

IOWA DEPARTMENT OF TRANSPORTATION

To Office	Federal Highway Administration	Date: 12/14/2015
Attention	Karen Bobo, Division Administrator	Ref No: IM-380-6(302)2--13-52
From	Mitch Dillavou, Bureau Director	County: Johnson
Office	Location and Environment	NEPA ID: 9627
Subject	NEPA Clearance - Categorical Exclusion – Forevergreen Road	

Project Description:

The Iowa Department of Transportation (DOT) is proposing a roadway improvement project along Interstate 380 (I-380) in Johnson County for a new diamond interchange with Forevergreen Road at I-380 (see Attachment A, Figure 1). Forevergreen Road from just east of Kansas Avenue east to Hwy. 965 will be a 3-lane section in the ultimate configuration. It will be initially striped (painted) with four narrow lanes to allow for two lanes of traffic in either direction to allow for incident management during the reconstruction of the I-80/I-380 Systems Interchange. After the Systems Interchange is reconstructed, the Forevergreen Road local road is proposed to be re-striped to a three lane section. Grading along the local road project will accommodate a future sidewalk on the north side and a future trail on the south side.

A. Type of Project:

Categorical Exclusion (CE), as described in 23 CFR 771.117(d)(13).

B. Public Involvement:

Public information meeting was held November 18, 2015 at the North Liberty Recreation Center. The purpose of the meeting was to discuss the proposed interchange at Forevergreen Road and I-380 near North Liberty, IA. No formal presentation was made; however, general information regarding the proposed improvements was discussed at the meeting.

C. Noise:

Due to construction of a highway on a new location and changes in the vertical and horizontal alignment of Forevergreen Road, a noise analysis was completed. Noise analyses are completed for "Type I" highway projects when the potential for project related noise impacts exists, in accordance with 23 CFR Part 772 and Iowa DOT noise policy PPM 500.07. Noise impacts were identified in the noise analysis; however, noise abatement features were found to not be "feasible and reasonable" as per Iowa DOT noise policy.

D. Air Quality:

The proposed project complies with both Iowa's current State Implementation Plan for attaining the national ambient air quality standards (which contains no transportation control measures), and with the conformity requirements for the Clean Air Act Amendments of 1990. Short-term air quality impacts

associated with dust and equipment emissions during construction are controlled by standard contract and equipment specifications.

E. Mobile Source Air Toxics (MSATs)

This project has been determined to generate minimal air quality impacts for CAAA criteria pollutants and has not been linked with any special MSAT concerns. As such, this project would not result in changes in traffic volumes, vehicle mix, basic project location, or any other factor that would cause an increase in MSAT impacts of the project from that of the no-build alternative.

Moreover, EPA regulations for vehicle engines and fuels would cause overall MSAT emissions to decline significantly over the next several decades. Based on regulations now in effect, an analysis of national trends with EPA's MOBILE6.2 model forecasts a combined reduction of 72 percent in the total annual emission rate for the priority MSAT from 1999 to 2050 while vehicle-miles of travel are projected to increase by 145 percent. This would both reduce the background level of MSAT as well as the possibility of even minor MSAT emissions from this project.

F. Right of Way and Displacement Impacts:

There would be no displacements; however, the clearance area contains approximately 125 acres of potential right-of-way depending on final design. See Attachment A.

G. Cultural Resources:

In November 2014, an Intensive Level Architectural Survey and was completed for the proposed Project. The investigation included an extensive archival/records search, along with an inspection/field visit of various architectural properties. A total of 49 properties were identified within the area of potential effect. Of these properties, 44 were determined to be modern and not eligible for the National Register. The remaining 5 properties were identified as historic, due to their age. However, these properties were determination not eligible for the National Register of Historic Places. No further work was recommended for any of the properties examined.

SHPO concurred on 4/2/2015 with the **No Historic Properties Affected** in regard to historic architectural resources.

A Phase I Archaeological Investigation was completed in November 2014. A total area of 147 acres was examined for this investigation. After a review of the present design corridor and the previously conducted Phase I archaeological investigations, the Office of Location and Environment determined that no eligible archaeological resources/sites will be impacted by this project.

Based on the review of the current design plans\ corridor and the findings of the Phase I Archaeological investigation, SHPO concurred on 12/18/2015 with the determination **No Historic Properties Affected**.

