

April 2012

RECORD OF DECISION

INTERSTATE 69 SECTION OF INDEPENDENT UTILITY NUMBER 14



FHWA-LA-EIS-05-01-F
Louisiana State Project No. 736-99-1032
Louisiana State Project No. H.006447.2
Arkansas State Project No. 070212
Federal Aid Project No. CBI-9901(516)
Junction I-20 near Houghton, LA to US 82 near El Dorado, AR
Route I-69
Bossier, Claiborne and Webster Parishes, Louisiana
Columbia and Union Counties, Arkansas



Federal Highway Administration



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RECORD OF DECISION

INTERSTATE 69 Section of Independent Utility Number 14

US Department of Transportation - Federal Highway Administration,
 Louisiana Department of Transportation and Development
 Arkansas State Highway and Transportation Department
 FHWA-LA-EIS-05-01-F
 Louisiana State Project No. 736-99-1032
 Louisiana State Project No. H.006447.2
 Arkansas State Project No. 070212
 Federal Aid Project No. CBI-9901(516)
 Junction I-20 near Haughton, LA to US 82 near El Dorado, AR
 Bossier, Claiborne and Webster Parishes, LA
 Columbia and Union Counties, AR

1.0 DECISION

This Record of Decision (ROD) approves the selection of the Preferred Alternative (PA), Alternative 4 with Option 3, for the Section of Independent Utility Number 14 (SIU 14) of Interstate 69, as described in the *Final Environmental Impact Statement (EIS)* issued August 31, 2011 for this project. The *Final EIS* studied the proposed construction of a four-lane, divided, fully controlled access freeway with local access frontage roads, as necessary, on new location, approximately 70 miles in length between Interstate 20 near Haughton, Louisiana (LA) and US Highway 82 near El Dorado, Arkansas (AR). The Notice of Availability for the *Final EIS* was published in the *Federal Register* on September 30, 2011 (see **Appendix A**).

The project area, depicted in **Figure 1-1** as SIU14, is part of the National Interstate 69 (I-69) Corridor and represents one section of the I-69 Corridor connecting Port Huron, Michigan, to the border between Texas and Mexico. This project would provide a new interstate highway in southern AR and northwestern LA where one does not currently exist, enhancing economic development and providing significantly improved transportation service in this economically challenged region.

The selection of the PA is conditioned upon compliance with mitigation, commitments, permits, and certifications described in the *Final EIS* (Page S-12). This decision is based on analyses contained in the *Draft EIS* issued in May 2005, the *Final EIS*, the comments from federal and state agencies, members of the public, elected officials, and other information in the record in this matter.

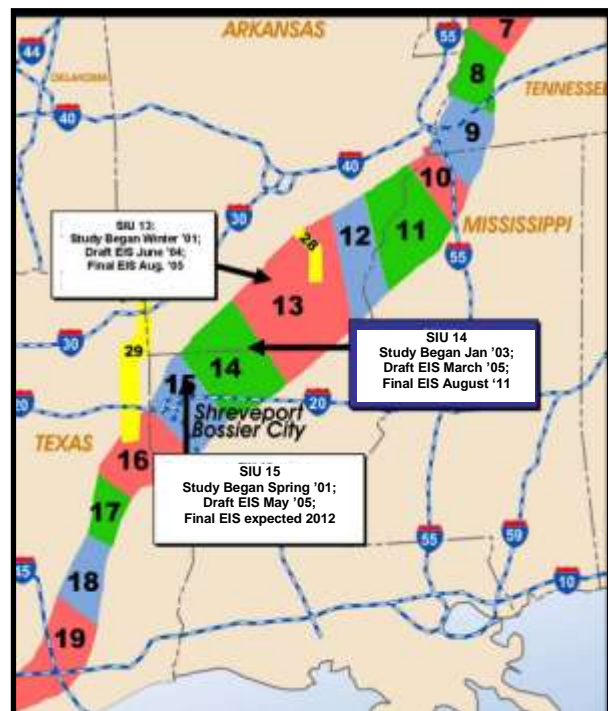


Figure 1-1: SIU Status

2.0 COMPLIANCE WITH FEDERAL HIGHWAY ADMINISTRATION, ENVIRONMENTAL IMPACT AND RELATED PROCEDURES

2.1 Compliance

The proposed project meets the requirements set forth in 23 CFR 771.111(f), that states the project must:

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

The project limits were defined to further the development of I-69, to address local traffic demand and safety issues. The *Final EIS* contains adequate detailed statements of the proposed project, need for the project, alternatives, affected environment, environmental consequences, comments, and coordination.

