

**FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACTS**

for the

**Interstate 35/80 Interchange with Iowa 141
Polk County, Iowa**

IM-80-3(178)127--13-77

The Federal Highway Administration (FHWA) has determined that this project will have no significant impact on the human and natural environment. This Finding of No Significant Impact is based on the attached Environmental Assessment which has been independently evaluated by FHWA and determined to adequately and accurately discuss the need, environmental issues, and 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 EA.

1/16/2017
Date

Michael LaPietra
For FHWA

Description of Proposed Action

The Iowa Department of Transportation (Iowa DOT), in partnership with the Cities of Urbandale, Grimes, and Johnston, Iowa, located in the Des Moines Metropolitan Area, is proposing to construct improvements in the Interstate 35 (I-35)/ Interstate 80 (I-80)/ Iowa Highway 141 (IA 141) Interchange Corridor. The proposed improvements include the construction or replacement of Interstate System entrance and exit ramps, bridges, auxiliary travel lanes, and collector-distributor roadways.

Environmental Assessment Availability

The Environmental Assessment (EA) was signed on September 7, 2016 and was distributed to selected federal, state, and local resource agencies on September 22, 2016 for review and comment. A notice of public availability of the EA and notification of a public hearing on October 24, 2016 was placed on Iowa DOT's website on September 22, 2016 at the following URL:

<http://www.iowadot.gov/ole/nepaprojects/nepaprojectseab.aspx?I-80/I-35%20Improvements>

Notices were published in the legal sections of the Des Moines Register – Urbandale/Johnston on Friday September 30, 2016 and in the Bull's Eye on Wednesday, September 21, 2016. In addition, the public hearing display ad was published in the Des Moines Register – Urbandale/Johnston on Tuesday, October 11, 2016 and on Friday, October 14, 2016.

Review and Comment Period

A review and comment period was established for receipt of comments on the EA, with an expiration date of November 7, 2016. A public hearing for the project was held at the Stoney Creek Hotel and Conference Center in Johnston, Iowa on October 24, 2016. The public hearing used a combined open forum and formal presentation format. A written record of this meeting was prepared and is available upon request from the Iowa DOT.

Agency Comments

Three agency comment letters were received and are summarized in Table 1. Copies of these comments are included in Appendix A.

Table 1. Summary of Agency Comments

Date	Agency & Comment	Response from Iowa DOT
9/26/16	Iowa Department of Natural Resources <ul style="list-style-type: none"> • No additional concerns or comments. 	No response needed.
11/21/16	U.S. Fish and Wildlife Service <ul style="list-style-type: none"> • No further comments. 	No response needed.
12/13/16	Environmental Protection Agency <ul style="list-style-type: none"> • Air Quality – Recommend the EA identify and discuss the potential impacts to air quality from construction, modification, and operation of the proposed project. • Noise Abatement – Suggest that Iowa DOT revisit the noise analysis in the area of the mobile home park after construction and verify the predictions of the study. • Greenhouse Gases / Climate Change – Recommends the EA estimates the direct and indirect greenhouse gas emissions that would be caused by the proposed project and impacts of climate change. 	<ul style="list-style-type: none"> • Air Quality – The proposed project is located in an air attainment area. The proposed project increases capacity of the ramps reducing traffic backups and idling vehicles on the Interstate reducing air emissions. • Noise Abatement – The Iowa DOT may revisit after completion if requested. • Greenhouse Gases / Climate Change – The Iowa DOT is waiting for guidance from FHWA on how to address greenhouse gases and impacts on climate change in environmental documents.

Public Hearing

A public hearing was held on October 24, 2016 at the Stoney Creek Hotel and Conference Center, 5291 Stoney Creek Court, Johnston, Iowa from 5 to 7 PM. The purpose of the public hearing was to present the proposed alternative and to gather feedback from the public about the proposed alternative and the completed EA. The hearing was conducted utilizing a combined open forum and formal format. The public was invited to attend an informal session anytime between 5:00 PM and 6:00 PM. A formal presentation began at 6:00 PM and was followed by a question and comment session. The public hearing was advertised in the published notice of availability sent to the agencies as described above and on the Iowa DOT’s website at www.iowa.gov/pim.

According to the Iowa DOT’s October 24, 2016 *Public Hearing Summary Booklet*, there were 158 people that registered their attendance at the public hearing. The public had the opportunity to comment verbally or in writing during the hearing, or by sending comments to the Iowa DOT after the meeting. Six (6) attendees provided verbal comments during the question and comment session, which are summarized in Table 2. Table 3 summarizes the written comments receive before, during, and after the public hearing. Four (4) comments were received before the public hearing, three (3) comments were received at the public hearing, and eight (8) comments were received after the public hearing. The Iowa DOT provided responses to all commenters who requested a response.

