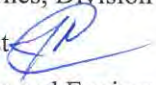


IOWA DEPARTMENT OF TRANSPORTATION

To Office	Federal Highway Administration	Date	September 5, 2008
Attention	Phil Barnes, Division Administrator	Ref No.	IM-029-3(67)52—13-78
From	Jim Rost 		Pottawattamie County
Office	Location and Environment		
Subject	Environmental Clearance		

Project Description: Segment 2 is one of five segments for the Council Bluffs Interstate System (CBIS) Improvements Project, as identified in the Tier 1 Environmental Impact Statement (EIS). Figure 1 illustrates the location of the five segments. The Tier 1 EIS evaluated potential impacts of the Improvements Project, and indicated that Tier 2 National Environmental Policy Act (NEPA) analysis would be subsequently performed and documented for each individual segment prior to construction. To minimize duplication of information provided in the Tier 1 Draft and Final EISs, portions of the documents are incorporated in this Categorical Exclusion (CE) by reference under 40 Code of Federal Regulations (CFR) 1502.21.

Segment 2 is located entirely in Pottawattamie County, Iowa, along Interstate 80 (I-80) and Interstate 29 (I-29) from west of the I-80/I-29 West System interchange eastward to roughly 13th Street and along I-29 from the I-80/I-29 West System interchange northward approximately 1.5 miles to just north of the Union Pacific Railroad (UPRR) bridge over I-29. Segment 2 includes the West System interchange, the 24th Street interchange, the bridges over Indian Creek, the UPRR overpass, and the Nebraska Avenue interchange (see Figure 2).

The Segment 2 Project would be a dual divided freeway through the I-80/I-29 overlap section (between the West and East System¹ interchanges). To meet future traffic needs, the overlap section would have five through lanes in each direction: two through lanes in each direction on I-80/I-29 Local and three through lanes in each direction on I-80 Express. There would also be auxiliary lanes in each direction on I-80/I-29 Local. The West System interchange would be fully reconstructed. In addition, the 24th Street and Nebraska Avenue interchanges would be reconstructed at their current locations.

The 24th Street interchange component of Segment 2 was evaluated for environmental impacts in a CE prepared and signed in 2006. The 24th Street bridge, as well as portions of 24th Street and ramps to and from the interstate, will be reconstructed in preparation for construction of additional lanes within the I-80/I-29 overlap section linking the West System interchange with the East System interchange. Construction at the 24th Street interchange began in the fall of 2007 and is scheduled to be completed by the fall of 2008.

To accommodate potential funding limitations, the Segment 2 Project may be implemented in two phases: the Ultimate Project and an Interim Project based on available funding. Figures 3A and 3B show the proposed lane configurations of the Ultimate Project, and Figures 4A and 4B illustrate the proposed configuration of the Interim Project. The Interim Project would provide partial construction of CBIS improvements in Segment 2 and in Segment 3 to the east. The focus would be on the I-80/I-29 overlap section and its connectivity to the West System interchange for Segment 2 and to the East System interchange for Segment 3. Within Segment 2, I-80 would be fully built and opened eastbound and

¹ The East System interchange is located in eastern Council Bluffs approximately 2 miles east of the West System interchange. This I-80/I-29 interchange is within Segment 3 of the CBIS Improvement Project; in this area, I-80 extends northeast toward Des Moines, and I-29 extends south toward Kansas City.

westbound, utilizing a dual divided section through the overlap section. Within the West System interchange, the existing westbound I-80 would be used as constructed. This roadway would be used by I-29 northbound traffic as well as traffic from 24th Street and South Expressway destined for westbound I-80. The Interim Project would provide the same number of lanes in the overlap section as for the Ultimate Project and would be configured to minimize construction not compatible with the Ultimate Project improvements. The Nebraska Avenue interchange and the UPRR overpass would not be constructed during the Interim Project; these features and the remainder of the Segment 2 and Segment 3 improvements would be constructed as the Ultimate Project. The timeframe between completion of the Interim Project and commencement of construction for the Ultimate Project is unknown and dependent on funding and prioritization with other transportation projects in Iowa.

A. Type of Project

The type of project is a CE, as described in 23 CFR 771.117, Section d(1). The determination of preparing a CE for the Segment 2 Project was made by the Federal Highway Administration (FHWA) and the Iowa Department of Transportation (Iowa DOT).

B. Public Involvement

Public involvement is not required for a project classified as a CE. However, a public meeting was held on October 11, 2005, at the start of Tier 2 for the Segments 1, 2, and 3 projects. The meeting was held from 4:00 to 7:00 p.m. at the Mid-America Center (MAC) at One Arena Way in Council Bluffs. The purpose was to update the public on the progress of the project as it moves into Tier 2 and to gather feedback. General comments pertained to aesthetics and landscaping, noise levels and abatement measures, objection to the dual divided concept, potential impacts on adjacent structures, protective barriers, and signage. Comments specific to Segment 2 included a preference for reconstructing the I-29/Nebraska Avenue interchange rather than relocating the interchange to 23rd Avenue, potential pedestrian connection between the Council Bluffs Recreation Complex/Western Historic Trails Center and the MAC area, and road signage.

Another public meeting was held on June 23, 2008, from 6:00 to 8:00 p.m. at the MAC. This meeting was held primarily to discuss the phasing of the Segment 2 project and began with a presentation by Iowa DOT. The presentation included a summary of public involvement to date, an explanation of the improvements included in the Interim Project and when construction is scheduled, and when the Ultimate Project might be completed. Most of the questions from the public focused on construction of the Interim Project and what traffic problems it would solve. There were also some questions pertaining to the timing of real estate acquisition. There was some concern expressed that the Interim Project would increase congestion around the MAC, especially if the city of Council Bluffs could not improve the roads around the MAC.

The majority of written comments received requested that the 9th Avenue/Harrah's Boulevard interchange (part of Segment 4) be kept open. Although some comments requested that an interchange be constructed at 23rd Avenue to replace the interchange at Nebraska Avenue, the decision to reconstruct Nebraska Avenue interchange was made during the initial phase of the Tier 2 study for Segment 2. Another comment requested consideration of constructing a noise barrier.

C. Noise

A noise study was conducted to assess traffic noise impacts projected to occur based on the proposed increase in the number of lanes in Segment 2 (HDR, June 2008). Noise levels from existing traffic were monitored at seven locations on January 19, 2006, and were used to calibrate the noise model for existing

(2005) and future (2030) traffic.² Traffic noise is projected to approach, meet, or exceed Noise Abatement Criteria (NAC) for 36³ identified receivers along the Segment 2 Project in the year 2030 (see Table 1). However, if the overlap section were not constructed as proposed, 36 receivers would also incur traffic noise levels that would approach, meet, or exceed the NAC.

Table 1
Summary of Receiver Impacts

NAC Class	Receiver Types		2005 Existing	2030 No-Build	2030 Build
C	Commercial	Meet or Exceed Standard	0	0	1
		Approach Standard	0	1	0
R	Residential	Meet or Exceed Standard	9	31	30
		Approach Standard	8	4	5

Noise barriers were considered for mitigating noise impacts related to the Segment 2 Project. According to Iowa DOT policy 500.07 on Highway Traffic Noise Analysis and Abatement (May 2007), noise barriers are feasible when terrain, access, safety, or other physical constraints do not preclude them and where they can provide at least 5 A-weighted decibels (dBA) of noise reduction. A reasonable cost per residence benefited is \$35,000, based on 2007 costs. Two locations where noise levels approached, met, or exceeded the NAC were reviewed for a noise wall: one location north of I-80/I-29 and west of Indian Creek, and a second location⁴ south of I-80/I-29 and east of the 24th Street interchange (see Figures 5A and 5B). The cost of the barriers was determined to be not reasonable for both locations.

In addition, a noise wall north of I-80/I-29 and east of Indian Creek was evaluated for the Segment 3 Project. This wall was found to be feasible and reasonable and will reduce traffic noise levels by at least 5 dBA for the few impacted receivers in Segment 2 located in this area.

D. Air Quality

The Omaha-Council Bluffs metropolitan area and Pottawattamie County are currently in attainment with national and state ambient air quality standards. Therefore, the project complies with both Iowa's State Implementation Plan for attaining the National Ambient Air Quality Standards (NAAQS), which contains no transportation control measures and also complies with the conformity requirements for the Clean Air Act Amendments of 1990. Short-term air quality impacts associated with dust and equipment emissions during construction are controlled by standard contract and equipment specifications.

Short-term increases of particulate levels are expected during the period of project construction. No long-term air quality impacts are anticipated to occur. This project will not result in any meaningful changes in traffic volumes, vehicle mix, location of the existing facility, or any other factor that would cause an increase in emissions impacts relative to the No-Build Alternative. As such, FHWA has determined that this project will generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special mobile source air toxics (MSAT) concerns. Consequently, this effort is exempt from analysis for MSATs.

Moreover, U.S. Environmental Protection Agency regulations for vehicle engines and fuels will cause overall MSATs to decline significantly over the next 20 years. FHWA predicts MSATs will decline in

² Projected traffic volumes for 2005 and 2030 were provided by Iowa DOT.

³ Two additional residential receivers also exceeded the NAC, but have been acquired by the state of Iowa in order to facilitate the Segment 2 Project.

⁴ Two options for noise walls of different length were considered at this location.

the range of 57 percent to 87 percent, from 2000 to 2020, based on regulations now in effect, even with a projected 64 percent increase in vehicle miles traveled (VMT); this will both reduce the background level of MSATs as well as the possibility of even minor MSAT emissions from this project.

