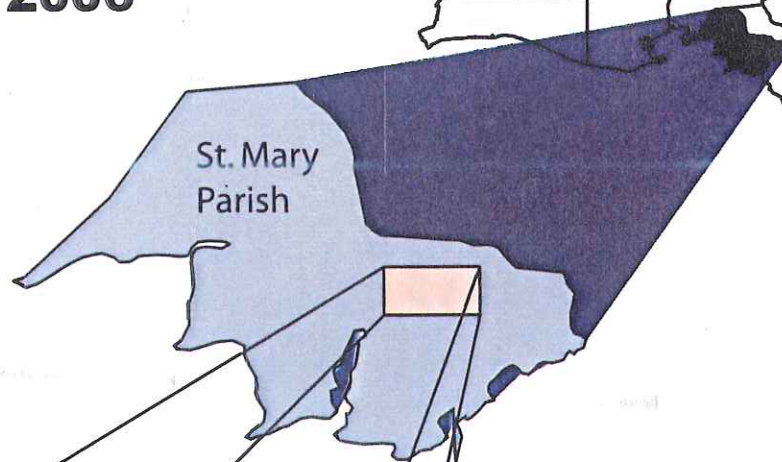
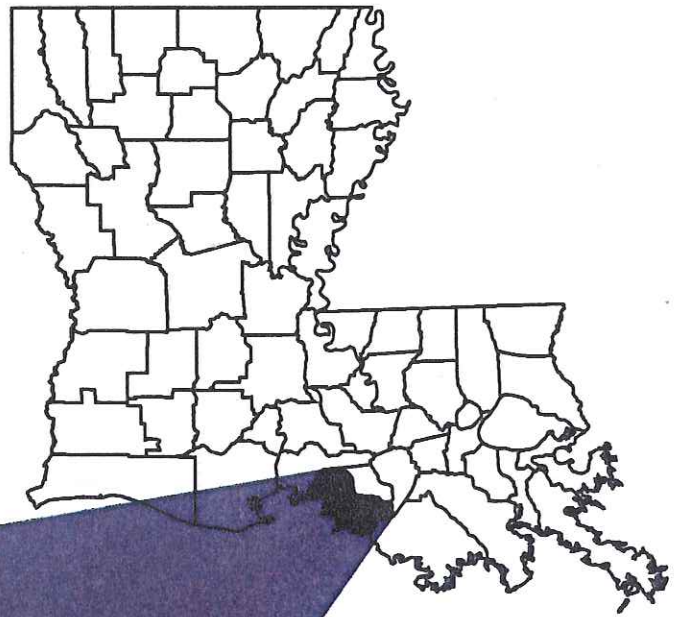


# Record Of Decision I-49 South Route US 90



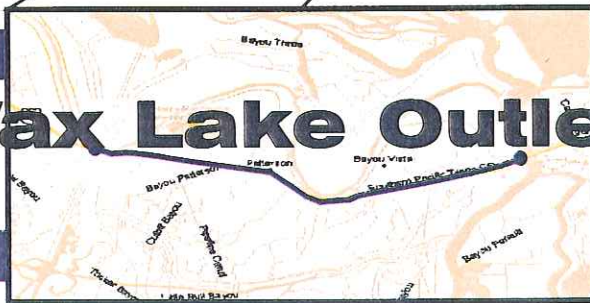
December 18, 2006



St. Mary  
Parish

Prepared For:  
The Louisiana Department of  
Transportation and Development

## Wax Lake Outlet to Berwick



Cooperating Agencies:  
U.S. Army Corps of Engineers  
U.S. Fish and Wildlife Service

FHWA-LA-EIS-06-01-F  
State Project No. 700-99-0230  
Federal Aid Project No. I-49-1(057)  
St. Mary Parish

begin provisions to preserve the I-49 additional required right-of-way, and, as funding becomes available, design and construction will be implemented.

