

Interstate 35 and NE 36th Street Interchange

Ankeny, Polk County, Iowa

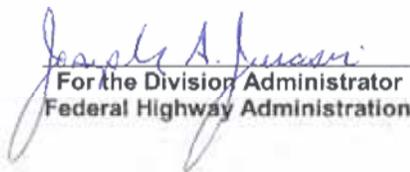
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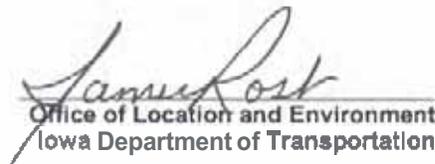
ENVIRONMENTAL ASSESSMENT

U.S. Department of Transportation
Federal Highway Administration
and
City of Ankeny, Iowa

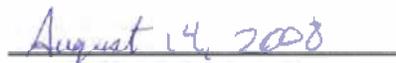
Environmental Assessment and Approvals
Submitted Pursuant to 42 USC 4332(2)(c)

The signatures are considered acceptance of the general project location and concepts described in the environmental document unless otherwise specified by the approving officials. However, such approval does not commit to approve any future grant request to fund the preferred alternative.


For the Division Administrator
Federal Highway Administration


Office of Location and Environment
Iowa Department of Transportation


City of Ankeny


Date of Approval
For Public Availability

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1.0 DESCRIPTION OF THE PROPOSED ACTION

The proposed project consists of constructing an Interstate 35 (I-35) interchange at or near NE 36th Street in Ankeny, Iowa.

1.1 Project Location

Most of the project area is located in the northeast portion of the City of Ankeny but small portions are also located in unincorporated Polk County. The project area includes the I-35 corridor beginning at the existing Iowa Department of Transportation (DOT) rest area, approximately 0.5-mile south of NE 36th Street, and extending northward to NW 54th Street, approximately 1.5 miles north of NE 36th Street. **Figure 1** shows the project location.

2.0 PROJECT HISTORY

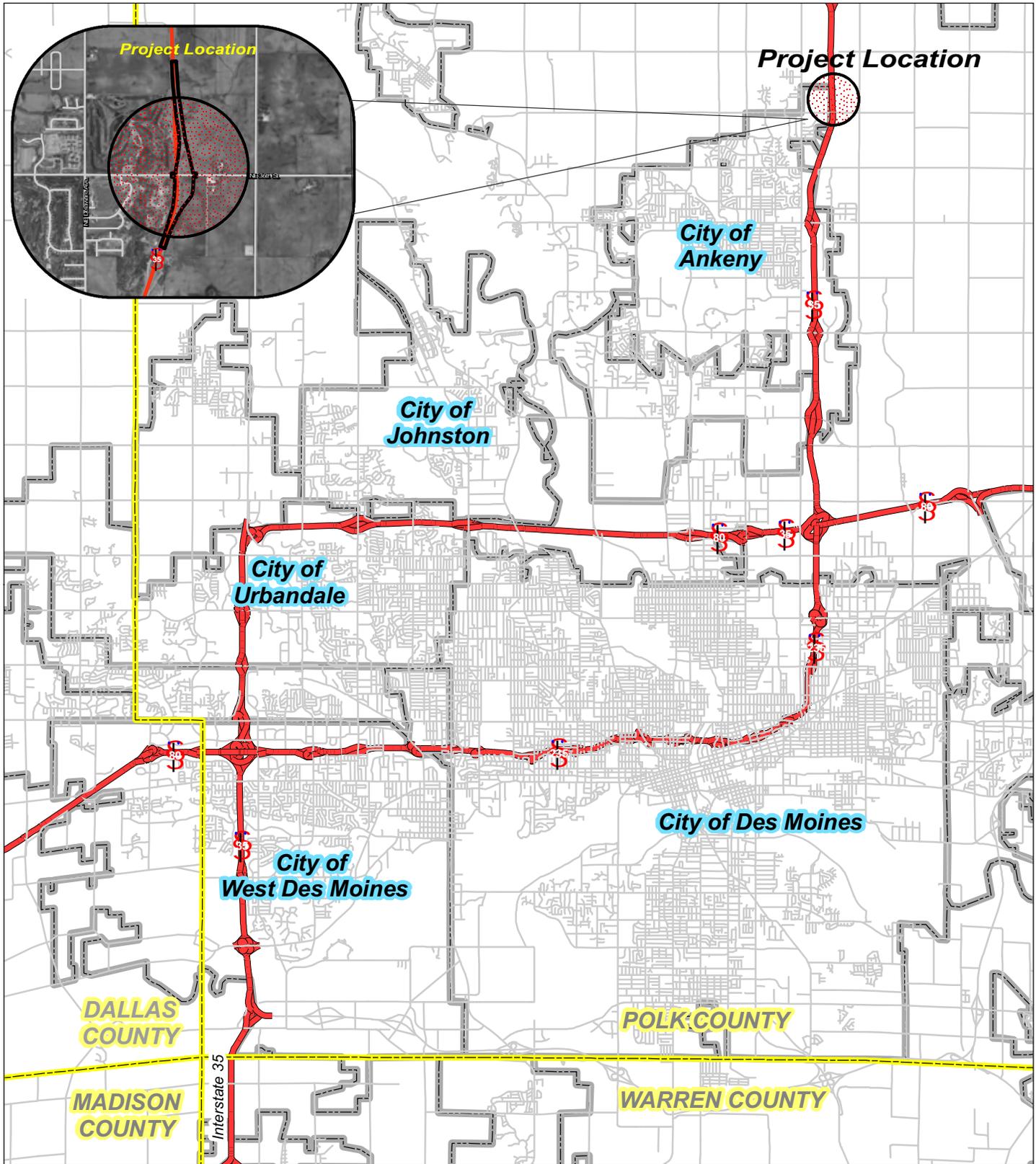
Travel demands in the Des Moines metropolitan area are increasing and several recent studies determined that capacity improvements are warranted in the I-35 corridor in the Ankeny area. Those studies primarily focused on the existing E 1st Street interchange, the construction of a new interchange at or near NE 36th Street, and major intersecting and parallel arterial roadways.

The *I-35 and E 1st Street/NE 36th Street Interchange Justification Report* (IJR), examined a range of options for accommodating future capacity needs in the I-35 corridor in the Ankeny area. Considering anticipated funding constraints and potential construction staging issues, the City of Ankeny and Iowa DOT determined that it would not be possible to reconstruct the E 1st Street interchange and construct a new interchange at NE 36th Street at about the same time. As a result, the range of options examined for capacity improvements in this portion of the I-35 corridor included the following:

- Making no capacity improvements at either E 1st Street or NE 36th Street;
- Reconstructing the E 1st Street interchange only;
- Making only minor interim capacity improvements at the E 1st Street interchange;
- Making no improvements to the E 1st Street interchange but constructing a new interchange at NE 36th Street; and
- Making minor capacity improvements at E 1st Street and constructing a new interchange at NE 36th Street.

The interchange options were evaluated under two scenarios, one with the implementation of the NE Beltway and one without the NE Beltway. The NE Beltway is a project in the Des Moines Metropolitan Planning Organization (MPO) 2030 Long Range Transportation Plan. The NE Beltway would create a bypass around the northeastern part of the Des Moines metro area that would reduce travel demand on the I-35 corridor within the I-35/NE 36th Street interchange study area.

Figure 1: Project Location



The IJR concluded that the preferred order of construction consistent with the 2030 Long Range Transportation Plan would be as follows:

1. Build the I-35/NE 36th Street Interchange
2. Widen I-35 between E 1st Street and NE 36th Street
3. Rebuild the I-35/E 1st Street interchange

The IJR reported that interim capacity improvements at the existing E 1st Street interchange, in combination with the construction of a new interchange at NE 36th Street, could potentially relieve congestion at the E 1st Street interchange and extend its operational life. This could delay the need for larger-scale capacity improvements of the E 1st Street interchange until after 2010.

The City of Ankeny and Iowa DOT came to an understanding in Summer 2006 to pursue construction of a new interchange at NE 36th Street provided necessary interim capacity improvements at the E 1st Street interchange are constructed. Those interim capacity improvements include extending the westbound-to-northbound right-turn lane at the E 1st Street/Delaware Avenue intersection, adding a traffic signal at the southbound ramp intersection, and signal coordination between the northbound and southbound ramp intersections and the E 1st Street/Delaware Avenue intersection.

A 2030 No-Build traffic operations analysis, documented in the noted IJR, identified the need to widen I-35 from the systems interchange with I-235 and I-80 to approximately two miles north of NE 36th Street. This widening was deemed necessary even without the proposed NE 36th Street Interchange. The addition of the NE 36th Street Interchange had minimal effect on when widening I-35 south of E 1st Street and north of NE 36th Street would be necessary, but accelerated the need to widen I-35 between E 1st Street and NE 36th Street by six years, assuming the NE Beltway was not constructed. If the NE Beltway is constructed by the year 2030, I-35 between E 1st Street and NE 36th Street will not need to be widened until approximately 2026.

Interim capacity improvements at the existing E 1st Street interchange would occur within existing right-of-way and would involve only minor earthwork on land that has previously been graded. While they are related to the proposed NE 36th Street interchange project, these interim improvements comprise a separate project with independent utility and will not be addressed in this Environmental Assessment (EA) for the NE 36th Street interchange project.

Planning for improvements in the I-35 corridor in the Ankeny area has been ongoing for a number of years prior to the development of the most recent IJR. In October 2001, the Des Moines Area MPO developed models that forecasted 2025 traffic on I-35 with and without an interchange at NE 36th Street. The traffic forecasts indicated that an interchange would eventually be needed at or near NE 36th Street to provide reasonable Interstate System access for ongoing and planned development in north and east Ankeny. Those traffic forecasts also demonstrated the need for future capacity improvements to the E 1st Street interchange. In January 2004, the City of Ankeny adopted a new comprehensive plan that identified the NE 36th Street corridor and an interchange with I-35 as

critical elements of the future local transportation network. **Table 1** displays previous relevant studies that were undertaken to determine potential future needs in the Ankeny I-35 corridor.

Table 1: Relevant Studies Completed to Date in or near the Project

Study	Summary
<i>I-35 & NE 36th Street and I-35 & E 1st Street Interchange Justification Report - Phase I.</i> Prepared by Howard R. Green Company, January 2004.	The need for interchange improvements at I-35 and NE 36 th Street and I-35 and E 1 st Street are described.
<i>Interchange Justification Report, Interstate 35 and NE 62nd / 66th Street.</i> Prepared by Snyder & Associates, Inc., September 2001.	The need for an interchange at I-35 and NE 66 th Avenue is described.
<i>NE Delaware Avenue Traffic Projections.</i> Prepared by Snyder & Associates, Inc., June 27, 2001.	Evaluation of traffic and land use for year 2025 at the intersection of Delaware Avenue and E 1 st Street.
<i>Application for Traffic Safety Improvement Program - 1st Street and Delaware Avenue Improvements.</i> Prepared by Snyder & Associates, Inc., December 31, 1999.	Application for funding to widen, add left turning lanes, and modify traffic signals at Delaware Avenue and 1 st Street intersection.
<i>Configuration Study NE Interchange, Phase II Report.</i> Prepared by HDR Engineering, Inc., July 2001.	Two alternatives for the Northeast Mixmaster of I-35, I-80, and I-235 are described and recommended for further evaluation.
<i>I-35 Trade Corridor Study, Recommended Corridor Investment Strategies.</i> Prepared by HNTB Corporation, Wilbur Smith Associates, HDR Engineering, Hicks & Company, Sylva Engineering, WHM Transportation, McCray Research, and CJ Petersen & Associates, September 30, 1999.	Alternatives and recommendations for improving the I-35 corridor from Duluth, Minnesota to Laredo, Texas are included in this document.

3.0 PROJECT PURPOSE & NEED

3.1 Purpose of the Proposed Action

The purpose of this project is to ensure adequate near and long-term Interstate System operations and access to and from the Interstate System in the Ankeny area. The goals of the proposed action are:

- Improve traffic operations and safety on I-35 and associated interchange ramps;
- Improve regional travel reliability;
- Integrate planned local arterial street improvements with the regional travel network; and
- Facilitate and serve existing and planned economic development and growth in the Ankeny area.

3.2 Need for the Proposed Action

Capacity, Access, and Safety on I-35

As development continues to generate increasing traffic on local urban arterials in the Ankeny area, those arterials with connections to the Interstate System are expected to impact Interstate System operations.

The intersection of E 1st Street and Delaware Avenue is becoming increasingly congested. The Interchange Justification Report (IJR) evaluated a 2030 No-Build scenario in which there is no NE 36th Street interchange and the existing E 1st Street interchange and the adjacent E 1st Street/NE Delaware Avenue intersection are improved with additional traffic carrying capacity. This No-Build scenario demonstrated that the high travel demand on the E 1st Street and NE Delaware Avenue corridors resulted in unacceptable Levels of Service at the E 1st Street interchange and adjacent NE Delaware Avenue intersection, even if those facilities were improved. This critical capacity situation on both the Interstate and local roadway system supported the need to add the NE 36th Street interchange to the transportation system. The IJR also studied other potential local roadway system improvements to parallel and perpendicular routes to determine if other local roadways could carry the travel demand expected to utilize the new NE 36th Street interchange. This analysis determined that improvements to the surrounding local roadway system would not be sufficient to eliminate the need for the NE 36th Street interchange.

In addition, increasing volumes on E 1st Street are expected to affect the northbound and southbound I-35 ramp intersections at E 1st Street, causing those intersections to fall below acceptable levels of service. The failure of the ramp intersections would result in long lines of vehicles on exit ramps backing onto the Interstate System itself and vehicles attempting to access entrance ramps backing into the travel lanes on E 1st Street. Vehicles not moving on the exit ramps and backing into the Interstate System travel lanes would effectively reduce the capacity of the freeway and would create safety concerns as high-

speed through traffic meets stopped or slowing vehicles attempting to exit the Interstate System facility.

According to traffic analyses performed for the *I-35 and E 1st Street/NE 36th Street IJR*, vehicles are expected to begin backing up on the E 1st Street northbound exit ramp in approximately 2008 unless interim capacity improvements are constructed on E 1st Street. If interim capacity improvements are constructed on E 1st Street, but an interchange at or near NE 36th Street is not constructed, vehicles on the northbound exit ramp are expected to begin backing onto and affecting traffic operations on I-35 in approximately 2014.

Improved Regional Travel Reliability

The project study area experiences a substantial amount of regional travel. According to a 2003 analysis of regional work force trends, approximately 70 percent of workers living in Ankeny commute to employment centers outside the city. Many of those workers rely upon I-35 to commute south to Des Moines and north to Ames. A regional commercial corridor along NE Delaware Avenue between Oralabor Road and E 1st Street also generates large volumes of traffic that often utilize I-35 and the local arterial street network. Resulting congestion at the existing I-35 interchanges in Ankeny will therefore continue to compromise regional travel reliability as local and regional traffic volumes grow.

Integration of Planned Improvements to the Local Arterial Street System with the Regional Travel Network

The City of Ankeny, through its comprehensive development plan (*The Ankeny Plan*, adopted in 2004), has identified a number of improvements to local streets that it intends to complete by 2020, depending on available funding. These improvements are needed to maintain efficient function of the local street system. Improvements to local streets near the project corridor that are discussed in the *Ankeny Plan* include:

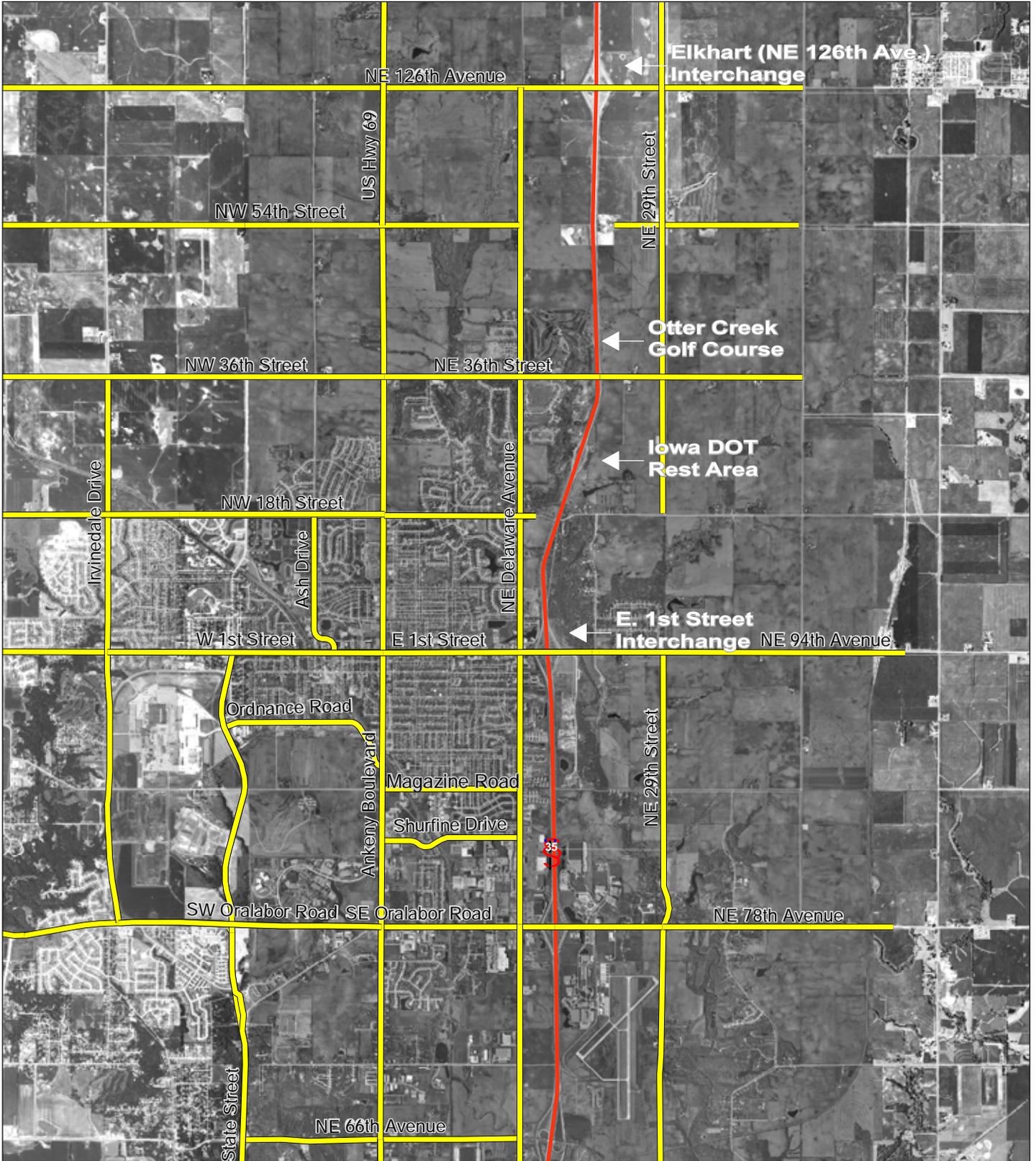
- Widening of Delaware Avenue to provide a 5-lane section from NE 54th Avenue (in Polk County) to north of NE 36th in Ankeny;
- Widening of U.S. 69 (Ankeny Boulevard) to provide a 5-lane section from NE 66th Avenue (in Polk County) to north of NE 36th Street in Ankeny;
- Extension of NE 36th Street west of U.S. 69
- Reconstruction of the E 1st Street interchange with I-35 and the addition of the NE 36th Street interchange;
- Widening of E 1st Street to 5-lane section from Irvindale Drive to Delaware Avenue;
- Extensions of 18th Street, Magazine Road, and NW 54th over I-35; and
- Widening of NE 29th Street (Polk County) to a 3-lane section from NE 54th Street in Polk County to E 1st Street in Ankeny.

These future improvements were developed through analysis and evaluation of the existing Ankeny transportation network and future traffic forecasts. **Figure 2** displays the existing local transportation network in the vicinity of the project study area and the I-35 corridor in the Ankeny area. The improvements are intended to be integrated and coordinated with the regional transportation system, including I-35, to help ensure continued acceptable levels of access between the regional and local systems. Access to I-35 would be ensured by providing additional local capacity that would allow the distribution of traffic throughout the system rather than concentrating traffic volumes on already congested arterial roadways.

Existing and Planned Economic Development and Growth

The City of Ankeny is growing rapidly and evolving into a regional commercial and employment center that attracts employees and consumers from the Des Moines and Ames markets. In the *Ankeny Plan*, the population was projected to exceed 55,000 persons by the year 2020, a 3.6 percent annual growth rate from year 2000. The *Ankeny Plan* relies upon I-35, NE Delaware Avenue, E 1st Street, and NE 36th Street to serve as part of the transportation infrastructure needed to support planned future development on the north and east sides of Ankeny. An interchange at NE 36th Street is also identified in the *Ankeny Plan*'s future growth scenarios as an integral component of development plans for northeast Ankeny.

Figure 2: Local Arterial Roadway Network



4.0 ALTERNATIVES

4.1 No Build Alternative

The No Build Alternative includes taking no action with regard to constructing an interchange at I-35 and NE 36th Street. This alternative does not meet the purpose and need established in Section 3.0 of this EA. Federal Highway Administration (FHWA) and Iowa DOT require evaluation of the No Build Alternative an EA. The No Build Alternative provides a basis of comparison to a proposed build alternative.

