

FEDERAL HIGHWAY ADMINISTRATION

FINDING OF NO SIGNIFICANT IMPACT

For

**U.S. 63
FROM FRANKLIN STREET TO DONALD STREET
NHSX-63-6(69)--3H-07**

CITY OF WATERLOO, IOWA

The FHWA has determined that this project will not have any significant impact on the human and natural environment. This Finding of No Significant Impact (FONSI) is based on the attached Environmental Assessment which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. The FHWA takes full responsibility for the accuracy, scope and content of the attached Environmental Assessment.

4/16/2009
Date

Michael Saketia
For FHWA

COMMENTS AND COORDINATION

Notification of the availability of the Environmental Assessment (EA) was forwarded to local, state and federal agencies on December 1, 2008. Notice of public hearing and availability of the document was published in the Waterloo/Cedar Falls Courier newspaper on December 30, 2008, and January 15, 2009. The agency review period expired on January 30, 2009. Three comment letters were received on the Environmental Assessment and Draft Section 4(f) Statement from agencies. A Location Design Public Hearing was held for this project on January 29, 2009, in Waterloo, Iowa. Closing date for comments on the Public Hearing and EA was February 16, 2009. A transcript of the hearing has been prepared and forwarded to the Federal Highway Administration (FHWA). The transcript is available to anyone by request through the Iowa DOT Office of Location and Environment, Public Hearing section.

Approximately 133 persons were present at the January 29, 2009, Public Hearing held at St. Paul's United Methodist Church in Waterloo, Iowa. Several persons had questions during the open house style hearing. Only one letter was received following the hearing.

The major issues and questions presented in the letters and at the hearing included: (Responses appear in parenthesis.)

- Most attendees had a favorable opinion of the project.
- Several attendees asked about the acquisition and relocation process, such as timing of the acquisition, who they would work with during the process, etc. (*DOT Right-of-Way staff discussed the process with each individual, cautioned them that acquiring a new home before they finalize negotiations with DOT could jeopardize Relocation Assistance benefits, and gave all potential relocatees pamphlets that discuss the process.*)
- Some persons expressed concern with the availability of housing within the community. (*As of February 18, 2009, there were 246 single-family homes for sale in Waterloo in the price range from \$12,000 to \$100,000 according to the Waterloo/Cedar Falls Board of Realtors website.*)
- A few attendees had questions about the bike trail, such as its location, who is responsible for snow clearing and connectivity. (*The city's Leisure Services Department will clear snow from the trails. This trail would connect with the Donald Street Trail on the north and bring users closer to downtown trails at the south end of the project.*)
- One person commented that she thought there would be a formal presentation at the hearing. (*The hearing was advertised to be an open house format.*)
- The Leisure Services Department requested that no grass medians be narrower than 10 feet for mowing purposes. (*Grass median width will be coordinated with the Leisure Services Department during final design to ensure it accommodates their equipment.*)
- One person asked why no bike trail or sidewalk is proposed along U.S. 63, from Franklin Street to Parker Street. (*Portions of the right-of-way are very tight in this segment and would require acquiring more right-of-way from property owners. The Canadian National Railroad underpass provides only 10 feet from the curb to the retaining wall, which is insufficient for a bike trail. There is no sidewalk in this portion of U.S. 63 now. The trail is proposed to go on Logan Avenue, from Parker Street to Almond Street. During final design, the city may consider changes to this concept.*)
- One person asked about walkability and bike trail design standards relative to safety and user-friendliness. (*The new bike trail and sidewalks would be set back farther from the road and widened to current design standards; rows of bushes/shrubbery next to the trail which would limit visibility were not planned.*)

- A few people mentioned concerns about safety with regard to making sure the bike trail is well lighted; Logan Avenue is not as safe due to poor lighting in the Franklin Street to Almond Street section. (*Lighting will be provided for the bike trail along U.S. 63, from Parker Street to Donald Street. The city may consider changes to the bike trail from Almond Street to Parker Street.*)

A letter was sent December 1, 2008, to all resource/regulatory agencies to advise of the EA availability. Three agencies responded to the EA notification and distribution. Letters from the National Park Service, U.S. Army Corps of Engineers and Iowa Department of Natural Resources appear in Appendix A of this Finding of No Significant Impact. Responses to each letter are located next to the letter in Appendix A.

SPECIAL CONDITIONS ASSOCIATED WITH LOCATION APPROVAL

Relocation Assistance

A total of 26 residences and 3 businesses, as well as some strip right-of-way from other parcels, will be acquired for this project. These total and partial acquisitions will be made in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Cultural Resources

Seven historic structures, including the National Register-listed Dunsmore House, are located adjacent to U.S. 63. It is recommended to have some precautions taken to prevent indirect impacts to these structures from vibration. Some precautionary methods include a precondition survey of adjacent structures, threshold and peak limits on vibration, seismic monitoring of the structures during construction and special construction methods that limit vibration.

