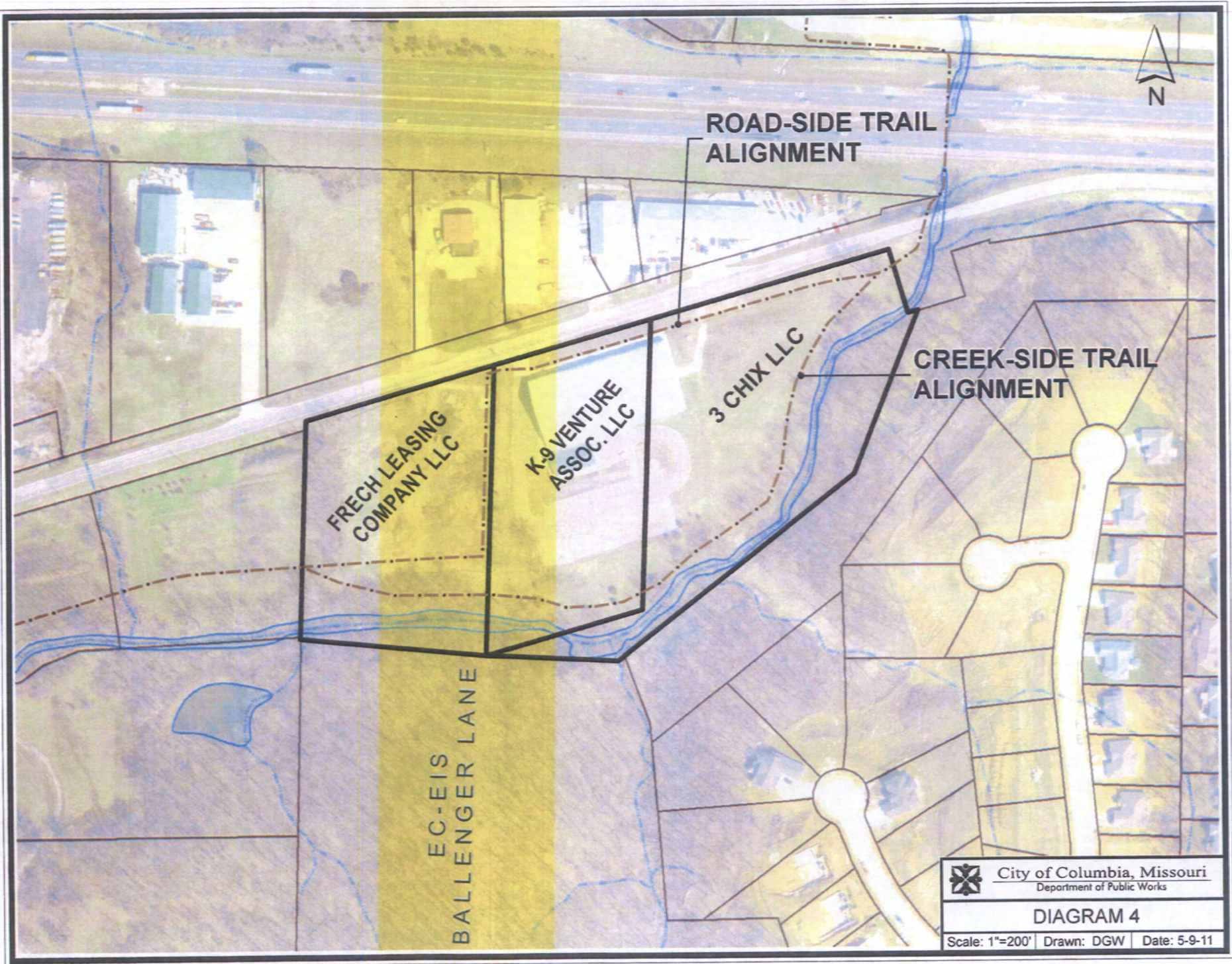
**FRECH LEASING
COMPANY LLC**

**K-9 VENTURE
ASSOC. LLC**

3 CHIX LLC

	City of Columbia, Missouri Department of Public Works
DIAGRAM 2	
Scale: 1"=200'	Drawn: DGW Date: 5-9-11