Both the *Draft* and the *Final EIS* were coordinated with appropriate local, state, federal, and tribal agencies and also made available for public comment and at the Public Hearing for the *Draft EIS* held on May 10, 11, and 12, 2005. The comments received have been addressed in the *Final EIS*.

2.2 Purpose and Need

Previous studies completed for the national I-69 Corridor have demonstrated that extending I-69 from Indianapolis, through Memphis, Bossier City and Houston to the Mexican border in the Lower Rio Grande Valley is a feasible project. Nationwide needs that will be addressed by SIU 14 include movement of goods, economic development, and system linkage between major origins and destinations. Completing the I-69 trade corridor addresses directives of legislation associated with the I-69 Corridor, as well as federal and state legislation.

Locally, within the SIU 14 study area, the project will fulfill several national and local needs, including:

- **Economic Development** – Facilitating economic activity by reducing intra- and inter-regional shipping costs, improving access to regional land suitable for development, improving access to the regional employment base, and diverting traffic to the region.
- **System Linkage and Goods Movement** - Improving connectivity and accessibility of AR and LA communities and industry located within the project corridor to the National Highway System (NHS). Additionally, SIU 14 will provide for efficient movement of people and goods inside the project corridor between regional origin-destination pairs.
- **Intermodal Connectivity** – Improving accessibility to existing truck, maritime port, rail, and air shipment activities in the region, resulting in more efficient intermodal connections.
- **Safety** – Reducing the potential for accidents that result in property damage, hazardous spills, injuries, and/or fatalities.

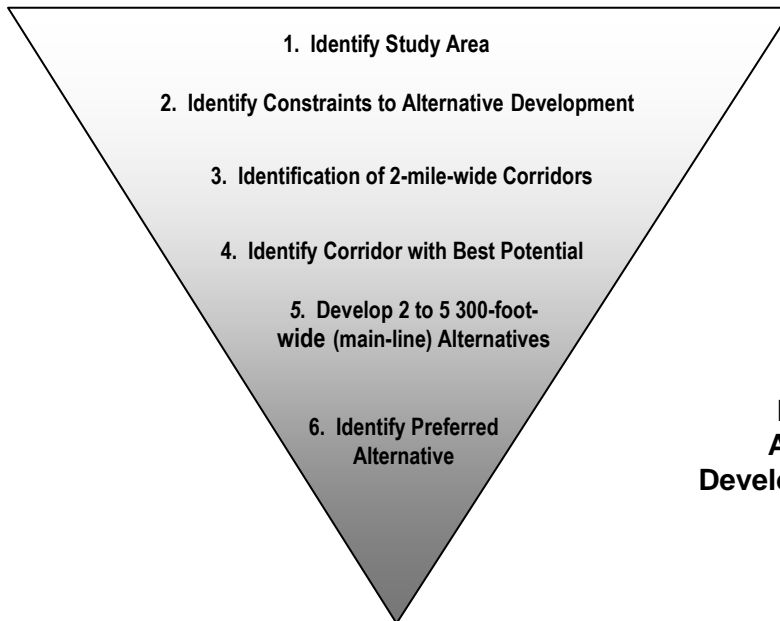
Economic development is a need for the study region recognized by both the public and agencies. The US Department of Housing and Urban Development (USHUD) created the North Louisiana Rural Renewal Zone (RRZ) to attract new employers to the region. Tax incentives

and other benefits are available to companies that relocate to such zones. The North Louisiana RRZ includes all of Claiborne Parish and parts of Webster Parish which are low-income areas in the region. Although Arkansas contains no RRZ, economic conditions in southern Arkansas are similar to those in the USHUD North Louisiana RRZ. SIU 14 traversing this region and will improve accessibility and attract economic development.

