Categorical Exclusion

METCALF AVENUE AND SHAWNEE MISSION PARKWAY CORRIDOR
JOHNSON COUNTY, KS

JOHNSON COUNTY TRANSIT
MID-AMERICA REGIONAL COUNCIL

MAY 2010
SECTION 1 – PROJECT OVERVIEW AND PURPOSE AND NEED

1.1 PURPOSE AND NEED
Johnson County Transit (JCT) and the cities of Overland Park and Mission, Kansas, in cooperation with the Kansas Department of Transportation (KDOT) and the Mid-America Regional Council (MARC) are considering implementing high capacity transit service in the Metcalf Avenue and Shawnee Mission Parkway corridors that would also connect to the Plaza area in Kansas City, Missouri. The study of these corridors has occurred as JCT seeks to enhance transit service in the county by creating a higher capacity transit “spine” in which other transit routes would connect. The project also seeks to support major planned on-going redevelopment of both corridors.

The Kansas City Region initiated a transit implementation strategy called “Smart Moves” in 2002 and updated in 2008 to provide long range guidance to developing a higher quality transit system. The Metcalf Avenue and Shawnee Mission Parkway corridor has been identified as an existing transit service area that needs to be upgraded to provide a higher capacity transit service to accommodate existing and projected ridership.

The Metcalf Avenue and Shawnee Mission Parkway enhanced bus route would compliment and improve local bus service and provide greater transportation options for area commuters. This project would provide Overland Park, Kansas and Kansas City, Missouri residents and employees with quicker transit access to major job centers and transit centers. This project will eventually be part of a boarder Kansas City metro area system of rapid transit connections.

1.2 PROJECT TERMINI AND LENGTH
The study area is a combination of two corridors that provide a connection between Overland Park, Mission, Fairway, Roeland Park, Westwood, Kansas and the area east of the Plaza in Kansas City, Missouri. Local bus service (route H) is currently operated along the entire corridor length. This service operates Monday through Friday with service frequencies of thirty minutes from approximately 6:00 am to 10:00 am and 4:00 pm to 8:00 pm. In addition, express bus service (Route C) is operated along Metcalf Avenue from 119th Street to I-35 and into downtown Kansas City, MO via the 6000 Lamar Transit Center Monday through Friday from approximately 6:00 am to 8:00 am and 4:00 pm to 7:00 pm.

Starting July 5, 2010 these two routes will be adjusted and create the foundation for the new service in the Metcalf and Shawnee Mission Parkway corridors.

The service reconfiguration and expansion will have the Route-C operating from 135th & Metcalf Avenue – onto I-35 and into downtown Kansas City, Missouri. Eleven (11) new trips will augment the seven (7) existing Route C trips (though reconfigured as noted).

The Route-H will be entirely reconfigured to operate between 135th & Metcalf Avenue, along Shawnee Mission Parkway, and into the Country Club Plaza via 47th Street. There, the service
will connect to the KCATA’s MAX service on the Plaza, as well as MAX service on Troost. The existing thirteen (13) Route-H trips (reconfigured) will be augmented by nine (9) new trips.

In addition to the expanded peak period service, both Metcalf and Shawnee Mission Parkway will benefit from midday service that will operate at approximately 45 minute intervals between 10 AM and 3 PM. The midday service will be a deviated-fixed style service, meaning the bus will flex off the established route by up to ¾ of a mile (on either side of the prescribed route) based on requests made 24 hours in advance. This deviated-fixed service will provide additional opportunities for those residents unable to walk to a bus stop. The deviated-fixed also supports a level of service that will not require ADA Complementary Paratransit services.

It is anticipated that the full development of enhanced bus service in the corridor, which will be supported by the facility improvements made possible with the TIGER funding, will operate on Shawnee Mission Parkway, Johnson Drive, and Metcalf Avenue from the Plaza to downtown Overland Park. Increased frequency will provide riders more flexibility and mobility options in traveling along the corridor throughout the day with weekday service from 6:00 a.m. to 10:00 p.m. Peak frequency will be 20 minutes, with 30 minute frequency in the midday and 60 minute frequency in the evening. Saturday will also have the same 6:00 a.m. to 10:00 p.m. service span with 30 minute daytime frequency and 60 minute evening (after 6:00 p.m.) frequency. The Sunday service span will be from 6:00 a.m. to 6:00 p.m. with 60 minute headways. This route extends south at a lower frequency from downtown Overland Park to approximately Rosana Square.

Extended transit service will connect downtown Overland Park to south Metcalf Avenue at approximately Rosana Square Park & Ride. This will be an interlined route using the same vehicle as the service connecting the Country Club Plaza and downtown Overland Park and with the same service span. Specific runs from the Country Club Plaza to downtown Overland Park on the service will continue on to south Metcalf Avenue. This will give riders a “one seat ride” from south Metcalf Avenue to the Plaza. Frequency will initially be 40 minute peak headways and 60 minute off-peak headways. Saturday’s daytime and evening hours, along with Sunday, will have a 60 minute frequency.

The Metcalf Avenue and Shawnee Mission Parkway study area encompasses a half mile buffer centered on Metcalf Avenue from 119th Street in Overland Park, Kansas to Martway Street in Mission, Kansas and Shawnee Mission Parkway from Metcalf Avenue in Mission, Kansas to 47th Street and Troost Avenue in Kansas City, Missouri. The location of each of the transit stations and centers along the Metcalf Avenue and Shawnee Mission Parkway corridor are noted in the following table.
### 1.3 PROJECT DESCRIPTION

Transit service along the Metcalf Avenue and Shawnee Mission Parkway corridor will provide a strong transit connection between low-income areas and areas of high minority population in the Green Impact Zone to regional job centers in Overland Park, Kansas (Appendix B – Figures 1 – 5). This route provides strong transit connection between two counties, two states and multiple communities. The Metcalf Avenue and Shawnee Mission Parkway corridor is ready for investments that will accomplish near-term implementation of a Transit route as part of the broader rapid transit network.