## 2.0 Alternatives Considered

### 2.1 Alternatives History and Description

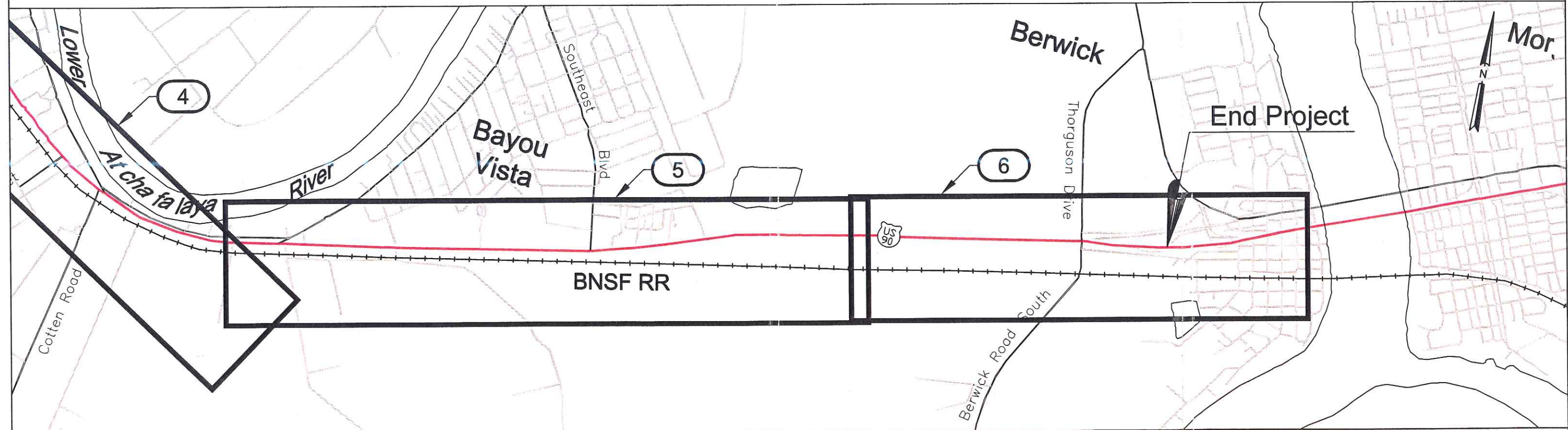
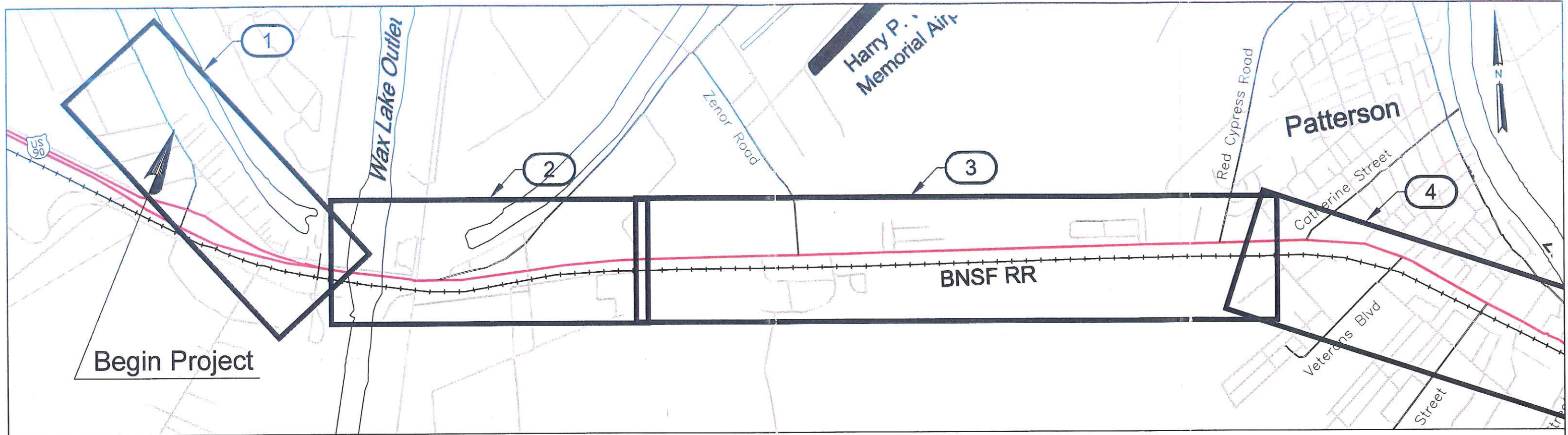
The Draft EIS for the segment of I-49 South extending approximately from Wax Lake Outlet to Berwick was prepared and distributed in April 2006. The Draft EIS considered only line and grade alternatives that upgraded the existing US 90 corridor to a control of access freeway. The corridor was divided into three subsegments designated X, Y, and Z from west to east. The subsegment limits were defined by specific sets of traffic, land use, and environmental issues that distinguish one from another.

This approach enabled the alternatives analysis to be highly flexible and to focus on specific corridor issues. Alternatives could be developed, refined, or eliminated in one subsegment while not affecting the same process in another subsegment. In all subsegments, it is proposed that the mainline highway would be a four-lane facility. Various frontage road concepts are utilized.

In Subsegment X, two build alternatives were developed. Alternate X-2 would provide a four lane mainline roadway with a two-way frontage road on the north extending its entire length east of the LA 182 Access Road East. There would also be a two-way frontage road on the south extending from the LA 182 Access Road East to the gas plants near Zenor Road. From there, the frontage road on the south would become an eastbound entrance ramp. Alternate X-2 would provide egress from the gas plants in both directions, a safety / plant emergency evacuation requirement. Alternate X-2 also would include the upgrade of LA 182 from the west side of Wax Lake Outlet to its intersection with the LA 182 Access Road West in Ricohoc utilizing an additional bridge over Wax Lake Outlet. The new bridge was included in response to comments received from the agricultural community, who otherwise would have to enter I-49 to cross Wax Lake Outlet with farm equipment. Also in response to concerns from this group, sufficient vertical clearance was provided under I-49 at LA 182 Access Road East to allow oversized farm equipment to pass under I-49.

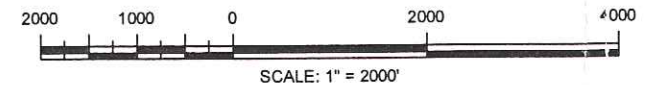
Alternate X-1, the other alternative considered in Subsegment X, did not satisfy the egress requirements from the gas plants.