4.2 Alternatives Considered But Dismissed

Twelve build alternatives spread among four proposed locations comprised the alternatives considered. All 12 build alternatives involved the construction of a new interchange access with I-35 between the Elkhart (NE 126th Avenue) and E 1st Street interchanges in Ankeny, Iowa. Three build alternative locations considered interchanges on the existing I-35 alignment and one build alternative location considered an interchange on a new I-35 alignment, as follows:

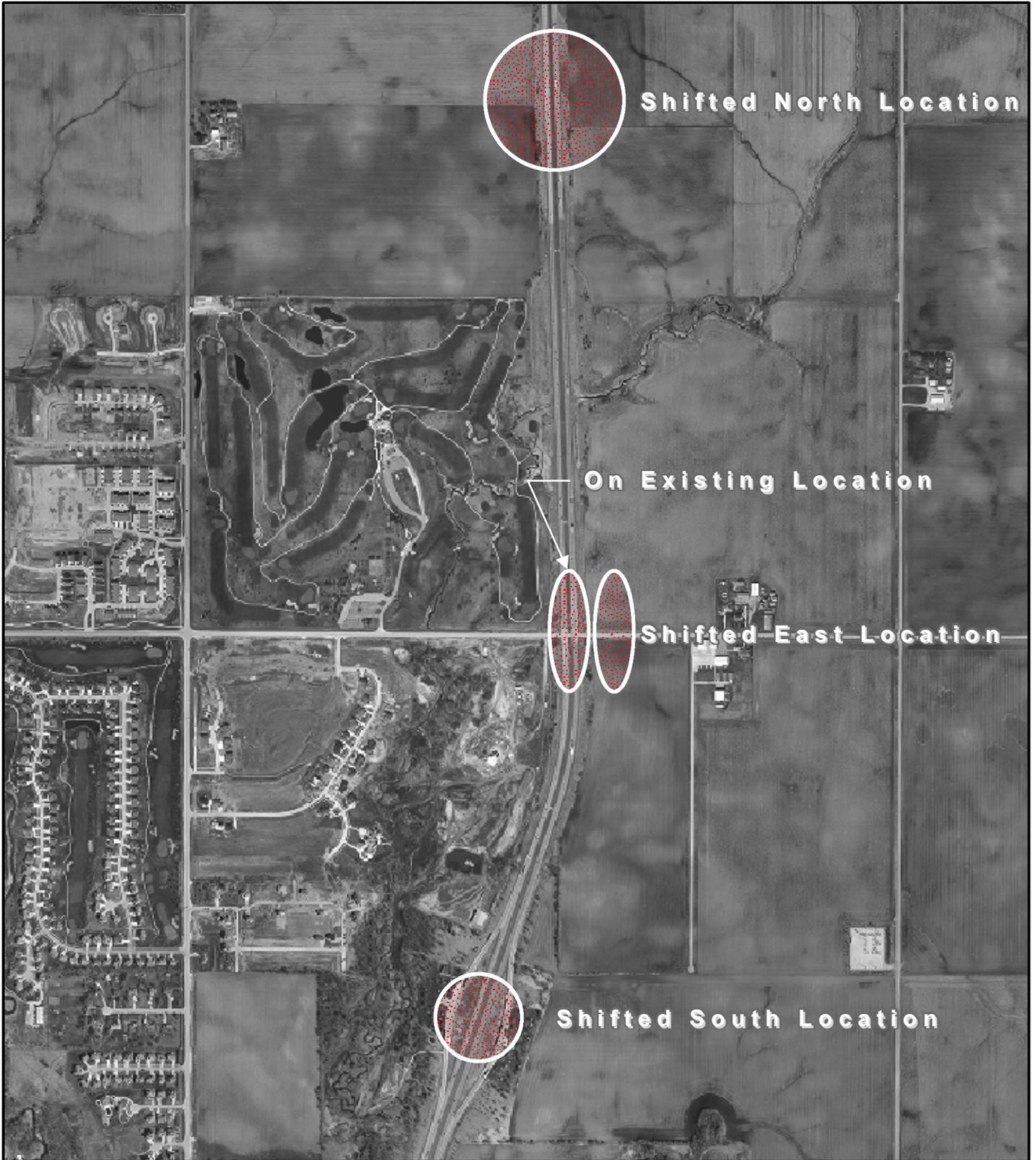
- Existing I-35 alignment at the current NE 36th Street location (referred to as “On Existing” location);
- Existing I-35 alignment and utilizing existing Iowa DOT-owned land at the rest area approximately 1-mile south of NE 36th Street (referred to as “Shifted South” alignment);
- Existing I-35 alignment and approximately 0.5 to 1 mile north of existing NE 36th Street (referred to as “Shifted North” alignment); and
- New I-35 alignment shifted east approximately 200-300 feet at the existing NE 36th Street location (referred to as “Shifted East” alignment).

Figure 3 illustrates the four locations considered for the NE 36th interchange alternatives. Five interchange configurations were considered for the “on existing” alignment location, while three were considered for the “Shifted East” location. Three interchange types were also considered for the “Shifted North” location.

“Shifted North and South” Locations

All alternatives at the “Shifted North” location were eliminated from further consideration because they would not be consistent with American Association of State Highway and Transportation Officials (AASHTO) guidance for 2-mile spacing between interchanges, inconsistencies with Ankeny’s planned arterial street network, and potential impacts to existing and planned development west of I-35. One interchange configuration was considered for the “Shifted South” location. This location was eliminated from consideration due to spacing requirement issues with the existing E 1st Street interchange and an unconventional interchange configuration that would have problems as a result of drivers not being able to anticipate how the intersection operates.

Figure 3: NE 36th Street Interchange Proposed Alternative Locations



 Proposed Interchange Locations

0 900 1,800
Feet



“On Alignment” Alternatives

Five interchange configuration alternatives were initially considered for the “on existing” location at I-35 and NE 36th Street. The “on-existing” location used a slight eastward shift of mainline I-35 to accommodate the potential future widening of I-35 and facilitate construction while maintaining 4-lanes of traffic during construction. All five alternatives considered for this location were not carried forward for further analysis. A brief description of each alternative and rationale for elimination from consideration follows:

- **Folded Diamond Interchange** – The folded diamond concept was designed to avoid potential environmental and right-of-way impacts in the northwest quadrant of the proposed interchange. The configuration included a southbound exit loop ramp in the southwest quadrant of the interchange, with all other ramps remaining as traditional diagonal ramps as typically found in a diamond interchange configuration. This concept was proposed to avoid right-of-way impacts to Otter Creek Golf Course, a Section 4(f) property. The folded diamond concept was eliminated from further consideration due to potential driver expectation issues with the southbound exit loop ramp and the possibility of adverse property impacts to the private golf course in the southwest quadrant. It also placed the higher volume southbound to westbound right turn into a left turn movement which is not desirable.
- **Compressed Diamond Interchange** – The compressed diamond interchange concept was similar to traditional diamond interchange configurations; however decreased spacing between ramp intersections was utilized to minimize right-of-way and any potential environmental impacts. Elongated ramps were also provided to achieve acceptable acceleration and deceleration lengths. This concept was eliminated from further consideration due to potential right-of-way impacts to Otter Creek Golf Course and the privately-owned golf course adjacent to I-35 in the northwest and southwest quadrants.
- A variation of the compressed diamond alternative that incorporated the ramps used by the rest area south of NE 36th Street was also considered but eliminated due to the potential mixing of interchange and rest area traffic creating weaving issues and right-of-way impacts to the Otter Creek Golf Course.

“Shifted East” Alternatives

Three variations of alternatives were considered for the “shifted east” location. Those alternatives included the compressed diamond, parclo “Type A”, and parclo “One-Loop” interchange configurations. A shifted I-35 alignment eliminated the need for alternatives designed to avoid Otter Creek Golf Course and the privately-owned golf course. As a result, the folded diamond interchange configuration was not considered at this location. Of the three interchange alternatives, two were eliminated from further consideration and the third was carried forward for further evaluation in the EA (Section 4.2). The two alternatives eliminated from further consideration are briefly described below:

- ***Partial Cloverleaf (Parclo) “Type A” Interchange*** – The parclo “Type A” interchange configuration was identical to that described in the “on alignment” alternatives. This concept was eliminated from further consideration due to increased estimated costs to construct in comparison to the compressed diamond interchange configuration and larger right-of-way needs for construction. And, while the Parclo “Type A” configuration offers greater traffic volume capacity in comparison to the compressed diamond, traffic analyses demonstrated that a compressed diamond interchange adequately handled forecasted 2030 traffic volumes.
- ***Partial Cloverleaf (Parclo) “One-Loop” Interchange*** – This concept was eliminated from further consideration due to 10 percent higher estimated construction costs and increased right-of-way needs in comparison to the compressed diamond interchange configuration. Forecasted traffic volumes were not high enough to justify construction of the loop ramp, and the entrance loop in the southeast quadrant served a minor traffic movement rather than a dominant movement. Additionally, as a result of increased right-of-way needs, this alternative would have a larger impact upon existing farmland.

The Parclo Type A and One-Loop alternatives were determined early-on to have a high likelihood for right-of-way impacts to the private air field east of the existing I-35 alignment and therefore were not drawn conceptually during the preliminary design phase. Likewise, these alternatives were generally eliminated from further consideration due to increased construction costs while providing traffic carrying capacity benefits in excess of that needed by the proposed project.

Environmental impacts associated with the “shifted east” alignment alternatives were expected to be similar with each alternative with the exception of increased right-of-way needs for the two parclo alternatives. Specific resources that could be impacted included delineated wetlands in drainage swales adjacent to NE 36th Street, conversion of prime farmland to right-of-way and associated development, and indirect land use impacts resulting from development of the proposed interchange. The “shifted east” alternatives that were eliminated were determined not to avoid or minimize any of the environmental impacts relative to the “shifted east” compressed diamond alternative.

4.3 Proposed Alternative

Following consideration of transportation system and preliminary environmental concerns, one build alternative emerged as being reasonable, feasible, and more cost effective than other alternatives. The Compressed Diamond Alternative on the I-35 “Shifted East” alignment was determined to be the most desirable by the City of Ankeny and project stakeholders based upon:

- The avoidance of Otter Creek Golf Course (a Section 4(f) property¹) on the west side of I-35;
- Increased spacing between the proposed southbound ramp intersection with NE 36th Street and the existing access driveway to the privately-owned golf course and offices;
- The lower cost of the Compressed Diamond configuration in comparison to Partial Cloverleaf “Type A” and Partial Cloverleaf One-Loop alternatives;
- The opportunity to improve sight distance and horizontal/vertical alignment conditions on I-35 south of NE 36th Street; and
- The opportunity to stage construction activities while continuing to utilize the existing Interstate System facility.

The Compressed Diamond Alternative on the I-35 “shifted east” alignment is the build alternative due to its ability to meet forecasted local and regional travel demand needs and improve design geometrics on mainline I-35. This alternative was determined to achieve the project’s purpose and need at the least cost while avoiding and minimizing potential environmental impacts in comparison to the other candidate build alternatives described in the “Alternatives Considered but Dismissed” Section of the EA.

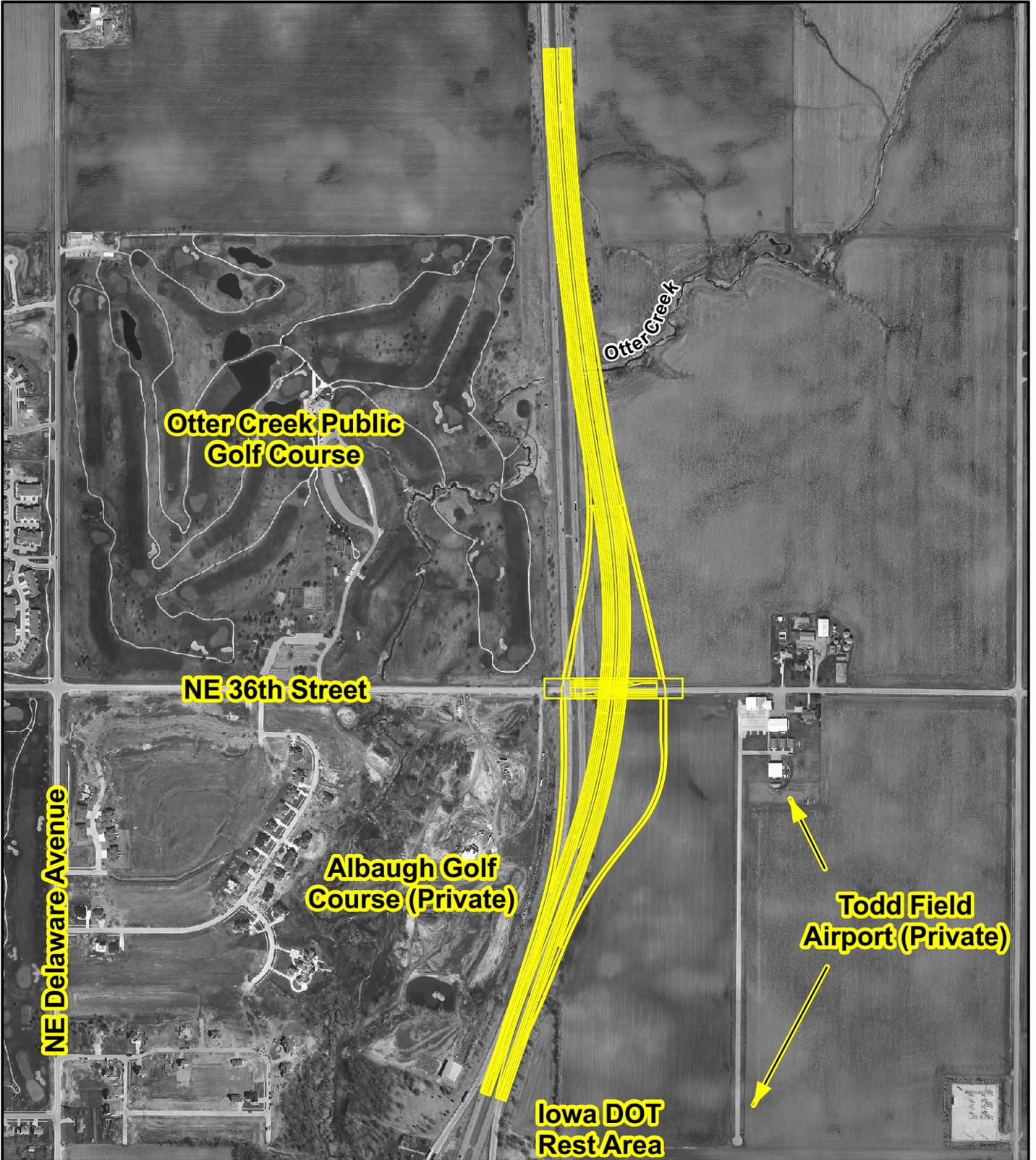
Figure 4 illustrates the Build Alternative. The Build Alternative’s compressed diamond concept is similar in layout to traditional diamond interchange configurations; however it features reduced northbound and southbound ramp intersection spacing to minimize right-of-way and environmental impacts. The reduced ramp intersection spacing results in a pinched or “compressed” diamond configuration with elongated ramps to achieve appropriate acceleration and deceleration distances.

Utilizing a compressed diamond configuration and shifting the existing 4-lane I-35 alignment eastward approximately 200-300 feet at NE 36th Street provides an opportunity to improve existing geometric designs associated with the transition from the southbound vertical crest over NE 36th Street to the horizontal curve directly south of the existing overpass. The crest over NE 36th Street allows only limited southbound visual sight distance and hides the approaching curve. This geometric situation leads to issues with driver expectations, especially in low-visibility conditions such as nighttime and inclement weather. Shifting the alignment also avoids potential right-of-way impacts to the city-owned Otter Creek Golf Course and a privately-owned golf course located adjacent to the west side of I-35 right-of-way. Otter Creek Golf Course is a Section 4(f) property, while Albaugh Golf Course, a private golf course, is not.

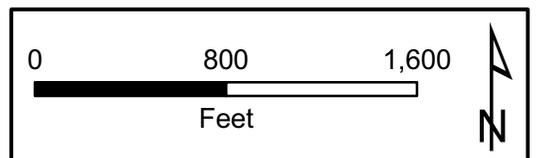
¹ 49 U.S.C. 303 States that the USDOT Secretary shall not approve any program or project (other than any project for a park road or parkway) which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from an historic site of national, State, or local significance as so determined by such officials unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.

Interim improvements are needed to implement the proposed improvements, including the installation of a traffic signal at the southbound (west) ramp terminal intersection at E 1st Street, lengthening the westbound to northbound right turn lane at the intersection of E 1st Street and NE Delaware, and traffic signal timing coordination among the east ramp terminal, west ramp terminal, and the NE Delaware intersection. The environmental effects of these interim improvements are also included in the EA.

**Figure 4: Compressed Diamond Alternative
on "Shifted East" Alignment (Build Alternative)**



— Compressed Diamond Alternative



5.0 IMPACTS

This section addresses potential impacts to the human and natural environment in the vicinity of the proposed project area. Existing conditions for each resource are described, followed by impacts of the project alternatives (No Build and Build) and potential mitigation, if appropriate.

5.1 Land Use

Existing Conditions

Prior to the development of low-density single-family and medium-density town home residential subdivisions beginning in the 1980's, the general vicinity of the project study area was dominated by agricultural uses including both row crops and pasture. Subdivision development and residential construction in the northeast Ankeny area has continued rapidly since, with home construction expected to continue at a sustained pace into the near future. Agricultural uses and undeveloped lands are still found in the area, especially north of NE 36th Street and east of I-35. The nearest retail commercial uses can be found along NE Delaware Avenue south of the project area.

In the immediate project study area near I-35 and NE 36th Street, the property in the southwest quadrant of the proposed interchange is currently used as commercial/office space and a private 18-hole golf course. The northwest quadrant contains the City of Ankeny-owned Otter Creek Golf Course and associated recreational uses. In the northeast and southeast quadrants, agricultural uses are found along with a small-scale private aviation facility south and east of NE 36th Street and I-35. **Figure 5** displays existing land uses in the vicinity of the project study area.

The project study area is located primarily within the City of Ankeny's corporate limits, but the northeast quadrant is located in unincorporated Polk County. It is expected that prior to, or closely following construction of the proposed interchange, the unincorporated northeast quadrant would be annexed into the City of Ankeny.

The Ankeny Plan, the City of Ankeny's comprehensive development plan, was adopted in 2004. This plan guides the location and type of development within its jurisdiction, identifies potential areas for growth outside of its jurisdiction, and proposes locations of future roadways. The proposed I-35 and NE 36th Street interchange is identified on the Future Land Use map (Figure 6) that accompanies *The Ankeny Plan*. The City planned the locations and types of future land uses in the project study area based on its plan to build a new interchange at NE 36th Street.

Proposed future land uses in the study area, as displayed on **Figure 6**, maintain existing residential areas as low-density residential land uses. The undeveloped and agricultural portions of the project study area include "Interchange Commercial", "Mixed-Use", and "Redevelopment Area" designations in the

Figure 5 : Existing Land Uses

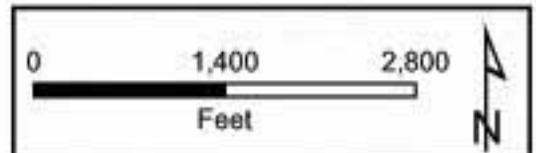
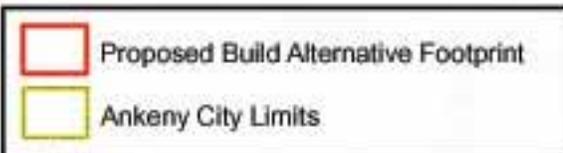
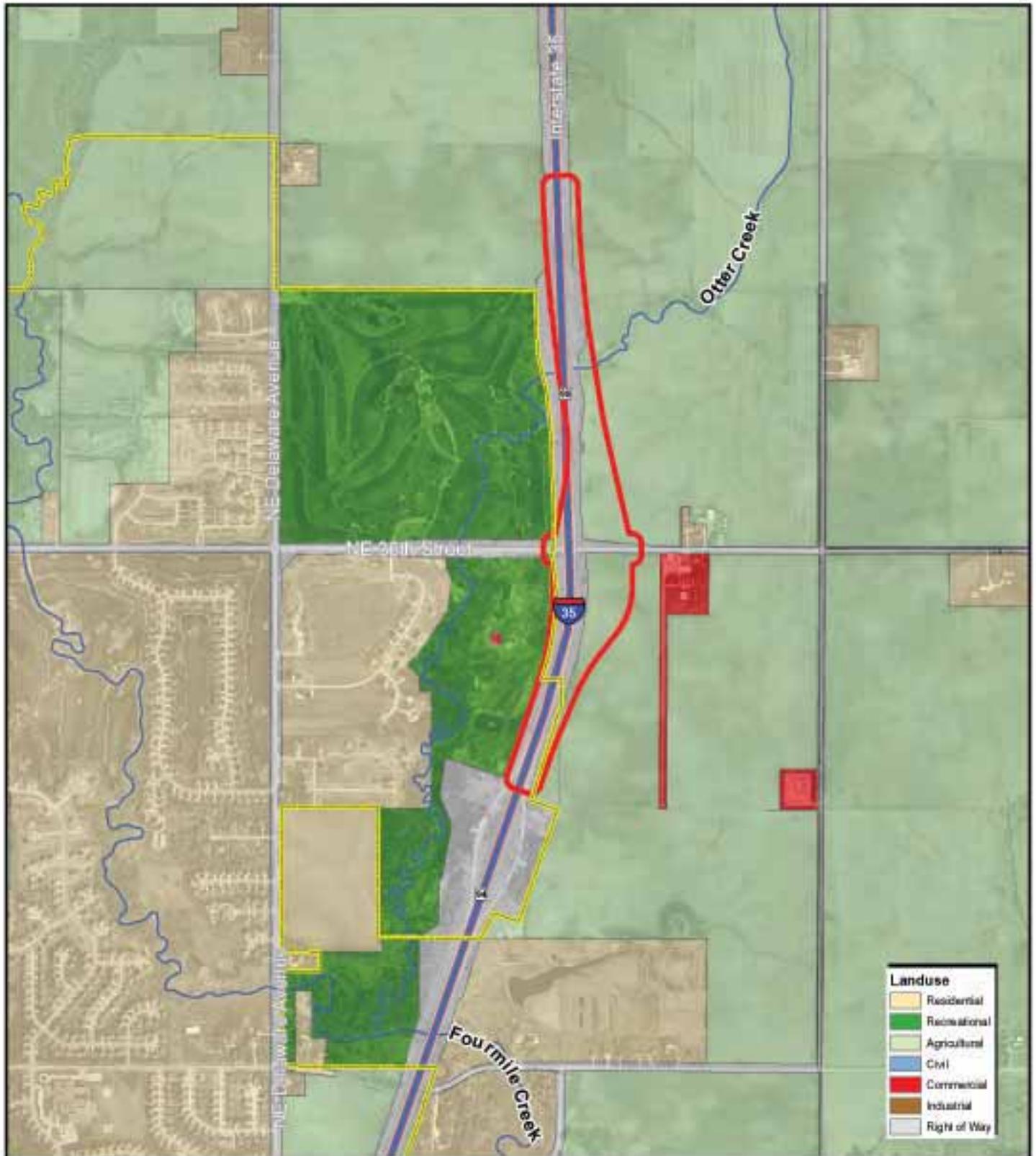
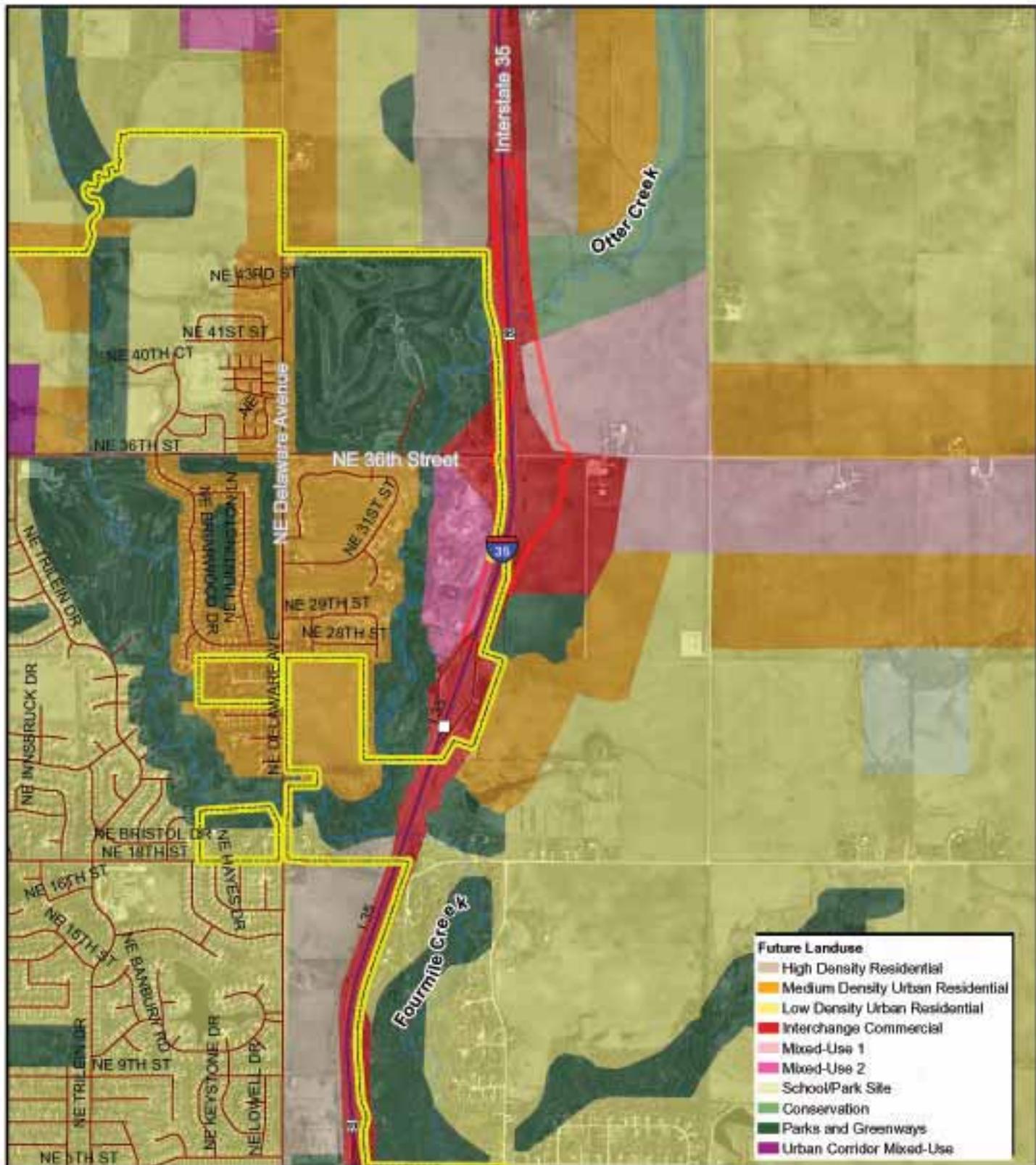
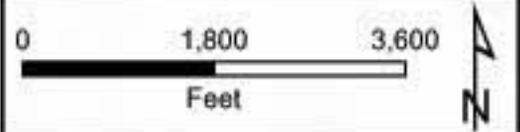


Figure 6 : Future Land Uses



- Proposed Build Alternative Footprint
- Ankeny City Limits



immediate vicinity of the proposed interchange location. These future land use designations include potential combinations of residential, office, and commercial, including commercial uses associated with Interstate System traveler services such as gas stations, hotels, and restaurants.

