

Agency and Public Comments/Responses

A. Public Hearing

An official public hearing regarding Section of Independent Utility (SIU) 6 of the Improve I-70 Studies was held from 4-7 p.m. on November 16, 2004 at the North Callaway High School in Kingdom City, Missouri. The study team mailed a notification of the hearing to the entire SIU 6 mailing list approximately three weeks prior to the hearing. Legal notices announcing the hearing were also published in the Fulton Sun and Montgomery Standard newspapers.

Approximately 30 people attended the public hearing, which utilized an open house format. The open house format provided display maps and other pertinent information allowing interested persons to come and go at any time. Members of the study team and MoDOT staff were on hand to talk with interested persons about the project and to answer any questions. The public hearing provided an opportunity for the public to make official comments regarding the project. A certified court reporter was on hand to receive formal oral comments for the record. However, none of the meeting attendees made an official comment. The study team also provided an area for attendees to submit written comments. No written comments pertaining to SIU 6 were submitted at the hearing.

Also on November 16 from 11-2 p.m., an open house, attended by approximately 25 people, was held at the Graham Cave State Park Visitor's Center for those residents in the eastern edge of the SIU 6 corridor. Maps and information boards were displayed which focused on the Mineola Hill area of SIU 6. Members of the SIU 6 Study Team and MoDOT staff were available to answer any questions that the attendees had. No substantive written or oral comments were received at the open house.

B. Document Availability

1. Distribution

The SIU 6 Draft EA was mailed to all those who were on the SIU 6 circulation list. The document was distributed in the form of a hard copy to all government agencies that were on the list while public officials and other stakeholders received the document on a CD format. All those who received the CD version of the document were also informed as to how to receive a paper copy of the document if that was their preference.

The SIU 6 Draft EA was made available to all interested parties at www.Improvel70.org. The Web site address was promoted through media relations, via public meetings, project team presentations and newsletters. Also, a full-color hard copy text EA was made available to the public for review and comment at several locations in the SIU 6 corridor. These public review locations were as follows:

- Kingdom City City Hall – Kingdom City, MO
- Heart of Missouri Tourism Center – Kingdom City, MO
- Callaway County Courthouse – Fulton, MO
- Callaway County Public Library – Fulton, MO
- Montgomery County Courthouse – Montgomery City, MO

- Graham Cave State Park Visitor's Center – Montgomery City, MO

2. Notification

The public was made aware of the SIU 6 Draft EA through a letter to all those listed in the I-70 SIU 6 database, legal notices and news releases to area media. These notifications referenced the public review locations and included information regarding the date, time, and location of the public hearing and the drop-in center.

C. Summary of All Comments

1. Summary of Public Comments

Several public comments were submitted during the formal EA comment period. A majority of these comments focused on including bicycle and pedestrian facilities at rural interchanges, most notable being the Kingdom City interchange. Other comments touched on the cooperation between MoDOT and local interest groups in the Kingdom City area and support for the final document and selected alternative. All comments received were reviewed and considered as part of this Environmental Assessment.

- **Missouri Bicycle Federation, Inc.** – A letter was received from the Missouri Bicycle Federation, Inc., along with 18 other similar letters from the public, which stressed the importance of bicycle and pedestrian access at rural overpasses, particularly for the Kingdom City interchange. The Federation favors including bicycle and pedestrian accommodations on all bridges and overpasses where bicyclists or pedestrians are allowed to operate, even on those that would be considered to have low demand for this type of activity. The Federation requested that the Study Team's "fullest consideration" be given to the issue of allowing bicycle and pedestrian access at the Kingdom City interchange.

