FINDING OF NO SIGNIFICANT IMPACT

Short Form

Jefferson County, Kentucky
I-265 (Gene Snyder Freeway)

From South of the I-64 Interchange to North of the US 60 Interchange

Item No. 5-21.00 and 41.00

Submitted pursuant to 42 USC 4332 (2) (c) by

U.S. Department of Transportation
Federal Highway Administration
And
Kentucky Transportation Cabinet
Division of Environmental Analysis

November 2002

JEFFERSON COUNTY
I-265
ITEM NO. 5-21.00 & 41.00

Finding Of No Significant Impact
(Short Form)

Submitted Pursuant to: 42 USC 4332(2)(c); by

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
AND
KENTUCKY TRANSPORTATION CABINET
DIVISION OF ENVIRONMENTAL ANALYSIS

11/21/02 — David M. Waldner
Date of Approval — **For Kentucky Transportation Cabinet**

12/08/02 — Evan J. Wisniewski
Date of Approval — **For Federal Highway Administration**

The following people may be contacted for additional information concerning this document:

Mr. David M. Waldner, Director
Division of Environmental Analysis
125 Holmes Street
Frankfort, KY 40622
(502) 564-7250
david.waldner@mail.state.ky.us

Mr. Jose Sepulveda, P.E., Div. Administrator
Federal Highway Administration
330 West Broadway
Frankfort, KY 40601
(502) 223-6764
jsepulveda@fhwa.dot.gov

November 2002

TABLE OF CONTENTS

I. PURPOSE AND NEED

A. Project Description and Setting:

The proposed project is located on the outskirts of Louisville in eastern Jefferson County (see Exhibits 1 and 2). Louisville, the largest city in Kentucky, was founded ca. 1780 and has grown into a major Ohio River port and one of the more important industrial centers in the southeast. It is the regional hub and economic heart of the market, employment, and cultural center for the Louisville Kentucky-southern Indiana Metropolitan Statistical Area (MSA). Louisville's population in 2000 was 256,231.

Louisville is also the county seat of Jefferson County. Jefferson County, Kentucky's most populous county, had a population of 693,604 in 2000, up from 664,937 in 1990. The county has a population density of just fewer than 2,000 people per square mile. The Louisville MSA includes Jefferson, Oldham, and Bullitt Counties in Kentucky and Clark, Floyd, Harrison, and Scott Counties in Indiana. The MSA 1999 population was 1,005,849. Through the year 2020, Jefferson County's population is projected to grow by 4.3%, and the MSA is expected to grow by 6%.

B. Project Area Land Use:

During the past three decades, Jefferson County has gone from a rural to an urban county. Much of the land immediately adjacent to the project comprises one of the few areas that currently remain somewhat undeveloped. Some of the land surrounding the project still has agricultural status, but this area is being converted to residential subdivisions, scattered residential homesteads with some commercial and institutional development primarily concentrated near the US 60 Interchange. Jefferson County has a land area of 997 square kilometers (385 square miles) from undulating to very steep terrain.

Louisville, the largest city in the county, is located in the north-central portion of the county and is the county seat. Middletown is located in the east-central portion of the county in the project area. Education, farming, recreation, and residences are the primary land uses in the project area which will be affected by the proposed project. Farming operations will be affected in the project corridor; however, no farms will be relocated. Residences will likely have the opportunity to relocate on existing remainders of parcels or relocate within the same crossroad cluster. Zoning is enforced in the City of Middletown. Currently, there are no Section 4(f), 6(f), or Section 106 type land uses in the project study area and no land use that is incompatible with the proposed project.

C. Description of Existing Facility:

The Gene Snyder Freeway (I-265) is a four-lane, median-divided, fully controlled access Interstate highway. It begun in the late 1950's and reached its current state of completion in the 1980's. The Gene Snyder Freeway is a major southern to eastern circumferential route for the Jefferson County-Louisville Metropolitan Area (see Exhibit 1). Beginning on the west at an interchange with Dixie Highway (US 60/31W) and extending east and northerly to an intersection with US 42, the route covers a distance of 62.7 kilometers (39 miles). The route was placed on the Federal-aid Primary System in 1958.

The I-265 planning process that began in 1956 determined that a four-lane facility would be required to accommodate the predicted traffic. However, soon after survey work began, it became evident that a high classification of the route would be needed. The Jefferson County Fiscal Court, through the County Works Department, then petitioned the State Highway Department and the Federal Highway Administration (FHWA) to place I-265 on the Federal-aid Primary System with controlled access status and Interstate design standards. In 1958 the system change was made placing I-265 on the Interstate Highway System as a fully controlled access facility with provisions for ultimate upgrading to six lanes.

From 1958 to the early 1980's the execution of the design and construction of I-265 proceeded until the entire 39-mile route was completed. Since this initial period, Jefferson County has grown steadily with much of the development occurring in the eastern part of the county along the major, accessible radial routes. As population, business, industry, and commerce have grown, a corresponding growth in traffic volumes has occurred on I-265, particularly on the study section. As a result of this traffic demand, the need to upgrade the facility; including I-64 and US 60 Interchanges, as foreseen as early as 1958, has become an immediate priority.

The section of the freeway under study and examined in this document is located in eastern Jefferson County near the community of Middletown (see Exhibit 2). This study section begins south of the I-64 interchange and extends to north of the US 60 interchange; a distance of approximately 3.7 km (2.3 mi). **This is the highest traffic volume section on the entire 62.7 km (39 mi) route.**

D. Project Purpose and Need:

Traffic volumes for the I-265 project study section, obtained by actual counts taken over several time periods and averaged for the section, were determined to be 60,900 ADT, two-way travel. Traffic volumes for the design year (2025) were projected using state-of-the-art techniques for prediction modeling as developed by the Kentuckiana Regional Planning and Development Agency (KIPDA). The predicted (2025) traffic volumes are estimated to be 99,200 ADT. The predicted traffic is expected to reach this volume with or without any proposed improvements. Traffic volumes in excess of 99,000 ADT would be expected to render this Freeway segment functionally obsolete and produce unacceptable traffic conditions on a vitally important section of a major regional Interstate Highway.

Because of the high anticipated traffic volumes and given the significance of the I-265 route as a critical part of the local and regional transportation system, the reconstruction of the I-265 interchanges at I-64 and US 60 is being studied. It has been determined that there is a need to improve the operational characteristics of the interchanges in order to preserve the functional integrity of this key segment and prevent gridlock within these inferior interchange areas. The need to enhance the **Level of Service** of the interchanges and connecting freeway, through the design year (2025) and beyond, has been identified as a pivotal transportation objective for this key I-265 link.

Level of Service (LOS) is used to denote any of an infinite number of differing combinations of operating conditions that may occur on a given roadway when it is accommodating various traffic volumes. LOS is a qualitative measure of the effect of a number of factors which include: speed and travel time, traffic interruptions, freedom to maneuver, safety, driving comfort, convenience, roadway structure and condition, and operating costs. In practice, selected specific levels are defined in terms of the particular limiting values of these factors.

Traffic operational freedom on a highway of a particular type is considered equal to or greater than LOS A, B, C, or D, as the case may be when specified values of specific separate conditions are met. These conditions require that: (1) operating speeds or average overall speeds are equal to or greater than a standard value for the LOS considered; and (2) the ratio of the demand volume to the capacity of any section not exceed a standard volume for that LOS. LOS E describes conditions approaching capacity. LOS F describes conditions that exceed capacity or critical density when speeds are low and variable; combinations of speed and volume-to-capacity ratios do not effectively describe it because these may vary widely (see EA Exhibit 4).

LOS A describes a condition of free flow with low volumes and high speeds.

LOS B is in the zone of stable flow with operating speeds beginning to be restricted somewhat by traffic conditions.

LOS C is still in the zone of stable flow, but speeds and maneuverability are more controlled by the higher volumes. Most drivers are restricted in their freedom to select their own speed, change lanes, or pass. A relatively satisfactory operating speed is still obtained, with volumes suitable for urban design conditions.

LOS D approaches unstable flow with tolerable operating speeds, but speeds that are considerably affected by changes in operating conditions. Fluctuations I volume and temporary restrictions to flow may cause substantial drops in operating speeds. Drivers have little freedom to maneuver, and comfort and convenience are low.

LOS E cannot be described by speeds alone but represents operating speeds below LOS D with volumes at or near capacity. Speeds are typically in the neighborhood of 30 M.P.H., flow is unstable, and there may be momentary stoppages.

LOS F describes forced flow operations at very low speeds where volumes are greater than calculated capacity. A roadway section would be serving as a storage area during part or all of the peak period under LOS F. In the extreme, both speed and volume can drop to zero.

The current traffic volume on the I-265 between I-64 and US 60 are given as 60,900 ADT and, when coupled with the existing service and roadway conditions and prevailing speeds, yields a LOS D for this section. By the design year, traffic volumes are predicted to increase to 99,200 ADT. If no growth accommodating and traffic operational improvements to these key interchanges are made, this Freeway section will operate at LOS F by the design year.

The minimum desirable level of service to be maintained for a key Interstate route is LOS C. To achieve LOS C conditions, modifications to the I-64 and US 60 Interchanges and their feeder approaches must be made, and additional distributional travel lanes between the Interchanges must be provided.

To achieve the desired LOS goals, the proposed project would involve the reconstruction of this section of I-265 (Gene Snyder Freeway), from 4-lanes to 6-lanes, plus auxiliary lanes as needed, and including the interchanges with I-64 and with US 60 to ensure compatibility between the revised mainline geometrics and the rebuilt interchanges. The

project area extends from south of the I-265/I-64 interchange to north of the I-265/US 60 interchange, a distance of approximately 2.3 miles. Several thousand feet along both sides of the I-64 and the US 60 interchanges are also included within the study area (see Exhibit 2).

The scope of the proposed project incorporates two major elements: (1) reconstruction of the two major Interchanges (I-64 and US 60) to improve their operational efficiency and prevent a functional breakdown; and (2) widening this 2.3 mile section of the Freeway with auxiliary lanes as needed to ensure the compatibility of all reconstructed elements of the Interchanges. The US 60 and I-64 approaches to their Freeway Interchanges will also be improved to enhance safety and traffic flow. All of the proposed improvements are to be accomplished within the existing transportation corridors to the maximum practicable extent.

They will ensure the implementation of elements of the comprehensive transportation plan for the metropolitan area, as well as operational management strategies of the State congestion management program.

The proposed improvements will also yield a safer travel facility. The current distance between the interchange exit ramp tapers in this section is only 3,500 feet. This short distance provides for ever-increasing vehicle conflict opportunities and accident potentials because of the high rate of merging and weaving required when negotiating Freeway entry and exiting points. These weaving and merging perils are further compounded by the presence of heavy truck traffic, currently measured as 7% of Average Daily Traffic (ADT).

Accident analysis data for the roadway section under study was gathered by the Kentucky Transportation Cabinet (KYTC), Division of Traffic in cooperation with various law enforcement agencies which patrol the route and respond to area emergencies. Recent data for a three-year review period was examined and revealed that there were 70 reported accidents on the route segment under study, including 3 fatalities and 33 injuries. Based on historic experience, it can be reasonably expected that accident occurrences will increase as traffic volumes and congestion increase on this crowded urban highway.

An increase in accident occurrences due to traffic volume growth generally results in less severe accidents because of reduced speeds, but the impact of more frequent accidents on overall traffic operations becomes critical and may adversely affect traffic operations well beyond the study section. More accidents also result in increased economic and physical costs to both facility and non-facility users in the form of property damage, higher insurance premiums, lost time, injuries, stress, and fatigue.

Accidents are costly not only in terms of out-of-pocket expenses for vehicle and property repairs and medical bills, but also in terms of lost wages and earnings by employees and employers. These costs ultimately may be passed on to consumers via higher prices.

The safety benefits of an improved facility would be expected to include: reduced accident rates and associated economic and physical cost savings; fewer episodes of travel delays affecting predictability, expectations, emergency response time, travel economy, air quality, and market schedules, as well as preventing the transfer of traffic impacts onto alternative streets and roads in residential neighborhoods.

Additional benefits to the entire transportation network would also be expected as a result of the proposed project. A review of system-wide traffic assignments indicates that the proposed improvements would reduce vehicle miles of travel (VMT). The greater the number of vehicles that can efficiently use I-265 means that less travel will occur on surface arterials that are longer, more circuitous routes and often controlled by traffic signals. Travel on I-265 under LOS C conditions is more efficient and uses less energy than travel on less direct streets with stop-and-go conditions. The proposed improvements would prevent these negative conditions from occurring for the foreseeable future by providing sufficient capacity and operational improvements to maintain a LOS C throughout the study section.

Improvements to the study section of I-265 will also benefit a broad range of multimodal transportation needs beyond those of the automobile. I-265 provides an important link between several transportation modes and functions.

Two major airports are located in Louisville. Radial routes that intersect with I-265 serve both. Louisville International Airport, one of the nation's busiest general aviation airports, is located west of the project between I-64 and Taylorsville Road. Bowman Field, a regional air carrier airport, is located southwest of the project between I-65 and Crittenden Drive. Via connections to I-64 and to I-65, the Gene Snyder Freeway provides travel service to both airports for part of the trip for travelers coming from northern Kentucky, Oldham and Shelby Counties, as well as local eastern Jefferson County origins.

The Freeway is also an important component of the regional goods movement system. The study section carries nearly 7,000 trucks per day and is expected to handle nearly 10,000 by the design year. Some trucks use I-265 as a connection to other components of the Interstate system or as a part of the path between numerous truck terminals in the Louisville Metropolitan area. I-265 also serves as a link to railheads and river ports.

Louisville is a regional rail center. Many rail shipments are of the trailer-on-flatcar (TOFC) variety. Many of these trailers traverse I-265 on their way to the four (4) TOFC facilities in Louisville or the two across the river in Jeffersonville, Indiana. There are 25 rail yards and terminals in Louisville, all of which can be accessed by using I-265 for at least a part of the trip.

The Louisville and Jefferson County Riverport Authority manages the multi-purpose, 1,810-acre Riverport/industrial community on the Ohio River in southwest Jefferson County. Port facilities include the general cargo dock, bulk commodity transfer terminal, ground storage, and a barge fleeting area. The Riverport is served by three railroads and is connected by four-lane highway directly to I-265.

Vanpools, carpools, and commuters for daily work trips also heavily utilize I-265. A review of commuting patterns indicates that as much as 62% of the peak period traffic utilizing the study section is comprised of commuter travel. As outlying areas of Jefferson County develop as planned and Oldham and Shelby Counties continue to grow as predicted, commuter traffic will also rise, and the importance of I-265 section will increase.

A review of transportation modes in the Louisville area reveals that I-265 does much more than serve the single-passenger vehicles. It also carries the businessperson to regional airports to catch a flight or ship manufactured goods. It carries products from manufacturing plants to railheads, ports and terminals and raw materials and supplies to the plants. It supplies a major vanpool/carpool commuter route and is used by public transportation. Congestion and delay on I-265 affect the efficiency of each of these modes of transportation, increasing travel time and costs. The proposed improvements would serve to enhance the overall operation of all modes served by the route and enable the accommodation of all forms of projected traffic growth within the study section. These will, in turn, assure the community of the continuing reliability and effectiveness of the facility for all users.

The Gene Snyder Freeway (I-265) is among the most important highways in the region--not only in terms of the high traffic volumes it carries, but also because of the numerous functions it performs. Although classified as a principal arterial, it also performs as a major collector-distributor route, a cross-town route, a service route, an emergency evacuation route, and as circumferential beltway and bypass route for through travel. Its multiple functions result from its location and relationship to other Interstate highways, arterial roads and local streets (see Exhibit 2). I-265 provides connecting links between three (3) major Interstates-- I-71, I-64, and I-65; between six (6) major federal routes--US 42, US 60, US 31E/150, and US 31W/60; and between eight state routes, KY 22, KY 146, KY 148, KY 1819, KY 864, KY 61, KY 1020, and KY 1865.

Each of these routes provides means of access to the Louisville central business district (CBD), to Ohio River bridge crossings, to employment, shopping, educational institutions, recreation and entertainment opportunities, and to the Interstate system serving major market centers; west to St. Louis, north to Indianapolis and Cincinnati, east to Lexington and Charleston, and south to Nashville and Atlanta. The proposed project will serve to strengthen the long-range viability of these connections as well as the regional transportation network.

If no additional travel or auxiliary lanes are built or travel demand otherwise reduced, the study section of the I-265 will be required to operate above its design capacity by the design year. Given the existing roadway geometry, vehicle mix, and operational characteristics, the capacity of the section is estimated at 7,200 design hourly volume (DHV). In the design year, traffic demand will exceed 8,000 DHV creating at least an 800 DHV excess demand. This does not mean that no additional traffic could use the highway, but it does mean that congestion would be the norm, the peak traffic period would expand, LOS F conditions would prevail, and traffic would begin to seek alternate travel routes through residential areas and over streets not designed for high volume traffic. The proposed project would be expected to provide improvements that would increase the DHV capacity beyond the 8,000 DHV demand expectation.

The proposed project is considered to possess independent utility and constitute logical termini because it supplies a complete, usable freeway segment between two major interchanges. It will provide clearly needed improvements that will serve transportation demands imposed on the study segment even if no improvements to other freeway sections are made because this section is the highest daily traffic volume section on the Gene Snyder Freeway.