No Build Alternative Impacts

The project study area and its vicinity are likely to continue to experience development in the future even in the absence of an interchange at I-35 and NE 36th Street. However, without direct access to I-35, areas designated in *The Ankeny Plan* for future Interstate System commercial and mixed-use development in and surrounding the project study area would be less likely to attract those types of development or the rate of development would be reduced.

Build Alternative Impacts

The project study area and surrounding areas are currently experiencing residential and commercial development pressures. Through its comprehensive planning process, the City of Ankeny has recognized the project study area and its vicinity as an area positioned for future residential, commercial, and mixed use development. Commercial and mixed-use development in the vicinity of the proposed build alternative would serve both local residential areas and regional/interregional travel. Construction of the proposed interchange and appropriate access controls, would facilitate development consistent with the Ankeny Plan's proposed future land uses.

5.2 Community Cohesion

Existing Conditions

The project study area at the I-35 and NE 36th Street junction does not contain any residences or community facilities. However, established residential communities such as the Briarwood, Briar Creek, Greenview Crossing, and Renaissance Villas single and multi-family residential subdivisions are located west of the immediate project study area.

No Build Alternative Impacts

This alternative would not result in adverse community cohesion impacts. No changes in access and no residential or commercial displacements would occur under the no build alternative.

Build Alternative Impacts

The construction of the Build Alternative would not result in permanent changes in access for any of the residential subdivisions near the project study area and therefore would not permanently isolate any portion of the existing community. However, NE 36th Street could temporarily be closed during construction activities and would potentially require the rerouting of traffic for those attempting to reach either side of the I-35.

No residential or commercial displacements are expected with construction of the proposed interchange. Likewise, the study area does not contain any community facilities such as churches or schools or otherwise recognized community anchors. As a result, there is no anticipated negative impact upon any facilities in the study area that promote community cohesion.

All properties in the vicinity of the study area would have access maintained at all times and would not be severed from the remainder of the community with the exception of the temporary closure of NE 36th Street during construction. Additionally, future travel patterns within the community could be slightly altered and access rerouted to meet minimum spacing requirements between ramp intersections. Those anticipated changes in access are not expected to inhibit existing community cohesion.

Build Alternative Mitigation

Any changes in access would be temporary; therefore, the build alternative would not require mitigation for community cohesion impacts.

5.3 Environmental Justice

This section has been prepared in accordance with the *Executive Order 12898, Federal Action to Address Environmental Justice in Minority and Low-Income Populations*, dated February 11, 1994. Executive Order 12898 requires each federal agency (e.g. FHWA), to the greatest extent practicable and permitted by law, and consistent with principals set forth in the report on the National Performance Review, to achieve environmental justice as part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

When making a determination regarding environmental justice impacts, it is important to consider the following:

- Is the overall adverse impact predominantly borne by the minority or low-income group?
- Is the adverse effect 'appreciably more severe' than that experienced by non-minority or non-low-income persons?
- What measures could be included in the project to mitigate the adverse impact such that the minority or low-income group is no longer disproportionately affected?

Existing Conditions

Demographic statistics from the 1990 and 2000 Census were compiled at the most refined level practical and used to characterize the population in the I-35 and NE 36th Street project area. For purposes of the Environmental Justice assessment, the most refined level for practical comparison is the City of Ankeny.

Tables 2 and 3 define population and racial composition for the I-35 and NE 36th Street Study Area. **Table 2** presents poverty status of individuals in the I-35 and NE 36th Street Study Area (Census Tract) in comparison to Polk County, and the State of Iowa. **Table 3** compares the number and percent of persons claiming minority status to the U.S. Census Bureau in Ankeny, Polk County, and the State of Iowa.

Table 2: Poverty Status of Individuals in the Project Area

Criterion	City of Ankeny	Polk County	State of Iowa
Total Individuals	27,117	374,601	2,982,085
Individuals in Poverty Status	1,085	34,089	313,119
Percent of Individuals in Poverty Status	4.0	9.1	10.5

Source: U.S. Census Bureau, Census 2000

Table 3: Racial Composition of Persons in the Project Area

Criterion	City of Ankeny		Polk County		State of Iowa	
	Number	Percent	Number	Percent	Number	Percent
Population	27,117		374,601		2,982,085	
White	26,276	96.9	336,766	89.9	2,800,178	93.9
Black/African American	2,169	0.8	19,479	5.2	74,552	2.5
American Indian, Eskimo, Aleut	271	0.1	14,984	0.4	119,283	0.4
Asian, Native Hawaiian, or Pacific Islander	2,441	0.9	11,613	3.1	38,767	1.3
Other Race ¹	108	0.4	4,870	1.3	38,987	1.3
Hispanic or Latino (of any race)	2,983	1.1	23,225	6.2	83,498	2.8

Source: U.S. Census Bureau, Census 2000

¹ Other race includes all other responses not included in the "White", "Black or African American", "American Indian and Alaska Native", "Asian" and "Native Hawaiian and Other Pacific Islander" race categories described above. Respondents providing write-in entries such as multiracial, mixed, interracial, Wesort, or a Hispanic/Latino group (for example, Mexican, Puerto Rican, or Cuban) in the "Some other race" category recorded by the U.S. Census are included here.

No Build and Build Alternative Impacts

A comparison of city and county data suggests that there are not concentrations of low-income or minority persons in the project area, as that term is defined in the Executive Order on Environmental Justice, i.e. "...any readily identifiable group of low-income or minority persons who live in geographic proximity..."

Conclusion

As a result of the absence of readily identifiable minority and low income populations in the project area, the project is not anticipated to result in any disproportionate impact to such populations. The project is consistent with Executive Order 12898.

5.4 Emergency Routes

Existing Conditions

It is essential for the health, safety, and general welfare of a community that emergency response vehicles and services have adequate roadway access to all residential, commercial, and industrial structures. Construction of a new interchange can require the severing or alteration of access that indirectly results in the isolation of existing development or unacceptable travel distances leading to lengthened emergency response times. Facilities that are especially sensitive to isolation and response times include nursing homes, hospitals, schools, daycares, and industries that handle hazardous materials.

Emergency service providers that serve the project area include the City of Ankeny's Emergency Medical Services (EMS) Division of the Ankeny Fire Department, which provides basic and advanced life support to the city of Ankeny and Northern Polk County. Three ambulances and two fire engines equipped with paramedic facilities provide EMS services. The Ankeny Fire Department responds to emergency calls in the project area with an emergency operations plan (for functional services and specific incidents).

No Build Alternative Impacts

Without construction of an interchange at I-35 and NE 36th Street and depending on the future location of emergency response facilities, emergency response times could be adversely impacted by having to use an increasingly congested local arterial road system. Traumatic injuries and sudden illnesses may also require the use of ambulance emergency services to reach hospital trauma centers or emergency care centers in downtown Des Moines. Emergency responders and transporters would utilize the congested arterial road system to reach the nearest I-35 interchanges at E 1st Street or NE 126th Avenue.

Build Alternative Impacts

Construction of the proposed interchange at I-35 and NE 36th Street would not result in the permanent severing of access to any existing streets or properties containing structures. The temporary closing of NE 36th Street during construction activities could require emergency response vehicles to utilize alternate routes to reach areas directly east of I-35. The nearest routes crossing I-35 are NE 126th Avenue and E 1st Street. These routes are approximately two miles north and south of NE 36th Street, respectively.

Depending on the location of future community emergency response facilities such as police and fire stations, emergency response times for the northeast portion of Ankeny could effectively be reduced with construction of the proposed interchange. An interchange at NE 36th Street would provide an access point to I-35 for the northeast Ankeny area approximately two miles closer than the existing interchanges at E 1st Street to the south and NE 126th Street to the north. Improved freeway access would allow emergency response vehicles to utilize the high-speed facility rather than navigating congested arterial roadways and thereby potentially reducing response times for law enforcement, fire, and ambulance vehicles.

Build Alternative Mitigation

No mitigation is required for the Build Alternative; however temporary coordination with emergency responders would be necessary during construction of the Build Alternative's proposed improvements.

5.5 Right of Way and Displacements

Existing Conditions

Much of the proposed interchange and Interstate System realignment construction would occur within existing Iowa DOT right-of-way, but acquisition of approximately 26 acres of additional right-of-way would be required in order to shift I-35 to the east and construct all ramps and features of the interchange.

The analysis in the Interchange Justification Report determined that a rest area south of the NE 36th Street interchange cannot be maintained in its current location when the proposed NE 36th Street interchange is constructed. The Iowa DOT views the rest area as an important safety feature of the Interstate system and is relocating the rest area to an appropriate new location on the I-35 system as a separate action. The Iowa DOT is currently evaluating rest area relocation alternatives and will evaluate the environmental impacts of those alternatives. The rest area relocation is included in the approved Iowa DOT 2009-2013 Iowa Transportation Improvement Program, "Rest Area North of Ankeny (NB & SB) State Share", for year 2012. The Iowa DOT and the City of Ankeny are entering into an agreement for cost sharing of the rest area relocation.

No Build Alternative Impacts

This alternative would not require acquisition of right-of-way or structures.

Build Alternative Impacts

No residential, commercial, or industrial structures would be displaced by construction of the proposed interchange. However, portions of approximately three properties would be acquired for anticipated right-of-way needs. These properties are adjacent farmlands and are currently used for crop production. Total right-of-way needing to be acquired will be determined in future roadway design phases.

A privately-owned and operated airport (Todd Field) is located approximately 300 feet east of the future northbound exit ramp and associated right-of-way for the proposed interchange at NE 36th Street. A meeting with the airport owners was held on July 14, 2008 to review aircraft operations at the facility. The majority of air traffic at the facility is associated with agricultural operations (crop dusting) or general aviation air travel for the approximately ten operators who base aircraft at this airport. The airport's airspace is not controlled by the Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace.

Property associated with the airport would not be displaced as a result of the proposed improvements. No long-term impacts to the airport's operations were determined by the airport's operators. It was determined that the potential for short-term airspace impacts may occur with the airport's north runway approach as a result of work activities, parked vehicles, equipment and supply storage associated with the construction of the interchange. Airport operators and patrons would also be affected by temporary road closures on NE 36th Street as the interchange is constructed.

Airspace of the Ankeny Regional Airport, located approximately four miles south of Todd Field and whose airspace is subject to FAR Part 77, would not be affected by the proposed project.

Build Alternative Mitigation

Property owners would be compensated for property acquisitions as determined by Iowa DOT and FHWA guidelines and processes for right-of-way acquisitions. All right-of-way and relocation impacts would be conducted in conformance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended by the Surface Transportation Assistance Act of 1987 and 49 Code of Federal Regulations, Part 24, effective April 1989. Relocation assistance would be made available to all relocatees without discrimination.

Todd Field's airfield schedule would be coordinated with the Iowa DOT's proposed construction schedule to ensure operations associated with both activities are compatible. In addition, a continually updated construction schedule for the proposed interchange would be made available to the airports owners and patrons, posted at the airport's office, and distributed to local pilot media resources.

5.6 Utilities

Existing Conditions

Various power and communication utilities are located within the NE 36th Street/Delaware Avenue intersection right-of-way and along the NE 36th Street and Delaware Avenue roadway alignments. Utilities at these locations are found both above and below ground. Above ground telephone, cable TV, and power lines are found along Delaware Avenue and NE 36th Street running both north-south and east-west, while buried natural gas lines also follow Delaware and NE 36th but do not continue east of the NE 36th Street/Delaware Avenue intersection. At the I-35 and NE 36th Street junction, only overhead power lines are found; however buried electric power lines are found on the adjacent properties serving Otter Creek Golf Course and the private office and golf course west of I-35. East of I-35, rural water and both overhead and buried electric utility lines are found in and along the NE 36th Street right-of-way.

No Build Alternative Impacts

Future long-term roadway improvement projects on NE 36th Street not associated with construction of the proposed interchange could require relocation of some utility lines under the No Build Alternative. However, no near-term impacts would occur to utilities located in the project area. Long-term private sector development projects may require expansion of the utility infrastructure in the project area.

Build Alternative Impacts

Constructing the Build Alternative would have temporary adverse impacts on utilities in the project study area. Relocation of some utilities in the project corridor would be necessary to accommodate the design of the proposed interchange. Impacted utilities would most likely be relocated in the same vicinity as they currently exist and outside of the impacted area. Coordination with the public and private utility companies would need to occur to ensure that utility service disruptions are minimized and completed in accordance with project specifications during utility relocation and construction of the proposed roadway project.

5.7 Construction

Existing Conditions

Interchange and associated roadway construction can have multiple impacts to surrounding properties, including but not limited to access restrictions, air, noise, and water pollution. Airborne dust and water quality are key concerns for properties near the proposed interchange project area because of the proximity of sensitive waterways and residential land uses to the proposed interchange. Stormwater runoff and soil erosion are also of concern in the study area.

No Build Alternative Impacts

The No Build Alternative would not have construction-related activities, and therefore, no construction impacts.

Build Alternative Impacts

Normal construction activities associated with the Build Alternative would likely result in short-term elevated noise levels, airborne pollutants such as dust, and increased runoff and erosion. However, these impacts would only occur during the construction phase.

During construction it will be necessary to temporarily modify and restrict access to NE 36th Street for bridge and roadway construction that could result in short-term inconveniences for residents and businesses in the vicinity of the study area. It is feasible that construction activities could be completed in one construction season. The rate at which funds are allocated to the project and other unforeseen contingencies could potentially cause construction activities to occur over two seasons. Access to NE 36th Street would not be restricted for the entire duration of construction.

Exact details for maintenance of access and traffic would be determined as the project advances to the final design stage, however impacts to existing traffic patterns are expected to be minor. At a minimum, temporary access would be provided so that fire protection, law enforcement, and other emergency services could be maintained for all residential and commercial areas.

Build Alternative Mitigation

Construction impacts would be mitigated by adhering to construction permits and contract conditions. Those conditions may include many of the following measures:

- Prohibitions against burning construction debris;
- Control measures to limit airborne pollution;
- Specifications and procedures for disposal of wastes;
- Potential hazardous materials within the right-of-way would be identified and handled according to applicable regulations; and
- Sediment and erosion control would be minimized by stormwater permit requirements including a stormwater pollution prevention plan that outlines control measures such as:
 - Seeding disturbed areas as soon as possible after grading;
 - Minimizing disturbances to stream banks;
 - Avoiding work in stream channels;

- Undertaking of all necessary precautions to prevent petroleum; and other chemicals from entering streams; and
- Utilizing sediment barriers such as silt fences.
- Coordination of construction activities with Todd's Flying Service, operators of the adjacent Todd Field Airport, to ensure construction operations, supply and equipment storage would be compatible with the airspace needs of the airport.

5.8 Pedestrian and Bicycle

Existing Conditions

No sidewalks, bike paths, multiuse trails, or bike lanes are found in the project study area. Any pedestrians and bicyclists on NE 36th Street must share the roadway with vehicles given the absence of shoulders and presence of steep-sided drainage swales on both sides of the roadbed.

No Build Alternative Impacts

The pedestrian and cycling environment is expected to improve under the No Build alternative, assuming that the proposed trails, paths, and neighborhood parkways identified in *The Ankeny Plan* are constructed. If these facilities are not constructed, this alternative would continue to provide poor pedestrian and bicycle conditions in the project study area. As development occurs and traffic in the study area increases as projected, the pedestrian and cycling environment would continue to degrade.

Build Alternative Impacts

Bicycle and pedestrian facilities would be integrated into the project design. Design and construction of the proposed interchange would occur with the intent of accommodating multiuse trails or sidewalks along both sides of NE 36th Street (as shown in *The Ankeny Plan*) that would connect with park facilities found at Otter Creek Golf Course. However, the City of Ankeny has a policy of not installing trails adjacent to golf courses for safety reasons. As a result of that policy, exact locations and design details for the multiuse trails and paths would be addressed as the proposed project progresses into the final design stage. The design of the proposed interchange and ramp intersections would take into account the additional bridge structure width and travelway crossings necessary to accommodate the pedestrian facilities. Additionally, the multiuse trail and sidewalk would connect with existing pedestrian facilities along NE Delaware Avenue and NE 36th Street west of the project study area.

5.9 Wetlands

Existing Conditions

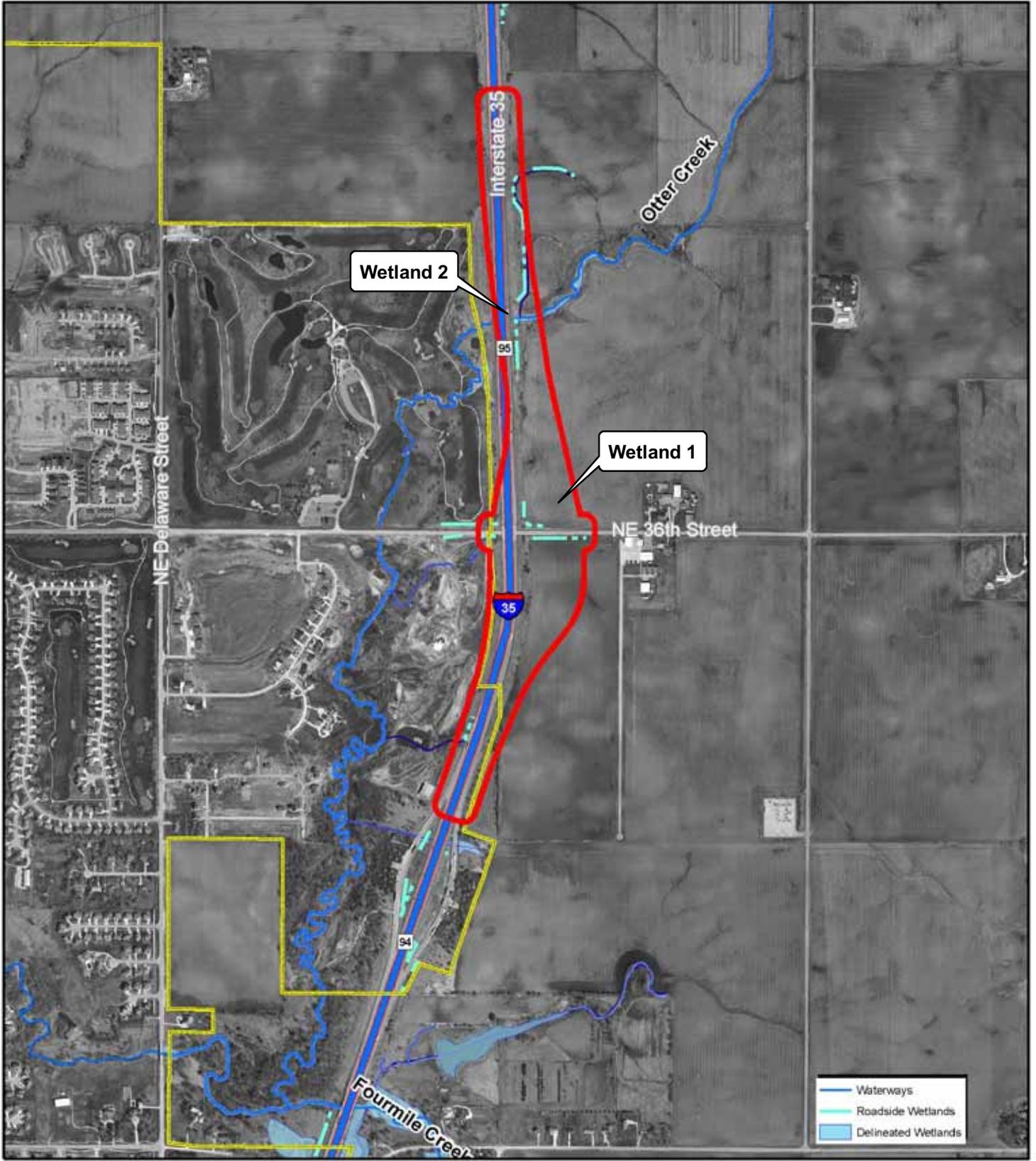
Wetlands are present within the project area, as shown on **Figure 7**. Wetland delineations were performed by Howard R. Green Company personnel on July 1, July 15, 2004 and December 13, 2006 to identify waters of the U.S., including wetlands that may be impacted by the proposed project. All potential wetland and stream areas within the proposed project corridor, as well as those wetlands shown on National Wetland Inventory (NWI) maps and those streams and/or drainages shown as blue lines on USGS Quadrangle maps, were investigated. Wetland delineations were conducted using methods outlined in the *1987 Corps of Engineers Manual for Wetland Delineation*. An investigation for farmed wetlands was also conducted using a hydric soils list and wetland determination map for the project corridor that was obtained from the NRCS Service Center in Ankeny. A detailed description of waters of the U.S. and wetlands within the project corridor is included below:

Wetland 1 - Wetland 1 is not listed on the NWI but could be classified as Palustrine, Emergent, Temporarily Flooded, Partially Drained/Ditched (PEMA_d). Wetland 1 includes wet roadside ditches on the north and south sides of NE 36th Street east of I-35 within the Build Alternative Footprint. These roadside ditches have wetland features but do not appear connected to any other surface waters. Wetland 1 covers 0.28 acres. Dominant vegetation within Wetland 1 includes reed canary grass (*Phalaris arundinaceae*) and narrow-leaved cattail (*Typha angustifolia*). The proposed Build Alternative will impact 0.28 acres of this wetland. A hydrological connection does not exist between Wetland 1 and Otter Creek to the west.

