

**APPENDIX J**  
**PROJECT CORRESPONDENCE**  
**ROUTE 13 CORRIDOR STUDY AND FEIS**

The following correspondence pertaining to the Route 13 Corridor Study (Lexington to Clinton) is attached in the order shown:

- FHWA letter to Corps of Engineers (July 19, 1994)
- Corps of Engineers letter to FHWA (July 29, 1994)
- Corps of Engineers letter to HNTB (August 2, 1994)
- Department of the Interior letter to MHTD (August 5, 1994)
- Missouri Department of Conservation letter to HNTB (August 24, 1994)
- Missouri Department of Conservation letter to HNTB (September 20, 1994)
- Corps of Engineers letter to HNTB (February 24, 1995)
- Federal Emergency Management Agency letter to MHTD (April 21, 1995)
- HNTB letter to Corps of Engineers (July 27, 1995)
- HNTB letter to Missouri Department of Conservation (July 27, 1995)
- Corps of Engineers letter to HNTB (August 9, 1995)
- MHTD letter to Corps of Engineers (September 14, 1995)
- Preliminary Section 401(B)(1) Evaluation (September 13, 1995)
- MHTD letter to MDNR (October 3, 1995)
- USDA letter to MHTD (October 13, 1995)
- MDNR letter to MHTD (October 23, 1995)
- Warrensburg Ad Hoc Committee letter to MHTD (November 17, 1995)
- USAF letter to HNTB (December 7, 1995)
- Warrensburg Ad Hoc Committee letter to MHTD (April 3, 1996)
- MDNR letter to MHTD (July 8, 1996)
- MoDOT letter to MDNR (December 20, 1996)
- MDNR letter to MoDOT (January 2, 1997)
- HNTB letter to MoDOT (July 1, 1997)
- MDNR letter to MoDOT (December 22, 1997)
- MoDOT letter to MDNR (December 23, 1997)
- MDNR letter to MoDOT (January 6, 1998)
- MoDOT letter to MDNR (February 10, 1998)

- MDNR letter to MoDOT (April 8, 1998)
- Corps of Engineers letter to HNTB (June 26, 1998)
- E-mail message concerning PJWD (August 17, 1998)
- MoDOT letter to MDNR (September 29, 1998)
- MDNR letter to MoDOT (October 13, 1998)
- HNTB letter to MDC (November 24, 1998)
- Missouri Department of Conservation letter to HNTB (December 7, 1998)
- MDNR letter to MoDOT (March 30, 1999)

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JUL 21 1994

HNIB-KCMO

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~~JAA~~  
E-File  
SVP

MBS

Copy To  
sect. 121 F.

July 19, 1994

Col. Wilbur Boutin, Jr.  
District Engineer  
U.S. Army Corps of Engineers  
Kansas City District  
601 E. 12th Street  
Kansas City, MO 64106

Dear Col. Boutin, Jr.:

Subject: Route 13 Corridor Study (Lexington to Clinton)  
Merged NEPA/CWA Process

The Federal Highway Administration, in cooperation with the Missouri Highway and Transportation Department (MHTD), is preparing an environmental impact statement (EIS) for improvements to Missouri Route 13 in Lafayette, Johnson, and Henry Counties, Missouri. The proposed improvements would include the reconstruction of existing Route 13 from Lexington to south of Clinton, a total distance of approximately 70 miles. We request your participation as a Cooperating Agency.

Authorization pursuant to Section 404 of the Clean Water Act, as administered by the US Army Corps of Engineers, will be required for the proposed action. As with recent projects in the Kansas City District (i.e. Route 5 Corridor Study), MHTD has adopted a merging of the National Environmental Policy Act (NEPA) process with the Section 404 process for the Route 13 study. This merged process helps ensure the complete and thorough review of all alternatives and impacts in both the NEPA and CWA contexts. The FHWA has endorsed the merged process for the Route 13 project and is requesting, in addition to your participation in the preparation of the EIS as a Cooperating Agency, your adoption of these procedures as well.

Mr. Joe Hughes, Corps of Engineers, has been instrumental in the development and implementation of the merged NEPA/CWA procedures. He and his staff have been

involved in the adaptation of the procedures for the Route 13 study and have participated in several coordination and pre-location public meetings.

Thank you for your assistance with this project.

Sincerely yours,

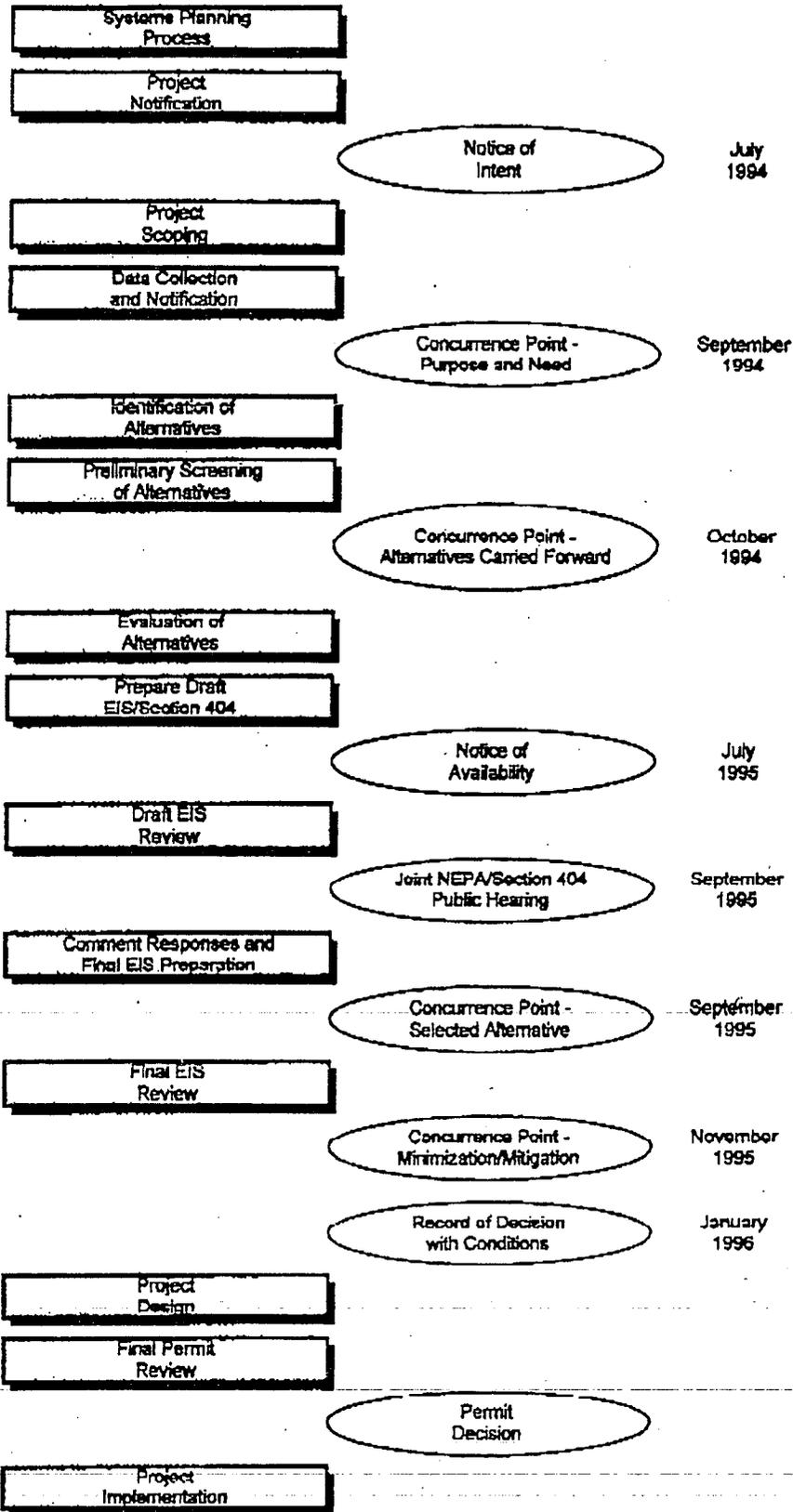
HUGH B. JONES

Gerald J. Reihsen, P.E.  
Division Administrator

cc: Mr. Bob Sfreddo, MHTD Central Office  
Mr. Dan Miller, MHTD District No. 4  
Mr. ~~Scott Smith~~ INTB  
Region 7 (HPD-07)

Route 13 Corridor Study  
(Lexington to Clinton)  
MHTD District No. 4

MERGED NEPA AND CLEAN WATER ACT PROCESS







DEPARTMENT OF THE ARMY  
KANSAS CITY DISTRICT, CORPS OF ENGINEERS  
700 FEDERAL BUILDING  
KANSAS CITY, MISSOURI 64106-2896

RECEIVED

AUG - 5 1994

HNTB-KCMO

REPLY TO  
ATTENTION OF:

JUL 29 1994

Project Evaluation Section  
(94-01524)

Gerald J. Reihsen, P.E.  
Division Administrator  
Federal Highway Administration  
Region 7  
P.O. Box 1787  
Jefferson City, Missouri 65102

Dear Mr. Reihsen:

This is in reply to your letter, dated July 19, 1994, concerning the Corps of Engineers being a cooperating agency for preparation of the Environmental Impact Statement (EIS) for Missouri Route 13, Lexington-Clinton in Lafayette, Johnson, and Henry Counties, Missouri.

The excavation or discharge of dredged or fill material in waters of the United States, which includes lakes, streams, rivers, and wetlands, requires prior authorization from the Corps of Engineers under Section 404 of the Clean Water Act (33 USC 1344). This regulatory jurisdiction is administered under Federal regulations 33 CFR 320-330.

Federal regulations require that a Department of the Army permit be issued by the Corps of Engineers prior to the initiation of any construction on the portion of a proposed activity which is within the Corps' regulatory jurisdiction.

During previous meetings concerning this project, we discussed merging the National Environmental Policy Act and 404 permitting processes as a means of streamlining both reviews. We look forward to cooperating in this coordinated effort both from a cooperating agency and also a permitting agency standpoint, thereby adopting the procedures outlined in your letter.

I trust the information furnished above will serve your immediate needs. If you have any questions concerning the information furnished, please feel free to write me or to call Mr. Brian McNulty at 816-426-5047.

Sincerely,



M. D. Jewett  
Chief, Regulatory Branch  
Operations Division

Copies Furnished:

Mr. Al Horn  
HNTB  
1201 Walnut, Suite 700  
Kansas City, Missouri 64106



DEPARTMENT OF THE ARMY  
KANSAS CITY DISTRICT, CORPS OF ENGINEERS  
700 FEDERAL BUILDING  
KANSAS CITY, MISSOURI 64106-2896

REPLY TO  
ATTENTION OF:

August 2, 1994

Project Evaluation Section  
(94-01524)

Mr. Al Horn  
Project Manager  
HNTB Corporation  
1201 Walnut, Suite 700  
Kansas City, Missouri 64106

Dear Mr. Horn:

This is our response to the draft Purpose and Need Statement for NEPA review of the Route 13 Corridor Study. We have reviewed this overall statement and recommend a separate statement of "Basic Project Purpose" is necessary for our Clean Water Act (CWA) permit review. Therefore, we suggest that the existing heading "PURPOSE AND NEED STATEMENT" be subdivided to contain a separate section for the CWA "Basic Project Purpose."

**BASIC PROJECT PURPOSE**

The Corps of Engineers uses the basic project purpose in its Clean Water Act (CWA) permit review to guide the identification of practicable alternatives, as required by Subpart B of the Section 404(b)(1) guidelines, found at 40 CFR 230.10. If a less damaging practicable alternative is available, a Section 404 permit cannot be granted. See 40 CFR 230.10 for exceptions to this rule. Also, issuance is not guaranteed because there is no less damaging practicable alternative (see 33 CFR 320.4(a)(1)). The basic project purpose must be established by the Corps with input by the applicant or project sponsor. The basic project purpose cannot be defined narrowly by the applicant in order to preclude the existence of practicable alternatives. On the other hand, the Corps must define basic project purpose for each Section 404 permit application in a manner which is reasonable and equitable for the specific case.

The Corps must not give too much deference to local plans or requirements that, however legitimate, are not relevant to the Section 404(b)(1) guidelines' definition of practicable alternatives. In this regard, the Missouri Highway and Transportation Department (MHTD) 15-year right-of-way acquisition plan and Regional Highway System plan does not dictate the basic purpose of this project for CWA purposes, although it is certainly relevant to the NEPA purpose and is a legitimate reason for the MHTD to pursue specific projects. To the extent that projects are included on these plans for substantive reasons, they serve as an indication of the need for, and priority of,

specific projects. However, the CWA alternatives analysis must determine there is no alternative that is less damaging to the aquatic environment irrespective of such restrictive definitions of the basic project purpose.

We concur in general, with the basic purpose stated in the July 27, 1994 statement of Purpose and Need, which we have restated as follows as it pertains to our CWA evaluation requirements:

The basic purpose of the project is to provide a safe, efficient, and economical transportation facility that responds to traffic needs between the identified termini near Lexington and Clinton.

As stated, the basic purpose does not, and is intended to not, predispose the Section 404(b)(1) alternatives analysis to any particular road or interchange configuration, design speed, or alignment, except as may be justified by traffic analysis, engineering requirements and/or environmental considerations.

Cost to construct or operate should not alone eliminate any alternatives. Therefore, although cost is a consideration for identifying practicable alternatives, the basic purpose statement does not say that the project will be the least expensive or most cost effective. The reference to an "economical transportation facility" refers to a facility whose capital cost, maintenance and environmental costs are generally commensurate with the projected travel costs and type of facility.

Our stated basic purpose does not include the phrase: "improve economic development opportunities within the region." We believe this is not part of the basic purpose of the project. Undoubtedly, economic development benefits may accrue, and economic development may legitimately be a reason MHTD or local interests want to build the project. However, it is not appropriate for the statement of basic purpose because it may unnecessarily restrict the identification of practicable alternatives. Also, identifying alternatives that satisfy this purpose would be subjective and controversial.

## WATER DEPENDENCE

In addition to the basic alternatives test, 230.10(a)(3) establishes a rebuttable presumption against discharges into "special aquatic sites" for non-water dependent activities. A non-water dependent activity does not require access or proximity to or siting within a special aquatic site to fulfill its "basic purpose." Practicable alternatives to non-water dependent activities are presumed to be available and to result in less environmental loss unless clearly demonstrated otherwise by the applicant. Therefore, the burden of proving that no practicable alternative exists is the sole responsibility of MHTD, not the Corps of Engineers or resource agencies. (Excerpted from Hartz Mountain 404(g) Elevation HOUSACE FINDINGS, Prepared by CECW-OR, dated July 25, 1989.) Special aquatic sites are defined and listed at 40 CFR 230.3(q-1) and Subpart E.

