

October 27, 2022

Javier Ahumada
Environmental/Freight and Innovation Coordinator
Federal Highway Administration
6111 SE 29th Street, Suite 100
Topeka, KS 66614-4271

RE: Request for concurrence regarding U.S. 69 project final design change

Dear Javier:

As part of KDOT's commitment to mitigation of potential environmental impacts resulting from the U.S. 69 Modernization and Expansion project, KDOT has continued to monitor and assess potential changes from the conceptual design that was previously approved in the EA/FONSI to the currently proposed design. These minor changes in design were analyzed to ensure that all environmental commitments made in the EA/FONSI are addressed, and additional changes resulting from final design refinement do not create unanticipated environmental impacts.

Design modifications are grouped into areas and displayed within the attached figures. This exhibit shows the areas with design modifications that go outside of the NEPA Study Area from the EA.

U.S. 69 and West 167th Street- Area 1

Proposed design modification:

This additional 2.54 acres (110,800 sqft) encompasses improvements necessary to add a retention area located south of West 167th Street and west of U.S. 69 (Area 1). The proposed retention area will connect to existing drainage running under U.S. 69 to an existing pond and wetlands located southeast of Area 1. The additional retention area is necessary in order to avoid impacts to the existing pond and wetlands.

Potential impacts of this design modification:

The addition of this project element will have minimal impacts to farmland of statewide importance as well as a permanent and temporary easement for utilities and the acquisition of additional ROW outside of the EA NEPA Limits (See **Figures 1 and 2**). This also requires the expansion of the NEPA Study Area as the entirety of these additional impacts sit outside of the Study Area from the EA/FONSI.

- Farmland of Statewide Importance Soil: 1.86 acres (81,008.38 sqft)
- New ROW: 1.49 acres (64,931.59 sqft)
- Temporary Easement: 0.28 acres (12,250.20 sqft)
- Utility Easement: 0.26 acres (11,419.77 sqft)

US 69 and W 139th Street- Area 2

Proposed design modification:

Additional area totaling approximately 0.01 acres was identified design refinements of U.S. 69 along West 139th Street to address grading issues, this area is known as Area 2.

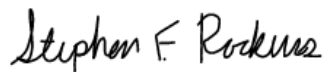
Potential impacts of this design modification:

The impacts from this additional grading area include minimal impacts to the trail system, impacting the U.S. 69 Highway Trail a Section 4(f) resource. Impacts to the trail will be temporary in nature and the trail will be returned to its current location and condition. The trail will not be functionally shorter, and impacts will not affect its use (**see Figure 3**). This also requires the expansion of the NEPA Study Area as the entirety of these additional impacts sit outside of the Study Area from the EA/FONSI.