ROAD-SIDE TRAIL ALIGNMENT


CREEK-SIDE TRAIL ALIGNMENT

FRECH LEASING COMPANY LLC

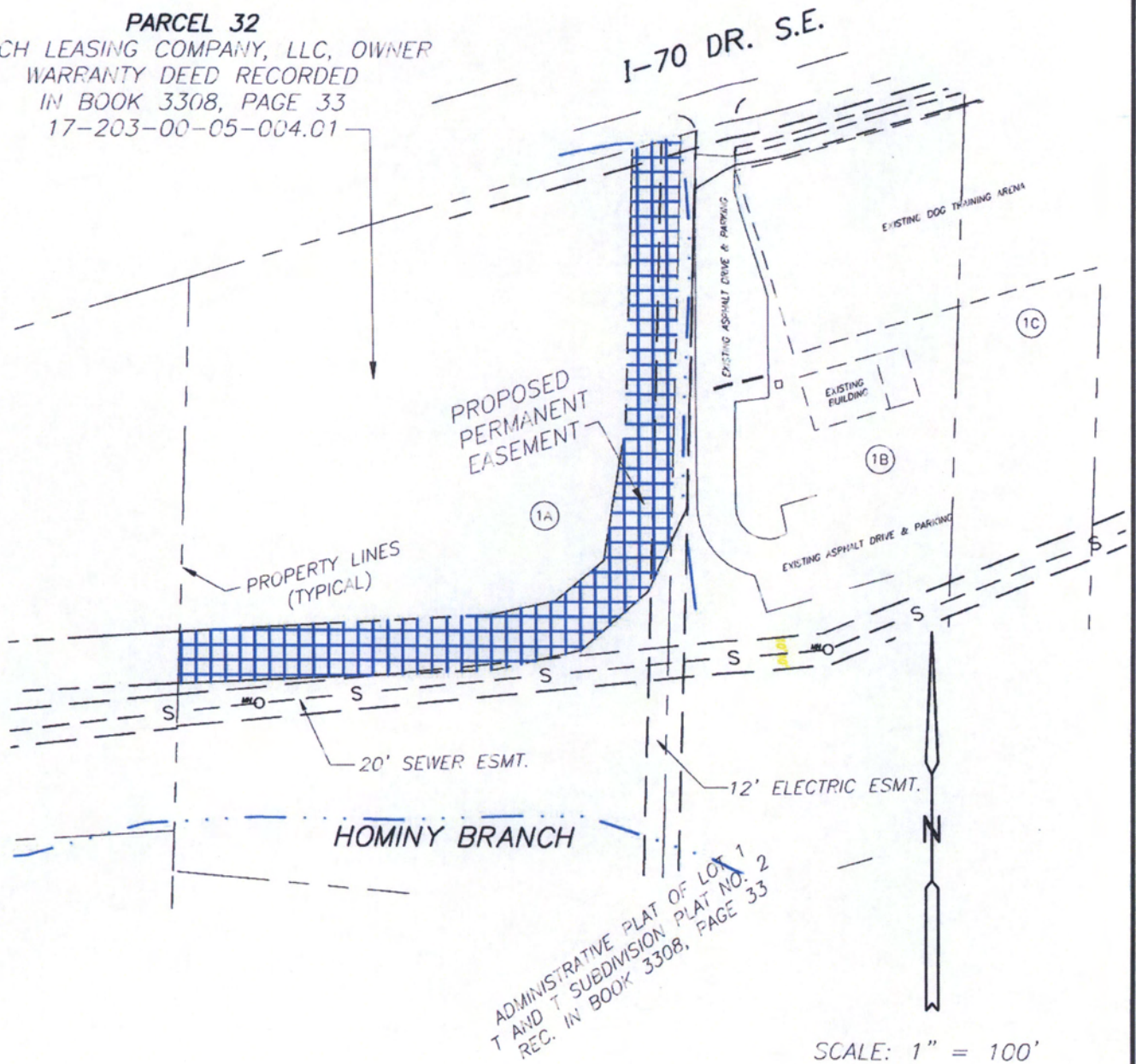
K-9 VENTURE ASSOC. LLC

3 CHIX LLC

EC-EIS
BALLENGER LANE

	City of Columbia, Missouri		
	Department of Public Works		
DIAGRAM 4			
Scale: 1"=200'	Drawn: DGW	Date: 5-9-11	

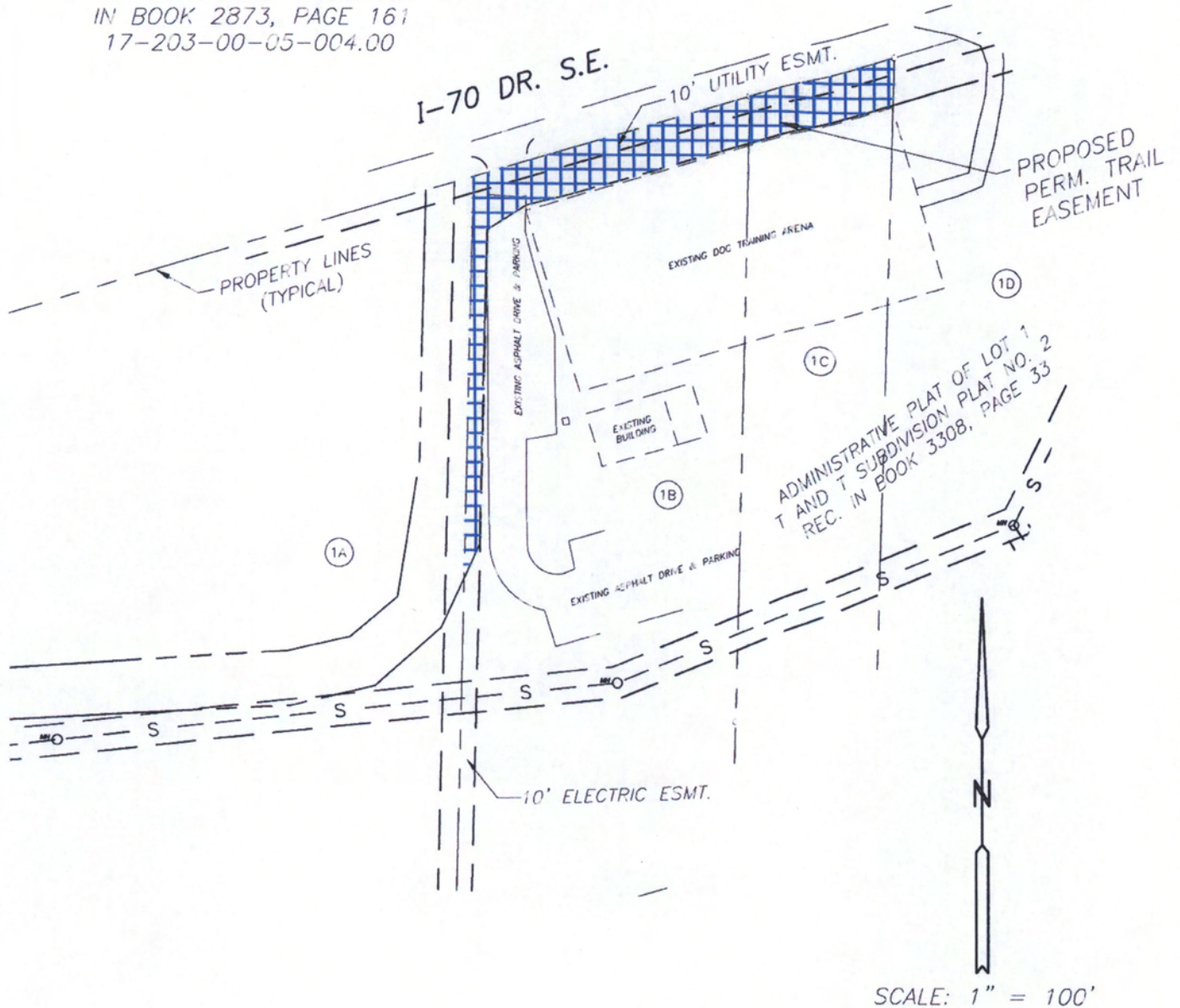
PARCEL 32
FRECH LEASING COMPANY, LLC, OWNER
WARRANTY DEED RECORDED
IN BOOK 3308, PAGE 33
17-203-00-05-004.01



PROPOSED PERMANENT EASEMENT: 18,870 SQ. FT.
INCLUSIVE OF 3,610 SQ. FT. OF EXISTING ESMT.