3.0 ALTERNATIVES DEVELOPMENT, EVALUATION, AND SELECTION

3.1 Alternatives Development Process

A six-step approach to alternatives development allowed the analysis to be flexible, yet focused on achieving consensus among Federal Highway Administration (FHWA), Louisiana Department of Transportation and Development (LADOTD), Arkansas State Highway Transportation Department (AHTD), and cooperating agencies on an alternative that is the most environmentally preferred, and best meets the purpose and need. Section 2 of the *Final EIS* fully discloses all aspects of the alternatives selection and screening process. The six basic steps applied in the alternatives development process are shown in **Figure 3-1**:



**Figure 3-1:
Alternatives
Development Process**

1. **Identification of the study area:** The project study area was established when the project was initiated in January 2003.
2. **Identification of constraints:** The project area constraints were mapped and 30 preliminary two-mile wide corridors were identified and screened to determine which met the purpose and need and provided the greatest potential to minimize adverse effects to the human and natural environments.
3. **Identification of two-mile wide corridors:** Five corridors were retained for further study and presented to the public and agencies in August 2003. **Figure 3-2** depicts the five corridors that were retained for further evaluation.
4. **Identification of a corridor with best potential:** Of the five corridors, Corridor 1d was initially thought to be the best corridor because it provided suitable crossings of Bayou Dorcheat, a Louisiana Scenic Stream, met all of the local purposes and needs, and appeared to minimize adverse effects to the human and natural environment. In response to public comments, including concerns about the location of the Corridor 1d proposed crossing of Bayou Dorcheat, corridors were re-evaluated and Corridor 2a was selected along with Corridor 1d for further consideration. **Figure 3-2** also depicts Corridor 1d and Corridor 2a.

