

RECORD OF DECISION

FHWA-MO-EIS-09-01-FSEIS
Interstate 70 Corridor
Kansas City to St. Louis, Missouri
Supplemental
Environmental Impact Statement

Approving Official: _____

Kevin W. Ward

Division Administrator
Federal Highway Administration

Date: _____

8/14/2009

Record of Decision
FHWA-MO-EIS-09-01-FSEIS
Interstate 70 Corridor
Kansas City to St. Louis, Missouri
Supplemental Environmental Impact Statement

A. Decision

The Federal Highway Administration (FHWA) approves the recommendation of the Truck-Only Lanes Alternative as the Selected Alternative for the I-70 Corridor. Within the First Tier of the I-70 Supplemental Environmental Impact Statement (SEIS), the Truck-Only Lanes Strategy was determined to be the selected improvement strategy, in comparison to the previous decision to widen existing I-70 to six lanes (Widen Existing I-70 Strategy). Once the Truck-Only Lanes Strategy was identified as the solution, the challenge became how best to apply the strategy across the 200-mile corridor. The strategy applied across the corridor as the Selected Alternative would provide travelers a minimum of two truck-only lanes on the inside and two general-purpose lanes on the outside for both eastbound and westbound travelers. The study team then looked at variations of the Truck-Only Lanes Alternative for urban, rural and environmentally sensitive parts of the corridor, depending on traffic conditions and corridor constraints. The study team also evaluated various funding options for the project, but did not select a preferred funding option within the SEIS. Finally, based on the best information available, the study team developed a construction cost estimate for the project. The construction cost estimate was developed at a planning level utilizing the cost estimate from the previous I-70 Second Tier Environmental Studies as a framework. Using this as the basis, the project is estimated to cost (in 2008 dollars) \$3.9 billion.

The Truck-Only Lanes Strategy compared with the Widen Existing I-70 Strategy, had similar effects on the man-made and natural environment. The Truck-Only Lanes Strategy compared more favorably in the key areas of freight efficiency, safety, constructability and maintenance of traffic during construction.

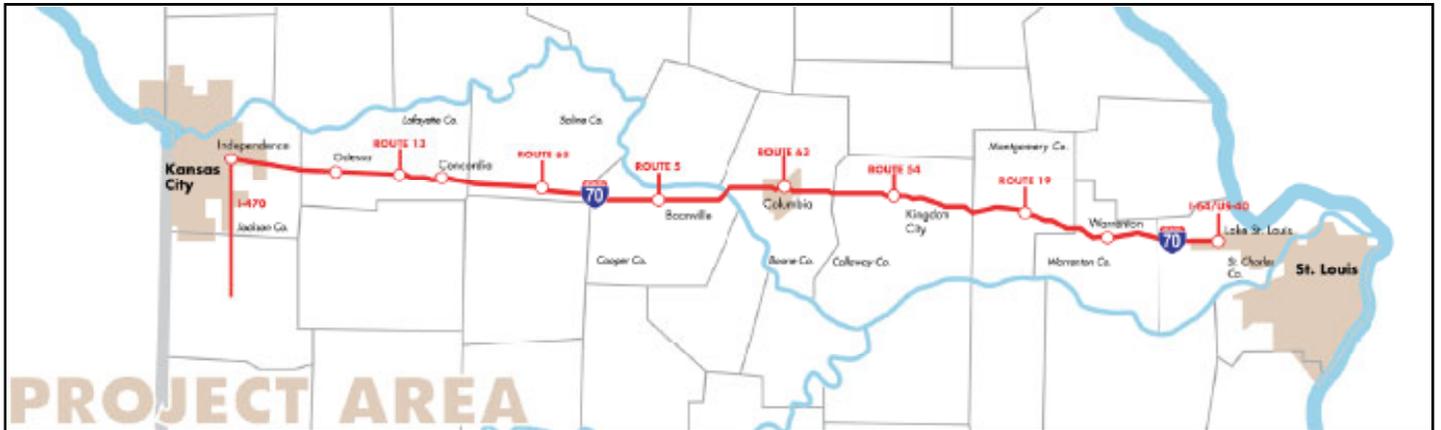
B. Purpose and Need for the Project

Interstate 70, as it extends through Missouri, is the only freeway connecting the state's two largest cities: Kansas City and St. Louis. As shown in **Figure 1**, the I-70 Supplemental Environmental Impact Statement (SEIS) study area stretches from Independence (Exit 15, the I-470 interchange); to Lake St. Louis interchange (Exit 214).

Most of the study area is rural, four-lane interstate highway with a grassy median. The parts of the study corridor within Columbia and the Kansas City and St. Louis metropolitan areas include three or four lanes of travel in each direction and include concrete median barriers in many places. The approximately 200-mile I-70 study corridor does not include the city limits of Kansas City and St. Louis. Therefore, any improvements to the I-70 Corridor within Kansas City and St. Louis will be considered under separate studies. In Kansas City, an I-70 First Tier Environmental Study is being performed to evaluate I-70 improvement alternatives, but it is not evaluating a truck-only lanes alternative. In St. Louis, a truck-only lanes concept is being

considered within the I-70 federal Corridors of the Future feasibility study, but no environmental studies of the I-70 Corridor are currently planned.

Figure 1: I-70 Corridor



The planning process started in 1999, when MoDOT and FHWA conducted a statewide feasibility study on how best to improve I-70. That study documented the condition of I-70 and how it might operate in the future by looking at how much traffic it could carry, how safe it was, and how easy it was to travel. Based on the 1999 Feasibility Study, MoDOT and FHWA decided to conduct a more detailed evaluation of I-70 improvement options. Because of the size, cost and complexity of the project, the study of possible improvements and their impacts occurred in two phases or tiers. The Improve I-70 First Tier Environmental Impact Statement, completed in 2001, looked at a range of statewide I-70 strategies and selected rebuilding and widening the highway.

In 2006, the study team completed the Improve I-70 Second Tier Environmental Studies. Improve I-70 divided the I-70 Corridor into seven sections of independent utility (SIU) and studied how rebuilding and widening I-70 would affect the natural environment, homes, businesses and communities in each SIU. After looking at the impacts in each of the seven sections, the FHWA approved plans to rebuild and widen the highway to a minimum of six lanes, three in each direction, between St. Louis and Kansas City.

The I-70 SEIS proposed action addresses the same needs as the Improve I-70 First and Second Tier Environmental Studies. These needs include:

- Roadway capacity;
- Traffic safety;
- Roadway design features;
- System preservation;
- Goods movement;
- Access to recreational facilities; and
- National security and disaster preparedness.

C. Strategy Evaluation

Within the First Tier of the I-70 SEIS process, the study team compared the Truck-Only Lanes Strategy to the Widen Existing I-70 Strategy. The Widen Existing I-70 Strategy emerged from the Improve I-70 First and Second Tier Environmental Studies as its Selected Strategy. The decision to select a Build solution remained valid in the I-70 SEIS, versus reconsidering a No-Build option. The assumptions that went into the No-Build Alternative remained valid for the SEIS. The study team used the No-Build Alternative for comparison purposes in the SEIS to evaluate the differences between a Build and No Build condition for the I-70 Corridor.

The Widen Existing I-70 Strategy involved the improvement and total reconstruction of the existing freeway alignment. Future travel demands dictated that six lanes be provided in rural areas and eight lanes or more through Columbia and approaching Kansas City and St. Louis. This strategy included provisions for future transportation improvements within the median in rural areas, and the ability to add capacity in the future.

The Truck-Only Lanes Strategy would construct two truck-only lanes and two or more general-purpose lanes in each direction along existing I-70. Concrete barriers, buffer separations or grassed areas would separate the truck-only lanes and general-purpose lanes from each other, depending on the location along the corridor. The truck-only lanes would have the following characteristics:

- Dedicated specifically for use by qualifying trucks - Qualifying trucks could include a wide range of vehicle types including semi tractor-trailers, delivery trucks and buses;
- Designed to handle the additional weight and height of heavier vehicles and potentially longer combination vehicles, such as triple-trailers;
- Designed to have slip ramps from the truck-only lanes to the general-purpose lanes to serve all interchanges;
- Designed to have their own truck-car-separated interchanges at specific locations that have heavy truck traffic and significant freight generating facilities, with separate entrance and exit ramps; and
- Designed for use by all traffic during specific periods for incident management, such as lane closures for crashes or construction.

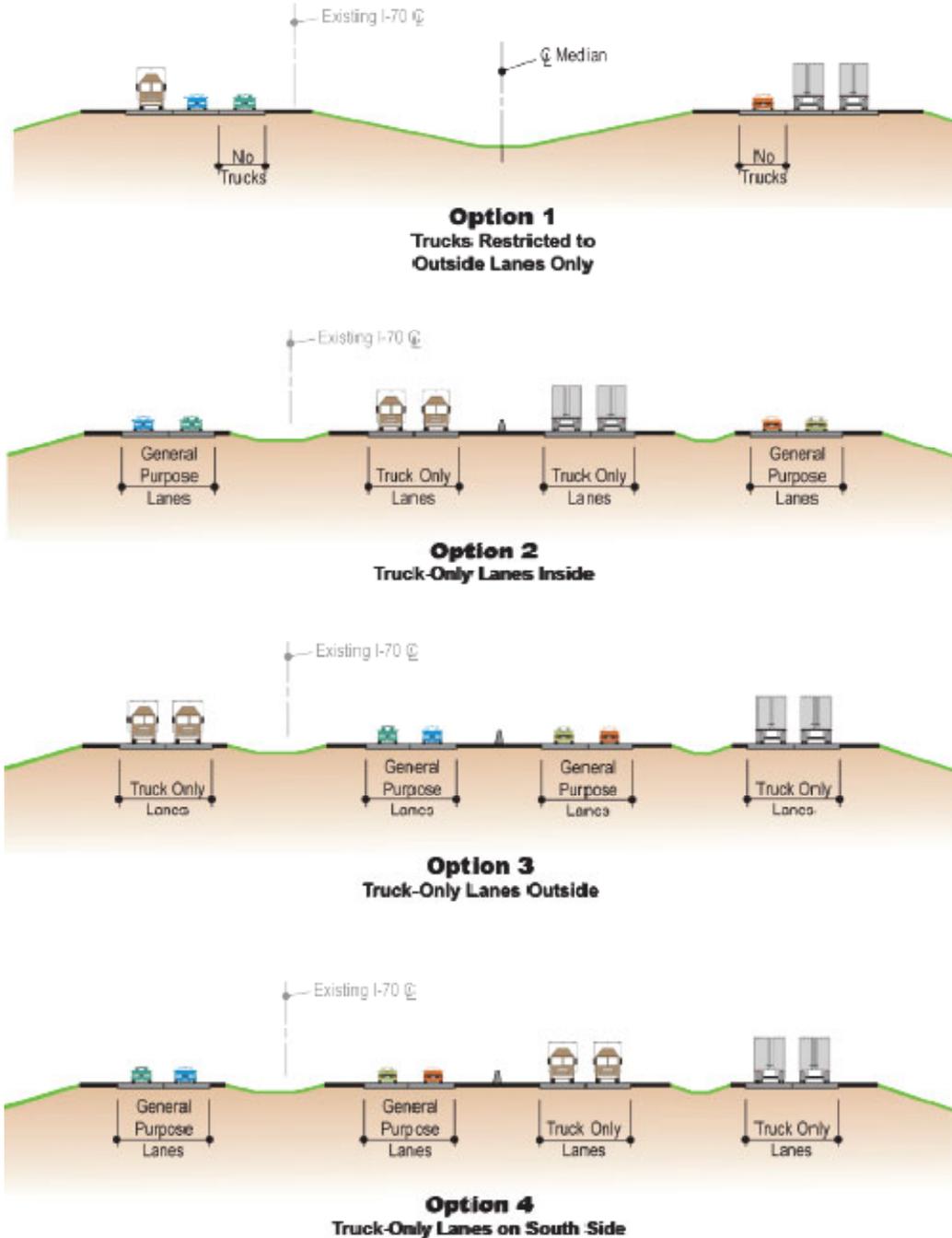
This new strategy is consistent with the decisions made in the Improve I-70 First and Second Tier Studies. The Truck-Only Lanes Strategy fit within the limits of the previously evaluated Widen Existing I-70 Strategy footprint to the extent possible. In order to do this, the Truck-Only Lanes Strategy would utilize the preserved future transportation corridor called for in the Widen Existing I-70 Strategy.

The study team considered four different options for the Truck-Only Lanes Strategy. The options ranged from a basic restriction of trucks to the two outside lanes of the previously approved Widen Existing I-70 Strategy, to a physical separation of trucks and general-purpose traffic. As displayed in **Figure 2**, the rural options considered included the following:

- Option 1 – Use the Widen Existing I-70 Strategy six-lane section and restrict all truck traffic to the two outside lanes;
- Option 2 – Place trucks on the inside lanes and general-purpose traffic on the outside lanes using a grass separation;

- Option 3 – Place trucks on the outside lanes and general-purpose traffic on the inside lanes using a grass separation;
- Option 4 – Place all trucks on one side of I-70 with general-purpose lanes on the opposite side of I-70.