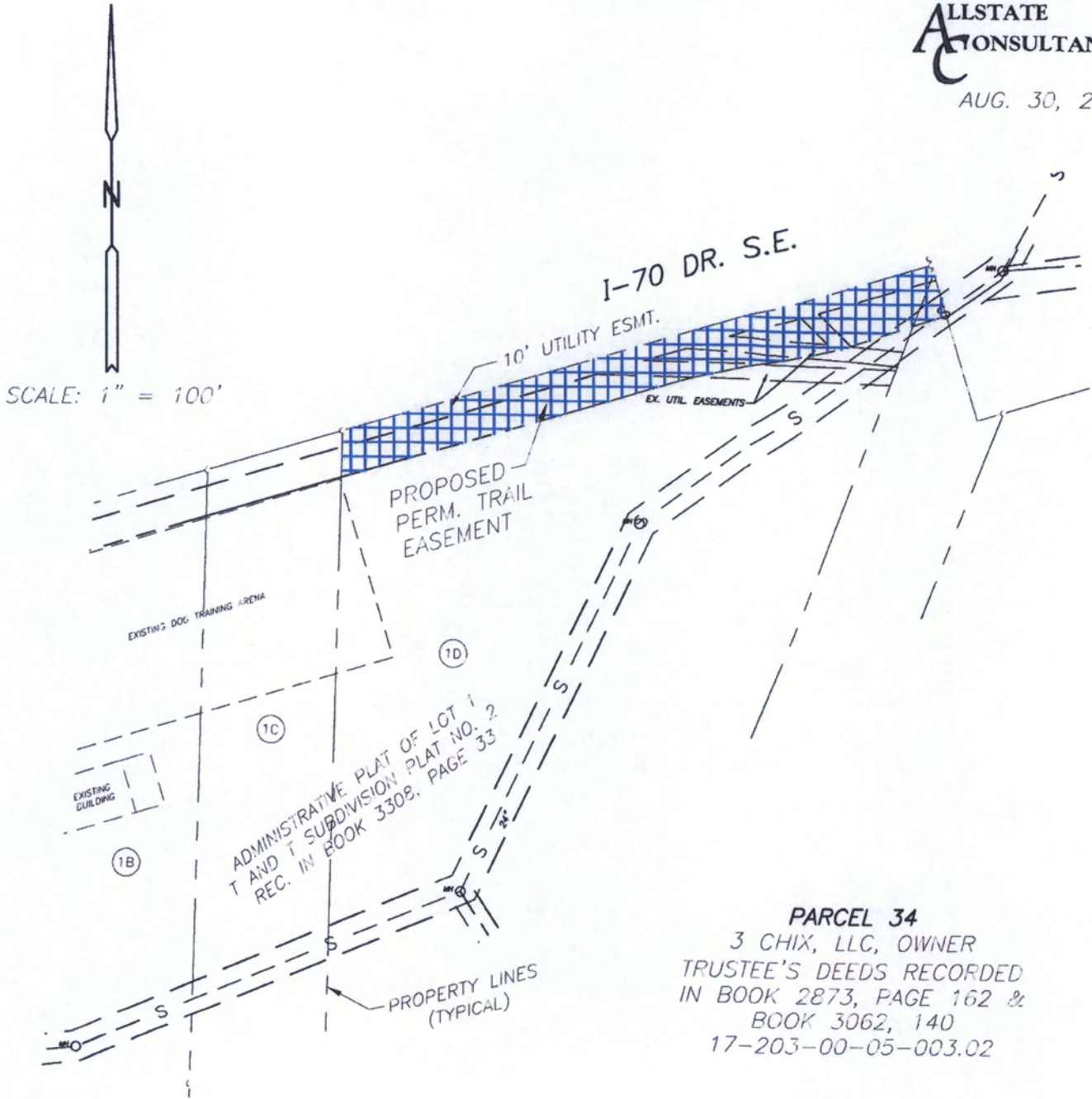
DISPLAY OF PROPOSED HOMINY TRAIL EASEMENTS

PARCEL 33
K-9 VENTURE ASSOCIATES, LLC, OWNER
TRUSTEE'S DEED RECORDED
IN BOOK 2873, PAGE 161
17-203-00-05-004.00



PROPOSED PERMANENT TRAIL EASEMENT: 10,090 SQ. FT.
INCLUSIVE OF 5,090 SQ. FT. OF EXISTING ESMT.

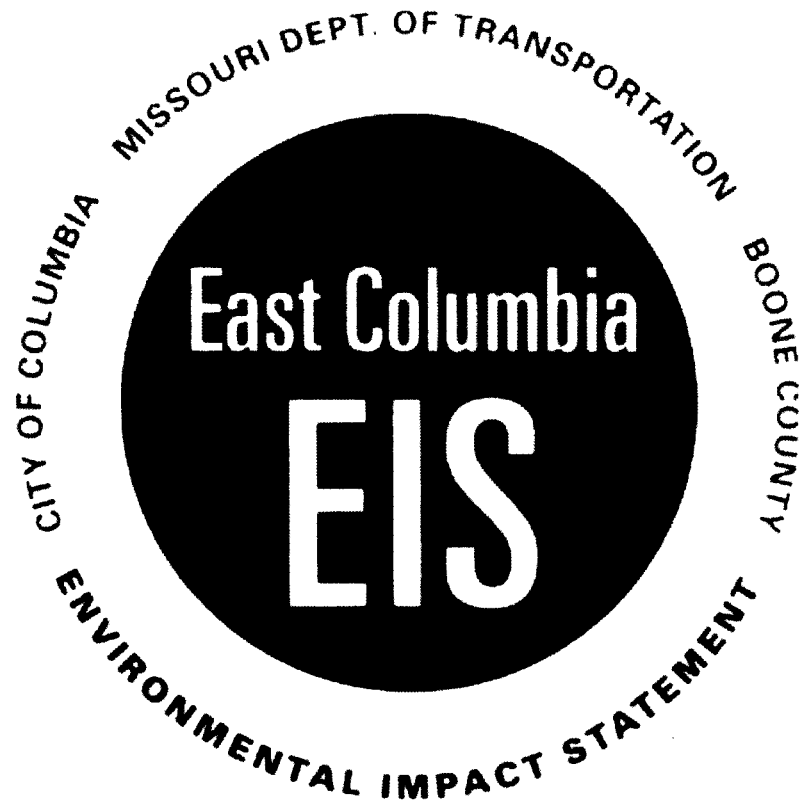
DISPLAY OF PROPOSED HOMINY TRAIL EASEMENTS



PARCEL 34
3 CHIX, LLC, OWNER
TRUSTEE'S DEEDS RECORDED
IN BOOK 2873, PAGE 162 &
BOOK 3062, 140
17-203-00-05-003.02

PROPOSED PERMANENT TRAIL EASEMENT: 12,535 SQ. FT.
INCLUSIVE OF 6,040 SQ. FT. OF EXISTING ESMT.