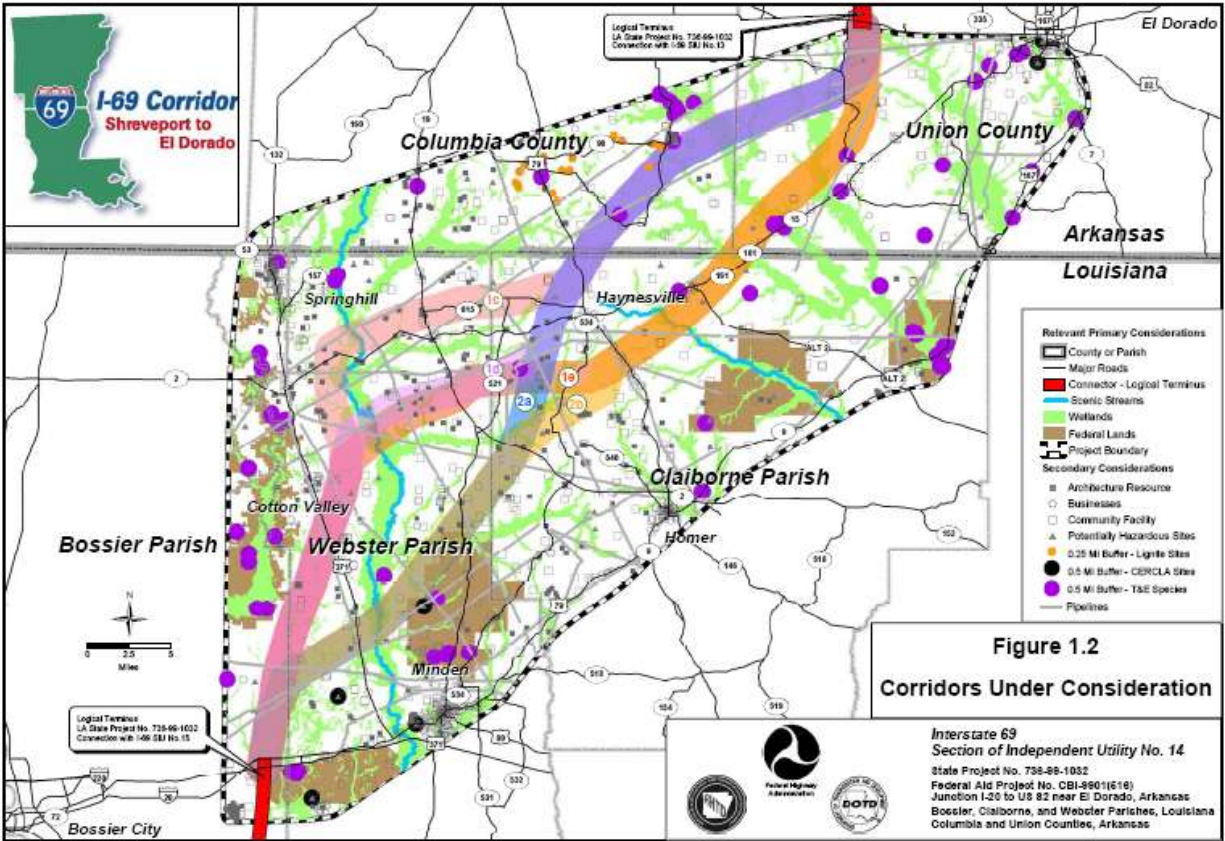


Figure 3-2: I-69 SIU 14 Corridors Considered

5. **Development of two to five mainline alternatives (300' wide):** Within Corridors 2a and 1d, Alternatives 1, 2, 3, and 4 were developed to an alignment level of detail, including plans and profiles, and presented to the public and cooperating agencies in June 2004. Comments from the public and cooperating agencies resulted in refinements to these alignments. The best portions of Alternatives 1, 2, and 3 were combined into one alignment, Alternative 5, with an optional crossing of Bayou Dorcheat (Option 1). In the Arkansas portion of the alignments, Alternative 5 and Alternative 4 coincided, but an optional crossing of Cornie Bayou was included (Option 2). Alternative 4, from the original alignment development process, was retained with the inclusion of an optional alignment to minimize adverse residential impacts along LA 3008 near the Grove community east of Bayou Dorcheat (Option 3). Alternatives 4 and 5 with Options 1, 2, and 3 were evaluated in the *Draft EIS* and presented at public hearings in May 2005. **Figure 3-3** depicts the alternatives as presented and evaluated in the *Draft EIS* at the completion of Step 5.