E. Right-of-Way and Displacement Impacts

The boundary of the preliminary impact area⁵ needed for construction of Segment 2 includes 178 acres of property not within the existing Iowa DOT right-of-way (ROW) corridor. The preliminary impact area boundary indicates the area potentially affected by construction activities and is not an actual ROW boundary requiring acquisition of all land within the boundary.

Two residential properties east of Indian Creek (2824 S. 13th Street and 2832 S. 13th Street) were identified for acquisition (see Figures 5A and 5B) and have been purchased by Iowa DOT and offered as rentals until approximately a year before construction commences. Acquisition followed the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act) (42 USC 4601 et seq.), and the Iowa relocation assistance law (Iowa Code, Chapter 316). The guidelines used by Iowa DOT for carrying out the provisions contained in the Uniform Act are contained in Iowa DOT's Relocation Assistance and Advisory Services brochure (Iowa DOT, May 13, 1999).

F. Cultural Resources

Archaeological and historic structure surveys were performed for the Area of Potential Effect (APE) of the Segment 2 Project. The archaeological survey (Rogers, April 2006) identified eight sites in Segment 2, but none were determined to be eligible for listing on the National Register of Historic Places (NRHP). The State Historical Society of Iowa concurred with the findings of the archaeological report and indicated that the Segment 2 Project would have no effect on historic properties.

A total of 43 properties, some with multiple individual resources, were evaluated along the Segment 2 study corridor (Nash, July 2006). However, no property was found to have the level of significance and historical integrity necessary for eligibility for listing on the NRHP. This area of the interstate system was constructed in the late 1960s into the early 1970s and has not been identified as an exceptional component of the system eligible for listing on the NRHP. Based on no response provided within 30 days, as determined in an agreement between the Iowa State Historic Preservation Office (SHPO) and Iowa DOT, the Iowa SHPO historian is assumed to concur with the finding that no historic properties in Iowa would be affected by the Build Alternative.

G. Threatened and Endangered Species

Early project coordination during the CBIS Tier 1 NEPA process was initiated with the U.S. Fish and Wildlife Service (USFWS), the Iowa Department of Natural Resources (Iowa DNR), and the Nebraska Game and Parks Commission (NGPC). This coordination identified 11 potential threatened or endangered (T&E) species that may occur within the CBIS Study Area, including area in Nebraska that would be disturbed only for Segment 1. Habitat surveys for the species were performed within the area of potential impact for Segments 1, 2, and 3 on July 7 and 8, 2005. Potential habitat areas within Segment 2 were reviewed for species habitat and the presence of the species. During the surveys, potential habitat for 4 of the 11 listed species was noted within the Segment 2 preliminary impact area: the eastern massasauga rattlesnake, western prairie fringed orchid, bald eagle, and Indiana bat. Findings

⁵ The "area of potential impact" determined during Tier 1 was used to determine the extent of the areas evaluated for Segments 1, 2, and 3 during environmental field surveys conducted in 2005 and 2006. The area in which direct impacts from the Segment 2 Project are now thought to occur is known as the "preliminary impact area" and is slightly smaller than the 2005 "area of potential impact."

of these surveys are documented in the CBIS Segments 1, 2, and 3 Threatened and Endangered Species Survey Technical Memorandum (CH2M Hill, January 2006).

Based on the July 2005 survey findings and in consideration of the proposed project, a Biological Evaluation (BE) for CBIS Segments 1, 2, and 3 was prepared to document the analysis of potential effects of the project on T&E species and their habitat (Iowa DOT, May 2006). The BE resulted in a May Affect – Not Likely to Adversely Affect Determination of Effect for species in the three project segments. No critical habitat would be affected by the Segment 2 Project, and none is present within the preliminary impact area. In an August 30, 2006, letter to Iowa DOT, USFWS concurred that the project is not likely to adversely affect threatened and endangered species. Clearing and grubbing would occur from October to January to accommodate the tree removal period recommended to avoid the roosting and foraging time frame of Indiana bats, roosting and nesting period of bald eagles and the time frame for nesting migratory birds.

H. Wetlands

Wetland delineations, in accordance with the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory, 1987), were performed for the area of potential impact of the Segments 1, 2, and 3 projects in August and September 2005. Findings of the 2005 wetland delineations are documented in the CBIS Wetland Technical Memorandum for Segments 1, 2, and 3 (HDR, February 2006).

Figures 5A and 5B show the locations of delineated wetlands and stream channel. The wetland west of the levee by the Western Historic Trails Center (WHTC) museum/visitor center is within the jurisdiction of the U.S. Army Corps of Engineers (USACE) Omaha District, and the remaining wetlands are within the jurisdiction of the USACE Rock Island District. Approximately 13 wetland acres and 564 linear feet of stream channel lie within the Segment 2 Project preliminary impact area; these areas will be permanently impacted by the Segment 2 Project.

Due to the anticipated timing of the Interim Project versus the Ultimate Project, it is possible that one USACE Permit governed by Section 404 of the Clean Water Act (with Section 401 certification from Iowa DNR) would be required for the Interim Project, and another permit would be needed prior to completion of the Segment 2 Project. Coordination with both USACE Omaha District and USACE Rock Island District will occur to determine how the Segment 2 Project would be permitted and whether one district would issue the permits for the project. The I-29 Northbound exit loop ramp at Nebraska Avenue (see Figure 2) contains the largest wetland in Segment 2 and would not be disturbed under the Interim Project. In order to receive USACE permit authorization, wetland resources would be avoided to the extent practicable according to Clean Water Act Section 404(b)(1) guidelines. The following practices would minimize impacts on wetlands and other waters of the U.S.:

- Implement proper upslope erosion control measures, including the use of silt fence and vegetative cover, to minimize the extent of fill impacts and unnecessary erosion in areas where fill material would be placed in waters of the U.S.
- Keep heavy equipment outside of delineated wetlands whenever feasible to minimize soil compaction and damage.
- Prepare, and abide by, a storm water pollution prevention plan (SWPPP) in compliance with National Pollutant Discharge Elimination System (NPDES) regulations.
- Design the modified/expanded I-80/I-29 crossing of Indian Creek to match the current layout of existing piers; therefore, resulting in no adverse affects to Indian Creek.

Where impacts on jurisdictional aquatic resources cannot be avoided, mitigation will be provided at a ratio deemed appropriate by USACE. Mitigation would occur in the form of on- or off-site wetland creation, restoration, or enhancement, or from the purchase of certified wetland mitigation credits from a wetland mitigation bank.

I. Parkland Impacts

One public park (Westwood Park) and four public recreation areas (the Westwood Park Golf Course, WHTC, Council Bluffs Recreation Complex, and Dodge Riverside Golf Club) have been identified within or adjacent to the Segment 2 Project area of potential impact (see Figures 5A and 5B). Potential impacts on these properties were evaluated in detail as part of the Iowa DOT/FHWA Section 4(f) Decision Process and are documented in two memoranda (HDR, February 15, 2006; and HDR, December 7, 2007). Activities at and access to Westwood Park, the Westwood Park Golf Course, the Council Bluffs Recreation Complex, and the Dodge Riverside Golf Course would not be impacted by the Segment 2 Project. With the exception of the WHTC, all of the parks and recreation areas are outside the Segment 2 preliminary impact area. The following is a summary of potential impacts on the WHTC.

Western Historic Trails Center

The WHTC is owned and operated by the State Historical Society of Iowa and encompasses 423 acres, of which 72 acres are leased to the City of Council Bluffs for a recreation complex. The WHTC is considered a multiple-use facility that has recreational, interpretive, educational, and museum-related activities. The Iowa Riverfront Trail extends from the museum/visitor center west and then north beneath the I-80 bridge, and the WHTC Trail extends from the center east along the boundary of the WHTC and the recreation complex (see Figures 5A and 5B). The WHTC also contains a 0.5-mile hiking trail that traverses Missouri River bottomlands west of the museum/visitor center.

Approximately 57 acres of the WHTC, adjacent to I-80 and I-29, would be incorporated into the interstate system. Of the estimated 57 acres, approximately 17 acres is restored prairie; the remainder of the area includes a portion of the former Indian Creek levee system and a wooded area west of the USACE Missouri River levee system (Figure 5A shows the levee systems). The WHTC plans to introduce a bison family unit to selected areas of restored prairie within the WHTC. A study is underway to evaluate the feasibility of the bison unit concept. The initial concept is to divide the converted prairie into four paddock areas and introduce a family unit of three to five bison. The four paddock areas would have different methods of prairie maintenance, including burning, mowing, and grazing; the bison unit would be rotated between the four areas. An area northeast of the museum/visitor center is being considered as a herd management area for the bison.

As explained in the memorandum documenting the evaluation of potential impacts to Section 4(f) properties (HDR, December 7, 2007), the recreational experience of the WHTC museum/visitor center and trail systems is not anticipated to be diminished by the Segment 2 Project. Noise and vibration levels are not expected to have an adverse impact on WHTC recreational areas, nor is there anticipated to be an adverse aesthetic impact. Ecological intrusion would also be minimal. Access to the WHTC will not be restricted during the Segment 2 Project.