As noted, the I-265 section proposed for improvement is currently, and is predicted to be in the future, the highest traffic volume section on the entire route. This alone establishes its importance and priority for action. As a key segment of the I-265 facility and a vital link for the distribution of traffic from the east onto the principal radials leading into the Louisville Metropolitan area, chiefly I-64 and US 60, improvement of the study section possesses independent purpose that sets it apart from the balance of the route.

Because of the increasing traffic volumes and travel demand, the nature of the usage and vehicle mix, the rapid growth of the project area, and the geometric configuration of the interchanges, existing I-265 section is already beginning to show signs of functional obsolescence. The proposed project would prevent the potential breakdown of this section in terms of its capability to effectively and efficiently accommodate the near future and the long-term transportation needs anticipated for this key freeway segment.

Therefore, this initial project to improve the operational and safety characteristics has been placed in local transportation plans, the Transportation Improvement Plan (TIP), the Statewide Transportation Improvement Program (STIP), and the State Six-Year Highway Plan. The Project Development Phase is scheduled in FY 2003, Right-of-Way in FY 2005, Utilities in FY 2007, and Construction are expected to be initiated in FY 2008.

II. PUBLIC HEARING SUMMARY AND RECOMMENDATIONS

A Corridor/Design Public Hearing was held for the project on August 15, 2002 at the Hite Elementary School, 12408 Old Shelbyville Road, Middletown, Kentucky. The Hearing was conducted in the open format style with 104 interested citizens signing the register and participating. A total of 24comments were received during the time of the Public Hearing and the 15 day comment period following the Hearing. A petition was also received from 34 residents of the Beckley Woods subdivision requesting that Beckley Woods Drive be closed at its intersection with US 60. The majority of comments received, both written and oral, agreed that the project was needed but focused comments on right-of-way impact concerns or provided other comments. The principle issues identified from the comments fall into the following general categories:

1. Access control issues
2. Right-of-way issues
3. Landlocked property
4. Other issues

The access control on I-265 and I-64 is "fully controlled". Access on US 60, beyond the I-265 ramp access control, is by permit. Due to the designations of the routes and regulatory requirements, access control is not expected to change.

With respect to the closing of Beckley Woods Drive at US 60, this would not be contrary to State regulations, however, the decision would be made by the local jurisdiction, the Jefferson County Public Works Department.

Property which currently has access to existing roads, but becomes landlocked by the project and cannot have access to existing roads restored, will be paid damages or purchased in fee simple in conjunction with the right-of-way acquisition phase of the project.

Other comments essentially consisted of statements from individuals requesting that the project not take their house, business, or improvements, questioning project impacts on property values, requesting that there be no more delays, and commenting on project costs.

The Public Hearing summary is included in Appendix B of this FONSI. A summary explanation of the environmental consequences of the selected Alternative follows. Additional details can be found in the appended Environmental Assessment (Appendix C) and in the individual environmental base studies for the project, which are on file in the Division of Environmental Analysis of the Kentucky Transportation Cabinet (KTC).

III. SELECTED ALTERNATIVE

As a result of comments received through the public involvement process and upon recommendation by the Project Team, the Selected Alternative has been designated as the combination of Alternative 2 at the I-64 Interchange and Alternative 4 at the US 60 Interchange (see Exhibits 3 and 4).

Alternative 2 at I-64 is proposed as a four-level interchange, with fly-over (directional) ramps added above the two existing Interstate legs. Ramps with movements confined to a single quadrant (e.g. westbound I-64 to northbound I-265 to the US 60 exit ramp) would be located outside the paths of the flyover ramps. The principle advantages that Alternative 2 has is that each traffic movement can be accomplished at the design speed of 50 mph, which is much improved over other Interchange alternatives, and there will be less expensive bridges resulting in a reduced initial capital investment. However, the twin bridges over I-64 will need to be lengthened to allow for the required Collector-Distributor (CD) road. The CD road will improve safety, operation and level of service.

Alternative 4 at US 60 is a more traditional form of "urban diamond" or "single-point" diamond interchange. It reduces impacts on the surrounding area to the maximum practical extent and requires much less new right-of-way than the other alternatives considered. It will also adequately serve traffic demands and driver expectations.

This combination of Alternatives was designated because it provides the best, fully directional, traffic service, it responds to the expressed concerns of the public and of local officials, it minimizes negative environmental effects, and it best fulfills project propose and need objectives when compared to the other Alternatives.

IV. ENVIRONMENTAL IMPACTS OF THE SELECTED ALTERNATIVE

A. Air Quality Impacts:

To determine air quality impacts of the Selected Alternative, a microscale air quality computer analysis was conducted. This analysis utilizes two USEPA computer models. The MOBILE5a program calculates the air emission factors for mobile air pollution sources, and the CAL3QHC Version 2 program is a dispersion model which calculates carbon monoxide (CO) levels due to line sources (i.e. roads) and idling vehicles at intersections. The results of the analysis of air quality impacts from the proposed project are then compared against the National Ambient Air Quality Standards (NAAQS) to determine the degree of effect. Air quality standards are recorded in parts per million (ppm).

In addition to the microscale analysis of CO emissions, total emissions of CO and other transportation-related pollutants were also calculated. These other pollutants include hydrocarbons, nitrogen oxides, and particulates. Total emissions of these pollutants are given in terms of tons per day (kilograms/day).

Jefferson County is in the Louisville Interstate Air Quality Control Region. Jefferson County is currently designated as a maintenance area for ozone. Currently, the State Implementation Plan requires transportation control measures, including Inspection and maintenance and Stage Two Vapor Recovery programs for Jefferson County. Jefferson County is in attainment for the remaining transportation related pollutants.

The KYTC has determined that the project is not anticipated to increase vehicle capacity on the interstate (see KIPDA correspondence, EA Appendix). Since the project purpose is to improve existing interchanges and connections and is not a single-occupancy vehicle (SOV) capacity increasing project, it is currently exempted from Congestion Management System (CMS) analysis.

All calculated existing and future CO concentrations are below the NAAQS 35 ppm (one-hour average), and the eight-hour 9 ppm (eight-hour average). According to the existing and projected future emissions of CO, the proposed project will not result in negative air quality impacts in Jefferson County and the Louisville Interstate Air Quality Control Region. The projected increase of emissions of transportation-related pollutants associated with the proposed project should not alter Jefferson County's attainment status with respect to current standards.

Transportation control measures are required pursuant to the Amended Final Conformity Guidelines, September 15, 1997. With respect to the latest conforming transportation improvement program, the proposed project is described as Item No. 5-21.00, Reconstruction of Interchange at I-64 and I-265 Gene Snyder Freeway, and Item No. 5.41.00, Reconstruction of Interchange at I-265 and US 60 Shelbyville Road, and is located in Appendices A and B of the FY 2001-2003 Transportation Improvement Program for the Louisville and Southern Indiana Urbanized Area, approved March 2001. Based on this analysis, the proposed project is in compliance with the Kentucky State Implementation Plan for Attainment and Maintenance of National and State Ambient Air Quality Standards.

B. Noise Impacts:

The KYTC has developed, and the Federal Highway Administration (FHWA) has approved, a consistent policy to determine the need, feasibility, and reasonableness of noise abatement measures for Federal-aid highway projects. This policy provides for consideration of noise abatement measures when highway traffic noise levels are predicted to approach (i.e. within 1 decibel) or exceed the Noise Abatement Criteria (NAC) for the particular land use, or when the predicted noise levels substantially exceed (i.e.>10 decibel increase) the existing noise levels. The applicable NAC for the particular land use represented (residential) by the measurement sites (receptors) for this proposed project is 67 dBA Leq.

Consistent with the KYTC/FHWA Noise Abatement Policy, it is not necessary to consider structural noise barriers in detail for these five (5) receptors because the project noise impacts are not sufficiently great (i.e. >3 dBA increase). The Noise Abatement Policy provides that structural noise barriers shall not be considered if the difference between design year build and no-build noise levels are 3 dBA or less, because a 3 dBA sound change is not normally discernable to the human ear. This is the case with the five (5) receptors for this project (see Table 10). Also, it should be noted that in this case, noise barriers would not be effective due to openings in the barrier that would be required in order to maintain property access to existing highways. These openings would render a noise barrier ineffective. Therefore, the construction of structural noise barriers is not considered reasonable for this project and is not likely for the Selected Alternative.

Since much of the surrounding project area is currently undeveloped, the potential exists for future noise sensitive developments along this segment of the Interstate. Local officials and developers responsible for the location of such development should be encouraged not to locate too close to the noise source. Creation of "buffer zones" between the highway and noise sensitive development is highly recommended. Properties that are undeveloped at the time of public knowledge (the project Public Hearing phase) are not subject to future noise abatement considerations.

Traffic noise impacts, either those that exceeded of NAC standards or showed substantial increases over existing levels, were predicted for every modeling scenario considered. Although the NAC of 67 dBA for residential facilities is approached or exceeded at several receptors, none of these show both a predicted NAC excess and a substantial increase over existing traffic noise levels. Noise abatement measures, such as barriers, are not anticipated for the proposed project.

C. Aquatic Ecosystems Impacts:

C.1. Water Quality and Stream Impacts:

The project corridor does not hold any blueline streams according to USGS series maps. The corridor does contain two intermittent streams, an unnamed tributary of Chenoweth Run, and an unnamed tributary of Pope Lick Creek. In addition, a small farm pond is located in the corridor southeast of the I-265/I-64 Interchange.

Field sampling was conducted in fall 1997, and spring 1998 and 2001. The only aquatic resource within the project area was an unnamed, intermittent tributary of Pope Lick. The stream appears to run parallel to and directly adjacent to the proposed exit ramp leading from southbound I-265 to I-64 (Alternative 2). Substrates were composed of bedrock, cobble, and boulder. In-stream cover was sparse and riparian vegetation was narrow.

The unnamed tributary of Pope Lick Creek consisted of a mixture of riffle, run, and pool segments with substrates of bedrock, cobble, and boulder. Alga was abundant on all hard surfaces and man-made objects (concrete, bricks, trash, etc.) were also plentiful.

Macro invertebrate sampling of both streams suggested a fair to poor water quality and habitat condition. A low number of macro invertebrate and fish taxa and individuals were found.

An increase in the amount of impervious surface will contribute to greater and more rapid surface runoff. Increased runoff during storm events will cause increased current velocities, turbidity, conductivity, suspended solids, nutrients, and stream flow. Because of more rapid storm water runoff, stream base flow will be reduced during dry periods.

New pavement will also contribute road salt, oil, and other non-point source pollutants. Culvert placement and other construction activities will affect aquatic habitat in the short-term, but the ecosystem should recover within a growing season if Best Management Practices are used during construction and if disturbed areas are revegetated as soon as possible.

C. 2. Floodplain Impacts:

There are no floodplain areas that will be impacted within the project corridor.

C. 3. Wetlands Impacts:

There are no wetlands in the project area. Wetlands shown on National Wetlands Inventory Maps (NWI) in the project corridor were determined to be non-jurisdictional farm ponds.

C.4. Permits:

At the present time, the loss of some natural stream channel is anticipated with each Alternative. Specific stream avoidance options and measures to reduce stream impacts will be examined during the final design phase of the project for the selected Alternative, as explained above. Avoidance studies will be conducted prior to the 401 Water Quality Certification and 404 Corps of Engineers' permit application phase. Permits may be required for subsequent unavoidable discharges into "waters of the United States" (i.e. blueline streams) as needed for roadway embankments, culverts, pipes, or bridges.

Individual Section 404 Permits and/or Nationwide Permits may authorize these discharges for minor road crossings or isolated conditions. Any necessary Section 401 or Section 404 Permits will be obtained following current FHWA and KYTC standards and practice.

C.5. Wild and Scenic Rivers:

No wild and scenic rivers or Outstanding Resource Waters, as reported by the KNREPC, are found in the project study area.

D. Terrestrial Ecosystem Impacts:

D. 1. Plant and Animal Communities Impacts:

Terrestrial habitat consisting of old-field and forest was observed within the expanded project area. The Alternative 2 exit ramp from southbound I-265 to westbound I-64 crossed through an oak/hickory forest composed of shagbark hickory, pignut hickory, yellow chestnut oak, white oak, black oak, and bush honeysuckle. Neither community contained rare species or represented unique terrestrial habitat for central Kentucky. No candidate state or national champion trees were observed.

E. Threatened and Endangered Species:

No federally endangered, threatened, or special concern species were listed by the U.S. Fish and Wildlife Service as occurring in the project area, and no listed or candidate species were observed during field sampling.

F. Section 106 and Cultural Resources:

F.1. Historic Sites and Districts:

Utilizing the data acquired from records research and archival documentation, an historic context of the project area was developed, and an on-site and pedestrian survey of the study corridor was undertaken. Subsequently, all sites greater than 50 years of age found to be present were evaluated under the established criteria of eligibility for listing in the National Register of Historic Places.

As a result of this evaluation, one individual site was determined by the SHPO to meet the National Register criteria. The Selected Alternative would not encroach upon nor indirectly affect this site nor any significant historic resources, therefore a No Effect determination has been made for the project. This information has been coordinated with the State Historic Preservation Officer (SHPO) who has concurred with the *No Effect* determination (see FONSI Appendix A and EA Appendix A). The Section 106 process is considered complete for this undertaking.

F. 2. Archaeological Sites or Districts:

An archaeological reconnaissance survey of the project corridor was also performed in accordance with current methods and procedures. A total of one (1) site was recorded and examined. Subsequently, this historic residential site did not demonstrate any evidence of intact archaeological deposits, and there was no indication that the site contained data important in the history or pre-history of the area. The site is not considered potentially eligible for listing in the NRHP. Therefore, no additional archaeological investigations are necessary, and no significant archaeological impacts will occur on this project. The SHPO has concurred with this finding (see EA Appendix A).

G. Social and Economic Impacts:

G.1. Relocations and Displacements:

The Selected Alternative 2 at I-64/I-265, may displace 14 residences and Alternative 4, at US 60 may displace three(3) residences. All of the specified Alternatives have owner-occupied housing. There are two (2) farms that may be affected on Alternative 2, at I-64, and one (1) farm on Alternative 4 at US 60; however, none will require relocation. Since the project requires strip type takings from properties, no farms will be severed, no farm structures taken, and sufficient farm acreage will remain so that current overall farm operations will not be significantly harmed.

Visual inspection of the dwellings revealed that none of their household characteristics include minority, ethnic, handicapped, large family, or low-income status; all appear to be owner-occupied, and all have remainder property that could be used for relocation purposes. The houses include 7 one-story 2 or 3-bedroom frame, 2 one-story 2 or 3-bedroom brick, 1 two-story 4-bedroom brick, 3 one-story 4-bedroom brick, 3 two-story 4-bedroom frame, and 1 two-story 5-bedroom brick. The estimated values range from $62,000 to $200,000+.

There are no cemeteries or churches affected by the Selected Alternatives.

G.2. Replacement Housing:

The *Conceptual Stage Relocation Report* (CSRR) and supplemental housing data indicate that adequate decent, safe, and sanitary replacement housing within owners' financial means will be available within a radius of less than .62 kilometers (one [1] mile) to five (5) kilometers (three [3] miles) of the project. At the time of the project, specific housing surveys (May, 2001) of the local housing market, as represented in newspapers and real estate listings, showed the following availability:

2,283 houses for sale at price ranges from $30,000+ range
Six (6) mobile homes and sites for sale in the $20,000 range
11 lots for sale from $2,000 to $50,000
120 apartments, 30 conventional dwellings, and 15 mobile homes for rent from $250-$1,200/mo.

U.S. Census housing data from 2000 disclose that there are approximately 18,823 vacant housing units in Jefferson County. Houses from this pool will continue to become available on the market each year in response to local demand created by capital development projects and expected continuing out-migration.

Currently, the supply of vacant housing in Jefferson County and Middletown far exceeds anticipated demand. Middletown and its surrounding neighbors are currently experiencing high housing growth, with new neighborhoods constructed next to the project area (Landis Lakes). It is anticipated that this local market will be able to absorb the displacements of the project over the lengthy relocation period, thus allowing most individuals and families to remain in the area if they so choose. Also, several residents will have the opportunity to relocate on sufficient remainders of their parcels because some of the right-of-way acquired is frontage strips, reducing the total relocation impact. Therefore, the cumulative impacts of the residential displacements in the project area are not expected to be significant. If sites do not become available over the relocation period in response to elevated demand and occupants do not elect to move into conventional dwellings, last resort housing measures may become necessary.

At the present stage of project development, the total number of construction sections is one (1). This project, which is currently funded for the Right-Of-Way (R/W) acquisition phase in the State Six-Year Highway Plan, is scheduled in 2003. Construction is estimated to start in 2005. As can be seen from this schedule, the project would, at most, require 17 displacements over the next two (2) years, or less than 9 per year.

The only other known *major* capital construction project in the region is the Louisville Bridges Project. The Louisville Bridges Project will not compete with the I-265 project for regional housing resources because of the physical distance of the housing resources from the I-265 project and the physical distance between the two (2) projects. Also, the property acquisition phase for the Louisville Bridges Project is not expected to start before relocation activities are initiated on the first section of the I-265 project. Therefore, no significant relocation problems are anticipated during project development.

