

Appendix H
Agency Correspondence



DEPARTMENT OF THE ARMY
KANSAS CITY DISTRICT, CORPS OF ENGINEERS
STATE REGULATORY PROGRAM OFFICE - MISSOURI
221 BOLIVAR STREET, SUITE 103
JEFFERSON CITY, MISSOURI 65101
June 15, 2009

REPLY TO
ATTENTION OF:

Missouri State Regulatory Office
(2007-00170)

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

Dear Ms. Casey,

This is in response to your agency's request for comments on the East Columbia Draft Environmental Impact Statement (EIS). We have reviewed the Draft EIS and offer the following comments:

1. In Chapter IV. (page IV-23) the reference to the Memorandum of Agreement between the EPA and the Department of the Army concerning the Determination of Mitigation under the Clean Water Act Section 404 (b)(1) Guidelines should be revised to state "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters, including wetlands."

2. In Chapter IV. (page IV-24) the reference to Section 230.10 of the Guidelines should be revised to state "no discharge shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact to the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences." We also recommend replacing the word "wetlands" in this section with "aquatic ecosystem" or "aquatic resources" as the Section 404 (b)(1) Guidelines encompass more than wetlands.

If you have any questions concerning this matter, please feel free to write or call me at 816-389-3833.

Sincerely,

A handwritten signature in cursive script that reads "Kenny Pointer".

Kenny Pointer
Regulatory Project Manager
Missouri State Regulatory Office

Copies furnished:

**Missouri Department of Transportation
Attn: Mr. Kevin Keith
P.O. Box 270
Jefferson City, MO 65102-0270**



6465 Highway 168, Suite B, Palmyra, MO 63461-9604

August 6, 2008

Rob Miller, AICP
CH2M HILL
1001 Lakeside Avenue
990 North Point Tower
Cleveland, Ohio 44114

Dear Rob,

Attached is a Farmland Conversion Impact Rating (form AD-106) for the highway expansion project in Columbia, Missouri. Since the alternatives presented for the most part follow existing roads and highways in a urban developed area there will be no further loss of prime or statewide important farm land.

If you have any questions, please call me at (573) 769-3512 Ext. # 133.

Sincerely,

GARY M. NOEL
Area Resource Soil Scientist

Attachment

cc: Bob Hagedorn, DC, NRCS, Columbia, MO

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)	3. Date of Land Evaluation Request	4. Sheet 1 of _____
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1. Name of Project East Columbia EIS	5. Federal Agency Involved
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2. Type of Project	6. County and State
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PART II (To be completed by NRCS)	1. Date Request Received by NRCS	2. Person Completing Form
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3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES <input type="checkbox"/> NO <input type="checkbox"/>	4. Acres Irrigated Average Farm Size
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5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: _____ % _____	7. Amount of Farmland As Defined in FPPA Acres: _____ % _____
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8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS
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PART III (To be completed by Federal Agency)	Alternative Corridor For Segment			
	SC-2A	SC-2B/C	RR-2A	RR-2B

A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor				

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

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)				
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PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points			
1. Area in Nonurban Use	15			
2. Perimeter in Nonurban Use	10			
3. Percent Of Corridor Being Farmed	20			
4. Protection Provided By State And Local Government	20			
5. Size of Present Farm Unit Compared To Average	10			
6. Creation Of Nonfarmable Farmland	25			
7. Availability Of Farm Support Services	5			
8. On-Farm Investments	20			
9. Effects Of Conversion On Farm Support Services	25			
10. Compatibility With Existing Agricultural Use	10			
TOTAL CORRIDOR ASSESSMENT POINTS	160			

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

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>
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5. Reason For Selection:

Signature of Person Completing this Part:	DATE
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NOTE: Complete a form for each segment with more than one Alternate Corridor

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected - 20 points
Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ?

(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)
As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points

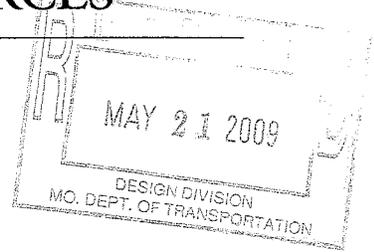
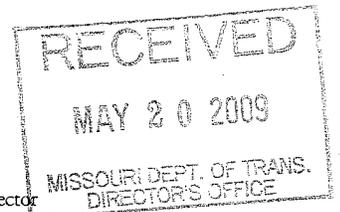
(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Jeremiah W. (Jay) Nixon, Governor • Mark N. Templeton, Director

www.dnr.mo.gov



May 15, 2009

Ms. Peggy Casey
Environmental Projects Engineer
Federal Highway Administration
3220 W. Edgewood, Suite H
Jefferson City, MO 65109

Mr. Kevin Keith
Chief Engineer
Missouri Department of Transportation
P.O. Box 270
Jefferson City, MO 65102-0270

Re: Draft East Columbia Environmental Impact Statement, Columbia, Missouri

Dear Ms. Casey and Mr. Keith:

The Missouri Department of Natural Resources (Department) appreciates the opportunity to provide comments on the Draft East Columbia Environmental Impact Statement (EIS), Columbia, Missouri. The department offers the following comments for consideration.