Section 4(f) Resources

Because public parks and recreational properties qualify as resources protected by Section 4(f) of the U.S. Department of Transportation Act, these properties (other than the Westwood Park Golf Course, which is not publicly owned and has a short-term lease) were also evaluated for potential Section 4(f) direct use and constructive use impacts. There are no wildlife or waterfowl refuges in the Segment 2 preliminary impact area or historic or archaeological properties that would qualify as Section 4(f) properties. No acquisition of any property qualifying for Section 4(f) protection would occur. Although some property

of the WHTC would be acquired, FHWA determined that the acreage to be acquired is not eligible for protection under Section 4(f) because the area's primary function is not to act as a recreation area or wildlife or waterfowl refuge. Consequently, there is no direct use of Section 4(f) properties. No constructive use impacts were determined to occur because no substantial impairment of the use of the properties would occur from construction on and use of nearby land. Although the acquisition of approximately 57 acres of WHTC land would not result in an impact on Section 4(f) property, identification and implementation of suitable mitigation for the loss of land is being addressed through discussions with representatives from the WHTC, State Historical Society of Iowa, and National Park Service. A Memorandum of Agreement will be prepared to document the agreed upon impact minimization and mitigation measures to be implemented.

The Iowa Riverfront Trail, WHTC Trail, and other designated and marked trail paths at the WHTC are located outside of the preliminary impact area and will not be impacted by the Segment 2 Project. The Indian Creek Trail is paved and traverses beneath the existing I-80/I-29 bridges over Indian Creek (see Figures 5A and 5B). A segment of trail approximately 700 feet long will be reconstructed to account for the pier configuration of the new bridges and will be located approximately 15 feet east of the existing trail. During construction of the pier foundation, a temporary paved trail connection would be constructed beneath the bridges to allow trail continuity. Short-term closures of the trail will occur during installation of piers and girders for the new bridges; the temporary occupancy of the trail will be coordinated with the Council Bluffs Department of Public Property and Recreation. Consequently, there would be no direct or constructive use of trails as Section 4(f) resources.

J. Water Quality

Within the Segment 2 preliminary impact area, the Segment 2 Project will span Indian Creek approximately 3 miles from its confluence with the Missouri River. Also, surface water from a portion of land northwest of the 24th Street interchange will discharge to the Missouri River through the WHTC via a reconstructed drainage system of the former pathway of Indian Creek. Figure 5A shows the former levee system of Indian Creek, and Figure 5B shows the current levee system of Indian Creek.

No significant water quality impacts are expected to result from the Segment 2 Project. An Iowa DNR database of registered private wells was accessed to determine wells located in the Segment 2 study area. A field survey was conducted, and no wells were located within the preliminary impact area. An NPDES Construction General Permit (CGP) would be obtained from Iowa DNR for the Interim Project and for subsequent construction for the Ultimate Project. In addition to standard erosion control construction specifications in the CGP, a Storm Water Pollution Prevention Plan (SWPPP) will be developed and implemented to limit sedimentation within Indian Creek and the former Indian Creek drainage.

K. Floodplains

The Segment 2 Project alignment is near the Missouri River and crosses Indian Creek. Based on a review of Flood Insurance Rate Maps published by the Federal Emergency Management Agency (FEMA), it was determined that the Segment 2 Project preliminary impact area crosses the Missouri River 100-year floodplain, with approximately 18 acres of transverse encroachment (see Figures 5A and 5B). Reconstruction of the West System interchange will involve placing fill within the Missouri River floodplain and relocating a segment of the Missouri River 100-year levee within the WHTC slightly to the southwest. The existing roadway embankment of I-80 serves as a levee of a 100-year flood, and the 100-year levee extends from the northwest corner of the levee associated with the former Indian Creek drainage located south of the I-80/I-29 West System interchange (and extending east parallel to I-80/I-29 along the southern boundary of the levee) and connects to the USACE 100-year levee that is approximately 2,500 feet east of the Missouri River. The relocation of the USACE levee will require an expansion of the seepage berm that would be connected to the rebuilt drainage berm of the former Indian

Creek drainage system. The area where the berm would be expanded is on the river side of the levee within the Missouri River floodplain, and development of this land is consequently limited.

This portion of the levee is in an ineffective flow area of the 100-year floodplain. Any relocation and reconstruction of the 100-year levee and roadway serving as a Missouri River levee requires approval by USACE. Discussions with USACE for approval of the levee system relocation have involved a review of preliminary plans and will continue as the design is further developed. A no-rise condition was determined for work on Segment 1, which involves construction of a bridge over the Missouri River. Because none of the work associated with Segment 2 is in the floodway, no additional no-rise modeling is necessary. A portion of the preliminary impact area at the Union Pacific Railroad bridge over the Missouri River extends west of the bike path to the river side of the levee. There is no grading or changes to the railroad bridge abutment planned, and there will be no changes to the floodplain or floodway.

The Indian Creek floodplain is contained within the existing levee system. Construction would occur within the limits of the Indian Creek 100-year floodplain (approximately 4 acres of transverse encroachment) and within the floodway. Construction would occur in stages to prevent detours; four bridges will be constructed and the two existing bridges would be removed. In a configuration similar to the existing bridges, the new bridges will be constructed on top of the levees and will have piers within the floodway. It is expected that a no-rise condition can be obtained, although it may be necessary to mitigate for the proposed piers with minor channel modifications. Minor modifications of the Indian Creek levees for construction of the bridges would be performed but would not affect the integrity of the levee or the floodplain surface.

Missouri River and Indian Creek floodplain encroachment is unavoidable, but any rise in the 100-year flood elevation would be less than 1 foot and therefore would not be significant. The work within both floodplains and levee systems is anticipated to occur during the Interim Project; the Ultimate Project would only involve work in the Missouri River floodplain. The Indian Creek crossing would be designed to pass a 100-year flood flow with adequate clearance under the bridge structures; a no-rise condition will be documented. While the Segment 2 Project will require construction activities and emplacement of fill within the Missouri River and Indian Creek floodplains, the Segment 2 Project will not fundamentally alter the floodplains' capacities⁶ and is therefore compatible with applicable FEMA regulations. A joint application for an Indian Creek floodplain development permit (including no-rise certification) and Iowa Sovereign Lands permit as well as a joint application for a Missouri River floodplain development permit and Iowa Sovereign Lands permit will be submitted to Iowa DNR; the permits will be acquired prior to construction. A permit extension could be needed to address construction in the Missouri River floodplain as part of the Ultimate Project. The extension could require some additional permit revisions to account for any changes due to modeling of Missouri River flood stages or regulatory changes.

L. Farmland Protection

The Segment 2 Project is exempt from the requirements of the Farmland Protection Policy Act (FPPA), including contacting the U.S. Department of Agriculture Natural Resources Conservation Service and completing an AD Form 1006 (Farmland Conversion Impact Rating) because the project is located within the "official planning area" (i.e., land that is already in or committed to urban development) of Council Bluffs. Such land does not qualify as farmland (7 CFR 658.2(a)).

⁶ Although fill will be added within the Indian Creek floodplain, more material will be removed than placed, thus increasing floodplain capacity.

M. Regulated Material Sites

A Phase I Environmental Site Assessment (ESA) was performed for properties within the area of potential impact for CBIS Segments 1, 2, and 3 (HDR, February 2006). Publicly available environmental records were identified for the properties and compiled by Environmental Data Resources (EDR); a field survey was conducted to confirm property locations and identify other potential properties that generate, store, and transport regulated materials. Twenty-five (25) sites with recognized environmental conditions (RECs) were noted in the Segment 2 Project area of potential impact. Using Iowa DOT risk criteria, only four of the RECs were categorized as moderate- or high-risk sites (see Table 2 and Figures 5A and 5B); the remaining sites were considered minimal- or low-risk sites and required no further evaluation.

Table 2
Moderate- or High-Risk RECs within the Segment 2 Project Area of Potential Impact

Facility Name	Identified in EDR Record Review ¹	Identified or Verified in Field Review ¹	Location	Findings	Conclusion
Omaha Lead Site	No	Yes	I-80 and I-29	Superfund site	Based on detected concentrations, no further action was recommended
Warren Distribution	Yes	Yes	I-80/I-29	Location of various spill sites, and potential for hazardous material releases	Based on detected concentrations, no further action was recommended
Eddy's #2713 (Conoco)	Yes	Yes	S. 24 th Street/ I-80/I-29	Unclassified LUST site	Design occurs within existing ROW, so no impacts are predicted
Former Amoco Station #5679 (I-80 Tobacco and Liquor)	Yes	Yes	S. 24 th Street/ I-80/I-29	Iowa DNR high-risk site	Design occurs within existing ROW, so no impacts are predicted

Notes:

LUST – Leaking Underground Storage Tank

¹ Sites not identified in the EDR report were identified and verified in the field, and those identified by EDR databases were verified during field reconnaissance.

N. Construction/Detour Impacts

Detours during construction of the Segment 2 Project would be minimal. Construction impacts of the 24th Street project were previously addressed in a separate CE.

The Ultimate Project would involve reconstruction of the UPRR overpass and the Nebraska Avenue interchange. The UPRR overpass will be constructed in stages by using a shoofly (temporary bridge) to the south of the existing overpass. The Nebraska Avenue interchange will also be constructed in stages, similar to the process being used for the 24th Street interchange. Some detours associated with occasional ramp closures for the interchange would be needed, but no detours would be required for I-29. The UPRR overpass and the Nebraska Avenue interchange would not be constructed during the Interim Project, so impacts attributed to their construction would not occur for several years.