DISPLAY OF PROPOSED HOMINY TRAIL EASEMENTS



RECORD OF DECISION

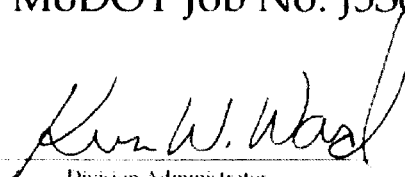
East Columbia Environmental Impact Statement
(EC-EIS)

Boone County, Missouri

FHWA-MO-EIS-09-02-F

MoDOT Job No. J5S0636

Approving Official: _____


Division Administrator
Federal Highway Administration

Date: _____

6/24/10

A. Decision

The Federal Highway Administration (FHWA) approves the selection of the Preferred Alternative for the East Columbia Environmental Impact Statement (EC-EIS) project. The Selected Alternative includes:

- The extension of Route 740 from its current terminus at US-63, using a new alignment, to the St. Charles Road interchange on I-70
- The improvement of Broadway (Route WW) from US-63 to Olivet Road using the existing alignment
- The extension of Ballenger Lane as a locally sponsored project

This selection was based on evaluation and consideration of all comments received during the public involvement process, including public hearing testimony and other public comments received during the EC-EIS availability period, comments received from state and federal review agencies, consideration of environmental and engineering factors, consistency with local and regional transportation/land use plans, and documentation on how the proposed improvements will address long-term traffic and safety needs.



The transportation problems associated with the EC-EIS study area can be summarized as

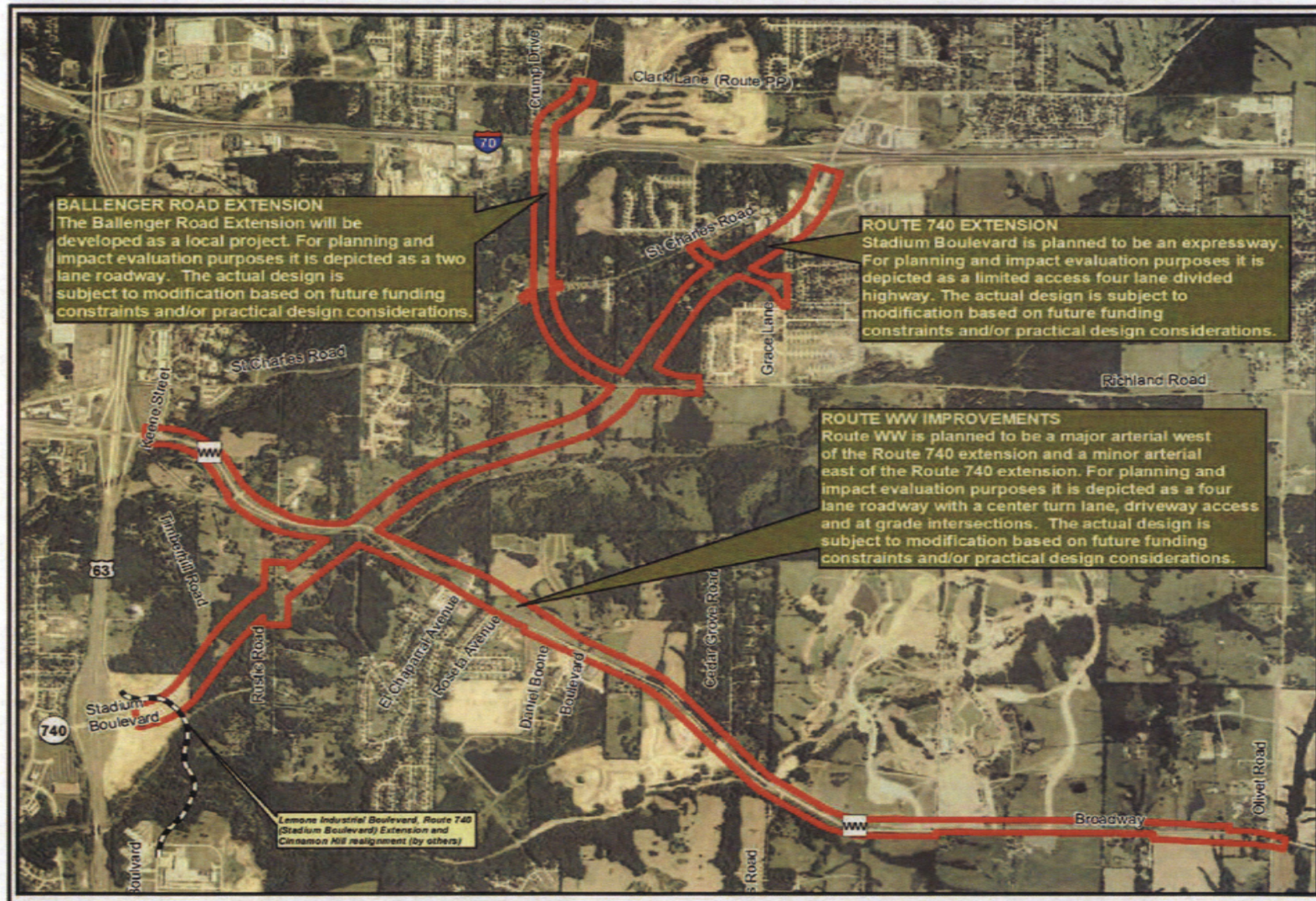
- Traffic congestion and safety concerns within the existing roadway network
- Incomplete linkages between the major highways in eastern Columbia and Boone County
- Inconsistency with regional and local continuity goals

B. Alternatives Considered

The process used to identify the Selected Alternative was based on a series of screenings. First, a wide range of initial Conceptual Alternatives was identified. These alternatives were evaluated on how well they could address the transportation problems of east Columbia. The Conceptual Alternatives are depicted on the Final Environmental Impact Statement (FEIS) Exhibit II-1. Those Conceptual Alternatives that were found to adequately address the transportation problems were developed into configurations that were suitable for implementation and called the Reasonable Alternatives. The Reasonable Alternatives are depicted on FEIS Exhibit II-2. The reasonable alternative that accomplishes the purpose and need for the proposed action, while avoiding, minimizing, or mitigating impacts to the human and natural environment was identified as the Preferred Alternative. The Preferred Alternative was subject to circulation, coordination, and evaluation in a Draft Environmental Impact Statement (DEIS) and a FEIS. At this point, the Preferred Alternative for the EC-EIS is now identified as the Selected Alternative.