The following describes the projects within the corridor that will be submitted for TIGER funding. The projects are based on previously completed planning studies and subsequent project development. A planning study, the *Metcalf Avenue and Shawnee Mission Parkway Corridor Transit Study* was completed in 2009. During the project development phase specific alignments, station locations, and operational characteristics have been defined. The capital projects to be funded by TIGER include the following:

**Rosana Square Park-and-Ride** – Rosana Square park-and-ride is a facility currently being used as a park-and-ride for existing commuter transit service, and is located west of 119th Street and Metcalf Avenue in Overland Park, Kansas (Appendix A – Facility Schematics). An enhanced park-and-ride will serve as a terminus point for both the transit service and companion express bus service. Currently the park-and-ride lacks any passenger amenities, route or schedule information or significant signage to indicate the facility is a park-and-ride facility. Additional investments in the park-and-ride lot would include monument signage, kiosks with route and

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<th>Intersection</th>
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schedule information and digital displays of real-time signage information indicating the next-bus arrival time.

Metcalf South Mall Park-and-Ride – Metcalf South Mall park-and-ride is a facility currently being used as a park-and-ride for existing commuter and local transit service at 97th Street and Metcalf Avenue (Appendix A – Facility Schematics). An enhanced park-and-ride will be used for the enhanced transit service and companion express bus service, as well as supporting existing transit services. Currently the park-and-ride lacks any passenger amenities, route or schedule information or significant signage to indicate the parking lot is a park-and-ride location. Additional investments in the park-and-ride lot would include monument signage, a station shelter with kiosks including route and schedule information and digital displays of real-time signage information indicating the next-bus arrival time.

East Gateway Transit Center – The East Gateway Transit Center is located at 5251 Johnson Drive in Mission, Kansas (Appendix A – Facility Schematics). This site is owned by the City of Mission, Kansas and is designated as a transit center in the City of Mission’s East Gateway Streetscape Plan. The site is adjacent to Mission’s downtown area and is located to support existing transit service as well as planned enhanced bus service and future local bus service.

Transit Signal Priority System – Transit signal priority will be placed throughout the Metcalf Avenue and Shawnee Mission Parkway corridor. A transit-signal-priority system will be implemented in the entire corridor from the state line, through downtown Overland Park, to Rosana Square. This system will allow transit vehicles greater ability to adhere to schedules by either extending green signals or shortening red signals when transit vehicles are behind schedule. Advanced intersection signal equipment is already being used throughout this corridor allowing a relatively low-cost transit-signal-priority installation.

Transit Stations – Fourteen (14) station pairs (28 stations) will be constructed in the Metcalf Avenue and Shawnee Mission Parkway corridor. The transit stations will be similar to the existing 3rd and Grand Max BRT transit station in Kansas City, Missouri, with high-quality finishes, enhanced lighting, unique branding to distinguish enhanced transit service from local service and real-time, next-bus arrival information. In addition to being a major component of the planned enhanced bus system, the transit stations will support existing transit service.

Pedestrian Crossings and Corridor – A three-mile long pedestrian corridor and crossings between 87th Street and I-435 on Metcalf Avenue is being constructed to support pedestrian movement and provide access to transit service. This three-mile segment possesses characteristics of a busy urban arterial with adjacent auto-oriented, land-use patterns, a five- to six-lane street profile and does not encourage pedestrian movement. Pedestrian improvements along this portion of the planned enhanced bus route will include sidewalks, crosswalks, bike-hike trails and landscaping.

Construction of the transit stations will be completed within existing right-of-way. Minimal land disturbance will be required for the construction of the transit stations. No further environmental
analysis is required. The following document is specific to the transit center in Mission, Kansas (Appendix A – Transit Center Schematics, Appendix B – Figures 6 and 7).
SECTION 2 – EXISTING CONDITIONS AND IMPACTS

2.1 LOCATION, LAND USE AND ZONING
The Metcalf/Shawnee Mission corridor connects Overland Park, Mission, Fairway, Roeland Park, Westwood, Kansas and the area east of the Plaza and “Green Zone” of Kansas City, Missouri. This alignment primarily uses Metcalf Avenue from 119th Street in Overland Park, Kansas to Martway Street in Mission, Kansas and Shawnee Mission Parkway from Metcalf Avenue in Mission, Kansas to 47th Street and Troost Avenue in Kansas City, Missouri. According to Johnson County mapping, land use along the corridor consists of residential, commercial, and industrial.

East Gateway Transit Center – The proposed site is located in a land use designation of Commercial and is zoned Main Street District 2 (MS-2). The surrounding properties are identified as Commercial to the north, Commercial to the east, parking to the south, and Commercial to the west (Appendix B – Figure 8). The property will remain zoned MS-2 following construction of the transit center. No churches, schools, hospitals or other sensitive noise receptors are located adjacent to the proposed transit center site. East Gateway Transit Center is located at 5251 Johnson Drive in Mission, Kansas.

2.2 LAND ACQUISITIONS AND RELOCATIONS REQUIRED (DISPLACEMENTS)
The ground located within the proposed project area has been disturbed by roadway construction and adjacent building sites. Completion of the proposed improvements and new transit center construction along the Metcalf Avenue and Shawnee Mission Parkway corridor will result in no displacement of any residences or businesses.

A usage agreement will be obtained for the Rosana Square and Metcalf South Mall park and ride locations in consideration of their private ownership status.

2.3 COMMUNITY DISRUPTION AND ENVIRONMENTAL JUSTICE
Executive Order 12898 mandates that federal agencies incorporate Environmental Justice analysis into their policies, programs and practices. Environmental Justice addresses project impacts on minority and low income populations. The U.S. Department of Transportation has three major objectives regarding Environmental Justice:

- To avoid, minimize or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.
The ground located within the proposed project area has been disturbed by roadway construction and adjacent building sites. Proposed improvements along the Metcalf Avenue corridor would not cause disproportionately high and adverse human health or environmental effects on minority or low-income populations. The proposed enhanced transit service would improve mobility and commuter movement within areas of minority or low-income populations.

The Metcalf Avenue corridor serves a number of households on public assistance. Below is 2000 Block Group Level Census Data within a half mile of the Metcalf/Shawnee Mission corridor.

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<th>Corridor Population Characteristics</th>
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<td>Population Characteristic</td>
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_East Gateway Transit Center_ – The construction of the East Gateway Transit Center would improve mobility and commuter movement within areas of minority or low-income populations.