We have determined that this project (Route 13 Corridor) is not water dependent. Although the highway must cross numerous creeks and drainages, the discharge of fill or dredged material in wetlands or other special aquatic sites is not required to achieve the basic project purpose stated above. At this time, ramifications of this determination are unknown since locations of potential special aquatic sites are not known. Your initial screening of alternatives should eliminate these alternatives that may involve discharging into the apparent special aquatic sites, unless other overriding concerns necessitate such a discharge. Such a screening should simplify the alternatives analysis as more project-specific data are collected.

As the NEPA/CWA review proceeds and more specific data are available, if discharges into other wetlands or other special aquatic sites are identified, the presumption against those discharges must be rebutted or the discharges must be avoided.

Because of the presence of several old strip mine areas within the project corridor, you have asked if and how water bodies within these areas will be regulated. The strip pits have most likely been abandoned long enough that they will be considered waters of the United States. The identification and classification of these area can be accomplished using the book Classification of Wetlands and Deepwater Habitats of the United States, by Lewis M. Cowardin, U.S. Fish and Wildlife Service. Areas suspected to be wetland can be delineated using the January 1987 Corps of Engineers Wetlands Delineation Manual.

**NEPA PURPOSE AND NEED.**

Although the lead agency is responsible for defining the NEPA Purpose and Need, we concur with the Purpose and Need statement as proposed. The need statements are informative and appear adequate. Of course, the need must be presented with more detail and supported as our joint review proceeds. For CWA review purposes, the justification of need is an ongoing evaluation culminating when the Corps' decision is based, in part, on balancing the need for the project against the foreseeable impacts.

If you have any questions about this letter, please write me or call Mr. Brian McNulty at 816-426-5357.

Sincerely,



M. D. Jewett  
Chief, Regulatory Branch  
Operations Division

**Copies Furnished:**

Missouri Highway and Transportation  
Department, Mark Kross  
Federal Highway Administration,  
Division Office, Don Neumann  
Federal Highway Administration,  
Regional Office, Ken Bechtel  
U.S. Environmental Protection Agency,  
R-VII, Kathy Mulder  
U.S. Fish and Wildlife Service,  
Columbia, Rick Hansen  
Missouri Department of Conservation,  
Kathy McGrath  
Missouri Department of Natural Resources,  
Thomas Lange, Director's Office  
Missouri Department of Natural Resources,  
John Madras, Water Pollution Control Program



# United States Department of the Interior

BUREAU OF MINES  
Intermountain Field Operations Center  
P.O. Box 25086  
Building 20, Denver Federal Center  
Denver, Colorado 80225

August 5, 1994

Mr. Al Horn, P.E., Project Mgr.  
HNTB Architects Engineers Planners  
1201 Walnut, Suite 700  
Kansas City, MO 64106

Dear Mr. Miller:

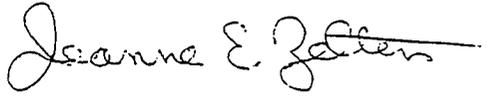
Subject: Review of Route 13 Corridor Study (Lexington to Clinton), Scoping Meeting  
(August 10, 1994), Lafayette, Johnson, and Henry Counties, Missouri

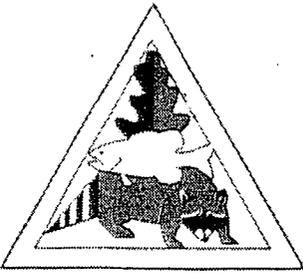
As you requested, personnel of the U.S. Bureau of Mines reviewed the subject document to determine whether mineral resources or mineral-production facilities would be adversely impacted by the proposed project. The document pertains to a proposal to improve Missouri Route 13 from Lexington to south of Clinton, a distance of approximately 70 miles.

Available maps and literature indicate that limestone and coal have been mined from the project area. The upcoming environmental impact statement should include an evaluation of these and any other mineral resources existing within the project area, both at known mine and deposit sites and other potentially recoverable deposits. We recommend that a section be included in the final environmental document in which the general quantity, quality, distribution, development potential, and value of mineral deposits are specifically addressed. Any impacts to operators or to the future development of mineral deposits that might result from the proposal also should be discussed. If, after study, it is determined that no impact to minerals would occur, a statement to that effect should be included in the environmental document. The impact of project implementation on the available supply of construction materials in the surrounding region and the impact to operators and other consumers also should be addressed. If no impact would occur, it should be so stated in the document.

Our comments are drawn from available information, are provided on a technical assistance basis only, and may not reflect the position of the Department of the Interior. If you have questions concerning this review, please contact Jeanne Zelten at (303) 236-0428, ext. 299.

Sincerely,

  
for Mark H. Hibshman  
Supervisory Physical Scientist



# MISSOURI DEPARTMENT OF CONSERVATION

MAILING ADDRESS  
P.O. Box 180  
Jefferson City, Missouri 65102-0180

STREET LOCATION  
2901 West Truman Boulevard  
Jefferson City, Missouri

Telephone: 314/751-4115  
Missouri Relay Center 1-800-735-2966 (TDD)  
JERRY J. PRESLEY, Director

August 24, 1994

Mr. Dan Van Petten  
HNTB  
P. O. Box 419299  
Kansas City, MO 64141

Re: Highway 13 Improvements  
Lexington, MO - Clinton, MO

Dear Mr. Van Petten:

Department staff examined map and computer files for federal and state rare, threatened and endangered species and determined that sensitive species or communities are known to occur within a six-mile corridor of existing Route 13 or adjacent to that corridor. Please refer to the attached Heritage Database report for details.

This report reflects information we currently have in our database. We provide this information for planning purposes only; it should not be regarded as a definitive statement as to the presence or absence of rare/endangered species or high-quality natural communities. You may need to conduct additional on-site inspections to verify the presence or absence of such species or communities.

Thank you for the opportunity to review and comment.

Sincerely,

DAN F. DICKNEITE  
PLANNING DIVISION CHIEF

Attachment

c: MHTD - Miller (District 4)  
Mark Kross, MHTD

COMMISSION

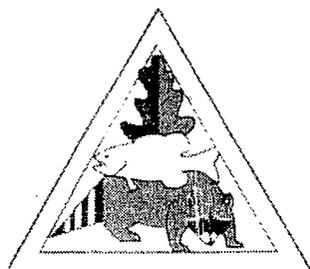
JERRY P. COMBS  
Kennett

ANDY DALTON  
Springfield

ANITA B. GORMAN  
Kansas City

JOHN POWELL  
Rolla





# MISSOURI DEPARTMENT OF CONSERVATION

MAILING ADDRESS  
P.O. Box 180  
Jefferson City, Missouri 65102-0180

STREET LOCATION  
2901 West Truman Boulevard  
Jefferson City, Missouri

Telephone: 314/751-4115  
Missouri Relay Center 1-800-735-2966 (TDD)  
JERRY J. PRESLEY, Director

September 20, 1994

Mr. Dan Van Petten  
HNTB  
P. O. Box 419299  
Kansas City, MO 64141

Re: Route 13 Corridor Study  
Lexington MO - Clinton, MO

Dear Mr. Van Petten:

Review of our records shows that the sensitive species or communities listed on the attached printout are known to exist on or near the above referenced site. The lack of additional records does not mean that such species or communities do not exist at this location. A site inspection would be necessary to verify their absence or existence.

It appears that you have obtained information regarding the natural features of this area from a number of different sources. From the perspective of our agency, features contained in the attached printout from the Natural Heritage Database are the known high quality communities or species of state or federal concern, occurring in the area. Sites or features listed in our inventory reports for these counties are not necessarily of sufficient quality or significance to warrant inclusion in the database. Reports completed recently (e.g. the 1987 report containing Johnson and Lafayette counties) indicate in the tables the status of each site or feature. Reports completed earlier (e.g. the 1984 report containing Henry County) do not contain this information. Also, in later reports, open or unfilled site symbols on the location maps generally indicate features or sites that were rejected from inclusion in the heritage whereas solid symbols indicate higher quality occurrences meriting inclusion.

It is our recommendation that you focus on avoiding sites or features listed in the Heritage Database printout. We do encourage you to also avoid sites of lower quality, as well as any other known natural resources or habitats, when possible.

If the following best management practices are observed during project design and construction, impacts on water quality and aquatic habitat should be minimal:

1. No channel modification or stream relocation permitted unless conditions of the State Channel Modification Guidelines are met.
2. Grade and seed disturbed areas as soon as possible to minimize erosion. Missouri Department of Conservation seeding and planting recommendations can be provided to enhance site conditions.

## COMMISSION

JERRY P. COMBS  
Kennett

ANDY DALTON  
Springfield

ANITA B. GORMAN  
Kansas City

JOHN POWELL  
Rolla

Mr. Dan Van Petten  
September 20, 1994  
Page Two

3. Disturbance to streambanks and riparian areas should be avoided.
4. Stream flows should not be interrupted and all temporary inchannel fills that could impound water should be culverted.
5. Avoid work in the channel between March 15 and June 15 to the extent possible.
6. Take all necessary precautions to prevent petroleum products from entering the stream.

In addition, since culverts may be used for this project, the following conditions will reduce impacts to fisheries:

1. Culverts should be sized and placed to maintain at least six inches of water during average annual discharges.
2. Culverts should be sized and placed so as not to create water velocities in excess of 2 feet per second during average annual discharge.
3. There should be no drop between the downstream end of the culverts and the downstream water surface at any time.

Without detailed project specifications, we can not offer further comments at this time regarding project impacts on stream resources. We would appreciate additional information when available, so that we can complete our review.

The opportunity to review and comment is appreciated. Please contact Kathy McGrath of my staff or Dennis Figg of our Natural History Division (same address and phone number above) if you have any questions regarding this information.

Sincerely,

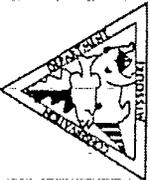


DAN F. DICKNEITE  
PLANNING DIVISION CHIEF

Attachments

- c: Dennis Figg  
Mark Kross (MHTD)  
KCD, Corps of Engineers (Hughes)

**Howard Needles Tammen & Bergendoff Company**  
**Route 13 Corridor Study**  
**Lexington, MO - Clinton, MO**  
**Lafayette, Johnson, and Henry Counties**



The following species and/or natural communities are known to occur on the project site.

SCIENTIFIC NAME	COMMON NAME	FED STATUS	STATE STATUS	DATE	TOWN/RANGE	SEC	MANAGED AREA	MAP #
CAREX TOMSA	SHAVED SEDGE	E	E	1971	046N025W	07		1
OENOTHERA PERENNIS	SMALL SUNDROPS		E	1987	046N025W	09	LAMB'S PRAIRIE REGISTERED SITE	2
TRIFOLIUM REFLEXUM	BUFFALO CLOVER		SU	1972	046N025W	09	LAMB'S PRAIRIE REGISTERED SITE	2
AMMODRAMUS HENSLOWII	HENSLOW'S SPARROW	C2	R	1987	046N025W	09	LAMB'S PRAIRIE REGISTERED SITE	3
MESIC PRAIRIE			E	1987	046N025W	09	LAMB'S PRAIRIE REGISTERED SITE	3
MESIC PRAIRIE			E	1987	046N025W	29		4
TYMPANUCHUS CUPIDO	GREATER PRAIRIE-CHICKEN LEK		R	1988	043N025W	31		5
ARDEA HERODIAS	GREAT BLUE HERON ROOKERY		C	1992	043N025W	18		6

The following Managed Areas are located in the vicinity of the project site.

MANAGED AREA	OWNER	TOWN/RANGE	SEC	MAP #
CONFEDERATE MEMORIAL STATE HISTORIC SITE	DNR	050N026W	25	7
FEVEL (CONNER O.) CONSERVATION AREA	MDC	043N025W	29 AND SEC 32	8
HAZEL HILL LAKE	MDC	047N026W	21 AND SECS 22, 27, 28	9
LAMB'S PRAIRIE REGISTERED SITE	PRIVATE	046N025W	09 W2	10
MAPLE LEAF LAKE CONSERVATION AREA	MDC	049N026W	32 AND SECS 33, 34	11
POAGUE (HAYSTER A.) CONSERVATION AREA	MDC	048N026W	03 AND SECS 4, 5	
		042N026W	19 AND SECS 20, 29, 30	12
		042N027W	24	

FEDERAL STATUS - The federal status is derived from the provisions of the federal Endangered Species Act, which is administered by the U.S. Fish and Wildlife Service. The Endangered Species Act provides federal protection for plants and animals listed as Endangered or Threatened. E = Endangered T = Threatened A,B,C = Candidate for Federal listing.

MISSOURI STATUS - The state status is determined by the Department of Conservation under Constitutional authority. Rule 3CSR10-4.111 of the Wildlife Code of Missouri and certain state statutes apply to state listed species. E = Endangered R = Rare SU = Status Undetermined WL = Watch List EXT = Extirpated XTM = Extinct.  
 Great blue heron rookeries, natural communities and geologic features may also occur on this printout. The status given these elements is provided for informational purposes only. C = Common, - = No status. These elements are not necessarily afforded protection through endangered species law or statute.



Heritage  
Adaptation

Federal Register  
Category

Explanation

LT

T

Listed Threatened.

LELT

E and T

Listed Endangered in part of  
range; Threatened in a  
different part.





DEPARTMENT OF THE ARMY  
KANSAS CITY DISTRICT, CORPS OF ENGINEERS  
700 FEDERAL BUILDING  
KANSAS CITY, MISSOURI 64106-2896

RECEIVED  
FEB 28 1994  
HNTB-KCMO

REPLY TO  
ATTENTION OF:

February 24, 1995

Eastern Project Section  
(94-01524)

Mr. Scott Smith  
HNTB Architects-Engineers-Planners  
1201 Walnut, Suite 700  
Kansas City, Missouri 64106

Dear Mr. Smith:

This is our concurrence with "Technical Memorandum No. 1, Initial Screening of Alternatives," dated December 1994 for the Route 13 Corridor Study, Lexington to Clinton, Missouri. We have reviewed the document and, overall agree with the screening criteria and alternatives eliminated at this point. However, we recommend you consider the following comments.

On page 3, you state that a preferred alignment has been identified in the corridor study being conducted from Lexington to Richmond, Missouri and have therefore eliminated several segments that are not connected to the preferred alignment. Based upon the fact that the preferred alternative will not be selected until the final Environmental Impact Statement (EIS) and a Record of Decision (ROD) has been issued for this project, the possibility exists that the preferred alternative may change because of the public interest review that is currently being conducted. For this reason, it may be premature to eliminate these alternatives at this stage. I suggest that you state that these links will be eliminated, provided the preferred alternative is selected in the Final EIS and a ROD is issued stating that this is the selected alignment for the Lexington to Richmond Corridor Study.