A no-build alternative was considered throughout the EC-EIS project and would consist of maintaining the current roadways in essentially their current condition. Routine maintenance would continue to be conducted, and occasional minor safety upgrades would be implemented. No capacity additions or major improvements would be made. Overall, the no-build alternative does not meet the objectives of the project purpose and need.

Figure 1 Selected Alternative



The Selected Alternative includes the following elements:

The Extension of Stadium Boulevard (Route 740)

- The Selected Alternative uses a new alignment from the existing US-63 interchange to the St. Charles Road interchange at I-70.
- The Stadium Boulevard extension will be an expressway.
- Overpasses at Lemone Industrial Boulevard (proposed) and Rustic Road will be investigated.
- At-grade intersections will be required at Route WW, Richland Road/Ballenger Lane, and Grace Lane/St. Charles Road (existing). The intersection of Richland Road and the Ballenger Lane extension with Route 740 is at a common location.
- For planning and impact evaluation purposes, Route 740 is assumed to be a limited access four-lane highway divided by a grassed median¹. Total right-of-way width estimate is 250 feet.

The Improvement of Route WW

- The improvement will extend from US-63 to approximately 200 feet west of Olivet Road. The improvement will use the existing alignment; the roadway footprint will be widened to the side that minimizes impacts to existing resources.
- Route WW will be a major arterial west of the Route 740 extension and a minor arterial east of the Route 740 extension.
- All existing intersections on Route WW will be maintained.
- The crossing of Grindstone Creek (North Fork) involves the realignment of Route WW. This will eliminate a tight curve and facilitate the proposed intersection with the extension of Route 740.
- For planning and impact evaluation purposes, Route WW is assumed to be a four-lane roadway with a center turn lane, driveway access and at-grade intersections². Total right-of-way width estimate is between 120 and 150 feet.

The Extension of Ballenger Lane

- This element will be processed as a locally sponsored project.
- The Ballenger Lane extension will be a major arterial.
- The Ballenger Lane extension may include an at-grade intersection with the existing I-70 Southeast (Outer Road).
- The intersection of Richland Road and the Ballenger Lane extension with Route 740 are at a common location.

¹ The actual design configuration is subject to modification based on future funding constraints and/or practical design considerations.

² The actual design configuration is subject to modification based on future funding constraints and/or practical design considerations.



- For planning and impact evaluation purposes, Ballenger Lane is assumed to be as expansive as a four-lane roadway with a center turn lane, driveway access, and at-grade intersections³.

C. Summary of Impacts

The process that led to the identification of the Selected Alternative included evaluations of impacts. The impact analysis included right-of-way impacts, environmental impacts, community impacts, displacement impacts, engineering impacts and issues, along with an examination of the compatibility with local transportation priorities. Public input was used extensively in the decision-making process. Detailed discussions of impacts are provided in chapters IV of the DEIS and FEIS. The text below and Table 1 are summaries.

Environmental Impacts

Relative to stream impacts, the Selected Alternative has roughly perpendicular crossings of the Hominy Branch, the North Fork of Grindstone Creek, and the South Fork of Grindstone Creek. Overwhelmingly, stream impacts are concentrated among the numerous ephemeral streams located in the study area. Roughly 80 percent of stream impacts occur to ephemeral streams.

Wetland features occur throughout the EC-EIS study area. As a result, there are no prudent and feasible alternatives that would enable complete avoidance of all wetland impacts. A wetland delineation established that the Selected Alternative will affect 1.5 - 2.2 acres of jurisdictional wetlands and 0.7 acres of jurisdictional nonwetland waters (open water/ponds).

Relative to terrestrial habitat

TABLE 1 IMPACT SUMMARY - SELECTED ALTERNATIVE East Columbia Environmental Impact Statement (MoDOT Job No. J5S0636)	
EVALUATION FACTORS	IMPACT
ENVIRONMENTAL IMPACTS	
Wetland Impacts (Based on Wetland Delineation)	1.5 Acres
Open Water Impacts	0.7 Acres
Potential Environmental Site Assessment Involvement	5 Sites
Total Stream Encroachments	16,437 Linear Feet
Floodplain Encroachments	12 Acres
Public Land Encroachments	None Expected
Cultural Resources Impacts	None Expected
DISPLACEMENT/ENCROACHMENT IMPACTS	
Total Structure Acquisitions	37
Commercial/Industrial Structure Acquisitions	8
Residential Structure Acquisitions	14
Support and Other Structure Acquisitions	15
Total Anticipated Right-of-Way Acquisition	275 Acres
Important Community Resource Displacements	Boone County Fire Station
SOCIO-ECONOMIC/COMMUNITY IMPACTS	
Potential for Community Service Disruptions	Low (EMS Access Will Be Improved)
Expected Neighborhood/Community Impacts	Low (Encroachments Are Limited)
Expected Travel Pattern Disruptions	Minimal (All Existing Movements Maintained)
Environmental Justice Issues	None Expected
Business Community Impacts	Limited (Few Business Displacements)
Important Continuity Issues	Consistent With CATSO Transportation Plan
ENGINEERING IMPACTS	
Estimated Project Cost - Extension of Route 140	\$39,800,000
Estimated Project Cost - Improvement of Route WW	\$22,000,000
Estimated Project Cost - Extension of Ballenger Lane	\$34,000,000
Constructability Issues	Will Require Coordination With Proposed Local Projects
Maintenance of Traffic Issues	Normal Construction Detours Can Be Expected
Important Drainage Issues	Major Stream Corridor Impacts Limited
Roadway Type Considerations	Phasing of Improvements Possible

³ The actual design configuration is subject to modification based on future funding constraints and/or practical design considerations.



impacts, the 275 acres of property acquired by the Selected Alternative consists of 110 acres of woodland areas, 1 acre of cropland, 71 acres of grassland/pasture, 56 acres of scrub/shrub, and 37 acres of urban development areas.