Relocation resources will be made available to all relocatees without discrimination. The Relocation Agent is prepared to assist relocatees in finding adequate replacement housing, in contacting lending agencies and approved moving firms, and in processing claims for payment and appeals. The Relocation Agent will assist the relocatees in any way, within the law and his/her capability, to relocate into adequate replacement housing with a minimum of disruption.

If any unforeseen problem should arise, last resort housing can be implemented on a case-by-case basis and may include construction of a new dwelling, addition to or rehabilitation of an existing replacement dwelling, loan or rental subsidy, relocation of a dwelling, purchase of land, or possibly relocating to a different area if that provides a better solution.

All displaced persons will be treated without discrimination on any basis and in a manner that complies with the *Uniform Relocation Assistance and Real Property Acquisition Act of 1970* as amended; Public Law 91-646, *Title IV of the Surface Transportation Uniform Relocation Act of 1987*; CFR, Part 24, *Uniform Relocation Assistance and Real Property Regulations for Federal and Federally Assisted Programs*; Final Rule and Notice, as administered by the Kentucky Transportation Cabinet. Relocation resources are available to all residential and business relocatees without discrimination in accordance with the *Civil Rights Act of 1964, Title VI.*

No significant relocation problems are anticipated--given sufficient lead-time to accomplish the relocation efforts. The CSRR estimates 12 months will be necessary to complete all relocations.

Given the volume of available replacement housing in the project area, coupled with the fact that potential displacees could relocate onto remainder property, and recognizing that no potentially affected households demonstrate characteristics which indicate the need for special relocation considerations or assistance, it is concluded that no significant displacement or relocation impacts are currently anticipated.

Since none of the potential displacees appear to require special considerations, and since relocation numbers are small in relation to project scale, displacement/relocation issues are not pivotal in the determination of project design configuration unless plans expand beyond the project study area. Every reasonable effort will be made to reduce relocation impacts via design considerations during the final design project phase.

Following selection of a preferred design scheme, relocation issues will be reexamined to determine if conditions and impacts have changed. New information and/or resulting identification of significant relocation impacts will be fully addressed and reported in the final environmental document.

In any case, to minimize the unavoidable effects of right-of-way acquisition, the KYTC will carry out its right-of-way and relocation program in full compliance with Cabinet Policy and with the *Uniform Relocation Assistance and Real Property Acquisition Policy Act* (P.L. 91-646). KYTC provides advance notification of impending acquisition, and all properties are appraised on the basis of comparable sales and land use values in the area. Owners of property to be acquired will be offered and paid fair market value for their property rights. No person lawfully occupying real property will be required to move without at least 90 days written notice, and no occupant of a residential property will be required to move until decent, safe and sanitary replacement housing within their financial means has been made available. Relocation resources, services and payments are available to all residential and business relocatees without discrimination.

KYTC will assign relocation agents to the project to carry out the relocation assistance and payments program. Each person to be relocated will be contacted to determine individual needs and desires, and to provide information, answer questions and give assistance in finding replacement property. Brochures that describe in detail the right-of-way acquisition program are distributed at all public hearings and are made available upon request to any interested persons.

G.3. Community Impact Assessment:

Commercial development occurs along existing US 60. Middletown is developed primarily on the west side of US 60 and I-265. Local traffic currently must contend with a large volume of truck traffic (7% of ADT) and through auto traffic. Community cohesion in the small communities along existing US 60 is likely to be enhanced because interaction between neighbors on both sides of I-265 will be easier without the congestion associated with high volume through traffic. Community cohesion in the small, linear residential clusters along the secondary and side roads in the project area will not be adversely affected by the small number (up to 17) of displacements required.

The proposed alignment could affect up to 17 residences on existing Urton Lane, English Station Road, and Pope Lick. These residential units do not appear to have unique character or a cohesive structure; nor does it display characteristics as might be represented by similarities in design, style, age, ethnicity, culture, incomes, family composition, or usage. Therefore, relocation activities will *not* be complicated by the need to attempt to maintain associated cultural groups or families. (Relocation impacts

are discussed later). All homes that remain will have neighbors; thus, residents will not feel isolated. Some displaced residents will be able to relocate their homes and structures on the same property.

There are currently no community resources such as churches, and hospitals in the project area that will be adversely affected. There are several community resources including the private institution Christian Academy of Louisville, Inc., Eastern High School, and Different Strokes Golf Centers golf course along existing US 60. There will be no direct project impacts to Eastern High School; however Different Strokes Golf Centers golf course will require frontage strips on the Selected Alternative, and two (2) baseball fields at Christian Academy of Louisville, Inc. will be affected. No structures, classroom facilities, or academic activities would be affected by the Selected Alternative.

One (1) business organization, with approximately one (1) employee, may be affected by Selected Alternative 2 at I-64—a craft and woodwork shop. Relocation should not be difficult due to availability of land in the immediate area. The shop, which appears owner-occupied, does not appear to have any unique attributes such as specialized clientele, cultural orientation, and/or unusual characteristics of the business.

The impact to business operations at Different Strokes Golf Centers is difficult to determine in this preliminary design phase; however, day-to-day operations would continue and a complete relocation would not be expected. Phase II (Final) design will try to lessen the impact to the golf course. The Christian Academy's impacts are severe in the sense that two (2) baseball fields may need replacing, and land for replacing those fields may not be available near the school. These fields are used for both girls and boys sports by the middle school teams, freshman teams, junior varsity teams, and the varsity teams. In addition, the possible elimination of a major girls sport, softball, may have additional ramifications on the school's other athletic programs due to Title 9 requirements. Christian Academy officials have expressed opposition to the alternative that affects their properties the most (Alternative 2 at I-64) because of the effects on the baseball fields. Since the school is privately owned, Section 4(f) requirements are not applicable to this recreational facility impact.

There are no anticipated project adverse impacts on public parks, libraries, churches, or non-profit organizations, either direct or indirect, as none are located within the study area. The potential project impacts on businesses are narrow and minor since the only business that is likely to be directly affected is a wood working shop that can likely relocate on nearby property. Impacts on highway and traffic safety as well as overall public safety are expected to be positive since the creation of safer travel conditions is a principal objective of the project. There are no special interest groups specifically benefitted or harmed by the proposed project, as none are located within the study area. Since the project is for the reconstruction of an existing, fully controlled access highway within the area of the existing Interstate corridor, no adverse effects on the elderly, handicapped, non-drivers, transit dependent, and minority and ethnic groups are predicted.

Improvement of this I-265 section will ensure an adequate transportation facility to provide for growing commuter traffic and for shipment of raw materials to industry and finished goods to markets. Safe and efficient travel/transport routes help hold down the costs of obtaining supplies and materials and avoids problems in reaching employment locations. This in turn encourages business establishment and expansion resulting in lower unemployment rates, higher per capita incomes, and a positive socioeconomic climate. Project implementation is expected to result in positive employment effects to the community when weighed against the no-build option.

The proposed project will result in the direct conversion of property to transportation rights-of-way. The majority of the land required (58%) is in agricultural use, fallow, or vacant; however, project implementation will result in short-term revenue impacts to the community by the direct conversion of taxable private property to non-taxable public rights-of-way. All property in Kentucky, excluding legislated exemptions, is taxed by the state and may also be taxed by local jurisdictions. All property is assessed at 100% of fair market value.

The combined state and local real estate tax rate (1999) for the project study area was $0.140 per $100 valuation. The total property converted to public domain on this project would result in an initial annual tax revenue loss of approximately $3,514.00 (1999 dollars: worst case scenario). This impacts less than 1% of total local jurisdiction annual revenues and is expected to be offset by construction period sales, payroll taxes and multiplier effects, and by land value increases in the project area over time.

These impacts are considered minor in relation to project need and benefits. Reasonable efforts should be made to reduce rights-of-way and preserve jobs, but anticipated short-term losses in tax revenues should not dictate project decisions on design locations and configurations.

G.4. Accessibility and Safety:

The Selected Alternatives will not displace any schools or fire stations. The proposed road will improve access and safety for emergency vehicles, which service hospital facilities, police, and fire services located in and around Middletown; however, the Middletown Fire Department has several issues with the access of Urton Lane and the entrance to Beckley Woods. The fire department's major concern was over the *possibility* of Urton Lane being closed since the fire station is located on Urton Lane and must use it to access US 60. The other concern is the *possibility* of closing the entrance to Beckley Woods subdivision, increasing response time for the Beckley Woods and Lake Forest subdivisions. An additional concern was being able to clear the US 60/Urton Lane intersection during an emergency due to the high volume of traffic. These concerns will be addressed and mitigated during final design. Safety and accessibility to Christian Academy of Louisville, Inc., and Eastern High School will be improved. Buses and students coming to the schools will benefit from the new road because of improvements to the existing road.

The new facility will improve travel time and safety for commuters and facilitate through traffic using I-265 in eastern Jefferson County. The reconstructed facility will be a fully controlled six-lane interstate highway with full safety clear zones on I-265.

G.5. Land Use Impacts:

The Gene Snyder Freeway is a fully controlled access Interstate route. As such, land use immediately adjacent to the facility will not be influenced by the proposed improvements, and they are not expected to serve as growth inducements because direct access is prohibited. Current project study area land use is predominately agricultural and residential with some commercial activities along US 60 west of the Interchange.

Because project area direct access to I-265 and I-64 is prohibited, growth has been relatively moderate overall with development occurring where access to US 60 is most convenient. Land use trends for the area have been primarily toward residential growth, with farmland giving way to planned subdivision construction principally in the northeast and southeast quadrants of the US 60/I-265 Interchange along Beckley Woods Drive and English Station Road. This trend toward residential development of vacant agricultural property and commercial strip type development along US 60, English Station Road is expected to continue, independent of any recommended modifications to I-265, as represented by the proposed project.

In March 1992, an engineering consultant retained by the Jefferson County Division of Public Works and Transportation, and the Kentucky Department of Highways, issued a report titled "*Shelbyville Road/Snyder Freeway/I-64 Regional Traffic Analysis.*" This Report was prepared to "assist in evaluating the impact on the existing transportation network of potential development of several major tracts within the study area." The major tracts were located between Shelbyville Road on the north, I-265 on the east, I-64 on the south, and Town Creek subdivision on the west.

The *Regional Traffic Analysis* Report concluded that each of the roadways and key intersections in the study area currently maintains a satisfactory level of operation under existing conditions; however, it recommended minor modifications to roadways and intersections to ensure adequate capacity to support the predicted higher volumes of traffic without creating unacceptable levels of congestion. The Report did not analyze the I-265 corridor. Because of controlled access on I-265 and the on-going proposals and trends, no indirect effects on land use patterns, population density, and growth rates are expected from implementation of this project.

The land use impacts of the proposed project itself center on land acquisition for construction of additional lanes and interchange modifications. Although the majority of the property, which may be acquired, is currently fallow agricultural land, pockets of row crops and home sites are also present. Development is located along Urton Lane in the southwest quadrant of the US 60 Interchange and a few homes are found along S. Pope Lick Road in the northwest and southwest quadrants of the I-64 interchange.

Land acquisition from these areas may result in the change of the usage from single family residential to public highway rights-of-way. This land use conversion would also occur for agricultural and other undeveloped areas purchased for the project. However, since the proposed Freeway improvements are to be undertaken within the existing transportation corridor as strip takings, the acquisitions that may be necessary for the project are not expected to have any adverse land use impacts nor alter current planning and land use trends.

The proposed project is compatible and consistent with local land use plans, and no current zoning will be adversely affected. The project is consistent with the Louisville - Jefferson County Comprehensive Plan (Cornerstone 2020), the Louisville Transportation Improvement Plan (TIP), the Statewide Transportation Improvement Program (STIP), and the goals of the local Long-Range Transportation Plan (Horizon 2020) and will be subjected to the amendment process of the Horizon 2020 plan.

The proposed project may affect one major development west of I-165 between I-64 and US 60. In October 2001, in a joint venture with the landowners, NTS Development Company started the process of planning the development of more than 200 acres. This project will be a major mixed-use development. Their concern is that the reconstruction of the interchanges may impact their development plans. Meetings between NTS and KYTC transportation engineers will be held to address these issues as the project advances.

The proposed transportation project is intended to serve traffic demand projections based upon the local land use plans and growth scenarios. The project is scheduled for design activities in FY 2003 in the Kentucky Transportation Cabinet's Six-Year Highway Plan. No significant adverse land use impacts are anticipated from proposed reconstruction of this Section, as full (I-265 & I-64) and partial (US 60) access control will continue.

G.6. Farmland Impacts:

Formal consultation with the U.S. Department of Agriculture, Jefferson County Field Office of the Natural Resources Conservation Service (USDA, NRCS) for compliance with the *Farmland Protection Policy Act of 1981* (FPPA) has been completed (see EA Appendix A). This consultation utilizes the Farmland Conversion Impact Rating process (Form AD-1006) to establish a numerical impact rating for farmland effects. Under this process, total point ratings below 160 points are not considered significant. Point ratings above 160 indicate that farmland impacts may accrue that could warrant avoidance and mitigation considerations.

Alternative 2 at I-64 has 23.0 acres to be converted to highway right-of-way with 19.31 acres delineated as prime farmland. The project's rating was 123.5 of a possible 260 points.(See EA Appendix A - Form AD-1006). Alternative 4 at US 60 has 54.56 acres to be converted to highway right-of-way with 35.5 acres delineated as prime farmland. The project's rating was 122.4 of a possible 260 points. Sites with the highest combined scores above 160 points are regarded as most suitable for protection under these criteria, and sites with the lowest scores as least suitable for protection. Currently, there are no sites with a combined score above 160 points, therefore, farmland impacts are not considered significant.

H. Environmental Justice:

The purpose of *Executive Order 12898*, "Federal Actions to Address Environmental Justice in Minority and Low-Income Populations," is to focus Federal attention on the environmental and human health condition in minority and low-income communities, promote nondiscrimination in Federal programs affecting human health and the environment, and to provide minority and low-income communities access to public information and an opportunity to participate in matters relating to the environment and human health. Based on the composition of populations affected by this project, windshield surveys, and conversations with residences affected by the project, no disproportionately high and adverse human health or environmental effects on minority and low-income populations are anticipated to result from the proposed project. Census Tract data shows poverty levels are well below the total for Jefferson County (3.2% vs. 12.2%). Low-income characteristics of a particular section of the county are difficult to distinguish because of the sporadic disbursement of such residential clusters. Some low-income residents reside in higher income areas, making the determination of environmental injustice difficult to determine. A closer look at proportional distribution is discussed in the EA Appendix A. During final design, a closer look at minimizing the number of project relocations will be taken.

I. Pedestrian and Bicycle Facilities:

Pedestrian and bicycle facilities are prohibited on Interstate highways, and none currently exist in conjunction with I-265. The Louisville and Jefferson County Proposed Bicycle Network does not include the I-265 corridor for proposed bicycle routes. No separate bike lanes or bike paths are proposed as a part of the project, and project funding and design are not suitable for pedestrian and bicycle accommodations on this facility.

J. UST/Hazardous Waste Impacts:

A thorough examination of state and federal regulatory databases and records for HAZMAT programs was undertaken for this project. In addition, a direct inquiry was made to the Kentucky Division of Waste Management's records' custodian in December 1997. As a result of these activities, no hazardous waste or underground storage tank sites were identified within the proposed project impact area. An on-site reconnaissance of the project area was also conducted in 2001.

The ROW for the Alternative 2 exit ramp from southbound I-265 to I-64 westbound encounters an area with several conditions of concern: Two (2) discarded 200-gallon skid tanks are located in the vicinity; both of these tanks contained at least residues of petroleum products. A dump along the creek bed contained resilient flooring and roofing materials. Both are suspect asbestos-containing materials. A single 55-gallon steel drum appears to have rolled from the ramp area and settled along the ROW fence. The drum is not labeled and appears to be approximately one-third full of an unknown product.

For the Alternative 2 exit ramp from southbound I-265 to westbound I-64, the following recommendations are made. The suspect asbestos-containing materials should be sampled and disposed of properly if positive for asbestos. Any remaining contents of the skid tanks should be removed and disposed of or recycled as appropriate. If the soil below the tanks is stained or exhibits a petroleum odor, it should be excavated and disposed of as the concentration of regulated petroleum parameters suggest. The contents of the 55-gallon drum should be examined or analyzed to determine the product and disposed of as appropriate. Additionally, if the drum does contain a contaminant, it may be assumed that the balance of the drum's volume has been released at the drum location unless the drum does not contain any holes and the bunghole is properly sealed.

K. Aesthetics:

The existing visual character of the project corridor is fairly typical for the area and rural Interstate routes of the region, without any unique features or view sheds that could be impacted by proposed construction. The view from the road would be altered only slightly by the removal of some of the buffer vegetation that has grown up along fence rows and through the potential elimination of some adjacent development. The general vistas comprised of undeveloped farm commercial and institutional uses would continue to frame the scenes available to the traveler following construction.

The view of the road may change more dramatically with the addition of pavement for traffic lanes and possibly a system of collector-distributor roads; however, neither the change in the view from the road nor the view of the road are expected to constitute significant negative environmental consequences because the construction is proposed within the existing transportation corridor of a major, high-volume Interstate route.

The proposed modifications are not extensive in nature but are consistent with the evolutionary processes of important urban freeway routes in need of improvement to accommodate growing traffic demand and safe travel. The improvements are not out of character with a landscape already influenced by highways and development and not inconsistent with local development trends of the area. The overall aesthetic impacts are expected to be relatively insignificant, and a program of landscaping and screening along the project perimeter can dramatically offset the minimal adverse effects.