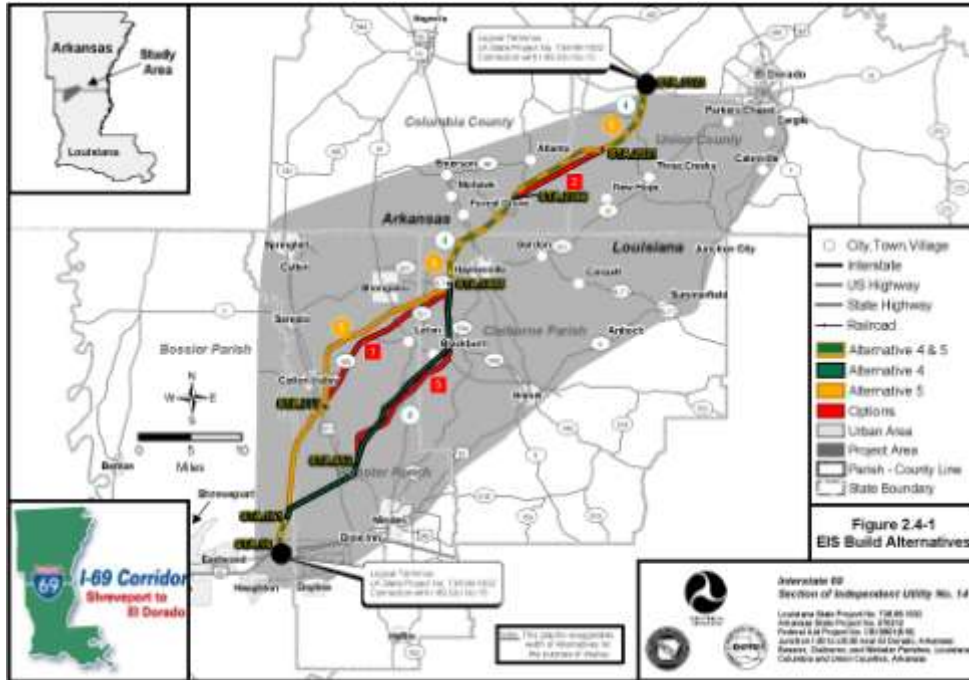


Figure 3-3: I-69 SIU 14 Draft EIS Alternatives

6. **Identification of the PA:** Analysis by the project team considered environmental, socioeconomic, engineering, and cost issues, and as a result of strong public input, the cooperating agencies indicated a preference for Alternative 4 with Option 3. Based upon additional public and agency input, refinements were made to this alternative consisting of an alignment shift, additional interchanges, and crossing road/frontage road modifications. This version of Alternative 4 Option 3 alignment was presented as the PA at public meetings in October 2006. **Figure 3-4** and **Figure 3-5** depict the location of the PA as presented in the *Final EIS*. Preliminary plan and profile drawings for the PA are presented in the *Final Line and Grade Study Report*. *I-69 SIU 14, (HNTB 2008)*.