Through the coordination of endangered species impacts with the U.S. Fish and Wildlife Service (USFWS), it was concluded that the potential for impacts on the foraging habitats (the area's stream corridors) of the gray bat and the Indiana bat could be minimized through implementation of approved best management practices.

Relative to potential hazardous waste generators within the footprint of the Selected Alternative, five areas of potential concern were identified. The cleanup costs for these sites are expected to be from low to medium.

The Selected Alternative affects the 100-year floodplains of Hominy Branch, the South Fork of Grindstone Creek, and the North Fork of Grindstone Creek. The Selected Alternative satisfies the FHWA floodplain encroachment policy for the avoidance of longitudinal encroachments wherever practicable. An environmental commitment of this project involves obtaining appropriate floodplain permits from the State Emergency Management Agency (SEMA).

Based on planning level engineering evaluations, traffic noise impacts are expected in the vicinity of Richland Road and Grace Lane. A 10-foot noise barrier between Richland Road and Grace Lane is expected to mitigate traffic noise levels consistent with highway traffic noise analysis and abatement guidelines. When available, detailed engineering data will be used to evaluate whether noise abatement measures are required in this area and if so, if they can be designed such that they are both reasonable and feasible. At that time, the possible noise abatement types and locations will be presented and discussed with the benefited residents.

Displacement/Encroachment Impacts

The Selected Alternative requires 275 acres of private property. The current appraised use of these properties is 84 percent farm, 12 percent residential, 3 percent commercial, and 1 percent industrial. Using current zoning classifications, the properties are designated as 31 percent farm, 57 percent residential, 11 percent commercial/industrial, and 1 percent other.

The Selected Alternative would also require the acquisition of 37 structures. These structures include: 14 residences, 8 commercial/industrial operations, and 15 support/out-buildings.

Socioeconomic/Community Impacts

In addition to the impacts to the natural environment, the Selected Alternative impacts the human environment.

There will be no relocations of churches; however, minor property acquisitions from the Lighthouse Community Church property (4275 Route WW), the Olivet Christian Church/Bible Baptist Church (Route WW at Olivet Road), and the Columbia Christian Church just south of St. Charles Road will be required.

There will be no direct impacts to schools. The nearest school is Cedar Ridge Elementary (located at the corner of Route WW and Roseta Avenue). While the school will not be directly affected by the improvement of Route WW, allowances may be necessary to



maintain school bus access during construction. Coordination with the school administrators will be made in accordance with MoDOT standard procedures and are considered an environmental commitment of this project.

There will be no direct impacts to cemeteries.

Relative to emergency services, the improvement of Route WW displaces Boone County Fire Protection District Station 12. There will be no relocation of police facilities or other types of facilities. Emergency service vehicle access could be affected during the construction process. Allowances will be required to maintain access to all properties during construction.

There will be no direct impacts to hospitals or other medical service facilities.

No direct impacts to parks or other public open spaces are expected.

The Selected Alternative is consistent with the CATSO 2025 Transportation Plan.

Engineering Impacts

As proposed, the Selected Alternative is a multicomponent project composed of several elements. Nothing about the consolidated nature of the Selected Alternative is intended to constrain the flexibility of the design and construction process for this project. The scheduling of the individual project elements will be developed based on available resources in accordance with the processes outlined in the MoDOT Engineering Policy Guide. This includes the potential for phased construction.

The public involvement process for the project will continue and will be the best source for accurate and timely updates regarding the project's schedule.

Other constructability issues include typical coordination with local projects and normal construction-related detours.

D. Section 4(f)

Section 4(f) of the U.S. DOT Act of 1966 limits FHWA participation in projects that adversely impact publicly owned park and recreation lands, wildlife and waterfowl refuges, and historic sites. The Secretary of Transportation may only approve projects requiring the use of these lands if there is no feasible and prudent alternative to the use and the project includes all planning to minimize harm. The Selected Alternative avoids all Section 4(f) impacts.

There are limited park-related Section 4(f) resources within the EC-EIS study area. Only the American Legion Park is in the vicinity of the Selected Alternative. The American Legion Park is located off of Route WW. The improvement of Route WW is adjacent to American Legion Park; however, the Selected Alternative was designed to avoid all direct impacts. Because of its location along Route WW, there may be easements needed to maintain access during construction, but they will be temporary in nature and will not affect the use of the park. Temporary easements are not subject to Section 4(f) provided that they meet certain conditions. The temporary construction easements are not subject to Section 4(f) in this instance because such closure:

- Will be of short duration and less than the time needed for construction of the project

- Will result in no change of ownership or retention of long-term interests in the land for transportation purposes
- Will not result in any adverse change to the activities, features, or attributes that are important to the purposes or functions that could qualify the resource for protection under Section 4(f)
- Will include only a minor amount of land

Relative to historic-related Section 4(f) resources, two categories are considered: *architectural* and *archaeological*. There are no architectural resources eligible for the National Register of Historic Places (NRHP) within the EC-EIS study area. Section 4(f) applies to archaeological sites that are on or eligible for inclusion on the National Register and that warrant preservation in place. At this time, no known archaeological resources that warrant preservation in place are affected by the Selected Alternative.

E. Measures to Minimize Harm

All practicable measures to minimize harm have been incorporated into the decision for the Selected Alternative. During the design and implementation of the Selected Alternative, MoDOT is committed to the following environmental commitments:

1. Relocation assistance will be provided for all businesses, nonprofit organizations, and residents that must be relocated. MoDOT will provide assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Relocation assistance under the program will be made available without discrimination to all those who will be relocated.
2. This project will comply with the Americans with Disabilities Act of 1990.
3. A MoDOT-approved maintenance of traffic plan will be developed and implemented for the construction phases of the project. Construction schedules, road closures, and detours will be coordinated with police and emergency services to reduce impact to response times of these agencies.
4. The design process will include periodic consultation with utility owners to ensure compatibility of the roadway design with continued service, proper design of any utilities requiring relocation, construction techniques, and timing and technical assistance during construction.
5. During the final design process, MoDOT will consider options to minimize new right-of-way acquisitions. The potential minimization of right-of-way acquisitions will not affect the ability of the project to satisfy the purpose and need.
6. MoDOT will coordinate with the U.S. Army Corps of Engineers (USACE) to ensure compliance with Sections 401 and 404 of the CWA. This will address impacts to streams, wetlands, and other waters of the United States during the design process. Clean Water Act permits will require a detailed delineation and evaluation of waters and wetlands affected by the project and minimization of impacts. In accordance with established procedure, the wetland delineation results were presented in the FEIS. During the design

phase, specific impacts to wetlands and other waters of the United States will be assessed to determine whether those impacts can be avoided or further minimized. Unavoidable impacts to wetlands and streams will require mitigation. Development of mitigation strategies will be determined through the permitting process with the USACE and the Missouri Department of Natural Resources (MDNR).