In the second paragraph under Segment B, the second sentence should read "The preliminary alignments in Segment B, ..." This paragraph should also contain a statement concerning the final selection of the preferred alternative in the Lexington to Richmond Corridor Study would eliminate this alternative.

If you have any questions about this letter, please write me or call Mr. Brian McNulty at 816-426-5047.

Sincerely,

*Joseph S. Hughes*  
for M. D. Jewett  
Chief, Regulatory Branch  
Construction-Operations Division

Copies Furnished:

Missouri Highway and Transportation  
Department, Mark Kross  
Federal Highway Administration,  
Division Office, Don Neumann  
Federal Highway Administration,  
Regional Office, Ken Bechtel  
U.S. Environmental Protection Agency,  
R-VII, Kathy Mulder  
U.S. Environmental Protection  
Agency, R-VII, DeWayne Knotts  
U.S. Fish and Wildlife Service,  
Columbia, Rick Hansen  
Missouri Department of Conservation,  
Kathy McGrath  
Missouri Department of Natural Resources,  
Thomas Lange, Director's Office  
Missouri Department of Natural Resources,  
John Madras, Water Pollution Control Program

Sec 121 21521  
Corr. File



# Federal Emergency Management Agency

Region VII  
911 Walnut Street, Room 200  
Kansas City, MO 64106

*Please  
have  
consultant  
respond*

Dist. Engr.	
Dist. Op. Engr.	21
Maint. & Traffic	
Const.	
Materials	
Design	25
R/Way	
Fiscal Svcs.	
Human Res.	
Risk Mt.	
Garage	
Legal	
Urban Engr.	
Public Affairs	
Circulate	
Copy All Depts.	

April 21, 1995

Mr. Dan Miller, P.E.  
District Engineer  
Missouri Highway and Transportation Department  
5117 East 31st St.  
Kansas City, Missouri 64128

Dear Mr. Miller:

Thank you for keeping this Agency informed about the status of the "Route 13" Project.

We would like to take this opportunity to ensure that all participants in the project are aware of the floodplain management requirements for all State Projects. Attached is a copy of MISSOURI EXECUTIVE ORDER 82-19 that paraphrases how the State of Missouri will comply with the requirements of the National Flood Insurance Program.

Mr. Buck Katt, Missouri State Emergency Management Agency, is now serving as the State Coordinator for the National Flood Insurance Program. He may be contacted at:

Missouri State Emergency Management Agency  
P.O. Box 116  
Jefferson City, Missouri 65102  
Phone (314) 526-9103  
Fax (314) 634-7966

In reviewing your criteria for segment evaluation, it does not appear to include floodplain location as a criterion. Both MISSOURI EXECUTIVE ORDER 82-19 and Presidential Executive Order 11988 (applies to expenditures of federal funds) reference review of flood hazards and minimization of development in the floodplain. We would encourage your compliance with these Executive Orders.

If you have any questions regarding this issue, please contact Randy Snider at (816) 283-7022.

Sincerely,

*Ronald L. McCabe*  
Ronald L. McCabe, Chief  
Community Mitigation  
Program Branch

Enclosure  
cc: Pam Soper, Missouri CCO  
Randy Snider, Missouri CCO  
Buck Katt, State NFIP Coord.

EXECUTIVE ORDER  
82-19

Provisions for the necessary and appropriate state coordination and participation with the Federal Insurance Administration under the National Flood Insurance Act of 1968, as amended, and rules and regulations promulgated thereunder.

WHEREAS, expanding uses of the State's floodplains, frequently involving high value developments and high density human dwellings, are occurring and potential flood losses are increasing despite substantial efforts to control floods; and

WHEREAS, studies of areas and property subject to flooding indicate a further increase in flood damage potential and flood losses, even with continuing investment in flood protection structures; and

WHEREAS, the State of Missouri has continuing programs for the construction of buildings, roads, and other facilities and annually acquires and disposes of land, all of which activities significantly influence patterns of commercial, residential, and industrial development; and

WHEREAS, the availability of programs for Federal loans and mortgage insurance, State and Federal financial assistance are determining factors in the utilization of land; and

WHEREAS, the availability of flood insurance under the National Flood Insurance Act of 1968, as amended, is dependent upon state coordination of Federal, State and local aspects of floodplain, mudslide (i.e., mudflow) area and flood-related erosion area management activities in the State; and

WHEREAS, the Federal Insurance Administration has promulgated and adopted rules and regulations governing eligibility of State and local communities to participate in the National Flood Insurance Program, which participation depends on State coordination and the designation of an agency in the State of Missouri to be responsible for coordinating Federal, State and local aspects of floodplain, mudslide (i.e., mudflow) area and flood-related erosion area management activities in the State of Missouri; and

WHEREAS, the State of Missouri is required to designate a State Coordinating Agency to be responsible for State coordination.

NOW, THEREFORE, I, CHRISTOPHER S. BOND, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of Missouri hereby order as follows:

SECTION 1. The State of Missouri will encourage a broad and unified effort to insure that future uses and development of the State's floodplains are analyzed and conducted in a manner to lessen the risk of flood losses, particularly in connection with State lands and installations and State financed or supported improvements. Specifically:

(1) The Director of the Department of Natural Resources is hereby designated the State Coordinator of the National Flood Insurance Program in Missouri, as described in Section 60.25 of the Rules and Regulations of the Federal Insurance

potential flood  
floods; and

WHEREAS, studies of areas and property subject to flooding indicate a further increase in flood damage potential and flood losses, even with continuing investment in flood protection structures; and

WHEREAS, the State of Missouri has continuing programs for the construction of buildings, roads, and other facilities and annually acquires and disposes of land, all of which activities significantly influence patterns of commercial, residential, and industrial development; and

WHEREAS, the availability of programs for Federal loans and mortgage insurance, State and Federal financial assistance are determining factors in the utilization of land; and

WHEREAS, the availability of flood insurance under the National Flood Insurance Act of 1968, as amended, is dependent upon state coordination of Federal, State and local aspects of floodplain, mudslide (i.e., mudflow) area and flood-related erosion area management activities in the State; and

WHEREAS, the Federal Insurance Administration has promulgated and adopted rules and regulations governing eligibility of State and local communities to participate in the National Flood Insurance Program, which participation depends on State coordination and the designation of an agency in the State of Missouri to be responsible for coordinating Federal, State and local aspects of floodplain, mudslide (i.e., mudflow) area and flood-related erosion area management activities in the State of Missouri; and

WHEREAS, the State of Missouri is required to designate a State Coordinating Agency to be responsible for State coordination.

NOW, THEREFORE, I, CHRISTOPHER S. BOND, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of Missouri hereby order as follows:

SECTION 1. The State of Missouri will encourage a broad and unified effort to insure that future uses and development of the State's floodplains are analyzed and conducted in a manner to lessen the risk of flood losses, particularly in connection with State lands and installations and State financed or supported improvements. Specifically:

(1) The Director of the Department of Natural Resources is hereby designated the State Coordinator of the National Flood Insurance Program in Missouri, as described in Section 60.25 of the Rules and Regulations of the Federal Insurance Administration.

(2) In accordance with Section 60.12 of the Rules and Regulations of the Federal Insurance Administration, and under the leadership and direction of the Office of Administration, Division of Design and Construction, all State agencies directly responsible for the construction of buildings, or other structures shall make every effort to preclude the hazardous, unnecessary or unwise use of flood plains in connection with such construction.

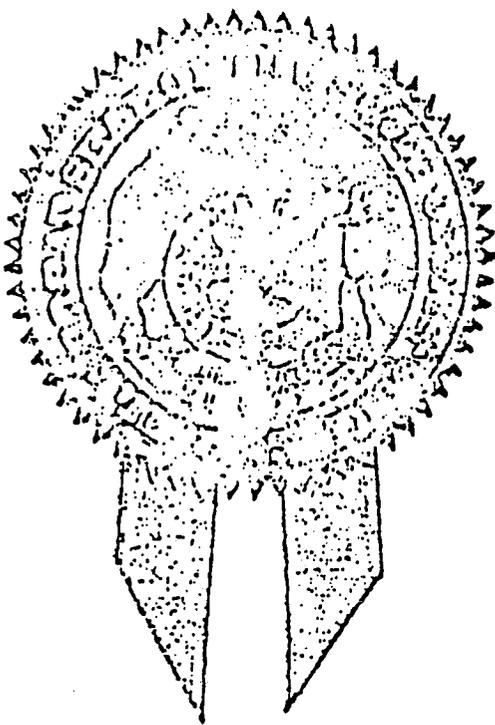
(3) All State agencies responsible for the administration of grant or loan programs involving the construction of buildings or other structures, shall evaluate flood hazards in connection with such structures and, to minimize the exposure of facilities to potential flood damage and the need for state expenditures for flood protection and flood disaster relief, shall make every effort to preclude the hazardous, unnecessary or unwise use of flood plains in connection with such construction.

(4) All State agencies shall take flood hazards into account when evaluating programs, plans and projects and shall provide for measures to prevent or guard against such hazards, appropriate to the degree of hazard involved.

SECTION 2. State Flood Plain Management Regulations for State Property are attached hereto and are hereby made a part of this Executive Order. These regulations may be amended from time to time by the State Coordinator so long as such amendments remain within the scope and purpose of this order.

SECTION 3. This order shall take effect immediately and shall supercede all previous Executive Orders on the same subject.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri in the City of Jefferson on this 17th day of November 1932.



Franklin D. Roosevelt  
GOVERNOR

ATTEST:

James K. Kirkpatrick  
SECRETARY OF STATE

# **HNTB** ARCHITECTS ENGINEERS PLANNERS

1201 Walnut  
Suite 700  
Kansas City, Missouri  
64106  
P.O. Box 419299  
Kansas City, Missouri  
64141  
(816) 472-1201  
FAX (816) 472-4060

July 27, 1995

Mr. Brian McNulty  
Regulatory Project Manager  
CO-RW  
Department of the Army  
Kansas City District, Corps of Engineers  
700 Federal Building  
Kansas City, Missouri 64108-2896

**Re: Route 13 Corridor Location Environmental Impact Statement**

Dear Mr. McNulty:

As I indicated in our telephone conversation on July 26, 1995, I am enclosing two copies of the Route 13 alternative alignments at Clinton, Missouri. At the present time there are three alternative alignments on the eastern side of Clinton. The project does cross COE land associated with the Harry S. Truman Reservoir. I have outlined COE lands in green. The red line is the city limits of Clinton.

It is my understanding that COE lands around the reservoir are not necessarily considered to be Section 4(f) lands. Should a COE recreation area be present or planned for, the alignment which crosses the designated recreational land would be subject to the provisions of Section 4(f).

I would appreciate your review of the alignments with regard to existing or planned designated recreational areas on the COE lands and inform us of your decision in this regard. Should the Section 4(f) lands be present, we will prepare appropriate documentation for inclusion in the Draft Environmental Impact Statement, which is planned for submittal August 18, 1995.

Should you have any questions or comments regarding this matter, please contact me at your earliest convenience.

Sincerely,



Daniel E. Van Petten, AICP  
Environmental Coordinator Route 13

cc: AJH  
File

*The HNTB Companies*

OFFICES: ALEXANDRIA, VA; ATLANTA, GA; BATON ROUGE, LA; BOSTON, MA; CHARLESTON, WV; CHICAGO, IL; CLEVELAND, OH; CONCORD, CA; DALLAS, TX; DENVER, CO; FAIRFIELD, NJ; HARTFORD, CT; HOUSTON, TX; INDIANAPOLIS, IN; IRVINE, CA; KANSAS CITY, MO; LANSING, MI; LOS ANGELES, CA; LOUISVILLE, KY; MIAMI, FL; MILWAUKEE, WI; MINNEAPOLIS, MN; NASHVILLE, TN; NEW YORK, NY; OKLAHOMA CITY, OK; ORLANDO, FL; OVERLAND PARK, KS; PHOENIX, AZ; RALEIGH, NC; ROCKLAND COUNTY, NY; SEATTLE, WA; TAMPA, FL; TULSA, OK; WICHITA, KS.





ARCHITECTS ENGINEERS PLANNERS

1201 Walnut  
Suite 700  
Kansas City, Missouri  
64106  
P.O. Box 419299  
Kansas City, Missouri  
64141  
(816) 472-1201  
FAX (816) 472-4060

July 27, 1995

Ms. Kathy McGrath  
Environmental Coordinator  
Planning Division  
Missouri Department of Conservation  
2901 W. Truman Blvd.  
Jefferson City, MO 65109-0580

RE: Route 13 Corridor Location Environmental Impact Statement

Dear Ms. McGrath:

I am enclosing two copies of the Route 13 alternative alignments at Clinton MO. At the present time there are three alternative alignments on the eastern side of Clinton. The project does cross COE land associated with the Harry S. Truman Reservoir. I have outlined COE lands in green. The red line is the city limits of Clinton.

Mr. Brian McNulty, Regulatory Project Manager, CO-RW, KC District COE has indicated to us that there are no existing or proposed 4(f) resource lands, directly affected by the alignments under consideration at this time.

As the Missouri Department of Conservation is a leasee for COE lands, specifically the Bethlehem Wildlife Management Area, McNulty advised us to contact you concerning existing or proposed 4(f) resources on this area.

I would appreciate your review of the alignments with regard to existing or planned designated recreational areas on the COE lands and inform us of your decision in this regard. Should the Section 4(f) resource lands be present, we will prepare appropriate documentation for inclusion in the Draft Environmental Impact Statement, which is planned for submittal August 18, 1995.

Should you have any questions or comments regarding this matter, please contact me at your earliest convenience.

Sincerely,

Daniel E. Van Petten, AICP  
Environmental Coordinator Route 13

cc. AJH  
File

The H.N.T.B. Companies

OFFICES: ALEXANDRIA, VA; ATLANTA, GA; BATON ROUGE, LA; BOSTON, MA; CHARLESTON, WV; CHICAGO, IL; CLEVELAND, OH; CONCORD, CA; DALLAS, TX; DENVER, CO; FAIRFIELD, NH; HARTFORD, CT; HOUSTON, TX; INDIANAPOLIS, IN; IRVINE, CA; KANSAS CITY, MO; LANSING, MI; LOS ANGELES, CA; LOUISVILLE, KY; MIAMI, FL; MILWAUKEE, WI; MINNEAPOLIS, MN; NASHVILLE, TN; NEW YORK, NY; OKLAHOMA CITY, OK; ORLANDO, FL; OVERLAND PARK, KS; PHOENIX, AZ; RALEIGH, NC; ROCKLAND COUNTY, NY; SEATTLE, WA; TAMPA, FL; TULSA, OK; WICHITA, KS.