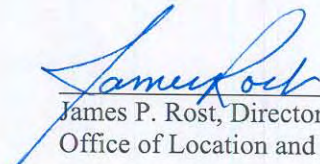
Construction of temporary and permanent connections to existing and new roadways, ramps, and bridges will occur during the Interim Project, and the Ultimate Project will establish permanent connections. The construction of the Interim and Ultimate Projects is not expected to significantly affect traffic along the interstate as well as in the commercial area north of I-80/I-29 in Segment 2.

O. Cumulative Impacts

The overall cumulative impact of the proposed action and the consequences of subsequent related actions were evaluated in the Tier 1 EIS and were not considered to be collectively significant.

P. Consistency

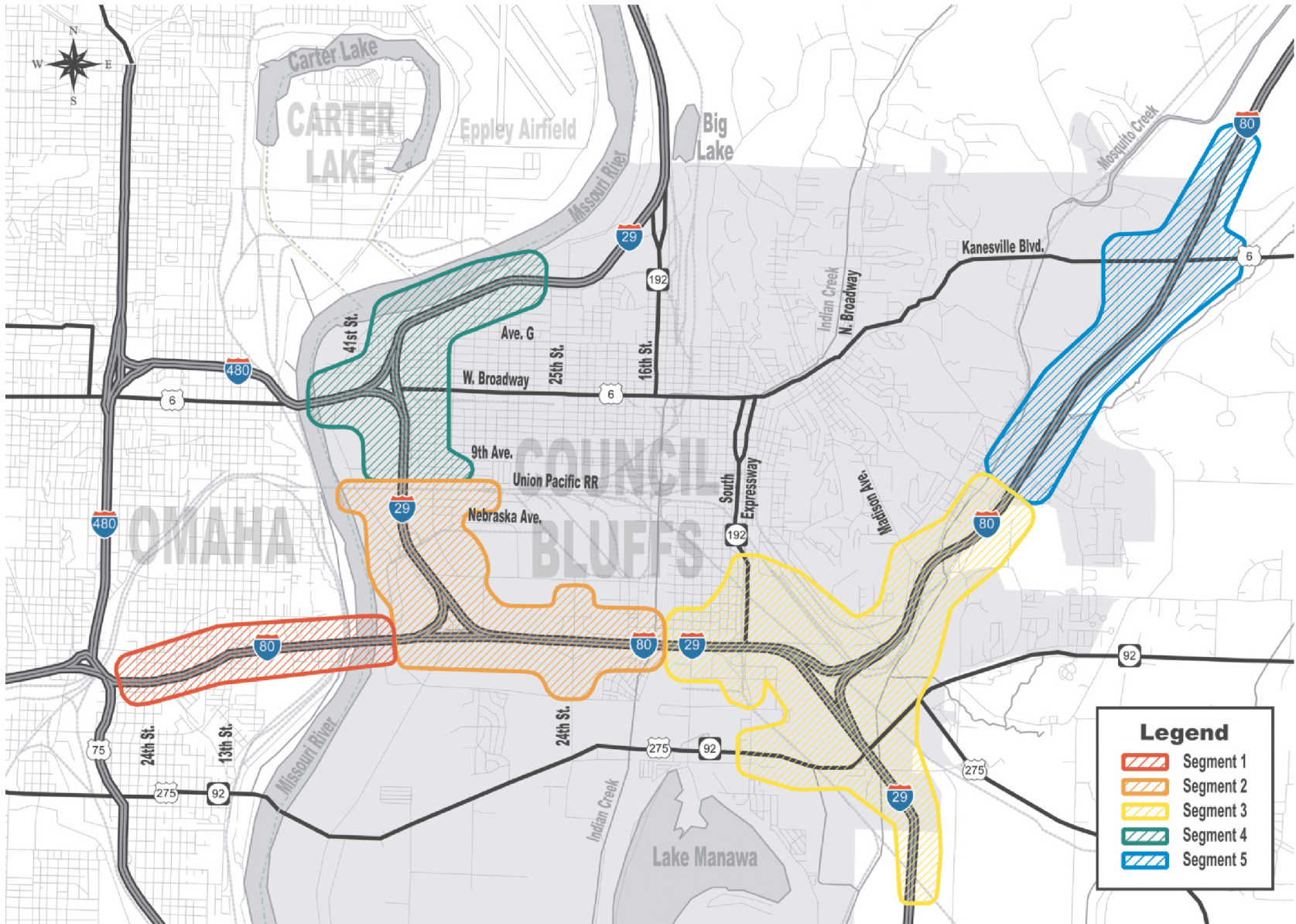
The proposed project will be consistent with federal, state, or local law or administrative determination relating to the environment and with community plans.


James P. Rost, Director
Office of Location and Environment

CONCUR: 

DATE: 9-9-08

For the Division Administrator
Federal Highway Administration



Project Segments



Council Bluffs Interstate System Improvements Project
Council Bluffs, IA and Omaha, NE

DATE

July 2008

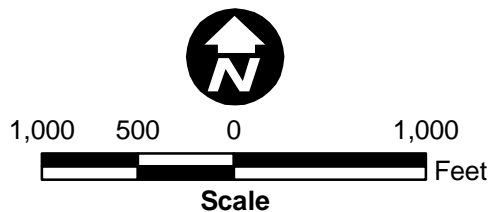
FIGURE

1

Z:\Projects\IDOT\339-134_CB_Interstate\Software\ArcGIS\ArcView81\MXD\CBIS_Segment2_Project_Area.mxd\july08\jcm



Legend
 Preliminary Impact Area



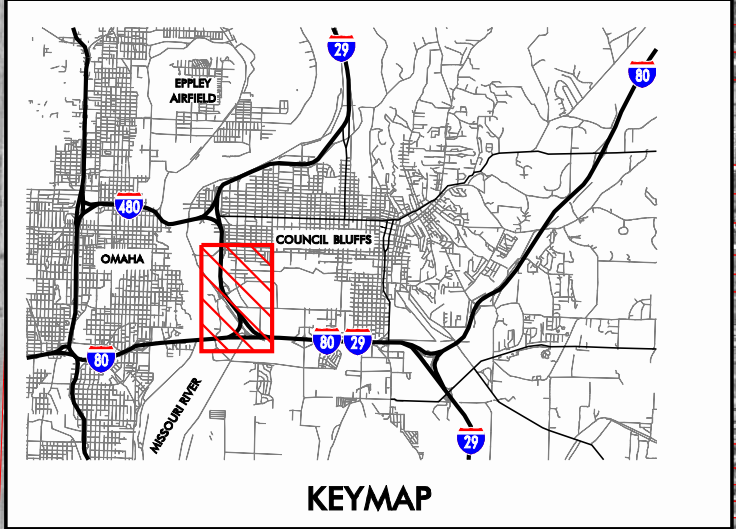
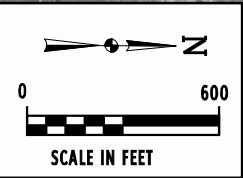
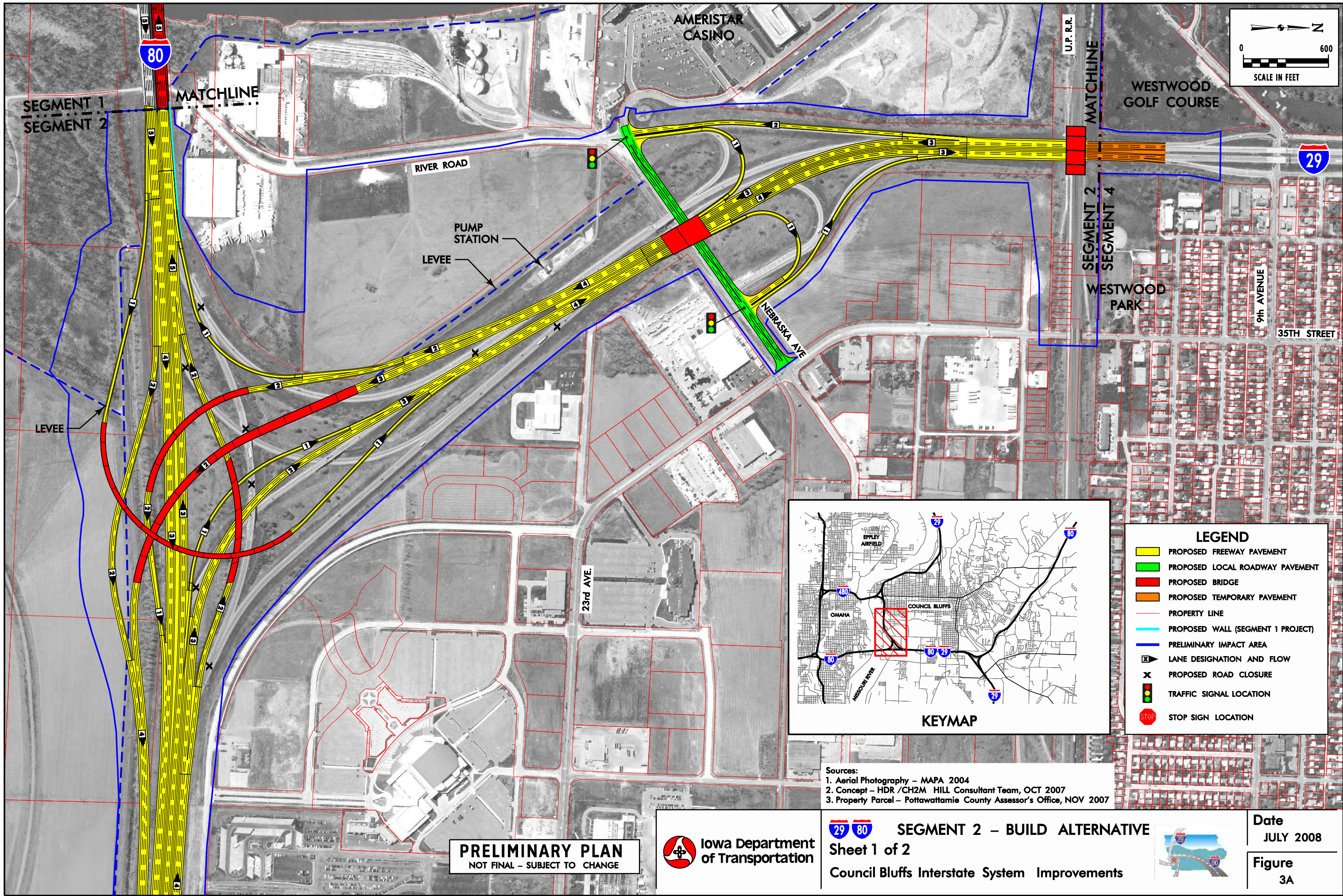
Source:
Aerial Photography - MAPA, 2004