The Department recognizes that the preferred alternatives minimize impacts to surface waterways. As stated in the EIS, a Section 404 permit and Section 401 certifications will be required to address any impacts to streams and wetlands to the extent they cannot be avoided. MoDOT will be required to follow best management practices under these permits to ensure that water quality will be protected.

A number of hazardous waste sites were identified during development of the EIS, all typical of the project area. The Department notes that the possibility of undocumented sites remains and project planners should be aware of this possibility as the project develops.

No state parks are located within the project study area. Impacts to local parks within the study area were avoided by the preferred alternatives, so the project would have no 4(f) or 6(f) impacts.

The EIS also evaluated the following issues, in many cases using information provided by the Department, and found that the proposed project would not result in or be subject to significant negative impacts from karst topography, seismic concerns, underground mines, groundwater, air quality or cultural resources.

Ms. Peggy Casey
Mr. Kevin Keith
May 15, 2009
Page 2

We appreciate the opportunity to provide comments on the Draft East Columbia Environmental Impact Statement, Columbia, Missouri. If you have any questions or need clarification, please contact me, phone number 573-751-3195. My address for correspondence is Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102. Thank you.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES

A handwritten signature in cursive script that reads "Jane Beetem".

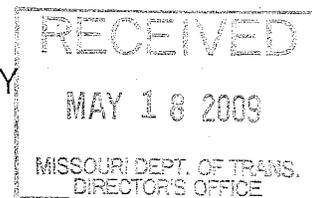
Jane Beetem
Transportation Review Coordinator

JB:jb



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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



18 MAY 2009



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

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

Dear Ms. Casey and Mr. Keith:

RE: Review East Columbia Transportation Project, To Improve the Transportation Network in Eastern Columbia/Boone County - City of Columbia, Boone County, MO

The U.S. Environmental Protection Agency has reviewed the East Columbia Draft Environmental Impact Statement. Our review is provided pursuant to the National Environmental Policy Act 42 U.S.C. 4231, Council on Environmental Quality regulations 40 C.F.R. Parts 1500-1508, and Section 309 of the Clean Air Act. The DEIS was assigned the CEQ number 20090092.

Based on our overall review and the level of our comments, the EPA has rated the DEIS for this project Lack of Objections.

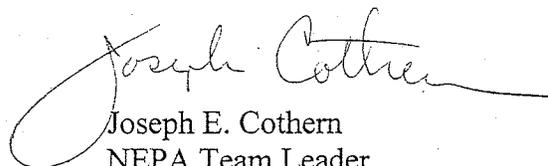
EPA offers one update to your analysis, and one placeholder for potential refinement in Clean Water Act Section 404 matters.

For update: the second paragraph of page III-25 states that a segment of Grindstone Creek "is being proposed as impaired" and cites the Revised EPA Consolidated 2002 Missouri 303(d) List and the MDNR list of 303(d) impaired waters. On April 20, 2007, the Missouri Clean Water Commission did include a 1.5 mile segment of Grindstone Creek in the 2004/2007 303(d) list, with a cause of that impairment being bacteria from an unknown source. The impaired reach is from 38.9224 degrees north latitude, 92.3034 degrees west longitude (upstream) to 38.9278 degrees north latitude, 92.3218 degrees west longitude (downstream).

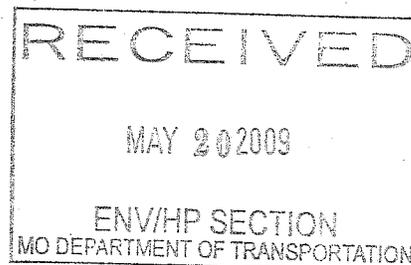
For CWA 404 compliance: If changes occur in the project purpose, need, alternatives, or impacts between now and the time of issuance on Public Notice by the Corps of Engineers, EPA's 404 program reserves the ability to comment further on this project. Information may be generated through the 404 public interest review process that was not documented during the EIS process and should be considered in the final decision. This could include changes in regulation or processes, advances in the knowledge of the resources to be impacted, discovery of additional populations of threatened or endangered species, new best management practices, and/or improvement in stream or wetland restoration science.

Thank you for the opportunity to provide our comments regarding this project. If you have any questions, please contact me at 913-551-7148 or via email at cothern.joe@epa.gov.