Figure 2: Rural Options



A variation of Option 4 included a further separation of trucks from general-purpose traffic by pulling the general-purpose lanes off the existing I-70 corridor at key areas of scenic interest. This separation could occur to either the north or south side of the I-70 corridor, depending on the scenic potential such as river valleys, wetlands and cultural resources. MoDOT could construct these off-alignment sections as a scenic parkway for general-purpose traffic. The truck-only lanes would continue to utilize the existing I-70 corridor.

Constructing new sections of I-70 on new alignment, as with Option 4, would result in greater impacts to the natural and manmade environment than options that remain along the existing I-70 Corridor. While new scenic parkway sections would enhance the driving experience through Missouri, it would be difficult to locate a new parkway through these scenic areas without creating significant additional impacts. Due to these drawbacks, the study team chose not to consider it further as a reasonable option.

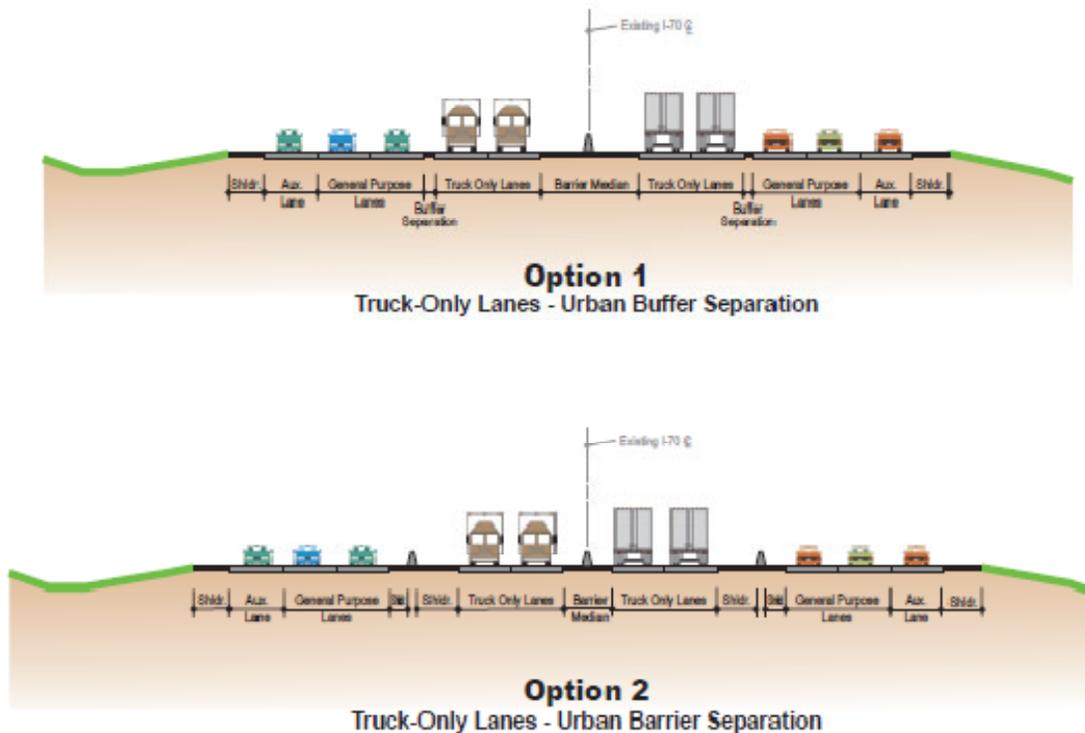
The study team selected to develop Option 2 in more detail as an alternative. It was determined that Option 2 provided the best method for implementing the Truck-Only Lane Strategy. Reasons for the decision included the following:

- Incorporating a physical grass separation provides greater safety benefits than truck restrictions to outside lanes;
- It minimized truck-car conflicts and could reduce the severity of crashes;
- General-purpose traffic needs to exit more than truck traffic does at most interchanges;
- Locating general-purpose traffic on the outside maintains a higher visibility for adjacent businesses and corridor interchanges; and
- With trucks located on the inside and located further away from businesses and residences along the corridor, there is less highway noise associated with heavy trucks.

Within the urban portions of the corridor – Kansas City, St. Louis and Columbia – the study team considered two variations of Option 2. As displayed in **Figure 3**, the two variations differed in how to separate the truck-only lanes from the general-purpose lanes. One variation utilized a concrete barrier separation, the other a buffer separation.

The study team decided that a buffer separation would be the best method to separate the truck-only lanes from the general-purpose lanes in an urban setting. Incorporating concrete barriers and their accompanying shoulder widths would be more expensive and require higher right of way costs. This additional right of way would cause greater impacts to adjacent properties and the environment. Barrier separations could make it harder for maintenance, such as snow removal and roadway repairs, and emergency vehicles, to access the truck-only lanes safely and efficiently. Additionally, the buffer separation allows greater flexibility in adjusting the distribution of lanes between truck lanes and general-purpose lanes to adapt to changing traffic patterns. A concrete barrier, however, would still separate opposing directions of the truck-only lanes in order to provide safer driving conditions.

Figure 3: Urban Options



In light of how it compared to the Widen Existing I-70 Strategy, the study team chose to proceed with an in-depth evaluation of the Truck-Only Lanes Strategy. The study team selected the Truck-Only Lanes Strategy over the Widen Existing I-70 Strategy because the Truck-Only Lanes Strategy:

- Offered greater capacity and safety benefits;
- Responded to the public's safety concerns by separating general-purpose vehicles from trucks;
- Responded to national trends to improve freight flows and efficiency and ties in with Federal Corridors of the Future vision for I-70;
- Reinvested in existing I-70 roadway and is able to utilize a greater percentage of existing infrastructure such as existing roadbed and bridges;
- Offered improved incident management and emergency response through system redundancy;
- Provided improved maintenance of traffic during construction since the majority of work is able to be constructed "off-line"; and
- Allowed flexibility to respond to emerging trends in freight movement without compromising operational conditions of general-purpose traffic.

Early in the development of the Truck-Only Lanes Strategy, the study team decided to retain the interchange features of the Widen Existing I-70 Strategy at the majority of the interchanges along the corridor. They also determined that any improvements to I-70 should maintain access

at each of the 56 interchanges. To accomplish this, trucks would access the majority of the interchanges via slip ramps as displayed in **Figure 4**. These slip ramps would allow trucks to move between the truck-only lanes and general-purpose lanes to enter and exit most interchanges.

Figure 4: Example Slip Ramp Configuration



At some locations along the corridor, the use of slip ramps is not prudent. At these locations, the heavy truck volumes seeking to access certain interchanges could result in truck platoons disrupting operations in the general-purpose lanes in an attempt to enter or exit I-70. At interchanges where truck movements on slip ramps could disrupt general-purpose lane operations, the study team considered providing separated interchange access for trucks and cars. **Figure 5** provides a snapshot of how a truck-car separated interchange might look.

Figure 5: Example Truck-Car Separated Interchange



The study team developed and applied several criteria to evaluate where to locate separated interchanges for trucks and cars. **Figure 6** shows the seven interchange locations deemed reasonable for truck-car separation. Based on the evaluation results, the study team determined that three interchange locations merited truck-car separation today. The selected locations included the following interchanges:

- U.S. 65 (full truck-car separation);
- U.S. 63 (partial truck-car separation); and
- U.S. 54 (full truck-car separation).

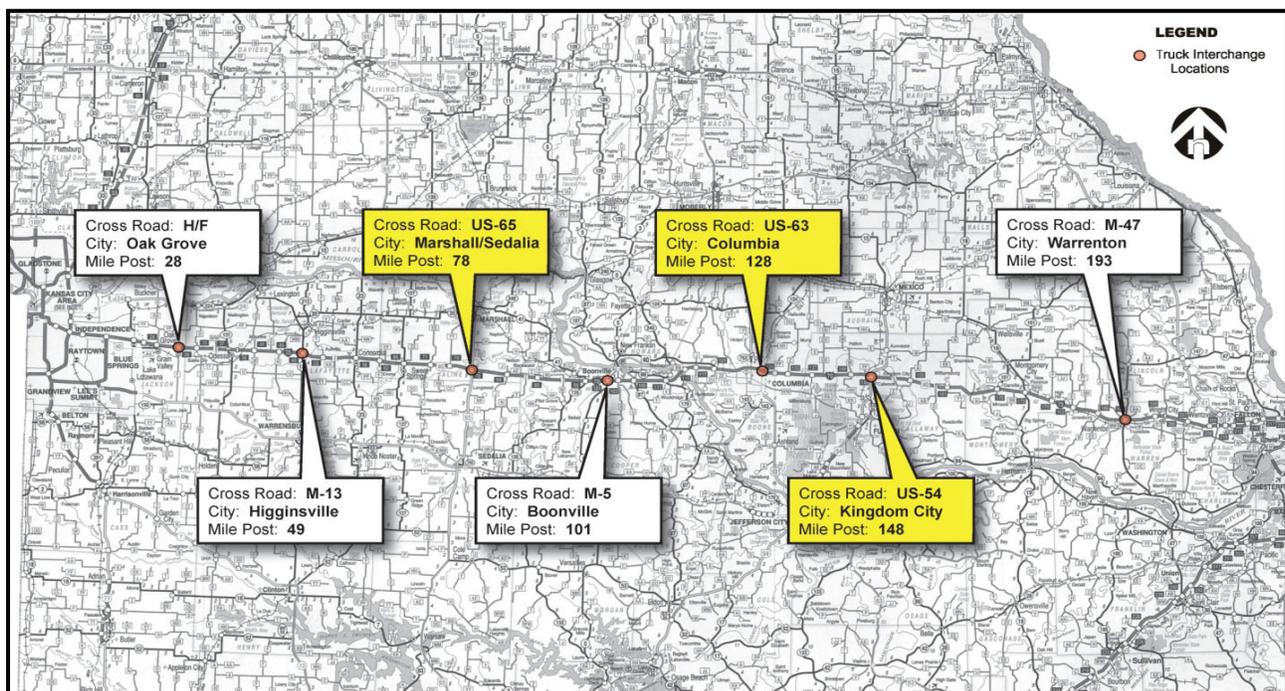
Each of these U.S. routes is centrally located and well spaced to serve long distance truck traffic between Kansas City and St. Louis. It was determined that these U.S. routes would best accommodate truck traffic and were able to carry heavier loads, including superloads, and more efficiently move freight across the state.

The remaining four interchanges may be reasonable locations for truck-car separated interchanges, depending on when and if they meet certain truck traffic volume thresholds or if local and/or private partnerships were formed to complete these interchange projects due to funding constraints. These interchange locations do not meet the truck-car separated interchange criteria and truck traffic volume thresholds through the study design year of 2030.

These interchanges included the following:

- Route H/F, Oak Grove;
- Route 13, Higginsville;
- Route 5, Boonville; and
- Route 47, Warrenton.

Figure 6: Truck-Car Separated Interchange Locations



Even though only three U.S. routes currently merit separated interchanges, the study team chose to evaluate the social and environmental impacts to the natural and man-made environment for the other four locations as part of the SEIS process. Additionally, the study team chose to assess each of the seven interchange locations to determine which interchange types offered the greatest ease of constructability, operate with satisfactory levels of service, and fit within the evaluated footprint from the Improve I-70 Second Tier Environmental Studies, to the extent possible. In this way, the study team would evaluate each of the seven interchange locations, allowing faster implementation to construct any or all of these interchanges at a future date, if warranted.

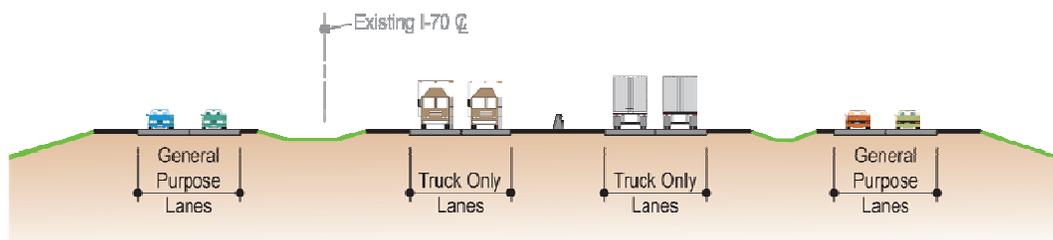
D. Alternatives Considered

Once the study team identified a preference for the Truck-Only Lanes Strategy, they considered a variety of alternatives for application to the I-70 Corridor. For the mainline portion of I-70, the study team looked at variations of urban, rural and environmentally sensitive parts of the corridor, as described in the following sections.

Alternative in rural areas

The majority of the 200-mile study corridor is rural. As shown in **Figure 7**, within a rural setting, the alternative includes two truck-only lanes and two general-purpose lanes in each direction, separated from each other by grassed areas. The truck-only lanes are located on the inside lanes and the general-purpose lanes are on the outside. A concrete median barrier separates the opposing truck-only lanes.