DEPARTMENT OF THE ARMY  
KANSAS CITY DISTRICT, CORPS OF ENGINEERS  
700 FEDERAL BUILDING  
KANSAS CITY, MISSOURI 64106-2896

August 9, 1995

REPLY TO  
ATTENTION OF:

Western Project Section  
(94-01524)

Mr. Daniel Van Petten, AICP  
HNTB, Architects, Engineers, Planners  
1201 Walnut, Suite 700  
Kansas City, Missouri 64106

Dear Mr. Van Petten:

This is in response to your letter dated July 27, 1995 concerning the possibility of a public use areas being developed within the alignment of the proposed Route 13 corridor alternative study.

I have coordinated this issue with our Operations Technical Support Branch and they indicate that no public use areas are planned in the areas outlined in your letter. Therefore, I do not suspect these areas would be subject to the provisions of Section 4(f).

If you have any questions, please feel free to write me or call Mr. Brian McNulty at 816-426-5047 (FAX 816-426-2321).

Sincerely,

A handwritten signature in cursive script, reading "Lawrence M. Cavin".

Lawrence M. Cavin  
Acting Chief, Regulatory Branch  
Construction-Operations Division





# Missouri Highway and Transportation Department

Capitol Ave. at Jefferson St., P.O. Box 270, Jefferson City, MO 65102 (314) 751-2551 Fax (314) 751-6555

RECEIVED

SEP 19 1995

HNTB-KCMO

September 14, 1995

Mr. Brian McNulty  
U.S. Army Corps of Engineers  
Kansas City District  
601 E. 12th St.  
Kansas City, MO 64016

Dear Mr. McNulty:

Subject: Design  
Route 13, Ray and Lafayette Counties  
Lexington to Clinton  
Job Nos. J4P1234B, J4P1235 and J4P1119  
Section 404 Permit Application

Enclosed is the original Section 404 permit application that was faxed to you on September 8, 1995. This original is being provided to complete items 1 through 4. Please provide a completed application to Mr. Al Horn of the HNTB Corporation so that the application can be included in the Draft Environmental Impact Statement for the subject project. The address for the HNTB Corporation is 1201 Walnut, Suite 700, Kansas City, MO 64106.

If you have any questions concerning the processing of the application, I can be contacted by phone at (314) 751-4606.

Sincerely,

*Mark S. Kross*

Mark S. Kross  
Environmental Manager, Design

Enclosure

mb/sw

Copies: Mr. Al Horn-HNTB (with enclosure)  
Mr. Ray Purvis-de



APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT  
(33 CFR 325)

OMB APPROVAL NO. 0710-003  
Expires October 1996

Public reporting burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in, or affecting, navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Routine Uses: Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED
--------------------	----------------------	------------------	-------------------------------

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME Joe Mickes, Chief Engineer	8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required) Bob Sfreddo, Division Engineer Design
6. APPLICANT'S ADDRESS Missouri Highway & Transportation Dept. P.O. Box 270 Jefferson City, Mo. 65102	9. AGENT'S ADDRESS Missouri Highway & Transportation Dept. P.O. Box 270 Jefferson City, Mo. 65102
7. APPLICANT'S PHONE NOS. W/AREA CODE a. Residence b. Business 314-751-4622	10. AGENT'S PHONE NOS. W/AREA CODE a. Residence b. Business 314-751-2876

11. STATEMENT OF AUTHORIZATION

I hereby authorize, Bob Sfreddo to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE

DATE

9-8-95

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) Route 13 Corridor - Lexington to Clinton, Missouri FHWA MO EIS 95-06-D MUTD Project No.: J4P1234B, J4P1235, and J4P1119	
13. NAME OF WATERBODY, IF KNOWN (if applicable) Numerous -- See EIS	14. PROJECT STREET ADDRESS (if applicable)
5. LOCATION OF PROJECT Lafayette, Johnson & Henry COUNTY MO STATE	

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN, (see instructions)

7. DIRECTIONS TO THE SITE

The highway corridor is accessible from Kansas City area via U.S. 24, I-70, U.S. 50 and Route 7

The Corps must not give too much deference to local plans or requirements that, however legitimate, are not relevant to the Section 404(b)(1) guidelines' definition of practicable alternatives. In this regard, the Missouri Highway and Transportation Department (MHTD) 15-year right-of-way acquisition plan and Regional Highway System plan does not dictate the basic purpose of this project for CWA purposes, although it is certainly relevant to the NEPA purpose and is a legitimate reason for the MHTD to pursue specific projects. To the extent that projects are included on these plans for substantive reasons, they serve as an indication of the need for, and priority of, specific projects. However, the CWA alternatives analysis must determine there is no alternative that is less damaging to the aquatic environment irrespective of such restrictive definitions of the basic project purpose. In a letter to the MHTD's agent dated August 2, 1994, the Kansas City District defined the basic purpose as follows:

**The basic purpose of the project is to provide a safe, efficient, and economical transportation facility that responds to traffic needs between the identified termini near Lexington and Clinton.**

As stated, the basic purpose does not predispose the Section 404(b)(1) alternatives analysis to any particular road or interchange configuration, design speed, or alignment, except as may be justified by traffic analysis, engineering requirements and/or environmental considerations.

Cost to construct or operate should not alone eliminate any alternatives. Therefore, although cost is a consideration for identifying practicable alternatives, the basic purpose statement does not say that the project will be the least expensive or most cost effective. The reference to an "economical transportation facility" refers to a facility whose capital cost, maintenance and environmental costs are generally commensurate with the projected travel costs and type of facility.

Our stated basic purpose does not include the phrase: "improve economic development opportunities within the region." We believe this is not part of the basic purpose of the project. Undoubtedly, economic development benefits may accrue, and economic development may legitimately be a reason MHTD or local interests want to build the project. However, it is not appropriate for the statement of basic purpose because it may unnecessarily restrict the identification of practicable alternatives. Also, identifying alternatives that satisfy this purpose would be subjective and controversial.

In addition to the requirement for the Corps to determine if there is a less damaging practicable alternative, 40 CFR 230.10(a)(3) establishes a rebuttable presumption against discharges into "special aquatic sites" for non-water dependent activities. A non-water dependent activity does not require access or proximity to or siting within a special aquatic site to fulfill its "basic purpose." Practicable alternatives to non-water dependent activities are presumed to be available and to result in less environmental loss unless clearly demonstrated otherwise by the applicant. In such cases, the burden of demonstrating that no practicable alternative is available is the responsibility of the applicant, not the Corps of Engineers or reviewing agencies. We have determined that this project (Route 13 Corridor) is not water dependent. Although the highway must cross numerous creeks and streams, the discharge of dredged or fill material in wetlands or other special aquatic sites is not required to achieve the basic project purpose stated above.

Based on the data currently available, the preferred alternative will likely involve discharges into special aquatic sites. Therefore, the rebuttable presumption from 40 CFR 230.10(a)(3) presumes a less damaging alternative is available. We have evaluated the alternatives presented in the DEIS and concur that impacts to wetlands are not avoidable. This preliminary evaluation indicates that there are no practicable alternatives available that would result in less damage to the aquatic ecosystem than the preferred alternative alignment. Also, we reviewed the other alternatives eliminated from further review by initial screening and concurred that those alternatives were not practicable, not available or would not have resulted in less adverse impact to the aquatic ecosystem. Therefore, we have made a preliminary determination that the requirements of this restriction are met. Any modification of this preferred alignment that results in increased impacts to wetlands or other special aquatic sites will be subject to the rebuttable presumption found at 40 CFR 230.10(a)(3) and it will be MHTD's responsibility to demonstrate why the preferred alternative shown in the DEIS is not practicable and/or available.

b. State Water Quality Standards, Toxic Effluent Standards, Endangered Species Act. The proposed discharges must not violate applicable Missouri water quality standards or the Toxic Effluent Standards of Section 307 of the Clean Water Act. Before we complete this compliance evaluation, Missouri Department of Natural Resources must certify that the discharges will not violate applicable state water quality standards as required by Section 401 of the Clean Water Act (33 USC 1341).

The applicant has consulted with the U.S. Fish and Wildlife Service and Missouri Department of Conservation to identify threatened and endangered species listed under authority of the Endangered Species Act that may occur in the Route 13 corridor. No Critical habitat for Federally-listed species has been



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OCT 11 1995

*Missouri Highway and  
Transportation Department* HNTB-KCMO

Capitol Ave. at Jefferson St., P.O. Box 270, Jefferson City, MO 65102 (314) 751-2551 Fax (314) 751-6555

October 3, 1995

Mr. David Shorr  
Director  
Missouri Department of Natural Resources  
P. O. Box 176  
Jefferson City, Missouri 65102

Dear Mr. Shorr:

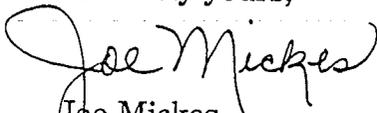
Subject: Rt. 13, Lafayette, Johnson, and Henry Counties  
Lexington to Clinton  
Job Nos. J4P01234B, J4P01235, J4P1119  
Assessment of Architectural Resources

Attached is a letter from Historic Preservation Associates that summarizes the eligibility assessment of architectural resources for the National Register of Historic Places (NRHP) during a meeting on August 15, 1995, with Judith Deel and Laura Sparks of the Historic Preservation Program (HPP), Jim Smith of Historic Preservation Associates (HPA), Dan Van Petten of HNTB Corporation, and Toni Prawl of our staff.

We appreciate the opportunity to discuss these resources through the forum the meeting presented and look forward to similar sessions with HPP staff in the future. We agree with the meeting conclusions presented in HPA's letter and attachments and are forwarding this information to your staff. We request HPP's concurrence that would recognize 11 eligible architectural resources, 134 not eligible architectural resources, and give further consideration to 23 architectural resources as identified in the accompanying letter and attachments.

If you have questions regarding this project, please contact Toni Prawl, MHTD Architectural Historian, at (314) 526-3598. Thank you for your assistance.

Sincerely yours,

  
Joe Mickes  
Chief Engineer

jm/tmp/bw-de

Attachments

Copies: Ms. Claire Blackwell-dnr  
Mr. Al Horn-hntb  
Mr. Dan Miller-4  
Mr. Scott Humphrey-4  
Mr. Ray Purvis-de  
Mr. Mark Kross-de





United States  
Department of  
Agriculture

Soil  
Conservation  
Service

Parkade Center, Suite 250  
601 Business Loop 70 West  
Columbia, Missouri 65203

October 13, 1995

Joe Mickes, Chief Engineer  
Missouri Highway and Transportation Department  
P.O. Box 270  
Jefferson City, MO 65102

- |  |   |
|--|---|
| <input type="checkbox"/> Asst. Div. Engr.-I. & D | <input type="checkbox"/> Design Engr. <i>RHP</i>      |
| <input type="checkbox"/> Asst. Div. Engr.-Oper   | <input checked="" type="checkbox"/> Liaison Engr.     |
| <input type="checkbox"/> Utilities               | <input type="checkbox"/> Spec. Assn. Engr. <i>mak</i> |
| <input type="checkbox"/> Fed. Aid                | <input type="checkbox"/> Env. Manager                 |
| <input type="checkbox"/> Recon Engr.             | <input type="checkbox"/> CADD Engr.                   |
| <input type="checkbox"/> Photo Engr.             | <input type="checkbox"/> Value Engr.                  |
| <input type="checkbox"/>                         | <input type="checkbox"/> Office Mgr.                  |
| <input type="checkbox"/> C-ME                    | <input type="checkbox"/> File                         |

Dear Mr. Mickes:

Our office has reviewed the Draft Environmental Impact Statement for Route 13 and Route 7 from Lexington, Missouri to Clinton, Missouri.

Our primary concerns are addressed in the document. There is not a significant difference in loss of prime farmland or farmland of statewide importance in the different alignments. In addition there is no significant differences in effect on wetlands affected. Therefore, we do not have a definite alignment choice.

If you have questions or need additional information, please do not hesitate to contact Kenneth Vogt, Assistant State Soil Scientist (Correlation) at 314/876-0907.

Sincerely,

ROGER A. HANSEN  
State Conservationist



The Soil Conservation Service  
is an agency of the  
Department of Agriculture

AN EQUAL OPPORTUNITY EMPLOYER



01-20-1995 JRM 2

STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES

McL Canahan, Governor • David A. Sharr, Director

OFFICE OF THE DIRECTOR

P.O. Box 176 Jefferson City, MO 65102-0176 (314)751-4422

FAX (314)751-7627

October 23, 1995

*mak*

Mr. Joe Mickes  
Chief Engineer  
Missouri Highway and Transportation Department  
PO BOX 270  
Jefferson City, MO 65102

RE: Architectural Assessment Meeting—Rt. 13, Lexington to Clinton, Job Nos. J4P01234B, J4P01235,  
J4P1119; Lafayette, Johnson and Henry Counties

Dear Mr. Mickes:

We appreciated the opportunity to meet with the MHTD staff and consultants employing a new system for processing large projects. The meeting held on August 15, 1995, and subsequent meetings have been progressing smoothly, working to eliminate unnecessary paperwork and make decisions regarding resources more quickly and in a consensus manner.

We concur with the recommendations recorded during the meeting with the consultants, Jim Smith of Historic Preservation Consultants and Dan Van Petten of HNTB Corporation, and Toni Prawl. Eleven resources were determined eligible for the National Register of Historic Place, 134 properties were found not eligible and 23 properties will receive more research in order to make a determination.

We have a copy of the final list of resources. We look forward to receiving copies of the documentation to complete our files.

If you have any questions regarding this project, please contact Ms. Laura Sparks at 751-9501.