H. Threatened and Endangered Species:

The Iowa Department of Natural Resources (DNR) Natural Areas Inventory (NAI) shows a 1987 occurrence of a barn owl (*Tyto alba*) within a one-mile radius of the project. The project falls within a county designated by the U.S. Fish and Wildlife Service (USFWS) as summer range of the Indiana bat (*Myotis sodalis*) in Iowa and suitable habitat is present for both the Indiana bat and Northern long-eared bat (*Myotis septentrionalis*).

A Threatened and Endangered Species Technical Memorandum (T&E Tech Memo) (HDR, Inc., July 2015) indicated that potential habitat for the following species may occur in the preliminary study area (which encompassed the NEPA Cleared Area and additional area to the west):

- Indiana bat (*Myotis sodalis*)
- Northern long-eared bat (*Myotis septentrionalis*)
- Barn owl (*Tyto alba*)
- Orangethroat darter (*Etheostoma spectabile*)
- Oval Ladies'-tresses (*Spiranthes ovalis*)
- Pale green orchid (*Platanthera flava*)
- Blanding's turtle (*Emydoidea blandingii*)
- Eastern massasauga (*Sistrurus catenatus*)

Following the T&E Tech Memo an acoustic bat survey was conducted to determine the presence or probable absence of the Indiana bat and Northern long-eared bat within the project corridor during the summer maternity season. The results of the survey, documented in Indiana Bat and Northern long-eared bat Presence/Absence Survey, West Forevergreen Road (Stantec, August 2015), confirmed the presence of Northern long-eared bats. Additionally, possible Indiana bat calls were identified at the site however, due to the overlap in call characteristics between the little brown bat and the Indiana bat, the presence or absence of Indiana bats at the site could not be positively confirmed.

A targeted habitat assessment was performed on October 5 and 9, 2015 for state and federally-threatened and endangered species identified as having potential habitat within the project study area. The targeted habitat assessment included a pedestrian field reconnaissance. The report, Endangered Resources Report, West Forevergreen Road, Johnson County, Iowa (Stantec, October 2015) determined that there was no suitable habitat for the Blanding's turtle, eastern massasauga rattlesnake, orangethroat darter or the pale green orchid. There was limited foraging habitat for the barn owl and limited habitat for the oval ladies'-tresses.

Based on a review of data sources from both the United States Fish and Wildlife Service (USFWS) and the Iowa Department of Natural Resources (IADNR), the DOT has determined the proposed project **May Affect – Not Likely to Adversely Affect** the Indiana bat or Northern long-eared bat or result in the destruction or adverse modification of federally designated critical habitat (USFWS, November 10, 2015). The Project is clear for threatened and endangered species provided trees are cut after October 1 and before March 31, per Iowa DOT specification 2101.01A.

I. Wetlands:

Wetland delineations were completed in November 2014 and identified palustrine emergent, palustrine scrub/shrub, and palustrine forested wetlands within the preliminary study area. In addition, an agricultural wetland determination was completed and five areas were determined to be agricultural wetlands. The Project would require a Section 404 permit, and it is expected the Project would be authorized under a Nationwide Permit. There are no streams listed as an Outstanding Iowa Water within the wetland delineation study area. There are seven waterways that intersect the NEPA Cleared Area, with approximately 6,870 linear feet of waterway within the NEPA Cleared Area. There are approximately 17 wetlands within the NEPA Cleared Area with a total area of approximately 3.25 acres. The Project is located within a currently serviceable wetland mitigation bank that has approximately 2.8 acres available. If credits are not available at the time of letting, an alternative site would need to be found. It is anticipated that stream mitigation would not be required.

J. Woodlands:

Woodland areas were identified in the field as part of the November 2014 wetland delineations; and woodland, per Iowa Code 314.23, would be impacted. There would be four areas of woodland impact and each impact area would be less than two acres; however, cumulative impacts would be approximately 2.29 acres.

K. Parkland Impacts:

There are two potential parks located within the NEPA Cleared Area, the Colony Country Campground and Fox Valley Pond, and both are located southwest of the Forevergreen Road and Jones Boulevard intersection.

Based on the Johnson County Property Information Viewer accessed on October 29, 2015, the Colony Country Campground property is owned by Keystone North Liberty LLC. The campground was closed on June 1, 2014 and there are plans for a new senior care facility. Given that the property is privately owned and there are plans for construction of a private development, the area is not considered parkland or a 4(f) resource.