**Project Area and Features
Segment 2 - Categorical Exclusion**

Council Bluffs Interstate System Improvements Project
Council Bluffs, IA and Omaha, NE

DATE	July 2008
FIGURE	2



LEGEND

- PROPOSED FREEWAY PAVEMENT
- PROPOSED LOCAL ROADWAY PAVEMENT
- PROPOSED BRIDGE
- PROPOSED TEMPORARY PAVEMENT
- PROPERTY LINE
- PROPOSED WALL (SEGMENT 1 PROJECT)
- PRELIMINARY IMPACT AREA
- X LANE DESIGNATION AND FLOW
- X PROPOSED ROAD CLOSURE
- 🚦 TRAFFIC SIGNAL LOCATION
- STOP STOP SIGN LOCATION

Sources:
 1. Aerial Photography - MAPA 2004
 2. Concept - HDR /CH2M HILL Consultant Team, OCT 2007
 3. Property Parcel - Pottawattamie County Assessor's Office, NOV 2007

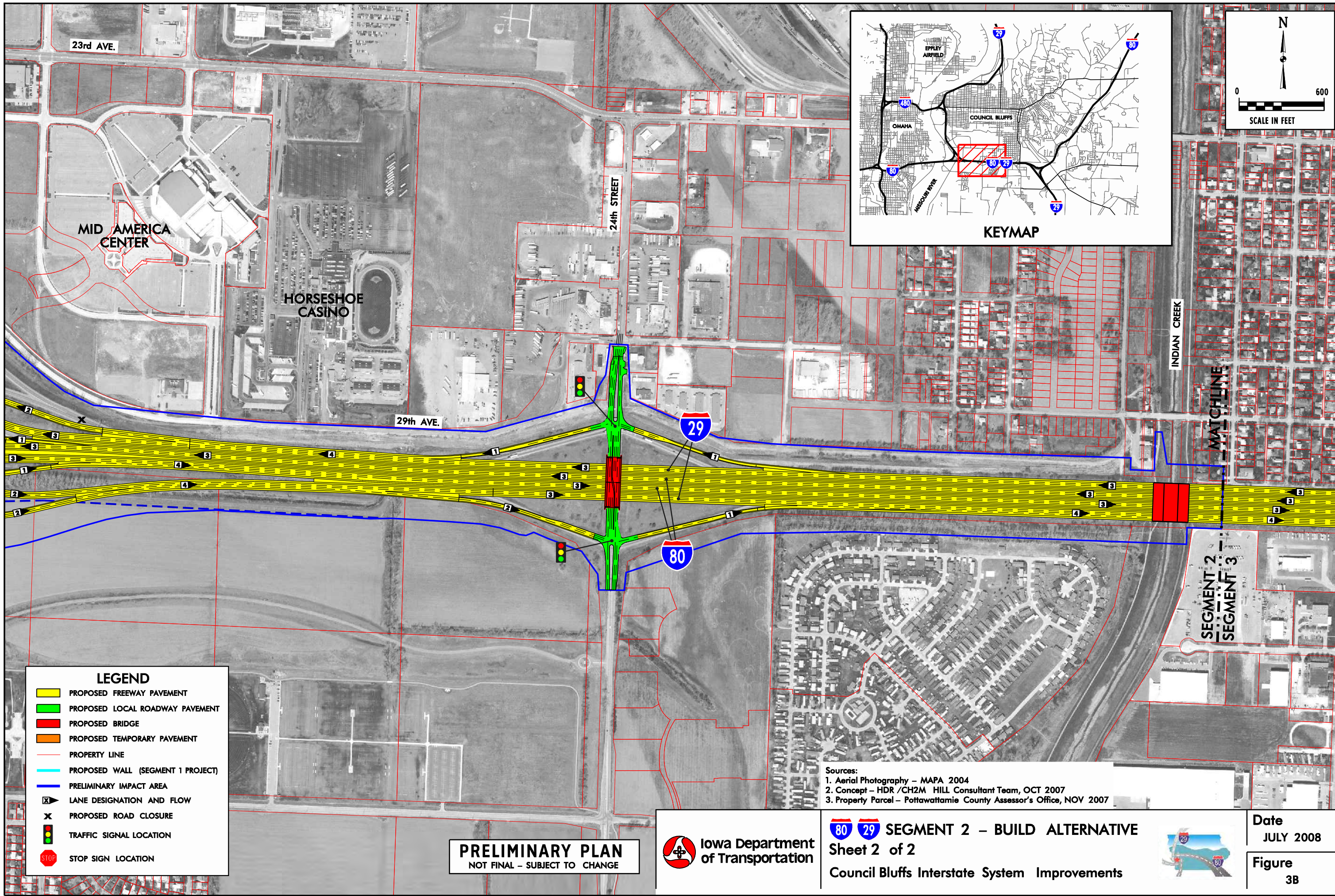
PRELIMINARY PLAN
 NOT FINAL - SUBJECT TO CHANGE



SEGMENT 2 - BUILD ALTERNATIVE
 Sheet 1 of 2
 Council Bluffs Interstate System Improvements



Date
 JULY 2008
 Figure
 3A



23rd AVE.

MID AMERICA CENTER

HORSESHOE CASINO

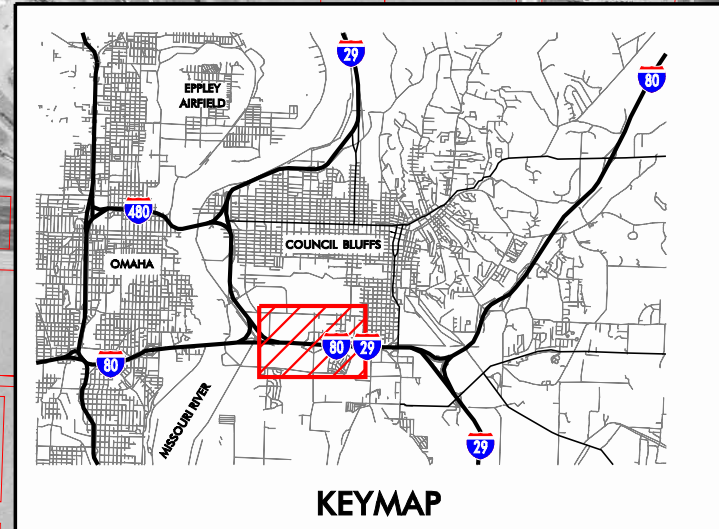
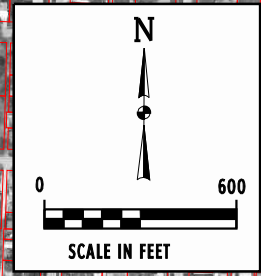
24th STREET

29th AVE.

INDIAN CREEK

MATCHLINE

SEGMENT 2
SEGMENT 3



LEGEND

	PROPOSED FREEWAY PAVEMENT
	PROPOSED LOCAL ROADWAY PAVEMENT
	PROPOSED BRIDGE
	PROPOSED TEMPORARY PAVEMENT
	PROPERTY LINE
	PROPOSED WALL (SEGMENT 1 PROJECT)
	PRELIMINARY IMPACT AREA
	LANE DESIGNATION AND FLOW
	PROPOSED ROAD CLOSURE
	TRAFFIC SIGNAL LOCATION
	STOP SIGN LOCATION