L. Construction Impacts:

Any impact incurred during the construction of this project as proposed, will be short-term and will have no enduring effect upon the ecological balance of the area. No major detours will be needed and, to the maximum extent practical, no disturbances outside the actual project right-of-way will be needed. Only short-term, minor traffic delays may be expected. The noise levels due to the heavy equipment used during construction may exceed acceptable noise standards during the construction period; however, every reasonable effort will be made to minimize construction noise, especially around noise-sensitive locations (also see Mitigation Measures).

Any increase in particulate matter in the air due to construction activity will be temporary and will not be detrimental to the health and welfare of local residents. The dust pollution may be an unavoidable, minor nuisance, and every feasible effort will be made to minimize this problem. Exhaust from construction equipment will have an insignificant effect on the ambient air quality. Any open air burning will be done in compliance with state regulations and local ordinances.

During the construction stage, adequate construction methods, Best Management Practices (BMP's) and erosion control procedures will be utilized in areas of potential sedimentation and erosion to ensure that this project will not introduce any additional pollutant that would have significant detrimental environmental or ecological effects upon the area. Construction associated with or near streams will occur during low flow periods to minimize disturbance. Replanting of disturbed areas, including stream banks and rights-of-way, will be with native vegetation for soil stabilization and fish and wildlife populations. Removal of stream canopy trees will be avoided wherever possible. Mitigation of instream habitat disturbance will be accomplished. Section 401 Water Quality Certification and Section 404 Permits will be obtained prior to any construction activity. The removal of structures and debris would be accomplished in accordance with local, state, and federal agencies permitting these operations.

Construction activities, including maintenance of traffic and sequencing of construction, would be planned and scheduled to minimize traffic delays. Signing would be used as

appropriate to provide notice of pertinent information to the traveling public. Access to all properties would be maintained to the maximum practical extent.

The project would be expected to produce construction-period economic benefits by stimulating local economies through construction-related jobs, sales, income, government revenue and expenditures, and off-site construction support.

V. CUMULATIVE IMPACT ANALYSIS:

Cumulative impacts for the project are anticipated for a project of this size; however, the scope of the impacts, overall, would be minor in the both the short and long-term periods. Although impacts are difficult to speculate, listed below are the potential impacts for the local environment. The cumulative impact with the most affect associated with the project corridor, is the number of relocations.

Although it is difficult to determine the exact impact to the area because of the relocations, the largest impact is the loss of the tax base and any community cohesion those residents associated themselves with the area. The tax base, in the long-term, can be offset by the addition of new homes in the area, such as Landis Lakes and Beckley Woods subdivisions. The community cohesion for the area is far more difficult to measure. Some residences may have lived in the house they were born in, or may have lived in the general area for years. This cohesion is difficult to replace for some of the residents. It can be reasonably expected that homes would be for sale in the area of impact; however, some property owners will be able to relocate on their existing property because some of the right-of-way to be acquired is in the form of frontage strips, leaving available land to move the residence.

The air quality and noise impacts are less severe for the long-term. The air quality impacts over time will lessen due to cleaner cars in the fleet mix and coupled with stricter future clean air standards. The noise impacts are minor due to the fact that the noise levels will change slightly from existing conditions. New developments continue to sprout around the project area indicating that noise from the existing roadway is tolerable for many residences. The unforeseen factor for both the air and noise is additional sources of traffic that could contribute to the 2025 forecast. Traffic projection models are based on mathematics for future traffic; however, if one area of the region is developed that wasn't considered in the model analysis, long-term impacts on the amount of air and noise pollution in the project corridor would increase to undetermined levels.

The aquatic and terrestrial impacts are expected to be minimal due to the absence of endangered, threatened or special concern species in the project area. The short-term impacts would mostly likely be during and after the construction phase of the project. New pavement will also contribute road salt, oil, and other non-point source pollutants. Culvert placement and other construction activities will affect aquatic habitat in the short-term, but the ecosystem should recover within a growing season if Best Management Practices are used during construction and disturbed areas are revegetated as soon as possible.

The Middletown Fire Department will be impacted both in the short and long-terms if the interchange at US 60 is reconstructed. Access from the fire station to US 60 and Urton Lane

will lengthen the response time for emergency vehicles, creating possible life-threatening situations. Final design activities will look at all areas to mitigate the closure of vital roads used by the department.

Overall, the total impacts the project will held to a minimum because much of the new construction is within the current right-of-way limits. Although additional right-of-way is needed, the impacts placed on that right-of-way are no more significant due the boundaries extending just beyond existing conditions.

VI. PROJECT MINIMIZATION/MITIGATION COMMITMENTS:

The principal socioeconomic impact associated with this proposed project is the potential displacement of up to 17 residences and one (1) business. To mitigate these possible effects, efforts should be made during the final design phase to minimize relocations and preserve jobs by utilizing design measures that reduce right-of-way acquisition without compromising safety and sound engineering practice. This may include such options as steepening fill slopes, using retaining walls, acquiring construction or temporary easements, etc. Unavoidable relocations should be accommodated in a timely and sensitive manner in full compliance with the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended (P.L. 91-646).

Traffic control plans should be developed that minimize construction period travel disruptions and adverse effects to local street systems, as well as accommodating the Middletown Fire Department's access issues. Advance notification should be given, if it is determined that the convenience/gasoline retail sales business is to be unavoidably displaced, to allow the company and employees sufficient opportunity to evaluate alternative courses of action.

Construction noise should be controlled and kept from becoming a nuisance to adjacent land uses.

Dust and other air pollution, and construction-generated trash should be controlled on-site and kept from becoming a nuisance to residential areas.

Erosion control and landscaping should be integral parts of the project to prevent runoff from affecting adjacent properties and to mitigate visual impacts of the view of the road.

The following recommended measures are for minimizing anticipated adverse impacts within the project corridor. Coordination involving KYTC, FHWA, and the design and environmental consultants is recommended to finalize details of the proposed mitigation measures and to ensure that the intent of the mitigation effort is met during the Design and Construction phases of the project. The following measures are recommended:

1) The provisions of Section 212 (Erosion Control) and 213 (Water Pollution Control) of the Kentucky Standards Specifications, and the Sedimentation and Erosion Control Plan prepared for the project shall be fully enforced during construction to minimize adverse impacts to the water quality of surface streams and groundwater in the project corridor. Specifically, this mitigation shall include:

a) A plan note specifying that silt is to be prevented from entering creeks and tributaries by use of silt traps, sedimentation basins, silt checks, silt fences, temporary seeding, and, if necessary, temporary silt ditches properly located along the length of the embankment and in ephemeral ditches tributary to these features.
b) Assurance that all runoff from construction is routed through these erosion control structures before reaching streams, and
c) Assurance that sediment control structures are shown on the final highway plans.

2) Work near streams should be done only during low flow periods to minimize disturbance.

3) Proposed box culverts in surface streams shall be designed so that the culvert bottom invert elevation is depressed enough to allow infilling with natural mud substrate in order to allow for eventual re-colonization by benthic organisms; a 30 cm (12 in) to 40 cm (16 in) invert depression is recommended.

4) The provisions of Section 710 of the Kentucky Standards Specifications regarding small drainage structures shall be completely followed in order to minimize substantial disturbances to groundwater drainage features. Specifically, this mitigation shall include a plan note emphasizing that box inlets be configured such that flow from natural springs encountered during construction be rerouted back to stream channels or other semi-natural features located immediately down slope from the construction limits.

5) All roadway fills shall be stabilized immediately upon placement and stream banks shall be stabilized with riprap or other accepted bioengineering techniques. Disturbed areas shall be re-vegetated following construction activities with vegetation similar to that in the vicinity or as recommended by the project engineer.

6) Dimensions of any relocated channel shall be similar to the original channel in width, depth, and riffle-pool sequence;

7) A note shall be included in the final highway plans specifying that the project be constructed with minimal disturbance to wooded habitat. Specifically:

a) Where any right-of-way fence crosses a wood lot or wooded fencerow, trees and other natural features shall remain undisturbed except as required to install the fence.

b) No other disturbances to wooded areas outside proposed construction limits shall be permitted, including the use of these areas as borrow sites or waste.

8) Dust and other air pollutants shall be controlled to the greatest extent practicable.

9) Every effort shall be made to minimize impacts to local citizens and properties throughout the construction period.

10) Sufficient lead-time shall be given so that necessary residential displacements can be made for safe and sanitary housing within the financial capabilities of all the proposed displacees without regard to race, color, religion, sex, national origin, or handicap. Last Resort Housing Measures are not anticipated.

11) Care shall be taken to blend the highway with the surroundings to minimize the visual impacts and enhance the aesthetic value of this new facility

12) The effects of construction disturbances should be minimized, and all disturbed areas should be properly dressed and seeded to blend with the environment.

EXHIBITS

I-265 Interchanges

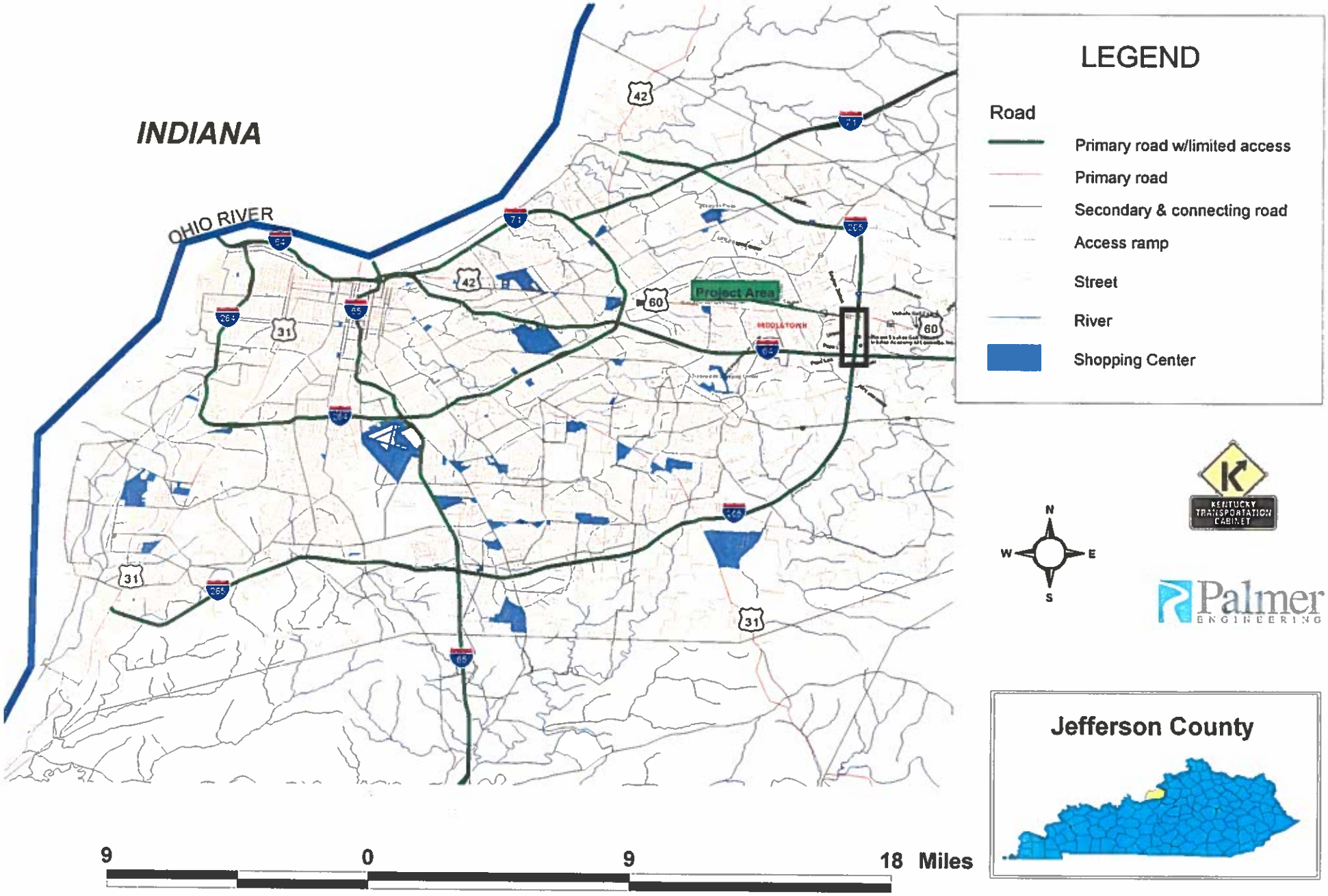
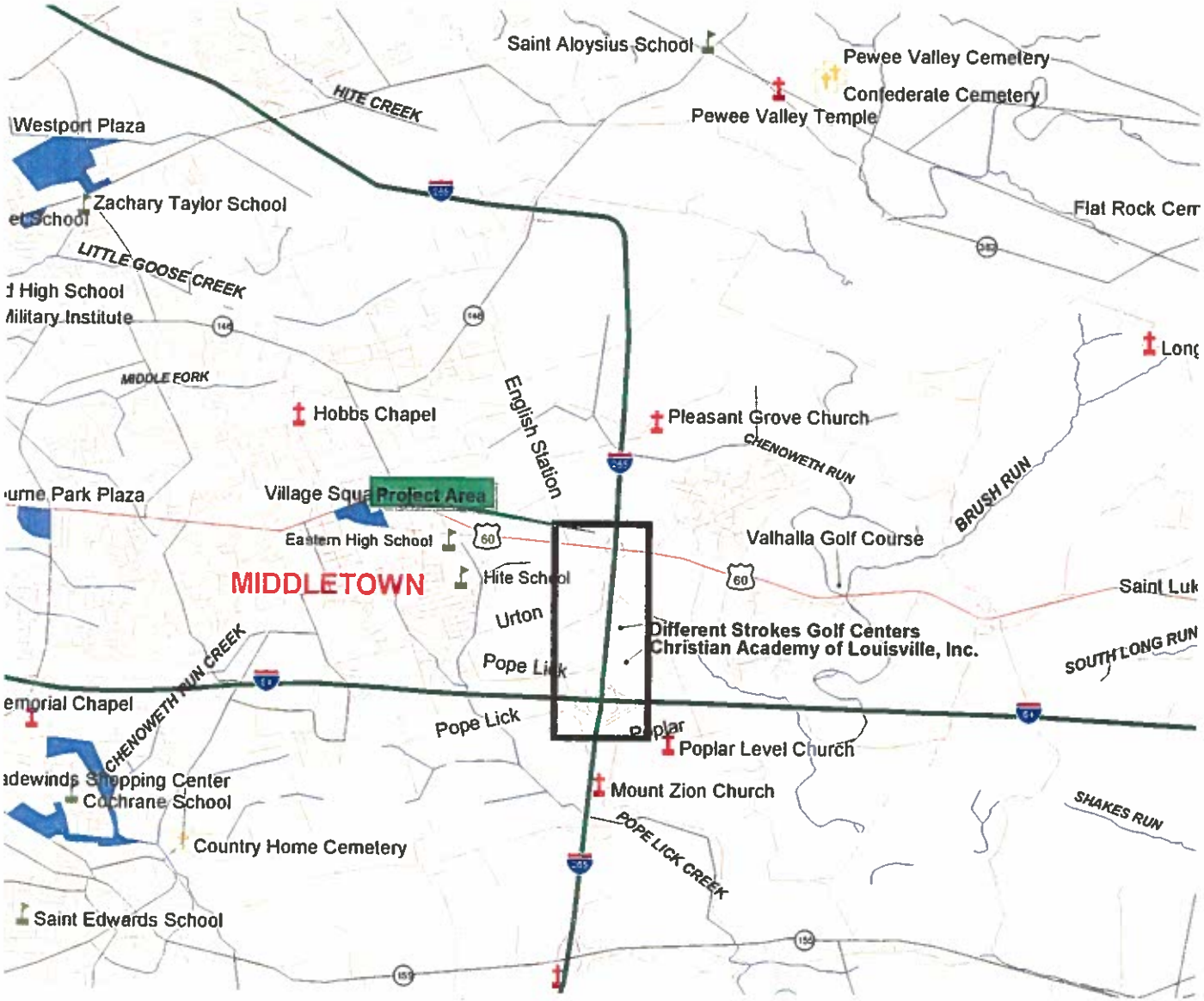


EXHIBIT 1

I-265 Interchanges



Legend

Road

- Primary road w/limited access
- Primary road
- Secondary & connecting road
- Access ramp
- Street
- Schools
- Church
- Cemetery
- River
- Shopping Center