Two historic residences will be displaced by the project, located at 1252 and 1302 Logan Avenue. A Memorandum of Agreement (MOA) between the Iowa State Historic Preservation Office, FHWA, Iowa DOT was signed in May 2008. The MOA describes the marketing plan, mitigation and documentation stipulations for these properties. The terms of the MOA must be carried out within seven (7) years from the date of execution unless the signatories agree in writing to an extension for carrying out its terms.

Permitting and Approvals

Construction of the project will involve routine permitting and coordination with railroads. A National Pollutant Discharge Elimination System (NPDES) permit will be obtained during final design of the project. The Canadian National and Iowa Northern Railroads will be coordinated with to ensure the proper approvals are obtained prior to construction.

Appendix A
Agency Comment Letters

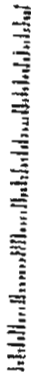
Environmental Coordinator
National Park Service
Midwest Regional Office
601 Riverfront Drive
Omaha, NE 68102

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\$00.420
02/13/2008
Mailed From: 68102
US POSTAGE



RECEIVED

FEB 17 2008
Iowa Department of Transportation
800 Lincoln Way
OFFICE OF LOCAL ENVIRONMENTAL AIDES, Iowa 50010



No Response Necessary

Re: US-63 Reconstruction, NH5X-63-6(69)--3F-07, Waterloo, Black Hawk County, Iowa

We have received your letter of December 31, 2008 concerning the above referenced project.

- We have no comment on your proposed actions.
- Please address any further correspondence about this project or any project to the following address:

Regional Environmental Coordinator
National Park Service
Midwest Regional Office
601 Riverfront Drive
Omaha, NE 68102

These comments have been provided as early technical assistance and do not necessarily indicate the NPS or the Department of the Interior's response to future environmental documents prepared in association with the project.

Thank you,

Regional Environmental Coordinator



DEPARTMENT OF THE ARMY
ROCK ISLAND DISTRICT CORPS OF ENGINEERS
PO BOX 2064
ROCK ISLAND, ILLINOIS 61204-2064

REPLY TO
ATTENTION OF

December 29, 2008

Planning, Programs, and
Project Management Division

Ms. Brenda J. Durbahn
AECOM
501 Sycamore Street, Suite 222
Waterloo, Iowa 50703

Dear Ms. Durbahn:

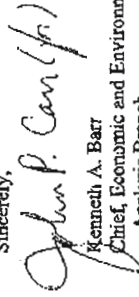
I received your letter dated December 1, 2006, requesting comments regarding the Environmental Assessment (EA) and Draft Section 4(f) Statement U.S. 63 From Franklin Street to Donald Street in Waterloo, Blackhawk County, Iowa (NHSX-63-6(69)-3H-07, AECOM #93122). Rock Island District Corps of Engineers staff reviewed the information you provided and have the following comments:

Your document contains our letter dated August 10, 2006, which is located in Appendix B of the EA. Our previous comments still apply.

No other concerns surfaced during our review. Thank you for the opportunity to comment on your document. If you need more information, please call Mr. Randy Kracium of our Economic and Environmental Analysis Branch, telephone 309/794-5174.

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

Sincerely,


Kenneth A. Barr
Chief, Economic and Environmental
Analysis Branch

No Response Necessary



STATE OF IOWA

DEPARTMENT OF NATURAL RESOURCES
RICHARD A. LEOPOLD, DIRECTOR

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

December 16, 2008

Brenda Durbahn
AECOM
501 Sycamore Street, Suite 222
Waterloo, IA 50703

Dear Ms. Durbahn:

This letter is in response to the December 1st letter concerning the Waterloo project. After a cursory review by our program staff, we have the following comments. You are welcome to visit our offices and conduct a more thorough review of our records.

We would ask that Best Management Practices be used to control erosion and protect water quality near the project. Every effort should be made to avoid impacting any water of the United States.

There is one active and three inactive contaminated sites found within a quarter-mile radius of the project area. The active site, Chamberlain Manufacturing, is an EPA lead site which is located approximately four blocks east of Logan Avenue. Chlorinated solvents are the contaminant of concern in groundwater and currently the site is being assessed; therefore, the extent of contamination is not known at this time.

The registered underground storage tank/leaking underground storage tank projects in the vicinity of this project are identified on the attached map.

It is our policy that companies and their consultants conduct their own review for these sites. If you need advice for locating relevant information, please call me at (515)281-7276.

Sincerely,

Christine Spackman
Business Assistance Coordinator

502 EAST 9th STREET / DES MOINES, IOWA 50319-0034
PHONE 515-281-5918 FAX 515-281-5704 www.iowadnr.gov

Standard erosion control measures will be incorporated in the design plans for the project.

Site 198602852, at 1415 Logan Avenue, is the location of New Star Mart (aka, King Star #2). This business is planned as a total acquisition. The city is aware that USTs are on the site and any future development will be assessed in light of this concern.

Site 198603888, at 1402 Logan Avenue, is owned by Members Mutual Oil. A small strip of right-of-way is needed for construction. However, this is not anticipated to have any impact on USTs at this location.

None of the other sites shown will be impacted by the project. No other sites of concern are known within the corridor impact area.



0.25 Miles

Underground Storage Tank Sites
U.S. 63 Environmental Assessment from Franklin to Donald St
Waterloo, IA