Figure 7: Rural Truck-Only Lanes Alternative

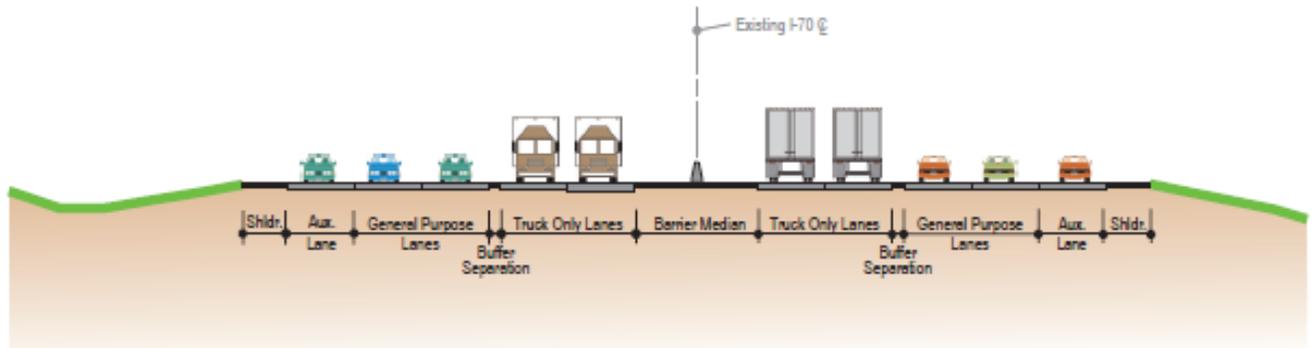


Alternative in urban areas

While the 200-mile study corridor is principally rural in nature, the limits of the study corridor do fall within the urban boundaries of Kansas City, Columbia and St. Louis. The application of a truck-only lanes facility within these urban areas requires a different configuration than those proposed for the rural areas. Within urban settings, such as Kansas City, Columbia, and through the Warrenton, Wright City and Wentzville area on the urban limits of the St. Louis metropolitan area, the truck-only lanes would remain on the inside portion of the facility. However, the number of lanes and the spacing between truck-only lanes and general-purpose lanes would vary based on congestion levels and constraints to widening the corridor. In an urban setting, the alternative consists of two truck-only lanes and two or more general-purpose lanes each direction. The number of general-purpose lanes will vary depending on traffic needs. As displayed in **Figure 8**, where the area requires a narrow, constrained buffer separation, the facility could utilize a two-foot paint stripe or rumble stripe treatment, similar to those utilized for

a high-occupancy vehicle (HOV) facility. As in a rural setting, a concrete median barrier would separate opposing directions of traffic in the truck-only lanes.

Figure 8: Urban Truck-Only Lanes Alternative



Alternative in environmentally sensitive areas

Within the study corridor, the Improve I-70 First and Second Tier Studies identified sensitive areas needing special focus, due to the potential for significant social and environmental impacts. For purposes of the SEIS, the study team continued to treat these areas as sensitive and re-evaluated them to assess the impacts to these areas from the Truck-Only Lanes Alternative. The sensitive areas included Overton Bottoms and Mineola Hill.

Overton Bottoms

The section described as Overton Bottoms includes the I-70 Missouri River crossing near Rocheport, Missouri. The Overton Bottoms area consists of the Overton Bottoms Conservation Area, including the Missouri River and its floodplain and river bluffs. In this area, the Truck-Only Lanes Alternative would maintain the same right of way needs and footprint as that environmentally evaluated within the Improve I-70 Second Tier Environmental Studies. No additional right of way would be required for truck-only lanes. MoDOT would construct a new four-lane companion bridge downstream (south) of the existing Missouri River Bridge. The new companion bridge would carry two truck-only lanes and two general-purpose lanes traveling eastbound, using a similar configuration to that shown for the urban truck-only lanes section with a buffer separation. The existing river bridge would then carry two truck-only lanes and two general-purpose lanes traveling westbound. On either end of each bridge, the section would transition back to the proposed rural truck-only lanes mainline configuration.

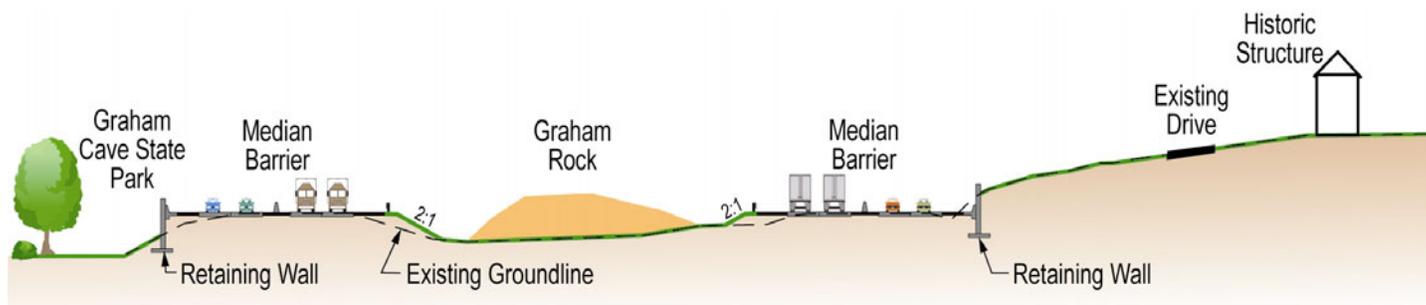
Mineola Hill

The Mineola Hill section of I-70 lays between Routes N and J in Montgomery County. The median widens from the typical 40 feet along the I-70 Corridor to approximately 175 feet. This section of I-70 contains several environmentally and culturally sensitive areas, including the Graham Cave State Park, Graham Historic Farmstead, Graham Rock and the Loutre River Valley. In addition to the sensitive nature of this section, the terrain in the Loutre River Valley includes steeper grades than the target three percent grade adopted for the I-70 Corridor, which creates speed differentials between passenger vehicles and trucks and higher crash rates.

For the Truck-Only Lanes Alternative, two truck-only lanes and two general-purpose lanes each direction are proposed to be applied through Mineola Hill to match the other rural sections of the

project. As displayed in **Figure 9**, due to constraints at Graham Rock, for a short distance the section narrows to a barrier separation of truck-only lanes and general-purpose lanes to improve safety. Just east of Graham Rock, I-70 transitions back to the rural section with the widening south of existing I-70.

Figure 9: Truck-Only Lane Application at Graham Rock



The footprint for the truck-only lanes through Mineola Hill will remain entirely within the previously evaluated footprint identified in the original Improve I-70 Second Tier Studies. The study team achieved this by increasing the height of the proposed retaining walls. In addition, this SEIS maintains the commitments made for the Mineola Hill area in the Improve I-70 Second Tier Studies.

Interchange Alternatives

As discussed early within the Strategy Evaluation, trucks would access the majority of interchanges along the I-70 Corridor via slip ramps between the truck-only lanes and general-purpose lanes (See **Figure 4**). The SEIS is not determining specific locations for slip ramps along the corridor, but does assume there will be several slip ramp locations available within the limits of the project to access interchanges between Kansas City and St. Louis. Since the slip ramps only require merge and diverge areas between truck-only lanes and general-purpose lanes to be constructed, their addition to the corridor does not cause additional right-of-way to be required. MoDOT can construct the slip ramps without affecting the footprint required and evaluated in the Improve I-70 Second Tier Studies.

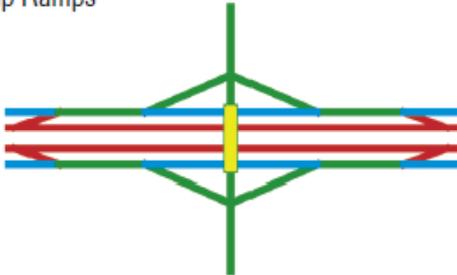
At interchanges with high truck volumes and access to a significant number of freight generating facilities, MoDOT would construct a truck-car separated interchange. As illustrated in **Figure 10**, a truck-car separated interchange would consist of separate, exclusive entrance and exit ramps for trucks at an interchange. Trucks and general-purpose traffic would not mix until they merged off the mainline of I-70, on either ramps or local crossroads. The study team developed five different alternatives for truck-car separated interchanges. The study team applied each of the interchange alternatives to a given location to see which merited further study. The study team considered the U.S. 63 interchange separately, since it would require a system-to-system connection between I-70 and the U.S. 63 Corridor.

The study team assessed the seven interchange locations shown in **Figure 6** above. Based on the alternative's ability to meet the purpose and need and other key social, environmental and engineering criteria, the study team chose three or four truck-car separated interchange alternatives at each of the seven locations. The SEIS process does not result in the selection of a selected interchange alternative at each location. Instead, the SEIS results in evaluating a

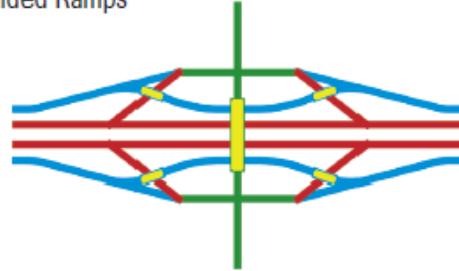
combined footprint representing a combination of several reasonable interchange alternatives in order to leave flexibility during the design phase of the project.

Figure 10: Truck-Car Separated Interchange Types

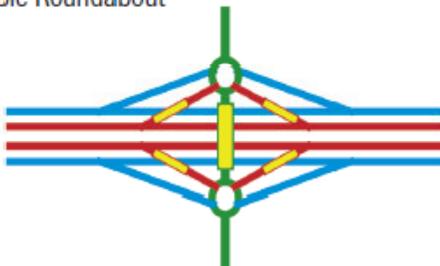
A: Slip Ramps



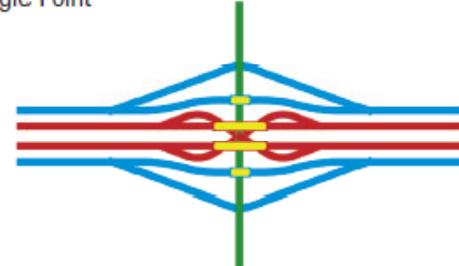
B: Braided Ramps



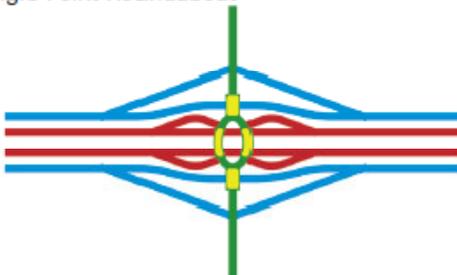
C: Double Roundabout



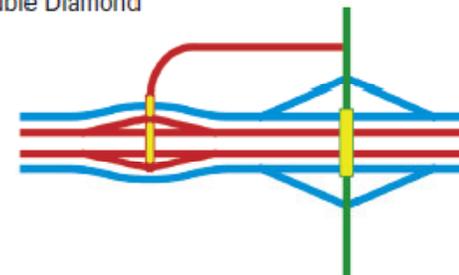
D: Single Point



E: Single Point Roundabout



F: Double Diamond



E. Impacts

Since the SEIS supplements the original Improve I-70 First and Second Tier Studies, the study team evaluated the project impacts using a slightly modified process from a typical EIS. First, the evaluated environmental footprint from the previously approved Improve I-70 Second Tier Studies was re-assessed to determine if conditions and impacts remain unchanged. The study team did not reevaluate impacts determined in the previous studies unless there was a change within the previously evaluated right of way. New impacts were those additional impacts determined to occur within the previously evaluated footprint.

The study team then evaluated impacts within any additional right of way required by the Truck-Only Lanes Alternative. The evaluation process for additional right of way used the same impact evaluation process as the Improve I-70 Second Tier Studies. The study team defined

the footprint to a sufficient level of detail to encompass evaluation of any additional impacts resulting from the Truck-Only Lanes Alternative. The environmental impact evaluation for the Truck-Only Lanes Alternative included an assessment of mainline impacts, truck-car separated interchange impacts and corridor-wide considerations.

Project funding options were not previously evaluated within the First and Second Tier Environmental Studies, but were determined to be an important factor that merited evaluation within the SEIS. A funding option was not selected within the SEIS, but the impacts of applying different funding options were evaluated. Within the SEIS, fuel taxes, sales taxes and tolling were considered possible funding mechanisms available to finance improvements to the I-70 Corridor. The evaluation of funding options determined that none of these mechanisms would have a disproportionate impact to low-income or minority populations or substantial impacts to the natural or man-made environment.

The Truck-Only Lanes Alternative does include some mainline sections within SIU 7 between the Warrenton, Wright City and Wentzville area to Lake St. Louis Boulevard that will require additional right of way. These areas of additional right of way are small “pinch points” only and encompass approximately three acres in total. Within the environmentally sensitive areas of Overton Bottoms and Mineola Hill, the Truck-Only Lanes Alternative stays within the environmentally evaluated footprint from the Improve I-70 Second Tier Studies in these areas and, therefore, does not result in additional impacts.