N W E S

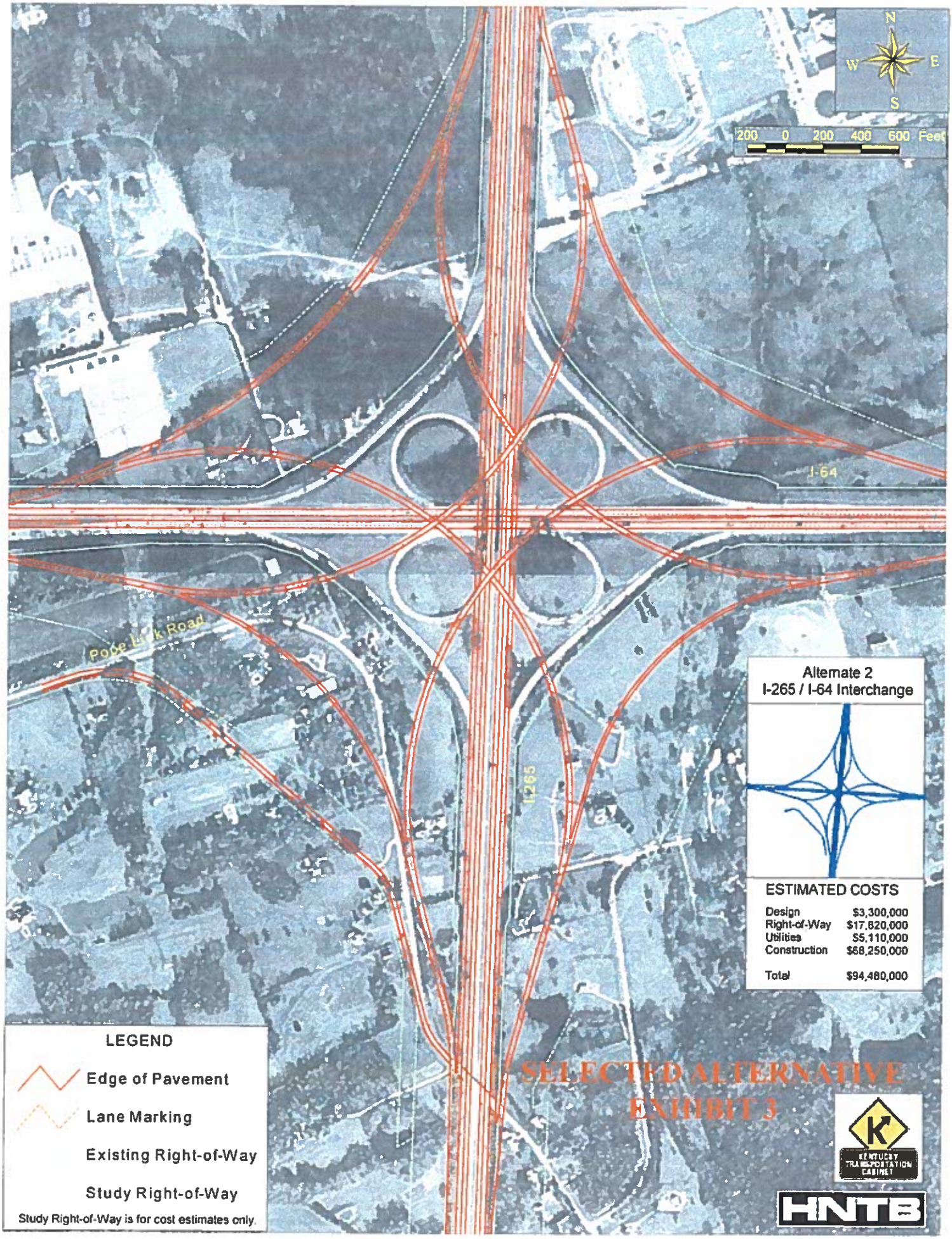
KENTUCKY TRANSPORTATION CABINET

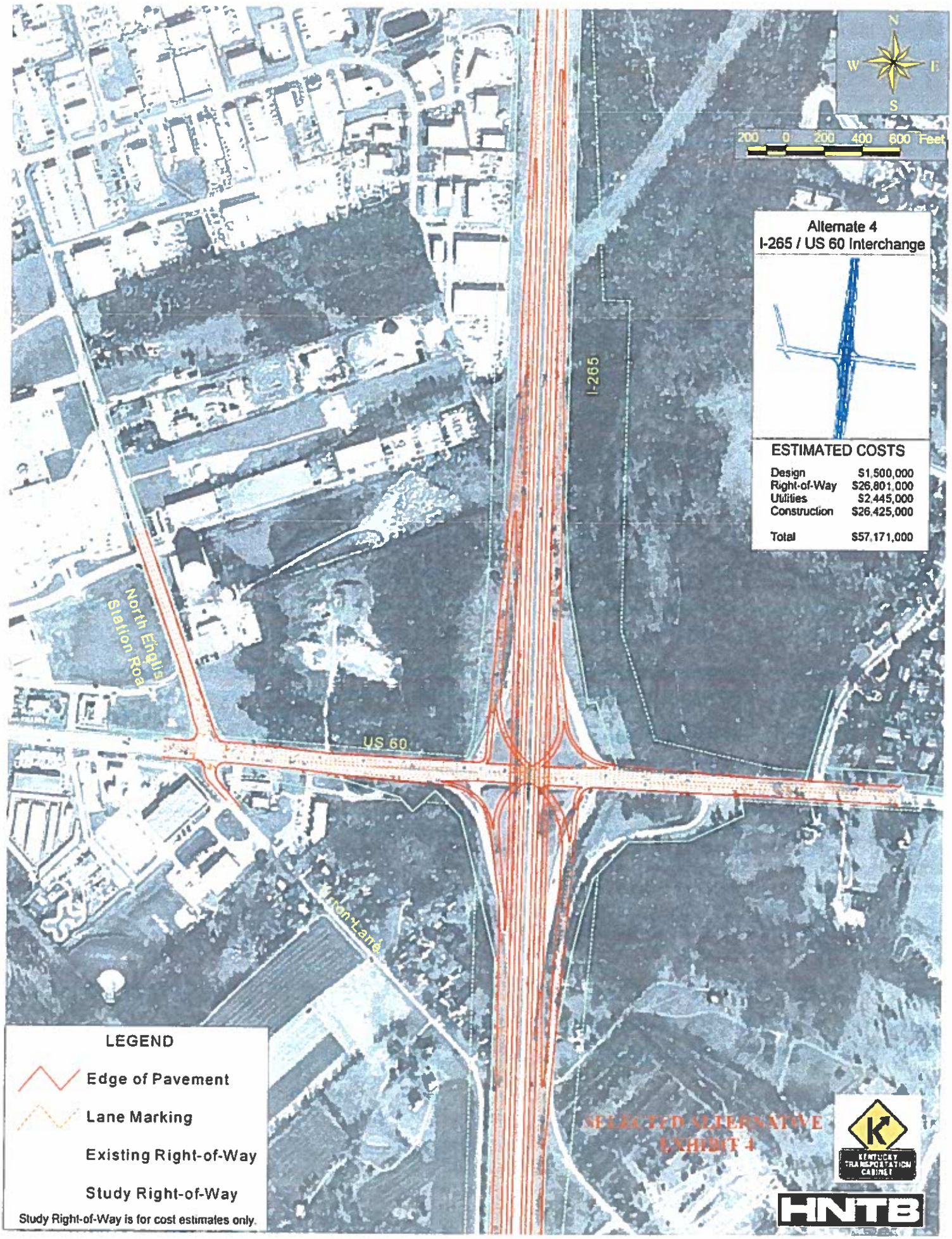
Palmer ENGINEERING

3 0 3 6 Miles

Jefferson County

EXHIBIT 2


N
W
E
S
200 0 200 400 600 Feet
I-64
Pope Lick Road
I-265
Alternate 2
I-265 / I-64 Interchange
ESTIMATED COSTS
Design $3,300,000
Right-of-Way $17,820,000
Utilities $5,110,000
Construction $68,250,000
Total $94,480,000
LEGEND
Edge of Pavement
Lane Marking
Existing Right-of-Way
Study Right-of-Way
Study Right-of-Way is for cost estimates only.
SELECTED ALTERNATIVE
EXHIBIT 3
KENTUCKY TRANSPORTATION CABINET
HNTB


N
W
E
S
200 0 200 400 600 Feet
Alternate 4
I-265 / US 60 Interchange
ESTIMATED COSTS
Design $1,500,000
Right-of-Way $26,801,000
Utilities $2,445,000
Construction $26,425,000
Total $57,171,000
I-265
North Englis
Station Roa
US 60
Fulton Lane
LEGEND
Edge of Pavement
Lane Marking
Existing Right-of-Way
Study Right-of-Way
Study Right-of-Way is for cost estimates only.
SELECTED ALTERNATIVE
EXHIBIT 4
KENTUCKY TRANSPORTATION CABINET
HNTB

APPENDIX A

Education, Arts and Humanities Cabinet

KENTUCKY HERITAGE COUNCIL
The State Historic Preservation Office

Paul E. Patton
Governor
Marlene M. Helm
Cabinet Secretary

David L. Morgan
Executive Director and
SHPO

June 19, 2002

Mr. David Waldner, P.E. Director
Division of Environmental Analysis
Kentucky Transportation Cabinet
125 Holmes Street
Frankfort, KY 40601

Re: Addendum to the Cultural Resources Survey for the I-265/I-64 Interchange and I-265/US 60 Intechange, Jefferson County, Kentucky by Helen Powell # S-021041

Dear Mr. Waldner:

We have completed our review of the above referenced report and have the following findings. The report does not conform to our minimal reporting standards, which have been in effect for more than one year. Also, it is presented as an addendum to an earlier report prepared four years ago. This is unacceptable, and the report needs to be resubmitted in the format outlined in the KHC's most current *Specifications for Conducting Fieldwork and Preparing Cultural Resource Assessment Reports.*

Although the report is unacceptable in its present format, I can advise you of my findings of National Register eligibility and effect. I agree with the findings of effect for sites 5 and 6, as summarized in your letter dated May 20, 2002. Concerning the more recently located sites, I concur that Sites 11 and 12 are not eligible for listing in the National Register. However, I cannot complete my evaluation of Site 13 on the basis of the information presented. Generally, a structure of this form with so few alterations would be considered eligible for the National Register of Historic Places. However, the author feels the structure has lost integrity due to its poor condition. This cannot be confirmed by a review of the information provided. Even if this structure was determined eligible, it does not appear that it would be affected by any of the alternatives. I would like to see this addressed further in the revised report.

300 Washington Street
Frankfort, Kentucky 40601
An equal opportunity employer M/F/D

EDUCATION PAYS

Telephone (502) 564-7005
FAX (502) 564-5820
Printed on recycled paper

Please request that the consultant submit a new report confirming to the current reporting specifications within sixty days. If you have questions regarding these comments, please contact Thomas Sanders of my staff at 502-564-7005, ext. 118.

Sincerely,

David L. Morgan
Executive Director and
State Historic Preservation Office

Cc Helen Powell

JAMES E. BICKFORD
SECRETARY

PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
FRANKFORT OFFICE PARK
14 REILLY RD
FRANKFORT KY 40601

October 15, 2002

OCT 17 8 35 AM '02

David Waldner, Director
Division of Environmental Analysis
State Office Building Annex
125 Holmes Street
Frankfort KY 40622

Re: NOA of EA for study of reconstruction of I-265 interchanges at I-64 and US 60 in Jefferson County. (Item Nos. 5-21.00 and 5-41.00) (SERO 2002-68)

Dear Mr. Waldner,

The Natural Resources and Environmental Protection Cabinet (NREPC) serves as the state clearinghouse for review of environmental documents generated pursuant to the National Environmental Policy Act (NEPA). Within the Cabinet, the Commissioner's Office in the Department for Environmental Protection **coordinates** the review for Kentucky State Agencies.

The Kentucky agencies listed on the attached sheet have been provided an opportunity to review the above referenced report. Responses were received from 8 (also marked on attached sheet) of the reviewing agencies that were forwarded a copy of the document. Attached are the comments from the Kentucky Divisions of Water and Air Quality.

If you should have any questions, please contact me at (502) 564-2150, ext.137.

Sincerely,

Boyce Wells
State Environmental Review officer

Enclosures

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
ENVIRONMENTAL REVIEW

NOA of EA for study of reconstruction of I-265 interchanges at I-64 and US 60 in Jefferson County. (Item Nos. 5-21.00 and 5-41.00).

The following agencies were asked to review the above referenced project. Each agency that returned a response will appear below with their comments and the date the project response was returned.

C denotes Comments
NC denotes No Comment
IR denotes Information Request
NR denotes No Response

REVIEWING AGENCIES:

Division of Water	COMMENTS
Division of Waste Management	
Division for Air Quality	COMMENTS
Department of Health Services	
Economic Development Cabinet	
Division of Forestry	
Department of Surface Mining Reclamation & Enforcement	NC
Department of Parks	
Department of Agriculture	
Nature Preserves Commission	NC
Kentucky Heritage Council	NC
Division of Conservation	NC
Department for Natural Resources	NOT SENT
Department of Fish & Wildlife Resources	NC
Transportation Cabinet	NOT SENT
Department for Military Affairs	NC

JAMES E. BICKFORD
SECRETARY

PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
FRANKFORT OFFICE PARK
14 REILLY RD
FRANKFORT KY 40601

MEMORANDUM

TO: Alex Barber
State Environmental Review Officer
Department for Environmental Protection

FROM: Timothy Kuryla TK
EIS Coordinator
Division of Water

DATE: September 26, 2002

SUBJECT: EA, I-265 Interchanges at I-64 & US60 (Jefferson County) SERO 020729-068

IN GENERAL

The Division of Water has reviewed the Scoping Notice prepared by the Transportation Cabinet regarding construction of I-265 interchanges at I-64 and US60 (Jefferson County).

The applicant needs to consult, before construction can begin, with the U.S. Army Corps of Engineers to ascertain if a 33 USC § 1341 ("401") water quality certification by the Division of Water, or a 33 USC § 1344 ("404") dredge or fill material permit, or both, are required. Any impact to 200 linear feet or more of any stream or stream bank (below ordinary highwater) (as shown on U.S. Geological Survey 7.5 minute topographical maps for the project area) or one acre or more of any wetland, will require a "401" water quality certification. This includes excavations and impoundments. Thus, impacts to streams and wetlands must be considered in the EA.

Stream crossings except for Outstanding State Resource Waters (OSRWs), Cold water Aquatic Habitats (CAHs), and Exceptional Waters (EWs) are covered by a general certification. OSRW, CAH, and EW stream crossings require an individual water quality certification (WQC) and mitigation.

The Division of Water will require mitigation for stream loss (if more than 250 acres are involved above the construction impact) and for wetland loss (if more than 1 acre).

If a floodplain outside the right of way is involved, prior approval must be obtained from the Division of Water before construction may begin. The EA needs to address the impacts on flooding of each stream crossing, all fills in floodplains, and any channel relocation or alteration.

The submitted data are general. With specific data as are found in the Transportation Cabinet Land and Water Ecology Section "404" checklist, plus Corps of Engineers or Coast Guard Public Notice, the Division of Water may find a problem relating to floodplain construction and water quality. Therefore, the Division requests an opportunity to review, at the Preliminary Design stage, the land and water ecology checklist for the proposed project should it be funded. (If a Public Notice is prepared for the proposed project, the Division will review it).

The Division of Water notes the relevant portions of the Transportation Cabinet's Standard Specifications for Road and Bridge Construction are Sections 212 and 213. Section 212 governs the protection and stabilization of those areas exposed to erosion as the result of construction practices. Section 213 protects water quality by governing construction practices that can result in nonpoint source pollution.

The Division of Water finds that these guidelines adequately address possible highway construction impacts on aquatic habitat and propose appropriate mitigation measures that insure minimal sediment and other damage to water quality. These sections need to be cited in the EA.

The Division of Water recommends that the Transportation Cabinet use the Groundwater Sensitivity Regions of Kentucky map published by the Kentucky Geological Survey (KGS) to determine sensitive groundwater areas. These areas must be considered in the EA.

If sinkholes are modified for drainage, the Division of Water notes U.S. Environmental Protection Agency (EPA) requires an Underground Injection Control Permit (40 CFR §§ 144.11, 144.25, 146.51). The activity is classified as a Class V well (40 CFR § 144.6).

The Division of Water has data and maps regarding wellhead protection areas located throughout the Commonwealth. The EA and highway design must take into account these areas.

Owners of onsite wastewater disposal systems must have Groundwater Protection Plans (GPP). Purchasing right of way lands on which these systems are located means assuming the obligations imposed by 401 KAR 5:037.

Deep road cuts can act as "French" drains. These cuts could drain aquifers that are used as domestic and public water supply sources. Highway design needs to take into account the location of these aquifers. The Division of Water maintains data on wells drilled since 1985 and of all wells it inspects. The EA needs to consider the effect on domestic and public water supplies.

JAMES E. BICKFORD
SECRETARY

PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
FRANKFORT OFFICE PARK
14 REILLY RD
FRANKFORT KY 40601

Division: **Air Quality**
Project Number: **SERO2002-68**
Project Name: **NOA of EA for Reconstruction of I-265 Interchanges at I-64 and US60**

As this project is presented there is no requirement for the issuance of an air quality permit. However, upon thorough review it has been found that the following Kentucky Administrative Regulations apply to this proposed project:

Kentucky Division for Air Quality Regulation **401 KAR 63:010** Fugitive Emissions states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth moving equipment to be deposited onto a paved street or roadway. Please note the attached Fugitive Emissions Fact Sheet.

Kentucky Division for Air Quality Regulation **401 KAR 63:005** states that open burning is prohibited. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the attached Open Burning Fact Sheet incorporated by reference in 401 KAR 63:005 Section 3, Prohibition of Open Burning.