Wetland 2 - Wetland 2 is not listed on the NWI but could be classified as Palustrine, Emergent, Temporarily Flooded, Diked/Impounded (PEMA_h). Wetland 2 is a roadside wetland at the Mile 95 post approximately 425 feet long by 25 feet wide in the east ditch of I-35 northbound. This roadside ditch has wetland features but does not appear connected to any other surface waters. A tile drain from the corn/soybean field to the east and surface drainage from the Interstate System appear to provide hydrology for the wetland. A dike exists at the north end of the wetland that may further confine water in the wetland. Wetland 2 covers 0.19 acres. Dominant vegetation within Wetland 2 includes reed canary grass (*Phalaris arundinaceae*) and narrow-leaved cattail (*Typha angustifolia*). The proposed Build Alternative would impact 0.19 acres of this wetland. A hydrological connection does not exist between Wetland 2 and Otter Creek to the north.

Stream 1 - Stream 1 includes exposed and culverted areas of the Otter - Creek channel within the project area. This portion of Otter Creek is not shown on the NWI. Dominant vegetation on the banks of the channel includes dominant hydrophytic vegetation – reed canary grass (*Phalaris arundinaceae*) and scouring rush (*Equisetum hyemale*). The delineation determined that waters were confined to the stream channel and while bank areas showed some wetland features, the adjacent land was not determined to be wetland.

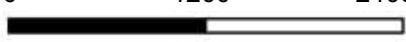
Figure 7: Wetlands



 Proposed Build Alternative Footprint

 Ankeny City Limits

0 1200 2400



Feet

1

No Build Alternative Impacts

No impacts to wetlands would occur if the proposed interchange is not constructed.

Build Alternative Impacts

The aforementioned wetland delineation indicates that a total of two wetlands and one perennial stream will be affected by the Build Alternative. Specifically, approximately 0.47 acres of wetlands as well as 225 linear feet of exposed and 150 feet of culverted Otter Creek would be impacted.

The Build Alternative would result in the filling and channeling of wetlands and other WOUS. A Section 404 Permit would be required from U.S. Army Corps of Engineers (USACE) prior to construction, in compliance with the Clean Water Act.

Otter Creek feeds into a culvert under I-35 within the Build Alternative area. The culvert includes three 8 feet by 8 feet chambers that channel Otter Creek beneath I-35 to Otter Creek Golf Course to the west. This culvert is 210 feet in length. Open areas of Otter Creek within the Build Alternative area include 225 linear feet of Otter Creek for a total impact of 435 linear feet. The open area covers 0.08 acres.

Build Alternative Mitigation

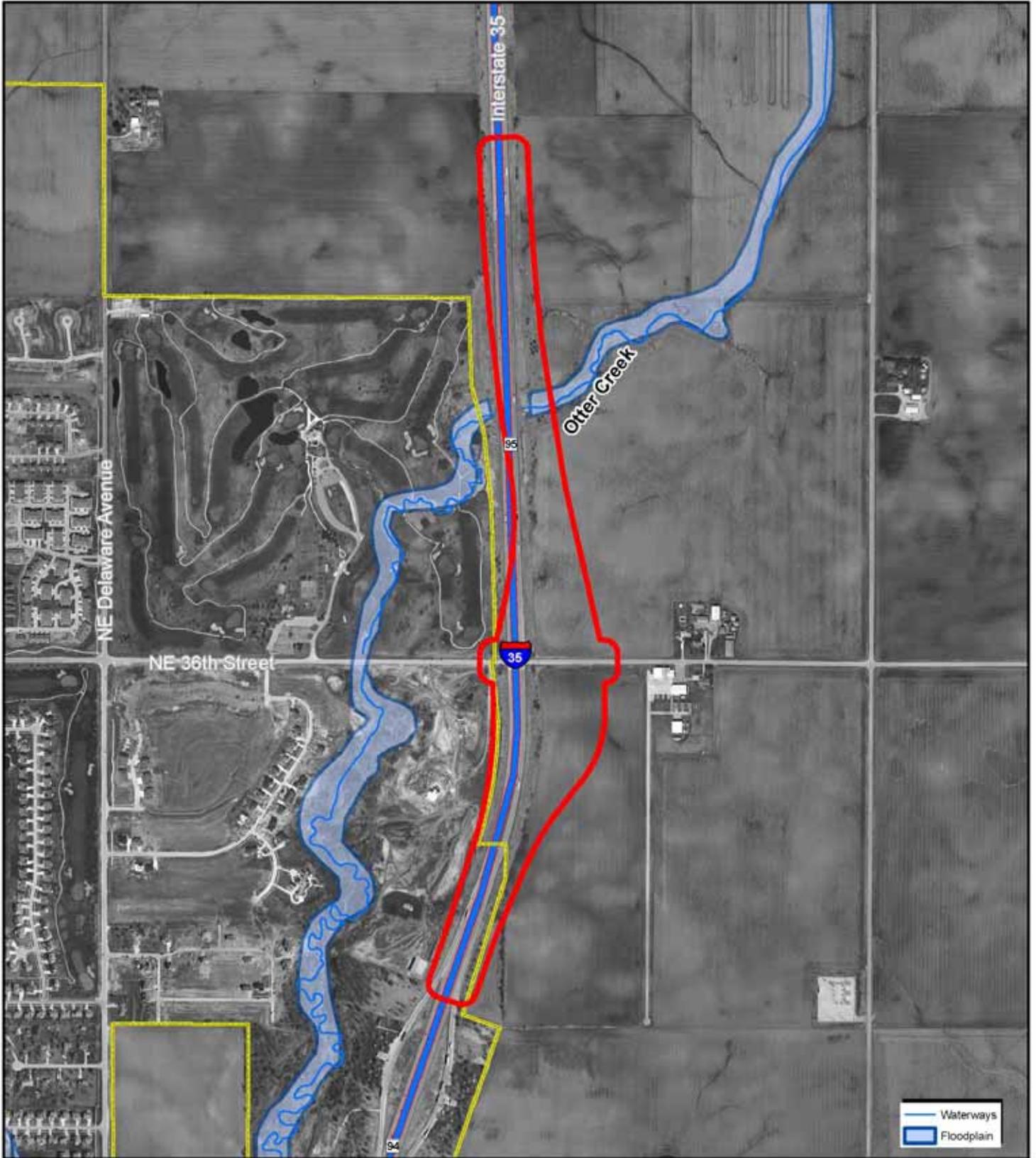
A wetland mitigation plan would be required to complete the Section 404 permit application. This plan will be submitted to the USACE and Iowa Department of Transportation (DNR).

5.10 Floodplains

Existing Conditions

Portions of the 100-year floodplain of Otter Creek are found within the project area. **Figure 8** illustrates the location of the floodplain in the project area as defined by the Federal Emergency Management Agency (FEMA).

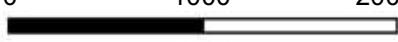
Figure 8: Floodplains



 Proposed Build Alternative Footprint

 Ankeny City Limits

0 1000 2000



Feet

1

No Build Alternative Impacts

This alternative would not impact the Otter Creek 100-year floodplain.

Build Alternative Impacts

Impacts associated with construction within the 100-year floodplain would be minor, provided that the appropriate level of planning occurs. Planning and agency coordination is being conducted to ensure that proposed construction associated with the Build Alternative is consistent with State and Federal requirements to maintain the flow of Otter Creek and to minimize risks of flooding. It is anticipated that fill inside the 100-year floodplain of Otter Creek would be necessary for construction of the proposed interchange. Further study of the floodplain and floodway in the project area may be necessary as follow-on mitigation to assure potential impacts are quantified based on further design. Additionally, consultations with the Iowa DNR for permitting and compliance for constructing in the floodplain may be necessary with the advancement of the proposed Build Alternative design.

Build Alternative Mitigation

If required, the appropriate mitigation measures would be developed through coordination with Iowa DNR during final design.

5.11 Water Quality

Existing Conditions

Two waterways exist in the vicinity of the project area that drain south into the Des Moines River. Four Mile Creek is located southwest of the proposed interchange and drains approximately 25,000 acres of agricultural and pasture land upstream of the project area northward to the City of Slater. Otter Creek is a small tributary of Four Mile Creek located on the far north edge of the proposed interchange project area. **Figure 9** identifies the location of the two waterways in relation to the project area.

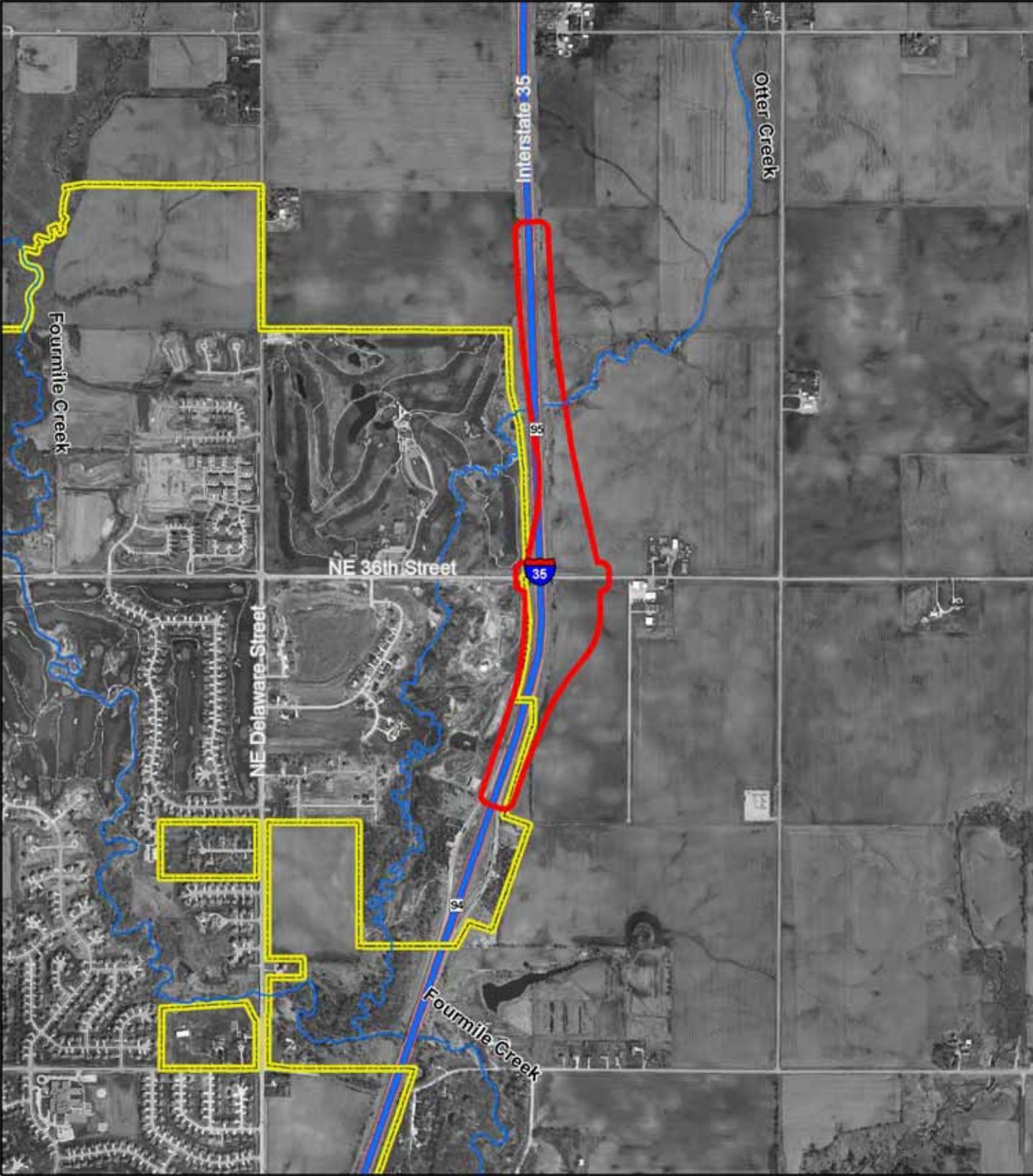
No Build Alternative Impacts

No impacts to water quality would occur as part of the No Build Alternative.

Build Alternative Impacts

Construction of a paved interchange facility would create additional impervious surfaces and increase runoff into these waterways during and after construction. The proposed interchange would be designed to Interstate System standards with paved shoulders and slopes that funnel runoff to a predetermined drainage system. The interchange design would not include curb and gutter; however, runoff generated by the additional pavement would have future linkages with Ankeny's storm sewer system as it is further developed in the area. Future improvements to the intersection at NE Delaware Avenue and NE 36th Street

Figure 9: Project Waterways



 Proposed Build Alternative Footprint
 Ankeny City Limits

0 750 1500

Feet **1**

may include the construction of curb and gutter section that would also be connected with Ankeny's storm sewer system.

The increase in the quantity of water entering the watershed from added pavement is expected to be minor relative to the total quantity of water entering the watershed. Temporary, downstream impacts to water quality during construction are also anticipated to be minor, provided standard sediment and erosion control measures are implemented.

Build Alternative Mitigation

Storm water infrastructure and proper storm water planning are necessary to address additional flow associated with the proposed interchange itself as well as planned development. Obtaining the required permits and following standard water quality protection measures during construction will prevent or minimize impacts. A storm water pollution prevention plan will be developed and implemented during construction of the proposed project. Properly implemented storm water management measures will minimize potential impacts to water quality resulting from the construction, operation, and maintenance of the proposed improvement.

The following additional mitigation measures may be observed to further minimize impacts to water resources during the construction or operation phases of the proposed project:

- Use construction controls to minimize erosion and sedimentation.
- Use pervious surfaces where practicable.
- Control runoff and dredge spoil disposal in order to avoid contamination of ground and surface water.
- Control and minimize use of pesticides, herbicides, and fertilizer.
- Maintain vegetative buffers to reduce sedimentation and delivery of chemical pollutants to the water body.

5.12 Wildlife and Habitat

Existing Conditions

Early coordination with the Iowa DNR and the U.S. Fish and Wildlife Service (USFWS) was conducted to determine if rare, threatened, or endangered plants and/or animals exist in the project study area. Correspondence received from the USFWS and the Iowa DNR indicated that three federally listed species are potentially present in the vicinity of the proposed action based on historic records of occurrences of these species (see **Table 4**).

Table 4: Federally Listed Species Potentially Occurring in Project Vicinity

Common Name	Scientific Name	Habitat	Federal Status	Iowa Status
Prairie Bush Clover	<i>Lespedeza leptostachya</i>	Dry to mesic prairies with gravelly soil	Threatened	N/A
Western Prairie Fringed Orchid	<i>Plantanthera praeclara</i>	Wet grassland habitat, wet prairie remnants	Threatened	Threatened
Indiana Bat	<i>Myotis sodalist</i>	Well developed riparian woods; upland forests; caves and mines	Endangered	Endangered

Source: U.S. Fish and Wildlife Service, Rock Island Field Office

- **Prairie Bush Clover** - The prairie bush clover is listed as threatened and is considered to potentially occur statewide in Iowa based on historical habitat. It occupies dry to mesic prairies with gravelly soil. Prairie bush clover habitat was not encountered during several field visits.
- **Western Prairie Fringed Orchid** - The western prairie fringed orchid is listed as threatened and is considered to potentially occur statewide in Iowa based on historical records and habitat distribution. It occupies wet grassland habitats. Western prairie fringed orchid habitat was not encountered during field visits.
- **Indiana Bat** - In Iowa, the Indiana bat is listed as potentially occurring in all counties south of Interstate 80, including portions of Polk County south of I-80. The project study area is located in Polk County, several miles north of I-80. Despite the unlikelihood of the occurrence of the Indiana bat in the project study area, the study area was considered in close enough proximity to its potential range to merit discussion.

During the summer, the Indiana bat frequents the corridors of small streams with well-developed riparian woods as well as mature upland forests. It forages for insects along the stream corridor, within the canopy of floodplain and upland forests, over clearings with early successional vegetation, along the borders of croplands, along wooded fencerows, and over farm ponds and in pastures. It has been shown that the foraging range for the bats varies by season, age, and sex and ranges up to 81 acres. The Indiana bat roosts and rears its young beneath the loose bark of large dead or dying trees. It winters in caves and abandoned mines. Indiana bats may not be harmed, harassed, or disturbed when present. No Indiana bat habitat was found within the project area as the majority of the vicinity is treeless agricultural fields.

In addition, the bald eagle (*Haliaeetus leucocephalus*) has been identified in the past by the USFWS and the Iowa DNR as potentially occurring in the project study area. The bald eagle was delisted in 2007 as a Federally-Threatened

Species but is still protected by the Bald and Golden Eagle Protection Act. The bald eagle breeds and winters along large rivers, lakes, and reservoirs in Polk County, Iowa, and during the winter, this species feeds on fish in the open water areas created by dam tailwaters, warm water effluents of power plants and municipal and industrial discharges, or in power plant cooling ponds. The more severe the winter, the greater the ice coverage and the more concentrated the bald eagles become. The bald eagle roosts at night in groups in large trees adjacent to the river in areas that are protected from the harsh winter elements. Bald eagles perch in large shoreline trees to rest or feed on fish. There is no critical habitat designated for this species. The bald eagle may not be harassed, harmed, or disturbed when present nor may nest trees be cleared. Potentially suitable habitat for the bald eagle does not exist within the project study area.

No Build Alternative

There are no potential impacts to rare, threatened, or endangered plants and/or animals in the project vicinity under the No Build Alternative.

Build Alternative Impacts

No adverse impacts are anticipated to any listed species under the Build Alternative because of the lack of appropriate habitat for threatened and endangered species in the project vicinity. However, as a result of the USFWS coordination, the agency recommended that priority consideration should be given to avoid and minimize impacts to wetland habitats in the project area. See Section 5.8 Wetlands for more details concerning wetlands in the project area.

Unavoidable impacts will require mitigation to compensate for any losses of wetland functions and values.

5.13 Farmland

Existing Conditions

Prime farmland is defined by the Department of Agriculture (USDA) as land best suited for food, feed, forage, fiber, and oilseed crops. It includes land used for cultivation, pasture, and woodland, but does not include urban or built-up land. To be considered prime farmland, a site must have high quality soil, an adequate growing season, and sufficient moisture to produce a high-yield crop.

The portion of land east of I-35 in the project study area is generally used for crop production or fallow pasture. Crops grown in the area include corn and soybeans, which are typical for Central Iowa.

No Build Alternative Impacts

This alternative would have no impacts to farmland in the project study area.

Build Alternative Impacts

The Build Alternative would directly convert approximately 26 acres of farmland to right-of-way. Approximately 13.4 of those 26 acres were determined to be prime and unique farmland. To evaluate the overall impact to prime farmland by the Build Alternative, a Farmland Conversion Impact Rating was established based on correspondence with the USDA's Natural Resource Conservation Service. The conversion impact rating for the proposed Build Alternative was 52, well below the 160 points needed to require avoidance and/or mitigation measures. A copy of the impact rating form for the Build Alternative is located in **Appendix A**. Additional farmland in the vicinity would be expected to be indirectly converted to other uses as the area develops in the future. This farmland conversion would likely occur with or without construction of the proposed Build Alternative as additional development in the area of the proposed interchange continues.

5.14 Historic Property

Existing Conditions

There are no structures and therefore no historic structures located within the project study area.

A Phase I archeological reconnaissance investigation along the I-35 corridor north of Ankeny was completed by Bear Creek Archeology (BCA) in June, 2004. This cultural resource survey included the current interchange project study area. Field work was conducted by BCA personnel in June 2004. The project area was investigated using a combination of survey techniques including pedestrian reconnaissance, shovel testing, and soil probing. The proposed interchange project area at I-35 and NE 36th Street consisted of previously highly disturbed land west of I-35 and agricultural land east of the Interstate System facility.

Three newly recorded sites were identified during the investigation; however none of those sites were found within the current proposed interchange project area and no previously recorded sites were located in the proposed project area.

Of the three previously unrecorded sites identified, two sites were recommended by BCA for no additional cultural resources work. The other previously unrecorded site was recommended for additional archival research and archeological examination.

No Build Alternative Impacts

This alternative would have no impact on historic properties in the project area.

Build Alternative Impacts

The Iowa DOT determined that no historic properties would be affected by the proposed project. The Iowa SHPO concurred with this determination on November 2, 2004 (see Appendix A).

Build Alternative Mitigation

No mitigation is required; however, in the event that a previously unevaluated historic property is discovered during construction, the following provisions are recommended:

- In the event that resources of archeological importance are encountered, all construction and excavation activities should cease immediately within the area. The area should be secured, the material left in place with no further disturbance, and the Iowa DOT, the Iowa SHPO, or the Iowa Office of the State Archaeologist (OSA), as appropriate should be contacted immediately.

No human remains or suspected mortuary features have been identified within the project study area and none are anticipated to be found during the implementation of the proposed undertaking. However, it is understood that any human remains, mortuary features, and/or grave-associated funerary objects discovered within the project area are protected by provisions of the Iowa Codes 144.34 and 263B.7 through 263B.9, and the Iowa Administrative Code Section 685, Chapter 11. In accordance with Iowa Code, all construction and excavation activities must cease immediately within the area if human remains, mortuary features and/or grave-associated objects are encountered. The area must be secured and the material left in place with no further disturbance. A tarp, plastic sheeting, or other appropriate covering must be placed over the exposed remains and weighted with loose soil along the edges and the top. The Iowa DOT, Iowa SHPO, and the Iowa OSA Director of the Burials Program (telephone: 319-384-0740) must be contacted immediately in the event that human remains are discovered during construction or excavation activity.

5.15 Recreation, Parklands, and Section 4(f) Properties

Existing Conditions

Two golf courses are found directly adjacent to the project study area abutting the western edge of existing Iowa DOT-owned I-35 right-of-way. **Figure 10** displays the location of the two golf courses in relation to the project study area. The property south of NE 36th Street is a privately-owned 18-hole development and is not open to the general public for play.

Otter Creek Golf Course is located directly north of NE 36th Street. Otter Creek is a City of Ankeny-owned, 18-hole public golf course. Due to its status as a publicly-owned recreational property, it is considered a Section 4(f) protected-property. The golf course occupies a roughly square parcel of land approximately 160 acres in size. It is bordered on the east by I-35, on the west by NE Delaware Avenue, on the south by NE 36th Street, and on the north by former agricultural land currently in the process of being developed. Features of the property include 18 playing holes, a driving range, a putting green, a club house, tennis courts, cart path/hiking trail, a playground, and parking lots.

The vacant property directly north of Otter Creek Golf Course has been approved by the City of Ankeny to construct an additional nine golf holes interspersed with single-family residential housing. Once construction of the additional nine golf holes and appropriate infrastructure is complete, it is anticipated that the existing 160 acre 18-hole golf course will be redeveloped into a 9-hole course also interspersed with residential housing. The ultimate plan for Otter Creek Golf Course is anticipated to result in an 18-hole golf course owned by the City of Ankeny and residential community with residential lots owned by private land owners. Additionally, approximately 20 acres of land adjacent to the I-35 right of way in the southeast corner of the existing facility would potentially be converted to local and Interstate System commercial land uses. Redevelopment activities at Otter Creek Golf Course were pursued independent of the proposed interchange at NE 36th Street with the Iowa DNR and US Department of Interior.