In Subsegment Y, Alternates Y-1, Y-2, Y-3, and Y-4 were developed. Alternate Y-4 would continue the four lane mainline roadway with a two lane, two-way frontage road on the north side to Red Cypress Road. For the remainder of the Y-4, a four lane mainline roadway would be provided with two lane one-way frontage roads. In the Idlewild area, existing LA 182 would be used as the westbound frontage road. The mainline roadway would remain in the existing LDOTD right-of-way and would be on an elevated structure from approximately 1,000 feet west of Tiffany Street / Lipari Street to Universe Road. From Lassus Street to near Universe Road it would be aligned to the south within the existing right-of-way to improve conditions at railroad



**LEGEND**

12 PLATE NUMBER



**SELECTED ALTERNATIVE**

**PLATE MAP KEY  
PLATES 1 THRU 6**

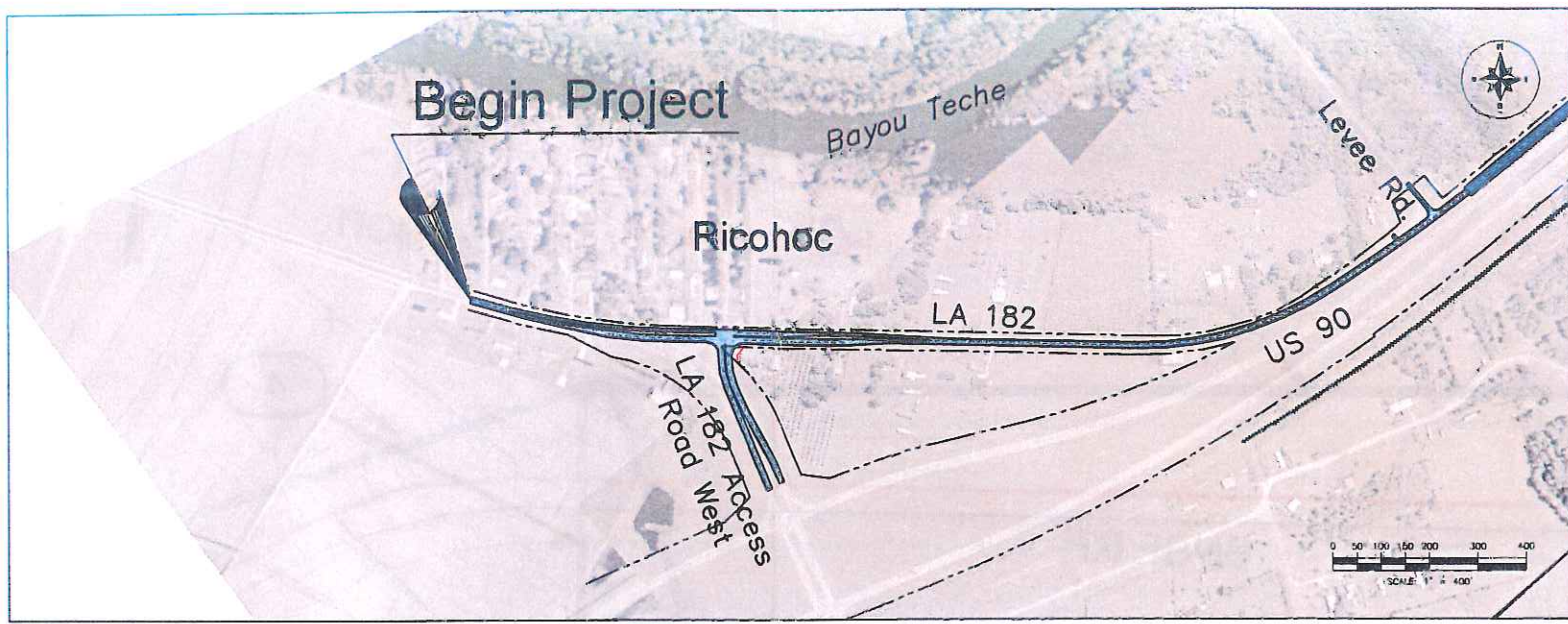


PLATE 1

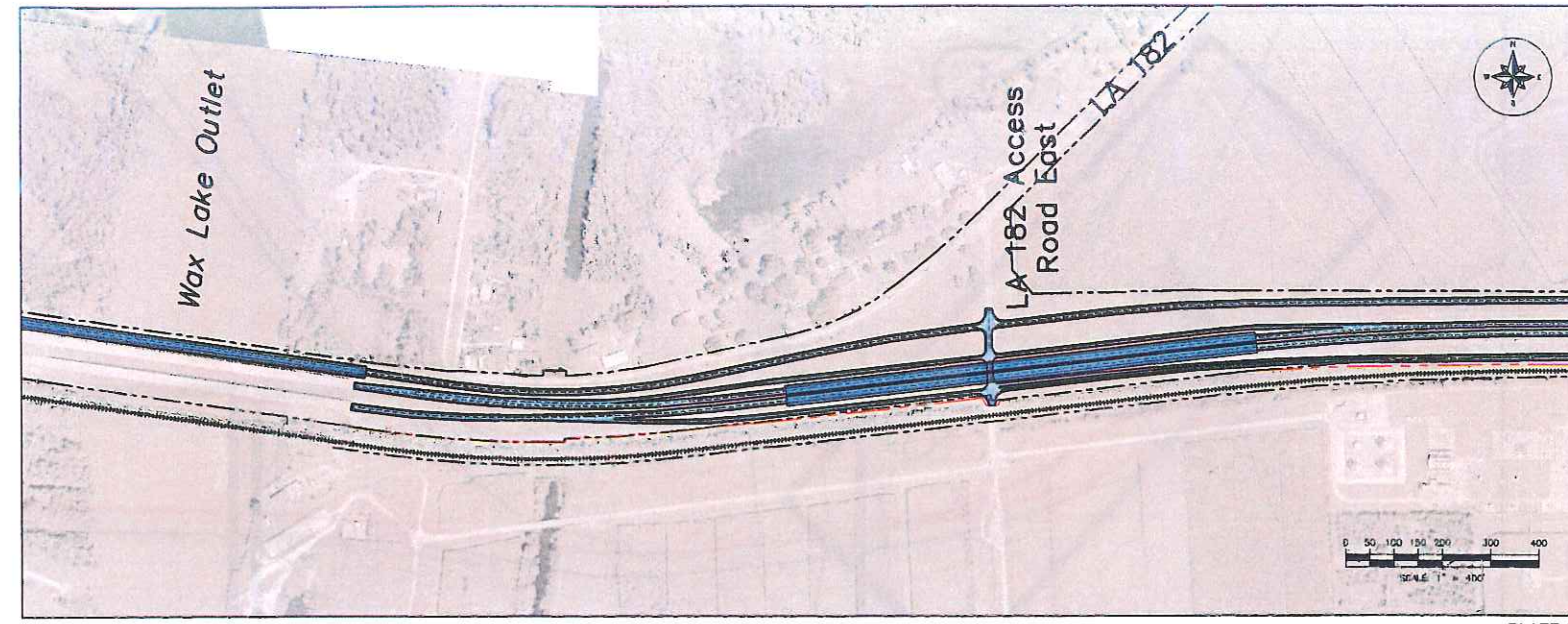


PLATE 2



PLATE 3

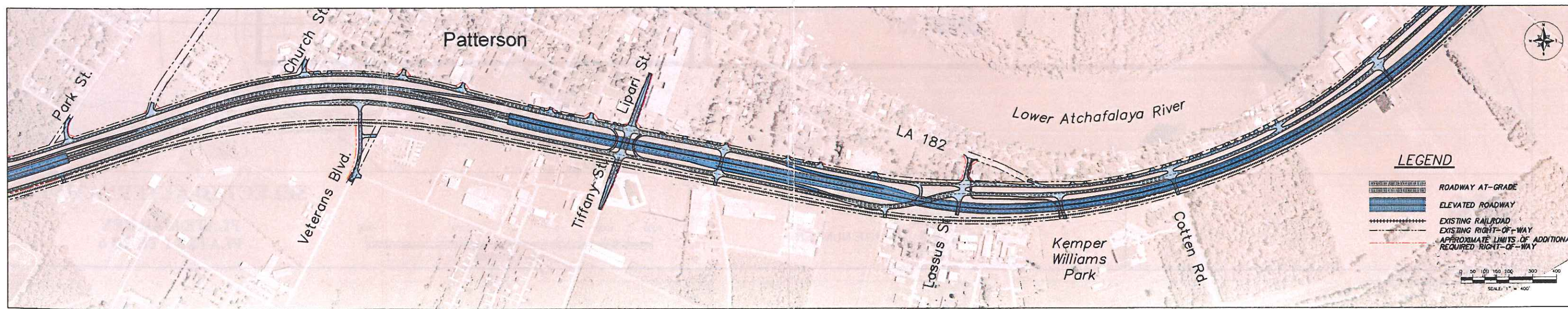


PLATE 4

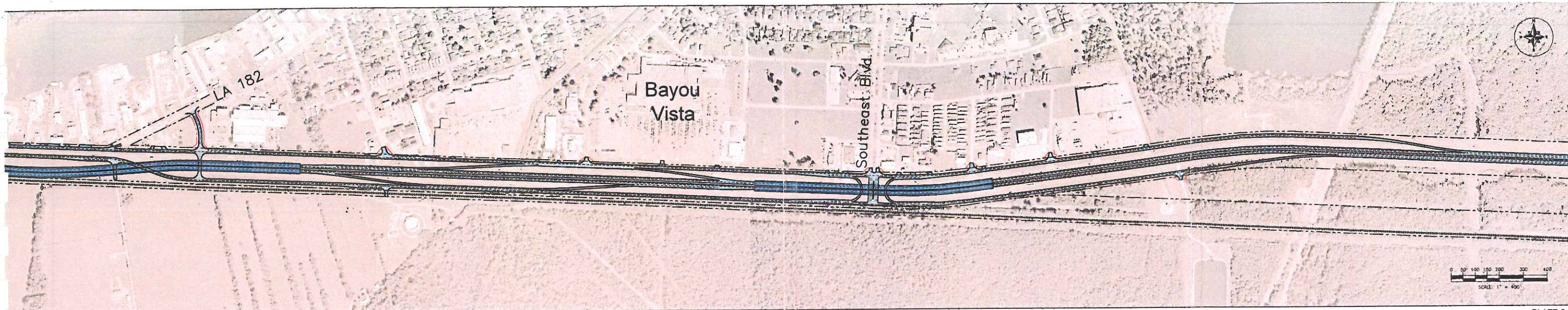


PLATE 5

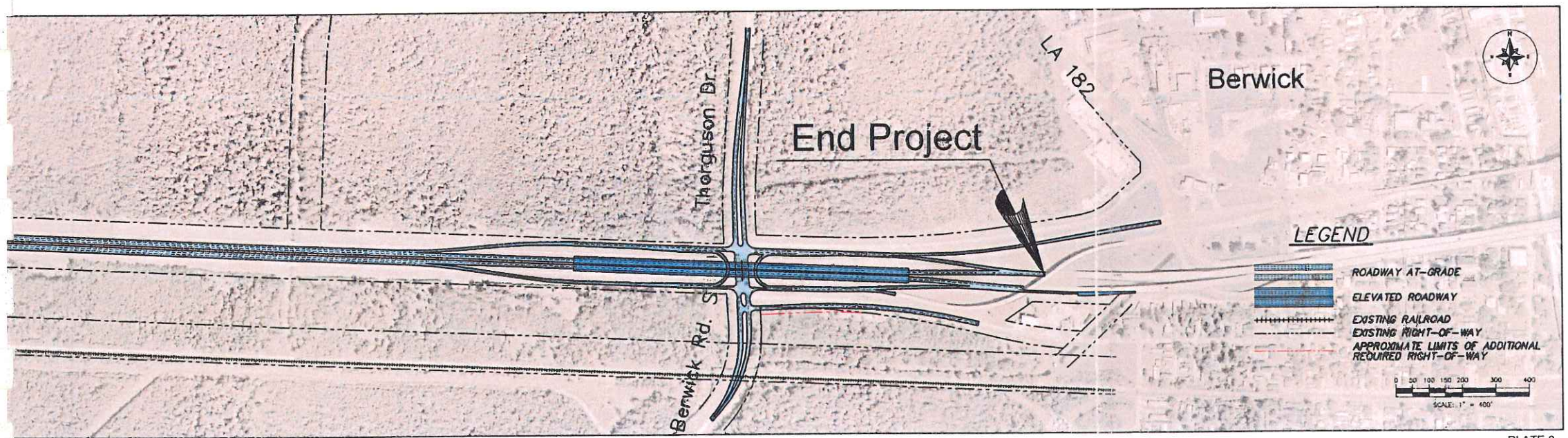


PLATE 6

RECORD OF DECISION  
I-49 SOUTH  
WAX LAKE OUTLET TO BERWICK

crossings and to reduce visual impacts on cultural resources. The frontage road in this area would be aligned on the northern side of the right-of-way. There would be interchanges at Red Cypress Road and Tiffany Street / Lipari Street.

Three additional alternatives were considered. These included Alternate Y-1 with the mainline realigned to the south of the existing right-of-way and the railroad, Alternate Y-2 with the mainline at grade, and Alternate Y-3 with the mainline elevated but in the center of the right-of-way. Based on comments received and regulatory restraints, these alternatives were eliminated.

In Subsegment Z, two alternatives were developed. Alternate Z-1 would provide only the mainline interstate highway. No frontage roads would be included within Berwick west of Thorguson Drive. Also, control of access would be maintained between Thorguson Drive and LA 182 to the east of Thorguson Drive. This limitation of access to properties abutting the Future I-49 was intended to discourage development of land that may be wetlands with habitat value for various species, including the Louisiana black bear (*Ursus americanus luteolus*).