PRELIMINARY PLAN
NOT FINAL - SUBJECT TO CHANGE

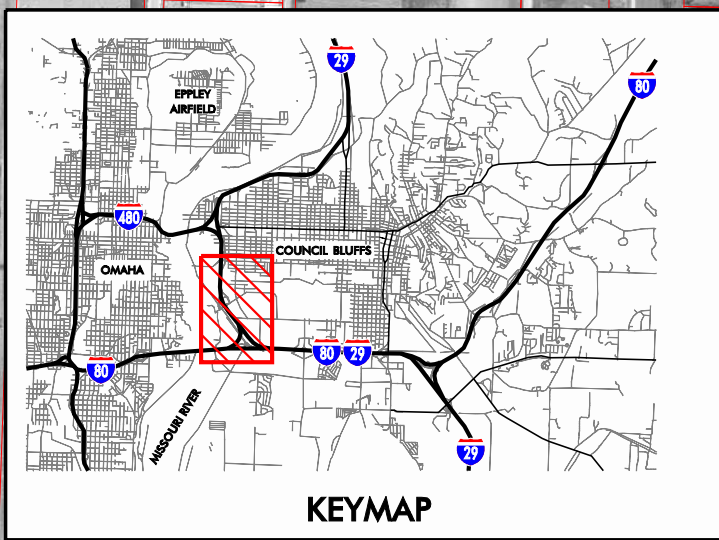
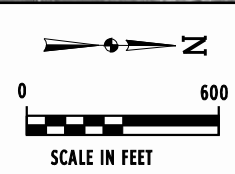
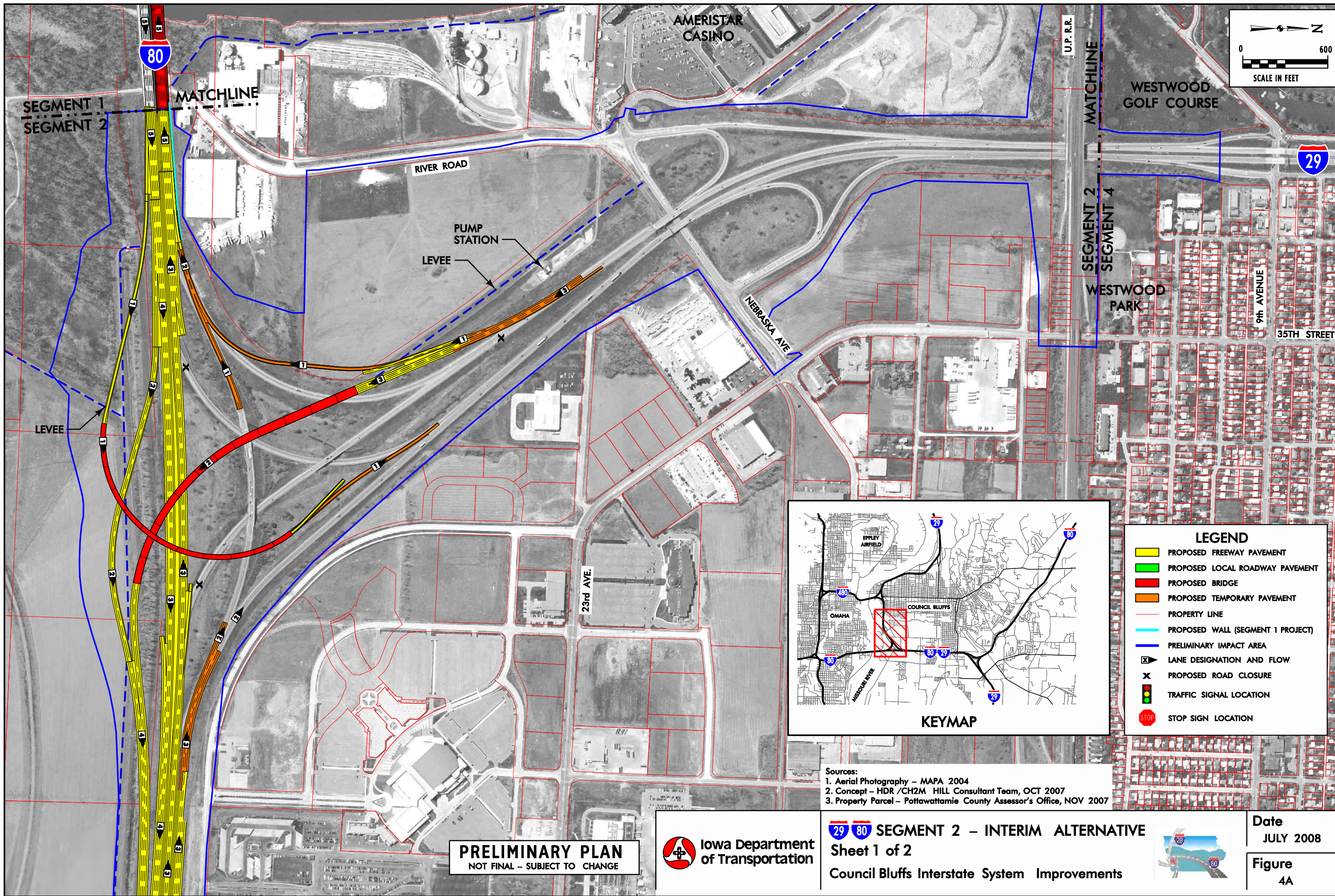


I-80 I-29 SEGMENT 2 - BUILD ALTERNATIVE
Sheet 2 of 2
Council Bluffs Interstate System Improvements



Date
JULY 2008
Figure
3B

Sources:
1. Aerial Photography - MAPA 2004
2. Concept - HDR /CH2M HILL Consultant Team, OCT 2007
3. Property Parcel - Pottawattamie County Assessor's Office, NOV 2007



LEGEND

- PROPOSED FREEWAY PAVEMENT
- PROPOSED LOCAL ROADWAY PAVEMENT
- PROPOSED BRIDGE
- PROPOSED TEMPORARY PAVEMENT
- PROPERTY LINE
- PROPOSED WALL (SEGMENT 1 PROJECT)
- PRELIMINARY IMPACT AREA
- ▶ LANE DESIGNATION AND FLOW
- X PROPOSED ROAD CLOSURE
- 🚦 TRAFFIC SIGNAL LOCATION
- STOP STOP SIGN LOCATION

Sources:
 1. Aerial Photography - MAPA 2004
 2. Concept - HDR /CH2M HILL Consultant Team, OCT 2007
 3. Property Parcel - Pottawattamie County Assessor's Office, NOV 2007

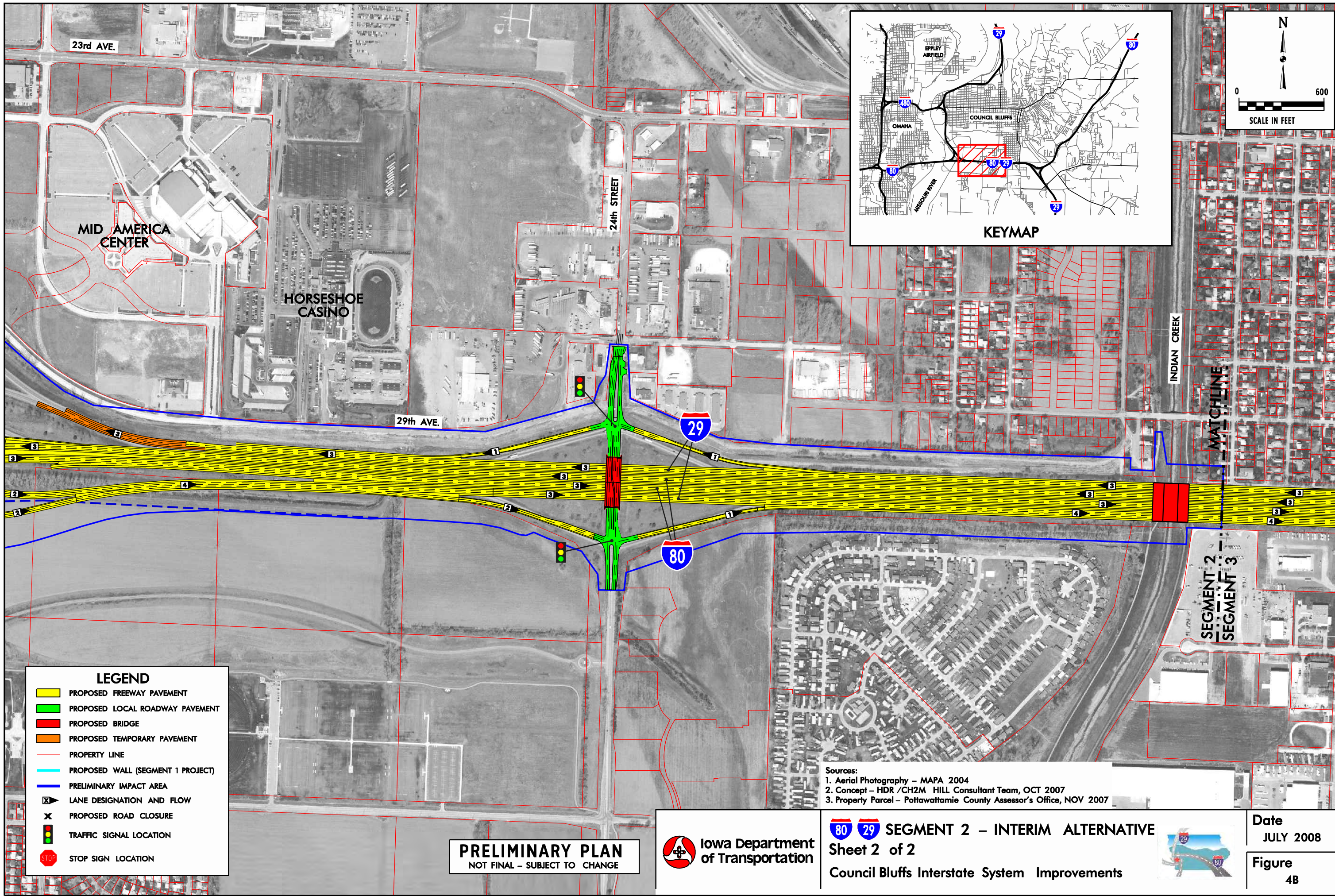
PRELIMINARY PLAN
 NOT FINAL - SUBJECT TO CHANGE



29 80 SEGMENT 2 - INTERIM ALTERNATIVE
 Sheet 1 of 2
 Council Bluffs Interstate System Improvements



Date
 JULY 2008
 Figure
 4A



23rd AVE.