The study team evaluated impacts to additional right of way resulting from the truck-car separated interchanges for the three recommended (U.S. 65, U.S. 63, U.S. 54) and four potential (Route H/F, Route 13, Route 5, Route 47) interchange locations. Whereas the mainline I-70 had one corridor-wide alternative for improving I-70 with truck-only lanes, the study team evaluated the truck-car separated interchanges as a range of three to four reasonable interchange types. The Truck-Only Lanes Alternative required an additional 300 acres of right of way compared to the original Selected Alternative of widening existing I-70 to six lanes. Depending on which interchange alternative MoDOT selects at each location during the design phase of the project, MoDOT could reduce or eliminate some of the additional impacts included within the SEIS. This is due to the study team evaluating a combined footprint that included several interchange alternatives at each location.

Figure 11 at the end of the document presents a summary of the total impacts of the Truck-Only Lanes Alternative for the entire 200-mile I-70 Corridor. This includes impacts within the environmentally evaluated footprint of the Improve I-70 Second Tier Environmental Studies, as well as new impacts within that previously evaluated footprint, due to the passage of time. It also includes the additional impacts that result specifically from the Truck-Only Lanes Alternative and its new right of way.

F. Section 4(f)

The I-70 SEIS did not require a Section 4(f) Evaluation. Neither the study team nor its resource agency partners identified additional 4(f) resources between the completion of the Improve I-70 Second Tier Studies and the I-70 Final SEIS.

G. Measures to Minimize Harm

Through a comprehensive review of the potentially affected environment and environmental consequences, no known issues were identified that would preclude or prevent the implementation of the Truck-Only Lanes Alternative as the Selected Alternative. The commitments put in place as part of the Improve I-70 Second Tier Studies remain valid and are included in **Appendix A** of this document.

The SEIS requires a finding for the Selected Alternative's affect on wetlands and floodplains. The SEIS refers to this finding as the *Only Practicable Alternative Finding*.

Wetlands

The Preferred Alternative, the Truck-Only Lanes Alternative, would affect 65.97 acres of potentially jurisdictional wetlands. As discussed in the SEIS, there are no other practicable alternatives to the proposed action that would adequately serve the purpose and need of the proposed project. Following coordination with the U.S. Army Corps of Engineers (USACE) and other resource agencies, MoDOT will compensate for unavoidable wetland losses by utilizing appropriate mitigation strategies such as restoration, enhancement, creation, mitigation banking or in-lieu fees in a manner that will ensure no net loss of function or acreage resulting from this project. Compensatory mitigation sites will be held in public ownership or in an ownership arrangement suitable to both the USACE and the Missouri Department of Natural Resources. This will occur if agreements, including a Memorandum of Understanding between MoDOT and MDNR, a Management of Wetland Mitigation Lands Agreement, or a similar agreement is in force at the time of 404 permit authorization. This will be done in a manner consistent with Section 4 of Executive Order 11990.

Based upon the above considerations, it is determined that there is no practicable alternative to the proposed construction in wetlands and that the Selected Alternative includes all practicable measures to minimize harm to wetlands that may result from such action.

Floodplains

In order to provide travel lanes for the Selected Alternative, it is necessary to locate the new travel lanes within and through the floodplains of the tributaries. The Improve I-70 Second Tier Studies and the SEIS Technical Memorandum 3 identify the additional floodplain impacts resulting from the Truck-Only Lanes Alternative. The Selected Alternative will affect a total of 426.86 acres of floodplain. The Selected Alternative was determined to provide the best solution to existing roadway deficiencies and future traffic volumes, to best accommodate community access and growth and to have a lower environmental impact than other alternatives considered.

MoDOT will design and construct the crossings of all base floodplains in compliance with applicable floodplain regulations, including Executive Order 11988. During the design process, a detailed hydraulic analysis of the flows and water surface elevations will occur in accordance with the requirements of the Federal Emergency Management Agency and the USACE. This analysis will ensure the absence of any encroachments upon regulatory floodways so that the 100-year flood discharge may convey without increasing the base flood elevation more than a specified amount. The Selected Alternative would not result in a loss of regulatory floodway capacity or a one-foot cumulative rise resulting from all proposed activities conducted within the base floodplain. The Selected Alternative would conform to applicable state of Missouri and

local floodplain protection standards, and MoDOT will obtain the required floodplain development permits during the design phase.

Based upon the above considerations, and for the reasons stated in this SEIS, the FHWA determines that the Selected Alternative is the only practicable alternative.

H. Monitoring and Enforcement

The planning, agency coordination, public involvement and impact evaluation for the project were coordinated in accordance with the National Environmental Policy Act, the Clean Water Act, the Clean Air Act, the Farmland Protection Policy Act, Executive Order 11990 on Wetlands Protection, Executive Order 11988 on Floodplain Protection, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act and other state and federal laws, policies and procedures for environmental impact analyses and preparation of environmental documents.

This document complies with United States Department of Transportation and FHWA policies to determine whether a proposed project will have disproportionate impact on minority or low-income populations. It meets the requirements of the Presidential Executive Order on Environmental Justice 12898, *Federal Actions to Address Environmental Justice in Minority and Low-Income Populations*. Neither minority nor low-income populations would receive disproportionately adverse impacts under the reasonable range of alternatives. Relocation Assistance Plans for all potential acquisitions and displacements will require approval prior to implementation. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, provides for payment of just compensation for property acquired for a federal aid project. The relocation program assists displaced persons in finding comparable housing that is decent, safe and sanitary. This applies to businesses, farms, nonprofit organizations and residential properties.

Ongoing coordination with the public, stakeholders, organizations and resource agencies will continue to implement appropriate mitigation measures and commitments as well as project coordination into the future during project design and construction.

I. Public Comments on the Final SEIS

The study team received no public comments during the comment period for the Final SEIS.

J. Agency and Organization Comments on the Final SEIS

The FHWA approved the Final SEIS for circulation on May 14, 2009. It was furnished to the agencies and individuals included on the circulation list. The Federal Register published the notice of availability on May 29, 2009, with a request to receive comments by June 29, 2009. The study team received comments on the Final SEIS from the following entities:

- U.S. Environmental Protection Agency – June 2, 2009
- Missouri Federal Assistance Clearinghouse – June 9, 2009
- U.S. Army Corps of Engineers – June 26, 2009
- Mid-America Regional Council – June 29, 2009
- Scenic Missouri – June 29, 2009
- Great Rivers Environmental Law Center on behalf of the Sierra Club – June 29, 2009
- Osage Nation Historic Preservation Office – July 19, 2009

Throughout the SEIS process, the study team met and closely worked with the Study Management Group (SMG) made up of resource agencies to identify and address the group's questions and concerns. The study team also coordinated with a range of project stakeholders and organizations. The following section provides a summary of the comments that the study team received from the resource agencies or organizations during the review period for the Final SEIS. The comment letters and full written responses are included in **Appendix B** of this Record of Decision.

One comment focused on the need to evaluate the availability of replacement housing stock for displaced persons. While a planning level analysis of replacement housing stock was conducted within the environmental studies, the study team noted that the need for a more detailed market analysis of available housing replacement stock will be considered when right of way plans are developed for the project.

Another issue that SMG member agencies did raise during the comment period concerned the design criteria and safety analysis for the truck-only lanes, slip ramps and interchanges. Within the SEIS, the study team went into enough design detail to establish an environmental footprint to evaluate during the SEIS. Due to the unique nature of the Truck-Only Lanes Alternative, MoDOT commissioned a separate study that assesses freight movement and related design and safety issues with truck-only lanes. The results of that study, currently underway, and the SEIS will enable MoDOT to better identify appropriate standards for a truck-only lane facility when the project moves into the design phase.

Comments were also received related to the potential benefits, project cost estimates, and the need to conduct benefit-cost analysis for the truck-only lanes facility. It was noted by the study team that the costs included in the SEIS are prepared at a planning level of detail and will be further refined as the project moves forward into the design phase and more detailed plans for the facility are developed. In addition, MoDOT is conducting a separate study to assess the financial and economic benefits that could be realized from the truck-only lanes facility as a supplement to the SEIS project. The benefit-cost analysis will provide project stakeholders, local communities along the corridor and business and trucking interests findings on what the benefits of a truck-only lanes facility could be for the state of Missouri and the I-70 Corridor.

One comment also focused on the need for continued coordination on improvements planned and secondary impacts that could occur within the urban limits of the project in Kansas City and St. Louis. It was discussed that MoDOT would continue to coordinate with the resource agencies and project stakeholders as the project progresses into design and construction.

A comment was also received on the safety of wildlife crossings due to the median barrier proposed with the Truck-Only Lanes Alternative. The study team has added a commitment within Appendix A of the Record of Decision to consider potential roadway and median design applications to improve wildlife crossing safety during the design phase of the project.

K. Conclusion

The choice of a Selected Alternative occurred following a collaborative decision-making process that included thorough consideration of all social, economic and environmental factors with extensive outreach, including agency coordination and public involvement. FHWA and MoDOT have worked to avoid, minimize and mitigate impacts throughout the NEPA process. The Final SEIS accurately presents the social, economic and environmental consequences associated with its selection.

Figure 11: Total Impacts of Truck-Only Lanes Alternative

Environmental Factors	Unit	SIU 1				SIU 2				SIU 3				SIU 4				SIU 5				SIU 6				SIU 7			
		Second Tier Impacts	New Since Second Tier	Add'l due to TOL	TOL total	Second Tier Impacts	New Since Second Tier	Add'l due to TOL	TOL total	Second Tier Impacts	New Since Second Tier	Add'l due to TOL	TOL total	Second Tier Impacts	New Since Second Tier	Add'l due to TOL	TOL total	Second Tier Impacts	New Since Second Tier	Add'l due to TOL	TOL total	Second Tier Impacts	New Since Second Tier	Add'l due to TOL	TOL total	Second Tier Impacts	New Since Second Tier	Add'l due to TOL	TOL total
Land Use	Rating	▲	NC	NC	▲																								
Farmland Impacts																													
Prime	Acres	186.7	0	10.5	197.2	490	0	16.7	506.7	80	0	0	80	140	0	0	140	383	0	0	383	410	0	53	463	684	0	9.0	693.0
Statewide Importance	Acres	263.3	0	24.1	287.4	572	0	22.0	594.0	432	0	34.7	466.7	113	0	2.0	115.0	63.6	0	0	63.6	312	0	64	376	455	0	38.0	493.0
CRP Lands	Acres	3.6	0	0	3.6	28	26	0.17	54.17	20.7	0	7.1	27.8	0.2	0	0	0.2	0	0	0	0	8.5	0	0	8.5	0.01	0	0	0.01
WRP Lands	Acres	0	0	0	0	8	5.4	0	13.4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Social and Economic																													
Residents (persons)	Number	100	0	53	153	83	3	8	94	25	3	0	28	442	50	13	505	35	0	0	35	40	0	0	40	138	3	10	151
Businesses	Number	20	3	0	23	21	1	0	22	25	9	0	34	66	11	0	77	16	6	0	22	8	0	0	8	45	21	18	84
Environmental Justice Issues	Yes/No	No	No	No	No																								
Community Impacts	Rating	▲	NC	●	▲	▲	NC	NC	▲	▲	NC	●	▲																
Parks and Public Lands	Number	1	0	0	1	0	0	0	0	2	0	0	2	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
ROW and Displacements																													
Total Right-of-Way	Acres	469	0	48.2	517.2	1800	0	44.3	1844.3	652	0	35.5	687.5	397	0	6.05	403.05	439.6	0	0	439.6	770	0	117	887	1153	0	55.8	1208.8
Residential (partial)	Number	0	0	2	2	26	0	0	26	0	1	0	1	185	0	0	185	0	0	0	0	173	0	0	173	0	3	3	
Residential (full)	Number	40	0	21	61	33	1	3	37	10	1	0	11	299	20	5	324	14	0	0	14	16	0	0	16	55	1	16	72
Business (partial)	Number	0	3	2	5	38	4	1	43	0	1	1	2	127	0	0	127	0	0	0	0	1	1	1	2	0	0	12	12
Business (full)	Number	20	3	0	23	21	1	0	22	25	9	0	34	66	11	0	77	16	6	0	22	8	0	0	8	45	21	21	87
Public / Semi-public (partial)	Number	1	1	0	1	0	1	0	1	2	0	0	2	0	0	1	1	1	0	0	1	0	0	0	0	1	0	0	1
Public / Semi-public (full)	Number	1	0	0	1	0	0	0	0	0	1	1	2	10	0	0	10	0	0	0	0	0	0	0	0	4	0	0	4
Air Quality	Rating	●	NC	NC	●																								
Noise (sensitive receptors)	No. of Units	119	0	0	119	73	22	0	95	11	0	0	11	124	0	0	124	15	0	0	15	14	0	0	14	671	0	0	671
Streams & Wetlands (jurisdct'l)																													
Streams*	Lin. Ft.	19022	0	1134	20156	41560	2200	810	44570	19009	0	916	19925	18996	0	0	18996	4968	0	0	4968	27070	0	998	28068	38605	0	2840	41445
Wetlands*	Acres	10.8	0	0.03	10.83	26.9	3.58	0	30.48	6.32	0	0.05	6.37	2.76	0	0	2.76	4.85	0	0	4.85	7.65	0	0	7.65	2.73	0	0.3	3.03
Ponds*	Acres	0.8	0	0	0.8	15.5	0	0.09	15.59	5.82	0	0	5.82	0	0	0	0	0	0	0	0	2.76	0	0	2.76	2.15	0	0	2.15
Water Quality Impacts	Type	●	NC	NC	●																								
Floodplain Impacts	Acres	102.5	0	2.0	104.5	98	0	0	98	71.8	0	0	71.8	72	0	4.5	76.5	12.6	0	0	12.6	38.9	0	1.0	39.9	11.3	0	12.26	23.56
Biological Resources																													
Natural Communities (woodland)	Acres	33.7	0	5.6	39.3	294	0	5.9	299.9	230	0	12.6	242.6	143	0	5.8	148.8	0	0	0	0	115	0	1.8	116.8	0	8.7	8.7	
T&E Species	Number	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	1	0	0	1	0	0	0	0
Cultural Resources**	Number	0	0	0	0	15	0	1	16	0	0	1	1	2	0	1	3	4	0	0	4	0	0	0	0	2	0	1	3
Hazardous Material Sites***	Number	5	0	0	5	33	1	0	34	7	2	0	9	15	0	0	15	3	3	0	6	8	0	0	8	0	4	7	11
Visual Assessment	Rating	▲	NC	●	▲	▲	NC	NC	▲	▲	NC	NC	▲	▲	NC	●	▲	▲	NC	NC	▲	▲	NC	NC	▲	▲	NC	NC	▲
Construction Impacts	Rating	▲	NC	NC	▲																								
Environmental Mitigation****	Rating	●	Add'l	Add'l	●	●	Add'l	NC	●	●	NC	Add'l	●	●	Add'l	Add'l	●												
Secondary and Cumulative Section 4(f)	Rating	●	NC	NC	●																								
	Yes/ No	No	No	No	No	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No