The Town of Berwick expressed a number of concerns relating to Alternate Z-1. These included:

- Emergency Preparedness – Officials expressed concern that there be some form of bypass available should an incident occur on the main line interstate. The Town requested that frontage roads be included in the proposed action for Future I-49.
- Consistency with local plans – Berwick officials considered the undeveloped forested areas north of existing U.S. 90 to be prime sites for future development. This is reflected in their thoroughfare plan, which includes a new four-lane roadway connection between LA 182 and U.S. 90 (Future I-49). The new roadway is designated Pattie Drive.

Also, the Louisiana Office of Emergency Preparedness expressed a concern that frontage roads be included in the alternate to provide additional capacity during hurricane evacuation situations.

Alternate Z-2 was developed in response to these comments. Alternate Z-2 would provide a westbound one-way frontage road on the north side of the mainline. Because it would provide for an intersection with Pattie Drive, Alternate Z-2 is consistent with the Berwick thoroughfare plan. It also responds to the noted comments from the Louisiana Office of Emergency Preparedness. Alternate Z-2 also differs from Z-1 in that it would allow for the properties located to the east of Thorguson Drive on the north side of Future I-49 to directly access the frontage road.

Berwick officials requested that two-way frontage roads be included as part of Future I-49 both to the north and to the south of the Future I-49 mainline. In particular they were concerned that local trips to/from Bayou Vista be able to be accomplished without requiring that vehicles enter onto the Future I-49 mainline.

In response to these comments, the proposed roadway geometry was revised. Without major revisions to the project involving substantial taking of additional right-of-way at both the Southeast Boulevard and the Thorguson Drive interchanges, it was

not possible to provide for two-way frontage roads through Berwick. However, an additional travel lane in each direction is included on the Future I-49 mainline between the noted interchanges. These lanes would allow vehicles to travel between Bayou Vista and Berwick without entering the main stream of Future I-49 traffic.