Table 2. Summary of Verbal Comments at Public Hearing

Speaker	Comments
Representative from Polk County Board of Supervisors	They are in favor of the project due to improved safety and efficiencies the project could have on the region.
Representative from the City of Urbandale	They are in favor of the project supporting goals for improving safety, efficiency, and potential for economic development in the area.
Representative from R&R Realty Group	Their customers are concerned with safety, congestion, and ability to get to their businesses.
Representative from Home Depot	They are concerned with the proposed removal of the exit loop ramps and the impact to businesses along Plum Drive.
Representative from Carney and Appleby Law Firm representing Rider Corner Management (RCM)	They are concerned with the proposed removal of the loop ramps and impacts to their business. Provided documents prepared by a professional engineer with some opinions on how to keep the existing loop ramps along with the proposed fly over ramp.
Residential Property Owner	This property owner is in favor of the project and looking forward to being a part of the economic development in the area.

Table 3. Summary of Written Comments

Timeline	Type of Comment	Comment
Before Public Hearing	Email	Representative from RCM requested a copy of the Interchange Justification Report (IJR).
	Email	Representative from Target submitted a letter expressing concerns about the removal of the loop ramps and included sketches of options at NW Urbandale Drive and potential cost savings alternatives.
	Email	Representative from Knapp Properties wanted to know about the project's construction schedule.
	Email	Reporter with Des Moines Register asked to download the project animations from Iowa DOT's website.
At the Public Hearing	Letter	Representative from the City of Urbandale submitted a letter of support due to improved safety and efficiencies the project could have on the region.
	Letter	Representative from the Polk County Board of Supervisors submitted a letter of support for improving safety, efficiency, and potential for economic development in the area.
	Letter	Representative from Carney and Appleby Law Firm on behalf of their client RCM submitted a transmittal letter and exhibits of proposed options to keep the loop ramps in addition to potential cost saving alternatives.
After Public Hearing	Email	Commenter stated that the fly over will not fix the problems with 141 and a better solution would be to removal all the traffic lights and use bridges over 141 with ramp entrances while expanding 141 to six lanes all the way to Granger.

Timeline	Type of Comment	Comment
	Email	Representative from Martin Marietta offered support of the proposed project due to increase in traffic and safety concerns of traffic backing onto the interstate.
	Written Comment Form	Commenter proposes adding turn lanes onto Hwy 141 from NE 18 th Street in Grimes for both north and southbound directions.
	Online	Attendee commented on wasting time and money unless improvements are made to the traffic flow of northbound IA 141 and suggested that a “Texas Style” controlled access frontage road be considered.
	Online	Representative from Unity Point at Home commented on support of the project due to the improvements in efficiency and safety of employees and patients that access their office.
	Online	Attendee commented on the improved access and safety for employees, vendors, and customers making it easier to attract and retain employees in the area.
	Online	Attendee commented that they have wanted the project ever since 2007. Has a business in the area with plans to grow and is concerned about safety and congestion at 121 st /Douglas and the 141 loops.
	Online	Attendee wanted to know with the proposed improvements, what is being done to address traffic flow through the city of Grimes? More stop lights have been added which are at odds with the increased traffic flow that will be available with the new interchange.

New Information

No new information or changes to the project are being considered after the distribution of the EA.

Basis for Finding of No Significant Impact

Several human and natural environmental resources were not present in the project study area and others required only a summary review to confirm that there would be no significant impacts. The following resources were evaluated in detail in the EA and were determined to incur no significant impacts as a result of the project:

- Land Use
- Economic
- Right-of-Way and Relocation
- Construction and Emergency Routes
- Transportation
- Wetlands
- Surface Waters and Water Quality
- Floodplains
- Noise
- Visual
- Utilities

This Finding of No Significant Impact (FONSI) documents compliance with the National Environmental Policy Act of 1969 (NEPA) and all other applicable environmental laws, Executive Orders, and related requirements.

Special Conditions for Location Approval

Several conditions, noted below, were identified for approval and will be implemented during the design process prior to construction.

- Any potential right-of-way (ROW) requirements will be minimized during the final design process to minimize impacts. The State of Iowa will coordinate with business and property owners during the ROW acquisition process to negotiate compensation for ROW acquired. Relocations will be conducted in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and Iowa Code 316, the “Relocation Assistance Law”.
- As design advances, efforts will be made to avoid and minimize impacts to Water of the U.S. including wetlands. A Section 404 of the Clean Water Act permit will be acquired from the U.S. Army Corps of Engineers and a Section 401 water quality certification obtained from the Iowa Department of Natural Resources (Iowa DNR). Any unavoidable wetland impacts will be offset through the development of wetland mitigation approved by the regulatory agencies through the Section 404 Permit process. Construction activities in streams will be conducted during periods of low stream flow. All disturbed areas will be seeded with native grasses, and appropriate erosion control measures will be implemented. Clearing of vegetation will be limited to that which is absolutely necessary for construction of the project.
- A National Pollutant Discharge Elimination System (NPDES) General Stormwater Discharge Permit for Construction will be obtained from the Iowa DNR. Impacts on surface waters from stormwater runoff will be minimized in accordance with the NPDES permit and the Stormwater Pollution Prevention Plan (SWPPP) prepared in compliance with the permit.
- Floodplain Development Permits and Iowa Sovereign Lands Permits will be acquired from the Iowa DNR.
- As design advances, construction activities will be coordinated with public utilities to avoid potential conflicts and to minimize planned interruptions of service.
- An Air Quality Construction Permit will be acquired from the Iowa DNR.
- Iowa DOT’s Standard Note 232-9 will be included in project plans and require tree removal after September 30th and before April 1st.