The City of North Liberty owns and maintains the Fox Valley Pond and associated North Liberty Recreation Trail located on the south side of Forevergreen Road (Attachment A, Figure 4). The recreation trail is a 3.3 mile walking and biking trail that begins at the Fox Run subdivision and extends south to Forevergreen Road, where it then connects to the Coralville trail. Based on review of the Iowa DNR Land and Water Conservation Fund (LWCF) database, the Fox Valley Pond and North Liberty Recreation Trail did not receive funding from the LWCF.

As the Official with Jurisdiction, the city of North Liberty agreed in writing that the following impacts meet the **Section 4(f) temporary use** criteria; portions of the trail will be temporary closed during construction and there will be a temporary impact to the green space for installing drainage improvements.

L. Water Quality:

No significant water quality impacts or issues are expected to result from the action discussed in this document. Standard construction specifications provide for erosion control to limit sedimentation of drainage ways and water courses and no mitigation or remedial efforts are planned.

M. Floodplains:

The NEPA Clear Area intersects the Zone A floodplain of Buffalo Creek and approximately 2.08 acres of the floodplain is within the NEPA Cleared Area. During final design, an Iowa DNR Flood Plain Construction Permit would be required.

N. Farmland Protection:

It is anticipated that greater than 5 acres of farmland would be impacted by the Project. The Farmland Conversion Impact Rating Form (AD-1006) was completed and section IV of the form scored less than 60 points (see Attachment B); therefore, coordination with the NRCS was not required.

O. Regulated Material Sites:

The Initial Regulated Materials Review identified one low risk site and multiple minimal risk sites. The low risk site is located at the intersection of US-6 and I-380 and the EDR Orphan Summary identified the area as a landfill. There were no records of the site listed in Iowa DNR databases, and site reconnaissance did not reveal indications of a current or past landfill. Although landfills are considered moderate risk based on Iowa DOT criteria, the site is considered low risk because the environmental review concluded it is not likely within the NEPA Cleared Area. The minimal risk sites include the Colony Country Campground, 2785 S Jones Blvd NE, and two transportation spills south of the NEPA Cleared Area. The review concluded that collection of additional information prior to site activities is not recommended.

P. Construction/Detour Impacts:

Traffic flow on Forevergreen Road, Kansas Avenue, Jones Boulevard, and Highway 965 would be restricted throughout the construction period in order to accommodate a phased construction method. The use of a phased construction method eliminates the need for any road closures during construction. In addition, short term closures of I-380 would be required during the construction, for the placement of the bridge beams.


Access would be maintained for adjacent property owners.

Q. Cumulative Impacts:

The overall cumulative impact of the proposed action and the consequences of subsequent related actions have been evaluated and are not considered to be collectively significant.

R. Consistency:

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



Mitch Dillavou, Bureau Director
Office of Location and Environment

Concur: 

For the Federal Highway Administration

Date: 12/22/2015



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www.iowadot.gov**Office of Location & Environment**

800 Lincoln Way, Ames, IA 50010

Phone: 515-239-1097 / Email: matt.donovan@dot.iowa.gov

March 24th, 2015

Ref. No. IM-380-6(302)2-13-52

Johnson County

Primary

RECEIVED

MAR 27 2015

by SHPO

Ralph Christian
 Review and Compliance
 Community Programs Bureau
 State Historical Society of Iowa
 600 East Locust
 Des Moines, IA 50319

R&C: 150352128

Dear Ralph:

**RE: Intensive Level Architectural Survey and Evaluation
 for the Forevergreen Road / Interchange
 Interstate 380 / Johnson County, Iowa
 Sections 15, 22, 23, 24, and 27, T80N-R7W
 No Historic Properties Affected- Historic Architectural Resources**

Enclosed for your review and comment is the Intensive Level Architectural Survey and Evaluation for the above-mentioned project in Johnson County, Iowa. This project proposes a series of road improvements including the development and construction of an interchange for Forevergreen Road and I-380, in Johnson County, Iowa.

The area of potential impact encompasses a project corridor that is approximately 2.2 miles (North to South) in length with variable width. A total area of 147 acres was examined for this investigation.

The architectural investigation for this project included an extensive archival / records search, along with an inspection / field visit of various architectural properties. A total of 49 properties were identified within the area of potential effect. Of these properties, 44 were determined to be modern and not eligible for the National Register. The remaining 5 properties were identified as historic, due to their age. However, these properties were determination not eligible for the National Register of Historic Places. No further work was recommended for any of the properties examined.

Based on the recommendations of this intensive level survey and evaluation, the determination of affect, *in regards to historic architectural resources* is **No Historic Properties Affected**

If you concur with this determination, please sign the concurrence line below and return this letter.