### 2.4 NOISE / WATER / AIR QUALITY / HAZARDOUS MATERIALS

#### 2.4.1 NOISE IMPACTS

Metcalf Avenue is an existing 4-lane major arterial that traverses the entire limit of the City of Overland Park, Kansas from north to south. Shawnee Mission Parkway traverses much of Johnson County from west to east. The proposed transit enhancements will supplement the existing bus network that currently runs along the Metcalf and Shawnee Mission corridor, and will replace one of the existing local routes. Upgrading from the local route to a enhanced transit route will decrease the number of stops; thus the amount of acceleration and stopping that occurs when the majority of noise generation is experienced. Automobile movement may decrease in favor of mass transit. Since the planned improvements will not increase the number of buses and no increase in vehicular traffic volumes are anticipated by the project, noise levels are not expected to exceed the levels that currently exist in the corridor.

_East Gateway Transit Center_ – The construction of this transit center may result in a decrease in private automobile movement in favor of mass transit. Since the construction of this transit center and the expansion of the existing bus network will not increase the number of buses and no increase in vehicular traffic volumes are anticipated by the project, noise levels are not expected to exceed the levels that currently exist in the corridor.
2.4.2 WATER QUALITY IMPACTS
The State of Kansas Geographic Information Database systems were reviewed to identify any wells, sinkholes, sensitive streams, springs or caves that may exist within the Metcalf Avenue and Shawnee Mission Parkway corridor. No wells, sinkholes, sensitive streams, springs or caves were identified within the project corridor. In addition, the ground located within the proposed project area has been disturbed by roadway construction and adjacent building sites. Construction activities associated with the proposed transit centers or transit stations that exceed one acre of land disturbance activities will need to obtain a National Pollution Discharge Elimination Systems (NPDES) permit from the Kansas Department of Health and Environment as indicated in the October 5, 2009 letter from KDHE’s Bureau of Water (Appendix C – Agency Coordination).

As indicated in the October 2, 2009 letter from the U.S. Army Corps of Engineers, there are no jurisdictional waters, including streams or wetlands associated with the proposed improvement areas along the Metcalf Avenue and Shawnee Mission Parkway corridor; therefore, no 404 requirements are identified for the project (Appendix C – Agency Coordination).

East Gateway Transit Center – There are no stream or wetland impacts associated with the proposed improvements along the Metcalf Avenue and Shawnee Mission Parkway corridor; therefore, no 404 requirements are identified for the project. (Appendix B – Figure 9, Appendix C – Agency Coordination).

2.4.3 AIR QUALITY IMPACTS
The Federal Clean Air Act Amendments of 1990 require that states adopt National Ambient Air Quality Standards, or NAAQS. These standards were established to protect against excessive amounts of airborne sulfur dioxide (SO₂), particulates (PM₁₀), and carbon monoxide (CO), ozone (O₃), nitrogen dioxide (NO₂), and lead (Pb). Each county in the state of Missouri and Kansas is classified as either not meeting these NAAQS, meeting or exceeding the NAAQS, or cannot be classified because of insufficient data. The Kansas City region is designated as nonattainment 8-hour ozone areas.

East Gateway Transit Center – Construction of the East Gateway Transit Center will provide a centralized stop to connect transit lines, thus increasing access to public transportation and decreasing the need for vehicle use within the corridor. Increased ridership should result in lower vehicle miles traveled, and reductions in tailpipe emissions which would result in air quality improvements.

2.4.4 HAZARDOUS MATERIALS
Project coordination letters were submitted to the United States Environmental Protection Agency on September 11, 2009 and the Kansas Department of Health and Environment on September 11, 2009. On October 5, 2009, the Kansas Department of Health and Environment stated that “the Bureau of Environmental Remediation (BER), Assessment and Restoration Section, Landfill Remediation Unit has six known contaminated drycleaner sites within the vicinity of the proposed project”. The Kansas Department of Health and Environment further
stated that the BER “does not oppose construction near the sites of former city dumps. However, KDHE-BER recommends that the construction of any facilities be located outside of the limits of the buried solid wastes when possible. Should construction expose any wastes, the wastes exposed must be transported to and disposed of in a KDHE approved landfill”. The Kansas Department of Health and Environment also stated that “there are several private facilities with underground storage tanks along the described routes. The planners should be cognizant of the location of these facilities in the event that construction activities impinge on their locations”. Construction of the new transit stations and centers will result in minimal land disturbance activities and the majority of construction impacts will occur outside of the noted hazardous waste facilities.

The U.S. Environmental Protection Agency responded with a written comment dated November 24, 2009, which stated, “though they should not have an effect on the proposed project, EPA would like to note there are six EPA regulated facilities for minor air emissions in or near the project area.” Majority of the proposed construction activities will occur within the previously disturbed roadway right-of-way and result in minimal land disturbance activities; therefore, the reported EPA locations will be minimally impacted.

East Gateway Transit Center- Based on the response from state and federal agencies, the construction of the proposed transit center will not encounter known hazardous material sites.

2.5 IMPACTS ON WETLANDS

Wetlands may be subject to regulation under Section 404 of the Clean Water Act by the USACE if they are located adjacent to a Traditional Navigable Water or if they flow directly or indirectly into a Traditional Navigable Water (USACE - Jurisdictional Form - Instructional Guidebook, 2007). Wetlands are a type of special aquatic site defined as:

“Those areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions” (USACE, 1987).

Recognizing the variety of beneficial functions performed by wetlands, Executive Order 11990 (Wetlands Protection) mandates consideration of wetland impacts. A no-net loss of national wetlands policy is mandated under Executive Order 11990. Section 404 of the Clean Water Act of 1977 (CWA) authorizes the USACE to regulate the discharge of dredged or fill material in all waters of the U.S., including wetlands. The ground located within the proposed project area has been disturbed by roadway construction and adjacent building sites. There are no wetland impacts within the Metcalf Avenue and Shawnee Mission Parkway corridor.

Olsson provided a letter dated September 11, 2009 to the U.S. Army Corps of Engineers – Kansas City District requesting their review and comment for the proposed improvement along the Metcalf Avenue and Shawnee Mission Parkway corridor. The U.S. Army Corps of
Engineers – Kansas City District responded with a written comment dated October 2, 2009, which states based on the review of the provided information and maps, “it does not indicated that the project will involve the placement of fill material within jurisdictional waters of the U.S.” (Appendix C – Agency Coordination).

**East Gateway Transit Center** - Based on field observations, NWI maps and correspondence from the U.S. Army Corps of Engineers – Kansas City District, the construction of this transit center will have no impact on wetlands and does not involve the placement of fill material within jurisdictional waters of the U.S. (Appendix B – Figure 9, Appendix C – Agency Coordination).