APPENDIX A
Agency Correspondence



TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

STATE OF IOWA

DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

September 26, 2016

RECEIVED

SEP 28 2016

MS TAMARA NICHOLSON
DIRECTOR OFFICE OF LOCATION & ENVIRONMENT
IOWA DEPARTMENT OF TRANSPORTATION
800 LINCOLN WAY
AMES IA 50010

Office of Location & Environment

RE: I-35 / I-80 / IA 141 EA
Douglas Ave. to East of 100th Street, includes the IA 141 interchange in Urbandale, Polk
County, Iowa
IM-080-3(178)127—13-77

Dear Ms. Nicholson:

Thank you for the opportunity to comment on the Environmental Assessment (EA) for the I-35 / I-80 / IA 141 Interchange project in Urbandale, Iowa. We have no additional concerns or comments to make at this time.

If you have any questions, please call me at (515) 725-8399.

Sincerely,

A handwritten signature in blue ink that reads "Christine M. Schwake".

Christine Schwake
Environmental Specialist

502 EAST 9th STREET / DES MOINES, IOWA 50319-0034
PHONE 515-281-5918 FAX 515-281-6794 www.iowadnr.gov



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Rock Island Field Office
1511 47th Avenue
Moline, Illinois 61265
Phone: (309) 757-5800 Fax: (309) 757-5807



IN REPLY REFER
TO:

FWS/RIFO

November 21, 2016

Ms. Tamara Nicholson
Director, Office of Location and Environment
Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

Dear Ms. Nicholson:

We have received the Environmental Assessment dated September 7, 2016, for the improvement of Interstate 35/80 Interchange with Iowa 141, Polk County, Iowa. Coordination regarding this project has been ongoing with the Iowa Department of Transportation Office of Location and Environment (IADOT). We have reviewed the document and have no further comments.

This letter provides comments under the authority of and in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.); and the Endangered Species Act of 1973, as amended. Please contact me if you have questions.

Heidi Woeber
U.S. Fish and Wildlife Service
1511 47th Avenue
Moline, Illinois 61265
309/757-5800 Ext. 209

cc: IADNR (Moore, Schwake)
USEPA (Summerlin)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7

11201 Renner Boulevard
Lenexa, Kansas 66219

DEC 12 2016

Mr. Mike LaPietra
U.S. Department of Transportation
Federal Highway Administration
105 6th Street
Ames, Iowa 50010

Dear Mr. Mike LaPietra:

Thank you for contacting the U.S. Environmental Protection Agency for the Draft Environmental Assessment for the proposed Interstate I35/180 and IA 141 project for Polk County, Iowa. The EPA has evaluated this action, and has some administrative comments.

Air Quality:

The purpose and need of this project is to increase traffic capacity and improve safety. We recommend the environmental assessment identify and discuss the potential impacts to air quality from construction, modification, and operation of the proposed project. The air quality analysis should address and disclose the project's potential effect on: 1) all criteria pollutants under the National Ambient Air Quality Standards (NAAQS), including ozone, 2) any significant concentrations of hazardous air pollutants, and 3) protection of public health. Mitigation measures should be identified. We recommend the project proponents: 1) consider whether there may be opportunities to: use clean diesel equipment, vehicles, and fuels in construction of the project, 2) reduce diesel equipment idling time, and 3) have the FHWA identify and disclose in the environmental assessment any opportunities to utilize these measures.

Noise Abatement:

Using environmental justice screening to evaluate the project area, it appears that the mobile home park indicated in the noise study may be an environmental justice community. The EPA understands that, at this time, the study indicates that it would be "unreasonable" to consider a noise barrier, but would like to suggest that the Iowa Department of Transportation revisit this area once the actual project has been completed to verify conditions on the ground, and ensure they are what was predicted in the study.

Greenhouse Gases / Climate Change

The EPA recommends that the environmental assessment estimate the direct and indirect greenhouse gas emissions that would be caused by the proposal, and provide a qualitative summary of the impacts of climate change. Examples of tools for estimating and quantifying greenhouse gas emissions can be found at https://ceq.doe.gov/current_developments/GHG-accounting-tools.html, a website for the Council on Environmental Quality.



If you have any questions or concerns, please contact Joe Summerlin at (913) 551-7029 or via e-mail at summerlin.joe@epa.gov.

Sincerely,



Cecilia Tapia

Director

Environmental Sciences and Technology Division