If you need any further information or have any questions, please do not hesitate to contact me.

Sincerely,



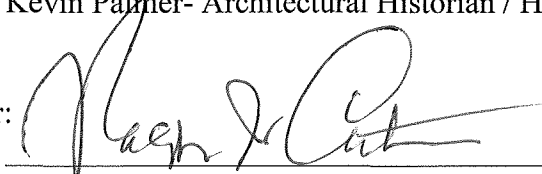
Office of Location & Environment

Matt.Donovan@dot.iowa.gov

Enclosure

cc: DeeAnn Newell, OLE / NEPA
Ken Yanna-Assistant District Engineer, District 6
Kevin Palmer- Architectural Historian / HDR

Concur:



SHPO Historian

4/21/15
Date

Comments:



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Office of Location & Environment

800 Lincoln Way, Ames, IA 50010

Phone: 515-239-1097 / Email: matt.donovan@dot.iowa.gov

November 23rd, 2014

Ref. No. IM-380-6(302)2-13-52

Johnson County

Primary

RECEIVED

DEC 08 2015

by SHPO

Doug Jones
 Review and Compliance
 Community Programs Bureau
 State Historical Society of Iowa
 600 East Locust
 Des Moines, IA 50319

R&C: 150352128

Dear Doug:

**RE: Phase I Archaeological Report for the Forevergreen Road / Interchange
 Interstate 380 / Johnson County, Iowa
 Sections 15, 22, 23, 24, and 27, T80N-R7W
 No Historic Properties Affected**

Enclosed for your review and comment is the determination of effect for the above-mentioned project in Johnson County, Iowa. As previously mentioned, this project proposes a series of road improvements including the development and construction of an interchange for the Forevergreen Road and I-380, in Johnson County, Iowa.

As noted in the original submittal of the Phase I Archaeological investigation, the area of potential impact encompasses a project corridor that is approximately 2.2 miles (North to South) in length with variable width. A total area of 147 acres was examined for this investigation.

Enclosed for you review is the current design corridor for the Forevergreen Road Interchange project. After a review of the present design corridor and the previously conducted Phase I archaeological investigations, our office has determined that no eligible archaeological resources / sites will be impacted by this project.

As noted in the report, geomorphological investigations are recommended for sections of the area of potential effect (APE) that might be impacted by future projects. (Section 27, and the south half of Section 22, Township 80N, Range 7W) After a review of the current design plans

and input by our office's project engineers, these areas will not be impacted and no further work is warranted.

Based on the review of the current design plans / corridor and the findings of the Phase I archaeological investigation, the determination for this project is **No Historic Properties Affected.**

If you concur with this determination, please sign the concurrence line below and return this letter.

If you need any further information or have any questions, please do not hesitate to contact me.

Sincerely,



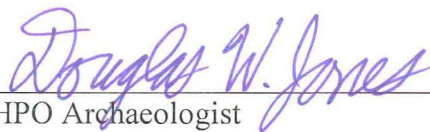
Office of Location & Environment

Matt.Donovan@dot.iowa.gov

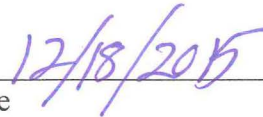
Enclosure

cc: DeeAnn Newell, OLE / NEPA
Ken Yanna-Assistant District Engineer, District 6
Dylan Eigenberger- Archaeology Project Director / HDR