Finally, the projects listed in this document must meet the conformity requirements of the Clean Air Act as amended and the transportation planning provisions of Title 23 and Title 49 of United States Code.

Every effort should be made to maintain compliance with the preceding regulations and requirements. The Division also suggests an investigation into compliance with applicable regulations in the local governments. This Division endorses this project according to the above stated conditions. If there are any questions relating to this matter, please contact me at (502) 573-3382 extension 347.

John E. Gowins, Supervisor
Kentucky Division for Air Quality

Program Planning Branch
Program Evaluation Section

Kentucky Intergovernmental Review Process
Division for Air Quality – Fugitive Emissions Comments

The project to which this comment is attached involves construction, renovation, demolition, or some other activity, which might result in the generation of fugitive emissions. The Kentucky Division for Air Quality conditionally approves the proposed project, contingent upon conformance with regulatory requirements for fugitive emissions. The information listed below provides guidelines on Kentucky's fugitive emissions regulations:

Fugitive Emissions means the emissions of any air contaminant into the open air other than from a stack or air pollution control equipment exhaust.

Affected Facility means an apparatus, operation, road which emits or may emit fugitive emissions provided that the fugitive emissions from such facility are not elsewhere subject to an opacity standard within the administrative regulations of the Division for Air Quality.

Open Air means the air outside buildings, structures, and equipment.

Kentucky Division for Air Quality Regulation 401 KAR 63:010 states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored; a building or its appurtenances to be constructed, altered, repaired, or demolished, or a road to be used without taking reasonable precaution to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, when applicable, but not be limited to the following:

- Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operation, the grading of roads or the clearing of land.
- Application and maintenance of asphalt, oil, water, or suitable chemicals on roads materials stockpiles, and other surfaces which can create airborne dusts.
- Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials, or the use of water sprays or other measures to suppress the dust emission during handling. Adequate containment methods shall be employed during sandblasting or other similar operations.
- Covering at all times, when in motion, open bodied trucks transporting materials likely to become airborne.
- The maintenance of paved roadways in a clean condition.
- The prompt removal of earth or other material from a paved street, which earth or other material has been transported thereto by trucking or earth moving equipment or erosion by water.

- No person shall cause or permit the discharge of visible fugitive dust emissions beyond the lot line of the property on which the emissions originate.
- When dust, fumes, gases, mist, odorous matter, vapors, or any combination thereof escape from a building or equipment in such a manner and amount as to cause a nuisance or to violate any administrative regulation, the secretary may order that the building or equipment in which processing, handling, and storage are done be tightly closed and ventilated in suck a way that all air and gases and air or gas-borne material leaving the building or equipment are treated by removal or destruction of air contaminants before discharge to the open air.
- The provisions of this administrative regulation shall not apply to agricultural practices, such as tilling of the land or application of fertilizers, which take place on a farm.
- At all times when in motion, open bodied trucks, operating outside company property, transporting materials likely to become airborne shall be covered.
- Agricultural practices, such as tillage of land or application of fertilizers, which take place on a farm shall be conducted in such a manner as to not create a nuisance to others residing in the area. Agricultural practices are not subject to the opacity standard.
- The provisions of Section 3(1) and (2) of this administrative regulation shall not be applicable to temporary blasting or construction operations.
- No one shall allow earth or other materials being transported by truck or earth moving equipment to be deposited onto a paved street or roadway.

The requirements for Fugitive Emissions may found in the following regulation:

401 KAR 63:010 Fugitive Emissions

Questions may be directed to the Division for Air Quality, Field Operations Branch, at 502-573-3382.

Kentucky Intergovernmental Review Process
Division for Air Quality – Open Burning Comments

The project to which this comment is attached involves construction, renovation, demolition, or some other activity which might result in the accumulation of materials and/or debris which is subject to disposal. The Kentucky Division for Air Quality conditionally approves the proposed project, contingent upon conformance with open burning prohibitions. Open burning is generally prohibited and the information listed below provides guidelines on Kentucky's open burning regulations:

Open burning means the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney.

Kentucky Division for Air Quality Regulation 401 KAR 63:005 states that no person shall open burn. Fires may be set for the following purposes, provided that they do not violate any of the provisions of KRS Chapter 149, 150, 227, or any other law of the Commonwealth of Kentucky, including local ordinances:

- Noncommercial food preparation for human consumption.
- Recreational or ceremonial purposes.
- Comfort heating, providing excessive or unusual smoke is not created.
- Weed abatement, disease, and pest prevention.
- Prevention of a fire hazard, including the disposal of dangerous materials where no safe alternative is available.
- Bona fide instruction and training of public and industrial employees in the methods of fighting fires.
- Recognized agricultural, silvicultural, range, and wildlife management practices.
- Burning of leaves by individual homeowners except in cities with populations greater than 8,000.
- Disposal of household paper products, originating at dwellings of five (5) family units or less, which fires are maintained by an occupant of the dwelling at the dwelling, except in cities with populations greater than 8,000.
- Disposing of accidental spills leaks of crude oil, petroleum products or other organic materials, and the disposal of absorbent material used in their removal, where no other economically feasible means of disposal is available and practical and provided permission is obtained from the Cabinet prior to burning.
- Disposal of natural growth for land clearing, and trees and tree limbs felled by storms, provided that no extraneous material such as tires or heavy oil which tend to produce dense smoke are used to cause ignition or aid combustion and the burning is done on sunny days with mild winds. With respect to particulate matter, the emissions from such fires shall not be equal to or greater than 40% opacity.

The Division of Forestry advises that precautions be taken when open burning materials which can be burned. Burn only between 4:30pm and midnight, if you are within 150 feet of the woods during spring and fall fire hazard season (March 1 – May 15 & October 1 – December 15). During other months of the year, the Division for Air Quality however, advises to burn legal materials on sunny days with mild winds, in order to have conditions for good dispersion of the pollutants.

The environmental concerns relating to air quality include the toxic emissions from the combustion of asphaltic shingles, painted or treated wood, insulation on wiring, and synthetic materials such as carpeting, carpet pads, and upholstery: lead from lead based painted materials; and asbestos emissions from pipe lagging, transite siding shingles, or asbestos contained in asphaltic roofing shingles. Applicable air quality regulations include:

401 KAR 63:005	Open burning;
401 KAR 63:020	Potentially hazardous matter or toxic substances;
401 KAR 63:022	New or modified sources emitting toxic air pollutants;
401 KAR 57:011	Asbestos standards (NESHAP); and
401 KAR 63:042	Requirements for asbestos abatement entities.

Questions may be directed to the Division for Air Quality, Field Operations Branch, at 502-573-3382.

APPENDIX B

D-5

MEMORANDUM

DESIGN COORDINATION SECTION

TO: Gary Sharpe, Director
Division of Highway Design

ATTN: Ananias Calvin
Project Manager Coordinator

FROM: Julie A. Ryan
Public Hearing Coordinator

DATE: October 22, 2002

SUBJECT: **Corridor/Design Public Hearing Transcript**
Jefferson County, Item No. 5-21.00 and 5-41.00
I-265 Interchange at I-64 and US 60

As you are aware, a Corridor/Design Public Hearing was held for the subject highway project on Thurday, August 14, 2002, at Hite Elementary School in Middletown, Kentucky. The hearing was conducted utilizing the "Open House" format procedures. On October 7, 2002 the Louisville District 5 Office provided this office with a copy of the hearing summary and transcript for proper distribution.

A copy of the hearing transcript, along with the hearing summary and District's recommendation to move forward with Alt 2 on I-64 and Alt 4 on US 60, are being furnished for your review and project file. This office has reviewed these documents and requests approval to continue with their distribution. Please return your approval within 10 days from the date of this request so that these documents can be forwarded on to the appropriate agencies. It will be assumed that your approval is granted should no response be received within these 10 days.

Attachment (Hearing Transcript/ Summary)

cc: Greg Groves
Files

MEMORANDUM

TO: William R. Monhollon, P.E.
Chief District Engineer
District #5 - Louisville

FROM: Gregory T. Groves, P.E.
TEBM for Preconstruction
District #5 - Louisville

DATE: October 1, 2002

SUBJECT: Jefferson County
Gene Snyder Freeway Interchanges
@ I-64 and US 60
Item No. 5-21.00 and 5-41.00
Public Hearing Summary and Recommendation

SUMMARY

The Department held a Design Public Hearing at the Hite Elementary School, 12408 Old Shelbyville Road, Middletown, Kentucky on August 15, 2002. The meeting was advertised in the legal notice section of the Courier Journal newspaper. Additionally, paid ads were placed in the Courier Journal, letters were sent out to local officials and flyers were sent out to all individuals on a mailing list kept up to date by our consultant.

The meeting was conducted in an open format style with all alternatives displayed and the Preferred Alternative noted in big block letters. The meeting was well attended with 104 people signing the register. A hearing reporter was available for interested citizens to speak directly to the record. Comment sheets were also provided for citizens to express their concerns and opinions on the project. Eleven (11) comments were recorded by the Court Reporter and thirteen (13) comments were received within the fifteen day open period. We also received a petition from Beckley Woods subdivision with thirty-four (34) names requesting that Beckley Woods Drive be closed at its intersection with US 60. Most of the comments received, both written and verbal, agreed that the project was needed but had common concerns of right of way impacts.

RECOMMENDATION

The Project Team recommends moving forward with the project and the preferred alternatives as shown at the meeting (Alternative No. 2 on I-64 and Alternative No. 4 on US 60). The right of way impacts shown on the public hearing displays were worst case scenarios and we feel that the right if way impacts can be reduced during final design, which would address the concern of most of the comments. The closing of Beckley Woods Drive involves different neighborhoods in the area as well as all the service providers in the area (school system, garbage collection, emergency response agencies etc.). Given the level of effort to do this and since this is a road that the state does not maintain, we defer any decision to close the road to those with local justification, which I assume is Jefferson County Public Works. However, to address some of their concerns, we will evaluate various access control techniques including constructing a raised, non-mountable barrier curb to restrict left turns during the final design phase.

Further, in an effort to keep everyone updated on the process of the project, we plan to schedule a Right of Way Informational Meeting after the first of the year. This will give the effected property owners an opportunity to make comments on our modifications before we finalize the Right of Way plans.

GTG/gtg

KENTUCKY TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
DISTRICT 5
LOUISVILLE, KENTUCKY

PUBLIC HEARING

JEFFERSON COUNTY
Reconstruction of
I-265 Interchanges at I-64 & US 60
Item Nos. 5-21.00 & 41.00

This project is located in eastern Jefferson County. It provides for the preliminary design and environmental analysis for the reconstruction of the I-265 (Gene Snyder Freeway) interchanges at I-64 and US 60 (Shelbyville Road).

AT

HITE ELEMENTARY SCHOOL
12408 OLD SHELBYVILLE ROAD
MIDDLETOWN, KENTUCKY
AUGUST 15, 2002
6:00PM TO 8:00PM

For additional information concerning this project, please contact Greg Groves, PE or Kevin Villier, PE at the Louisville District Office, Department of Highways, phone (502) 367-6411 or 1-800-903-5844.

Commonwealth of Kentucky
Transportation Cabinet
Department of Highways, District Five
977 Phillips Lane, P. O. Box 37090
Louisville, Kentucky 40233
502/367-6411, (Fax) 502/363-6170
William Monhollon, P.E.
Chief District Engineer

James C. Codell, III
Secretary of Transportation

Clifford C. Linkes, P.E.
Deputy Secretary

Paul E. Patton
Governor

August 15, 2002

Ladies and Gentlemen:

Welcome to this Public Hearing on the proposed reconstruction of the I-265 Interchanges at I-64 and US 60. The reconstruction of the interchanges is being studied to improve safety and reduce congestion.

Attached is a handout package containing information about the project's purpose and need, construction alternatives, project costs, an explanation of right of way acquisition and relocation procedures and other relevant project information.

This hearing is being conducted using the "Open Format" procedure. No speeches or oral presentations will be given. Please feel free to move about and take time to acquaint yourself with the various exhibits, design plans, the Environmental Document, the Right of Way Acquisition booklet, and other pertinent information concerning the proposed project. Representatives of the Department of Highways and the Department's Consultant are available to help answer any questions and/or explain any of the provided information.

A Hearing Reporter is provided for those who wish to have their statements made a part of the official transcript of the hearing. Oral or written statements may be submitted to the Hearing Reporter this evening or may be submitted to my office within fifteen days after the hearing. A comment sheet and pre-stamped return envelope is provided in your handout to aid you in submitting your written comments.

The official document or record for a public hearing is the transcript and is comprised of those oral statements made to the Hearing Reporter at the hearing and written statements submitted at the hearing or during the fifteen day period after the hearing. The views and comments in this document will be considered and may affect those decisions to be made concerning this project. Therefore, it is of importance that you express your views as an individual, even though that view is the same as one previously voiced or written.

This hearing is provided for your information and assistance in formulating an opinion or comment and affording you an opportunity to express that comment. It is being held in compliance with Federal Regulations and Guidelines and in accordance with the Kentucky Transportation Cabinets Guidelines for Public Involvement.

During the fifteen day period after the public hearing, the exhibits and information provided at this hearing will be shown at the District #5 Office in Louisville at 977 Phillips Lane. For information concerning this project contact the Cabinet's Project Manager, Kevin M. Villier, P.E.

If you own property or reside along the proposed project or have an interest in the transportation needs of Jefferson County, I urge you to inspect the plans and available information or speak to one of the representatives to explain your interest.

Thank you for participating. I look forward to hearing or reading your comments.

Sincerely,

William R. Monhollon, P.E.
Chief District Engineer

I-265 Interchanges - Build Alternatives

Eight (8) design alternates are presently under consideration for the interchanges: three (3) for the I-265/I-64 Interchange and five (5) for the I-265/US60 Interchange. Each design alternate calls for the addition of a collector-distributor (CD) road system along I-265 through both interchanges, with basically a two (2) lane section north of US 60 and south of I-64 and a four (4) lane section between the interchanges. All design alternates for the interchanges are mutually compatible. For the I-64 interchange, maintenance of traffic is paramount, and both design alternates would allow for continued service throughout construction. For the US 60 interchange, the newly constructed Old Henry Road interchange may be considered as an alternate route during construction.

Design Speed for all directional ramps has been set at 50 mph, while the loop ramps are designed with 35 mph criteria. Each design alternate for the interchange at US 60 proposes widening Shelbyville Road to at least three (3) lanes in each direction through the interchange. A center left-turn lane will be added as well, and will be widened to two (2) lanes on alternates that have dual left-turn movements. Both alternates for the I-64/I-265 interchange propose three (3) lanes in each direction along I-64 through the interchange area.

I-64 Interchange with I-265

Alternate 1

Alternate 1 proposes increasing the radii of the west I-64 to south I-265 and the south I-265 to east I-64 loop ramps to allow for higher operating speeds. When built in conjunction with the collector-distributor system, weaving distance between the ramp terminals is sufficient to accommodate future year traffic projections with this design.

Two (2) fly-over ramps are proposed with this alternate. The heavy traffic volumes, both existing and projected, on the I-64 eastbound to I-265 northbound ramp and on the I-265 northbound to I-64 westbound ramp are addressed by these directional ramps. One disadvantage to this alternate is that it can not easily be modified (without major construction) to become fully directional in the future, should traffic demands exceed projections.

Alternate 1-A

Subsequent to the Public Meeting October 30, 2001, and pursuant to requests made by several members of the project interdisciplinary team, Alternate 1-A was developed. It would allow for an interchange configuration similar to Alternate 1 in the short term, but as traffic volumes grow, would be expandable in the future to include directional ramps to replace the loop ramps. In order to accommodate the ultimate directional ramps, the footprint (impacted area) of the proposed interchange is considerably larger than that of Alternate 1, and is very comparable to that of Alternate 2. When completely constructed, this would be a four-level interchange, with extensive use of bridges.

Alternate 2

Alternate 2 is proposed as a four-level interchange, with fly-over (directional) ramps added above the two existing highways. Ramps with movement confined to a single quadrant (for instance, the westbound I-64 to northbound US 60 ramp) would all be located outside the paths of the fly-over ramps.

This alternate will be more expensive than the other design alternate for this interchange, due in part to the extensive use of bridges on the directional ramps and to the extensive footprint of the interchange. The major advantage to this alternate is that each traffic movement can be accomplished at a higher rate of speed (Design Speed of 50 mph) than is typical for other interchange

US 60 Interchange with I-265

Alternate 1

The basic configuration of Alternate 1 is commonly known as an "urban diamond" or "single-point diamond" interchange. This relatively compact design brings all of the left-turns at the interchange through a single point of intersection, and would allow for greater weaving distances on the CD roads between interchanges. A fly-over (directional) ramp has been added to address the heavy northbound I-265 to westbound US 60 traffic. The directional ramp would tie into North English Station Road across from the southernmost Middletown Station entrance. This traffic pattern would introduce an increased volume of traffic onto North English Station Road north of its intersection with US 60.

Alternate 2

Alternate 2 utilizes loop ramps for both eastbound US 60 to northbound I-265 traffic and for westbound US 60 to southbound I-265 traffic. These two loops eliminate the need for left-turns from US 60 through the interchange area. Both proposed exit ramps, I-265 northbound and southbound, would connect to US 60 on the outside of each loop ramp. This design alternate would also include a triple left-turn movement for northbound I-265 to westbound US 60 traffic.