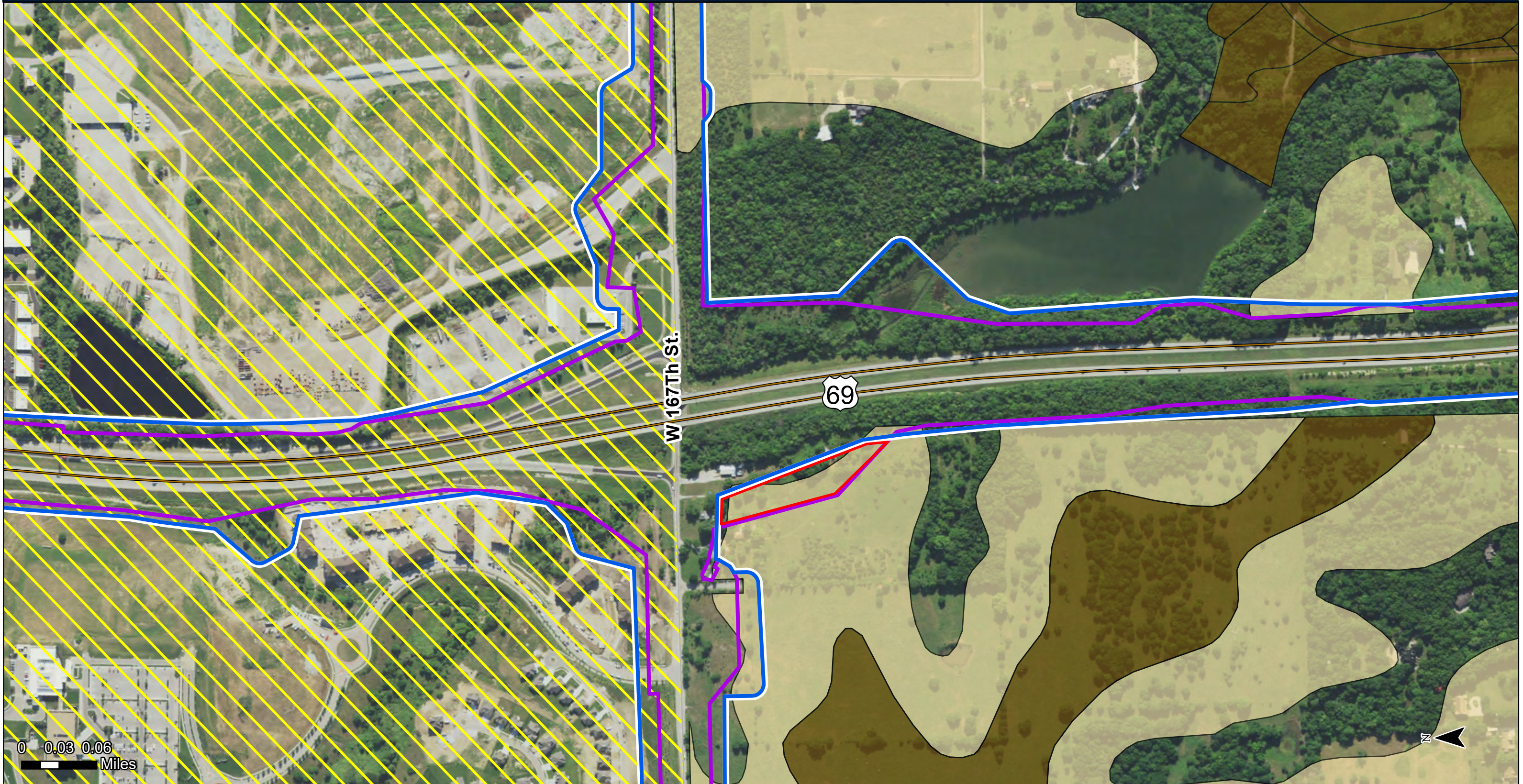
- Trail Impacts: 6.63 feet

KDOT believes that the proposed design modifications at these two locations do not result in additional impacts that warrant further environmental analysis and will not have adverse impacts upon the human environment. KDOT requests concurrence from FHWA on this determination.

Sincerely,

A handwritten signature in black ink that reads 'Stephen F. Rockers'.

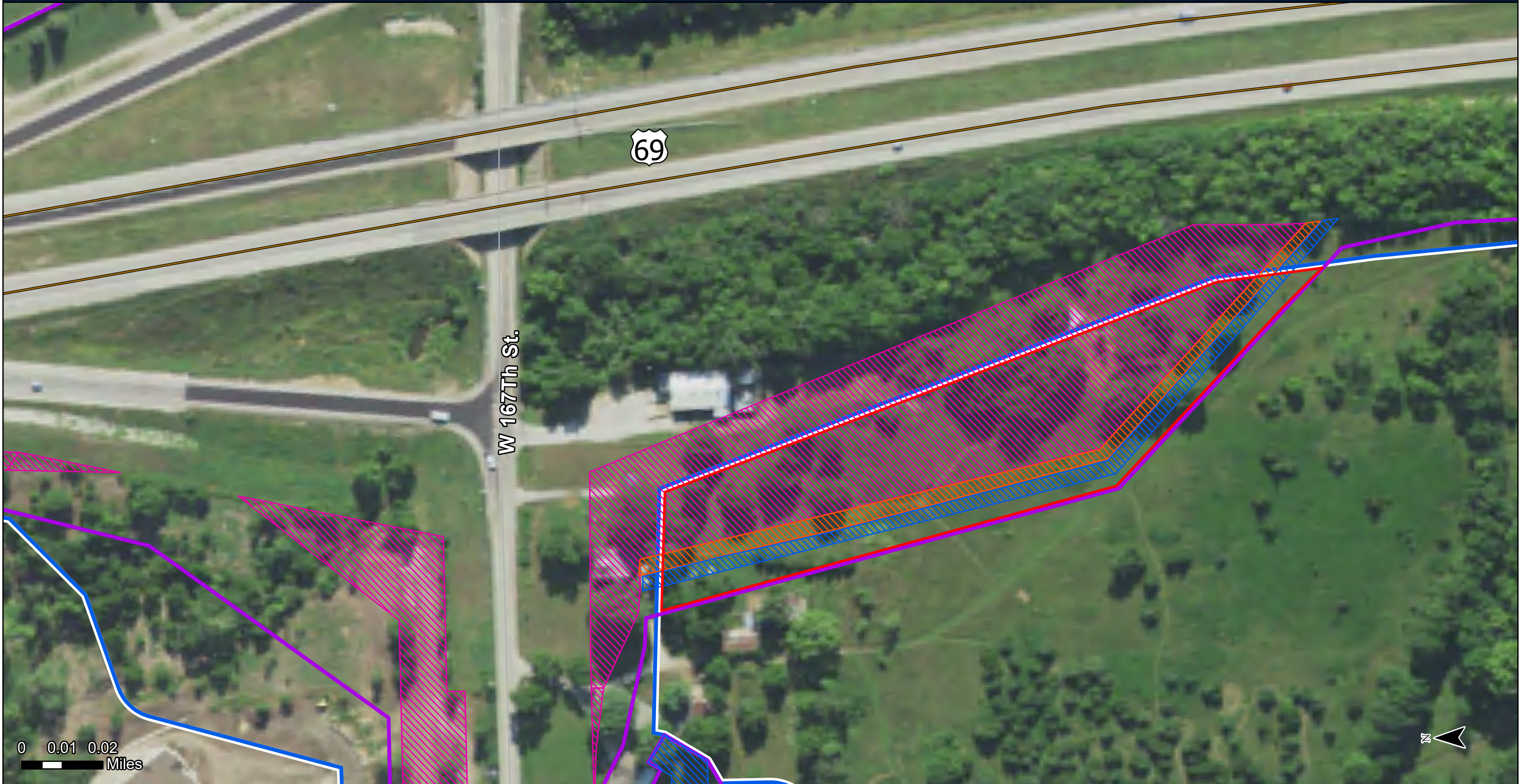
Steve Rockers
Project Director
Kansas Department of Transportation