MID AMERICA CENTER

HORSESHOE CASINO

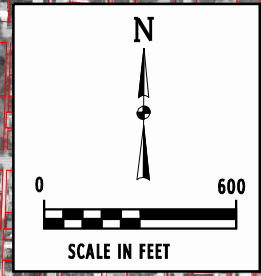
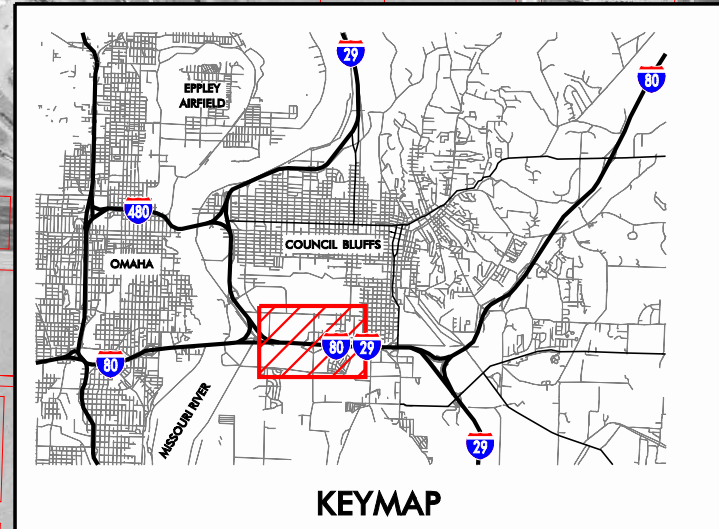
24th STREET

29th AVE.

INDIAN CREEK

MATCHLINE

SEGMENT 2
SEGMENT 3



LEGEND

- PROPOSED FREEWAY PAVEMENT
- PROPOSED LOCAL ROADWAY PAVEMENT
- PROPOSED BRIDGE
- PROPOSED TEMPORARY PAVEMENT
- PROPERTY LINE
- PROPOSED WALL (SEGMENT 1 PROJECT)
- PRELIMINARY IMPACT AREA
- LANE DESIGNATION AND FLOW
- PROPOSED ROAD CLOSURE
- TRAFFIC SIGNAL LOCATION
- STOP SIGN LOCATION

PRELIMINARY PLAN
NOT FINAL - SUBJECT TO CHANGE



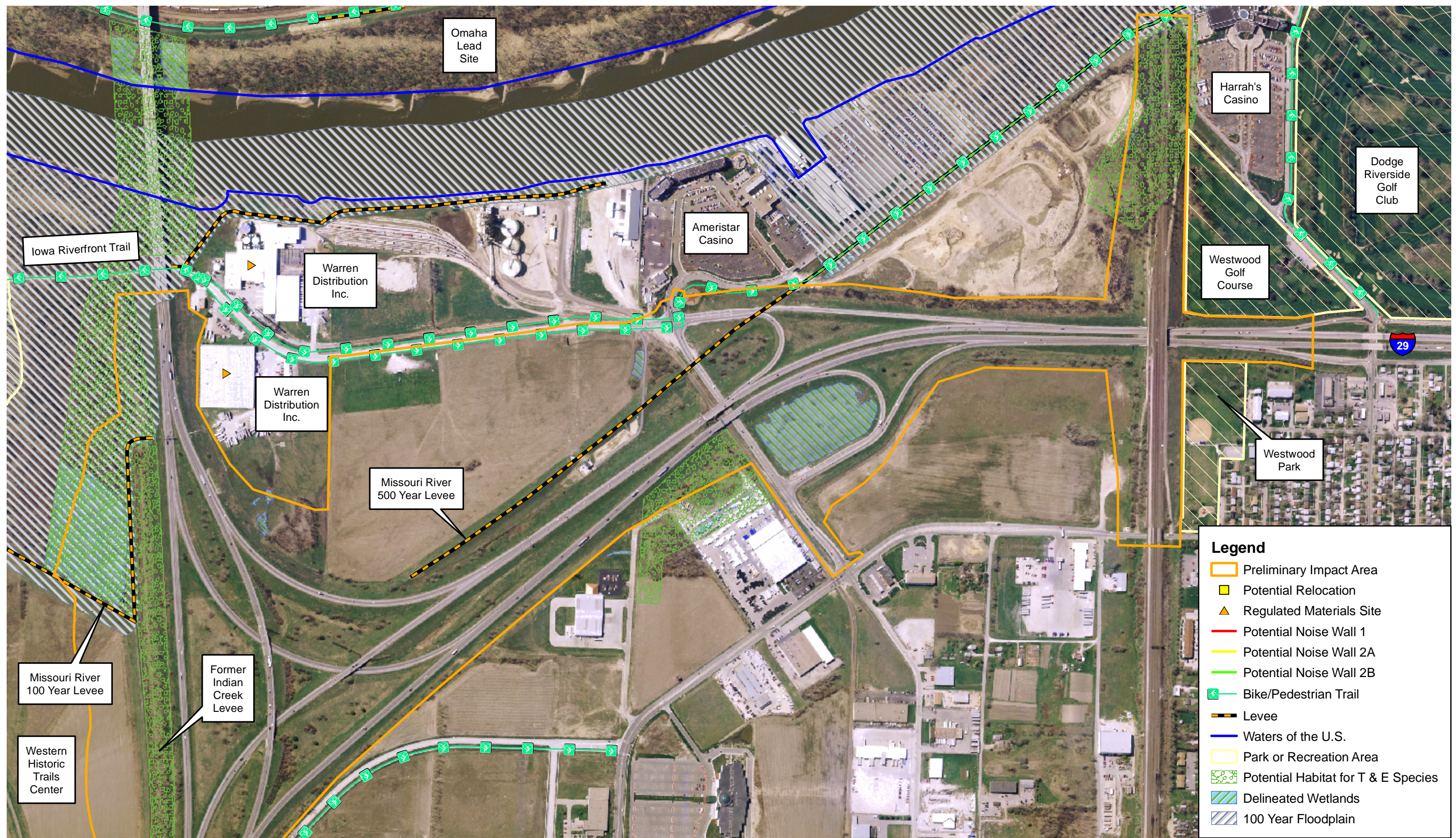
I-80 I-29 SEGMENT 2 - INTERIM ALTERNATIVE
Sheet 2 of 2
Council Bluffs Interstate System Improvements



Date
JULY 2008
Figure
4B

Sources:
1. Aerial Photography - MAPA 2004
2. Concept - HDR /CH2M HILL Consultant Team, OCT 2007
3. Property Parcel - Pottawattamie County Assessor's Office, NOV 2007

Z:\Projects\IDOT\339-134_CB_Interstate\Software\ArcGIS\ArcView81\MXD\CBIS_Segment2_Environmenta_Constraints_A.mxd\july08\jcm



Sources:
 Aerial Photography - MAPA, 2004
 Wetlands and Waters of the U.S. - HDR Engineering, August 2005
 T & E Habitat - CH2M HILL, July 2005
 Regulated Materials Sites - HDR Engineering, February 2006
 Potential Relocations - HDR Engineering, 2008
 Preliminary Impact Area - HDR Engineering, 2007
 100 Year Floodplain - Pottawattamie County FIRM, 2006



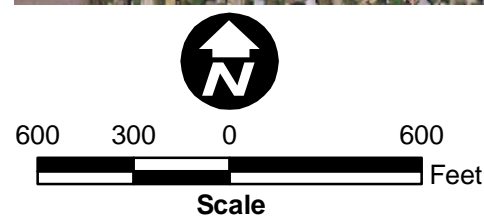
Environmental Constraints and Impacts Segment 2 - Categorical Exclusion

Council Bluffs Interstate System Improvements Project
 Council Bluffs, IA and Omaha, NE

DATE
 July 2008

FIGURE
 5A

Z:\Projects\IDOT\339-134_CB_Interstate\Software\ArcGIS\ArcView81\MXD\CBIS_Segment2_Environmenta_Constraints.mxd\July08\jcm



Sources:
 Aerial Photography - MAPA, 2004
 Wetlands and Waters of the U.S. - HDR Engineering, August 2005
 T & E Habitat - CH2M HILL, July 2005
 Regulated Materials Sites - HDR Engineering, February 2006
 Potential Relocations - HDR Engineering, 2008
 Preliminary Impact Area - HDR Engineering, 2007
 100 Year Floodplain - Pottawattamie County FIRM, 2006



Environmental Constraints and Impacts Segment 2 - Categorical Exclusion

Council Bluffs Interstate System Improvements Project
 Council Bluffs, IA and Omaha, NE

DATE	July 2008
FIGURE	5B



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Rock Island Field Office
4469 48th Avenue Court
Rock Island, Illinois 61201
Phone: (309) 793-5800 Fax: (309) 793-5804



RECEIVED

SEP - 1 2006

IN REPLY REFER
TO:

FWS/RIFO

OFFICE OF LOCATION & ENVIRONMENT

August 30, 2006

Mr. James P. Rost
Attn: Scott Marler
Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

Dear Mr. Rost:

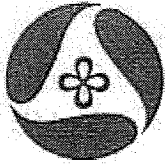
We have reviewed your letter of July 28, 2006, regarding plans to reconstruct and add capacity to the I-29/I-80/I-480 Interstate Systems in Council Bluffs, Pottawattamie County, Iowa, and Omaha, Douglas County, Nebraska. We have also reviewed the *Threatened and Endangered Species Survey Technical Memorandum* (survey) that documents the results of the literature reviews and field surveys. We have the following comments.