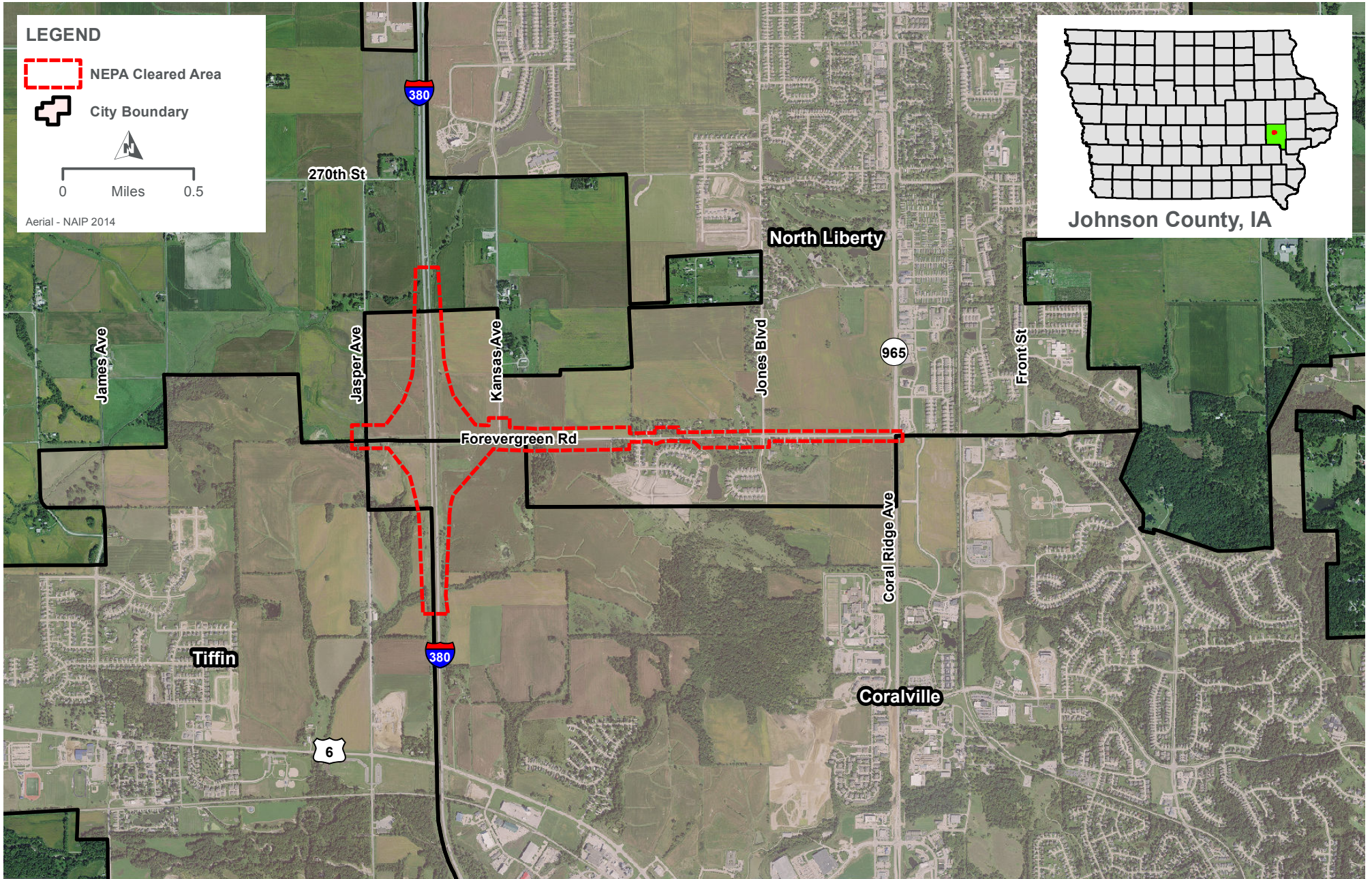
Concur:


SHPO Archaeologist

Date



Comments:



**PROJECT LOCATION
FOREVERGREEN ROAD**

FIGURE 1

Newell, Deeann [DOT]

From: Ryan Heiar <rheiar@northlibertyiowa.org>
Sent: Monday, December 14, 2015 8:56 AM
To: Abuissa, Newman [DOT]
Cc: Newell, Deeann [DOT]; Kevin P. Trom; Guy Goldsmith; Don Colony; Dean Wheatley
Subject: Fox Valley Pond - I380/Forevergreen Road Interchange Project

Good morning Newman,

The City of North Liberty has been contacted regarding the potential impacts to the Fox Valley Pond if the IDOT proceeds with the I380/Forevergreen Road interchange project. The City understands that there is a need for this improvement and that the proposed Forevergreen Road widening project will have a temporary effect on this "Section 4(f)" property.

The City of North Liberty has been notified that as part of this potential project, portions of the trail will be temporary closed during construction and that there will be a temporary impact to the green space while installing adequate drainage improvements. After our discussions, it is further understood that the trail closure and drainage installation will meet the following criteria:

1. Duration is to be temporary and less than the time needed for construction of the project. There will be no change in ownership of the land;
2. Scope of the work is minor and both the nature and the magnitude of the changes to the "Section 4(f)" resource are minimal;
3. There are no anticipated permanent adverse physical impacts, nor will there be interference with the activities or purpose of the resource, on either a temporary or permanent basis;
4. The land being used will be fully restored and the "Section 4(f)" resource must be returned to a condition which is at least as good as that which existed prior to the project.