- Legend
- Study Area
 - U.S. Census Urbanized Area
 - Prime Farmland Soils
 - Farmland of Statewide Importance soils
 - Additional Area of Impact
 - ReEvaluation Limits

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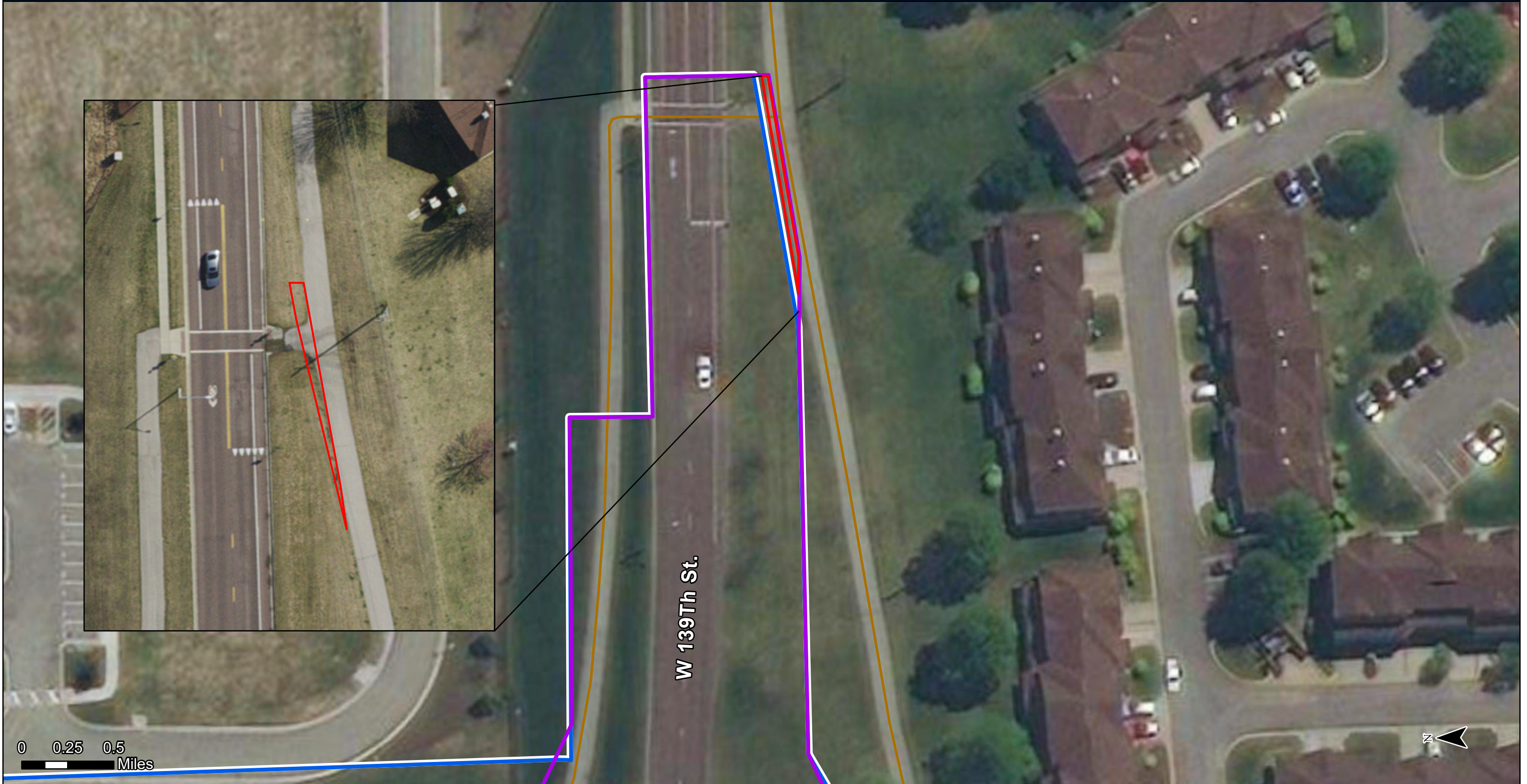