* Second Tier quantities for stream, wetland, and pond impacts are derived from the previous PJWD Summary Reports and include impacts to only those water resources that are considered jurisdictional.

** Includes only historic cultural resources with an adverse effect and potentially eligible archaeological sites that require further testing prior to design.

*** All of the hazardous material sites are considered to have a "low potential for contamination".

**** The term *Additional* indicates that the mitigation committed to in the Second Tier Studies remains valid for the SEIS and that additional impacts related to the Truck-Only Lanes Alternative requiring mitigation (e.g., wetlands, streams) will receive the same commitments to perform mitigation.

NC = No Change

NOTE: Matrix cells of those factors for which specific information was not available, are left blank.

Benefits > Adverse Impacts ▲
 Benefits = Adverse Impacts ●
 Benefits < Adverse Impacts ▼

APPENDIX A

List of Commitments

The FHWA is committed to the following measures to minimize harm for the proposed action:

1. MoDOT will comply with the appropriate currently-adopted design criteria and design standards.
2. MoDOT will incorporate suitable and reasonable Intelligent Transportation Systems (ITS) elements into the Improve I-70 program.
3. MoDOT will consult with emergency responder agencies involved in traffic incident management on I-70 in future design and maintenance of traffic plan development as the Improve I-70 program progresses.
4. MoDOT will construct frontage roads for the purposes of maintaining existing local service connections and maintaining existing access to adjacent properties, where warranted. The frontage roads as proposed in the Frontage Road Master Plan may be constructed in the future as needs arise and as funding becomes available. Where reasonably possible, any eight-foot (2.4 meters) paved shoulder along new frontage road construction could serve as a one-way bicycle facility.
5. MoDOT will develop a maintenance of traffic plan for the construction phases. Through traffic will be maintained along I-70 and at access points to the interstate from cross roads. It is likely that some interchange ramps and cross roads will be closed and temporary detours required. Construction schedules, road closures and detours will be coordinated with police forces and emergency services to reduce impact to response times of these agencies.
6. MoDOT will coordinate with project area businesses regarding access issues, via direct communication throughout the construction period.
7. MoDOT will coordinate with local public service and utility service providers during the final design phase of the project and during the construction period to minimize infrastructure relocation, modifications and connectivity requirements.
8. During right of way acquisition and relocations, MoDOT will assure that this will be accomplished in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. MoDOT is committed to examining ways to further minimize property impacts throughout the corridor, without compromising the safety of the proposed facility, during subsequent design phases.
9. During construction, MoDOT's standard specifications, Missouri Department of Natural Resources (MDNR) Solid Waste Management Program, and MoDOT's Sediment and Erosion Control Program will all be followed.
10. Through MoDOT's approved Pollution Prevention Plan for the National Pollutant Discharge Elimination System (NPDES), the control of water pollution will be accomplished. The plan specifies berms, slope drains, ditch checks, sediment basins, silt fences, rapid seeding and mulching and other erosion control devices or methods as needed. In addition, all construction

and project activities will comply with all conditions of appropriate U.S. Army Corps of Engineers and Missouri Department of Natural Resources permits and certifications.

11. MoDOT has special provisions for construction which require that all contractors comply with all applicable local, state, and federal laws and regulations relating to noise levels permissible within and adjacent to the project construction site. Construction equipment is required to have mufflers installed in accordance with the equipment manufacturers' specifications.

12. MoDOT is committed to minimize lighting impacts. Efficient lighting and equipment will be installed, where appropriate, to optimize the use of light on the road surface while minimizing stray light intruding on adjacent properties.

13. To minimize impacts associated with construction, pollution control measures outlined in the MoDOT Standard Specifications for Highway Construction will be used. These measures pertain to air, noise and water pollution as well as traffic control and safety measures.

14. MoDOT will review the Natural Heritage Database and coordinate with the U.S. Fish and Wildlife Service periodically during the project development process to identify any new locations of threatened and endangered bat activity and for new locations of the running buffalo clover. MoDOT will conduct a field check for the running buffalo clover at least one year prior to construction activities at the Lamine River, Auxvasse Creek, Cedar Creek, and the Loutre River crossing.

15. Landscaping in the right of way will include native plant species and other enhancements in accordance with the statewide I-70 Corridor Enhancement Plan to the maximum extent possible. In accordance with MoDOT standards, new seed mixes, mulch and plant materials will be free of invasive weedy species to the extent possible. Where appropriate, MoDOT will partner with the Missouri Department of Conservation (MDC) Grow Native program and implement the establishment of native vegetation along highway rights of way.

16. MoDOT has developed a Conceptual Wetland Mitigation Plan to compensate for wetland impacts, and appropriate mitigation will be adhered to in accord with the plan.

17. MoDOT will continue to coordinate with the State Historic Preservation Office (SHPO) and comply with the existing executed Programmatic Agreement that complies with the National Historic Preservation Act.

18. MoDOT's tree replacement policy has been revised since the Improve I-70 First and Second Tier Studies were completed. As a result, the I-70 SEIS will follow MoDOT's current tree replacement policy. When trees are removed as a result of the project, MoDOT will provide for their replacement as a part of the "Trees for Tomorrow" program. This program consists of MoDOT purchasing half a million trees per year and coordinating with the Missouri Department of Conservation to distribute the trees to youth groups for planting at selected locations throughout the state.

19. Where feasible, MoDOT's design process will minimize impacts to floodplains.

20. Mitigation efforts to prevent the rise in flood elevation of each of the water bodies affected will be employed in an effort to obtain a No-Rise Certification permit from the State Emergency Management Agency (SEMA).

21. MoDOT will continue to coordinate with the Natural Resources Conservation Service (NRCS) to determine appropriate mitigation measures for the loss of Conservation Reserve Program (CRP) and Wetlands Reserve Program (WRP) lands.

22. Plans for suitable pedestrian, bicycle and Americans with Disabilities Act (ADA) access across I-70 will be developed during the design of the interchanges.

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

24. MoDOT will consider potential roadway and median design applications to improve wildlife crossing safety during the design phase of the project. Mitigation plans developed in relation to stream crossing impacts will consider enhancements, such as vegetative plantings, designed to encourage animal species to utilize these vegetative corridors as passageways. Any wildlife enhancements considered during the design phase would be located within the right of way for the Selected Alternative.

Note: To review commitments related to specific sections of the I-70 Corridor, see the individual sections of independent utility (SIU) documents from the I-70 Second Tier Environmental Studies.

APPENDIX B

Agency and Organization Comments on the Final SEIS

The Final SEIS was approved for circulation on May 14, 2009. It was furnished to the agencies and individuals included on the circulation list. The notice of availability was published in the Federal Register on May 29, 2009, and comments were requested by June 29, 2009. Comments on the Final SEIS were received from the following entities:

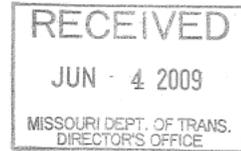
Letter No.1	U.S. Environmental Protection Agency	B-2
Letter No.2	Missouri Federal Assistance Clearinghouse	B-4
Letter No.3	U.S. Army Corps of Engineers	B-5
Letter No.4	Mid-America Regional Council	B-8
Letter No.5	Scenic Missouri	B-10
Letter No.6	Great Rivers Environmental Law Center on behalf of the Sierra Club	B-12
Letter No. 7	Osage Nation Historic Preservation Office	B-20
Responses to Agency and Organization Comments		B-21



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

02 JUN 2009



Ms. Peggy Casey
Environmental Projects Team Leader
Federal Highway Administration
3220 W Edgewood, Ste H
Jefferson City, MO 65109

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

Dear Ms. Casey and Mr. Keith:

RE: Review of Improve I70 – Final Supplemental Environmental Impact Statement for Interstate 70 Corridor, Kansas City to St. Louis, Missouri FHWA-MO-EIS-09-01, MoDOT Job Number: J411341

The U.S. Environmental Protection Agency has reviewed the Improve I70 – Final Supplemental Environmental Impact Statement for the Interstate 70 Corridor from Kansas City to St. Louis, Missouri, a distance of approximately 200 miles. Our review is provided pursuant to the National Environmental Policy Act 42 U.S.C. 4231, Council on Environmental Quality regulations 40 C.F.R. Parts 1500-1508, and Section 309 of the Clean Air Act. The FSEIS was assigned the CEQ number 20090169.

The FSEIS adequately identifies potential environmental and human health impacts, based largely on the findings included in the Second Tier Draft Environmental Impact Statements for seven Sections of Independent Utility throughout the corridor.

We thank you for addressing our concerns regarding Environmental Justice and Residential Displacement, as well as Wildlife Crossings.

Your clarification of displacements being located at the “Links at Columbia” golf community versus being located in the EPA-identified EJ area is helpful. However, in regards to the four structure displacements attributed to the S-to-S interchange alternative, identified as the only reasonable interchange alternative for SIU 4 in Columbia, EPA has the following comments.



1A

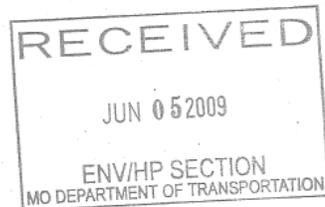
The FSEIS states on page 67 of Technical Memorandum 3: Tier 2 Evaluation that “the availability of replacement housing in the locale remains adequate for displacements,” and “environmental justice analysis and findings from the Second Tier Studies remain valid for the SEIS and can be referenced in Chapter 3, Section C on page III-92 of the SIU 4 Draft EIS.” EPA notes that due to the projected extensive timeline of this project, as you pointed out in the SIU 4 DEIS (Ch 3, page III-86), a future housing market analysis may need to be prepared to determine appropriate actions for relocation, in addition to compliance with other provisions of the Uniform Act and Relocation Assistance Program.

Thank you for the opportunity to provide our comments regarding this project. If you have any questions, please contact me at 913-551-7565 or via email at tucker.amber@epa.gov, or you may contact Joe Cothem, NEPA Team leader, at 913-551-7148 or via email at cothem.joe@epa.gov.

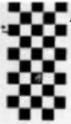
Sincerely,



Amber Tucker
NEPA Reviewer
Environmental Services Division



Letter No. 1 – United States Environmental Protection Agency



Jeremiah W. (Jay) Nixon
Governor

State of Missouri
OFFICE OF ADMINISTRATION
Post Office Box 809
Jefferson City, Missouri 65102
Phone: (573) 751-1851
Fax: (573) 751-1212

Kelvin L. Simmons
Commissioner

June 9, 2009

Stephen Wells
HNTB
715 Kirk Drive
Kansas City, MO 64105
816-472-4060

Dear Mr. Wells:

Subject: 0911125
Assistance

The Missouri Federal Assistance Clearinghouse, in cooperation with state and local agencies interested or possibly affected, has completed the review on the above project application.

None of the agencies involved in the review had comments or recommendations to offer at this time. This concludes the Clearinghouse's review.

A copy of this letter is to be attached to the application as evidence of compliance with the State Clearinghouse requirements.

Please be advised that I am the contact for the Federal Funding Clearinghouse. You can send future requests to the following address: Sara VanderFeltz, Federal Funding Clearinghouse, 201 West Capitol, Room 125, and Jefferson City, Missouri 65101.