No Build Alternative Impacts

This alternative would have no impact upon recreation facilities or parkland.

Build Alternative Impacts

The proposed transportation improvements associated with construction of an interchange at NE 36th Street would require the incorporation of a small triangular-shaped portion of land from Otter Creek Golf Course into public right of way. That portion of property is located at the northeast corner of the NE 36th Street and NE Delaware Avenue intersection. **Figure 11** displays the location of this piece of property. This triangular piece of land, approximately 0.3 acres in size, would be required for intersection improvements necessary to handle increased future traffic volumes on NE Delaware Avenue and NE 36th Street resulting from construction of the proposed interchange at I-35 and NE 36th Street. However, the proposed interchange itself will not require the use of land from Otter Creek Golf Course.

The portion of land to be incorporated into permanent City of Ankeny right-of-way as part of transportation improvements would be necessary to provide adequate sight-distance at the intersection. Additionally, the property would also provide space for future right and left-turn lanes on NE 36th Street and Delaware Avenue as well as room for a signal mast arm and control box.

The 0.3 acres that would be incorporated into permanent right-of-way is not actively used by golf course patrons except as passive open space and would be considered a *de minimis* impact to the park. FHWA concurred with the *de minimis* determination on May 28, 2008 and a copy of this correspondence is in **Appendix A**. The property that would be used is outside of a boundary demarcated by a post and cable fence, adjacent to the existing right-of-way, and is not part of the 18-hole golf course. As result, no adverse impacts would occur to Otter Creek Golf Course.

Figure 10: Recreation Land in the Project Area



 Proposed Interchange Impact Footprint

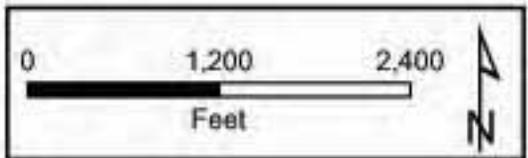


Figure 11: Section 4(f) Impacts



 Corporate Limits

 4(f) Property

 Golf Course

0 300 600

Feet



Build Alternative Mitigation

Incorporation of the 0.3 acres of land at the NE 36th Street and Delaware Avenue intersection cannot be avoided and would be necessary for improvements associated with the proposed Build Alternative. Existing City of Ankeny right-of-way, pavement, and infrastructure at the existing intersection prevents design concepts and mitigation measures that totally avoid the Section 4(f) property.

Additionally, the proposed interchange Build Alternative utilizes an alignment that shifts mainline I-35 away from the existing Otter Creek property and does not incorporate any Section 4(f) property into the proposed interchange right-of-way, effectively minimizing the potential of adverse impacts to the activities, features, and attributes of the golf course. Improvements at the NE 36th Street and NE Delaware Avenue intersection would utilize urban design standards that minimize encroachment upon the existing passive open space. Design details that minimize encroachment could include curb and gutter standards and removal of existing drainage ditches.

5.16 Section 6(f) Properties

Existing Conditions

Portions of the existing Otter Creek Golf Course have been identified as a Section 6(f) resource. In 1978, improvements were made to the golf course in the form of cart paths and walking trails throughout the 160 acres of property. These improvements utilized Land and Water Conservation Act funds. The use of funds appropriated under the stipulations of that Act qualifies the existing property for protection under the Section 6(f) Act.

The City of Ankeny and the Iowa DNR have coordinated to determine that an amendment to the existing LAWCON-designated property which will remove 42.31 acres and replace it with 88.55 acres of land located directly adjacent to and along the north edge of the existing Northeast Recreation Area and Otter Creek Golf Course as a result of 6(f)3 conversion is not an adverse impact on the resource by the City's action to relocate part of the golf course. In addition, these actions are being pursued independently of the proposed interchange as part of the planned golf course redevelopment and would occur even without construction of the interchange. Correspondence regarding Section 6(f) property is in **Appendix B**.

No Build Alternative

No impact to the Section 6(f) property would occur under the No Build Alternative. The actions of the City of Ankeny mentioned in the Existing Conditions section above would occur regardless of the No Build Alternative.

Build Alternative

No impact to the Section 6(f) property would occur under the Build Alternative. The actions of the City of Ankeny mentioned in the Existing Conditions section above would occur regardless of the Build Alternative.

5.17 Noise

Existing Conditions

Noise is “unwelcome/unwanted” sound usually caused by human activity and added to the natural acoustic setting of a locale. Further defined, noise is sound that disrupts normal activities or diminishes the quality of the environment. Noise is usually undesirable because it interferes with speech communication and hearing or is otherwise annoying.

Noise sensitive receivers are defined by the FHWA and include places where people work, play, and learn. Places like homes, schools, libraries, hospitals, recreational areas, active sport areas, and parks are considered sensitive noise receivers under FHWA Noise Abatement Criterion B. The outdoor threshold for noise abatement under Criterion B is 67 decibels (dBA).

While there are no sensitive noise receivers within the project study area, there are three farmsteads and two golf courses adjacent to the project study area that are sensitive noise receivers. The three farmsteads are located approximately 1,100 feet east of I-35's existing northbound lanes. Two of the farmsteads are located on the north side of NE 36th Street and the other is located south of NE 36th Street. The farmstead located on the south side of NE 36th Street includes a flying service/business with a runway. This business offers private pilot lessons, chartered flights, and crop dusting services. The two golf courses are located on the west side of I-35. Otter Creek Golf Course, is a public course and is located on the north side of NE 36th Street. The other golf course is privately owned and is located south of NE 36th Street. Both of these golf courses share a property line with the I-35 right-of-way.

A quantitative noise study was conducted to determine estimated noise levels for the existing conditions, the No Build, and the Build Alternative for the five sensitive noise receivers. FHWA's Transportation Noise Model (TNM) was used to conduct the study. Traffic volumes were taken from the March 2008 IJR.

The five sensitive receivers currently experience traffic noise from I-35 and NE 36th Street. In addition, they also experience aircraft noise from the flying business located east of I-35. Only noise from I-35 was modeled and does not include traffic noise the five sensitive noise receivers would experience from aircraft noise or traffic noise from NE 36th Street. For 2004 existing conditions, all of the five sensitive noise receivers are approximately 5 to 12 dBA under the FHWA's Criterion B 67 dBA threshold as shown in **Table 5**.

Table 5. Estimated Traffic Noise Levels

Sensitive Noise Receiver	2004 Existing Conditions (dBA)	2030 No Build Alternative (dBA)	2030 Build Alternative (dBA)
Farmstead, east of I-35 & south of NE 36 th Street (flying business)	55	58	62
Farmsteads, east of I-35 & north of NE 36 th Street	55	58	62
Otter Creek Golf Course at ROW line	58	72*	75*
Private Golf Course at ROW line	62	68*	70*

* Indicates noise level is either approaching or exceeding the FHWA Criterion B 67 dBA threshold.

No Build Alternative Impacts

Traffic volumes are forecasted to increase which would increase the amount of traffic noise heard through out the project study area. Ambient noise levels associated with growth in traffic volumes generated from ongoing development are expected to continue to increase as development in the area progresses. It is anticipated that residential and commercial development in the area will continue at an accelerated pace with or without construction of the Build Alternative.

Both golf courses would experience an increase of approximately 6 to 14 dBA over existing conditions and would be approximately 1 to 8 dBA over the FHWA Criterion B 67 dBA threshold as shown in **Table 5**. The three farmsteads would experience an approximate 3 dBA increase over the existing conditions and would be approximately 9 dBA under the 67 dBA threshold.

Build Alternative Impacts

Construction of the Build Alternative would result in the reconstruction of I-35 approximately 200-300 feet further east of the existing roadway. This shift results in the roadway getting closer to the farmsteads on the east side of the I-35 and further away from the golf courses on the west side of I-35. Despite the roadway getting closer to the farmsteads, the estimated traffic noise level for the proposed roadway would increase approximately 7 dBA over existing conditions and be approximately 5 dBA less than the 67 dBA threshold as shown in **Table 5**. Both golf courses experience an increase of approximately 8 to 17 dBA and would be approximately 3 to 8 dBA over the 67 dBA threshold as shown in **Table 5**.

In addition, a temporary increase in noise would occur as a result of construction activities.

No Build and Build Alternative Mitigation

According to the Iowa DOT's Highway Traffic Noise Analysis and Abatement Policy (Policy No. 500.07), noise abatement measures must be reasonable and feasible and decisions on installing abatement measures should use common sense and good judgment. Any sensitive noise receiver with predicted traffic noise to either approach or exceed the 67 dBA threshold should be considered for noise abatement. Noise abatement measures could include noise walls and berms.

The predicted traffic noise levels for the three farmsteads do not approach or exceed the 67 dBA threshold under both the No Build and Build Alternatives. Therefore no noise abatement is needed.

The predicted traffic noise levels for the two golf courses exceed the 67 dBA threshold for both the No Build and Build Alternatives. While noise abatement should be considered, these measures may not be reasonable or feasible due to the land use of these properties. Golf courses are typically only used during daylight hours and people typically do not stay in one place very long as they follow the course. People would be moving in and then out of the area that is considered to be over the 67 dBA threshold which may make construction of noise abatement measures unreasonable.

If it is determined at a later date by the City of Ankeny and Iowa DOT that noise levels warrant further examination, noise abatement measures, including noise walls and berms, could be considered at that time pending potential feasibility and effectiveness analyses.

5.18 Air Quality

Existing Conditions

The project study area is in attainment for current state and federal requirements as mandated by the Clean Air Act of 1990. The Air Quality Division of the Polk County Public Works Department is the delegated permitting and enforcement authority for most air quality programs, including construction and equipment operating permits as required by Polk County Board of Health Rules and Regulations. Examples of equipment requiring permitting include nonmetallic mineral processing, portland batch plants, asphalt batch plants, and generators. Polk County Air Quality Regulations also prohibit open burning of clearing and grubbing debris within one-quarter mile of any inhabited structure and require the procurement of a permit for any open burning.

No Build Alternative

As development continues in the vicinity of the project area with or without construction of the proposed interchange, traffic and congestion are expected to increase on area roadways. As traffic volumes increase, criteria pollutants and hazardous air pollutants from motor vehicles will likely increase. However, this increase is expected to be minor and emissions would be dispersed over a wide area rather than concentrated.

Build Alternative

Air quality impacts associated with the proposed interchange would be minor. The vicinity of the project area is expected to experience substantial increases in traffic volumes associated with ongoing development in the area. The additional traffic resulting from the construction of the proposed interchange would be minor and only slight airborne emissions increases of both criteria pollutants and hazardous air pollutants from motor vehicles would be expected. The area would be expected to remain in attainment for criteria air pollutants following completion of the project.

Likewise, air quality impacts associated with construction activities are expected to be minor as long as dust suppression occurs when necessary and factory-installed emission control device are maintained on construction equipment. applicable regulations are followed and the appropriate permits are obtained.

Build Alternative Mitigation

No mitigation is required as long as construction fugitive dust reduction requirements are followed and equipment operating permits are obtained. Reasonable precautions are required to prevent particulate matter from becoming airborne so as to minimize atmospheric pollution.

5.19 Mobile Source Air Toxics (MSATs)

This EA includes a basic analysis of the likely MSAT emission impacts of this project. However, available technical tools do not enable FHWA to predict the project-specific health impacts of the emission changes associated with the alternatives in this EA. Due to these limitations, the following discussion is included in accordance with CEQ regulations (40 CFR 1502.22(b)) regarding incomplete or unavailable information:

Information that is Unavailable or Incomplete.

Evaluating the environmental and health impacts from MSATs on a proposed highway project would involve several key elements, including emissions modeling, dispersion modeling in order to estimate ambient concentrations resulting from the estimated emissions, exposure modeling in order to estimate human exposure to the estimated concentrations, and then final determination of health impacts based on the estimated exposure. Each of these steps is encumbered by technical shortcomings or uncertain science that prevents a more complete determination of the MSAT health impacts of this project.

- **Emissions** - The Environmental Protection Agency (EPA) tools to estimate MSAT emissions from motor vehicles are not sensitive to key variables determining emissions of MSATs in the context of highway projects. While MOBILE 6.2 is used to predict emissions at a regional level, it has limited applicability at the project level. MOBILE 6.2 is a trip-based model--emission factors are projected based on a typical trip of 7.5 miles, and on average speeds for this typical trip. This means that MOBILE 6.2 does not have the ability to predict emission factors for a

specific vehicle operating condition at a specific location at a specific time. Because of this limitation, MOBILE 6.2 can only approximate the operating speeds and levels of congestion likely to be present on the largest-scale projects, and cannot adequately capture emissions effects of smaller projects. For particulate matter (PM), the model results are not sensitive to average trip speed, although the other MSAT emission rates do change with changes in trip speed. Also, the emissions rates used in MOBILE 6.2 for both PM and MSATs are based on a limited number of tests of mostly older-technology vehicles. Lastly, in its discussions of PM under the conformity rule, EPA has identified problems with MOBILE 6.2 as an obstacle to quantitative analysis.

These deficiencies compromise the capability of MOBILE 6.2 to estimate MSAT emissions. MOBILE 6.2 is an adequate tool for projecting emissions trends, and performing relative analyses between alternatives for very large projects, but it is not sensitive enough to capture the effects of travel changes tied to smaller projects or to predict emissions near specific roadside locations.

- **Dispersion** - The tools to predict how MSATs disperse are also limited. The EPA's current regulatory models, CALINE3 and CAL3QHC, were developed and validated more than a decade ago for the purpose of predicting episodic concentrations of carbon monoxide to determine compliance with the National Ambient Air Quality Standards (NAAQS). The performance of dispersion models is more accurate for predicting maximum concentrations that can occur at some time at some location within a geographic area. This limitation makes it difficult to predict accurate exposure patterns at specific times at specific highway project locations across an urban area to assess potential health risk. The National Cooperative Highway Research Program (NCHRP) is conducting research on best practices in applying models and other technical methods in the analysis of MSATs. This work also will focus on identifying appropriate methods of documenting and communicating MSAT impacts in the National Environmental Policy Act (NEPA) process and to the general public. Along with these general limitations of dispersion models, FHWA is also faced with a lack of monitoring data in most areas for use in establishing project-specific MSAT background concentrations.
- **Exposure Levels and Health Effects** - Finally, even if emission levels and concentrations of MSATs could be accurately predicted, shortcomings in current techniques for exposure assessment and risk analysis preclude FHWA from reaching meaningful conclusions about project-specific health impacts. Exposure assessments are difficult because it is difficult to accurately calculate annual concentrations of MSATs near roadways, and to determine the portion of a year that people are actually exposed to those concentrations at a specific location. These difficulties are magnified for 70-year cancer assessments, particularly because unsupportable assumptions would have to be made regarding changes in travel patterns and vehicle technology (which affects emissions rates) over a 70-year period. There are also considerable

uncertainties associated with the existing estimates of toxicity of the various MSATs, because of factors such as low-dose extrapolation and translation of occupational exposure data to the general population. Because of these shortcomings, any calculated difference in health impacts between alternatives is likely to be much smaller than the uncertainties associated with calculating the impacts. Consequently, the results of such assessments would not be useful to decision makers, who would need to weigh this information against other project impacts that are better suited for quantitative analysis.

Summary of Existing Credible Scientific Evidence Relevant to Evaluating the Impacts of MSATs.

Research into the health impacts of MSATs is ongoing. For different emission types, there are a variety of studies that show that some either are statistically associated with adverse health outcomes through epidemiological studies (frequently based on emissions levels found in occupational settings) or that animals demonstrate adverse health outcomes when exposed to large doses.

Exposure to toxics has been a focus of a number of EPA efforts. Most notably, the agency conducted the National Air Toxics Assessment (NATA) in 1996 to evaluate modeled estimates of human exposure applicable to the county level. While not intended for use as a measure of or benchmark for local exposure, the modeled estimates in the NATA database best illustrate the levels of various toxics when aggregated to a national or State level.

The EPA is in the process of assessing the risks of various kinds of exposures to these pollutants. The EPA Integrated Risk Information System (IRIS) is a database of human health effects that may result from exposure to various substances found in the environment. The IRIS database is located at <http://www.epa.gov/iris>. The following toxicity information for the six prioritized MSATs was taken from the IRIS database *Weight of Evidence Characterization* summaries. This information is taken verbatim from EPA's IRIS database and represents the Agency's most current evaluations of the potential hazards and toxicology of these chemicals or mixtures.

- **Benzene** is characterized as a known human carcinogen.
- The potential carcinogenicity of **acrolein** cannot be determined because the existing data are inadequate for an assessment of human carcinogenic potential for either the oral or inhalation route of exposure.
- **Formaldehyde** is a probable human carcinogen, based on limited evidence in humans, and sufficient evidence in animals.
- **1,3-butadiene** is characterized as carcinogenic to humans by inhalation.
- **Acetaldehyde** is a probable human carcinogen based on increased incidence of nasal tumors in male and female rats and laryngeal tumors in male and female hamsters after inhalation exposure.
- **Diesel exhaust (DE)** is likely to be carcinogenic to humans by inhalation from environmental exposures. Diesel exhaust as reviewed in this

document is the combination of diesel particulate matter and diesel exhaust organic gases.

- **Diesel exhaust** also represents chronic respiratory effects, possibly the primary noncancer hazard from MSATs. Prolonged exposures may impair pulmonary function and could produce symptoms, such as cough, phlegm, and chronic bronchitis. Exposure relationships have not been developed from these studies.

There have been other studies that address MSAT health impacts in proximity to roadways. The Health Effects Institute, a non-profit organization funded by EPA, FHWA, and industry, has undertaken a major series of studies to research near-roadway MSAT hot spots, the health implications of the entire mix of mobile source pollutants, and other topics. The final summary of the series is not expected for several years.

Some recent studies have reported that proximity to roadways is related to adverse health outcomes -- particularly respiratory problems. Much of this research is not specific to MSATs, instead surveying the full spectrum of both criteria (CO₂, O₃, NO_x, and PM₁₀) and other pollutants. The FHWA cannot evaluate the validity of these studies, but more importantly, they do not provide information that would be useful to alleviate the uncertainties listed above and enable FHWA to perform a more comprehensive evaluation of the health impacts specific to this project.

Relevance of Unavailable or Incomplete Information to Evaluating Reasonably Foreseeable Significant Adverse Impacts on the Environment, and Evaluation of impacts based upon theoretical approaches or research methods generally accepted in the scientific community.

Because of the uncertainties outlined above, a quantitative assessment of the effects of air toxic emissions impacts on human health cannot be made at the project level. While available tools do allow FHWA to reasonably predict relative emissions changes between alternatives for larger projects, the amount of MSAT emissions from each of the project alternatives and MSAT concentrations or exposures created by each of the project alternatives cannot be predicted with enough accuracy to be useful in estimating health impacts. (As noted above, the current emissions model is not capable of serving as a meaningful emissions analysis tool for smaller projects.) Therefore, the relevance of the unavailable or incomplete information is that it is not possible to make a determination of whether any of the alternatives would have "significant adverse impacts on the human environment."

As discussed above, technical shortcomings of emissions and dispersion models and uncertain science with respect to health effects prevent meaningful or reliable estimates of MSAT emissions and effects of this project. However, even though reliable methods do not exist to accurately estimate the health impacts of MSATs at the project level, it is possible to qualitatively assess the levels of future MSAT emissions under the project. Although a qualitative analysis cannot identify and measure health impacts from MSATs, it can give a basis for

identifying and comparing the potential differences among MSAT emissions, if any, from the various alternatives.

The qualitative assessment presented below is derived in part from a study conducted by the FHWA entitled *A Methodology for Evaluating Mobile Source Air Toxic Emissions Among Transportation Project Alternatives*, found at: fhwa.dot.gov/environment/airtoxic/msatcompare/msatemissions.htm

For each alternative in this EA, the amount of MSATs emitted would be proportional to the vehicle miles traveled (VMT) assuming that other variables such as fleet mix are the same for each alternative. The VMT estimated for the Build Alternative is slightly higher than that for the No Build Alternative, because the interchange facilitates new development that attracts trips that were not occurring in this area before. This increase in VMT means MSATs under the Build Alternative would probably be higher than the No Build Alternative in the project study area. There could also be localized differences in MSATs from indirect effects of the project such as associated access traffic, emissions of evaporative MSATs (e.g., benzene) from parked cars, and emissions of diesel particulate matter from delivery trucks, depending on the type and extent of development. On a regional scale, this emissions increase would be offset somewhat by reduced travel to other destinations.

For the Build Alternative, emissions are virtually certain to be lower than present levels in the design year as a result of EPA's national control programs that are projected to reduce MSAT emissions by 57 to 87 percent from 2000 to 2020. Local conditions may differ from these national projections in terms of fleet mix and turnover, VMT growth rates, and local control measures. However, the magnitude of the EPA-projected reductions is so great (even after accounting for VMT growth) that MSAT emissions in the study area are likely to be lower in the future than they are today.

The new ramps, acceleration/ deceleration lanes, and additional lanes on the crossing arterial streets contemplated as part of the project's Build Alternative will have the effect of moving some traffic closer to nearby homes, schools and businesses; therefore, there may be localized areas where ambient concentrations of MSATs would be higher. However, as discussed above, the magnitude and the duration of these potential increases cannot be accurately quantified because of limitations on modeling techniques. Further, under both the Build Alternative, overall future MSATs are expected to be substantially lower than today due to implementation of EPA's vehicle and fuel regulations.

In the design year it is expected that there would be higher MSAT emissions in the project study area, relative to the No Build Alternative, due to increased VMT. There could be slightly elevated but unquantifiable changes in MSATs to residents and others in a few localized areas where VMT increases, which may be important particularly to any members of sensitive populations. However, on a regional basis, EPA's vehicle and fuel regulations, coupled with fleet turnover, will over time cause substantial reductions that, in almost all cases, will cause region-wide MSAT levels to be significantly lower than today.

In this document, FHWA has provided a qualitative analysis of MSAT emissions relative to the various alternatives and has acknowledged that the Build Alternative may result in increased exposure to MSAT emissions in certain locations, although the concentrations and duration of exposures are uncertain, and because of this uncertainty, the health effects from these emissions cannot be estimated.

5.20 Regulated Materials Sites

Existing Conditions

A review of contaminated sites using the U.S. Environmental Protection Agency's (US EPA) online EnviroMapper database indicated that three sites located near the proposed interchange project area were identified as potential hazardous waste or air emissions sites. These sites include the Otter Creek Public Golf Course, located at 11395 NE 22nd Street (underground gasoline tank removed in 1990), Albaugh Golf Course, located at 1525 NE 36th Street (above ground fuel storage tanks) and Todd's Flying Service (Todd Field Private Airport), located at 2699 NE 110th Avenue (above ground fuel storage tanks). According to an Iowa DNR website search, no leaking underground storage tanks were found in the project study area. **Figure 12** displays regulated materials sites in the vicinity of the project area.

No Build Alternative Impacts

This alternative would not have any regulated materials impacts.