- Legend
- Study Area
 - ReEvaluation Limits
 - Additional Area of Impact
 - Right-of-Way
 - New Right-of-Way
 - Permanent Easement
 - Temporary Easement

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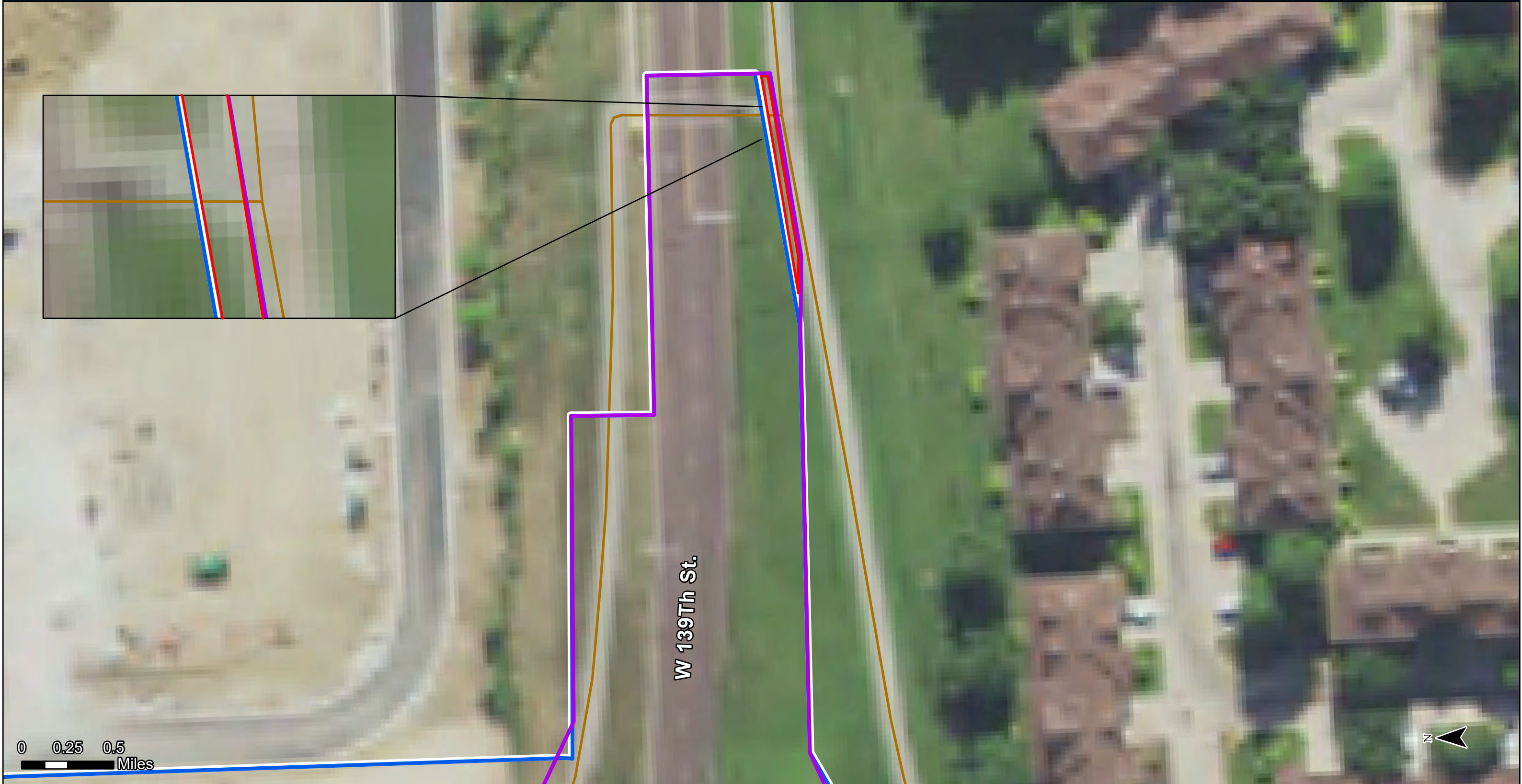


W 139Th St.

- Legend
- Study Area
 - ReEvaluation Limits
 - Additional Area of Impact
 - Trails

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