Alternate Z-1 and Alternate Z-2 differ in the frontage road access they would provide to abutting properties. The additional access to abutting properties as provided in Alternate Z-2, especially west of Thorguson Drive, would support secondary development on land that may be wetlands with habitat value for various species, including the Louisiana black bear. Both alternatives were carried forward for consideration in the Draft Environmental Impact Statement to provide the opportunity to comment.

In consideration of all comments and having made the provision for an extra travel lane for local travel on I-49 South between Southeast Boulevard and Thorguson Drive, the LDOTD and FHWA selected Alternate Z-1 because there is currently no planned development for the land north of the proposed I-49 in Berwick. The Selected Alternative would not prohibit future construction of a frontage road.

The LDOTD would commit to constructing the frontage road contingent on:

- The property abutting the right-of-way on the north receiving development rights from the Town and the regulatory agencies;
- The property owners demonstrating the commitment for the development to occur; and
- The frontage road receiving environmental approval from FHWA.

In the development of alternatives, the requirements of 23 CFR 771.111(f) state that the project must:

- Connect logical termini,
- Have independent utility, and
- Not restrict the consideration of future transportation alternatives.

The proposed project meets these requirements. It has logical termini and independent utility, and it does not restrict consideration of other transportation improvements in the area.

The project limits were defined on the merits of two complementary purposes, namely to further the development of I-49, and to address local traffic demand and safety issues on a discrete section of US 90. The project would connect two adjacent pieces of Future I-49, one extending from LA 88 to Wax Lake Outlet, the other extending from the Lower Atchafalaya River to Bayou Lafourche. The roadway between the Atchafalaya River and Bayou Lafourche has already been upgraded to interstate standards. West of Wax Lake Outlet, as part of the overall upgrade of US 90 to interstate standards, a new overpass is being planned as a separate project at LA 182 Access Road West.