### 2.6 FLOODPLAIN IMPACTS

Executive Order 11988 (Floodplain Management, May 24, 1977) requires Federal agencies to avoid, to the extent possible, the long-term and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative. Agencies are directed to take action to reduce the risk of flood loss, to minimize the impacts of floods on human safety, health, and welfare, and to restore and preserve the natural and beneficial values served by floodplains.

Impacts to the floodplain can be defined in two categories: the 100-year floodplain and the regulatory floodway. The 100-year floodplain is defined as the area inundated by the 100-year flood (probability of occurring once every 100 years). The regulatory floodway is the main channel of a river or watercourse and the adjacent land areas that must be reserved in order to discharge the base flood. There are no regulatory floodways within the Metcalf Avenue and Shawnee Mission Parkway corridor.

**East Gateway Transit Center** – There are no regulatory floodways within the Metcalf Avenue and Shawnee Mission Parkway corridor; therefore, no impacts to the floodplain are identified (Appendix B – Figure 10).

### 2.7 IMPACTS ON NAVIGABLE WATERWAYS AND COASTAL ZONES

The project has been reviewed for the presence of Navigable waters and correspondence was completed with the U.S. Army Corps of Engineers to confirm no jurisdictional resources within the project area. Based on the U.S. Army Corps of Engineers response dated October 2, 2009 there are no navigable waters within the project area (Appendix C – Agency Coordination). The project is located in Kansas City, Kansas and Missouri; there are no coastal zones associated with the enhanced transit corridor.

**East Gateway Transit Center** – There are no navigable waters or coastal zones impacted by the proposed East Gateway Transit Center.
2.8 **IMPACTS ON ECOLOGICALLY-SENSITIVE AREAS**

Ecologically sensitive areas are described as woodlands, prairies, wetlands, lakes, streams, scenic areas, landforms, and geological formations, and pristine natural areas, which may be affected by the project. The majority of the project is being completed within existing right-of-way and will not impact any ecologically sensitive areas. The transit center locations located outside of the existing right-of-way are further defined below.

*East Gateway Transit Center* - The proposed transit center site is located on commercially zoned properties located in the center of downtown Mission, Kansas. The lots are currently vacant and vegetated with lawn grass that is routinely mowed to keep the look manicured within the downtown landscape. No ecologically sensitive areas are located on or adjacent to the proposed transit center site.

2.9 **THREATENED & ENDANGERED SPECIES**

The Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), was enacted to provide broad protection for fish, wildlife and plant species that are listed as threatened or endangered in the United States. Section 7 of the Endangered Species Act requires federal agencies to insure that any actions they authorize, fund or carry out are not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of designated critical habitat of such species.

The U.S. Fish and Wildlife Service and Kansas Department of Wildlife and Parks were contacted regarding the presence of threatened and endangered species. The U.S. Fish and Wildlife Service responded with a written comment dated October 14, 2009, which states after review of the proposed action, it was determined that “no federally-threatened or endangered species are likely to be present in the project area.” The Kansas Department of Wildlife and Parks provided a comment to Olsson on September 14, 2009, which stated they “anticipate minimal impacts on native wildlife species. Results of our review indicate there will be no significant impacts to crucial wildlife habitats; therefore, no special mitigation measures are recommended. The project will not impact any public recreational areas, nor could we document any potential impacts to currently listed threatened or endangered species or species in need of conservation. No Department of Wildlife and Parks permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans.”

*East Gateway Transit Center* - The Kansas Department of Wildlife and Parks stated they “anticipate minimal impacts on native wildlife species. Results of our review indicate there will be no significant impacts to crucial wildlife habitats; therefore, no special mitigation measures are recommended. The project will not impact any public recreational areas, nor could we document any potential impacts to currently listed threatened or endangered species or species in need of conservation. No Department of Wildlife and Parks permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans.” (Appendix C – Agency Coordination).
2.10 TRAFFIC, TRANSPORTATION, AND PARKING

Traffic
Current traffic volumes on Martway in Mission, Kansas are under 5,000 a day.

Current Ridership
Automatic passenger counters were used to obtain ridership information for the current transit routes that operates in the corridor. The daily ridership is 213.

Parking
The project will not result in a change in parking spaces in downtown Mission, Kansas.

2.11 IMPACTS ON ENERGY
Project construction will result in an increased use and local demand for fossil fuels to power construction equipment. Electricity needs will be increased both short term and long term to operate the transit facilities. Construction activities will be properly planned and mobilization scheduled to limit the duration of work and consumption of fuel by vehicles on-site. Electrical usage will be controlled through metering and established station operating hours.

The operation of the enhanced transit route along the Metcalf Avenue and Shawnee Mission Parkway corridor will provide long term travel time and fuel savings. Based on the information provided in the TIGER grant application and identified in the benefit / cost ratio analysis; it is anticipated that there will be an annual reduction in vehicle miles traveled of 10.6 million miles as well as 125,000 hours in travel times savings. Both of these reductions due to the implementation of the enhance transit route equate to long term fuel and energy consumption savings. The reduction in miles traveled and hours of vehicular operation will also reduce the number of annual accidents by 49; thus saving emergency vehicle operation and staff time to attend to other needs within the community.

2.12 HISTORIC PROPERTIES AND PARKLAND

2.12.1 CULTURAL RESOURCES / HISTORIC PROPERTIES
Historic properties are protected under the National Historic Preservation Act (NHPA), codified under 16 U.S.C. 470. The intent of the NHPA is to ensure federal leadership in the preservation of prehistoric and historic resources. Under the NHPA, federal agencies are to integrate historic preservation into all activities that directly or indirectly involve land use decisions. A Section 106 consultation request was submitted to the Kansas State Historical Society on September 11, 2009.
The Kansas State Historical Society provided a response on September 18, 2009 that stated “There are registered historic properties within the specified corridors. In such large corridors there is also great potential for national Register-eligible sites which are yet to be identified. At this point we do not have enough information to determine if historic properties will be affected by the projects. It does not appear from the descriptions provided that the projects will be particularly destructive as existing corridors are being used. Therefore our only comment at this time is that we would like to see more specific plans when they become available in order to determine if historic properties will be affected.”

*East Gateway Transit Center* – The Kansas State Historical Society stated “the SHPO has determined the proposed project will not adversely affect any property listed or eligible for listing in the National Register of Historic Places.” (Appendix C – Agency Coordination).

**2.12.2 TRIBAL COORDINATION**

There are no tribal lands within the Metcalf Avenue and Shawnee Mission Parkway corridor; therefore, coordination with tribal agencies was deemed unnecessary.