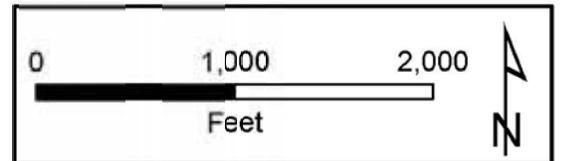
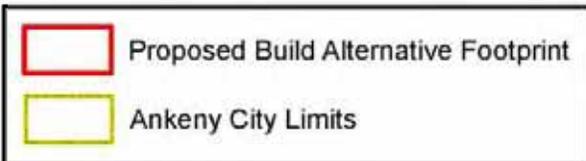
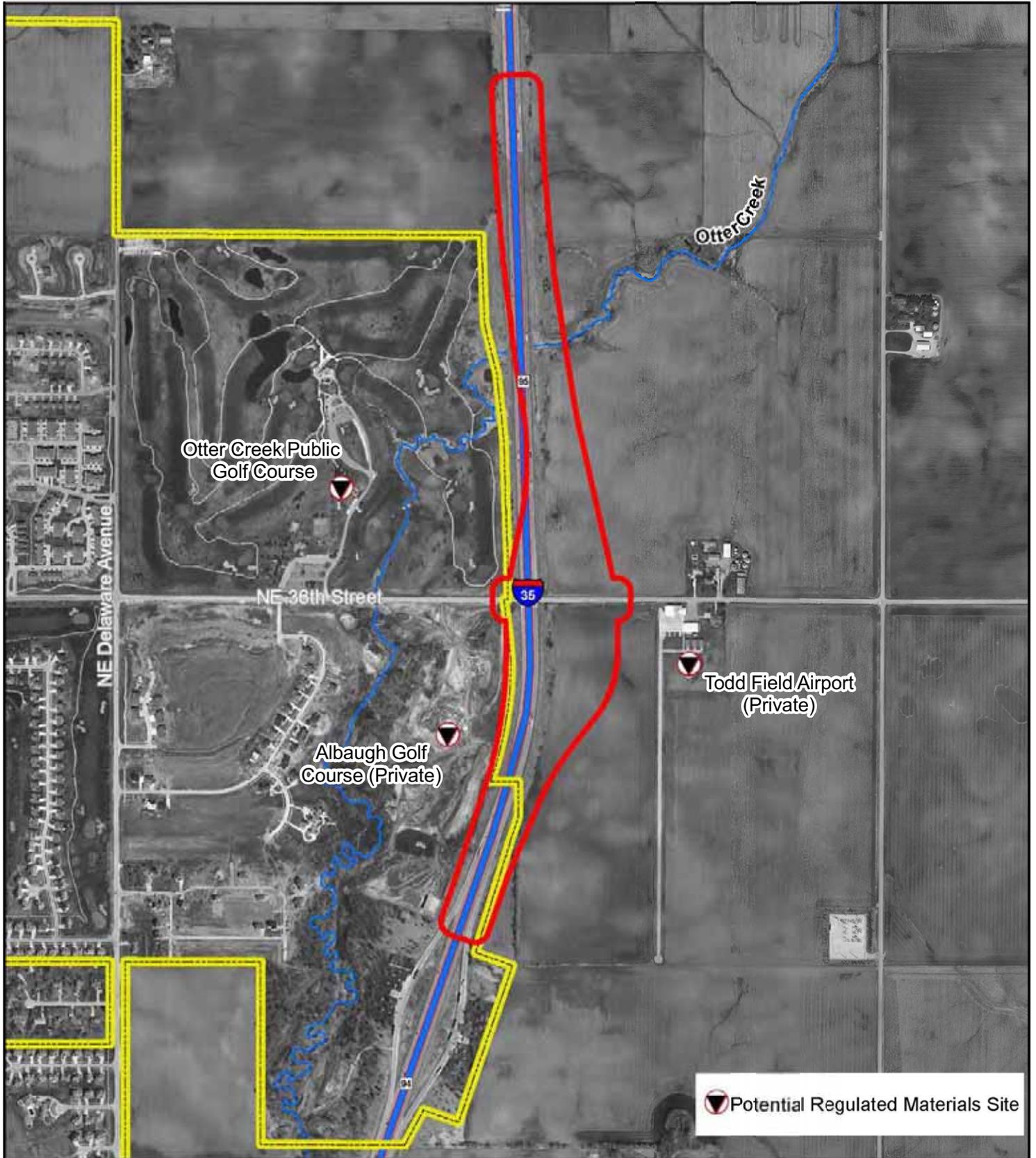
Build Alternative Impacts

Identified hazardous waste and air emissions sites in the vicinity of the project study area are located approximately 500 to 1,000 feet from the proposed interchange alignment. Construction of the Build Alternative would not impact those sites.

Build Alternative Mitigation

No mitigation is required, however if potentially hazardous materials are encountered during construction, construction activities will be halted and the City of Ankeny and Iowa DOT will be contacted immediately.

Figure 12: Regulated Materials Sites



5.21 Cumulative Impacts

Cumulative impacts are those that result from past, present, and reasonably foreseeable future actions, combined with the potential impacts of the proposed I-35 and NE 36th Street interchange project. A cumulative impact assessment looks at the collective impacts imposed by individual land use plans and projects. Cumulative impacts can result from individually minor, but collectively substantial impacts taking place over a period of time.

Previous Actions

Residential and subdivision development – The vicinity of the project study area has and currently is experiencing a conversion of agricultural land to low and medium-density residential subdivision development that began in the late 1980's. Agricultural uses and undeveloped lands still remain north and east of the study area. Residential development has resulted in increased traffic volumes in areas around the project study area.

Extension of development infrastructure – The City of Ankeny, in order to accommodate and facilitate growth and development, extended the necessary infrastructure to allow development in areas surrounding the project vicinity. Stormwater, wastewater, and drinking water systems as well as electric, natural gas, and cable TV utility lines all are found in the vicinity of the project area. The existence of these pieces of infrastructure allow for easy extension and service provision to adjoining properties resulting in overall lower costs for and ease of development.

Provision of transportation infrastructure – Improvements to the transportation infrastructure in the Ankeny area has made the community more accessible and attractive for continued residential and commercial development. Specifically, the widening of I-35 from 4 to 6 lanes northwards to the E 1st Street interchange, capacity improvements at the NE Delaware and E 1st Street intersection, and construction of the 18th Street overpass (currently in the planning and design process) enabled development in the Ankeny area to continue while accommodating roadway capacity demands on the local and regional road system generated by past and current development.

Potential Future Actions

Planned future growth– The City of Ankeny, through its comprehensive planning process documented in *The Ankeny Plan* and accompanying Future Land Use map adopted in 2004, has identified the north and east portions of the City and adjacent outlying areas as areas for future low and medium-density urban residential and mixed-use growth. In anticipation of future growth, the City of Ankeny and various utility providers have extended the appropriate infrastructure to current developments in close proximity to those areas identified for future growth.

Potential widening of I-35 – The widening I-35 from 4 to 6 lanes north of E 1st Street is not currently a component of the Des Moines MPO’s 2030 Long Range Transportation Plan. Traffic analyses developed for the NE 36th Street interchange justification report indicated that the widening of I-35 in this corridor is needed within the current planning horizon. However, this widening would be needed with or without the addition of NE 36th Street Interchange and is expected to occur in the median within existing right-of-way. As local and regional truck and passenger vehicle traffic continues to grow in the Des Moines metropolitan region and the Ankeny area at undetermined rates, future capacity improvements to I-35 between Ames and Des Moines will likely be analyzed for their potential need and feasibility. Future funding levels have not been determined; therefore fiscal constraints could potentially impact any proposed widening or reconstruction projects.

NE Beltway – The NE Beltway project is currently in the planning process and environmental impacts are being documented via the NEPA process through an Environmental Impact Statement (EIS). The project is in the Des Moines MPO 2030 Long Range Transportation Plan. The roadway facility would begin at the I-80/US 65 interchange east of I-35 and run northerly to near the town of Elkhart where it would turn west and connect with I-35 with a system interchange. Any potential interchange with I-35 would likely be located north of the proposed Build Alternative. The IJR determined that the potential connection of the NE Beltway with I-35 would not adversely impact the operation of NE 36th Street Interchange.

Expansion of the local arterial road system – The City of Ankeny, as documented in *The Ankeny Plan*, is planning to expand the local arterial street system to include NE Delaware Avenue north of E 1st Street and NE 36th Street. Both of these roadways are anticipated to be reconstructed as 5-lane urban arterial roadways to handle the additional traffic capacity that would be necessary as continued development generates additional traffic in the northeast Ankeny area.

No Build Alternative Impacts

Cumulative impacts in the resource areas of land use, noise, and water quality could be expected with or without construction of the proposed Build Alternative as development pressures are expected to persist in absence of the proposed interchange. Due to those existing development pressures and comprehensive planning efforts by the City of Ankeny, it is difficult to determine the speed, timing, and magnitude of impacts resulting from construction of the proposed Build Alternative versus the No Build Alternative.

Build Alternative Impacts

Cumulative impacts to resources in the project study area may result from residential, commercial, and roadway development as well as conversion of agricultural land. However, it is uncertain how much actual future development would be indirectly attributed to the construction of the proposed interchange. The vicinity of the project study area is identified in the City of Ankeny’s comprehensive future land use plan as an area positioned for future residential and potentially commercial development. However, the general study area is

currently experiencing development pressures absent of construction of the proposed interchange.

Land Use - The vicinity of the project study area has been experiencing steady, and occasionally rapid, residential growth over the last few decades. The City of Ankeny, through its Comprehensive Land Use Plan, has identified the vicinity of the project area as positioned for future residential, commercial, and mixed-use development. *The Ankeny Plan* uses the proposed I-35 and NE 36th Street interchange Build Alternative as a basis for determining locations of specific types of development, including low and medium-density residential development and some commercial development in the area of the proposed interchange. In order for planned development to occur, changes in land use must occur as much of existing developable land is currently in agricultural uses. The end result is the conversion of agricultural land uses to higher-intensity urban and suburban uses.

Mitigation - No mitigation is proposed, as the City of Ankeny, through its adopted planning processes and comprehensive land use plan, have identified and positioned the project study area for future development. *The Ankeny Plan* has identified and based planning efforts in the area upon the construction of the proposed Build Alternative.

Noise - The study area has experienced rising noise levels as traffic and development have gradually increased over the past decades. However, current noise levels do not exceed FHWA noise abatement criteria. Future residential, commercial/office, and mixed use development in the project area will likely generate elevated noise levels associated with general land use activities and higher traffic volumes.

Mitigation - Mitigation for cumulative noise impacts resulting from traffic noise in the project study area is not considered feasible due to the size and location of impacted receivers. Noise walls and berms would have to be constructed along virtually all roadways in the area to attenuate traffic-related noise. Relatively minor noise impacts from other types of sources would be expected with proposed land use types.

Water Quality - The project study area is currently drained via roadside drainage swales that outlet to Fourmile Creek via Otter Creek. Future development in the project area has the potential to impact water quality both on a temporary basis during construction and on a permanent basis. The addition of impervious surfaces, which would likely occur from proposed developments, would increase the amount of storm water runoff as well as introduce new sources of pollutants that, if transported via stream to Fourmile Creek, could degrade water quality. Sedimentation resulting from exposed soil, pollutant-laden runoff resulting from parking lots and the use of pesticides and fertilizers, and an increase in runoff from additional impervious surfaces could result.

Mitigation - The City of Ankeny has developed guidelines and ordinances that address storm water management. Best management practices attempt to reduce pollutants discharged into the municipal storm sewer system. Construction site storm water runoff controls and post-construction storm water

management are addressed by the guidelines and ordinances. The water quality impacts of new construction or conversions of agricultural land to other uses could be mitigated by including vegetated buffer zones to filter pollutants around creeks and drainage ways.

5.22 Impact Summary

The implementation of the Build Alternative would have environmental impacts to land use, farmland, noise, utilities, floodplains, and wetlands. The No Build alternative would likely cause similar environmental impacts to land use and noise, but the timing of those impacts could differ. Potential impacts to existing floodplains and wetlands would likely not occur under the No Build alternative.

The magnitude and extent of the impacts of the Build Alternative are small and isolated and not at a level that warrants additional analyses by way of an EIS. The City of Ankeny is addressing the indirect and cumulative impacts of urban growth through the comprehensive planning process as well as through individual regulatory requirements (e.g. storm water control regulations) designed to maintain or improve resource quality.

This overall impact determination is based on assessment of impacts identified through the streamlining process and mitigation requirements outlined for various resources including wetlands and the appropriate implementation of applicable federal and state requirements for soil erosion, and water quality.

The use of the environmental impact analysis process allowed the focusing of effort in areas where impacts would likely occur and scale back effort in areas where impacts were unlikely to occur. In particular, this focus on developing sufficient information about likely impacts facilitated the interagency coordination required as part of the wetlands permitting process under Section 404 of the Clean Water Act.

6.0 COMMENTS AND COORDINATION

6.1 Agency Coordination

Appropriate federal, state, regional, and local agencies were first contacted by letter in September 2004 as part of the early coordination process. This process requested agencies comments concerning this proposed project. Contact with several agencies had occurred in early planning stages for the proposed project. Several agencies were re-contacted in December 2006 to receive and update previous comments. Comment letters and emails are found in **Appendix A**. The agencies contacted are listed in **Table 6**.

Table 6: Agencies Contacted During Early Coordination Process

Agency Type	Agency	Date of Response
Federal	FEMA	None
Federal	FHWA, Iowa Division	None
Federal	Federal Transit Administration	None
Federal	Federal Aviation Administration	2/1/2007
Federal	Natural Resources Conservation Service	2/28/2007
Federal	USACE, Rock Island District	1/5/2005
Federal	U.S. Department of Housing and Urban Development	None
Federal	USFWS	10/19/2004
Federal	U.S. Department of Interior, National Parks Service	None
Federal	U.S. Department of Interior, Environmental Policy & Compliance	None
Federal	US EPA, Region VII	None
State	Iowa Department of Economic Development	None
State	Iowa DNR – Budget & Finance	9/23/2004
State	Iowa DNR – Conservation & Recreation	10/4/2004
State	Iowa DNR – Environmental Services	10/18/2004
State	Iowa DNR – Field Office 5	None
State	State Historical Society of Iowa	11/2/2004
State	Iowa Geological Survey Bureau	None
Regional	Des Moines Area MPO	10/8/2004
Regional	Central Iowa Regional Transportation Planning Alliance	10/8/2004
Regional	1000 Friends of Iowa	None
Regional	Big Bluestem Audubon Society	None
Regional	Sierra Club – Central Iowa Group	None
County	Polk County Board of Supervisors	None
County	Polk County Conservation Board	None
County	Polk County Engineer	None
County	Polk County Planning Division	None
County	Polk County Public Works	10/11/2004
Local	City of Ankeny – Economic Development	9/21/2004
Local	City of Ankeny – Leisure Services	None
Local	City of Ankeny – City Clerk	None
Local	City of Ankeny – City Council	None
Local	City of Ankeny – Mayor	None
Local	City of Ankeny – Community Development	None
Local	City of Ankeny – Engineering	None
Local	Ankeny Area Chamber of Commerce	None
Local	Ankeny Area Historical Society	None
Local	Otter Creek Golf Course	None

6.2 NEPA Process

The environmental documentation process to consider impacts resulting from construction of the proposed interchange at I-35 and NE 36th Street was formally initiated in June, 2004. Coordination with the following agencies has been ongoing prior to, and since that time:

- FHWA
- Iowa DNR
- USACE
- US EPA
- USFWS

6.3 Public Involvement

As part of the ongoing NEPA documentation process, a public information and input meeting was held on January 6, 2005. Sixty-one people attended the meeting, including project staff. Generally, oral and written comments from interested persons received at or after the meeting pertained to concerns related to increasing traffic congestion on Delaware Avenue and the E 1st Street interchange. Most were in favor of the E 1st Street interchange improvements and the addition of the NE 36th Street Interchange to relieve congestion. Others were concerned about the rapid growth in the area and the effects of the project on the human and natural environment, specifically issues related to floodplain impacts, noise, and disruption of existing neighborhoods. Several indicated a preference for improving an alternative interchange location outside the project area, such as NE 126th Street and the appropriateness and safety of proposed interchange spacing. (A complete summary of oral and written comments from this meeting is available from the City of Ankeny by contacting the City's Public Works Director listed on the cover of the EA document.)

A public hearing for the EA is planned for summer, 2008, at which time additional opportunities to comment on the proposed project and its environmental effects will be made available.

6.4 Tribal Coordination

Coordination with Tribes was conducted by Iowa DOT in November of 2004. Copies of the Phase I Cultural Resource Survey report were mailed to the following Tribes for their information:

- Otoe-Missouri Tribe
- Sac & Fox Nation of Mississippi in Iowa
- Iowa Tribe of Kansas & Nebraska
- Iowa Nation of Oklahoma

The Iowa Nation of Oklahoma responded on December 2, 2004 with no comment on the proposed project but requested continued notification. The remaining three Tribes did not respond to the request for comments.

7.0 CONCLUSION AND RECOMMENDATION

This EA documents the absence of significant impacts associated with the implementation of the Build Alternative discussed in Section 4.0. If no other studies identify impacts in the future or if no other impacts are introduced, a Finding of No Significant Impact (FONSI) would be the appropriate decision document for this project. This determination is based on the completion of any wetland mitigation requirements and the appropriate implementation of federal and state requirements for soil erosion, and water quality.

8.0 REFERENCES

Blikre, Lowell. Bear Creek Archeology, Inc. *Phase I Cultural Resources Survey Along Interstate 35, Ankeny to Elkhart Road*, Douglas and Elkhart Townships, Polk County, Iowa. June, 2004.

City of Ankeny, Iowa and RDG Planning & Design. *The Ankeny Plan: The Comprehensive Development Plan for Ankeny, Iowa*. Adopted January, 2004.

Des Moines Area Metropolitan Planning Organization. "Year 2030 Long-Range Transportation Plan". Adopted December 16, 2004.

Federal Emergency Management Agency. "Flood Insurance Rate Map, Community-Panel Number 190901 0050 B". March 1, 1984.

Iowa Department of Transportation, City of Ankeny, Iowa, and Howard R. Green Company. "*Draft I-35 and E 1st Street / NE 36th Street , Interchange Justification Report*, Project Number IM-35-4(125)92—13-17". December, 2006.

Iowa Department of Transportation, City of Ankeny, Iowa, and Howard R. Green Company. "*Final I-35 and E 1st Street / NE 36th Street , Interchange Justification Report*, Project Number IM-35-4(125)92—13-17". March, 2008.

McClure Engineering Company. "*Four Mile Creek Storm Water Management Plan, Ankeny Iowa*". December, 2004.

Nelson, Richard C. Communication by Letter. US Fish and Wildlife Service. Rock Island, IL. October 19, 2004.

<http://www.factfinder.census.gov>. "United States Census Bureau Summary File 3"

<http://www.epa.gov/enviro/html/em/>. "US EPA EnviroMapper Database".

<http://www.assess.co.polk.ia.us/>. "Polk County, Iowa Assessor Property Database".

<http://csbweb.igsb.uiowa.edu/ustweb/>. "Iowa DNR Underground Storage Tank Database."

APPENDIX A: AGENCY COORDINATION LETTERS

Woodson, Stacy

From: Jurassic, Joe [Joe.Jurasic@fhwa.dot.gov]
Sent: Wednesday, May 28, 2008 6:53 AM
To: Vine, Janet [DOT]
Cc: LaPietra, Mike; Delivery-IA, Program; Woodson, Stacy
Subject: RE: I-35 @ NE 36th Street, Ankeyn, IM-035-4(125)92~13-77 4(f) Decision Process

Yes I do concur.

Joe

From: Vine, Janet [DOT] [mailto:Janet.Vine@dot.iowa.gov]
Sent: Tuesday, May 27, 2008 4:39 PM
To: Jurassic, Joe
Cc: LaPietra, Mike; Delivery-IA, Program; Woodson, Stacy
Subject: I-35 @ NE 36th Street, Ankeyn, IM-035-4(125)92~13-77 4(f) Decision Process

Joe,

I put two copies of the Section 4(f) decision process memo in interoffice mail this afternoon for your review. Below is a summary of the memo. Do you concur with these findings?

PARKS/RECREATION AREAS - OTTER CREEK GOLF COURSE

Step 1: Is it 4(f)? Yes

Otter Creek Golf Course is owned by the city of Ankeny and is managed by the city's Parks and Recreation Department. The golf course has been officially designated as a park and recreation area and is considered by the city to be significant. The course is open to the public.

Step 2: Is there a use of the Section 4(f) property? Yes

The intersection at NE 36th Street and NE Delaware Avenue would have to be improved in order to handle increased traffic resulting from construction of the proposed NE 36th Street interchange. An approximately 0.3-acre, triangular portion of golf course land in the northeast quadrant of the intersection would need to be acquired to make the intersection improvements. This 0.3-acres is approximately 0.001 percent of the total 163-acre golf course and currently consists of mowed grass and drainage ditch. In addition, approximately one acre would be required for a temporary construction easement.

Step 3: Can the Section 4(f) property be avoided? No

In order to accommodate future traffic volumes, improvements at the NE 36th Street/NE Delaware Avenue intersection would be necessary for all potential interchange concepts at I-35 and NE 36th Street. Concepts for improving the NE 36th Street/NE Delaware Avenue intersection are constrained by current city right-of-way limits and existing pavement and infrastructure. No concepts totally avoided the golf course.

Step 4: Can impacts to the Section 4(f) property be minimized? Yes

The amount of property needed for the NE 36th Street/NE Delaware Avenue intersection improvements is the minimum necessary to accommodate widening of the intersection with right and left turn lanes on NE 36th Street and space for a signal mast arm and control box, while preserving the necessary approach sight-distance at the intersection.

6/5/2008

Section 5. What documentation is needed?

We recommend that the Section 4(f) use is *de minimis* since there would be no adverse impacts on the activities, features, and attributes of the Section 4(f) property.

Janet M. Vine
Iowa Department of Transportation
Office of Location and Environment
NEPA Compliance Section
Phone: 515.239.1467
Fax: 515.239.1726
janet.vine@dot.iowa.gov

6/5/2008



U.S. Department
Of Transportation

**Federal Aviation
Administration**

Central Region
Iowa, Kansas
Missouri, Nebraska

901 Locust
Kansas City, Missouri 64106-2325

February 1, 2007

Mr. Kyle M. Kroner, AICP
Howard R. Green Company
4685 Merle Hay Rd.
Ste. 106
Des Moines, IA 50322

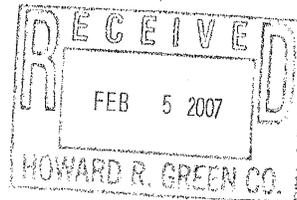
Dear Mr. Kroner:

The FAA (Federal Aviation Administration) reviews other federal Agency environmental documents from the perspective of the FAA's area of responsibility; that is, whether the proposal will have effects on aviation and other FAA responsibilities. We generally do not provide comments from an environmental standpoint. Therefore, we have reviewed the material furnished with your letter dated December 6, 2006, concerning the proposed interchange with Interstate 35 at or near NE 36th Street in Ankeny, Iowa, and have no comments regarding environmental matters.