Sincerely,

HISTORIC PRESERVATION PROGRAM

Claire F. Blackwell  
Director and Deputy State  
Historic Preservation Officer

CFB:lls

c Don Neumann  
Mark Kross  
Toni Prawl





Dist. Engr.	<input checked="" type="checkbox"/>
Dist. Op. Engr.	<input checked="" type="checkbox"/>
Maint. & Traffic	<input type="checkbox"/>
Const.	<input type="checkbox"/>
Materials	<input type="checkbox"/>
Design	<input checked="" type="checkbox"/>
Plan	<input type="checkbox"/>
Fiscal Svcs.	<input type="checkbox"/>
Human Res.	<input type="checkbox"/>
Risk Mgt.	<input type="checkbox"/>
Garage	<input type="checkbox"/>
Legal	<input type="checkbox"/>
Urban Engr.	<input type="checkbox"/>
Public Affairs	<input type="checkbox"/>
Circulate	<input type="checkbox"/>
Copy All Depts.	<input type="checkbox"/>
C - Me	<input type="checkbox"/>

*PLEASE COPY TO MHTD. Alan*  
*Let's report to this 1 hr. Dan*

November 17, 1995

Mr. Dan Miller, District Engineer  
 Missouri Highway and Transportation Department  
 5117 East 31st Street  
 Kansas City, MO 64128

RE: Missouri Highway Route 13 Bypass

Dear Mr. Miller:

The Warrensburg City Traffic Commission and Warrensburg Chamber of Commerce established a joint ad hoc committee on the proposed Route 13 bypass. This reflects the commitment that Warrensburg and surrounding communities exhibit to ensure a safe and viable project.

The committee studied the MHTD Route 13 and Route 7 "Draft Environmental Impact Statement" dated September 25, 1995, and the information presented in Warrensburg on October 3, and October 24, 1995. Committee members also solicited comments about the project from citizens, business leaders, and public officials.

The conclusions resulting from the ad hoc committee's deliberations were submitted to the Warrensburg City Council, Warrensburg Traffic Commission, the Board of Directors of the Warrensburg Chamber of Commerce, and the Chamber of Commerce Military Affairs Committee. The statements and recommendations herein are jointly supported by these representative bodies.

Please know that we generally support the conclusions in the "Draft Environmental Impact Statement" In that context, we offer the following concerns.

**I. Diversion/interchange points, north and south of Warrensburg**

The location of the diversion points/interchanges north and south of Warrensburg, for the Preferred Alternate Route 13 bypass, are a great distance from City. Resultantly, the usefulness of the bypass for local traffic may be diminished and significant economic harm may result. Even so, our greater concerns are health and safety issues. Some commercial service is bound to spring up at the diversion points/interchange locations, thereby creating a heightened need for public services. Yet, geographic barriers, particularly the Blackwater River, curb the extension of public utilities, particularly sewer and water service, to these locations. These remote locations also inhibit timely rescue and ambulance services.

**Recommendation:**

- A. Move the north diversion point/interchange south of the Blackwater River, approximately to the location proposed in the original alternative Route F-15.
- B. Move the south diversion point/interchange north to a location close to the proposed Near East Final Alternative diversion point/interchange.

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 NOV 27 1995  
 MHTD DIST. 4

Mr. Dan Miller, District Engineer  
 Missouri Highway and Transportation Department  
 November 17, 1995  
 Page 2.

II. Interchange Construction Commitments

A minimum number of interchanges along the bypass route have been proposed.

Recommendation:

- A. It is essential that all proposed interchanges be constructed at the time the bypass is initially built.

III. Complementary State Highway Improvements

The rerouting of MO Hwy. 13 around Warrensburg will cause a significant east-west traffic pattern change, which was not addressed in the "Draft Environmental Impact Statement." These changes, together with expected sustained growth in Johnson County, require complimentary improvements to intersecting highways.

Recommendation:

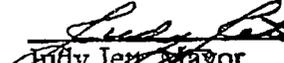
- A. Upgrade Highway 50 to freeway standards through Warrensburg, prior to or concurrently with the bypass improvements, including an interchange at PCA Road and the west intersection with Business 50.  
 B. Upgrade DD Highway to four or five lanes from Highway 132 (at Whiteman AFB), west to existing Highway 13.  
 C. Build an arterial/highway corridor on the west side of Warrensburg from Highway 50 to BB Highway, including a freeway standard interchange at Highway 50.

Note: We envision this as a cooperative State and local effort to accommodate State-wide transportation access to the CMSU campus, local airport, and central business district.

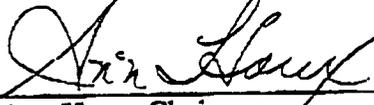
Please accept these proposals as an integral part of the proposed project. We look forward to responding to your questions and exploring how we may assist you with the rapid construction of this important Missouri transportation project.

Sincerely,

  
 William P. Bernier, Chairman  
 Ad Hoc Committee on the Hwy. 13 Bypass  
 & Warrensburg Traffic Commission

  
 Judy Jett, Mayor  
 City of Warrensburg

  
 Bob Gaw, President  
 Warrensburg Chamber of Commerce

  
 Ann Houx, Chairman  
 WCC Military Affairs Committee

cc: Honorable Harold Caskey, State Senator  
 Honorable Deleta Williams, State Representative  
 Mr. Joe Mickes, Chief Engineer



## DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 509TH SUPPORT GROUP (ACG)  
WHITEMAN AIR FORCE BASE, MISSOURI

7 Dec 95

MEMORANDUM FOR HNTB (Mr John Szturo)  
1201 Walnut, Suite 700  
Kansas City, MO 64106FROM: 509 CES/CEV  
660 10th Street, Suite 211  
Whiteman AFB, MO 65305-5074SUBJECT: Comments on the Draft Environmental Impact Statement and Location  
Public Hearing for the Highway 13 Project

1. We appreciate the opportunity to discuss the environmental issues related to the proposed routing for Highway 13. Avoidance of problems related to future highway construction adjacent to a missile site is an objective with which we will be glad to assist. The Air Force has been working closely with the Missouri Department of Natural Resources (MDNR) during the deactivation and dismantlement of the Minuteman II missile system. Environmental information obtained through this process has been shared between the Air Force and the Federal Facilities Section of MDNR. Please consider our office and the Federal Facilities Section as sources of information regarding environmental issues related to the missile dismantlement project. Mr Don Kerns or Mr Glen Golson are the points of contact in the Federal Facilities Section, and they can be contacted at (314)751-3176.

2. Through a process which has taken several months, a Compliance Agreement has been prepared between the Environmental Protection Agency and the Air Force to address the issues resulting from the discovery of polychlorinated Biphenyls (PCBs) at the missile sites. The Compliance Agreement reinforces the requirement that construction involving excavation cannot occur on a missile site. Acquisition of right-of-way would have to avoid all the area within the fence surrounding the missile site, and an additional 25 feet in each direction.

3. Should you require additional information regarding the history of the dismantlement project to date, or the future planning related to environmental issues, please contact our office at (816)687-6347 or Mr Kerns or Mr Golson at the Federal Facilities Section of MDNR.

*Daniel M. Kamieniecki*  
DANIEL M. KAMIENIECKI, Major, USAF  
Chief, Environmental Flight

cc: 509 BW/JA (Capt Gibson)  
509 BW/EM



Dist. Engr.	W
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Asst't DE-Design	W
Maint. & Traffic	
Const.	
Materials	
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Human Res.	
Risk Mgt.	
Garage	
Legal	
Urban Engr.	
Public Affairs	
Circulate	
Copy All Depts.	
C - Me	

April 3, 1996

Mr. Dan Miller, District Engineer  
 Missouri Highway and Transportation Department  
 5117 East 31st Street  
 Kansas City, MO 64128

Re: Missouri Highway Route 13 Bypass

Dear Mr. Miller:

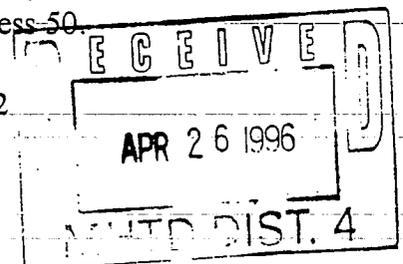
The Warrensburg, City Traffic Commission and Warrensburg Chamber of Commerce Ad-Hoc Committee met on March 28, 1996 to review the alternatives that were presented to the Corridor Advisory Committee on March 11, 1996. The committee is very appreciative of the efforts of the Missouri Highway and Transportation Department and HNTB in reviewing various route location alternatives.

The Committee supports the relocation of the South Diversion Point from the DEIS Alignment to the location of Alternate A and B. Either alignment east of the diversion point is acceptable. This adjustment is consistent with the goal of moving the diversion point closer to the City of Warrensburg, and will provide much better local service to the Warrensburg area residents as well as through traffic.

The Committee hoped for a closer diversion point alignment on the north but recognizes the limitations of moving the highway closer to Warrensburg, and the impacts on the area residents. The Committee believes that the DEIS Alternative is the best overall location for all interests and in view of these limitations the Committee supports the DEIS Alternative for the North Diversion Point.

The Committee also continues to support and request the Complimentary State Highway Improvements as outlined in our November 15, 1995 letter. You may recall our recommendations:

- A. Upgrade Highway 50 to freeway standards through Warrensburg, prior to or concurrently with the bypass improvements, including an interchange at PCA Road and the west intersection with Business 50.
- B. Upgrade DD Highway to four or five lanes from Highway 132 (at Whiteman AFB), west to existing Highway 13.



Mr. Dan Miller, District Engineer  
Missouri Highway and Transportation Department  
April 3, 1996  
Page 2.

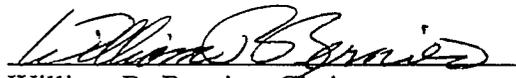
- C. Build an arterial/highway corridor on the west side of Warrensburg from Highway 50 to BB Highway, including a freeway standard interchange at Highway 50.

Note: We envision this as a cooperative State and local effort to accommodate State-wide transportation access to the CMSU campus, local airport, and central business district.

The Committee believes these improvement are more critically needed with the increased speed limits.

The conclusions resulting from the Ad-Hoc Committee's deliberations were submitted to the Warrensburg City Council, Warrensburg Traffic Commission, the Board of Director of the Warrensburg Chamber of Commerce, and the Chamber of Commerce Military Affairs Committee. The statement and recommendations herein are jointly supported by these representative bodies.

Sincerely,



William P. Bernier, Chairman  
Ad-Hoc Committee on the Hwy. 13 Bypass  
& Warrensburg Traffic Commission



Bob Gaw, President  
Warrensburg Chamber of Commerce



Judy Jett, Mayor  
City of Warrensburg



Ann Houx, Chairman  
WCC Military Affairs Committee

cc: Honorable Harold Caskey, State Senator  
Honorable Deleta Williams, State Representative  
Mr. Joe Mickes, Chief Engineer

STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES

Missouri Governor • David A. Shannon

DIVISION OF STATE PARKS

P.O. Box 176 Jefferson City, 65102-0176 (573) 751-2479

FAX (573) 751-8650

July 8, 1996

Mr. Fred Martin  
Division Engineer, Plan Scoping  
Missouri Highway and Transportation Department  
PO BOX 270  
Jefferson City, MO 65102

RE: Building Evaluation, Route 13, Lexington to Clinton, Job Nos. J4P1234B, J4P1235, J4P1119,  
Henry, Johnson, Lafayette Counties

Dear Mr. Martin:

Thank you for submitting information on the above referenced project for our review pursuant to Section 106 of the National Historic Preservation Act (P.L. 89-665, as amended).

We have reviewed the information submitted and concur with your assessment that the Wiley barn (GG16A--Johnson County), the Angel House (J22--Henry County) and the Wade House (N5--Henry County) are not eligible for listing in the National Register of Historic Places.

If you have any questions, please contact Mrs. Laura Sparks at 573/751-9501.

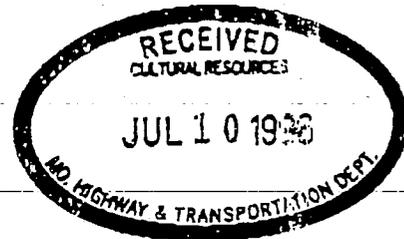
Sincerely,

HISTORIC PRESERVATION PROGRAM

Claire F. Blackwell  
Director and Deputy State  
Historic Preservation Officer

CFB:ls

c Don Neumann  
Mark Kross  
Bob Reeder



Post-It™ Fax Note	7671	Date	7/17/96	# of pages	1
To	Jerry Mugg	From	Toni Prawl		
Co./Dept	NTB	Co.	Cult. Res., MHTD		
Phone #	(816) 492-1201	Phone #	(573) 526-3598		
Fax #	(816) 472-4086	Fax #	(573) 526-1300		



Missouri  
Department  
of Transportation



Joe Mickes, Chief Engineer

105 West Capitol Avenue  
P.O. Box 270  
Jefferson City, MO 65102  
(573) 751-2551  
Fax (573) 751-6555

December 20, 1996

Mr. David Shorr  
Director  
Department of Natural Resources  
P.O. Box 176  
Jefferson City, Missouri 65102

Dear Mr. Shorr:

Subject: Preliminary Studies  
Route 13, Lafayette, Johnson and Henry Counties  
Lexington to Clinton  
Job Nos. J4P1234B, J4P1235, and J4P1119  
Evaluation of Architectural Resources

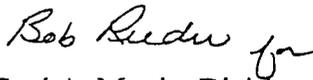
As the draft Environmental Impact Statement for the above referenced project advances to the final Environmental Impact Statement, we request the Historic Preservation Program (HPP) staff's further review of architectural resources involved in the project. We are forwarding to HPP photographic plates and aerial maps for 253 architectural resources less than fifty years old and potentially impacted by the proposed highway improvements. Due to the recent construction of these buildings and structures, we believe that they do not fulfill eligibility criteria for the National Register of Historic Places (NRHP) and request HPP's concurrence.

In addition to these architectural resources, an inventory form and photograph for QQ11 is being forwarded to HPP. QQ11, a shed, was discovered when refinements to the alignment were considered and following the review of other properties more than fifty years old. As summarized in our correspondence to HPP on June 20, 1996, 175 architectural resources more than fifty years old and associated with this project were presented and evaluated for their NRHP eligibility. Fortunately, none of the eleven properties determined eligible for the NRHP will be impacted by the selected alignment.

Mr. David Shorr  
Page 2  
December 20, 1996

Through the information provided by the consultants, MoDOT supports the consultant's recommendations that no further work be performed on these architectural resources. Therefore, MoDOT seeks HPP's formal concurrence that none of these additional 254 architectural resources presently submitted for review is eligible for the NRHP. Please contact Toni Prawl, Architectural Historian, at (573) 526-3598 if you have questions or concerns. Thank you for your consideration of this request.