Response: The Improve I-70 plan statewide embraces the spirit of better connectivity back-and-forth across I-70 for local residents, including bicycle/pedestrian accommodations. Where it makes sense, new bridges will be wide enough to enable bicycle/pedestrian access. In some locations, however, safety could be compromised by mixing bicycle/pedestrian traffic with heavy amounts of vehicular traffic. Improvement concepts for the Kingdom City interchange were developed and reviewed in close coordination with that community and there was no interest in bicycle/pedestrian facilities at this location expressed. Therefore it was not an issue that had to be resolved in the environmental document. The Final EA acknowledges that no bicycle or pedestrian trails exist in this area, and that the corridor-wide enhancement plan developed for the I-70 corridor will be implemented along with rebuilding/widening I-70 and its associated interchanges. The enhancement plan commits MoDOT to providing baseline enhancements that include appropriate bicycle/pedestrian accommodations in urban areas with the option for those facilities to be included in the rural areas where needed, while allowing local communities to share in the cost of additional enhancements if they so desire.

- **Kingdom City Highway Coalition** – A letter was received from the Kingdom City Highway Coalition (KCHC) expressing support for the recommended preferred alternative. The KCHC also thanked the study team for their cooperation and

dedication in working with all the members of the coalition. The KCHC believes that the recommended preferred alternative for the Kingdom City interchange is in the best interest of the entire community of Kingdom City and Callaway County.

- **Kingdom of Callaway Chamber of Commerce** – The Kingdom of Callaway Chamber of Commerce submitted a letter endorsing the environmental documents for SIU 5 and 6. The Chamber believes the recommended Kingdom City interchange alternative will maintain the existing businesses at I-70 and U.S. 54 and provide a blueprint for the future. The Chamber also commended MoDOT on their successful working relationship with local business and community leaders.

2. Draft SIU 6 EA Agency Comments

On October 8, 2004, the FHWA and MoDOT, in cooperation with the U.S. Environmental Protection Agency and U.S. Corps of Engineers, issued the Second Tier Environmental Assessment for the Interstate 70 SIU 6 Corridor from Kingdom City to Montgomery City, Missouri. In accordance with the National Environmental Policy Act, substantive comments offered by public agencies, the general public, or other interested parties need to be adequately addressed by the SIU 6 Final Second Tier EA. The following section presents the agency review comments received for the SIU 6 Draft Second Tier EA. The 30-day minimum comment period on the SIU 6 Draft Second Tier EA was exceeded and ended on November 25, 2004.

Comments on the SIU 6 Draft Second Tier EA were received from the following agencies and are included in the following section:

- United States Department of the Interior – November 15, 2004
- Missouri Department of Natural Resources – November 29, 2004
- Federal Transit Administration – November 30, 2004

Each of the agency letters received have been reproduced and have had comment codes (bold numbers and letters) added in the margins. Immediately following the comment letters are the corresponding responses with applicable references to the relevant sections of the SIU 6 Second Tier EA. The comment letter received from FTA did not necessitate a response.



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Midwest Archeological Center
Federal Building, Room 474
100 Centennial Mall North
Lincoln, Nebraska 68508-3873

**COPY FOR YOUR
INFORMATION**

November 15, 2004

Mr. Don Neumann
Federal Highway Administration
209 Adams Street
Jefferson City, MO 65101

Ref: I-70 Corridor Draft Environmental Assessment for Section 6

Dear Mr. Neumann:

Thank you for giving the National Park Service an opportunity to comment on the referenced document. We have reviewed the content with particular attention to potential adverse effects of this highway improvement project on the nearby Graham Cave National Historic Landmark (NHL).

It appears that the preferred alternative will remain within the existing highway right-of-way in the landmark vicinity and, therefore, will not encroach on the property. Plans also call for appropriate measures to monitor the possible short-term effects to Graham Cave from vibrations that might result from any necessary blasting in the vicinity (described in Section 14.b). We continue to have concerns, however, about the prospect of increased road noise that could eventually create a substantial auditory intrusion on the NHL.