*East Gateway Transit Center* – The proposed East Gateway Transit Center is not located on or adjacent to tribal property.

**2.12.3 SECTION 4(F)/6(F) INVOLVEMENT**

Section 4(f) of the Department of Transportation (DOT) Act of 1966 (now codified at 49 U.S.C. 303 and 23 U.S.C. 138) was developed to preserve public park and recreation lands, wildlife and waterfowl refuges, and historic sites from encroachment by public transportation facilities.

Relevant passages from Section 4(f) state that:

(a) It is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.

(b) The Secretary of Transportation shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States, in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of lands crossed by transportation activities or facilities.

(c) The Secretary may approve a transportation program or project requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge, or land of an historic site of national, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, recreation area, refuge, or site) only if —

(1) there is no feasible and prudent alternative to using that land; and
(2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

Section 6(f) of the Land and Water Conservation Fund Act (LWCF), was developed to provide restrictions on the programs and policies of any federal agency that proposes the conversion of public recreation facilities funded with LWCF federal grants. The LWCF Act provides funds for the acquisition or development of public outdoor recreation facilities that could include community, county, and state parks; trails; fairgrounds, conservation areas, boat ramps, shooting ranges, etc.

There are no public park/recreation lands, wildlife/waterfowl refuges or historic sites within the Metcalf Avenue and Shawnee Mission Parkway corridor.

_East Gateway Transit Center_ – The construction of the proposed East Gateway Transit Center will not have a direct or constructive use impact on any 4(f) or 6(f) properties.

### 2.13 IMPACTS CAUSED BY CONSTRUCTION

Constructing the project would have some adverse impacts during the construction phase. Noise levels, fugitive dust, and erosion would temporarily increase during construction. Construction activities would also involve temporary traffic disruptions and potential safety issues. Measures to minimize adverse impacts during construction are discussed below.

- All applicable federal, state and local regulations regarding the storage and disposal of waste materials, including hazardous wastes, generated or encountered during construction would be observed by the construction contractor per contract requirements. Should any hazardous spill occur, it would be responded to in accordance with applicable regulations, and reported to regulatory authorities as required. Oil, oil filters, tires and all other wastes would be properly disposed as required throughout the construction period.

- Measures will be implemented to minimize fugitive dust emissions created during construction of the proposed project. Wind barriers and the dampening of construction area soils will be used to control excessive dust emissions.

- Road signs, barriers, warning devices and protective fencing will be provided as necessary.

- Contractors will be required to comply with the Unified Governments Erosion and Water Quality Protection Standards as well as implement the principals of the Mid-America Regional Council best management practices for post construction activities.

### 2.14 VISUAL IMPACTS

Existing views within the Metcalf Avenue and Shawnee Mission Parkway corridor consist of a 4-lane major arterial roadway with a combination of residential, commercial and mixed use
development along the entire corridor. Martway Avenue which provides access to the transit center provides existing views of the downtown business district.

2.15 PUBLIC SAFETY AND SECURITY
The proposed enhanced transit system along Metcalf Avenue and Shawnee Mission Parkway will not alter existing emergency access routes and will have no effect on the ability of emergency or health care service to be provided to the area. The majority of activity along the Metcalf Avenue and Shawnee Mission Parkway corridor will be along the roadway right-of-way providing visible access for public safety officers (police) to monitor activity at the transit stations and centers.

_East Gateway Transit Center_ – The East Gateway transit center is located in downtown Mission, Kansas. The intersection and surrounding area is routinely monitored by police

2.16 IMPACTS ON SECONDARY DEVELOPMENT
The indirect and cumulative impacts associated with the proposed transit stations and center were evaluated to determine if the proposed project will increase development beyond the project and if those activities will cause significant environmental impacts. Projects located adjacent to the transit center include the East Gateway development project in Mission, Kansas. A proposed mixed use development is proposed at this site that would potentially benefit from improved transit service.

Transit stations along the enhanced transit route were strategically placed to serve improvements occurring within the Metcalf Avenue and Shawnee Mission Parkway corridor. These planned improvements include the East Gateway and West Gateway developments in Mission, Kansas and re-development projects in downtown, the redevelopment of the Metcalf South Mall and continued development at Rosana Square.

2.17 FARMLAND IMPACTS
Farmland is protected under the federal Farmland Protection Policy Act (FPPA) as set forth in 1978 under 7 U.S.C. 4201 et seq., and the U.S. EPA Policy to Protect Environmentally Significant Agricultural Lands. The FPPA considers land that is within city limits to be “committed to other uses” and such land needs no further evaluation. The project is defined as land committed to other uses and does not require additional consultation with the Natural Resource Conservation Service (NRCS). The ground located within the proposed project area has been disturbed by roadway construction and adjacent building sites. There are no farmland impacts within the Metcalf Avenue and Shawnee Mission Parkway corridor. A soil survey map is located in Appendix B- Figures 11.
East Gateway Transit Center – All soil types classified as prime soils or soils of statewide importance have been previously converted by urbanization; therefore, construction of this transit center will have no farmland impact.
APPENDIX A

Facility Schematics and Aerial
FIGURE - 1
1:24K TOPOGRAPHIC SURVEY

Location: SHAWNEE 7.5" Quadrangle
S18-T11S-R25E, Wyandotte County, Kansas
FIGURE - 2
1:24K TOPOGRAPHIC SURVEY

Location: SHAWNEE 7.5" Quadrangle
S18-T11S-R25E, Wyandotte County, Kansas
FIGURE - 3
1:24K TOPOGRAPHIC SURVEY

Location: SHAWNEE 7.5" Quadrangle
S18-T11S-R25E, Wyandotte County, Kansas
FIGURE 1: 1:24K TOPOGRAPHIC SURVEY

Location: SHAWNEE 7.5" Quadrangle
S18-T11S-R25E, Wyandotte County, Kansas
FIGURE - 5
1:24K TOPOGRAPHIC SURVEY

Location: SHAWNEE 7.5" Quadrangle
S18-T11S-R25E, Wyandotte County, Kansas

\ACS\projects\PROJECTS\010-0365_ENV\Supporting Materials\Spatial Data\EnvBaseMap.mxd
FIGURE - 7
1:24K TOPOGRAPHIC SURVEY - East Gateway