However, we remind you that you will need to consider whether or not the project will require formal notice and review from an airspace standpoint. The requirements for this notice may be found in Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace. This regulation is contained under Subchapter E, Airspace of Title 14 of the Code of Federal Regulations. We would like to remind you that if any part of the project exceeds notification criteria under FAR Part 77, notice should be filed at least 30 days prior to the proposed construction date. Questions concerning this matter should be directed to Ms. Brenda Mumper at (816) 329-2524.

Sincerely,

Todd M. Madison, P.E.
Environmental Specialist



U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request	11/21/06
Name Of Project	I-35/NE 36th St. Interchange EA, Ankeny, Iowa	Federal Agency Involved	Federal Highway Administration, Iowa DOT
Proposed Land Use	Interchange Right -of-Way	County And State	Polk, IA

PART II (To be completed by NRCS)		Date Request Received By NRCS	11/30/06
Does the site contain prime, unique, statewide or local important farmland? <i>(If no, the FPPA does not apply -- do not complete additional parts of this form).</i>		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Major Crop(s) Corn		Farmable Land In Govt. Jurisdiction Acres: 308,288 % 81	Acres Irrigated 0
Name Of Land Evaluation System Used Polk County		Name Of Local Site Assessment System None-FPPA	Average Farm Size 250
			Amount Of Farmland As Defined in FPPA Acres: 191,111 % 50
			Date Land Evaluation Returned By NRCS 2/28/07

PART III (To be completed by Federal Agency)	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	26.0			
B. Total Acres To Be Converted Indirectly	0.0			
C. Total Acres In Site	26.0	0.0	0.0	0.0

PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	13.4			
B. Total Acres Statewide And Local Important Farmland	0.0			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	0.0			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	35.0			

PART V (To be completed by NRCS) Land Evaluation Criterion				
Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)	86	0	0	0

PART VI (To be completed by Federal Agency)				
Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))	Maximum Points			
1. Area In Nonurban Use	15	7		
2. Perimeter In Nonurban Use	10	5		
3. Percent Of Site Being Farmed	20	10		
4. Protection Provided By State And Local Government		0		
5. Distance From Urban Builtup Area	15	0		
6. Distance To Urban Support Services	15	0		
7. Size Of Present Farm Unit Compared To Average	10	10		
8. Creation Of Nonfarmable Farmland	10	0		
9. Availability Of Farm Support Services	5	5		
10. On-Farm Investments	20	10		
11. Effects Of Conversion On Farm Support Services	10	0		
12. Compatibility With Existing Agricultural Use	10	5		
TOTAL SITE ASSESSMENT POINTS	160	52	0	0

PART VII (To be completed by Federal Agency)				
Relative Value Of Farmland (From Part V)	100	86	0	0
Total Site Assessment (From Part VI above or a local site assessment)	160	52	0	0
TOTAL POINTS (Total of above 2 lines)	260	138	0	0

Site Selected: Site A	Date Of Selection 3/15/07	Was A Local Site Assessment Used?
		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Reason For Selection: The ability of the site to meet the project purpose & need.

Some of the 26 acres has been converted from farmland to urban, or highway use and is not considered as FPPA on this form.

(See Instructions on reverse side)

This form was electronically produced by National Production Services Staff

Form AD-1006 (10-83)



DEPARTMENT OF THE ARMY
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS
CLOCK TOWER BUILDING - P.O. BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

January 5, 2005

REPLY TO
ATTENTION OF:

Planning, Programs, and
Project Management Division

Mr. Joe Trnka
Senior Environmental Scientist
Howard R. Green Company
8710 Earhart Lane SW
Cedar Rapids, Iowa 52404

Dear Mr. Trnka:

I received your letter dated September 16, 2004, concerning proposed I-35 improvement near Ankeny, Iowa. Rock Island District staff reviewed the information you provided and have the following comments:

a. Your proposal does not involve Rock Island District Corps of Engineers (Corps) administered land; therefore, no further Rock Island District Corps real estate coordination is necessary.

b. Any proposed placement of fill or dredged material into waters of the United States (including wetlands) requires Department of the Army (DA) authorization. We require additional details of your project before we can make a final determination. When detailed plans are available, please complete and submit the enclosed application packet to the Rock Island District for processing.

c. The Responsible Federal Agency should coordinate with Ms. Maria Pandullo, Iowa Historic Preservation Agency, ATTN: Review and Compliance Program, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319 to determine impacts to historic properties.

d. The Rock Island Field Office of the U.S. Fish and Wildlife Service should be contacted to determine if any federally listed endangered species are being impacted and, if so, how to avoid or minimize impacts. The Rock Island Field Office address is: 4469 - 48th Avenue Court, Rock Island, Illinois 61201. Mr. Rick Nelson is the Field Supervisor. You can reach him by calling 309/793-5800.

e. The Iowa Emergency Management Division should be contacted to determine if the proposed project may impact areas designated as floodway. Mr. Dennis Harper is the Iowa State

Hazard Mitigation Team Leader. His address is: Hoover State Office Building, Level A, Des Moines, Iowa 50319. You can reach him by calling 515/281-3231.

No other concerns surfaced during our review. Thank you for the opportunity to comment on your proposal. If you need more information, please call Dr. Sandra Brewer of our Economic and Environmental Analysis Branch, telephone 309/794-5171.

You may find additional information about the Corps' Rock Island District on our web site at <http://www.mvr.usace.army.mil>. To find out about other Districts within the Corps, you may visit web site: <http://www.usace.army.mil/divdistmap.html>.

Sincerely,



Kenneth A. Barr
Chief, Economic and Environmental
Analysis Branch

Enclosure



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



IN REPLY REFER
TO:

FWS/RIFO

October 19, 2004

Mr. Joe Trnka, AICP, CEP
Howard R. Green Company
8710 Earhart Lane SW
P.O. Box 9009
Cedar Rapids, Iowa 52404

Dear Mr. Trnka:

This responds to your letter of September 16, 2004, requesting our comments on your plans for proposed improvements to Interstate 35 (I-35) in or near Ankeny, Polk County, Iowa. We have the following comments.

To facilitate compliance with Section 7(c) of the Endangered Species Act of 1973, as amended, Federal agencies are required to obtain from the Fish and Wildlife Service information concerning any species, listed or proposed to be listed, which may be present in the area of a proposed action. Therefore, we are furnishing you the following list of species which may be present in the concerned area:

<u>Classification</u>	<u>Common Name (Scientific Name)</u>	<u>Habitat</u>
Threatened	Bald eagle <i>Haliaeetus leucocephalus</i>	Wintering
Endangered	Indiana bat <i>Myotis sodalis</i>	Caves, mines (hibernacula); small stream corridors with well developed riparian woods; upland forests (foraging)
Threatened	Western prairie fringed orchid <i>Platanthera praeclara</i>	Mesic to wet prairies
Threatened	Prairie bush clover <i>Lespedeza leptostachya</i>	Dry to mesic prairies with gravelly soil

The threatened bald eagle (*Haliaeetus leucocephalus*) is listed as wintering along large rivers, lakes and reservoirs in Polk County. During the winter, this species feeds on fish in the open water areas created by dam tailwaters, the warm water effluents of power plants and municipal and industrial discharges, or in power plant cooling ponds. The more severe the winter, the greater the ice coverage and the more concentrated the eagles become. They roost at night in groups in large trees adjacent to the river in areas that are protected from the harsh winter elements. They perch in large shoreline trees to rest or feed on fish. There is no critical habitat designated for this species. The eagle may not be harassed, harmed, or disturbed when present nor may nest trees be cleared.

The endangered Indiana bat (*Myotis sodalis*) could potentially occur in all counties south of Interstate 80, including portions of Polk County south of Interstate 80.

Indiana bats migrate seasonally between winter hibernacula and summer roosting habitats. Winter hibernacula include caves and abandoned mines. Females form nursery colonies under the loose bark of trees (dead or alive) and/or cavities, where each female gives birth to a single young in June or early July. A single colony may utilize a number of roost trees during the summer, typically a primary roost tree and several alternates. The species or size of tree does not appear to influence whether Indiana bats utilize a tree for roosting provided the appropriate bark structure is present.

During the summer, the Indiana bat frequents the corridors of small streams with riparian woods as well as mature upland forests. It forages for insects along stream corridors, within the canopy of floodplain and upland forests, over clearings with early successional vegetation (old fields), along the borders of croplands, along wooded fencerows, over farm ponds, and in pastures.

Suitable summer habitat in Iowa is considered to have the following characteristics within a ½ mile radius of a project site:

- 1) forest cover of 15% or greater;
- 2) permanent water;
- 3) one or more of the following tree species: shagbark and shellbark hickory that may be dead or alive, and dead bitternut hickory, American elm, slippery elm, eastern cottonwood, silver maple, white oak, red oak, post oak, and shingle oak with slabs or plates of loose bark;
- 4) potential roost trees with 10% or more peeling or loose bark

If the project site contains **any habitat that fits the above description**, it may be necessary to conduct a survey to determine whether the bat is present. In addition a search for this species should be made prior to any cave-impacting activities. If habitat is present or Indiana bats are known to be present, they must not be harassed, harmed, or disturbed when present, and this field office should be contacted for further assistance.

The threatened western prairie fringed orchid (*Platanthera praeclara*) is considered to potentially occur statewide in Iowa based on historical records and habitat distribution. It occupies wet grassland habitats. There is no critical habitat designated for this species. Federal regulations prohibit any commercial activity involving this species or the destruction, malicious damage or removal of this species from Federal land or any other lands in knowing violation of state law or regulation, including state criminal trespass law. This species should be searched for whenever wet prairie remnants are encountered.

The prairie bush clover (*Lespedeza leptostachya*) is listed as threatened and is considered to potentially occur statewide in Iowa based on historical habitat. It occupies dry to mesic prairies with gravelly soil. There is no critical habitat designated for this species. Federal regulations prohibit any commercial activity involving this species or the destruction, malicious damage, or removal of this species from Federal land or any other lands in knowing violation of state law or regulation, including state criminal trespass law. This species should be searched for whenever prairie remnants are encountered.

The Corps of Engineers is the Federal agency responsible for wetland determinations, and we recommend that you contact them for assistance in delineating any wetland types and acreages within the project boundary. Priority consideration should be given to avoid impacts to any wetland areas. Any future activities in the study area that would alter wetlands may require a Section 404 permit. Unavoidable impacts will require a mitigation plan to compensate for any losses of wetland functions and values. The U.S. Army Corps of Engineers, Clock Tower Building, P.O. Box 2004, Rock Island, Illinois, 61204-2004, should be contacted for information about the permit process.

These comments provide technical assistance only and do not constitute the report of the Secretary of the Interior on the project within the meaning of Section 2(b) of the Fish and Wildlife Coordination Act, do not fulfill the requirements under Section 7 of the Endangered Species Act, nor do they represent the review comments of the U.S. Department of the Interior on any forthcoming environmental statement.

Thank you for the opportunity to provide comments early in the planning process. If you have any additional questions or concerns, please contact Heidi Woeber of my staff at ext. 209.

Sincerely,


Richard C. Nelson
Field Supervisor

cc: IADNR (Sheets)

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United States Department of Agriculture



Natural Resources Conservation Service
210 Walnut Street
693 Federal Building
Des Moines, IA 50309-2180

September 29, 2004

RE: Environmental Assessment of
Proposed I-35 Improvements
Ankeny, Polk County, Iowa

Mr. Joe Trnka
Senior Environmental Scientist
Howard R. Green Company
8710 Earhart Lane Southwest
Post Office Box 9009
Cedar Rapids, IA 52404-9009

Dear Mr. Trnka:

Thank you for the opportunity to provide comments on the Environmental Assessment of Proposed I-35 Improvements near Ankeny, Iowa. From the information provided in your letter, we can only provide general concerns regarding soil erosion, water quality, native plant community preservation, and cultural resources. When a more complete inventory and assessment of the corridor has been complete, we will provide a more detailed comment document.

Sincerely,

A handwritten signature in cursive script that reads "Richard Van Klaveren".

Richard Van Klaveren
State Conservationist

cc: James Frederick, ASTC-FO, NRCS, Fort Dodge, IA
Paul Miller, DC, NRCS, Ankeny, IA

An Equal Opportunity Provider and Employer



THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

STATE OF IOWA

DEPARTMENT OF NATURAL RESOURCES
JEFFREY R. VONK, DIRECTOR

October 18, 2004

Joe Trnka, Senior Environmental Scientist
Howard R. Green Company
PO Box 9009
Cedar Rapids, Iowa 52409-9009

Re: Environmental Assessment of Proposed I-35 Improvements – Ankeny, Iowa

Dear Mr. Trnka:

The Iowa Department of Natural Resources (DNR) Air Quality Bureau received your letter of September 16, 2004, requesting information for an Environmental Assessment for proposed improvements for Interstate 35 (I-35) in Ankeny, Iowa.

Your letter has been forwarded to other areas within the DNR for review and comment. Additionally, I forwarded your request to the Polk County Public Works – Air Quality Division. Mr. Gary Young is the air quality Program Manager, and has responded separately to your request in a letter dated October 11, 2004. A copy of Mr. Young's letter is also attached.

As noted in Mr. Young's response, Polk County Public Works is the delegated permitting and enforcement authority for most air quality requirements within Polk County. However, the DNR retains the authority for the air quality programs described below. These programs may or may not apply to the proposed I-35 improvements in Ankeny.

- **Construction Permitting Requirements**

Polk County administers an air construction permit program for all but the largest emitting sources. DNR permits new and modified major stationary sources subject to requirements for Prevention of Significant Deterioration (PSD). Although it is unlikely that the proposed I-35 project would be subject to PSD requirements, you may wish to visit our website at www.iowadnr.com/air/prof/const/const.html for more information, or contact our permit hotline at 1-877-AIR-IOWA. You may also wish to review the rules for PSD permitting contained in 567 Iowa Administrative Code (IAC) 22.4 (455B). The IAC is available on-line at www.legis.state.ia.us/IAC.html.

- **Asbestos**

Building renovations, demolitions and training fires are potentially subject to the asbestos release prevention efforts under the National Emission Standards for Hazardous Air Pollutants (NESHAP) for asbestos [40 Code of Federal Regulations

7900 Hickman Road, Suite 1 / Urbandale, Iowa 50322 --- Report Smoking Vehicles 1-888-END-SMOG
515-242-5100 FAX 515-242-5094 <http://www.iowacleanair.com/>

(CFR) Part 61, subpart M]. The DNR has been delegated the authority to administer and enforce this program.

The asbestos NESHAP rules apply **before** renovation or demolition begin, and often require a thorough inspection and lab analysis of suspect asbestos containing material, notification to the DNR and, in some cases, proper removal and disposal. For more information, please contact the DNR Asbestos NESHAP Coordinator, Marion Burnside, at 515-281-8443.

If you have any questions, please contact me at 515 242-5154 or by e-mail at christine.paulson@dnr.state.ia.us.

Sincerely,



Christine M. Paulson
Senior Environmental Specialist - Program Development Section
Air Quality Bureau

c: Gary Young – Polk County Public Works, Air Quality Division
Scott VanderHart – DNR



A Division of the Iowa Department of Cultural Affairs

November 2, 2004

In reply refer to:
R&C#: 040977053

Joe Trnka, AICP, CEP
Howard R. Green Company
PO Box 9009
Cedar Rapids, Iowa 52409-9009

RE: FHWA – POLK COUNTIES – IM-35-4(125) –92-13-77 – BCA#1213 – PHASE I CULTURAL RESOURCE SURVEY ALONG INTERSTATE 35 ANKENY TO ELKHART ROAD, DOUGLAS AND ELKHART TOWNSHIPS – I35/80 DOUGLAS AVENUE – SECS. 6, 7, & 18, T80N-R23W – SEC. 31, T81N-R23W – NOTIFICATION OF ENVIRONMENTAL ASSESSMENT PREPARATION

Dear Mr. Trnka,

We have received a copy of the above referenced report that you provided to our office. We understand that this project will be a federal undertaking for the Federal Highway Administration which will need to comply with Section 106 of the National Historic Preservation Act of 1966 and the National Environmental Policy Act. Thank you for notifying our office about the preparation of the Environmental Assessment.

An examination of our records indicates that we have previously received and reviewed information for this undertaking from the Iowa Department of Transportation (IDOT) in September. A Phase I Cultural Resource Survey was provided to our office for review and comment. Four archaeological sites were identified within the study corridor. Our office concurred with the consultant's recommendations that three of the archaeological sites within the study area do not meet any of the eligibility criteria for listing on the National Register of Historic Places. Also, we concurred that one of the archaeological sites will need to be further evaluated for its potential National Register eligibility if it will be affected by the proposed undertaking. We concurred with these recommendations on October 9, 2004.

At this time, our office understands that the Area of Potential Effect has not yet been defined for this undertaking. Our office will provide further comments on this project when the Area of Potential Effect and a determination of effect from the responsible federal agency or its authorized consulting party (IDOT) per our existing Programmatic Agreement for complying with Section 106 of the National Historic Preservation Act.

Please reference the Review and Compliance Number provided above in all future submitted correspondence to our office for this project. We look forward to further consulting with you and the Federal Highway Administration on this project. Should you have any questions please contact me at the number below.

600 EAST LOCUST STREET, DES MOINES, IA 50319-0290 P: (515) 281-5111

Sincerely,



Douglas W. Jones, Archaeologist
State Historic Preservation Office
State Historical Society of Iowa
(515) 281-4358

cc: Mike La Pietra, FHWA
Kris Reisenberg, NEPA, Office of Location & Environment, Ames
Matthew Donovan, Office of Location & Environment, IDOT, Ames



THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

STATE OF IOWA

DEPARTMENT OF NATURAL RESOURCES
JEFFREY R. VONK, DIRECTOR

October 4, 2004

Howard R. Green Company
Attn: Joe Trnka, AICP, CEP
8710 Earhart Lane SW
Cedar Rapids, Iowa 52404

RE: EA of Proposed I-35 Improvements, Ankeny, Polk County, Iowa

Dear Mr. Trnka:

Thank you for inviting our comments on the impact of the above referenced project on protected species and rare natural communities.

We have searched our records of the project area and found no records of rare species or significant natural communities. While our data are not the result of thorough field surveys, based on the information provided, we do not think the project will affect protected species or rare natural communities. Thus, we do not recommend further field surveys of the site. However, if listed species or rare communities are found during the planning or construction phases, additional studies and/or mitigation may be required.

If you have any questions about this letter or if you require further information, please contact me at (515) 281-6341.

Sincerely,

A handwritten signature in black ink, appearing to read "Diane Ford-Shivvers".

DIANE FORD-SHIVVERS
Policy and Coordination Section Supervisor
Conservation & Recreation Division

DFS:mw

WALLACE STATE OFFICE BUILDING / 502 EAST 9th STREET / DES MOINES, IOWA 50319
515-281-5918 TDD 515-242-5967 FAX 515-281-6794 www.iowadnr.com



STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
JEFFREY R. VONK, DIRECTOR

September 23, 2004

Joe Trnka
Howard R. Green Company
8710 Earhart Lane SW
Cedar Rapids, IA 52404

Re: Ankeny/I-35 Environmental Assessment

Dear Mr. Trnka,

Thanks for sending a note and map of the project study area for the Ankeny/I-35 Corridor Environmental Assessment project. After review of the Land & Water Conservation Program files, there are two potential effected sites along the project study area, they are, the Otter Creek Park & Golf Course, LWCF Project #19-00940, and Heritage Park, LWCF Project #19-00408. I have sent you a copy of the map from the Otter Creek Park file.

If any of the park areas are taken for a road construction project, they will have to be replaced with equal or greater value park land as established by an approved appraisal.

As you proceed with this assessment project, please feel free to contact me with any questions you might have, at 515-281-3013.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Moench".

Kathleen Moench
Budget & Finance Bureau

WALLACE STATE OFFICE BUILDING / 502 EAST 9th STREET / DES MOINES, IOWA 50319
515-281-5918 TDD 515-242-5967 FAX 515-281-6794 www.iowadnr.com

THE MPO

DES MOINES AREA METROPOLITAN PLANNING ORGANIZATION

MERLE HAY CENTRE - 6200 AURORA AVENUE, SUITE 300W

URBANDALE, IOWA 50322-2866 - PHONE: (515) 334-0075 - FAX: (515) 334-0098 - WEBSITE: www.dmampo.org

October 8, 2004

Mr. Joe Trnka, AICP, CEP
Senior Environmental Specialist
Howard R. Green Company
8710 Earhart Lane SW, P.O. Box 9009
Cedar Rapids, IA 52409-9009

Dear Mr. Trnka:

SUBJECT: PROPOSED INTERSTATE 35 IMPROVEMENTS IN OR NEAR ANKENY, IOWA

The Des Moines Area Metropolitan Planning Organization (MPO) received your letter of September 16, 2004, and appreciates the opportunity to comment on the Environmental Assessment for the proposed Interstate 35 improvements in or near the City of Ankeny.

The Des Moines Area MPO currently is in the process of creating the *Year 2030 Long-Range Transportation Plan*. Projects submitted to this plan by the City of Ankeny and/or the Iowa Department of Transportation possibly affecting the Ankeny Interstate 35 Corridor study area are listed, below, with the time increment the project will appear in our Travel Demand Model.

<u>Project</u>	<u>Termini</u>	<u>Anticipated Work</u>	<u>Model Year</u>
E First Street	E Trilein Drive to E Delaware Avenue	Widen	2005
NE 18 th Avenue	NE Delaware to NE Frisk	Widen, Interstate Crossing	2010
E First Street	Interstate 35	Reconfigure Interchange	2010
NE 36 th Street	Interstate 35	Add Interchange	2010
NE 36 th Street	Interstate 35 to NW 16 th Street	Widen	2020
NE Delaware Avenue	NE 36 th Street to NE 5 th Street	Widen	2020

For questions or more information on the above noted projects, please do not hesitate to contact me. The Des Moines Area MPO staff would appreciate being advised as work on the Interstate 35 improvements project progresses.

Sincerely,



Kristin L. Nanke, AICP
Transportation Planner

cc: Jolee Belzung, Ankeny Community Services Director
Tom Kane, Des Moines Area MPO Executive Director

ALTOONA - ANKENY - BONDURANT - CARLISLE - CLIVE - DALLAS COUNTY - DES MOINES - GRIMES - JOHNSTON - NORWALK
PLEASANT HILL - POLK CITY - POLK COUNTY - URBANDALE - WARREN COUNTY - WAUKEE - WEST DES MOINES - WINDSOR HEIGHTS

THE

CIRTPA

CENTRAL IOWA REGIONAL TRANSPORTATION PLANNING ALLIANCE
Merle Hay Centre - 6200 Aurora Avenue, Suite 300W - Urbandale, Iowa 50322-2866
Phone: (515) 334-0075 - Fax: (515) 334-0098

Bob Sandy, Warren County Supervisor
Transportation Policy Committee Chair

Steve Akes, Warren County Engineer
Transportation Technical Committee Chair

October 8, 2004

Mr. Joe Trnka, AICP, CEP
Senior Environmental Specialist
Howard R. Green Company
8710 Earhart Lane SW, P.O. Box 9009
Cedar Rapids, IA 52409-9009

Dear Mr. Trnka:

SUBJECT: PROPOSED INTERSTATE 35 IMPROVEMENTS IN OR NEAR ANKENY, IOWA

The Central Iowa Regional Transportation Planning Alliance (CIRTPA) received your letter of September 16, 2004, and appreciates the opportunity to comment on the Environmental Assessment for the proposed Interstate 35 improvements in or near the City of Ankeny. However, the referenced study area is not in the CIRTPA Planning Area and the CIRTPA offers no comment at this time concerning the proposed Interstate 35 improvements.