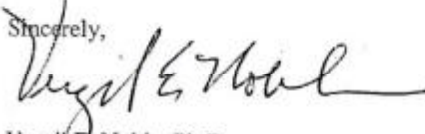
1A

It is stated in the document that the existing noise problem is not expected to increase substantially with improvements to the highway, and if that is the case then we may have no need for concern. It appears to us, however, that the Graham Cave receptor was classified wrongly with respect to standard Noise Abatement Criteria (NAC). It is reported in Table III-14 as representing Activity Category B, which includes playgrounds and active sports areas. We believe that the Graham Cave receptor should be classified under Activity Category A, which includes lands "on which serenity and quiet are of extraordinary significance and serve an important public need and where preservation of those qualities is essential if the lands are to continue to serve their intended purpose." That characterization would seem to fit the Graham Cave situation precisely, inasmuch as its setting should be evocative of its original period of use to the extent possible, and it was designated a National Historic Landmark in 1961 to serve the public interest.

It may be that, even under Activity Category A, the projected increase in noise levels at Graham Cave would still not be sufficient to indicate the need for noise abatement measures along the highway. The analysis, however, should reflect the underlying premise that relative serenity and quiet are desirable conditions for public appreciation of Graham Cave, and we recommend that the data be reanalyzed accordingly.

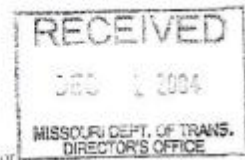
Again, we are most grateful for the opportunity to provide comment on this draft document and for the agency's efforts to keep us informed about this highway improvement project. If you have any questions about our concerns, please contact me at 402-437-5392, ext. 108, or via electronic mail <vergil_noble@nps.gov>.

Sincerely,



Vergil E. Noble, Ph.D.
Archeologist
National Register Programs

cc: Ms. Kathy Harvey, MoDOT, P.O. Box 270, Jefferson City, MO 65102



STATE OF MISSOURI Bob Holden, Governor • Stephen M. Mahfood, Director
DEPARTMENT OF NATURAL RESOURCES

www.dnr.state.mo.us

NOV 29 2004

Mr. Don Neumann
Programs Engineer
Federal Highways Administration
209 Adams Street
Jefferson City, MO 65101

Mr. Kevin Keith
Chief Engineer
Missouri Department of Transportation
P.O. Box 270
Jefferson City, MO 65102

Re: Draft Environmental Assessment, Interstate 70 Corridor, Kingdom City to
Montgomery City, Missouri, Second Tier Section 6

Dear Messrs. Neumann and Keith:

Thank you for the opportunity to review and respond to the Draft Environmental Assessment (DEA) for the Interstate 70 Second Tier study for Section 6. The department's comments on this DEA are provided below. We ask that these comments be addressed as part of our comments on the DEA. The majority of the comments relate to the department's concerns regarding Graham Cave State Park, as the park is immediately adjacent to I-70, and the department is responsible for protection of this archaeological, natural and recreational resource.

Indirect Impacts - Noise Existing noise levels within the park are equal to or approaching the Noise Abatement Criteria established by the Federal Highway Administration. Noise analyses were conducted within Graham Cave State Park by the study team. These analyses indicate that at least three locations within the park will exceed the level for which the Federal Highway Administration (FHWA) considers noise abatement measures appropriate. The Draft EA concludes that highway alignment, traffic system management, and noise barriers are not viable options to reduce noise impacts to the park. The Draft EA also concluded that adding lanes to I-70 would not substantially increase the existing noise problem, even though traffic is anticipated to more than double in this section of I-70. While the department believes that noise barrier walls would not be an attractive addition to this pristine natural setting, as responsible managers of this resource, we must make every effort to assure that noise

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- 2A will not be allowed to further diminish the park user's experience. There are other options for noise minimization that were not considered in the Draft EA. For instance, use of asphalt containing rubber from scrap tires has been used in other parts of the country to reduce noise levels. New technologies may be available by the time this section of I-70 is designed and constructed that will provide other methods to reduce noise impacts to the park. The department requests that the Final EA note that as this section of I-70 moves into the design phase, alternative options for noise reduction will be considered in the Mineola Hill area, and that MoDOT will coordinate discussions of possible noise minimization methods with the department.