Location: SHAWNEE 7.5" Quadrangle
9-T12S-R25E, Johnson County, Kansas

\KCS\Projects\PROJECTS\010-0365\Supporting Materials\Spatial Data\MXD\EnvBaseMap.mxd
FIGURE - 8
LAND USE/ZONING - East Gateway

Source: Johnson County AIMS
Location: SHAWNEE 7.5" Quadrangle
S9-T12S-R25E, Johnson County, Kansas
FIGURE - 9
NATIONAL WETLAND INVENTORY - East Gateway

Source: USFW National Wetland Inventory
Location: SHAWNEE 7.5" Quadrangle
S9-T12S-R25E, Johnson County, Kansas
FIGURE - 10

100 YEAR FLOODPLAIN - East Gateway

Location: SHAWNEE 7.5" Quadrangle
S9-T12S-R25E, Johnson County, Kansas
October 5, 2009

Jonathan Polak, P.E.
Olsson Associates
7301 West 133rd Street, Suite 200
Overland Park, KS 66213-4750

Re: Regional Transit Corridors Capital Projects
Metcalf Avenue and Shawnee Mission Parkway Corridor
Olsson Associates Project No. 009-1538

Dear Mr. Polak:

Mr. Don Carlson, Bureau of Water has offered the following comments.

I have no objection to the proposal but offer the following comment for review and consideration:

Any construction activity which disturbs one acre or more is required to file a National Pollutant Discharge Elimination System (NPDES) permit application for stormwater runoff resulting from construction activities. The project owner (party responsible for the project) must obtain authorization from KDHE to discharge stormwater runoff associated with construction activities prior to commencing construction. The Kansas construction stormwater general permit, a Notice of Intent (application form), a frequently asked questions file and supplemental materials are on-line on the KDHE Stormwater Program webpage at www.kdhe.state.ks.us/stormwater. Answers to questions regarding or additional information concerning construction stormwater permitting requirements can be obtained by calling (785) 296-5549.

Sincerely,

Donna Fisher
Division of Environment
Director's Office

DGaf
October 2, 2009

Regulatory Branch
(2009-1555)

Mr. Jonathon Polak, P.E.
Olsson Associates
7301 West 133rd Street, Suite 200
Overland Park, Kansas 66213

Dear Mr. Polak:

This is in reply to your recent letter received on September 14, 2009 regarding the Metcalf Avenue and Shawnee Mission Parkway Regional Transit Corridor project. This project is located within both Overland Park, Kansas and Kansas City, Missouri from 119th Street and Metcalf Avenue to the Plaza area in Kansas City, Missouri.

The Corps of Engineers has jurisdiction over all waters of the United States. Discharges of dredged or fill material in waters of the United States, including wetlands, require prior authorization from the Corps under Section 404 of the Clean Water Act (Title 33 United States Code Section 1344). The implementing regulation for this Act is found at Title 33 Code of Federal Regulations Parts 320-332.

The information sent for our review and the map accompanying your letter does not indicate that the project will involve the placement of fill material within jurisdictional waters of the U.S. The discharge of dredged or fill material into waters of the United States exceeding 1/10 of an acre or involving the placement of fill within wetlands however requires notification to this office in accordance with the general conditions of the Nationwide Permit authorization. If fills exceeding these criteria are anticipated or planned, the verification of a Department of the Army (DA) permit may be required.

The location, quantity and type of fill materials placed within stream channels or wetlands must be provided for the Corps of Engineers to determine the type of authorization needed for the proposed project. However, if the proposed project does not require the discharge of dredged or fill material in any waters of the United States, including wetlands, a DA permit will not be required. Federal regulations require that a DA permit be issued by the Corps of Engineers prior to the initiation of any construction on the portion of a proposed activity which is within the Corps' regulatory jurisdiction.

We are interested in your thoughts and opinions concerning your experience with the Kansas City District, Corps of Engineers Regulatory Program. We have placed an automated version of our Customer Service Survey form at: http://per2.mwnp.usace.army.mil/survey.html At your request, we will mail you a paper copy that you may complete and return to us by mail or fax.

If you have any questions concerning this matter, please feel free to contact Mr. Brian Donahue at (816) 389-3703. Please reference application number 2009-1555 in all comments and/or inquiries relating to this project.

Enclosure
The Corps of Engineers is charged with the responsibility for protecting the public interest in waters of the United States. This is accomplished through a Department of the Army permit program. Under this program, most activities involving work in waters of the United States, including wetlands, require authorization from the Corps of Engineers. Individuals, companies, corporations, Federal and State agencies, and local governments planning construction activities in a stream, river, lake or wetland located within the jurisdictional boundaries shown on the map on the back of this information sheet, should contact the Kansas City District, U.S. Army Corps of Engineers, **BEFORE ANY WORK IS BEGUN**.

Because your proposed work may be subject to one or both of the following Federal Acts:

**Section 10 of the Rivers and Harbors Act of 1899** regulates any work or structure in, over, or under navigable waters of the United States. This includes such items as boat docks, boat ramps, powerlines, excavation, filling, etc.

**Section 404 of the Clean Water Act** regulates the discharge of dredged or fill material in all waters of the United States, including rivers, streams, lakes and wetlands. This includes work such as site development fills, causeways or road fills, dams and dikes, artificial islands, bank stabilization (riprap, seawalls and breakwaters) levees, landfills, fish attractors, mechanized clearing of wetlands, and certain types of excavation activities, etc.

**Get the Permit Before You Start Construction**

Department of the Army permits must be obtained prior to starting any work within the Corps' jurisdiction. Persons planning any construction activities in or near any water body should contact the Corps. Anyone proposing activities within the boundary area shown on the map located on the reverse side of this information sheet should write or call the appropriate Regulatory Field Office shown on the map or contact:

**Corps of Engineers, Kansas City District**
Regulatory Branch
700 Federal Building
601 East 12th Street
Kansas City, MO 64106
Telephone: 816-389-3990
FAX: 816-389-2032

Jonathan Polak, Project Engineer
Olsson Associates
7301 West 133rd St. Suite 200
Overland Park, KS 66213-4750

Dear Mr. Polak:

This letter responds to your correspondence, dated September 11, 2009 requesting comments concerning the Regional Transit Corridors Capital Project activities proposed for the Metcalfe/Shawnee Mission Parkway Corridor in Johnson County, Kansas. The United States Environmental Protection Agency (EPA) appreciates being notified of federally sponsored projects that are being evaluated for possible environmental impact.