Regardless of other I-49 initiatives, the project limits have been defined by traffic volumes and capacity requirements that result from regional growth and a need to enhance hurricane evacuation capabilities. The local traffic demand and safety



concerns affirm the project's logical termini and demonstrate the independent utility of the project.

The project is demonstrated to meet logical termini and have independent utility as it meets the following components of the Purpose and Need:

- System Linkage – Via I-49 the State of Louisiana would continue to implement a major transportation system linkage improvement that serves a substantial portion of the State's population and economy. The improvement is consistent with federal, state and local planning efforts.
- Hurricane Evacuation - The State would upgrade a critical corridor utilized for hurricane evacuation with demonstrated benefits in evacuation clearance times.
- Safety – The existing US 90 corridor currently experiences motorist safety problems consequent to intersection conflicts, high traffic volumes, and roadway geometry. This project would convert existing US 90, operating as an urban roadway, to I-49 operating as a control of access facility. The change in roadway geometry would reduce the potential for future accidents.

The Final EIS contains an adequate detailed statement of the following: description of the proposed project; need for the project; alternatives; affected environment; environmental consequences; and comments and coordination.

The Draft and Final EIS's have been coordinated with appropriate local, state and federal agencies and also made available for public comment and at the Public Hearing for the DEIS held on May 2, 2006. The comments received have been addressed in the Final EIS and this ROD.

## 2.2 Selected Alternative

The Selected Alternative for the Wax Lake Outlet to Berwick corridor consists of a series of alternatives by subsegment. These include the following alternatives as presented in the Public Involvement Program considered as a combined route:

- Alternate X-2, including the upgrade of a segment of LA 182 with a crossing of Wax Lake Outlet.
- Alternate Y-4, including interchanges at Red Cypress Road and Tiffany Street / Lipari Street.
- Alternate Z-1, including interchanges at Southeast Boulevard and Thorguson Drive/Berwick Road South. An additional travel lane in each direction is included on the Future I-49 mainline between the noted interchanges.

Chapter 2 of the Final EIS contains additional information regarding project alternatives.

The Selected Alternative decision represents a balance of impacts in which certain factors were weighted against others in reaching a decision. The factors that stand out as the most favorable regarding the Selected Alternative are summarized below:

- The Selected Alternative addresses concerns of the agricultural community regarding farm equipment access across Wax Lake Outlet as well as access to fields located north and south of I-49.

2. Exhibit a graphic display advising and educating motorists of the presence of Louisiana Black Bears and the potential for collision for at least one month (November) each year for at least the first five years following the completion of the facility.
3. Consider, in consultation with USFWS, during the design phase of the project, the installation of fences and reducing posted speed limits for at-grade portions of the facility.
4. Contact the USFWS Lafayette Field Office at least once per year following the completion of the facility to obtain information about bear mortality rates due to collisions. This bear mortality monitoring will occur for at least nineteen years after the completion of the project.
5. Consult USFWS to evaluate habitat restoration efforts and determine the need and potential for additional bear conservation measures before initiating the design phase of the project.

The discretionary Conservation Recommendations propose that FHWA and LDOTD consider, in consultation with USFWS:

1. The installation of large mammal/bear crossings where there is the probability of the persistence of suitable bear habitat and landowner and public acceptance.
2. If crossings are installed, fences directing bear movements to the crossings should be installed.
3. Replace suitable bear habitat lost by direct project impact at a ratio of restored to lost acreage of not less than 1 to 1.

In addition to these Terms and Conditions and Conservation Recommendations, FHWA and LDOTD will undertake public involvement during the design phase regarding bear crossings.

### **3.5 Geology, Topography, Soils, and Prime Farmland**

Cut and fill operations will be minimized, as practicable, to meet grade and level requirements set forth by Federal Highway Administration (FHWA) and LDOTD. Design and construction activities will incorporate best management practices (BMP) to prevent future erosion. BMP's used during construction and development activities include temporary soil erosion control measures, permanent control measures, and low-impact land use practices. During the design phase of the project, consideration will be given to limiting the amounts of impervious surfaces created, preservation of stream buffers and sensitive areas such as natural wetlands and riparian corridors, limiting disturbance of soil and vegetation, and maintaining the natural infiltrative capacity of an area.

### **3.6 Hazardous Waste Sites**

Mitigation for hazardous materials is not anticipated at any locations within the project study area.

However, two sites were identified for further review:

- Circle K Store # 870 – This site has been completely cleared of all buildings and structures. The records indicate that the Underground Storage Tanks (USTs) were

removed in 1996. BTEX contamination was found in the groundwater and an active remediation effort persists at the site. As conditions relating to hazards contamination mitigate over time, a further review of the site conditions is recommended prior to roadway design and construction.

- The Patterson Bait Shop - A field investigation indicated the apparent removal of USTs at the site. As the records search could not verify the regulatory status of the removal, further review of records is recommended prior to design and construction.

LDOTD policies and procedures relating to hazards mitigation will be followed throughout the implementation of the proposed action.

### **3.7 Aesthetics**

Landscaping would be included where feasible in accord with LDOTD design standards contingent upon a local entity assuming responsibility for maintenance...

### **3.8 Cultural Resources**

If the currently proposed right-of-way is relocated, and that relocation involves Sites 16SMY84 and/or 16SMY86, the following work will be undertaken:

- Site 16SMY84: If this site is involved, additional investigation must be undertaken to determine the nature and extent of cultural remains.
- Site 16SMY86: If this site is involved, Locus I, archaeological data recovery must be undertaken.