7. Best management practices will be implemented to minimize soil erosion and sedimentation. Methods for stormwater management, during and after construction, will be conducted in accordance with MoDOT's *2004 Standard Specifications Book for Highway Construction* and the project's National Pollutant Discharge Elimination System (NPDES) stormwater permit.
8. Floodplain permits will be obtained from the State Emergency Management Agency (SEMA).
9. If encountered during construction, appropriate study and remediation of hazardous waste sites will be performed, as needed, to minimize exposure of construction workers and the public to hazardous wastes and to ensure proper disposal of contaminated earth and other substances. This includes proper disposal of demolition debris in accordance with Missouri state law.
10. Dust control during construction will be performed in accordance with MoDOT's standard methods that require application of water or approved dust control measures on haul roads and during grading. Pavement material batch plants will be situated in accordance with MoDOT's *Standard Specifications Book for Highway Construction* or any special provisions developed during coordination with MDNR regarding air quality standards and emissions. Portable material plants will be operated in accordance with MDNR air quality requirements/guidelines. A permit must be obtained from the MDNR to open burn or open burn with restrictions.
11. To reduce the impacts of construction noise, MoDOT has special provisions in construction contracts which require that all contractors comply with all applicable local, state, and federal laws and regulations relating to noise levels permissible within and adjacent to the project construction site. Construction equipment is required to have mufflers constructed in accordance with the equipment manufacturer's specifications. Further, MoDOT monitors project construction noise and require noise abatement measures in cases where the criterion is exceeded.
12. There will be no impacts to schools. The Cedar Ridge Elementary (located at the corner of Route WW and Roseta Avenue) will not be directly affected by the improvement of Route WW. However, because of its location along Route WW, indirect and construction-related impacts are expected. Allowances may be necessary to maintain school bus access to some areas during construction. Coordination with the school administrators will be made in accordance with MoDOT standard procedures and are considered an environmental commitment of this project.
13. The improvement of Route WW is adjacent to American Legion Park; however, the Preferred Alternative was designed to avoid all direct impacts. Because of its location along Route WW, there may be easements needed to maintain access during construction, but they will be temporary in nature and will not affect the use of the park.

Temporary easements are not subject to Section 4(f) provided that they meet certain conditions.

14. The final design process will include review and design of appropriate facilities based on existing and projected land use. The current presence of housing, schools, parks, and commercial uses along the corridors and the expectation of similar future development, indicate a potential need for bike and pedestrian accommodations. An environmental commitment of this project is the coordination with the City of Columbia and Boone County in the development of a user appropriate final design.
15. Adherence to MoDOT's Noise Policy is an environmental commitment of this project. Based on planning level engineering evaluations, traffic noise impacts are expected in the vicinity of Richland Road and Grace Lane. A 10-foot noise barrier between Richland Road and Grace Lane is expected to mitigate traffic noise levels consistent with highway traffic noise analysis and abatement guidelines. When available, detailed engineering data will be used to evaluate if noise abatement measures are required in this area and if so, can be designed such that they are both reasonable and feasible. At that time, the possible noise abatement types and locations will be presented and discussed with the benefited residents.
16. The development and construction of the Ballenger Lane extension is entirely a locally sponsored project. However, all of the policies, restrictions, and commitments that affect other components of the Preferred Alternative apply to the Ballenger Lane extension. To assist the local project team, a MoDOT-supplied advisor will be made available to assist with the "local" development of this project.
17. MoDOT is committed to minimizing lighting impacts. Efficient lighting and equipment will be installed, where appropriate, to optimize the use of light on the road surface while minimizing light intruding on adjacent properties.
18. The Selected Alternative uses the I-70 interchange at St. Charles Road. During the traffic analysis part of the EC-EIS project, the interchange configuration contained in the I-70 EIS was used. While this analysis concluded that the St. Charles Road interchange would operate satisfactorily with any of the reasonable alternatives, a commitment as to the specific design of the interchange is not being made at this time.
19. Through coordination with the U.S. Fish and Wildlife Service (USFWS), it was concluded that the potential for impacts on the foraging habitats (the area's stream corridors) of the gray bat and the Indiana bat could be minimized through implementation of approved best management practices. These are contained in Appendix H of the DEIS.
20. In accordance with MoDOT protocols, architectural and archaeological surveys were conducted for the EC-EIS. The State Historic Preservation Office (SHPO) has concurred with the findings of these surveys. The architectural survey concluded that there would be "no significant cultural resources impacted by the proposed roadway construction." The archaeological survey identified four prehistoric habitation sites that appear to be eligible for the NRHP according to Criterion D. Criterion D represents sites that have yielded, or may be likely to yield, information important in prehistory or history. Coordination has concluded that these archaeological resources are important chiefly



because of information obtained through data recovery and has minimal value for preservation in place. If the future construction of this project would impact 23BO2417, 23BO2418, 23BO2422, or 23BO2423 additional cultural resources investigations will be conducted to verify their eligibility for listing on the NRHP.