Sincerely,

Sara VanderFeltz
Administrative Assistant

cc:

2A



DEPARTMENT OF THE ARMY
KANSAS CITY DISTRICT, CORPS OF ENGINEERS
 STATE REGULATORY PROGRAM OFFICE - MISSOURI
 221 BOLIVAR STREET, SUITE 103
 JEFFERSON CITY, MISSOURI 65101
 June 26, 2009



REPLY TO
 ATTENTION OF:

Missouri State Regulatory Office
 (2009-00136)

Federal Highway Administration
 Attn: Peggy Casey
 3220 W. Edgewood, Suite H
 Jefferson City, MO 65109

Dear Ms. Casey:

This is in response to the request for our review of the Final Supplemental Environmental Impact Statement (EIS) for the I-70 Corridor between Kansas City and St. Louis. We have reviewed the Final Supplemental EIS and offer the following comments:

1. The 2,200 linear feet of stream impacts and 3.58 acres of wetland impacts (New since Second Tier) for SIU 2 have been addressed in the Final Supplemental EIS. This was identified as item number 6 in our February 26, 2009 letter to you commenting on the Draft Supplemental EIS.

2. We maintain all of our other previous comments (items 1 through 5) that were identified in our February 26, 2009 letter. A copy of our February 26, 2009 letter is enclosed for your reference.

If you have any questions concerning this matter, please feel free to write or call me at 573-634-2248 extension 3833.

Sincerely,

Kenny Pointer
 Regulatory Project Manager
 Missouri State Regulatory Office

Copy Furnished:

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

3A

Letter No. 3 – U.S. Army Corps of Engineers



DEPARTMENT OF THE ARMY
KANSAS CITY DISTRICT, CORPS OF ENGINEERS
STATE REGULATORY PROGRAM OFFICE - MISSOURI
221 BOLIVAR STREET, SUITE 103
JEFFERSON CITY, MISSOURI 65101
February 26, 2009

REPLY TO
ATTENTION OF:

Missouri State Regulatory Office
(2009-00136)

Federal Highway Administration
Attn: Peggy Casey
3220 W. Edgewood, Suite H
Jefferson City, MO 65109

Dear Ms. Casey:

This is in response to the request for our review of the Draft Supplemental Environmental Impact Statement (EIS) for the I-70 Corridor between Kansas City and St. Louis. We have reviewed the Draft Supplemental EIS and offer the following comments:

1. On page 2-8 it is indicated that the study team decided to fit the Truck-Only Lanes Strategy within the same footprint previously cleared for the Widen Existing I-70 Strategy. The previous First and Second Tier Studies addressed improvements to existing I-70 to meet current safety and design standards (including widening the existing median to meet current safety standards). The preferred alternative from the Second Tier Studies also included extra median width beyond the current safety and design standards to allow for constructability of the Widen Existing I-70 Strategy. There is no mention of any safety or design standards for the Truck-Only Lanes Strategy and no dimensioned drawings (cross sections) for the Truck-Only Lanes Strategy. This information needs to be included in the Supplemental EIS to adequately address alternatives and evaluate/allow comparison of the strategies. If there are not any current safety or design standards for truck-only lanes, there should be an assessment of the potential safety and design issues for the Truck-Only Lanes Strategy that the proposed footprint is based on, including the safety of both the truck-only and the general purpose lanes. The safety of merging truck traffic from the truck-only lanes with the general purpose lanes through proposed slip ramps to allow truck access to all of the existing 56 interchanges within the 199 mile corridor should be studied and addressed in the Supplemental EIS.

2. On page 3-3 it is indicated that the Supplemental EIS provides flexibility to determine the ultimate configuration and typical section for the truck-only lanes facility during the design phase of the project and that more detailed traffic analyses will take place during the design phase to address any uncertainties related to the necessary number of lanes and better define the transition distances needed to transition from a truck-only lanes facility back to a general-purpose facility on I-70. This information should be included and addressed in the Supplemental EIS to adequately address alternatives.

Letter No. 3 – U.S. Army Corps of Engineers

3. On page 3-7 it is indicated that the Supplemental EIS is not determining specific locations for slip ramps along the corridor. This information should be included and addressed in the Supplemental EIS. An assessment of alternatives for the identified slip ramps for the Truck-Only Lanes Strategy needs to be addressed in the Supplemental EIS including the feasibility of overpasses and underpasses to allow access to interchanges without merging truck traffic with general purpose traffic on the mainline of I-70.

4. On page 3-9 it is indicated that the Supplemental EIS process will not result in the selection of a preferred interchange alternative for the truck-car separated interchanges. The Supplemental EIS should result in a preferred alternative including a preferred alternative for the truck-car separated interchanges. Alternatives need to be adequately addressed during the NEPA process (not after). On page 3-12 it is also indicated that a combined footprint including all reasonable alternatives at each truck-car separated interchange will be environmentally cleared to leave flexibility during the design phase. This is not in accordance with NEPA and does also not comply with the 404(b)(1) Guidelines.

5. On page 4-14 it is indicated that there is currently state legislation prohibiting trucks from using the inside left lane when a highway has six or more lanes and that this prohibition will need to be considered during the design phase of the project. Please note that this needs to be addressed in the Supplemental EIS as a minimum of eight lanes are proposed for the Truck-Only Lanes Strategy, as trucks are proposed to be on the inside left lanes, and as trucks are also proposed to merge with the left lanes of the general purpose lanes via slip ramps.

6. On Figure 4-6 impacts are itemized for each of the 7 Sections of Independent Utility (SIU) for Second Tier Impacts, New since Second Tier, Additional due to Truck-Only Lanes, and Truck-Only Lanes Total. There are 2,200 linear feet of stream impacts and 3.58 acres of wetland impacts listed for SIU 2 under New since Second Tier. Please explain and/or revise accordingly.

Please note that because a footprint was environmentally cleared for the Widen Existing I-70 Strategy from the Second Tier Studies does not mean that alternatives that may potentially avoid or minimize impacts do not need to be addressed for other strategies that are subsequently proposed (i.e. Truck-Only Lanes Strategy) that may or may not fit within the previously cleared footprint. If you have any questions concerning this matter, please feel free to write or call me at 573-634-2248 extension 3833

Sincerely,



Kenny Pointer
Regulatory Project Manager
Missouri State Regulatory Office

Letter No. 3 – U.S. Army Corps of Engineers

600 Broadway, Suite 200
Kansas City, Missouri 64105-1659

816/474-4240
816/421-7758 FAX
www.marc.org



June 29, 2009

Mr. Kevin Keith
Chief Engineer
Missouri Department of Transportation
105 West Capitol, PO Box 270
Jefferson City, MO 65102-0270

Dear Mr. Keith:

As the Metropolitan Planning Organization for the greater Kansas City transportation management area, The Mid-America Regional Council (MARC) appreciates the opportunity to review and comment on the I-70 Final Supplemental Environmental Impact Statement. MARC recognizes the importance of I-70 to the economy and mobility needs of the State of Missouri and greater Kansas City.

We agree that this document makes the case that truck-only-lanes can be constructed within the footprint of the previous preferred alternative for I-70, however, we do not believe that it makes a complete case for an investment of such magnitude and scope. We have two specific areas of interest and concern:

4A

1) Return on Investment – The FSEIS does not provide enough detailed information on both the costs (construction, maintenance, operations, etc.) and the benefits (safety, economic impact, etc.) that would justify the selection of the more expensive alternative as a sound investment decision for the state of Missouri.

4B

2) Unknown impacts for the transportation system in the Kansas City region – There is a lack of detail regarding operational impacts of the proposed truck lanes in the Kansas City area. As this document acknowledges, the performance and impacts of the proposed truck-only-lane strategy may be very different depending on how much truck traffic is attracted to this corridor, which is in turn, dependant on whether the proposed truck lanes continue into other states through I-70's designation as a "Corridor of the Future." This document provides no estimates of potential truck traffic on a multi-state truck-lane corridor or any detail regarding potential impacts of significantly higher truck traffic on facilities such as I-70, I-470, I-435, I-35/29 or US-71 in the Kansas City area.

We believe it will be important for MoDOT and MARC to address these questions about the proposed strategy, particularly those about the transition at its western terminus in the Kansas City region, as part of any future decision to incorporate this concept into the region's Long-Range Transportation Plan or Transportation Improvement Program.

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Jan Marceson
Councilmember
Kansas City, Mo.

Executive Director
David A. Warm

Letter No. 4 – Mid-America Regional Council

4C

We would appreciate the opportunity to work with you and your staff to develop a plan to more thoroughly investigate the return on investment to the State of Missouri, as well as the operational impacts and performance of this proposed strategy and other alternatives on the transportation network in greater Kansas City before moving ahead with its implementation.

Sincerely,



David A. Warm
Executive Director

cc: Peggy Casey, FHWA

Letter No. 4 – Mid-America Regional Council

SCENIC MISSOURI

June 29, 2009

Ms. Peggy Casey
Environmental Project Teams Leader
Federal Highway Administration
3220 W. Edgeway, Ste. H
Jefferson City, MO 65109

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

Re: Draft FSEIS/ I-70 Corridor Improvement Study

Dear Ms. Casey and Mr. Keith:

5A

Scenic Missouri requests that our earlier comments submitted in response to the Draft Supplemental Environmental Impact Statement (DSEIS) for the Interstate 70 Corridor Improvement Study be included as part of our comment for the Final SEIS, but we are also pleased to submit the following additional comments.

Outdoor Advertising

5B

Scenic Missouri appreciates the additional information provided in the FSEIS on outdoor advertising in response to our concerns about an insufficient and flawed discussion of the subject contained in prior project documents. Foremost, we are pleased that it has been made clear that there is no commitment to replace affected outdoor advertising structures in-kind.

Scenic Segmentation and Environmental Stewardship

5C

Scenic Missouri continues to strongly believe that enhancing the scenic, environmental, and cultural attributes of the corridor must be a vital part of any major reconstruction of I-70. While the FSEIS reiterates that the Corridor Enhancement Plan (CEP) remains part of the project, any ability to reach meaningful fulfillment of the CEP is highly constrained under the alternative of at least eight-lanes within a single, concrete-filled right-of-way. We are disappointed that the FSEIS did not address the negative scenic consequences of a concrete dominated median as opposed to the generously landscaped, visually-pleasing median described in the earlier six-lane preferred alternative.

Letter No. 5 – Scenic Missouri

Once again, we urge The Missouri Department of Transportation to include a study on scenic segmentation as part of the study process and include nonprofits and state agencies including Conservation, Natural Resources and Economic Development and Tourism as integral partners as part of a team to ensure that any reconstruction results in an attractive and environmentally-sustainable project that is worthy of being called "Missouri's Main Street."

Truck-only Lane Costs versus Benefits

5D

The additional costs of at least a half billion dollars for truck-only lanes over the earlier six lane preferred alternative remains a concern, especially when we believe that the vision for the truck-only lane (TOL) plan under the FSEIS will fail to create the essential scenic and environmental benefits that must be a result of a project of this enormity and expense.

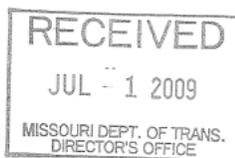
Not only will this additional cost constrain the ability of the state to address other important transportation needs elsewhere, many fundamental questions still remain unanswered, such as how the project would impact the highly urbanized Saint Louis and Kansas City metropolitan areas and fit into the multi-state TOL concept.

As a result, the cost versus benefits of the proposed preferred alternative remain unclear and we continue to believe that it is premature for this proposal to receive a Record of Decision. Thank you for the opportunity to present these comments.

Sincerely,

John Regenbogen
Executive Director

attachments



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Lewis C. Green, 1924-2003

June 29, 2009

Ms. Peggy Casey
Federal Highway Administration
3220 W Edgewood, Ste H
Jefferson City, Missouri 65109

Mr. Kevin Keith
Missouri Department of Transportation
PO Box 270
Jefferson City, Missouri 65102

6A

I enclose comments we are filing on behalf of the Sierra Club on the Final SEIS for I-70 in Missouri. Great Rivers Environmental Law Center filed comments at an earlier stage of the EIS on Nov.2, 2007. We believe the construction of Truck-Only Lanes (TOLs) will have severe environmental consequences for Missouri. We agree with the Sierra Club that a ROD supporting TOLs is not warranted.

Henry Robertson
Attorney at law

Letter No. 6 – Great Rivers Environmental Law Center on behalf of the Sierra Club



June 29, 2009

Ms. Peggy Casey
Federal Highway Administration
3220 W Edgewood, Ste H
Jefferson City, Missouri 65109

Mr. Kevin Keith
Missouri Department of Transportation
PO Box 270
Jefferson City, Missouri 65102

Executive Summary: Based on our review of the Final SEIS, a Record of Decision supporting TOLs as the preferred alternative for I-70 is not justified.

The Sierra Club is pleased to submit these comments on the Final Supplemental Environmental Statement (SEIS) for reconstruction of approximately 200 miles of I-70 in Missouri. We have been involved in this study almost from the beginning, and that involvement included a special meeting of Mr. Kenny Voss of MoDOT and Mr. Steve Wells of the consultant team with the Sierra Club's Missouri Chapter Conservation Committee in Parkville, Missouri, on July 12, 2008.