### **3.9 Impacts to Transportation Patterns**

#### **3.9.1 Vehicular Access to Businesses and Residences**

Properties impacted by control of access will be compensated in accord with LDOTD policies and procedures.

#### **3.9.2 Bicycle and Pedestrian Facilities**

A joint use bicycle and pedestrian path meeting the standards of the Americans with Disabilities Act is proposed as part of this project. The path would connect Main Street in Patterson to Kemper Williams Park (see Exhibits 4-3A and 4-3B). Construction of the path would be contingent upon a local sponsor committing to satisfy any responsibilities required by the BNSF Railroad including maintenance of the warning devices.

### **3.10 Construction Impacts**

#### **3.10.1 Traffic and Circulation**

Construction sequence, traffic maintenance criteria, and plans will be developed as part of final design to coordinate construction activities and ensure continued access to all properties. Needs for special considerations will be identified and addressed.

### **3.10.2 Air Quality**

Standard erosion control strategies, including transport of materials in tarpaulin-covered trucks, and selected wetting of soils within the construction zone would minimize airborne particulate matter. Any burning of material would be undertaken according to relevant local laws and ordinances. Appropriate traffic control plans serve to limit localized concentrations of emissions during construction.

### **3.10.3 Noise**

Construction equipment that is operated with internal combustion engines would be properly muffled to minimize noise production. Shielding of stationary noise sources such as generators with temporary barriers would occur. As appropriate, construction noise abatement measures referenced in Section 107.15 of the *Louisiana Standard Specifications for Roads and Bridges*, and the FHWA Technical Advisory T 6160 2, dated March 13, 1984, would be utilized.

### **3.10.4 Utilities**

Specific relocation plans would be developed during the final design phase of the Selected Alternative and would be completed prior to construction of the improvements. Functional or financial responsibility for relocation of a specific facility or line may differ depending on prior agreements between the utility providers, current landowners, local government, and LDOTD. The determination of responsibility would be in accordance with LDOTD policies and procedures.

### **3.10.5 Geology, Topography, Soils, and Prime Farmland**

In compliance with the US Environmental Protection Agency's stormwater quality guidelines, BMP for soil erosion and sediment control would be implemented during construction to reduce impacts caused by construction of the project. These measures may include the use of sediment barriers, temporary and permanent vegetative cover for soil stabilization, dust control, and the use of riprap for the protection of soils from the erosive forces of water.

### **3.10.6 Cultural Resources**

During construction, if cultural remains are discovered, work must cease at that location pending consultation with the SHPO. Mitigation for unavoidable adverse effects to cultural resources must be identified in a Memorandum of Agreement between the LDOTD, the FHWA, the SHPO, and the Advisory Council on Historic Preservation

### **3.10.7 Hazardous Waste Sites**

If areas of hazardous waste contamination are encountered during the construction of the Selected Alternative, construction will immediately be stopped and the policies and procedures of LDOTD's Policy and Procedure Manual No. 48 (Underground Storage Tank and Contaminated Site Policy and Procedures) will be implemented.

### **3.10.8 Navigation**

The closures of the channel would be coordinated with the USCG and disclosed in the permit processes with the USCG and the USACE during final design and incorporated in the construction documents.

### **3.11 Cumulative Impacts**

To minimize potential cumulative impacts to black bear habitat, the LDOTD will consider the non-discretionary Conservation Recommendations of Section 7 consultation presented in Section 3.4 above.

### **3.12 Community Disruption**

The construction of I-49 was identified as potentially creating community disruption in five instances. To avoid this potential disruption, steps were taken in the conceptual design of the roadway as described below.

#### **3.12.1 Wax Lake Outlet Crossing**

Farmers indicated an ongoing requirement to move "slow-moving" farm equipment from one side of Wax Lake Outlet to the other. If the existing US 90/LA 182 bridge crossing of Wax Lake Outlet is designated for use as part of Future I-49, farmers would be prohibited from using that route to move their equipment, except by permit.

To avoid the disruption that would result, the project limit on the west was extended to include a new bridge crossing over Wax Lake Outlet to the current connection of LA 182 Access Road West and US 90. Future I-49 would use the existing Wax Lake Outlet crossing and LA 182 would be re-routed across the proposed Wax Lake Outlet bridge.

#### **3.12.2 Access to Industrial Plants located south of the BNSF Railroad**

Operators of the gas plants located to the south of the BNSF Railroad expressed concern regarding the access/egress provided by initial plans as presented in Alternate X-1. The operators documented their need to maintain for safety purposes the existing access/egress flow characteristics to/from the gas plants located south of Zenor Road.

To avoid the disruption that would result, Alternate X-2, which is part of the Selected Alternative, was developed. The Selected Alternative maintains the current access/egress flow characteristics to the plants.

#### **3.12.3 Clearance Under the Mainline Future I-49 Structure at LA 182 Access Road East.**

At the June 2001 Public Meeting a concern was expressed relating to the proposed vertical clearance associated with the mainline Future I-49 structure, which passes over the LA 182 Access Road East. The proposed vertical clearance was 16.5'. Farmers requested that the clearance be raised to 18' so that their farm equipment could pass unimpeded under the mainline roadway.

To avoid the disruption that would result, the LDOTD established a 17' vertical clearance over LA 182 Access Road East for the mainline structure. LDOTD further agreed to provide a bypass route under the mainline structure with a clearance of 18' to accommodate the movement of farm equipment.

### **3.12.4 Access Throughout Patterson and Bayou Vista**

Patterson and Bayou Vista are residential communities that already experience traffic circulation problems associated with local roadway crossings of the BNSF Railroad. There are also commercial areas along US 90, which must be served. North/south traffic circulation may be further affected by the conversion of US 90 to Future I-49.