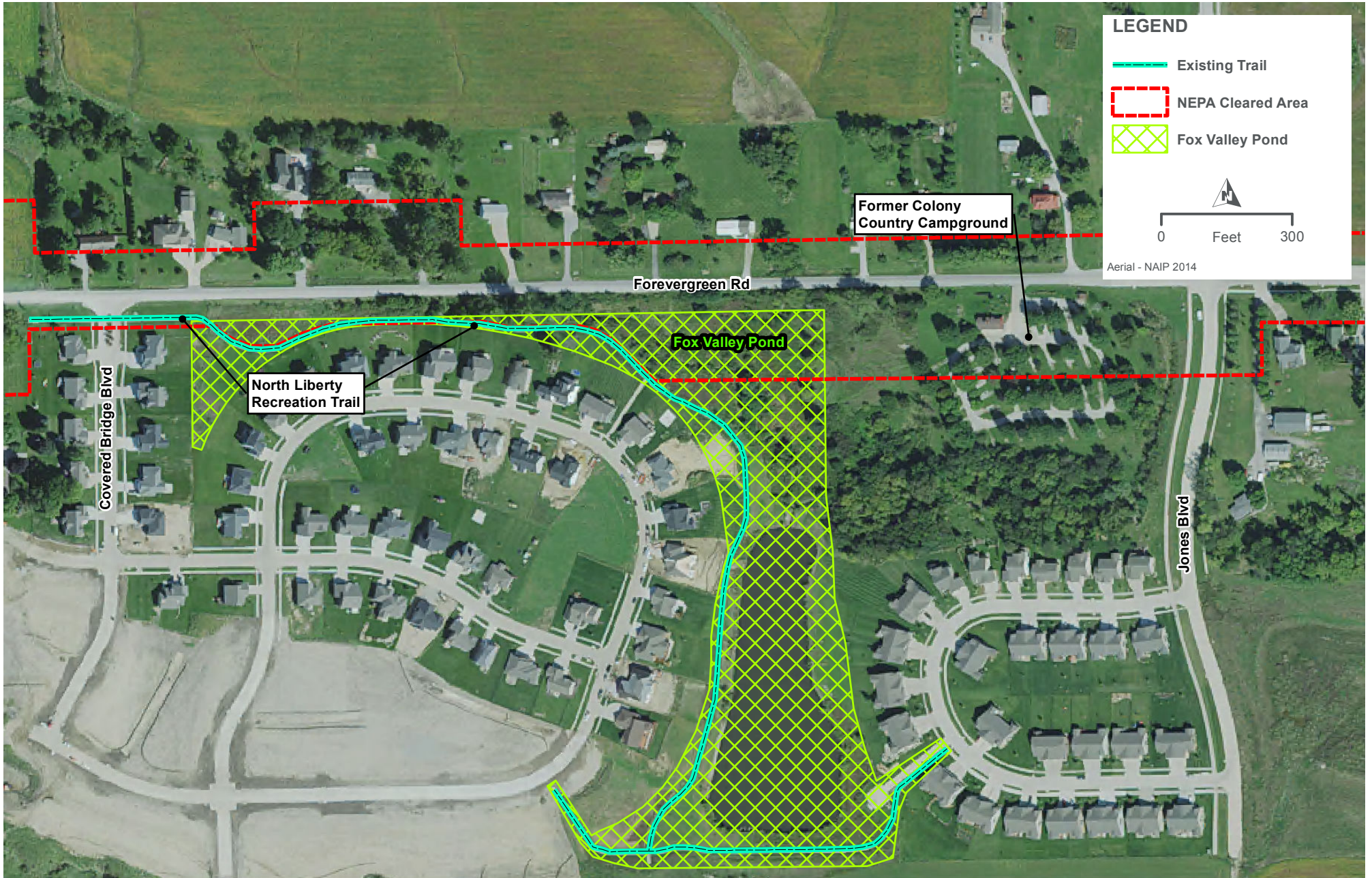
This letter documents the agreement of the appropriate officials having jurisdiction over the resource regarding the above conditions.

Thanks,

Ryan Heiar
City Administrator
City of North Liberty

319.626.5700 (P)
319.626.3288 (F)

www.northlibertyiowa.org



LEGEND

- Existing Trail
- NEPA Cleared Area
- Fox Valley Pond



Aerial - NAIP 2014



**PARKLAND
FOREVERGREEN ROAD**