The southbound I-265 exit ramp would be moved closer to the US 60/North English Station Road intersection, thus substantially reducing the amount of storage on US 60 between the interchange and North English Station Road/Urton Lane. The impacts on the surrounding area would be fairly substantial with this interchange alternative.

Alternate 3

The most noticeable design feature of Alternate 3 is a proposed fly-over ramp for westbound US 60 to southbound I-265 traffic that ties into the CD system south of the interchange. This fly-over removes the need for an additional phase for the traffic signal on US 60. Westbound US 60 to northbound I-265 traffic will be provided a single lane ramp that splits away from the directional ramp.

This alternative also features a loop ramp for eastbound US 60 to northbound I-265 traffic. The northbound I-265 exit ramp connects to US 60 east of the loop ramp, and would be controlled by a traffic signal. In order to accommodate the northbound to westbound traffic, a triple left-turn movement is required, while two right-turn lanes are proposed for eastbound traffic.

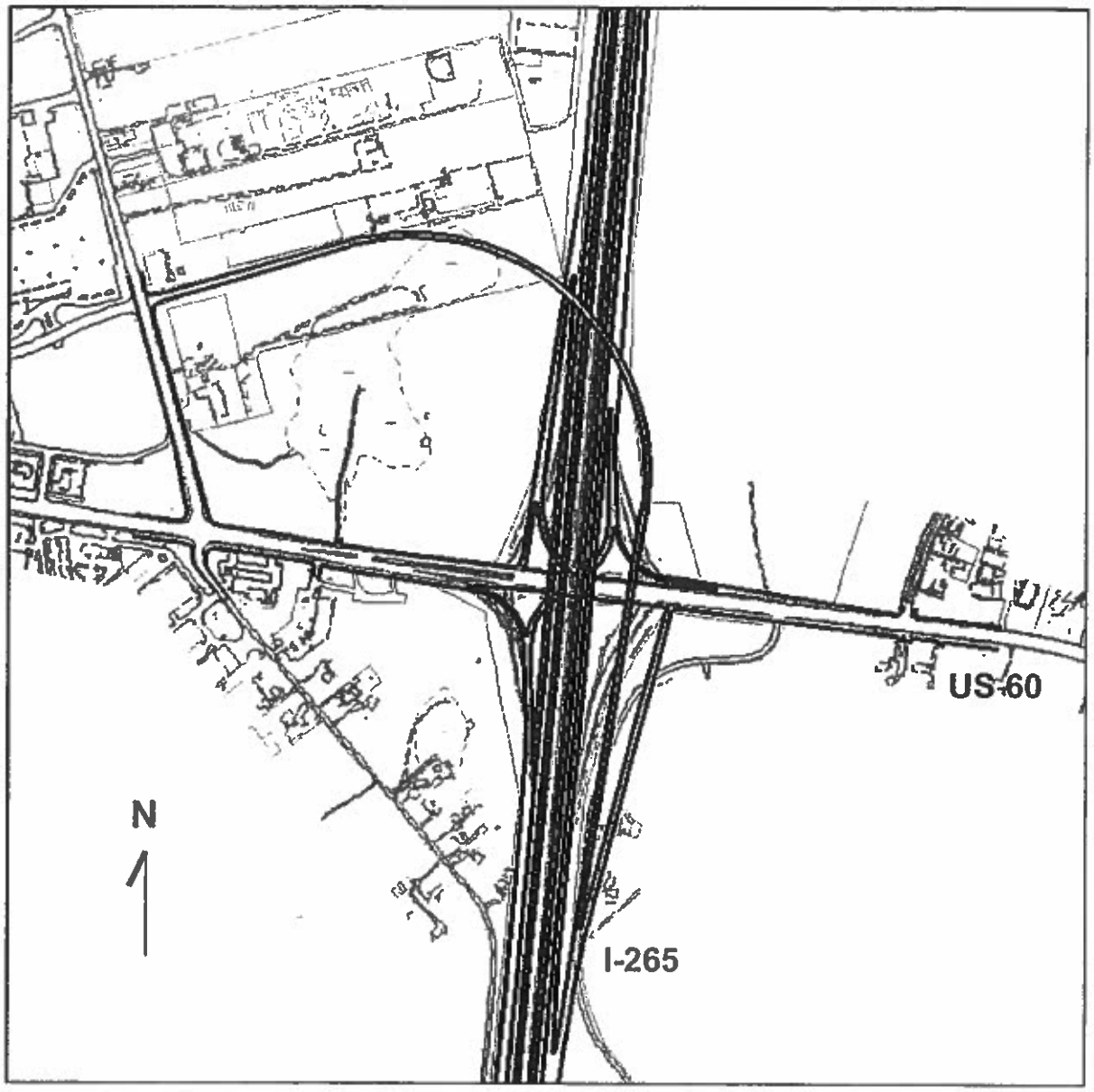
The major advantage of this alternate is that the loop ramp in conjunction with the fly-over ramp eliminate the need for left-turns from US 60 onto I-265, thereby reducing the number of phases in the traffic signalization along US 60.

Alternate 4

This interchange is a more traditional form of the "urban diamond" or "single-point diamond" interchange than the one proposed as Alternate 1. Just as in that alternate, impacts on the surrounding area will be relatively minor as compared to other types of interchanges. The footprint will actually be smaller than that of Alternate 1, since the directional ramp from northbound I-265 to westbound US 60 is replaced by a triple left-turn at US 60. Due to the volume of traffic projected for this movement, a triple left-turn is required in order to provide a desirable level of service during peak traffic hours.

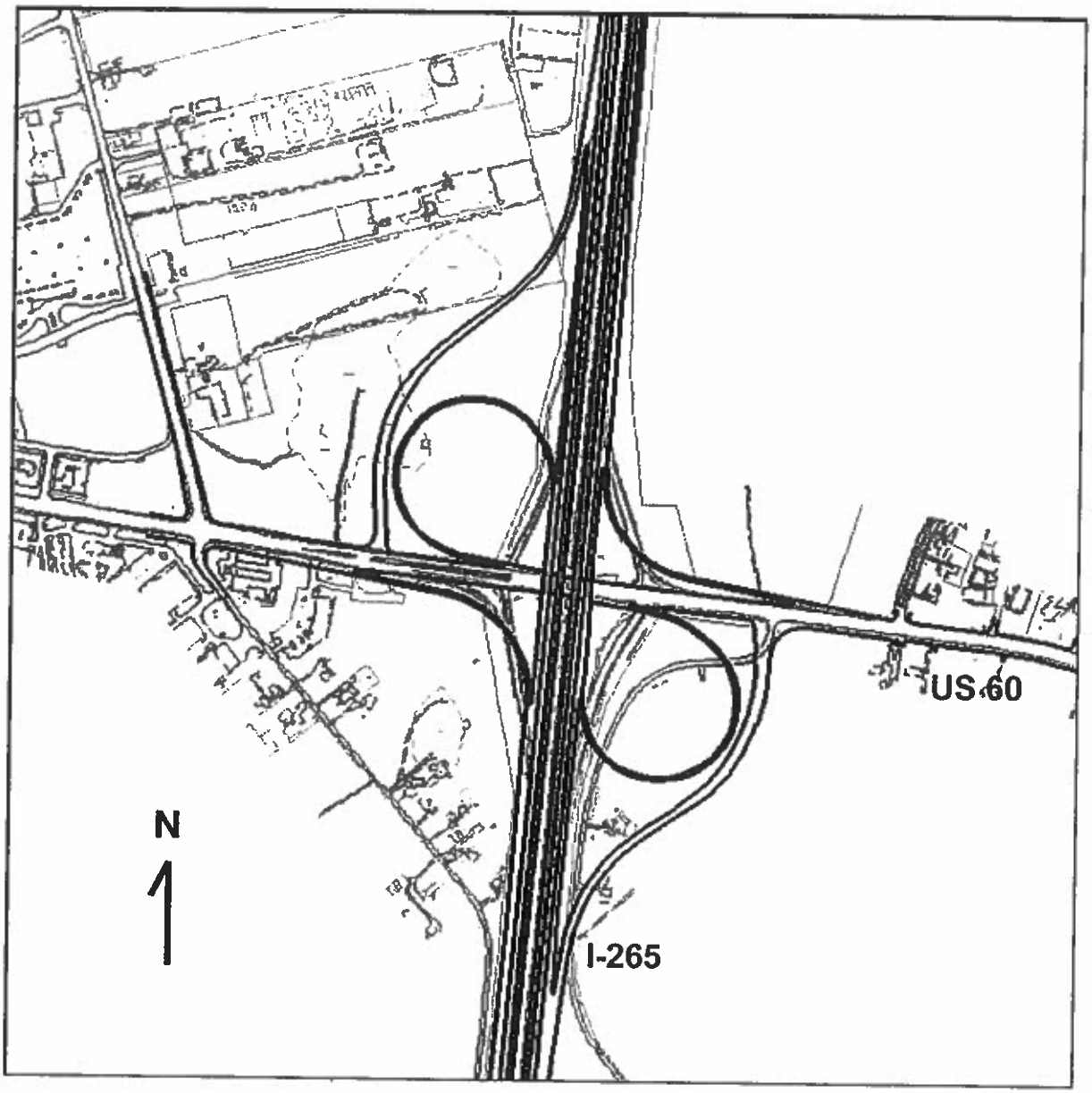
Alternate 5

The interchange proposed as Alternate 5 is identical to Alternate 1, except that the northbound I-265 to westbound US 60 directional ramp terminates on US 60 rather than on North English Station Road. With this shift in the ramp, North English Station Road would be relocated approximately 1500 feet to the west (to the Middletown Station/Marketplace intersection), and access control would be extended to that point.



I-265 / US 60 Interchange
Alternate 1
Item No. 5-041.0

Design	$1,800,000
Right-of-Way	$34,804,000
Utilities	$2,740,000
Construction	$32,900,000
Total	**$72,244,000**

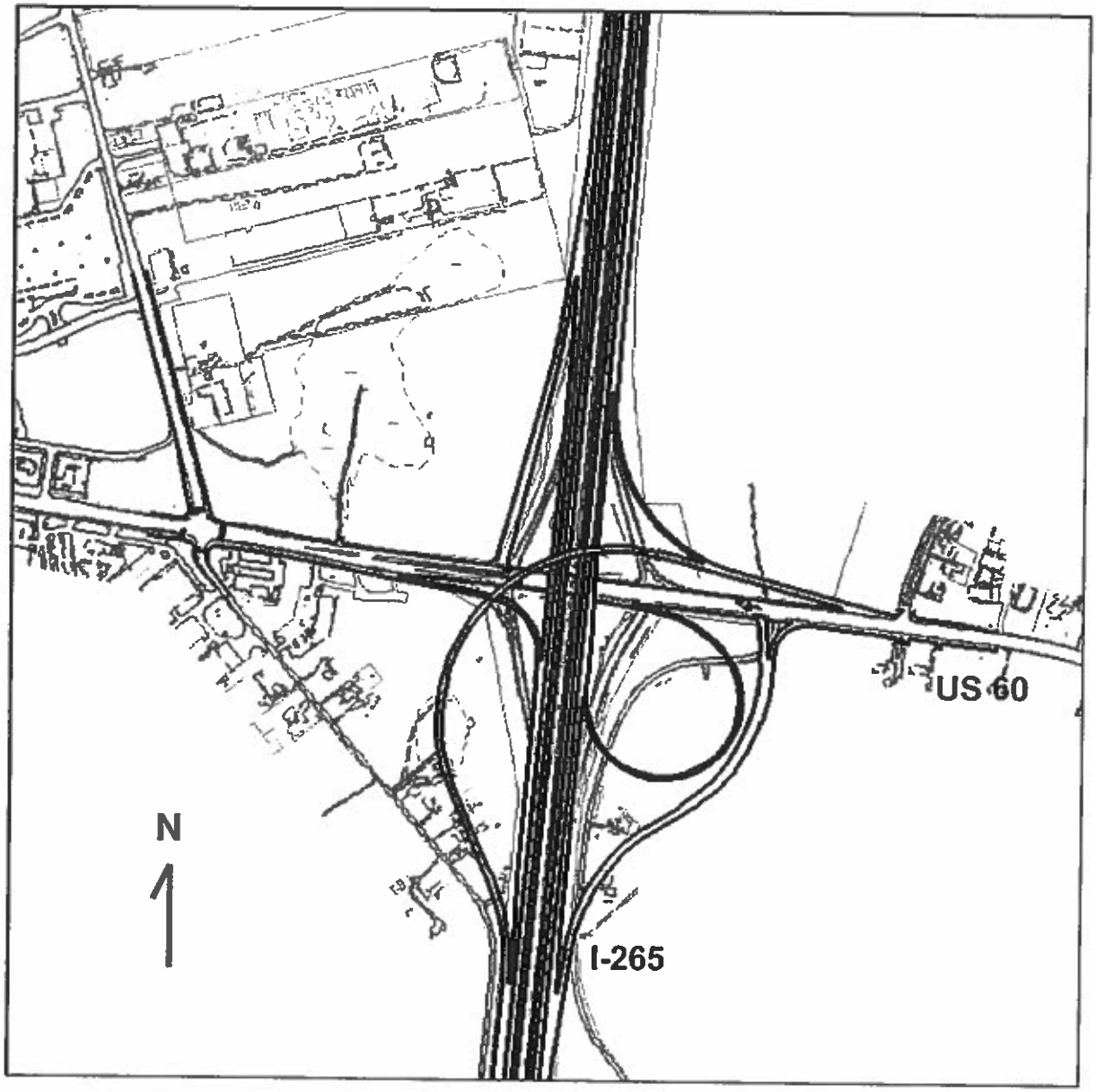


I-265 / US 60 Interchange
Alternate 2
Item No. 5-041.0

KENTUCKY TRANSPORTATION CABINET

HNTB

Design	$1,200,000
Right-of-Way	$44,854,000
Utilities	$3,215,000
Construction	$26,225,000
Total	**$75,494,000**

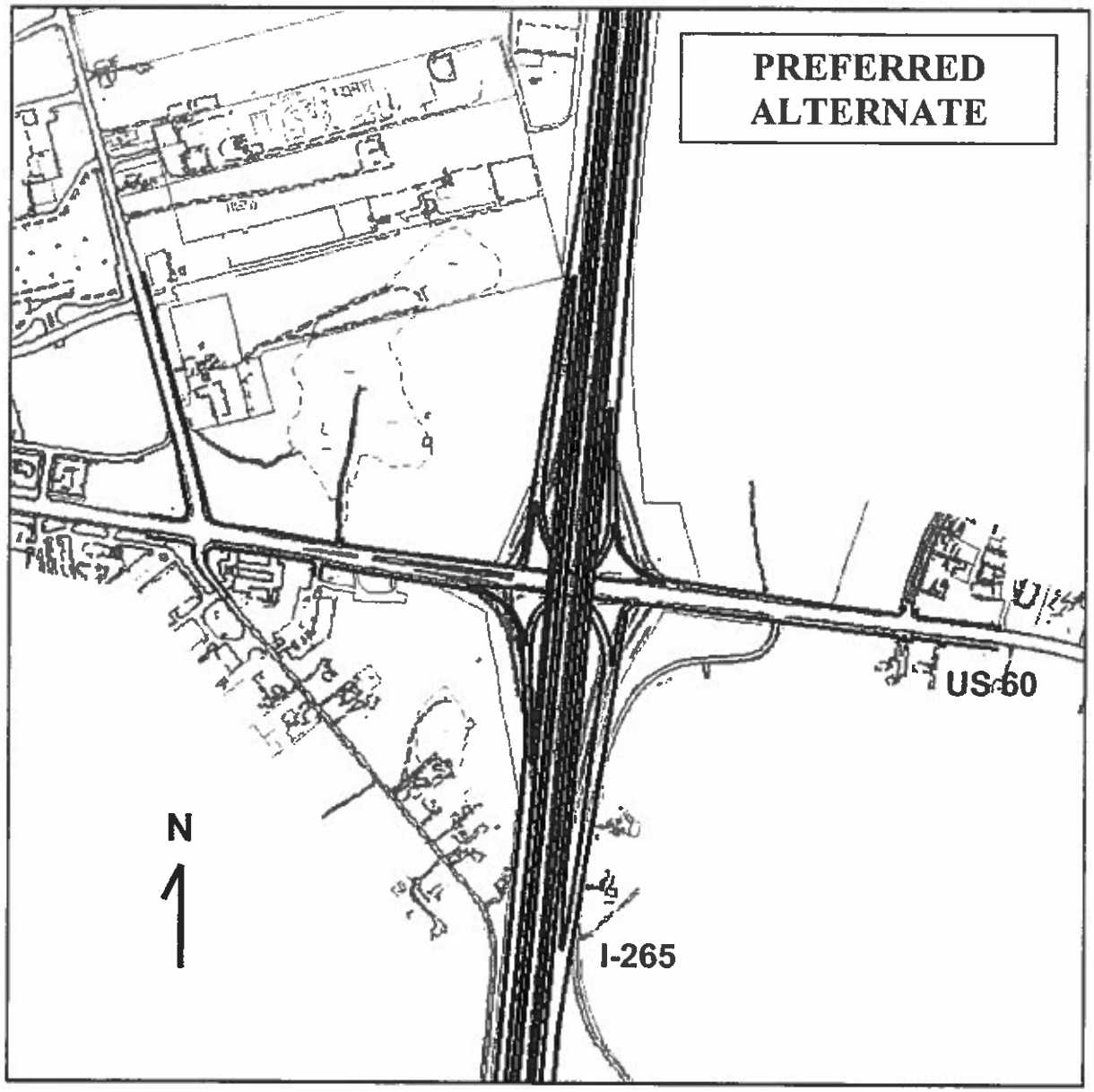


I-265 / US 60 Interchange
Alternate 3
Item No. 5-041.0

KENTUCKY TRANSPORTATION CABINET

HNTB

Design	$1,400,000
Right-of-Way	$53,938,000
Utilities	$3,123,000
Construction	$28,000,000
Total	**$86,461,000**