Sincerely,



Fred A. Martin, Division Engineer  
Preliminary Studies

tmp/bw

Copies: Ms. Claire Blackwell-hpp(w/enclosures)  
Mr. Jerry Mugg-hntb  
Mr. Gary Vandelicht-de  
Mr. Dan Miller-4  
Mr. Scott Humphrey-4  
Mr. Tim Klinger-hpa

STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**

Mel Carnahan, Governor • David A. Slone, Director

DIVISION OF STATE PARKS

P.O. Box 176 Jefferson City, 65102-0176 (573) 751-2479

FAX (573) 751-8656



January 2, 1997

Mr. Fred Martin  
 Division Engineer, Preliminary Studies  
 Missouri Department of Transportation  
 PO BOX 270  
 Jefferson City, MO 65102

RE: Preliminary Studies, Route 13 Job Nos. J4P1234B, J4P1235 and J4P1119, Henry, Johnson and Lafayette Counties

Dear Mr. Martin:

Thank you for submitting information on the above referenced project for our review pursuant to Section 106 of the National Historic Preservation Act (P.L. 89-665, as amended).

This submission, supplementing previous survey efforts, included resources located within the preferred corridor and determined by the contractor, Historic Preservation Associates, to be less than fifty years old. Many of the photographs are of garages and small outbuildings associated with larger complexes which may include buildings older than 50 years. In order for MoDOT and HPP staff to evaluate properties according to National Register Criteria, these smaller buildings should have been submitted with all of the buildings to which they relate. It is important that buildings be evaluated within their contexts, especially districts or groups of buildings.

Although a few buildings in this group appear to possibly be more than fifty years old and should have been included in the first portion of the survey (L-1-6, L-3-8, J-3-11, L-2-12, H-1-19, H-2-3 and H-2-4), they do not appear to warrant a request for additional information. Therefore, we agree with MoDOT's recommendation that none of these resources are eligible for listing in the National Register of Historic Places and we have no objection to the initiation of project activities concerning these properties.

However, please note that it would facilitate project review if information about all the buildings within a complex were submitted at the same time, regardless of age. Separating individual buildings within complexes by their age has the potential to create confusion and lead to inaccurate evaluation. To increase confidence that the information presented is complete and accurate, MoDOT and HPP staff might consider formulating language for the MoDOT protocol and the HPP survey guidelines that would provide detailed directions to consultants regarding these situations.

st-It Fax Note 7671	Date 1/21/97	# of pages 2
To Terry Muag	From Toni Prawl	
Co/Dept. HNTB	Co. MoDOT	
Phone # (816) 472-1201	Phone # (573) 526-3598	
Fax # (816) 472-4062	Fax # (573) 526-1300	

Fred Martin  
January 2, 1997  
Page 2

If you would like to explore this possibility or have any questions, please contact Ms. Laura Sparks at 573/751-9501.

Sincerely,

HISTORIC PRESERVATION PROGRAM



Claire F. Blackwell  
Director and Deputy State  
Historic Preservation Officer

CFB:ls

c Don Neumann  
John Howland  
Bob Reeder ✓

**HNTB** ARCHITECTS ENGINEERS PLANNERS

1201 Walnut  
State 700  
Kansas City, Missouri  
64106  
P.O. Box 419299  
Kansas City, Missouri  
64141  
(816) 472-1201  
FAX (816) 472-4060

July 1, 1997

Dr. Robert L. Reeder  
Cultural Resources Coordinator  
Missouri Department of Transportation  
P.O. Box 270  
Jefferson City, MO 65102

**Re: Route 13 Location Study  
Cultural Resource Review  
MoDOT Project No.'s J4P01234B, J4P01235, J5P1119**

Dear Dr. Reeder:

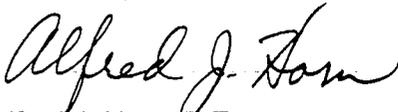
Enclosed are two copies of the Phase I Cultural Resource Survey for the Route 13 and Route 7 relocation corridors. The Route 13 project extends from U.S. 24 at Lexington to the Truman Reservoir at Clinton. The Route 7 project studied the location of an east-west bypass of Clinton in the immediate vicinity of the city.

These reports detail the results of our Phase I archeological survey of the preferred alignment. Only two sites (23J0407 and 23HE960) will require a Phase II assessment effort.

Please call me or Mr. Tim Klinger, HPA, (501-442-3779) if you need any further information.

Sincerely,

HNTB Corporation



Alfred J. Horn, P.E.

AJH:slb

cc: Mr. Dan Miller, District 4, MoDOT  
Mr. Scott Humphrey, District 4, MoDOT  
Mr. Tim Klinger, HPA

\\kcoew00\transpc\projects\21521\letters\reeder7197.doc

*The HNTB Companies*

OFFICES: ALEXANDRIA, VA, ATLANTA, GA, AUSTIN, TX, BATON ROUGE, LA, BOSTON, MA, CHARLESTON, WV, CHICAGO, IL, CLEVELAND, OH, DALLAS, TX, DENVER, CO, DULLES, VA, EMERYVILLE, CA, FT. WORTH, TX, HARTFORD, CT, HOUSTON, TX, INDIANAPOLIS, IN, IRVINE, CA, KANSAS CITY, MO, LANSING, MI, LAS VEGAS, NV, LOS ANGELES, CA, LOUISVILLE, KY, MIAMI, FL, MILWAUKEE, WI, MINNEAPOLIS, MN, NASHVILLE, TN, NEW YORK, NY, OAKLAND, CA, OKLAHOMA CITY, OK, ORLANDO, FL, OVERLAND PARK, KS, PHOENIX, AZ, PLYMOUTH MEETING, PA, PORTLAND, ME, RALPH, NC, ROCKLAND COUNTY, NY, SAN ANTONIO, TX, SAULT, WA, TAMPA, FL, TULSA, OK, WICHITA, KS



STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES

Mel Carnahan, Governor • David A. Sherr, Director

DIVISION OF STATE PARKS

P.O. Box 176 Jefferson City, 65102-0176 (573) 751-2479

FAX (573) 751-8656

22 December 1997

Fred A. Martin  
Division Engineer, Preliminary Studies  
Missouri Department of Transportation  
P.O. Box 270  
Jefferson City, Missouri 65102

Re: Routes 13 and 7, MoDOT Job Nos. J4P1234B & J4P1119 (FHWA) Henry, Johnson and Lafayette Counties, Missouri

Dear Mr. Martin:

Thank you for submitting information on the above referenced project for our review pursuant to Section 106 of the National Historic Preservation Act (P.L. 89-665, as amended).

Staff of the Historic Preservation Program, Missouri Department of Natural Resources have reviewed the November 1997 report entitled *Route 13 and Route 7 Corridor Study Bridge and Culvert Survey Documentation, Lafayette, Johnson and Henry Counties, Missouri, Lexington to Clinton* by Timothy Klinger et al. We concur with your determination that none of the 82 documented structures are eligible for inclusion in the National Register of Historic Places.

Staff have no additional substantive comments on the report or on its format. Please be advised that, should project plans change, information documenting the revisions should be submitted to this office for further review pursuant to the National Historic Preservation Act (P.L. 89-665, as amended). In the event that cultural materials are encountered during project activities, all construction should be halted, and this office notified as soon as possible in order to determine the appropriate course of action.

If you have any questions, please write or call Judith Deel at 573/751-7882.

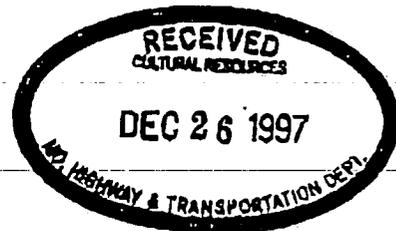
Sincerely,

HISTORIC PRESERVATION PROGRAM

Claire F. Blackwell  
Director and Deputy State  
Historic Preservation Officer

CFB:jd

cc Don Neumann  
Bob Reeder  
John Howland





Missouri  
Department  
of Transportation



Joe Mickes, Chief Engineer

105 West Capitol Avenue  
P.O. Box 270  
Jefferson City, MO 65102  
(573) 751-2551  
Fax (573) 751-6555

December 23, 1997

Mr. David A. Shorr, Director  
Missouri Department of Natural Resources  
PO Box 176  
Jefferson City, MO 65201

Dear Mr. Shorr:

Subject: Preliminary Studies  
Routes 13 and 7: Lafayette, Johnson, and Henry Counties  
Job Nos. J4P1234B, J4P1235, and J4P1119  
Lexington to Clinton  
Review of Phase I Cultural Resources Survey Report

We are forwarding to the staff of the Historic Preservation Program (HPP) a copy of the report Route 13 & Route 7 Corridor Study Phase I Cultural Resource Survey prepared by Klinger, Smith, Dickson, Gray, Cade, and Hawkins of Historic Preservation Associates (HPA). The cultural resources staff of the Missouri Department of Transportation (MoDOT) has reviewed the report and we find it acceptable. We request that HPP staff review this report and concur that an adequate phase I cultural resources survey has been completed for the project. We also request that HPP concur with the report's recommendations concerning the evaluation of the cultural resources identified. If you have any questions regarding this report, please contact Bob Hoard, Archaeological Field Director, at (573) 526-3593.

Sincerely,

Fred Martin *fr*  
Division Engineer, Preliminary Studies

br/bw

Copies: Ms. Claire Blackwell-HPP (with enclosure)  
Mr. Tim Klinger-HPA  
Mr. Dan Van Petten-HNTB



JAN-23-1998 11:30

HWY TRANS DEPT

P. 02

P. 02

2nd copy?

STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**

Mel Carnahan, Governor • Stephen M. Mahlow, Director

OFFICE OF THE DIRECTOR

P.O. Box 176 Jefferson City, MO 65102

6 January, 1998

RECEIVED

JAN 23 1998



Mr. Fred A. Martin  
 Missouri Department of Transportation  
 P. O. Box 270  
 Jefferson City, Missouri 65102

RE: Cultural Resources Survey Report, Route 13 and 7, Lexington to Clinton, Henry, Johnson and Lafayette Counties, Missouri (FHWA/MoDOT, Jobs #J4P1234B, J4P1235, J4P1119)

Dear Mr. Martin:

Thank you for submitting a draft copy of the above-referenced report for our review pursuant to Section 106 of the National Historic Preservation Act (P.L. 89-665, as amended). Staff of the Historic Preservation Program has reviewed the report and has the following comments:

The previously discovered sites (23LF22, 23LF55, 23JO48, 23HE17, 23HE283, and 23HE284) were omitted from Table 22, page 136. This is of particular concern with regard to site 23JO48, which was recommended for Phase II investigation in the event of a corridor re-alignment.

The HPP agrees with the investigator with regard to sites 23JO48 and 23JO412. Phase II investigation is recommended only if the corridor is re-aligned to include them in the project area. If the project stands as is, there will be no effect on these sites, and no further work is recommended with regard to these sites.

With regard to previously discovered sites 23LF22, 23LF55, 23HE17, 23HE283, and 23HE284 and sites 23JO406, 23JO408, 23JO410 and 23JO411, discovered through this investigation, the HPP agrees with the investigator's determination that these sites are ineligible for the National Register of Historic Places. No further work is recommended with regard to these sites. The investigator is to be congratulated for discovering what appears to be the first Folsom point discovered in Missouri at site 23JO406. In *Holocene Human Adaptations in the Missouri Prairie Timberlands* (1995) by Wood, *et al.*, the authors state that they have "never seen one in Missouri (p. 165)." Site 23JO406 is quite a find, even with its frustrating lack of context.

From the information provided, site 23LF132 seems to possess potential significance. The HPP disagrees with the investigator's recommendation in the report and requests that 23LF132 undergo Phase II evaluation. If there is additional information concerning this site that might affect this recommendation, please submit it to the HPP so that we may give it due consideration.

The HPP agrees with the investigator's recommendation for Phase II evaluation of site 23HE960, the rock cairn. Considering the potential for human burials, due caution will need to be exercised and the provisions of the Missouri Unmarked Human Burial Law, RSMo 194.400, *et seq.*, will need to be scrupulously adhered to. In the event of any recovery of identifiable remains, excavation must stop and the site must be secured in addition to the usual provisions of contacting the county sheriff's office as well as the HPP.

Throughout the report, historic sites do not receive the same treatment as do prehistoric. In the formulation of the Predictive Model, scant consideration seems to be given to the particular issues that shaped historical settlement patterns. Though it is probably not practical this far into the project, additional consideration of the unique factors present in historic site placement needs to be included in future endeavors. In addition, the quality of documentary research concerning all of the historic sites encountered seems somewhat thin. In all but a few cases, the only historical documents consulted seem to be old maps. All of the historic sites (23LF133, 23LF134, 23LF135,

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HWY TRANS DEPT

P.03

Page 2

6 January, 1998

23LF136, 23JO407, 23JO409, 23JO412, 23JO413, 23HE958, 23HE959, and 23HE961) need further historical investigation, specifically in the form of title searches, plat maps, etc. Without more detailed information, there is not enough context with which to evaluate their significance. Of these sites, three (23LF133, 23JO407, and 23HE959) seem deserving of particular attention. Each of these three seems to possess the potential for significance under criterion A of the National Register of Historic Places, an association with events that have made contributions to the broad patterns of history (23LF133 for Transportation, 23JO407 for Agriculture, and 23HE959 for Education).

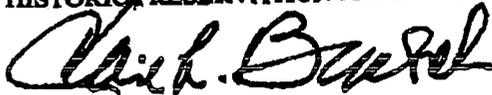
Considering the information provided by the investigator, the HPP would agree with the recommendation regarding a Phase II investigation of 23JO407 and, barring further information discovered in the above requested documentary research, the HPP would also recommend sites 23LF133 and 23HE959 for Phase II investigation. In all three cases this investigation should consist in part or wholly of intensive historical investigation of the concerned properties. The exact parameters of these potential Phase II investigations can only be decided after the rudimentary information requested above has been received and evaluated.

The Historic Preservation Program would appreciate two (2) copies of the final cultural resource assessment so that we may complete the review and comment process

If you have any questions about these comments, please write, or call Cal Rca at (573) 751-7958.