Actions taken as part of the Selected Alternative to mitigate potential community disruption impact include:

- Elevation of the Future I-49 mainline roadway – The mainline of Future I-49 is elevated throughout Patterson to allow for a continuous connection between local north/south roadways. The length of the mainline structure was extended during the planning process in response to local concerns.
- Boulevard roadway in the vicinity of the Idlewild area – In the Idlewild area, the alignment of the elevated mainline roadway is shifted to the southern edge of the existing right-of-way. The frontage road in both directions shifts to the northern edge of the right-of-way and incorporates LA 182 as the westbound frontage road. This shift in alignment creates a separation between the mainline structure and the developed areas and creates an urban boulevard in scale with adjacent properties.

### **3.12.5 Access Between the Town of Berwick and the Bayou Vista Community**

Residents and business owners in both Berwick and Bayou Vista expressed concerns that travel between the areas would require use of a high speed freeway. To avoid the need for these local trips to weave into and out of the through lanes of a freeway, an auxiliary lane has been provided in each direction between the Thorguson Drive interchange and the Southeast Boulevard interchange.

## **4.0 Monitoring and Reporting**

LDOTD will monitor the project implementation to assure conformance with project commitments.

## **5.0 Comments on the Final EIS**

This portion of the ROD includes comments received by the LDOTD on the Final EIS for the I-49 Wax Lake Outlet to Berwick Project. The Final EIS was approved by the FHWA September 25, 2006. A Notice of Availability requesting comments on the Final EIS was published in the Federal Register with a comment due date of November 27, 2006.

One comment, submitted by the Federal Emergency Management Agency (FEMA) Region 6 was received on October 13, 2006, in response to the publication of the Final EIS. A copy is found in Appendix A.

The comment is the same as the one submitted by FEMA on March 31, 2006, in response to the publication of the Draft EIS. It asks that the local Floodplain Administrator be contacted for the review and possible permit requirements for the project.

The response, as found on page 5-77 of the Final EIS, is that a copy of the Draft EIS was distributed to Mr. Carol Vinning, the St. Mary Parish Floodplain Administrator as is indicated in the List of Recipients, DEIS, which is included in the Appendices to Chapter 5 of the Draft EIS.

In a telephone conversation on June 14, 2006, it was determined that he had no comments regarding floodplain issues. He requested, however, that the project consider street lighting in the urbanized areas. The determination of locations for highway lighting is typically made during the design phase.

## 6.0 Record of Decision Approval

Based on the analysis and evaluation contained in the proposed project's Final Environmental Impact Statement; after careful consideration of all the identified social, economic, and environmental factors and input received from officials representing other agencies, organizations and the public; and the factors and project commitments and mitigation measures outlined above, it is the decision of the FHWA to approve the Selected Alternative as described below:

- Alternate X-2, including the upgrade of a segment of LA 182 with a crossing of Wax Lake Outlet.
- Alternate Y-4, including interchanges at Red Cypress Road and Tiffany Street/Lipari Street.
- Alternate Z-1, including interchanges at Southeast Boulevard and Thorguson Road/Berwick Road South. An additional travel lane in each direction is included on the Future I-49 mainline between the noted interchanges.

January 16, 2007

Date



Wes Bolinger

Louisiana Division Administrator

Federal Highway Administration

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## **APPENDIX A**

I-49 South  
Route US 90  
Wax Lake Outlet to Berwick

Comments Received in Response  
to the  
Publication of the Final EIS



U. S. Department of Homeland Security  
FEMA Region 6  
800 North Loop 288  
Denton, TX 76209-3698



**FEMA**

FEDERAL EMERGENCY MANAGEMENT AGENCY  
REGION VI  
MITIGATION DIVISION

**PUBLIC NOTICE REVIEW/ENVIRONMENTAL  
CONSULTATION**

---

We have no comments to offer.       We offer the following comments:

**WE WOULD REQUEST THAT THE LOCAL FLOODPLAIN ADMINISTRATOR BE  
CONTACTED FOR THE REVIEW AND POSSIBLE PERMIT REQUIREMENTS FOR  
THIS PROJECT.**

---

REVIEWER: MITIGATION DIVISION

DATE: 10/13/2006



KATHLEEN BABINEAUX BLANCO  
GOVERNOR

STATE OF LOUISIANA  
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

P.O. Box 94245  
Baton Rouge, Louisiana 70804-9245

www.dotd.louisiana.gov  
(225) 242-4502



JOHNNY B. BRADBERRY  
SECRETARY

October 9, 2006

STATE PROJECT NO. 700-99-0230  
F.A.P. NO. I-49-1(057)  
WAX LAKE OUTLET TO BERWICK  
ROUTE: US 90 SOUTH  
ST MARY PARISH

2006 OCT 13 P 12:58

RECEIVED  
FEMA REGION VI

Mr. Greg Solvey  
FEMA Region VI  
800 North Loop 288  
Denton, Texas 76201

SUBJECT: Final Environmental Impact Statement

Dear Mr. Solvey:

Pursuant to the National Environmental Policy Act of 1969, and in accordance with the Council on Environmental Quality for implementing the Act, we are transmitting one copy of the subject Environmental Impact Statement (FEIS).

Any comments you wish to make on the document should be furnished to this office on or before November 27, 2006. If we can be of further assistance, please call Ms. Jan Grenfell at (225) 242-4502.

Sincerely,

*for* Noel Ardoin  
Assistant Environmental Engineer

NA/do  
Enclosure