Sincerely,



Joseph E. Cothorn
NEPA Team Leader
Environmental Services Division



Draft Environmental Impact Statement Rating Definitions

Environmental Impact of the Action

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.



Jeremiah W. (Jay) Nixon
Governor

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

Kelvin L. Simmons
Commissioner

April 14, 2009

Buddy Desai
CH2M Hill
1034 SO. Brentwood Blvd
Suite 2300
St. Louis, MO 63117
314-421-3927

Dear Mr. Desai:

Subject: 0910027
Assistance

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

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

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

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

Sincerely,

Sara VanderFeltz
Administrative Assistant

cc:

CH2M HILL
1034 So. Brentwood Blvd.
Suite 2300
St. Louis, MO 63117
Tel 314.421.0900
Fax 314.421.3927



0910027

April 1, 2009

Ms. Sara Vanderfeltz
Missouri Federal Assistance Clearinghouse
Office of Administration
State Capital Building, Room 125
P.O. Box 809
Jefferson City, Missouri 65102

**RE: Draft Environmental Impact Statement, East Columbia EIS (Boone County, Missouri)
MoDOT Job No. J5S0636**

Dear Ms. Vanderfeltz:

Enclosed is one CD of the Draft Environmental Impact Statement (Final EIS) for the above-referenced project. The proposed action is to improve the transportation network in eastern Columbia/Boone County by: 1) extending Route 740 from its terminus at US-63, along a new alignment, to I-70 at the existing St. Charles Road interchange, 2) improving existing Broadway (Route WW) and 3) extending Ballenger Lane, as a locally sponsored project, from Route 740 to Clark Lane.

CH2M HILL is forwarding this report on behalf of the Federal Highway Administration (FHWA) and the Missouri Department of Transportation (MoDOT). FHWA and MoDOT are requesting your review and comments on this Draft EIS.

The Notice of Availability (NOA) is anticipated to be published in the Federal Register on Friday, April 3, 2009.

FHWA and MoDOT are requesting written comments on the Draft EIS be submitted by May 18, 2009. Please forward comments to:

Ms. Peggy Casey
Environmental Projects Engineer
Federal Highway Administration
3220 W. Edgewood, Suite H
Jefferson City, Missouri 65109
573-636-7104

Mr. Kevin Keith
Chief Engineer
Missouri Department of Transportation
P.O. Box 270
Jefferson City, Missouri 65102-0270
573-751-2803

Should you have any problems with the enclosed CD, please contact me and a paper copy (or new CD) can be shipped overnight to you. Should you have any questions or concerns, please feel free to call me at 314.335.3011.

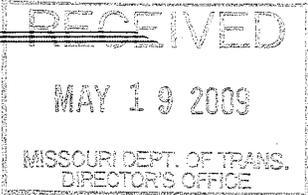
Sincerely,

CH2M HILL

Buddy Desai, P.E.
Project Manager
Enclosures



601 Business Loop 70 West, Columbia, MO 65203



May 15, 2009

Ms. Peggy Casey
Environmental Projects Engineer
Federal Highway Administration
3220 W. Edgewood, Suite H
Jefferson City, MO 65109

Mr. Kevin Keith
Chief Engineer
Missouri Department of Transportation
P.O. Box 270
Jefferson City, MO 65102-0270

RE: Draft Environmental Impact Statement, East Columbia EIS (Boone County, Missouri) MoDOT
Job No. J5S0636.

Ms. Casey and Mr. Keith:

As requested, we have reviewed the draft EIS related to improving the transportation network in eastern Columbia/Boone County. We offer the following information for consideration:

1. Background Information – In 1981, the U.S. Congress passed the Farmland Protection Policy Act (FPPA) which directs USDA through NRCS to provide technical assistance to Federal agencies, and State and local governments or organizations that desire to develop programs or policies to limit the conversion of productive farmlands to non-agricultural uses.
2. The Goal of FPPA is to minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of important farmland to nonagricultural uses.
3. Review of the Proposed Project-Based on the initial description of the project, a farmland conversion impact rating will be needed. We will be happy to complete our portion of the rating as soon as location decisions have been made. We understand that there will be land disturbance activities, but see no significant impacts to prime or statewide important farmland in this area.
4. Other Considerations-Our agency works with USDA program participants to minimize project impacts to wetlands. The U.S. Army Corps of Engineers (COE) regulates activities in all wetlands under the provisions of the Clean Water Act. This project may require a permit from the COE.

If you have any questions, please free to call Clayton E. Lee, State Soil Scientist (573) 876-0907.

Sincerely,

Roger A. Hansen
State Conservationist

cc: Karen D. Brinkman, AC, NRCS, Palmyra, Missouri
Robert T. Hagedorn, DC, NRCS, Columbia, Missouri