Direct Impacts - Construction/Future Development One of the comments provided by the department for the Preliminary Draft EA has been incorporated on page II-17. The department appreciates the statement that "Should an eighth lane be necessary in the distant future, no additional impacts to or use of park land are anticipated, as the study team evaluated potential impacts to Graham Cave State Park as part of the Second Tier Study." This issue was of considerable concern, as long-term protection of the park and its resources is a departmental responsibility.

- 2B **Potential Blasting Impacts** The study team investigated the potential impacts of blasting near Graham Cave, and determined that "blasting either had no effect or that the influence from blasting was less than changes due to natural phenomena." The Draft EA noted on page III-56 that Graham Cave shows signs of spalling and cracking. While this is true, these changes have occurred over a period of several thousand years, and should not be accelerated through vibration impacts. Damage to this National Historic Landmark, unlike architectural resources, is not reparable. Therefore the Final EA should state that MoDOT and DNR will work closely to assure that every possible precaution is taken prior to initiation of blasting to prevent damage to Graham Cave. This statement would allow both agencies to explore and take advantage of both existing and any new technology developed prior to construction of this section of I-70.

- 2C **National Historic Landmark** The National Historic Landmark District (NHL) designation from the National Park Service covers more than just Graham Cave. The setting of the cave is also important to the interpretation of the area, and is therefore included as part of the NHL District. The text on page II-28 should be revised so that the Final EA reflects the NHL designation of the entire park, not just Graham Cave.

- 2D **Graham Cave Glades Natural Area** Any plantings in the I-70 corridor in this area should be conducted with input and advice from the department's Division of State Parks Natural Resource Program to ensure that non-invasive, appropriate species are used. The third paragraph under Graham Cave State Park, page III-28, should include a reference to coordination of appropriate plantings in the Graham Cave Glades Natural Area with the department as one of the measures to minimize negative project impacts.

Geology On page III-15, the last paragraph states "The only obvious evidence of karst within the highway corridor is Graham Cave." However, page III-49 references an

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2E unrecorded rock shelter in the Mineola Hill area, and page III-50 describes another rock shelter nearby in the Loutre Valley. With two other karst features having been identified within the study area, the department recommends that the consultants examine the cave files of the Missouri Speleological Society, as this resource was not noted in the text. These files are housed at the department's Geological Survey and Resource Assessment Division in Rolla, Missouri. This division also retains files on losing streams and sinkholes, which should also be consulted, and the findings added to the Final EA. Data regarding known mines and quarries was provided by the department for this study, and the Final EA should reflect whether or not known mines or quarries exist within the study corridor. The Final EA should assess the potential for seismic impacts related to the project, particularly regarding how construction in the floodplain will anticipate and protect against seismic damage to bridge structures.

We appreciate the opportunity to provide comments on this transportation project. We ask that these comments be included as part of the Final EA, in order to better formalize the comment process. If you have any questions or need clarification, please contact me or Ms. Jane Beetem, phone number 573-522-2401. Her address for correspondence is Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102. Thank you.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES



Stephen Mahfood
Director

/jb



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION VII
Iowa, Kansas,
Missouri, Nebraska

901 Locust Street
Suite 404
Kansas City, MO 64106
816-329-3920
816-329-3921 (fax)

November 30, 2004

Ms. Peggy J. Casey, P.E.
Environmental Project Engineer
Federal Highway Administration
209 Adams Street
Jefferson City, Missouri 65101

Re: Review of Environmental Analysis
Documentation for I-70 SUIs 2, through 6

Dear Ms. Casey:

We have reviewed the Environmental Analysis Documentation for I-70 study area segments 2, 3, 4, 5 and 6. Based on our review, we have no additional comments. Thank you for the opportunity to participate in this important study process.