Sincerely,

HISTORIC PRESERVATION PROGRAM

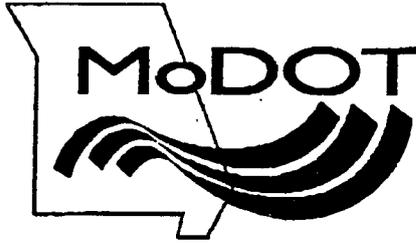


Claire F. Blackwell  
Director and Deputy State  
Historic Preservation Office

CFB:rcr

c: Don Neumann  
John Howland  
Bob Reeder  
Bob Hoard

Missouri  
Department  
of Transportation



Joe Mickes, Chief Engineer

105 West Capitol Avenue  
P.O. Box 270  
Jefferson City, MO 65102  
(573) 751-2551  
Fax (573) 751-6555

February 10, 1998

RECEIVED

FEB 12 1998

Mr. Steve M. Mahfood, Director  
Missouri Department of Natural Resources  
P. O. Box 176  
Jefferson City, Missouri 65102

Dear Mr. Mahfood:

Subject: Preliminary Studies  
Routes 13 and 7; Lafayette, Johnson, and Henry Counties  
Job Nos. J4P1234B, J4P1235, and J4P1119  
Lexington to Clinton  
Telephone Conversation Regarding Review of Cultural Resources Report

On December 23, 1997, we forwarded the report entitled *Route 13 and Route 7 Corridor Study, Phase I Cultural Resource Survey* by Timothy C. Klinger et al. to the staff of the Historic Preservation Program (HPP) for review and concurrence with its recommendations. HPP replied via correspondence dated January 6, 1998 requesting revisions to the report. Bob Hoard of our staff sent a facsimile of this letter to the report author, Mr. Klinger, to alert him of the HPP request. Because the requested revisions were not entirely clear, Dr. Hoard arranged and participated in a January 29, 1998 conference call with R. Cal Rea of HPP and Tim Klinger, Alan Hawkins, and Jim Smith of Historic Preservation Associates (HPA) to discuss specific sections of the HPP letter. Several agreements were reached during this conversation, which are detailed below.

The second paragraph of the HPP letter of January 6, 1998 (hereafter referred to as HPP letter) states concern over several archaeological sites that are not listed in Table 22 on page 136 of the report. In the conference call, it was noted that the sites not listed on the table will not be affected by the project. One site listed on the table (23JO412) also will not be affected. It was agreed that this site would be deleted from the table, and that this action would address the concerns noted in paragraph two of the HPP letter.

The fifth paragraph of the HPP letter disagreed with the report's recommendation of no further work at site 23LF132. HPP considered the site significant unless additional information could be provided to show that it was not. During the conference call, HPA reiterated that the site is in a terraced field and that the site had been impacted heavily by agricultural practices for approximately a century. HPA also reiterated that that shovel tests on the site revealed no cultural deposits below the plow zone. Given this information, all participants in the conversation agreed that 23LF132 is not significant and that no further work is needed. It also was agreed that no further action was necessary to address the fifth paragraph of the HPP letter.

Mr. Steve M. Mahfood

Page 2

February 10, 1998

The seventh paragraph of the HPP letter stated that future investigations of historic period sites would need more intensive archival investigation and noted that eleven historic period sites recorded in the current HPA report (sites 23LF133, 23LF134, 23LF135, 23LF136, 23JO407, 23JO409, 23JO413, 23HE958, 23JE959, and 23HE961) needed further historical investigation to evaluate their significance. During the conference call it was determined that no further archival work or field work was needed on sites 23LF134, 23LF135, 23LF136, 23JO409, 23JO413, 23HE958, and 23HE961. It also was agreed that sites 23LF133, 23JO407, and 23JE959 needed more archival investigations before their NRHP eligibility could be determined. It was agreed that additional archival work had potential to satisfy NRHP evaluation requirements for sites 23LF133, 23JO407, and 23JE959, as stated in paragraph eight of the HPP letter. All agreed that the archival work could be contained in a forthcoming Phase II report. If archival work on any of these sites indicates that recovery of material culture is needed, then avoidance, Phase II field assessment, or Phase III data recovery would be recommended by HPP. In any instance, Phase II excavation is needed for the rock cairn, 23HE960.

In summary, it was agreed that the following actions will be taken:

HPA will delete 23JO412 from Table 22 of the Phase I report and resubmit it to HPP

HPA will conduct Phase II excavation on site 23HE960, a prehistoric cairn

HPA will provide archival research for historic sites 23LF133, 23JO407, and 23JE959 in a Phase II report. The archival work for the historic sites may be sufficient to determine the NRHP eligibility of the sites. If not, Phase II field assessment may be required

If any of the four sites--23HE960, 23LF133, 23JO407, and 23JE959--are determined NRHP eligible, they will need to be avoided by the project or an acceptable data recovery program will need to be developed and executed

If you have any concerns or questions regarding this record of the conference call of January 29, 1998, please contact Archaeology Field Director Bob Hoard at [hoardr@mail.modot.state.mo.us](mailto:hoardr@mail.modot.state.mo.us) or 573-526-3593.

Sincerely,



Fred A. Martin  
Division Engineer, Preliminary Studies

rjh/bw

Copy: Mr. Timothy C. Klinger-hpa

APR-26-1998 15:56

HWY TRANS DEPT

P.02

STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES

Missouri Governor • Stephen M. Mahfood, Director

DIVISION OF STATE PARKS

P.O. Box 176 Jefferson City, 65102-0176 (573) 751-2479

FAX (573) 751-2656

April 8, 1998

Mr. Fred A. Martin  
Missouri Department of Transportation  
P. O. Box 270  
Jefferson City, Missouri 65102

Re: Cultural Resources Survey Report, Route 13 and 7, Lexington to Clinton, Lafayette, Johnson and Henry Counties, Missouri (FHWA/MoDOT, Job #s J4P1234B, J4P1235 and J4P1119)

Dear Mr. Martin:

Thank you for submitting the above-referenced project for our review pursuant to Section 106 of the National Historic Preservation Act (P.L. 89-665, as amended). Staff of the Historic Preservation Program have reviewed the report and agree with the investigator's recommendations as outlined in the revised Abstract, page 3 and the revised Summary and Recommendations, page 135. Specifically, prehistoric sites 23LF132, 23JO406, 23JO408, 23JO410, and 23JO411 and historic sites 23LF134, 23LF135, 23LF136, 23JO409, 23JO413, 23HE958 and 23HE961 demonstrate either low potential for intact and/or significant archaeological resources. Project activities will have no effect on eligible cultural resources with respect to these sites. Sites 23JO407, 23LF133, 23HE959 and 23HE960 are recommended for Phase II evaluation of significance under National Register of Historic Places Criteria as outlined in the relevant portions of this report.

If you have any questions, please write or call Cal Rea at (573) 751-7958.

Sincerely,

HISTORIC PRESERVATION PROGRAM

Claire F. Blackwell  
Director and Deputy State  
Historic Preservation Office

CFB:rcr

- c: Mr. Don Neumann, Program Engineer, FHWA
- Mr. John Howland, Environmental Studies Coordinator, MoDOT
- Mr. Bob Reeder, Cultural Resources Coordinator, MoDOT
- Mr. Stephen Mahfood, Director, MDNR
- Mr. Doug Eiken, Director, Division of State Parks, MDNR

RECEIVED

APR 27 1998

RECEIVED  
CULTURAL RESOURCES  
APR 24 1998  
MO. HIGHWAY & TRANSPORTATION DEPT.





**DEPARTMENT OF THE ARMY**

KANSAS CITY DISTRICT, CORPS OF ENGINEERS  
700 FEDERAL BUILDING  
KANSAS CITY, MISSOURI 64106-2896

June 26, 1998

REPLY TO  
ATTENTION OF:

Eastern Project Section  
(94-01524)  
(Lafayette, Johnson, & Henry, MO, PJD)

Mr. Tim Flagler  
HNTB Corporation  
1201 Walnut, Suite 700  
Kansas City, Missouri 64106

Dear Mr. Flagler:

This pertains to your preliminary jurisdictional determination (PJD), submitted under a cover letter dated October 14, 1997, for the Route 13 and Route 7 Corridor project from Lexington, in Lafayette County, through Johnson County, to Clinton in Henry County, Missouri.

Mr. David Howard, Natural Resources Conservation Service (NRCS) Wetland Team Leader, in a letter dated November 4, 1997, reported that he had reviewed the PJD and concurred with your findings concerning the agricultural lands. You identified agricultural lands at the following sites:

Lafayette County: 61+00, 72+00, 148+50, 220+00, 255+25\*, 270+00, 314+50, 322+00, 342+00\*, 686+50\*, 689+00\*, 710+00, 885+00 and 1023+00\* (\* denotes nonwetland areas)

Johnson County: 119+50, 218+00, 224+00, 660+00, 770+00\* and 780+00\* (\* denotes nonwetland areas)

Henry County: 26+00, 547+00, 558+50, 822+00 and (Rt. 7)140.00

We are concerned that the sampling for agricultural lands was limited to sites shown on the old (per-1994 National Memorandum of Agreement (NMOA) for delineations on agricultural lands) NRCS inventory. Please confirm, for the Lick Fork, Tabo Creek, Davis Creek, North Blackjack, Blackwater River, Bear Creek, Deer Creek, flood plains, if the entire 350 foot wide corridor was examined for wetlands or just those areas identified on the old NRCS inventory. The preferred evaluation method for these flood plains would have been by the offsite procedures in the 1995 Missouri Mapping Conventions (MMC) followed by onsite evaluation

of those areas identified by the offsite procedures. NRCS agricultural land determinations are valid for the purposes of Section 404 of the Clean Water Act when completed in accordance with the NMOA and the MMC.

We have completed our review of the nonagricultural land sites and identified only minor, nonsubstantive, documentation errors. Accordingly, we accept your PJD for wetlands and waters of the United States with the following exception. Manmade ponds, created entirely within uplands, that have not developed fringe wetlands, are not waters of the United States. Ponds created in wetlands, or by damming part of the surface tributary system, where a discernable ordinary high water mark (OHWM) existed, are waters of the United States up to the OHWM of the pond and any adjacent wetlands. Please review your PJD for the pond sites and revise the PJD summary tables accordingly.

This jurisdictional determination is valid for a period of five years unless new information warrants reexamination. If you have any questions, please feel free to write me or to call me at 816-983-3664 (FAX 816-426-2321).

Sincerely,



Mark D. Frazier  
Regulatory Project Manager  
Regulatory Branch

Copies Furnished:

Environmental Protection Agency,  
Water Resources Protection Branch

Mr. Thomas S. Mings  
Missouri Department of Transportation  
Post Office Box 270  
Jefferson City, Missouri 65102

Mr. David A. Howard  
Natural Resources Conservation Service  
727E PCA Road  
Warrensburg, Missouri 64093

## Al Horn

---

**From:** Tim Flagler  
**Sent:** Monday, August 17, 1998 9:02 AM  
**To:** Dan VanPetten  
**Cc:** Al Horn  
**Subject:** FW: Rte 13, Rte7 PJWD Summary Report dated 6 August 1998

-----Original Message-----

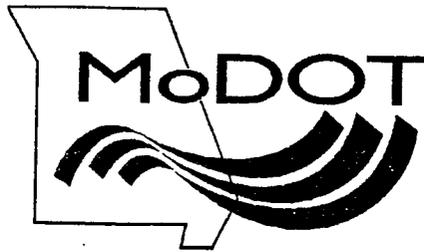
**From:** Frazier, Mark D NWK [SMTP:Mark.D.Frazier@nwk02.usace.army.mil]  
**Sent:** Monday, August 10, 1998 12:31 PM  
**To:** 'mingst@mail.modot.state.mo.us'; TFLAGLER@HNTB.com  
**Cc:** unruh@mail.modot.state.mo.us  
**Subject:** RE: Rte 13, Rte7 PJWD Summary Report dated 6 August 1998

The 6 August 1998 summary report has been attached to the original with the combined document standing as the official, final jurisdictional determination for the project. No additional action is required.

Mark D. Frazier  
Regulatory Project Manager  
Kansas City District Corps of Engineers.



Missouri  
Department  
of Transportation



Joe Mickes, Chief Engineer

105 West Capitol Avenue  
P.O. Box 270  
Jefferson City, MO 65102  
(573) 751-2551  
Fax (573) 751-6555

September 29, 1998

Mr. Douglas K. Eiken, Director  
MDNR/Division of State Parks  
P. O. Box 176  
Jefferson City, MO 65102

RECEIVED  
OCT 02 1998  
HNTB-KCMO

Dear Mr. Eiken:

Subject: Preliminary Studies  
Route 13 Corridor Study--Lexington to Clinton, Missouri  
Lafayette, Johnson and Henry Counties  
Job No. J4P1234B, J4P1235 and J4P1119  
Determination of Effect Assessments

Staff of the Cultural Resources Section, Missouri Department of Transportation (MoDOT), is forwarding to the Historic Preservation Program (HPP) the revised *Determination of Effect Documentation* prepared for the above referenced project by Historic Preservation Associates (HPA), subconsultants for HNTB. The revisions address HPP's comments dated August 6, 1998.

Several architectural resources determined eligible for the National Register of Historic Places (NRHP) during the preparation of the Environmental Impact Statement (EIS) for this project will be avoided due the selection of Alternative A as the preferred alternative. Five architectural resources determined eligible for the NRHP remain associated with Alternative A: the Higginsville Sign (EE6), Bruce Baker House (G3), Charlessa Moore House (N16), Shawnee Mound Store (NN7) and William Ragland House (0011). With the exception of the Higginsville sign, all these properties are eligible for the NRHP under Criterion C: Design/Construction. The sign is eligible under Criterion A: Events.

All of these architectural resources but the Higginsville sign will be directly avoided by the project. The Baker and Moore houses are located along portions of Alternative A that have been modified since the draft EIS to substantially reduce or eliminate potential effects (see Figures 8 and 9 in the accompanying report). MoDOT supports HPA's determination of effects documentation and recommends that the project will have "no effect" on four of the historic properties: the Bruce Baker House (G3), Charlessa Moore House (N16), Shawnee Mound Store (NN7) and William Ragland House (0011); and, in combination with a relocation program, the project will have "no adverse effect" on the Higginsville Sign (EE6).

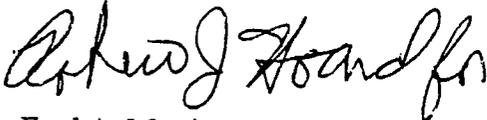
Mr. Douglas K. Eiken

Page 2

September 29, 1998

We request HPP review the enclosed report and concur with these effect assessments. We appreciate your staff's assistance with the comprehensive planning effort for this EIS. If you have questions, please contact Toni Prawl, MoDOT Architectural Historian, at (573) 526-3598.