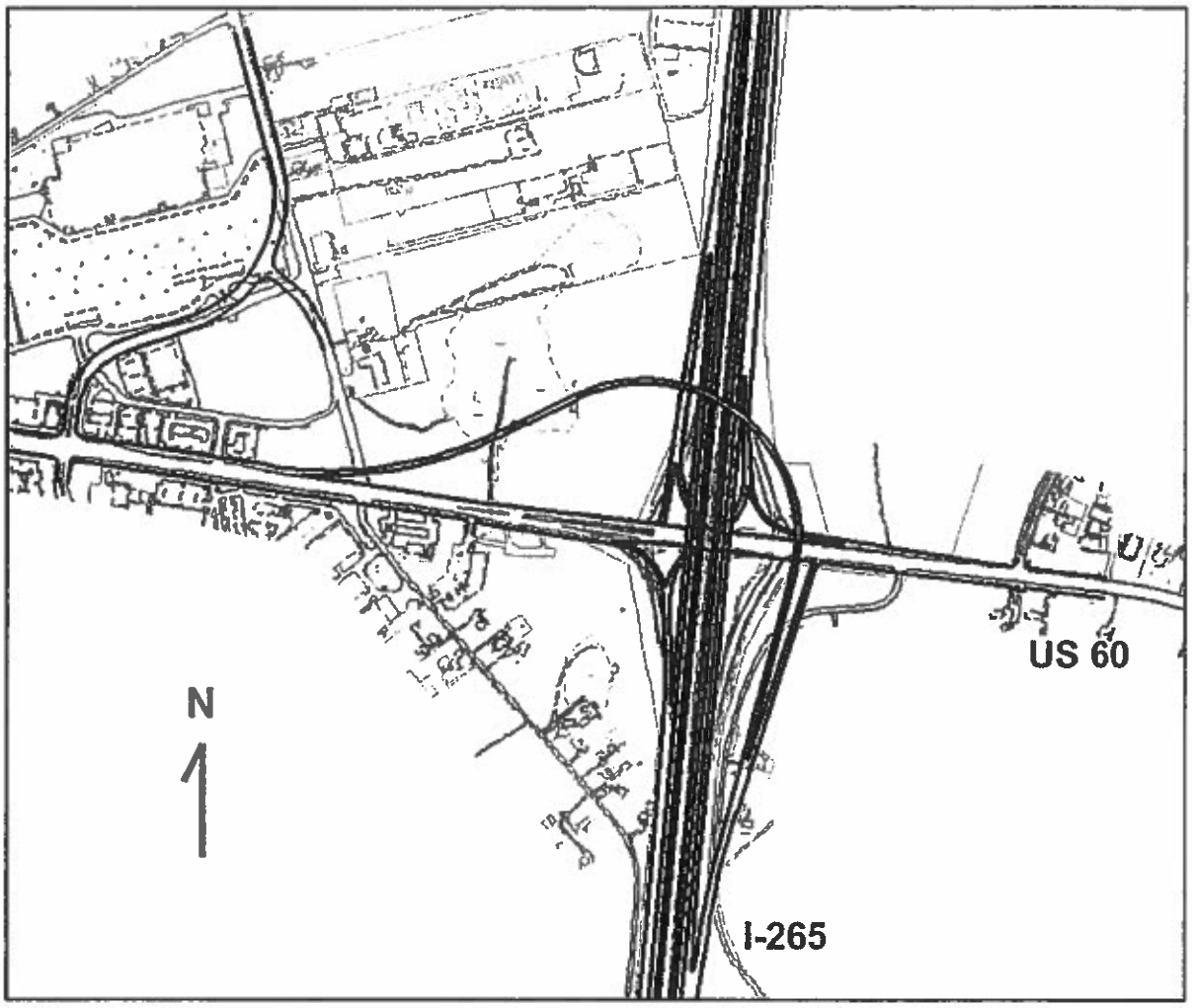


I-265 / US 60 Interchange
Alternate 4
Item No. 5-041.0

KENTUCKY TRANSPORTATION CABINET

HNTB

Design	$1,500,000
Right-of-Way	$26,801,000
Utilities	$2,445,000
Construction	$26,425,000
Total	**$57,171,000**

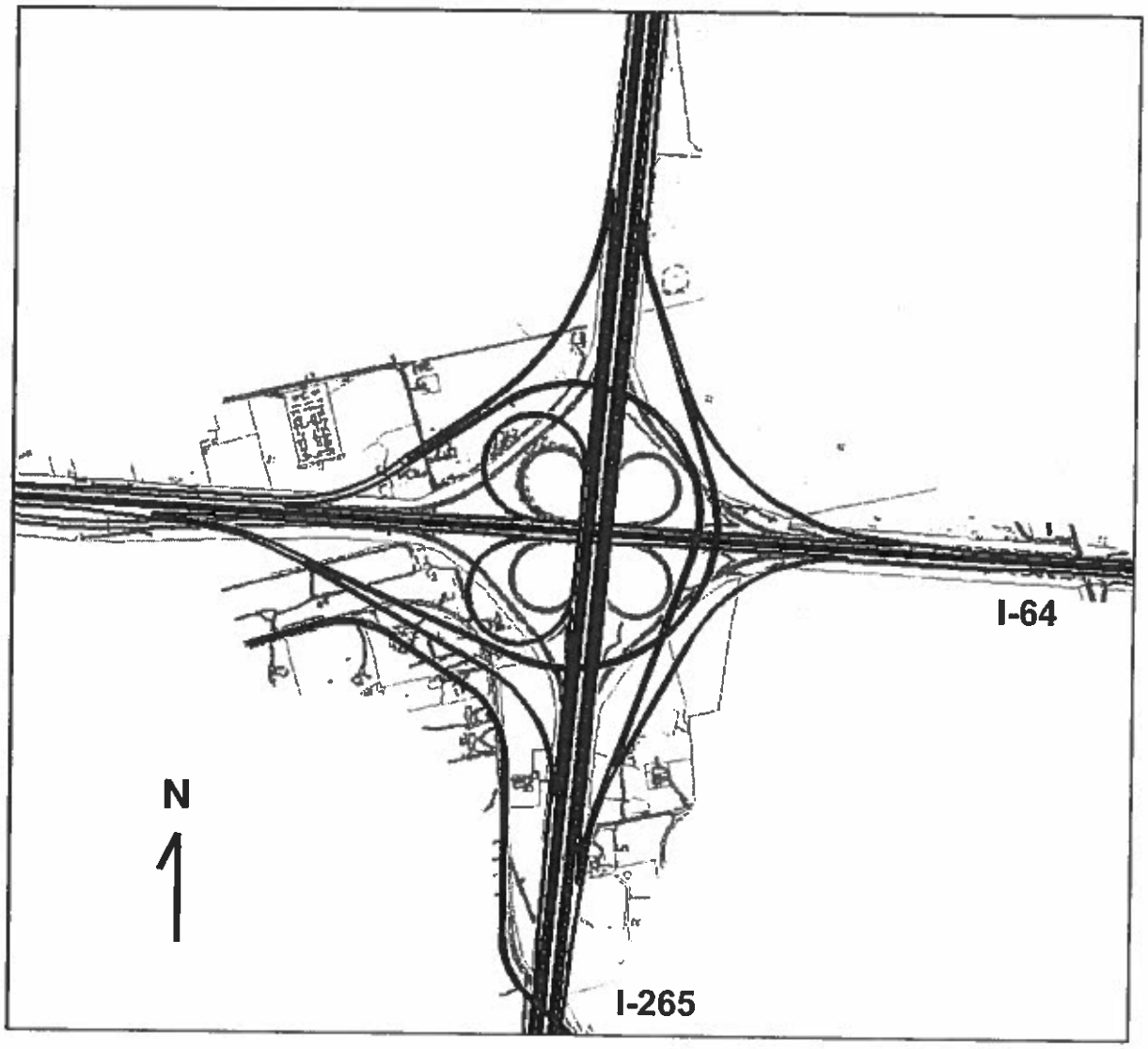


I-265 / US 60 Interchange
Alternate 5
Item No. 5-041.0

Design	$1,800,000
Right-of-Way	$64,357,000
Utilities	$11,220,000
Construction	$34,400,000
Total	**$111,777,000**

HNTB
TRANSPORTATION CABINET

APPENDIX C

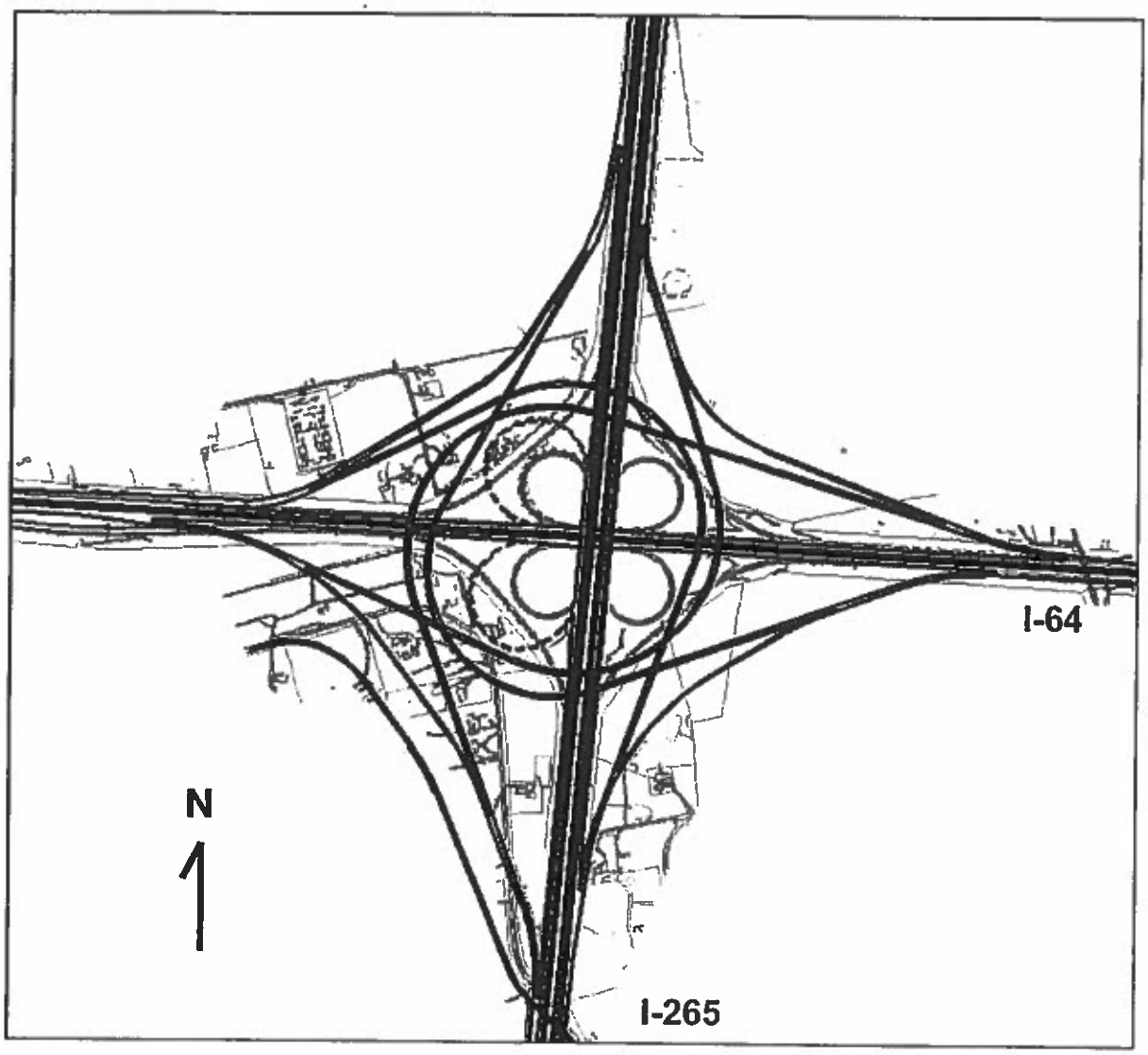


I-265 / I-64 Interchange
Alternate 1
Item No. 5-021.0

KENTUCKY TRANSPORTATION CABINET

HNTB

Design	$2,500,000
Right-of-Way	$14,645,000
Utilities	$3,595,000
Construction	$50,350,000
Total	**$71,090,000**

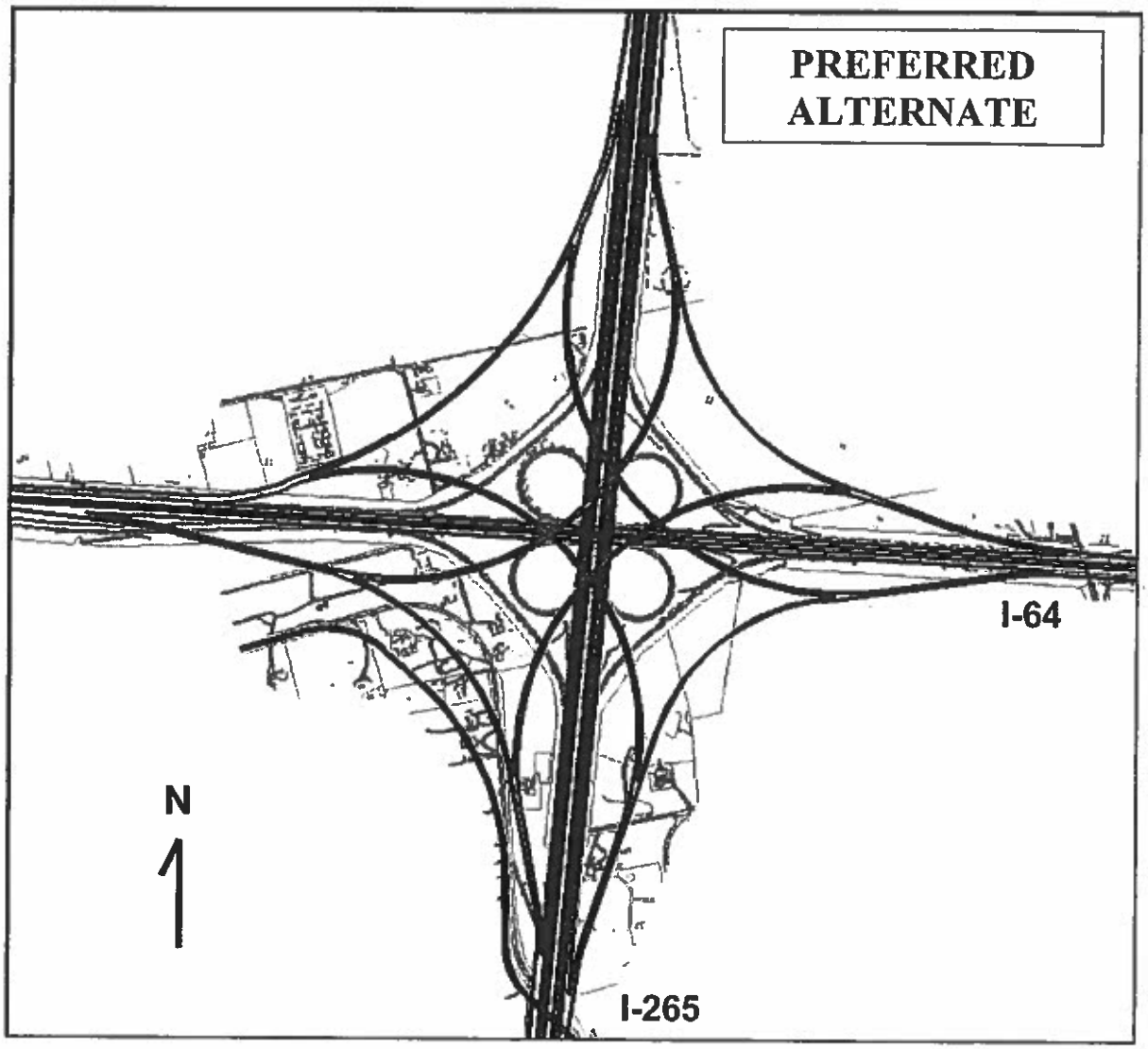


I-265 / I-64 Interchange
Alternate 1A
Item No. 5-021.0

KENTUCKY TRANSPORTATION CABINET

HNTB

Design	$4,000,000
Right-of-Way	$17,820,000
Utilities	$5,110,000
Construction	$78,850,000
Total	**$105,780,000**



I-265 / I-64 Interchange
Alternate 2
Item No. 5-021.0

Design	$3,300,000
Right-of-Way	$17,820,000
Utilities	$5,110,000
Construction	$68,250,000
Total	**$94,480,000**