We note that our comments on the Draft SEIS, dated March 16, 2009, have been incorporated into Technical Memorandum 4 of the Final SEIS, pages 36-40. We also note that you have responded to some of the concerns we expressed. While the Final SEIS is improved in some respects in response to our earlier comments, we consider many of your responses to be simply repetition of what was already in the document, and thus still inadequate.

Here are our specific comments and ongoing concerns related to the Final SEIS.

1 - Our Comments on the FTEIS. These comments build on comments that we submitted on September 25, 2001, in response to the First Tier Environmental Impact Statement (FTEIS). We have reviewed those comments, we consider them to be still valid and relevant, and thus we ask that you consider them here as well.
<http://www.improvei70.org/downloads/ROD%20Appendix%20ltr7.pdf>

2 - Existing Record of Decision. In response to the FTEIS, USDOT issued a Record of Decision (ROD) on December 18, 2001, identifying the preferred alternative as a six-lane highway with a wide median. At the time we opposed that alternative on the grounds that it would constitute excess capacity for several sections of the route, because we believed the study

6B

had not given adequate consideration to non-highway alternatives for moving people and goods, and because we believed the study had ignored emerging major issues related to rising energy prices (and consequent implications for mode choice for moving both people and goods) and global warming.

Our response to the Final SEIS is much the same. The truck-only lanes (TOL) concept is not compatible with a strategic view of future transportation needs in an age of global warming and rising energy prices. It is especially not compatible with the era of severe fiscal challenges – e.g., budget deficits and national indebtedness – that we have entered.

3 - A Major Disconnect. The Final SEIS recommends truck-only lanes (page 6-2): “The study team recommends implementing the Truck-Only Lanes Strategy as the Preferred Alternative.” However, the Final SEIS also states (page 6-4) that, “...there is no empirical data available to know how effectively this type of facility [i.e., the TOL concept] will function.”

How can these two statements be reconciled? How can the TOL concept be the new preferred alternative if there is no empirical evidence that it will even work?

Consequently, we believe that a ROD identifying the TOL concept as the preferred alternative is not justified.

4 - The Four-State Context. The current SEIS has been funded by a special grant to Missouri under the USDOT “Corridors of the Future Program.” The Missouri segment of I-70 is part of a 789-mile stretch of I-70 across Missouri, Illinois, Indiana, and Ohio that is the subject of a study to be led the Indiana DOT. We understand that the four states finally reached agreement on how to proceed with that study in January, 2009, less than five months ago. The TOL concept in Missouri would have significantly less utility in the nation’s transportation system if it is not part of a longer corridor. Thus, we submit that a ROD in support of the TOL concept in Missouri would be premature until the four-state study is completed.

5 - A Global Context of Profound Change. The world has changed profoundly since the FTEIS was initiated in 1999, and it is likely to change even more profoundly in the years ahead.

5a - There is vastly increased awareness of global warming and the consequent need to reduce greenhouse gas emissions by reducing consumption of carbon-based fuels, in part by using more energy-efficient modes of transportation. This will be further affected by fees or taxes on carbon-based fuels in the near future.

5b - There is increased awareness of the fossil fuel supply challenges that lie ahead as easily recoverable petroleum reserves are depleted, and increased awareness of the long-term upward trend in energy prices.

5c - There is a global financial crisis that affects everything. (It’s useful to note that MoDOT Director Pete Rahn quotes Microsoft CEO Steve Ballmer in describing the current recession as a time of “resetting.” We agree, and believe this resetting must include a re-examination of all previous assumptions about the future, including how the nation meets its transportation needs.)

5d - In brief, never has the past been such an inadequate and unreliable predictor of the future.

Given these factors, it is reasonable to expect that future movement of people, and especially goods, will be significantly less than past projections have indicated. As transportation energy costs rise, one natural response will be to shift manufacturing closer to markets. That’s not to say that fewer tons of freight will be moved – even though that might also be anticipated due to

changes in social norms and expectations regarding what constitutes a good quality of life – but rather to suggest that ton-miles of freight movement will decrease. It is also reasonable to expect that more long-distance freight will move by more energy-efficient modes such as rail, and less by truck. Trucks may continue to move products the final few miles, but more of the total miles will likely be by other modes. Thus, it is reasonable to anticipate a national commitment to a public-private partnership with the nation’s railroads to remove rail bottlenecks and add capacity in order to improve the reliability of freight rail as part of the next Federal transportation authorization bill.

The point is, conclusions reached in the FTEIS based on then-current expectations and projections – from the late 1990s – are no longer valid. It is not prudent to recommend a TOL facility that has the effect of making marginal improvements in the performance of an inherently less efficient mode of transportation (i.e., trucks) rather than investment to improve the reliability and speed of an inherently more energy-efficient mode (e.g., rail).

6 - The Range of Alternatives Is Deficient. The FTEIS considered seven alternative strategies:

- 1 – No Build
- 2 – TSM/TDM
- 3 – Widen Existing I-70
- 4 – New Parallel Facility
- 5 – New Parallel Toll Road
- 6 – High-Occupancy Vehicle Lanes
- 7 – High-Speed Passenger Rail

Note that passenger rail was considered, but that freight rail was not. Note also that a parallel roadway facility was considered. By now considering a separate facility for trucks, the SEIS shifts the focus toward freight movement, but it does not give renewed consideration to other strategies for accommodating freight movement in the broader Kansas City to St. Louis corridor, specifically, strategies for diverting freight from I-70 to other modes on facilities in the corridor. Such strategies should include, at minimum, increased rail capacity in the corridor, as well as highway capacity management strategies (e.g., differential speed limits and lane restrictions). Thus, the range of alternatives considered by the SEIS is deficient.

7 - Opportunity Costs. We are concerned about two major kinds of opportunity costs – land and financial.

7a - Opportunity Costs – The Median as a Resource. If truck lanes are built in the extra wide median of a reconstructed I-70, that median would no longer be available for freight or passenger rail, or for any another mode of transportation. (MoDOT’s Chief Highway Engineer told us with optimism some ten years ago that the wide median would be available for some yet-to-be identified mode of transportation.) Truck lanes don’t measure up. High-speed passenger rail may or may not be feasible in the near term, but it should not be ruled out. The need for added capacity for freight rail across Missouri is certainly evident, and even if it’s not built entirely within the 200 miles of the median, there is potential for combining sections of the median with existing rail lines to create a new high-capacity cross-state rail corridor. That option needs to be considered.

7b - Opportunity costs – The money. With the Congressional “bailout” of the Highway Trust Fund last year, and with the inclusion of highway spending in the American Recovery and

Reinvestment Act, it should be evident that highway users no longer pay the full cost of the nation's highway system: a highly symbolic line has been crossed when general revenues are allocated to highways. When highways become even partly dependent on general revenues, they must compete with every other governmental purpose. This is especially significant in a time of unprecedented budget deficits, a national debt that now far exceeds \$10 trillion dollars, and a global warming crisis on the horizon that will require very significant investment in money and resources – or, more precisely, a very different investment of money and resources. The added \$500 million it would likely cost to build the TOL concept for I-70, compared with the six-lane concept, has to be considered in the context of the following question: What other use of half a billion dollars might make Missouri / the United States more energy-efficient, less reliant on foreign petroleum, and better prepared to mitigate or adapt to climate change?

8 - SEIS Scope is Too Narrow. The SEIS has the same deficiency as the earlier FTEIS in that it construes “environment” too narrowly. These studies have treated “the environment” as the footprint of the project, plus adjacent residents, businesses, and land. The studies do not consider the incremental impact of the proposed project on the broader regional environment – such as residents living within earshot of the highway and thereby subject to increased noise, along with air emissions from the higher levels of traffic that would be carried. Nor do they consider the impacts of energy use and greenhouse gas emission on the global environment. (There is a discussion of energy and related issues on pages 4-19 thru 4-20, but it is superficial and speculative in nature – a pro forma consideration that is subsequently ignored.) Reasonable consideration of these latter factors would indicate a much more rigorous study of the modal alternatives that the FTEIS summarily dismissed as inadequate.

9 - Safety – Benefits of Separation are Over-stated. Separating trucks from cars is a very appealing feature of the TOL concept to motorists, many of whom have felt intimidated by trucks. While the overwhelming majority of truckers observe the speed limit, a few drive well over the posted speed. The SEIS claims that separation will improve traffic safety (page 2-10): “(The TOL concept provides a greater improvement in safety) due mostly to the separation of trucks from general-purpose traffic that in turn reduces the frequency of crashes resulting from truck-car conflict points.” We submit that this is a serious flaw in reasoning. The SEIS identifies only three interchanges out of 56 that would have separate truck access ramps initially, with such ramps potentially justified at six others. Access to the 53 other exits would be via “slip ramps” whereby trucks would cross general purpose lanes and use the general purpose access ramps. The SEIS further indicates (page 3-7) that several exits might be served by a single set of slip ramps. The SEIS also appears to underestimate the level of use of such slip ramps as trucks make stops for refueling, food, and driver rest periods. Trucks would make dangerous moves across general purpose lanes during which cars would be in the truck driver's “blind spot.” Thus, the actual separation of trucks from cars will be significantly less than indicated in promotional material. In effect, trucks will have a separate facility and cars will still be in mixed traffic.

10 - Safety – Truck Speed Differentials. Furthermore, the SEIS gives no apparent consideration to the speed differential between trucks and cars, or between trucks operated by different companies. Several major trucking companies – YRC and Schneider National, to name just two – limit their trucks to 60 or 62 mph by company policy as a fuel conservation measure. Conflicts between 60 mph trucks crossing a stream of 70+ mph cars to reach an exit constitute a serious danger that cannot be denied.

6C

11 - Safety – Strategies Not Considered. Reducing truck-car conflicts is a desirable goal, but the SEIS considered only a separate facility alternative. The SEIS is seriously deficient in that it did not consider strategies for achieving that end as part of the six-lane alternative, such as a mandated lower speed limit for trucks, vigorous enforcement of truck speed limits, and restricting trucks to the outer lane except when passing. This strategy is used in Illinois and other states.

12 - Operating Costs. The SEIS estimates the annual operation and maintenance cost of the TOL concept at \$12 million, compared with \$10 million for the six-lane concept (Figure 2-5, page 2-9). O&M includes factors such as pavement maintenance, snow renewal, and pavement sweeping – costs that are directly related to pavement surface. We estimate total pavement surface to be at least 50 percent greater for the TOL concept (considering that there will be additional shoulder width as well as the slip ramps) than for the six-lane concept, and thus the difference in O&M costs would likely be greater.

13 - Natural Environment -- Wildlife. Unlike the Draft, the Final SEIS acknowledges a concern about wildlife (page 4-21): “There is concern about the increasing animal mortality rates (e.g. white-tailed deer) due to vehicular traffic, and the resulting property damage and potential animal and human injury that can occur. The median barrier separation between opposing directions of truck traffic proposed within the Truck-Only Lanes Alternative results in a barrier to wildlife crossings.” We consider the revised discussion to still be inadequate as it downplays the human consequences of increased crashes involving deer or other animals colliding with vehicles. As we stated in our March 16 comment, some percent of such collisions result in human injury or fatality, and additional crashes occur as vehicles swerve to avoid hitting wildlife.

14 - Natural Environment – Water quality. The SEIS identifies no additional impacts on water quality, even though runoff will be increased owing to the 50 percent or more increase in pavement surface for the TOL concept compared with the six-lane concept: eight travel lanes plus four sets of left and right shoulders compared with six travel lanes plus two sets of left and right shoulders.

15 - Indirect and Cumulative Impacts. The SEIS discusses indirect and cumulative impacts (pages 4-23 thru 4-26) in a superficial and speculative manner. The discussion might be characterized as, “Yes, there probably are some indirect and cumulative impacts.” That discussion is inadequate.

16 - Format of the SEIS. The format of the SEIS biases the reader to favor the TOL concept being studied. The SEIS is presented in an attractive format – perhaps overly attractive. When such a study is presented in this manner it’s easy to conclude that its purpose is to promote the TOL concept as much as to evaluate it. There are illustrations of how slip ramps are intended to function, for example, but there are no illustrations of the truck-car conflicts that will occur during actual operation as slower-moving trucks merge across general purpose lanes to get to and from on/off ramps. The appendices, including a promotional video, are included on a CD included with the study document. This presents accessibility problems to anyone not having access to a computer. In addition, there is no table of contents (other than the one-line titles on SEIS TOC) for the various technical memoranda on the CD. Thus, it’s necessary to scroll through each of the TMs in search of detail that might or might not be there.

17 - Public Comments. We note that the SEIS employed several strategies for getting public comments during the study, and that it is significantly better than the FTEIS in making public comments a part of the record. We appreciate that because we believe it is essential that the public gets to learn what the rest of the public is saying. An online comment period was provided during September, 2008, and the Sierra Club cooperated by providing a link to that site from our home page:

<http://missouri.sierraclub.org/FrontPage2008/trucklanes.htm>

18 - A Notable Public Comment. We call your attention to one very thoughtful online comment (Draft SEIS TM4, pages 78-79). We don't know who submitted it, and we don't know if it was submitted as a formal comment on the SEIS, but we believe it deserves full consideration as if it were submitted as such.