Sincerely,



Fred A. Martin  
Division Engineer, Preliminary Studies

tmp/bw

Copies: Mr. Steve Mahfood-dnr  
Ms. Claire Blackwell-hpp (w/attachments)  
Ms. Peggy Casey-fhwa (w/attachments)  
Mr. Alfred J. Horn-hntb  
Mr. Timothy Klinger-hpa  
Mr. Dan Miller-4  
Mr. Scott Humphrey-4

OCT-23-1998 11:28

HWY TRANS DEPT

P.02/03

*Toni*

STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**

McLannahan, Governor • Stephen M. Mitchell, Director

DIVISION OF STATE PARKS

P.O. Box 176 Jefferson City, 65102-0176 (573) 751-2479

FAX (573) 751-8650

October 13, 1998

Mr. Fred A. Martin  
Division Engineer, Preliminary Studies  
Missouri Department of Transportation  
P.O. Box 270  
Jefferson City, MO 65102

RE: Comment on Determination of Effects, Route 13, Job Nos. J4P1234B, J4P1235 and J4P1119, Henry, Johnson and Lafayette Counties

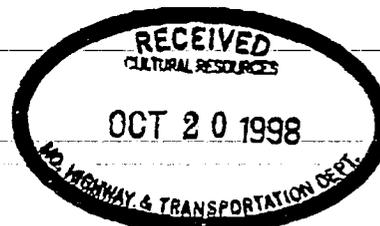
Dear Mr. Martin:

Thank you for submitting information on the above referenced project for our review pursuant to Section 106 of the National Historic Preservation Act (P.L. 89-665, as amended).

We have reviewed the information submitted and concur with the recommendations regarding effects made in the report. However, the discussions about relocation of the Higginsville sign should include not only FHWA and MoDOT, but also the owner of the sign (it is not clear who owns the sign: the inventory form indicates the sign is in public ownership, but under "Agency" on the form, "NA" is noted), and the landowner at any future location of the sign.

However, we feel it is necessary to point out that the proposed determinations of effect appear to be based upon limited information about the properties involved and, in part, on an assumption that is not accurate. There are no discussions of the project's effects on the boundaries of the properties determined eligible. Therefore, determinations of effects on those properties have been made without complete information.

In addition, discussions for project effects on several of the buildings include the statement "it has been concluded that [the building] is of value only for it's potential contribution to historical or architectural research." However, this is not accurate. Buildings eligible under Criterion C, such as those involved in this project, are eligible for the National Register as good examples of a particular type or style, rather than for their research potential.



OCT-23-1998 11:28

HWY TRANS DEPT

P.03/03

Mr. Fred A. Martin  
October 13, 1998  
Page two

When a building or archaeological site is of value only for its potential research contributions, the appropriate National Register criterion is D. Thus the statement that there are no effects from the project because their research potential will not be disturbed does not address the intent of assessing effects.

If you have any questions, please contact Ms. Laura Sparks at (573) 751-9501.

Sincerely,

DIVISION OF STATE PARKS



Douglas K. Eiken  
Director and Deputy Historic  
Preservation Officer

DKE:lls

- c: Ms. MaryAnn Naber, Historic Preservation Specialist, Advisory Council on Historic Preservation  
Mr. Don Neumann, Program Engineer, Federal Highway Administration  
Mr. John Howland, Environmental Studies Coordinator, Missouri Department of Transportation  
Mr. Bob Reeder, Cultural Resources Coordinator, Missouri Department of Transportation  
Mr. Stephen Mahfood, Director, Missouri Department of Natural Resources  
Ms. Claire F. Blackwell, Deputy State Historic Preservation Officer, MDNR



ARCHITECTS ENGINEERS PLANNERS

1201 Walnut  
Suite 700  
Kansas City, Missouri  
64106  
P.O. Box 419299  
Kansas City, Missouri  
64141  
(816) 472-1201  
FAX (816) 472-4060

November 24, 1998

Dan Witter,  
Planning Division Chief,  
Missouri Department of Conservation  
PO Box 180  
Jefferson City, MO. 65102-0180

Attn: Mary Lyon

**Re: Highway 13 Improvements  
Lexington, MO. to Clinton, MO.  
MHTD Project Nos. J4P1234B, J4P1235 & J4P1119  
HNTB Project No. 21521**

Attached is the original correspondence regarding this project, dated September 20, 1994 and was used in the preparation of the Draft and Final Environmental Impact Statement for the Route 13 Corridor Location Study from Lexington, MO. to Clinton, MO.

Ms. Peggy Casey, Federal Highway Administration, has requested that we update the information we received from your Department, since some time has passed from the initial communications.

We would appreciate an update on the information contained herein. Thank you for your consideration in this matter.

Sincerely,

HNTB Corporation

Daniel E. Van Petten, AICP  
Manager, Environmental Assessment

cc: file

*The HNTB Companies*

OFFICES: ALEXANDRIA, VA; ATLANTA, GA; AUSTIN, TX; BATON ROUGE, LA; BOSTON, MA; CHARLESTON, WV; CHICAGO, IL; CLEVELAND, OH; DALLAS, TX; DENVER, CO; DETROIT, MI; FAIRFIELD, CA; FT. WORTH, TX; HARTFORD, CT; HOUSTON, TX; INDIANAPOLIS, IN; IRVINE, CA; KANSAS CITY, MO; LANSING, MI; LOS ANGELES, CA; LOUISVILLE, KY; MIAMI, FL; MILWAUKEE, WI; MINNEAPOLIS, MN; NASHVILLE, TN; NEW YORK, NY; OAKLAND, CA; ORLANDO, FL; OVERLAND PARK, KS; PHOENIX, AZ; PLYMOUTH MEETING, PA; PORTLAND, ME; RALEIGH, NC; SALT LAKE CITY, UT; SAN ANTONIO, TX; SEATTLE, WA; TAMPA, FL; TULSA, OK.





# MISSOURI DEPARTMENT OF CONSERVATION

*Headquarters*

2901 West Truman Boulevard, P.O. Box 180, Jefferson City, Missouri 65102-0180  
Telephone: 573/751-4115 → Missouri Relay Center: 1-800-735-2966 (TDD)

JERRY M. CONLEY, Director

**RECEIVED**

**DEC 10 1998**

**HNTB-KCMO**

Season's  
Greetings

December 7, 1998

Mr. Daniel Van Petten, AICP  
HNTB  
P. O. Box 419299  
Kansas City, MO 64141

Re: Highway 13 Improvements  
Lexington, MO to Clinton, MO  
MHTD Project Nos. J4P1234B, J4P1235 & J4P1119  
HNTB Project No. 21521

Dear Mr. Van Petten:

Thank you for your letter of November 24, 1998 regarding threatened and endangered species within the proposed project area.

Review of our records show that public lands, sensitive species or communities are known to exist on or near the above referenced site. Please refer to the enclosed Heritage Database report for details. This report reflects information we currently have in our database. We provide this information for planning purposes only; it should not be regarded as a definitive statement as to the presence or absence of rare/endangered species or high-quality natural communities. Additional on-site inspections may be needed to verify the presence or absence of such species or communities.

If the following best management practices for maintaining water quality are observed during project design and construction, impacts to the aquatic environment should be minimal.

1. No channel modification or stream relocation should occur unless conditions of the State Channel Modification Guidelines are met.
2. Grade and seed disturbed areas as soon as possible to minimize erosion. Missouri Department of Conservation seeding and planting recommendations can be provided to enhance site conditions.
3. Disturbance to streambanks and riparian areas should be avoided.
4. Stream flows should not be interrupted and all temporary inchannel fills that could impound water should be culverted.

COMMISSION

ANITA B. GORMAN  
Kansas City

RANDY HERZOG  
St. Joseph

RONALD J. STITES  
Plattsburg

HOWARD L. WOOD  
Bonne Terre

Mr. Daniel Van Petten  
December 7, 1998  
Page Two

5. Avoid work in the channel between March 15 and June 15 to the extent possible.
6. Take all necessary precautions to prevent petroleum products from entering the stream.

In addition, if culvert placement or maintenance is associated with this project, we recommend implementation of the following guidelines to reduce impacts to Missouri's fisheries resource.

1. Culverts should be sized and placed to maintain at least six inches of water during average annual discharges.
2. Culverts should be sized and placed so as not to create water velocities in excess of 2 feet per second during average annual discharge.
3. There should be no drop between the downstream end of the culverts and the downstream water surface at any time.

Thank you for the opportunity to review and comment.

Sincerely,



MARY LYON  
POLICY ANALYST

ML:klm  
Enclosure

HNTB  
P.O. BOX 419299  
KANSAS CITY, MO 64141

HIGHWAY 13 IMPROVEMENTS - LEXINGTON, MO TO CLINTON, MO

The following species and/or natural communities are known to occur on or in the vicinity of the project site:

Scientific Name	Common Name	Federal Status	State Status	State Rank	Size/ Acres	Township/ Range	Sec.	Ownership
<b>Warrensburg East Quad</b>								
ECHINACEA ANGSTIFOLIA	NARROW-LEAVED CONEFLOWER			S1	0	046N025W	20	PRIVATE
MESIC PRAIRIE				S1	14	046N025W	29	PRIVATE
OENOTHERA PERENNIS	SMALL SUNDROPS			S1	0	046N025W	09	PRIVATE
RANA AREOLATA CIRCULOSA	NORTHERN CRAWFISH FROG			S3	0	046N025W	22	PRIVATE
AMMODRAMUS HENSLOWII	HENSLOW'S SPARROW			S2	0	046N025W	09	PRIVATE
RANA AREOLATA CIRCULOSA	NORTHERN CRAWFISH FROG			S3	0	046N025W	29	PRIVATE
ARDEA HERODIAS	GREAT BLUE HERON			S5	0	046N025W	07	PRIVATE
MESIC PRAIRIE				S1	22	046N025W	09	PRIVATE
<b>Cornelia Quad</b>								
MESIC PRAIRIE				S1	15	045N025W	18	PRIVATE
<b>Leeton Quad</b>								
ARDEA HERODIAS	GREAT BLUE HERON			S5	0	043N025W	18	PRIVATE
<b>Calhoun West Quad</b>								
TYPANUCHUS CUPIDO	GREATER PRAIRIE-CHICKEN			S1	0	043N025W	31	PRIVATE
<b>Clinton South Quad</b>								
PHRYNOSOMA CORNUTUM	TEXAS HORNED LIZARD			S2	0	041N026W	02	PRIVATE

Public lands located within or in the vicinity of the project area:

Battle of Lexington State Historical Society	Dept. of Natural Resources	Lexington East & Lexington West quads
Confederate Memorial State Historical Society	Dept. of Natural Resources	Higginsville quad
Maple Leaf Lake Conservation Area	MO Dept. of Conservation	Fayetteville quad
Hazel Hill Lake	MO Dept. of Conservation	Warrensburg West quad
Connor O. Fewel Conservation Area	MO Dept. of Conservation	Calhoun West quad
Truman Reservoir	U.S. Army Corps of Engineers	Clinton south quad

HNTB

HIGHWAY 13 IMPROVEMENTS - LEXINGTON, MO TO CLINTON, MO

Additional information for planning purposes:

Barn owls/Northern harriers/Henslow's sparrow/greater prairie-chickens forage in grasslands in the proposed project area. Habitat loss can impact populations of this grassland bird. Revegetation with native grasses and other flowering plants will minimize the impact of habitat disturbance. Barn owls/Northern harriers/Henslow's sparrow/greater prairie-chickens forage in grasslands in the proposed project area. Habitat loss can impact populations of this grassland bird. Revegetation with native grasses and other flowering plants will minimize the impact of habitat disturbance.

Streams in the area should be protected from soil erosion, water pollution and instream activities that modify or diminish aquatic habitats.

The proposed project occurs in the vicinity of "booming grounds", or courtship areas, for greater prairie chickens. This grassland bird may nest and forage in grasslands several miles away from the booming ground. Prairie chickens probably use grasslands in the project area.

Overwintering bald eagles may occur in the project area, as they are common winter residents in big river habitats and major lakes where they feed on fish.

Indiana bats roost and raise young under the bark of trees in riparian forests and upland forests near perennial streams in north Missouri. Favored roosts are large diameter (>9" dbh; best are ≥21" dbh) dead oaks and hickories, and living shagbark hickory. Other tree species such as elm, cottonwood, ash, and maple, if they have exfoliating bark, also may be used as roosts. Indiana bats especially need snags standing in openings, at edges, or where tree canopy is sparse. Projects should avoid or minimize the removal of potential roost trees from riparian zones or from woodlots within 0.6 mile of perennial streams or permanent water. If removal of potential roost trees is unavoidable, it should be done when Indiana bats are not likely to be present, i.e., between 15 September and 1 April. During the course of development, if possible, leave snags standing. Indiana bats feed upon terrestrial and aquatic insects; they preferentially forage in and around the canopy of riparian and floodplain forest, but also along forest/field edges and fencerows. Therefore, mature forest canopy should be enhanced and stream quality not degraded.

FEDERAL STATUS - The federal status is derived from the provisions of the federal Endangered Species Act, which is administered by the U.S. Fish and Wildlife Service. The Endangered Species Act provides federal protection for plants and animals listed as Endangered or Threatened. E = Endangered, T = Threatened, C = Candidate for Federal listing.

STATE STATUS (E) - the state status is determined by the Department of Conservation under constitutional authority. Rule 3CSR10-4.111 Endangered Species of the Wildlife Code of Missouri and certain state statutes apply to state Endangered species.

STATE RANK - A numeric rank of relative endangerment based primarily on the number of occurrences of the species within the state of Missouri. S1 = Critically imperiled in the state, S2 = Imperiled in the state, S3 = Rare and uncommon in the state.

Heron rookeries, eastern collared lizard populations, natural communities and geologic features are recognized as sensitive biological resources and may also appear on this report.



APR-05-1999 16:08

HWY TRANS DEPT

P.02/02

STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES

Missouri State Government - Stephen M. Moftak, Director

DIVISION OF STATE PARKS

P.O. Box 176 Jefferson City, 65102-0176 (573) 751-2479

FAX (573) 751-8656

March 30, 1999

Mr. Fred A. Martin  
Missouri Department of Transportation  
P. O. Box 270  
Jefferson City, Missouri 65102

RE: Cultural Resources Survey Report, Routes 13 and 7, Lafayette, Henry and Johnson  
Counties, Missouri (FHWA/MoDOT, Job #J4P1234B, J4P1235 and J4P1119)

Dear Mr. Martin:

Thank you for submitting the requested information concerning the above-referenced project for our review pursuant to Section 106 of the National Historic Preservation Act (P.L. 89-665, as amended). Staff of the Historic Preservation Program have reviewed the report and agree with the MoDOT comments included in the submission. The report more than adequately addresses HPP concerns expressed with regard to the Phase I Survey.

Specifically, HPP agrees with the investigator's recommendations on page 52 of the final report that sites 23HE959, 23HE960, 23JO407 and 23LF133 are not eligible for the National Register of Historic Places.

We look forward to receiving two (2) copies of the final report for our inventory.

If you have any questions, please write, or call Cal Rea at (573) 751-7958.

Sincerely,

HISTORIC PRESERVATION PROGRAM



Claire F. Blackwell  
Director and Deputy State  
Historic Preservation Officer

CFB:rcr

c: Don Neumann  
John Howland  
Bob Reeder

H724/A1181