F. Monitoring and Enforcement

Monitoring and enforcement programs will ensure that contractors carry out all applicable project construction provisions. The FHWA Missouri Division Office will monitor further project development through its day-to-day administration of the Federal aid program. In addition to the numerous environmental commitments enumerated in **Section E**, MoDOT has committed itself to obtain, monitor, and enforce the necessary permits associated with the construction of the Selected Alternative. Specific monitoring/enforcement actions identified in the EIS include the following:

- During right-of-way acquisition and relocations, MoDOT will ensure that this will be accomplished in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.
- During construction, MoDOT's standard specifications, MDNR's Solid Waste Management Program, MoDOT's approved Pollution Prevention Plan for the National Pollutant Discharge Elimination System (NPDES), and MoDOT's Sediment and Erosion Control Program will be followed.
- To minimize impacts associated with construction, pollution control measures outlined in MoDOT's Standard Specifications for Highway Construction will be used.
- Stream and wetland impacts associated with the Selected Alternative are subject to permitting and associated water quality certification under Sections 404 and 401 of the Clean Water Act (CWA). All construction and project activities will comply with all conditions of all appropriate permits and certifications. All permits required by the CWA will be obtained prior to construction.
- MoDOT will enforce its special provisions requiring contractors to comply with all applicable local, state, and federal laws and regulations relating to noise levels permissible within and adjacent to the project construction site.
- Through coordination with the U.S. Fish and Wildlife Service (USFWS), it was concluded that the potential for impacts on the foraging habitats (the area's stream corridors) of the gray bat and the Indiana bat could be minimized through implementation of approved best management practices. In accordance with the spirit of the Endangered Species Act, MoDOT will continue to review the Natural Heritage Database and coordinate with the USFWS periodically during the project development process to identify any new locations of threatened and endangered species.
- MoDOT will continue to coordinate with the State Historic Preservation Office and comply with the existing executed Programmatic Agreement that complies with the National Historic Preservation Act.

- MoDOT will work with SEMA and assure that any floodplain and/or regulatory floodway issues are addressed appropriately.
- MoDOT will require proper remediation and disposal of any hazardous waste encountered during construction, in accordance with state law.

G. Comments on FEIS

The notice of availability of the FEIS was published in the Federal Register on December 18, 2009. The public comment period ran through January 18, 2010. Comments on the FEIS were received from multiple sources. The letters/comments received are attached in Appendix A. The comments will be summarized below, along with FHWA's response.

1. Agency Comments

Missouri Federal Assistance Clearinghouse

In cooperation with the state and local agencies potentially affected by the EC-EIS a review of the FEIS was completed. This review resulted in no comments.

United States Environmental Protection Agency (USEPA)

The USEPA reviewed the FEIS under the National Environmental Policy Act, the Council on Environmental Quality regulations and the Clean Air Act. The FEIS was assigned CEQ number 20090431. The USEPA acknowledged that their comments on the DEIS were incorporated into the FEIS. The only FEIS comment was to include the commitment associated with conducting additional archaeological resource investigations on sites 23BO2417, 23BO2418, 23BO2422, or 23BO2423, if future construction would impact them. This commitment is included as item #20 in Section E.

Missouri Department of Conservation (MDC)

The MDC provided reviews and coordinated with MoDOT throughout the EC-EIS. Pursuant to the FEIS, the MDC is "comfortable that this document provides a basis for moving forward." They look forward to continuing to work with MoDOT as construction plans are developed.

Federal Aviation Administration (FAA)

The FAA provided comments only as they related to airspace considerations. Under Title 14 of the Code of Federal Regulations, the FAA is responsible for promoting the safe and efficient use of navigable airspace. Projects that may affect navigable airspace are required to file a Notice of Proposed Construction or Alteration (Form 7460-1) with the FAA. Any highway project within 20,000 feet (3.8 miles) of a public use airport is potentially eligible for notification. The nearest public use airport to the EC-EIS is the Columbia Regional Airport. Located south of the project, between US-63 and Rangeline Road, the airport is approximately eight miles away. Consequently, a Notice of Proposed Construction or Alteration (Form 7460-1) is not required.

2. Non-Agency Comments

Recommendations for a Stadium Boulevard Connection to Route Z

A written comment posited that the “most logical and appropriate” way to extend Route 740 was to follow an alignment along Richland Road to the Route Z interchange at I-70. The Selected Alternative extends Route 740 to the nearer interchange at St. Charles Road. Among the advantages cited, for the Route Z interchange, were the ability to better provide for “long-term planning,” enhance commercial/industrial development, and provide for a better continuation of Route 740.

The Route Z concept was considered throughout the development of the EC-EIS. Conceptual Alternatives RR-1, RR-2, RR-3, NH-1 and NH-2 were configurations that utilized the Route Z interchange at I-70. Reasonable Alternatives RR-2A and RR-2B were also configurations that utilized the Route Z interchange at I-70. The EC-EIS decision-making process acknowledged that a Route Z configuration had advantages, but concluded that the Selected Alternative’s closer conformance with the Major Roadway Plan (MRP), avoidance of new major stream crossings, minimization of residential relocations, lower total construction costs, and smaller project footprint were superior.

Recommendation for a Stadium Boulevard Connection along the South Fork of the Grindstone Creek

A written comment proposed to create an extension of Route 740, along an alignment following the north bank of the South Fork of the Grindstone Creek. This extension would connect to Route WW at roughly Rolling Hills Road. Improvements to existing north/south roadways were proposed for access to I-70 at the Route Z interchange⁴. This configuration would allow for Route WW to remain in its current configuration, resulting in a more walkable neighborhood in the vicinity of the Cedar Ridge Elementary School.

This type of improvement was raised and addressed during the DEIS. Emerging from discussions with stakeholders and property owners they became known as the “WW modifications.” Ultimately, they were considered impractical and unsuitable. To reach this conclusion, the WW modifications were evaluated against the Purpose and Need evaluation criteria. These were the criteria established to determine which conceptual alternatives addressed the transportation problems of the EC-EIS area sufficiently to warrant further consideration. Among the short-comings were:

- Without substantial mitigation, the conversion of Route WW into an expressway (east of Rolling Hills Road) is incompatible with the design criteria specified for Route WW in the Major Roadway Plan.
- Key factors to creating a successful gateway are improving access patterns and projecting a Community's image. The proposed conversion of Route WW seems counter to those goals.

⁴ For a practicable connection to the Route Z interchange at I-70, an expressway configuration would be needed. Consequently, the configuration considered during the DEIS utilized a new alignment configuration between Rolling Hills Road and the Route Z interchange.



- Related to the ability of constructing streamside trails, this configuration would result in expressway-sized stream crossings of the North and South Grindstone. Maintaining a Green Route along Route WW (configured as an expressway) seems unlikely.
- Based on coordination with Columbia, Boone County, and CATSO, this configuration is not in accordance with the community's essential goals.

H. Conclusion

Based on the analysis and evaluation documented in the EC-EIS, and after careful consideration of all social, economic, and environmental factors, including comments received on the EC-EIS, it is FHWA's decision to adopt the Selected Alternative contained therein as the proposed action for this project.