In evaluating this action, I referred to EPA Region 7's SiteMapper database for spatial relationships of environmentally regulated facilities and remediation sites. Though they should not have an effect the proposed project, EPA would like to note there are six EPA regulated facilities for minor air emissions in or near the project area.

In addition, EPA would like to note that a small portion at the southern end of the project area falls within an area that is listed as an EPA Environmental Justice (EJ) area. This area is indicated as having a population of greater than 25% minorities. During the planning and implementation of the proposed project, please consider any impacts to potentially impacted populations, especially sensitive populations that include children, the elderly and persons with disabilities by taking proactive measures to minimize adverse effects. The enclosed map shows the results of these inquiries.

If you have any questions or require further assistance, you may contact me at 913-551-7565 or via e-mail at tucker.amber@epa.gov. You may also contact Joe Cothorn, NEPA Team Leader at (913) 551-7148 or via e-mail at cothorn.joe@epa.gov.

Sincerely,

Amber Tucker
NEPA Reviewer
Environmental Services Division

Enclosure
DEPARTMENT OF HEALTH AND ENVIRONMENT

Comments by: KDHE

Transmittal Date: October 5, 2009

This form provides notification and the opportunity for your agency to review and comments on this proposed project as required by Executive Order 12372. Review Agency, please complete Parts II and III as appropriate and return to contact person listed below. Your prompt response will be appreciated.

RETURN TO: Jonathan Polak, P.E.
Olsson Associates
7301 West 133rd Street, Suite 200
Overland Park, KS 66214-4750

PART I

REVIEW AGENCIES/COMMISSION

Aging
Agriculture
Biological Survey
Conservation Commission
Corporation Commission

Education
Geological Survey, KS
X Health & Environment
Historical Society
Social & Rehabilitation

State Forester
Transportation
Water Office, KS
Wildlife & Parks
Commerce

PART II

AGENCY REVIEW COMMENTS

COMMENTS: (Attach additional sheet if necessary) Re: Regional Transit Corridors Capital Projects, Metcalf Avenue and Shawnee Mission Parkway Corridor, Project No. 009-1538
Please see the enclosed comments submitted by Kathleen Bleach, Don Carlson, Randy Carlson and Glenna Drake.

PART III

RECOMMENDED ACTION COMMENTS

X Clearance of the project should not be delayed but the Applicant should (in the final application) address and clarify the question or concerns indicated above.

Clearance of the project should not be granted.
Clearance of the project should be delayed until the issues or questions above have been clarified.
Request a State Process Recommendation in concurrence with the above comments.

DIVISIONS/AGENCY/COMMISSION

Reviewer's Name: John W. Mitchell Date: October 5, 2009
Organization: John W. Mitchell, Director, Division of Environment
Kansas Department of Health & Environment
MEMORANDUM

TO: Donna Fisher

CC: Bob Jurgens, File — Pride Cleaners - 10330 Metcalf (C4-046-71311-2)
    Former Warren & Sons Cleaners (C4-046-72041-2)
    Pride Cleaners #31005 (C4-046-71672-2)
    Fashion Care Cleaners (C4-046-72009-2)
    Pride Cleaners 5924 Broadmoor (C4-046-71188-2)
    Duggins Laundry and Dry Cleaning (C4-046-71880-2)

FROM: Kathleen Bleach

DATE: September 30, 2009

RE: Intergovernmental Agency Review requested by Olsson Associates, for
    Metcalf/Shawnee Mission Parkway Corridor in the City of Kansas City, Kansas

The Kansas Department of Health and Environment (KDHE), Bureau of Environmental
Remediation (BER), Assessment and Restoration Section, Landfill Remediation Unit has six
known contaminated drycleaner sites within the vicinity of the proposed project. The Pride
Cleaners site is located at 10330 Metcalf Ave, in Overland Park. The Former Warren & Sons
Cleaners site is located at 9044 Metcalf Ave, in Overland Park. The Pride Cleaners #31005 site is
located at 5438 Johnson Dr, in Mission. The Fashion Care Cleaners site is located at 6620
Marrway St, in Mission. The Pride Cleaners site is located at 5924 Broadmoor in Mission. The
Duggins Laundry and Dry Cleaning site is located at 5918 Broadmoor in Mission.

KDHE-BER does not oppose construction near the sites of former city dumps. However,
KDHE-BER recommends that the construction of any facilities be located outside of the limits of
the buried solid wastes when possible. Should construction expose any wastes, the wastes
exposed must be transported to and disposed of in a KDHE approved landfill.

Staff from Olsson Associates are welcome to come view the KDHE-BER files in
accordance with the Kansas Open Records Act. If you have any questions, please contact me at
(785) 296-6377 or email kbleach@kdheks.gov.
October 5, 2009

Jonathan Polak, P.E.
Olsson Associates
7301 West 133rd Street, Suite 200
Overland Park, KS 66213-4750

Re: Regional Transit Corridors Capital Projects
Metcalf Avenue and Shawnee Mission Parkway Corridor
Olsson Associates Project No. 069-1538

Dear Mr. Polak:

Mr. Randy Carlson offers the following comment.

There are several private facilities with underground storage tanks sites along the described routes. The planners should cognizant of the location of these facilities in the event that construction activities impinge on these locations. The KDHE Storage Tanks section should be consulted for any issues encountered with the underground storage tanks.

Sincerely,

Donna Fisher
Division of Environment
Director's Office

RC:df
MEMORANDUM

To: Donna Fisher

From: Glenna Drake
BER/Remedial Section

CC: Rick Been, BER

Date: September 30, 2009

Re: Agency Review – Metcalf/Shawnee Mission Parkway Urban Corridor

Approved: Yes

Comments: Please note the following active identified sites in or near the project area. Groundwater and soil near these sites may be contaminated with volatile organic compounds (VOCs) or petroleum.