We concur with your findings that, in regard to the 11 species considered during the survey, either no suitable habitat is present, or no effect is anticipated as a result of avoidance measures during project construction. Therefore, the proposed project is not likely to adversely affect threatened or endangered species. Should the project be modified or new information indicate endangered species may be affected, consultation should be initiated.

Thank you for the opportunity to provide comments. If you have any additional questions or concerns, please contact Heidi Woeber of my staff.

Sincerely,

Richard C. Nelson
Field Supervisor



Iowa Department of Transportation

800 Lincoln Way, Ames, Iowa 50010

515-239-1097

515-239-1726 FAX

August 16, 2006

Ref. No: IMN-29-3(62)54-13-78

Pottawattamie

Primary

Mr. Ralph Christian
Review and Compliance
Bureau of Historic Preservation
State Historical Society of Iowa
600 East Locust
Des Moines, IA 50319-0290

R&C 020378055

Dear Ralph:

RE: I-29 & I-80- Council Bluffs Interstate System Improvements Project (CBIS)
Historic / Architectural Intensive-Level Survey & Evaluation- *Segment Two*

Enclosed for your information and review is the Historical / Architectural Intensive-Level Survey & Evaluation for the above-mentioned federal funded project. This evaluation / survey reviewed Segment Two of a 22-mile corridor involving Interstate-29 and Interstate-80 that runs through Omaha, Nebraska and Council Bluffs, Iowa.

Segment Two of this project encompasses a project corridor that is approximately 1.6 miles in length. All of Segment Two, of this project, is located within Iowa.

This investigation was conducted using an extensive archival / records search, along with inspections of each of the properties within the project corridor. During these inspections, details were recorded and black-and-white survey photographs were taken of all of the properties.

This intensive level survey identified a total of 43 properties within the Segment Two study corridor. Of these properties, seven had at least one principal resource that appeared to be 40 years old. Another 35 properties were determined to be modern and less than 40 years. All of these properties, however, were determined to be not eligible for the National Register of Historic Places. No further work was recommended for them.

Based on the finding of this Historical / Architectural Survey, in regards to Segment Two of this project, the determination is **No Historic Properties Affected**. If you concur with this determination, please sign the concurrence line below and return this letter. If you have any questions regarding this project, please feel free to contact me.

Sincerely,

Matthew J. F. Donovan

Office of Location and Environment

Matt.Donovan@dot.state.ia.us

MJFD

Enclosure

cc: John Selmer- Engineer- District 4

Kris Riesenbergs- Location and Environment

Leah D. Rogers- Principal Investigator- Tallgrass

Concur:



A Division of the Iowa Department of Cultural Affairs

Your request for comment by the State Historic Preservation Officer has been received.

Date Received: **5/19/2006**

End of 30 Day Period: **6/18/2006**

Agency: **FHWA**

SHPO R&C #: **020378055**

IMN-29-3(62)54--13-78 - CB INTERSTATE SYSTEM IMPROVEMENTS - I-80, I-29& I-480 FROM US HWY 6 (KANESVILLE BLVD) TO IA HWY 192 (16TH ST) HDR - TH - PHASE I ARCHAEO INVESTIGATION SEG 2 AND 3 AND CD - TH - HIST ARCHIT INTENSIVE LEVEL SUR & EVALU

In accord with federal regulations, our office will respond **ONLY** when:

- The SHPO has received incomplete information or inadequate documentation under 36CFR800 11(a), (d), and (e) **OR**
- The SHPO objects to your definition of the Area of Potential Effect (APE) for the undertaking **OR**
- The SHPO objects to your finding of whether a property is or is not eligible for listing on the National Register of Historic Places **OR**
- The SHPO objects to your finding of the project's effect on an historic property **OR**
- The project is proposed to have a "No Adverse Effect," with or without conditions, and where the SHPO disagrees with the finding **OR**
- The project is determined to have an "Adverse Effect" on an historic property and the federal agency is consulting with SHPO on how to resolve such "Adverse Effects"

Otherwise, after 30 days from the above referenced date you should consider that your obligations to consult with the SHPO have been concluded and the State agrees with your finding.

Be advised the successful conclusion of consultation with the SHPO does not fulfill the agency's responsibility to consult with other parties who may have an interest in properties that may be affected by this project. Nor does it override the sovereign status of federally recognized American Indian Tribes in the Section 106 consultation process.

We have made these comments and recommendations according to our responsibility defined by Federal law pertaining to the Section 106 process. The responsible federal agency does not have to follow our comments and recommendations to comply with the Section 106 process. It also remains the responsible federal agency's decision on how you will proceed from this point for this project.

Should you have any questions please contact me at the number or email below, **referencing the R&C # above.**

Lavon Grimes
SHPO Review Compliance Coordinator
(515) 281-8743
lavon.grimes@iowa.gov

MAY 17 2006



Iowa Department of Transportation

800 Lincoln Way, Ames, Iowa 50010

515-239-1097

515-239-1726 FAX

May 13, 2003

[Actual date of letter
was May 13, 2006]

Ref. No: IMN-29-3(62)54-13-78

Pottawattamie

Primary

Mr. Douglas W. Jones
Review and Compliance
Bureau of Historic Preservation
State Historical Society of Iowa
600 East Locust
Des Moines, IA 50319-0290

R&C: 020378055

Dear Doug:

**RE: Council Bluffs Interstate System Improvements (CBIS) Project
City of Council Bluffs, Iowa
Phase I Archaeological Investigation- Segments 2 and 3**

Enclosed for your review is the Phase I Archaeological Investigation for the above-mentioned federal funded project. This project proposes a series of interstate improvements along the I-80, along a 22-mile corridor involving Interstate-29 and Interstate-80 in Council Bluffs, Pottawattamie County, Iowa. The Phase I Archaeological Survey investigated Segments 2 and 3 of this proposed project.

The area of potential impact encompasses a project corridor that has a variable length of 3.7 miles and an approximate width of 600 ft. (This project corridor is divided into two segments) A total area of 774 acres was surveyed during this archaeological investigation.

This investigation was conducted using an extensive archival / records search, along with a series of pedestrian surveys of the project area. In addition to these investigation techniques, subsurface testing was also conducted within the proposed project areas. During this investigation, four previously recorded sites were re-examined and identified. Fourteen previously unrecorded archaeological sites were also discovered during the course of this survey, each were examined and recorded.

Of the four previously recorded archaeological sites, Sites 13PW121, 13PW122, and 13PW123 were reexamined and their original site boundaries expanded. These sites represent historic scatters, refuse dumps, and a former historic farmstead (13PW122). Though the site boundaries for each of these sites were expanded, this investigation concluded that all three sites original determination of not being eligible for the National Register was warranted. No further work was recommended for them.

The previously recorded site, 13PW161, represents the former Council Bluffs Airport. The current investigation determined that the area of former airport that maybe impacted by the proposed project is not eligible for the National Register. However, due to restrictions placed upon the field investigation by the property's landowners, the western portion of site 13PW161 was not examined at the Phase I level. Due to this, it is recommended that western portion of Site 13PW161 be examined at the Phase I level if that portion is impacted by this project.

As mentioned, this Phase I survey identified fourteen previously unrecorded archaeological sites. These newly recorded sites included three historic scatters (13PW182, 13PW183, and 13PW185), four historic farm / residence sites (13PW183, 13PW186, 13PW191, and 13PW194), one historic agricultural outbuilding site and refuse dump (13PW192) one bridge and refuse scatter (13PW187), two railway grades (13PW188 and 13PW189) one secondary road maintenance building site (13PW190), one industrial pork-packing site (13PW195). In addition to these historic archaeological sites, one prehistoric open habitation site (13PW193) was identified outside of the current project corridor.

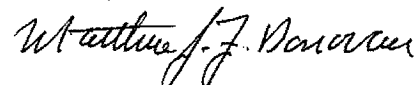
All thirteen of the newly identified historic sites were determined not eligible for the National Register. The one prehistoric site discovered during this survey, 13PW193, was recommended for Phase II testing if impacted by this project. The present design plans will avoid impacting this prehistoric archaeological site.

It should be noted that during this investigation, one isolated prehistoric artifact was found during the investigation of historic site, 13PW191. This find, a single chert-flake, appears to be out of context and does not influence the determination that Site 13PW191 is not eligible for the National Register and no further work is recommended for it.

Based on the findings of this Phase I investigation, *along with the understanding that the western portion of historic archaeological site 13PW161 will not be impacted by this project and that prehistoric site 13PW193 is outside of the project corridor and will not be impacted by the project, as well,* the determination for Segments 2 and 3 of this project is **No Historic Properties Affected.**

If you concur with this determination, please sign the concurrence line below and return this letter. If you have any questions regarding this project or this survey, please do not hesitate to contact me.

Sincerely,



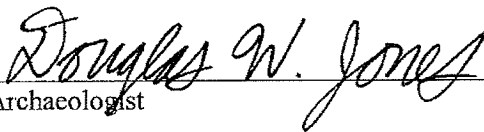
Matthew J.F. Donovan
Office of Location and Environment
Matt.Donovan@dot.iowa.gov

MJFD

Enclosure

cc: John Selmer- Engineer- District 4
Kris Riesenber- Location and Environment
Leah D Rogers- Principal Investigator- Tallgrass

Concur:



SHPO Archaeologist

Date:

6/16/2006

Comments

concurrent by expiration of the 30 day comment period