Sincerely,



Kristin L. Nanke, AICP
Transportation Planner

cc: Tom Kane, CIRTPA Program Coordinator

BOONE COUNTY - DALLAS COUNTY - JASPER COUNTY - MADISON COUNTY
MARION COUNTY - POLK COUNTY - STORY COUNTY - WARREN COUNTY
ADEL - BOONE - INDIANOLA - KNOXVILLE - NEVADA - NEWTON - PELLA - PERRY - STORY CITY - WINTERSET

PUBLIC WORKS DEPARTMENT



October 11, 2004

Joe Trnka
Howard R. Green Company
PO Box 9009
Cedar Rapids, Iowa 52409-9009

Dear Mr. Trnka,

I am writing in response to your letter of September 16, 2004, regarding Proposed I-35 improvements in Ankeny, Iowa. Polk County Air Quality has been delegated as the responsible authority for Air Quality issues in Polk County by the Iowa Department of Natural Resources.

Increased development and the resulting increased traffic flow in the area could result in congestion issues which would require mitigation. The majority of emissions of both criteria pollutants and hazardous air pollutants within Polk County are from motor vehicles.

Polk County Air Quality enforces Polk County Board of Health Rules and Regulations. Polk County Regulations require both construction permits and operating permits for equipment. Examples of equipment requiring permitting include nonmetallic mineral processing, portland batch plants, asphalt batch plants, and generators. Polk County Air Quality Regulations also prohibit open burning of clearing and grubbing debris within one-quarter mile of any inhabited structure and require procurement of a permit for any open burning.

In addition to permitting requirements, Polk County Air Quality regulations address requirements for the control of fugitive dust from sources such as construction operations, grading of roads, clearing of land, material stockpiles, expansion joint cutting, covering of open bodied trucks, and prompt removal of material from paved streets onto which material has been deposited by trucking or earth moving equipment. In addition to the activities noted above, reasonable precautions are required to prevent particulate matter from becoming airborne so as to minimize atmospheric pollution.

The Iowa Department of Natural Resources retains authority for all issues relating to asbestos and issues relating to permitting of new Major Stationary Sources and Major Modifications as defined by The Clean Air Act as amended.

If you have additional questions or need more detailed information, please do not hesitate to contact me directly at 515-286-3372.

Sincerely,

Gary Young, MES, BEHS
Air Quality Engineer

Cc: Christine M. Paulson, Iowa DNR

RECEIVED
OCT 14 2004

Larry L. Land, Director
5885 N.E. 14 Street
Des Moines, IA 50313
515-286-3705
515-286-3437(fax)
publicwrks@co.polk.ia.us (Email)

www.co.polk.ia.us



Mike Coyne
 Economic Development Coordinator
 City of Ankeny
 210 S. Ankeny Boulevard
 Ankeny, IA 50021-3117

515-963-3555
 mcoyne@ci.ankeny.ia.us

September 21, 2004

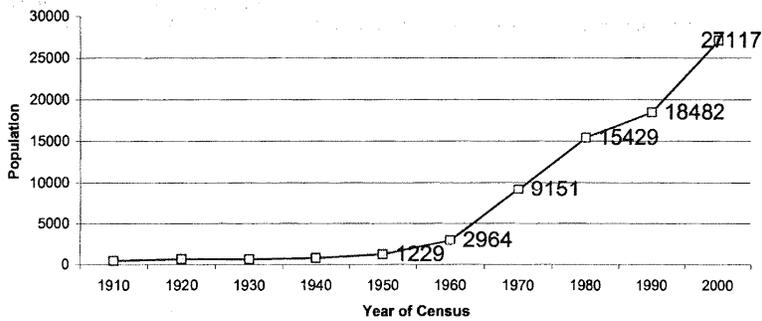
Joe Trnka, AICP, CEP
 Senior Environmental Scientist
 Howard R. Green Company
 PO Box 9009
 Cedar Rapids, IA 52404-9009

RE: Environmental Assessment of Proposed I-35 Improvements, Ankeny, Polk County, Iowa

Dear Mr. Trnka:

Ankeny's population has been trending upward for the past fifty years. By counting new rooftops constructed since the most recent census, city staff estimates today's population at somewhere near 33,000 residents. All indications are that the established population trend will continue.

Ankeny Population Growth



Ankeny is in a unique position since it is geographically located at the center of Iowa and the United States. The community serves as a crossroads with Interstate highways 35 and 80 crossing within its city limits. Ankeny is a growing location-of-choice for persons seeking ready access to employment and lifestyle amenities available in central Iowa.

It is imperative that timely improvements to transportation infrastructure in and around Ankeny occur to maintain safety for the motoring public.

Sincerely,

Mike Coyne

APPENDIX B: CORRESPONDENCE FOR SECTION 6(f) PROPERTY

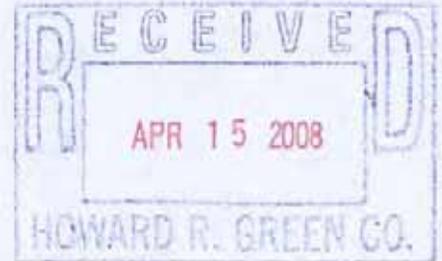


STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
RICHARD A. LEOPOLD, DIRECTOR

April 8, 2008



David Dougherty
Howard R. Green
4685 Merle Hay Road, Suite 106
Des Moines, IA 50322

RE: LWCF Amendment #4, City of Ankeny, Northeast Recreation Area and Otter Creek Golf Course

Dear Mr. Dougherty,

Per your request, enclosed is a copy of Amendment #4 to the Federal LWCF Project #19-00940, Northeast Recreation Area.

The amendment removes 42 acres from the original park area and replaces it with 88 acres adjacent to the north. See the attached boundary map and land use map.

If you have further questions, please me at 515-281-3013.

Sincerely,

Kathleen Moench
Budget & Finance Bureau

IOWA DEPARTMENT OF NATURAL RESOURCES
LAND & WATER CONSERVATION FUND PROGRAM

COUNTY: Polk
PROJECT NO.: 19-00940.4

AMENDMENT TO PROJECT AGREEMENT

THIS AMENDMENT TO Project Number 19-00940, is hereby made and agreed upon by the State of Iowa, acting through the Director of the Iowa Department of Natural Resources and by the City of Ankeny to the Land and Water Conservation Fund Act of 1965, Stat. 897 (1964).

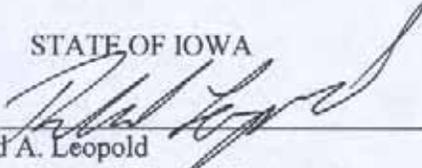
The State and the local agency, in mutual consideration of the promises made herein and in the agreement of which this is an amendment, do promise as follows:

That the above-mentioned agreement is amended by adding the following:

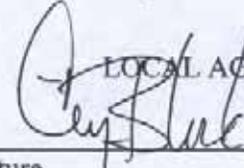
Amend the project by removing 42.31 acres and replacing it with 88.55 acres of land located directly adjacent to and along the North edge of the existing Northeast Recreation Area and Otter Creek Golf Course, City of Ankeny, Polk County. The amendment is the result of a 6(f)3 conversion.

The grantee shall comply with 43 CFR Part 12, Subpart B - Audit Requirements for State and Local Governments.

In all other respects the agreement of which this is an amendment, and the plans and specifications relevant thereto, shall remain in full force and effect. In witness whereof the parties hereto have executed this amendment as of the date entered below.

STATE OF IOWA
By: 
Richard A. Leopold
Director, Dept. of Natural Resources

Date 3/21/07

LOCAL AGENCY
By: 
Signature
Craig Block, Mayor Pro tem
Name & Title:
Date April 16, 2007

Kittler - Project 11/2/20
 19-00940
 EASE #



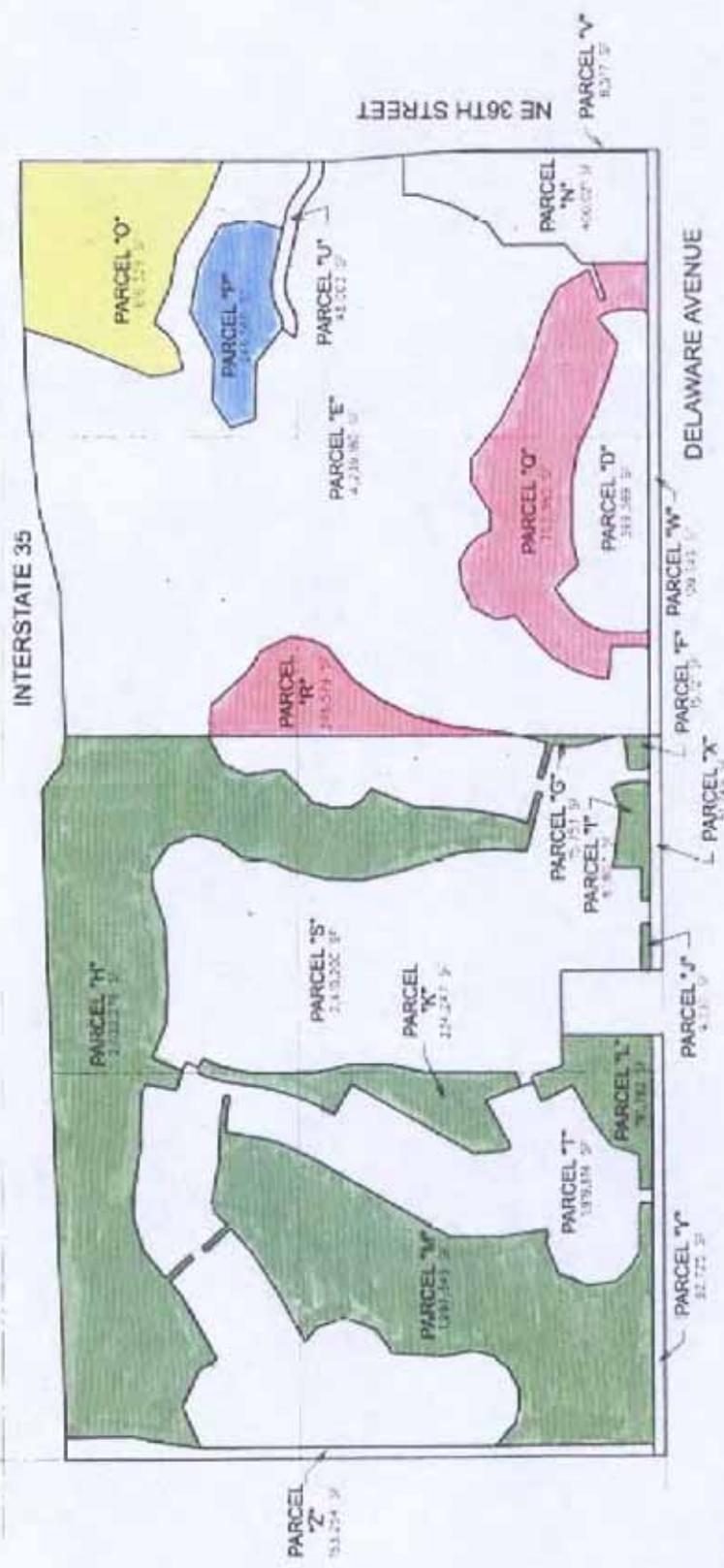
Original
 Boundary

DATE	11/11/11
BY	AGENCY IOWA
PROJECT	OTTER CREEK IMPROVEMENTS
SHEET	1 of 1

OTTER CREEK IMPROVEMENTS
 PLAT OF SURVEY
 SNYDER & ASSOCIATES
 275 N. WINTHROP AVE.
 DES MOINES, IOWA 50319
 515.281.1111



Sheet 1 of 1



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- Color Key:**
- Park Golf Course (Green)
 - Residential (Blue)
 - High Density Res (Pink)
 - Commercial (Yellow)



NE 36TH STREET
 DELAWARE AVENUE
 INTERSTATE 35

PARCEL "O" 8,117 S.F.
 PARCEL "P" 4,719 S.F.
 PARCEL "Q" 11,300 S.F.
 PARCEL "R" 29,579 S.F.
 PARCEL "S" 24,930 S.F.
 PARCEL "T" 1,791 S.F.
 PARCEL "U" 42,027 S.F.
 PARCEL "V" 8,317 S.F.
 PARCEL "W" 50,145 S.F.
 PARCEL "X" 1,422 S.F.
 PARCEL "Y" 52,772 S.F.
 PARCEL "Z" 53,274 S.F.



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
RICHARD A. LEOPOLD, DIRECTOR

April 2, 2007

Dick Ash, Assistant City Manager
City of Ankeny
410 West First
Ankeny, Iowa 50023

RE: Project #19-00940, Northeast Multi-Recreation Area - R&C#: 060977084

Dear Mr. Ash:

The Land & Water Conservation Fund (LWCF) 6(f)3 Conversion of Use on Project #19-00940, Northeast Multi-Recreation Area, City of Grinnell, is formally completed. Three different review and approvals were necessary to complete this Conversion. The first is review and approval by the State Historic Preservation Office (SHPO) of the converted and replacement properties. The review and approval of the existing golf course and request to convert 42.31 acres has been completed, and our office has requested the final step of the Concurrence of No Historic Properties Affected. A Concurrence letter from SHPO is forthcoming.

The second review and approval by SHPO included the replacement property of 88.55 acres to the North of the existing golf course. SHPO did not have the opportunity to provide comments prior to initial earth moving, and therefore declined to participate in Section 106 review, and recommended the responsible Federal Agency to advise the Advisory Council on Historic Preservation in Washington D.C. that a Forclosure of Comment had occurred. This was done.

A copy of the final Forclosure of Comment from the National Park Service to the State Historical Preservation Office on the 6(f)3 Conversion of Use of LWCF Project #19-00940, Northeast Multi-Recreation Area, City of Grinnell has been enclosed. The Forclosure of Comment provides approval for the City to resume work on the replacement property.

The third review and approval is the LWCF Amendment to the Project. Amendment #4 completes the 6(f)3 Conversion of Use on this park property. The Amendment removes 42.31 acres of land from the project scope and replaces the converted park land with 88.55 acres of land directly adjacent and to the North of the existing park/golf course. It is intended for the golf course to extend in to the 88.55 acres to the North.

Enclosed please find two copies of Amendment #4, sign both and return to them to my attention. A fully executed copy will be returned to your office for your files.

This has been a long process, and the Department appreciates your patience and persistence in making sure the Conversion was reviewed and approved by the appropriate State and Federal

agencies. If you have any questions concerning the enclosed documents, please contact me directly at 515-281-3013.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Moench". The signature is written in dark ink and is positioned above the typed name.

Kathleen Moench
Budgets and Finance Bureau

Enclosures



STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
JEFFREY R. VONK, DIRECTOR

February 28, 2007

Doug Jones
State Historic Preservation Office
Historical Building
Des Moines, IA 50319-0290

Subject: R&C#: 060977084
City of Ankeny, LWCF #19-00940, Northeast Recreation Area and Otter Creek Golf Course
Conversion

Dear Mr. Jones:

The City of Ankeny has received funding through the Land and Water Conservation (LWCF) program, Project #19-00940, administered by the Iowa Department of Natural Resources (DNR) for the development of park facilities in the Northeast Recreation Area and Otter Creek Golf Course. The City is in the process of trading land to expand the golf course and relocate the park facilities, which will result in a 6(f) 3 Conversion of Use.

The DNR has determined that the work on the proposed project is likely not to have an effect on historic properties within the boundaries of the existing park and golf course and the expansion of the golf course. This determination is based on the Phase I-A Cultural Resource Investigation conducted by Snyder and Associates and future use of the replacement land.

It is the DNR opinion that construction activities associated with the proposed improvements are not likely to encounter archaeological properties and therefore request a determination of **No Historic Properties Affected** for the project site within the new boundary of the park and golf course.

If at any time during the construction activities of the project, the project activities uncover any items that are of archaeological, historical or architectural interest, the contractor will make efforts to avoid further impacts to the property and consult with DNR and SHPO to determine what type of assessment is needed that meets the Secretary of the Interior's Professional Qualification Standards (36 CFR 61).

Please consider this letter a request for your concurrence with the determination. If you have further questions, contact me at 515-281-3013.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Moench".

Kathleen Moench
Budget & Finance Bureau

CC: Dick Ash, City of Ankeny
Bob Anderson, National Park Service
Roger Knowlton, National Park Service

February 28, 2007

In reply refer to:
R&C#: 060977084

Kathleen Moench
State Parks Bureau
Department of Natural Resources
Wallace State Office Building
502 East 9th Street
Des Moines, Iowa 50319

RE: NPS/DNR – POLK COUNTY – CITY OF ANKENY – LWCF GRANT – NORTHEAST RECREATION AREA AND OTTER CREEK GOLF COURSE – NORTHEAST 36TH STREET – PHASE I-A CULTURAL RESOURCE INVESTIGATIONS FOR A PROPOSED LAND DEVELOPMENT PROJECT, DOUGLAS TOWNSHIP, POLK COUNTY, IOWA - SEC 6, T80N-R23W – CAS#720 – PHASE I CULTURAL RESOURCE INVESTIGATION OF SELECTED LANDS

Dear Ms. Moench,

Thank you for providing our office with additional information regarding the above referenced project. We understand that this will be a federal undertaking for the National Park Service (NPS). We make the following comments and recommendations based on our examination of this material and in accordance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations, 36 CFR Part 800 (revised, effective August 5, 2004)

We have received and reviewed the submitted archaeological report prepared by Consulting Archaeological Services concerning the Otter Creek Golf Course portion of the above referenced project. Based on the submitted archaeological report, we concur with the consultant's recommendations that no historic properties were identified within the Otter Creek Golf Course portion of the above referenced project, and that no further work is recommended for this area. Therefore, we would concur with a determination of No Historic Properties Affected for this portion of the proposed project.

Be advised that the successful conclusion of consultation with the SHPO in no way abrogates the agency's responsibility to consult with other parties that may have an interest in properties that may be affected by this project. Nor does it subjugate the sovereign status of federally recognized American Indian Tribes in the Section 106 consultation process

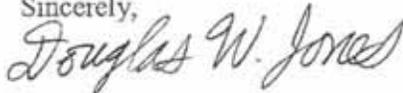
If design changes are made for this project which would involve undisturbed new rights-of-way or easements, please forward additional information to our office for further comment along with the Agency Official's determination of effect. If project activities uncover an item(s) that might be of archeological, historical or architectural interest, or if important new archeological, historical or architectural data should be encountered in the project APE, the contractor should make reasonable

efforts to avoid further impacts to the property until an assessment can be made by an archaeologist, architectural historian, or historian meeting the appropriate Secretary of the Interior's standards.

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 remains the responsible federal agency's decision on whether or not to provide additional information to our office or whether or not to proceed with the project without the concurrence of this office. It also remains the responsible federal agency's decision on how you will proceed from this point for this project.

Please reference the Review and Compliance Number provided above in all future submitted correspondence to our office for this project. We look forward to further consulting with you and the City of Ankeny on this project. Feel free to contact me at (515) 281-4358 if you have any questions or require further assistance.

Sincerely,



Douglas W. Jones, Archaeologist
State Historic Preservation Office
State Historical Society of Iowa
(515) 281-4358

Cc: Kevin Szcodronski, Chief, State Parks Bureau, IDNR
Steven D. Van Oort, Mayor, City of Ankeny
Jeff Walters, Snyder & Associates, Inc.
Mark A. Land, Snyder & Associates, Inc.
Ralph Christian, Historian, State Historical Society of Iowa
Daniel Higginbottom, Archaeologist, State Historical Society of Iowa
Lowell Soike, Deputy Iowa State Historic Preservation Officer
Robert Anderson, National Park Service, Midwest Regional Office, Omaha
Roger Knowlton, National Park Service, Midwest Regional Office, Omaha
Jonathan Sellars, Principal Investigator, Consulting Archaeological Services



United States Department of the Interior

National Park Service

Midwest Region
601 Riverfront Drive
Omaha, Nebraska 68102-4226



19-00940(MWR-P/G)

MAR 15 2007

Mr. Douglas W. Jones
Archaeologist
State Historical Preservation Office
State Historical Society of Iowa
600 East Locus Street
Des Moines, Iowa 50319-0290

Dear Mr. Jones:

The National Park Service (NPS) administers the Land and Water Conservation Fund (L&WCF) program. Under the authority of the L&WCF Act (P.L. 88-578, as amended), the NPS may make grants available to States as the grantee, and through States to local jurisdictions as sub-grantees. Upon acceptance of L&WCF assistance, the grantee and sub-grantee forever agree to encumber the parkland under Section 6(f)(3) of the L&WCF Act. This sections states:

“No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.”

Occasionally, conversion situations arise and are processed by the NPS in accordance with 36 Code of Federal Regulations (CFR) Part 59.3 entitled “Conversion Requirements.” Although not specifically listed as a requirement for conversion approval in the CFR, the NPS requires compliance with Section 106 of the National Historic Preservation Act (NHPA) prior to approval of a section 6(f)(3) conversion request.

As you know, the city of Ankeny started earth moving operations for the Otter Creek Golf Course replacement land, which is incorporated into a privately owned planned residential area. This activity occurred without the DNR or NPS prior knowledge or approval. Consequently, the activity also occurred prior to the completion of the section 106 consultation process to determine whether or not any significant historic properties would be affected by the proposed undertaking.

In view of these circumstances, we regret the State Historic Preservation Officer was not allowed to provide meaningful comments concerning this conversion in advance of its

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occurrence. We do, however, very much appreciate your earlier comments, guidance, and recommendations concerning the section 106 protocols under these circumstances.

Pursuant to your recommendation, on November 29, 2006, the NPS requested a determination from the Advisory Council on Historic Preservation (ACHP) that, under 36 CFR 800.9(b), a foreclosure of comment had occurred. In our letter to the ACHP we advised that:

- The sub-grantee acted out of ignorance of the L&WCF rules rather than deliberately taking action to avoid the requirements of section 106.
- Because neither the DNR nor NPS was aware of Ankeny's prior actions, due diligence in advance historical background research on either agencies part was impossible. However, upon discovery of Ankeny's actions the DNR had contacted Ankeny officials initiating a construction shutdown, requesting detailed information and notifying them of their compliance requirements under both the L&WCF and NHP Acts.
- The subject actions had very low potential for affecting significant historic properties.
- NPS compliance cannot be fully achieved in this matter due to Ankeny's disturbance of the replacement ground.

As a follow-up to our correspondence, we spoke directly with ACHP staff and received verbal concurrence on our foreclosure determination. However, to date we have not received the promised written response. Accordingly, rather than delay the proceedings any further, as the responsible federal agency we are declaring a foreclosure of comment.

As stated earlier, we regret the circumstances that led to this unfortunate situation. We appreciate your assistance in this matter as well as in identifying measures that will minimize or eliminate similar future occurrences. Any questions you have may be directed to Roger Knowlton at 402-661-1558.

Sincerely,



Robert Anderson
Chief, Recreation Grants Division

cc:

Ms. Kathleen Moench, Federal Aid Coordinator, Budget and Finance Bureau,
Department of Natural Resources, Wallace State Office Building, East Ninth Street
and Grand Avenue, Des Moines, Iowa 50319