If you have any questions or would like additional information, please contact Joni Roeseler at (816) 329-3936.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mokhtee Ahmad".

Mokhtee Ahmad
Regional Administrator

Comment Code: 1A**Source:** United States Department of the Interior, National Parks Service

Response: Graham Cave remains classified as Activity Category B with respect to the standard Noise Abatement Criteria (NAC). A revised analysis of Graham Cave under Activity Category A is not included in this Final EA, because the initial analysis showed that the existing design hour noise level of 59 dBA for the Graham Cave already exceeded the NAC thresholds for both Category A and B. Both the No-Build and Selected Alternative will produce a noise level of 63 dBA in year 2030. With the understanding that serenity and quiet are desirable conditions, MoDOT will make the following commitment in Section IV of the Final EA regarding noise mitigation near the Graham Cave State Park.

- Commitment 23 – The MoDOT Noise Policy will be used to address noise impacts. Where appropriate, possible noise abatement types and locations will be presented and discussed with the benefited residents during the preliminary design phase. Noise abatement measures will be considered that are deemed reasonable, feasible and cost effective.

Applicable Reference: Chapter III, B.8; regarding Draft EA**Comment Code:** 2A**Source:** Missouri Department of Natural Resources

Response: MoDOT has established criteria for use in the evaluation of possible noise barriers. Reasonableness is one factor to consider. Based on the study completed in SIU 6, mitigation for noise impacts for the proposed project does not meet all of MoDOT's definitions for reasonableness. In Section IV of the Final EA, MoDOT commits to the following regarding noise mitigation:

- Commitment 23 – The MoDOT Noise Policy will be used to address noise impacts. Where appropriate, possible noise abatement types and locations will be presented and discussed with the benefited residents during the preliminary design phase. Noise abatement measures will be considered that are deemed reasonable, feasible and cost effective.

Alternative options for noise minimization will be considered during the design phase.

Applicable Reference: Chapter III, B.8; regarding Draft EA**Comment Code:** 2B**Source:** Missouri Department of Natural Resources

Response: MoDOT makes the following commitments in the Final EA regarding potential blasting in the I-70 Corridor to assure that precautions are taken to prevent damage to Graham Cave. Referring to Section IV of the Final EA, the commitments include:

- Commitment 39 – A study is recommended for Graham Cave where strain gauges and/or crack monitors are installed to measure the expansion and contraction of openings through several seasons. This will represent a baseline and these same sensors could provide real-time data measuring the influence of blasting.
- Commitment 40 – A test blast program will be implemented prior to full-scale mass rock excavation through the use of explosives.

- Commitment 42 – If blasting is performed, all blasts will be monitored with seismographs at the Graham Farmstead and Graham Cave.

Applicable Reference: Chapter III, B.14; regarding Draft EA

Comment Code: 2C

Source: Missouri Department of Natural Resources

Response: Relevant text in the Final EA reflects that the National Park Services' National Historic Landmark District applies to the entirety of Graham State Park and not just Graham Cave as previously noted in the Draft EA, page II-28.

Applicable Reference: Chapter III, B.4.c; regarding Draft EA

Comment Code: 2D

Source: Missouri Department of Natural Resources

Response: The request regarding coordination on future plantings in the I-70 Corridor is understandable. MoDOT will coordinate future plantings near Graham Cave State Park with the Division of State Parks Natural Resource Program in order to protect the integrity of the Graham Cave Glades Natural Area.

Applicable Reference: Chapter III, B.4.c; regarding Draft EA

Comment Code: 2E

Source: Missouri Department of Natural Resources

Response: A check with the Missouri Speleological Society indicated that Graham Cave was the only documented cave in the study area. If additional caves should be found in the study area they will be dealt with in accordance with MDNR procedures.

Applicable Reference: Chapter III, B.2 Chapter III, B.11; regarding Draft EA