“Thank you for putting your I-70 Truck-Only-Lanes-across-Missouri study on your website and thereby making it easier for the public to comment on it. However, your Question #6 above doesn't provide enough options to choose from.

“A few years ago MoDOT received a Record of Decision approving its recommendation in its First Tier Environmental Impact Statement" (FTEIS) favoring rebuilding I-70 as a six-lane highway. Your new study apparently rejects that ROD. However, I am not convinced that in spite of the \$2 million FHWA grant to study the feasibility of Truck-Only Lanes across Missouri, that your Supplemental Environmental Impact Statement has justified overturning your previous conclusion, nor that this new SEIS is an adequate procedure for doing so. For one thing, you have not addressed the impact of the more extensive amount of pavement, nor the impacts of encouraging proportionately more big-truck traffic on Missouri's highways, bridges and roads. Although most folks would rather not have to share the highway with huge trucks, they may agree with me on the following reservations about your proposed Truck-Only Lanes:

-- Your proposal doesn't really separate trucks from cars at the most dangerous points, where trucks are changing lanes in order to enter or exit the highway. The same problem would occur if you put the car lanes in the middle rather than the outside lanes unless you provided entirely separate entrance and exit ramps for cars and trucks. But this would be even more expensive than what you are proposing, which itself is extremely expensive (\$3.4 billion).

-- That brings up my next question: Who is going to pay for this? At a time when taxpayers are being asked to go into another \$10,000 of debt per family to bail out the consequences of stock and bond mismanagement, on top of the debt we have already assumed during the last 5 years of war, it is asking a lot from taxpayers to also pay (and/or go further into debt) to bail out the mistakes of highway planners who willy-nilly built and expanded highways at the behest of suburban and ex-urban land-development interests rather than putting aside funds for maintaining the bridges and highways we already had, and rather than implementing strategies that would encourage smart growth. Even though tens of millions of dollars per year were moved from Missouri's general revenue to its highway building fund starting in 2005, we are again at a point where Missouri legislators are proposing an increase of 1% in the sales tax to pay for rebuilding I-70 and I-44. Such a sales tax would be collected statewide, but the “benefits” would be much more narrowly focused. Truckers already do not pay their fair share, based on the damage they do to the roads. They should be asked to pay for separate Truck-Only Lanes, by increasing weight fees and paying tolls for all or most of the cost.

-- Your original FTEIS gave short shrift to including rail in the I-70 corridor. Now, incredibly, even though the focus of your replacement plan is on moving freight, and even though the cost of truck fuel has doubled or tripled, your new SEIS still gives short shrift to rail. Rail is widely acknowledged to be far more energy- and resource-efficient than trucks. Given the challenge of "Climate Chaos," which is linked to increasing levels of carbon dioxide in the atmosphere (a direct result of burning fossil fuels for transportation and other purposes), I urge you to re-do your study to give adequate attention and priority to increasing freight rail across Missouri. I also urge you to revisit your projections of demand for long-distance freight. Future public policies that address Climate Chaos may encourage more local production of goods and thus less demand for long-distance freight."

19 - Closing Note. At the eastern edge of Pulaski County, just south of Interstate 44 and near the ghost town of Hooker, there's a three-mile segment of Historic Route 66. It's a four-lane divided highway built in the pre-interstate years, and has since been downgraded to a supplemental highway identified as Route Z. It's essentially a highway to nowhere. If Missouri embarks on building TOLs on I-70, it will likely have fragments of "truck-only lanes to nowhere" because it's unlikely that the entire 200 miles will ever be completed.

Thank for this opportunity to submit comments on the Final SEIS for I-70. We ask that these comments be incorporated into the Record of Decision.

Sincerely,



Virginia Harris, Chair
Missouri Chapter, Sierra Club
7164 Manchester Road
St. Louis, Missouri 63143

cc: Great Rivers Environmental Law Center

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File: 0809-695MO-7

**RE: Interstate 70 Corridor
Final SEIS Truck-Only Lane Strategy**

DA	
ADA	
Planning	
ROW	
Env Review	<input checked="" type="checkbox"/>
Env Pro	
Fin Mgr	
Fin Spec	
Fin Tech	
Bridge	
Civil Rights	
Safety	
Operations	
TE1	
TE2	
TE3	
TE4	

Peggy Casey
Environmental Projects Team Leader
Federal Highway Administration
3220 W. Edgewood, Ste. H
Jefferson City, MO 65109

Dear Ms. Casey,

The Osage Nation Historic Preservation Office received the Interstate 70 Corridor Final Supplemental Environmental Impact Statement notifying the Nation of the proposed Truck-Only Lane Strategy.

In accordance with the National Historic Preservation Act, (NHPA) [16 U.S.C. 470 §§ 470-470w-6] 1966, undertakings subject to the review process are referred to in S101 (d)(6)(A), which clarifies that historic properties may have religious and cultural significance to Indian tribes. Additionally, Section 106 of NHPA requires Federal agencies to consider the effects of their actions on historic properties (36 CFR Part 800) as does the National Environmental Policy Act (43 U.S.C. 4321 and 4331-35 and 40 CFR 1501.7(a) of 1969).

The Osage Nation has a vital interest in protecting its historic and ancestral cultural resources. **If it is determined that the proposed project will impact any of the potentially eligible archaeological sites, the Osage Nation requests an opportunity to review and comment on the chosen mitigation measures.** In addition, we request a copy of the Environmental Assessment for SIU 6.

Should you have any questions or need any additional information please feel free to contact me at the number and/or email address listed below. Thank you for consulting with the Osage Nation on this matter.


James Munkres
Archaeologist I

627 Grandview, Pawhuska, OK 74056, (918) 287-5328, Fax (918) 287-5376

Letter No. 7 – Osage Nation Historic Preservation Office

7A

Responses to Agency and Organization Comments

COMMENT CODE: 1A

SOURCE: United States Environmental Protection Agency

RESPONSE: The need for a market analysis of available housing replacement stock will be considered when right of way plans are developed.

APPLICABLE REFERENCE: None.

COMMENT CODE: 2A

SOURCE: Missouri Federal Assistance Clearinghouse

RESPONSE: Comment Noted.

APPLICABLE REFERENCE: None.

COMMENT CODE: 3A

SOURCE: U.S. Army Corps of Engineers

RESPONSE: Comments noted. Please see the Technical Memorandum 4, Comments and Coordination, for the study team's responses to the U.S. Army Corps of Engineer's comments on the Draft SEIS.

APPLICABLE REFERENCE: Technical Memorandum 4, Comments and Coordination, Letter No. 3 from U.S. Army Corps of Engineers, pages 18-19 and response to agency and organization comments, pages 50-52.

COMMENT CODE: 4A

SOURCE: Mid-America Regional Council

RESPONSE: The study team prepared the project cost estimates and operation and maintenance cost estimates using MoDOT guidelines and previous engineering experience and methodologies. The costs included in the SEIS are prepared at a planning level of detail and will be further refined as the project moves forward into the design phase and more detailed plans for the facility are developed.

Chapter 6 of the SEIS, page 6-4, addresses the issue that it is challenging to identify the true benefits of truck-only lanes since there are no dedicated highways for trucks today. Chapter 1, Purpose and Need, in both the SEIS and the Technical Memorandum 1, provides information on truck safety statistics; however, it is noted that since there is not a similar truck-only lanes facility open and in operation in the United States, that empirical safety and operational data does not

currently exist. National and international research, High Occupancy Vehicle design characteristics and engineering experience were used as guidelines when developing truck-only lanes facility preliminary design criteria. The criteria will be reviewed and final decisions will be made during the design phase of the project. MoDOT also has a research project underway that will help to develop safety and design criteria for truck-only lanes.

In addition, MoDOT is conducting a separate study to assess the financial and economic benefits that could be realized from the truck-only lanes facility as a supplement to the SEIS project. The benefit-cost analysis will provide project stakeholders, local communities along the corridor and business and trucking interests findings on what the benefits of a truck-only lanes facility could be for the state of Missouri and the I-70 Corridor.

APPLICABLE REFERENCE: Chapter 6, page 6-4 of the SEIS and Chapter 1, Purpose and Need, in both the SEIS and the Technical Memorandum 1. Supplemental studies currently in process by MoDOT.

COMMENT CODE: 4B

SOURCE: Mid-America Regional Council

RESPONSE: MoDOT will continue to coordinate with the Mid-America Regional Council on the project and its impacts to the Kansas City metropolitan area as the project moves forward into the design phase.

The SEIS provides flexibility on the ultimate truck-only lanes configuration within the Kansas City metropolitan area in order to incorporate emerging trends in freight movement and technology advances that could affect the configuration of the truck lanes, such as congestion management of the lanes during peak hours or different treatments for barriers/guard cables/rumble stripes for separation areas between trucks and general-purpose traffic lanes. Prior to the design of the facility, more detailed lane balance traffic analysis would be performed to determine the ultimate configuration. The SEIS does environmentally clear what the study team recommends is the ultimate number of lanes needed to adequately serve traffic operations along the corridor. In addition, the I-70 Corridors of the Future project is currently underway and will provide projections and analysis on the potential truck traffic on an I-70 multi-state truck-lane corridor.

APPLICABLE REFERENCE: The details regarding traffic analysis for the Truck-Only Lanes Strategy is included in Technical Memorandum 3, Tier 2 Evaluation, on pages 30-32. Pages 3-3, 4-18 and Figure 4-5 of the SEIS also describe the ultimate number of lanes cleared by urban section. Additionally, the ongoing I-70 Corridors of the Future study will provide multi-state truck traffic projections and analysis.

COMMENT CODE: 4C

SOURCE: Mid-America Regional Council

RESPONSE: MoDOT will continue to coordinate with the Mid-America Regional Council on the project and its impacts to the Kansas City metropolitan area as the project moves forward into the design phase.

APPLICABLE REFERENCE: None.

COMMENT CODE: 5A

SOURCE: Scenic Missouri

RESPONSE: Comment noted. Please see the Technical Memorandum 4, Comments and Coordination, for the study team's responses to Scenic Missouri's comments on the Draft SEIS.

APPLICABLE REFERENCE: Technical Memorandum 4, Comments and Coordination, Letter No. 12 from Scenic Missouri, pages 41-47 and response to agency and organization comments, pages 59-61.

COMMENT CODE: 5B

SOURCE: Scenic Missouri

RESPONSE: Comment noted.

APPLICABLE REFERENCE: Memorandum 3, Tier 2 Evaluation, pages 27-28, Appendix C and the Corridor Enhancement Plan, available upon request.

COMMENT CODE: 5C

SOURCE: Scenic Missouri

RESPONSE: MoDOT will continue to coordinate with Scenic Missouri and other project stakeholders on the I-70 project and its scenic characteristics and enhancements as the project moves forward into the design phase.

APPLICABLE REFERENCE: None.

COMMENT CODE: 5D

SOURCE: Scenic Missouri

RESPONSE: Comment noted. MoDOT is in the process of conducting a separate study to assess the financial and economic benefits that could be realized from the truck-only lanes facility as a supplement to the SEIS project. The benefit-cost analysis will provide project stakeholders, local communities along the corridor and business and trucking interests findings on what the benefits of a truck-only lanes facility could be for the state of Missouri and the I-70 Corridor.

APPLICABLE REFERENCE: None.

COMMENT CODE: 6A

SOURCE: Great Rivers Environmental Law Center on behalf of the Sierra Club

RESPONSE: Comment noted. Please see the Technical Memorandum 4, Comments and Coordination, for the study team's responses to the Sierra Club's comments on the Draft SEIS.

APPLICABLE REFERENCE: Technical Memorandum 4, Comments and Coordination, Letter No. 11 from Sierra Club, pages 36-40 and response to agency and organization comments, pages 55-59.

COMMENT CODE: 6B

SOURCE: Great Rivers Environmental Law Center on behalf of the Sierra Club

RESPONSE: The study team notes the reference to your comments from the Draft SEIS and feels that the comments were addressed within the Final SEIS. Please see the Technical Memorandum 4, Comments and Coordination, for the study team's responses to the Sierra Club's comments on the Draft SEIS.

APPLICABLE REFERENCE: Technical Memorandum 4, Comments and Coordination, Letter No. 11 from Sierra Club, pages 36-40 and response to agency and organization comments, pages 55-59.

COMMENT CODE: 6C

SOURCE: Great Rivers Environmental Law Center on behalf of the Sierra Club

RESPONSE: Comment noted. The study team has added a commitment within Appendix A of the Record of Decision to consider potential roadway and median design applications to improve wildlife crossing safety during the design phase of the project.

APPLICABLE REFERENCE: Record of Decision, Appendix A, page A-3.

COMMENT CODE: 7A

SOURCE: Osage Nation Historic Preservation Office

RESPONSE: Comment noted. A copy of the Improve I-70 Section of Independent Utility 6 Environmental Assessment will be sent to your organization.

APPLICABLE REFERENCE: None.