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<thead>
<tr>
<th>Project Code</th>
<th>Site Name</th>
<th>Contamination Type</th>
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<tbody>
<tr>
<td>C404672044</td>
<td>BOB SIGHT LINCOLN-MERCURY</td>
<td>Refined Petroleum</td>
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<tr>
<td>C404672257</td>
<td>CHEROKEE LAUNDRY &amp; DRY CLEANER</td>
<td>VOC</td>
</tr>
<tr>
<td>C404671880</td>
<td>DUGGINS LAUNDRY AND DRY CLEANING</td>
<td>VOC</td>
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<td>C404672009</td>
<td>FASHION CARE CLEANERS</td>
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<td>I-35&amp;635 BUSINESS CENTER</td>
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<td>C404671311</td>
<td>PRIDE CLEANERS - 10330 METCALF AVE</td>
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<tr>
<td>C404672041</td>
<td>WARREN &amp; SONS CLEANERS - FORMER</td>
<td>VOC</td>
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</tbody>
</table>

More information about KDHE Identified Sites can be viewed on our Identified Sites List website at http://www.kdheks.gov/remedial/isl_disclaimer.htm
October 14, 2009

Jonathan Polak, P.E.
Olsson Associates
7301 West 133rd Street, Suite 200
Overland Park, KS 66213

RE: Regional Transit Corridors Capital Projects/Metcalf Avenue and SM Corridor
   FWS Tracking # 2009-FA-0880

Dear Mr. Polak:

This is in response to your letter dated September 11, 2009, requesting comment on the proposed Metcalf Avenue and Shawnee Mission Corridor. The Metcalf Avenue and Shawnee Mission Parkway Corridor Bus Rapid Transit (BRT) project will incorporate passenger amenities at existing park and ride facilities, a traffic signal priority system, real-time signage, a new transit center to serve downtown Mission, 12 new transit stations and pedestrian access improvements. The proposed project is located throughout metro Kansas City, and includes Johnson County, Kansas and Jackson County, Missouri.

Based on review of the proposed action and the land uses on site, I conclude that no federally-threatened or endangered species are likely to be present in the project area.

Construction and operational activities should avoid wetlands, streams, and riparian woodlands to the maximum extent possible. All construction rights-of-way should be surveyed for the presence of marshes and other wetland habitat types. All disturbed riparian areas should be revegetated with native plants as soon as possible after the disturbance occurs. Species composition following revegetation should parallel that which existed prior to the disturbance.

If a permit from the Corps of Engineers is required, the USFWS will be given the opportunity to review the public notice on the proposed action and provide additional comments at that time. Section 404 guidelines require the sequence of avoidance of impacts, minimization of impacts and compensation for unavoidable impacts. When we review the public notice we will request information on alternatives considered, how the project avoided and minimized impacts to aquatic ecosystems, and the compensatory mitigation proposal, if one is required by the Corps.

The Migratory Bird Treaty Act prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Department of the Interior. Takings could result from projects in prairies, wetlands, stream and woodland habitats, and those that occur on bridges and other structures if swallow or
phoebe nests are present. While the provisions of MBTA are applicable year-round, most migratory bird nesting activity in Kansas occurs during the period of April 1 to July 15. However, some migratory birds are known to nest earlier than this (e.g., hawks and owls) and some later (e.g., goldfinches). If the proposed project appears likely to result in the take of migratory birds, I recommend a field survey during the nesting season of the affected habitats and structures to determine the presence of active nests. Our office should be contacted immediately for further guidance if a field survey identifies the existence of one or more active bird nests that you believe cannot be avoided temporally or spatially by the planned activities.

While the ESA has provisions for incidental take of listed species, the MBTA and the Bald and Golden Eagle Protection Act (BGEPA) do not. Regardless, it is understood that some birds may be killed even if all reasonable conservation measures are implemented. The Service’s Office of Law Enforcement carries out its mission to protect migratory birds through investigations and enforcement and through fostering relationships with individuals and industries seeking to eliminate their impacts to migratory birds. While it is not possible under the MBTA and BGEPA to absolve individuals or companies from liability by following these guidelines, enforcement will be focused on those individuals or companies that take migratory birds with disregard for the law and where no legitimate conservation measures have been applied.

Thank you for this opportunity to comment on the proposal. If we can be of any further assistance, please call Ms. Michele McNulty, of my staff, at 785-539-3474 ext. 106.

Sincerely,

Michael J. LeValley
Field Supervisor

cc: KDWP, Pratt, KS (Environmental Services)
September 14, 2009

Jonathan Polak  
Olsson Associates  
7301 West 133rd Street  
Overland Park, KS 66213-4750

RE: Regional Transit corridors Capital Projects; Metcalf Ave & Shawnee Mission Parkway Corridor

Dear Mr. Polak:

We have reviewed Olsson Assoc. Project No. 009-1538 Metcalf Avenue and Shawnee Mission Parkway Corridor involving the development of transit in the Kansas City metropolitan region in Wyandotte County. The project was reviewed for potential impacts on crucial wildlife habitats, current state-listed threatened and endangered species and species in need of conservation, and public recreation areas for which this agency has some administrative authority.

We note that the plan is to install a transit system along Metcalf and Shawnee Mission Parkway. We note that the adjacent lands to the development are all urbanized. Therefore we anticipate minimal impacts on native wildlife species. We concede to the proposal with a simple recommendation to implement standard erosion control BMP’s, temporary weed-free seeding/mulching to protect water quality during construction, minimize any / all further instream construction activities and the use of native grasses and forbs to permanently revegetate all areas disturbed by construction.

Results of our review indicate there will be no significant impacts to crucial wildlife habitats; therefore, no special mitigation measures are recommended. The project will not impact any public recreational areas, nor could we document any potential impacts to currently listed threatened or endangered species or species in need of conservation. No Department of Wildlife and Parks permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans. Since the Department’s recreational land obligations and the State’s species listings periodically change, if construction has not started within one year of this date, or if design changes are made in the project plans, the project sponsor must contact this office to verify continued applicability of this assessment report. For our purposes, we consider construction started when advertisements for bids are distributed.

Thank you for the opportunity to provide these comments and recommendations.

Sincerely,

David Bender, Ecologist  
Environmental Services Section

Ref: D2.0202  
Wyandotte  
Olsson Proj No. 009-1538  
Track: 20090411
Jonathan,

We received your letters initiating consultation for two projects in the Kansas City area. There are registered historic properties within the specified corridors. In such large corridors there is also great potential for National Register-eligible sites which are yet to be identified. At this point we do not have enough information to determine if historic properties will be affected by the projects. It does not appear from the descriptions provided that the projects will be particularly destructive as existing corridors are being used. Therefore our only comment at this time is that we would like to see more specific plans when they become available in order to determine if historic properties will be affected. Let me know if you need anything else at this time.

Best Regards,

--
Kimberly Norton Gant
Review & Compliance Coordinator
Kansas Historical Society
6425 SW 6th Avenue
Topeka KS 66615-1099
785.272.8681 ext. 225

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