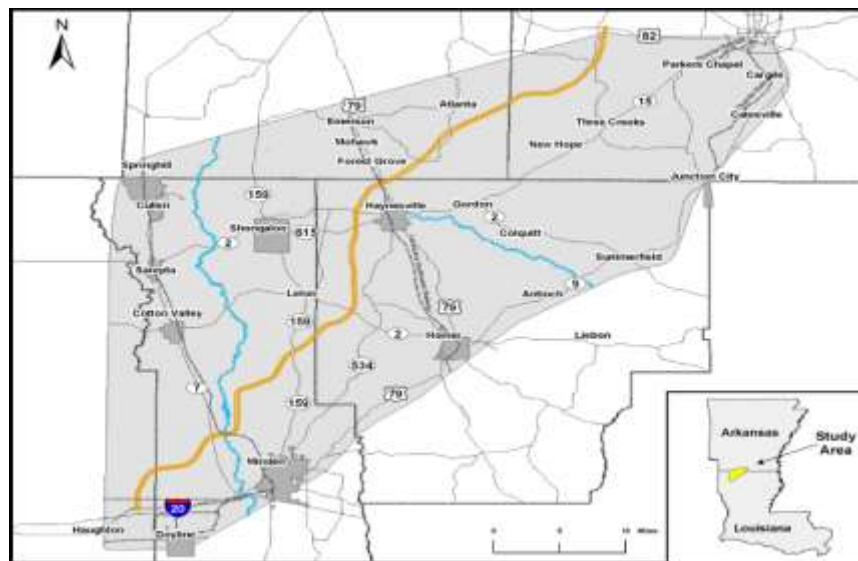
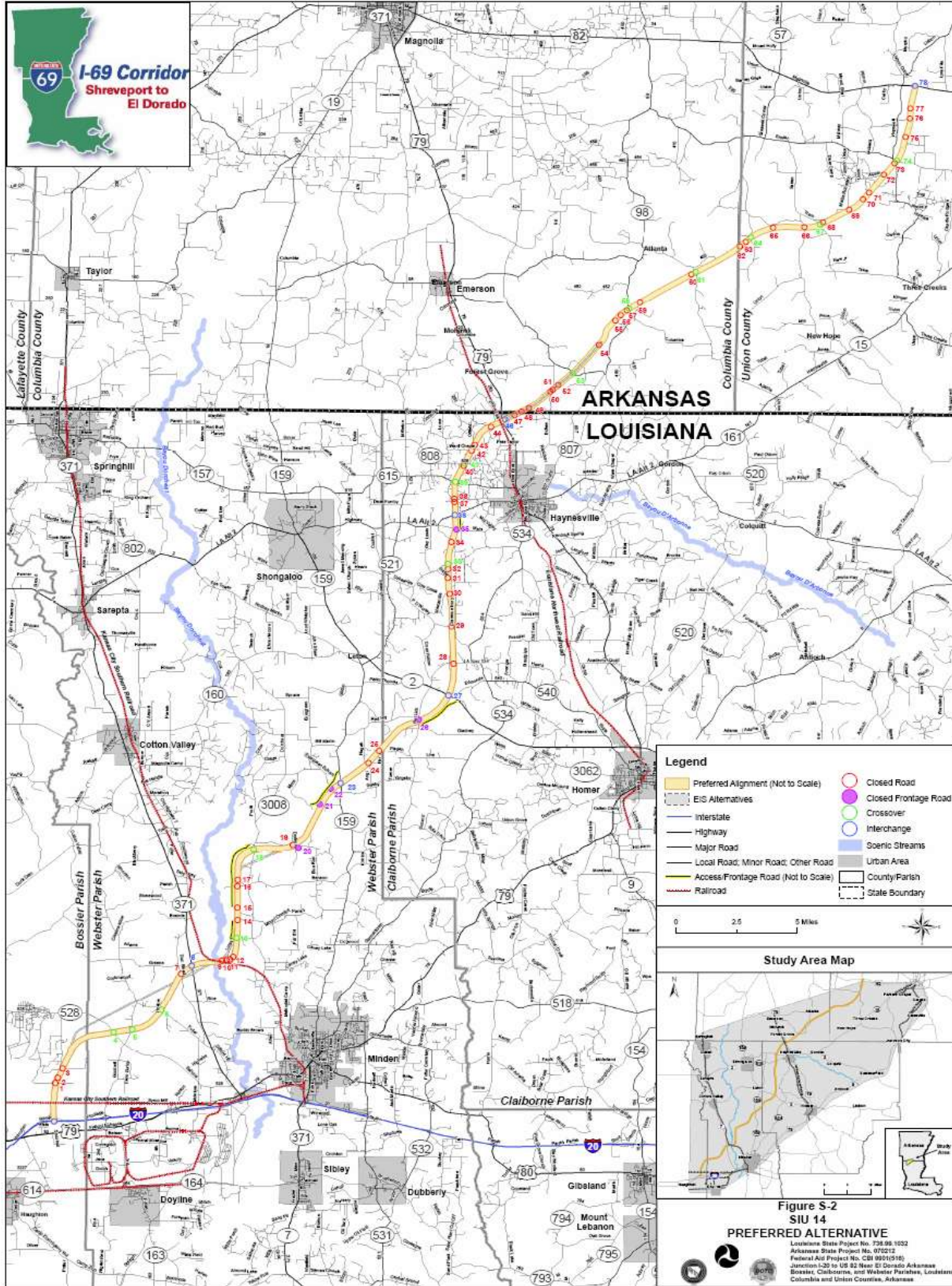


Figure 3-4: I-69 SIU 14 Preferred Alternative



PRELIMINARY AND SUBJECT TO CHANGE IN THE DESIGN PHASE OF PROJECT

Figure 3-5: I-69 SIU 14 Preferred Alternative

Although construction of the PA will likely cause some unavoidable, adverse impacts, it is the alternative that best addresses the transportation needs for this section of I-69 while minimizing environmental impacts. The No-Action Alternative would not meet the project purpose and need; however, it provided a benchmark for environmental analysis. In the *Final EIS*, the No-Action Alternative was excluded from further consideration as a viable alternative and Alternative 4 Option 3 was selected as the “environmentally preferred alternative” for purposes of 40 CFR 1502.2(b) because it best meets the purpose and need while minimizing impacts.

3.2 Context Sensitive Solutions and Context Sensitive Design

The PA approved in this ROD was developed with several context sensitive solutions (CSS) and context sensitive design (CSD) features that are unique to the project and are also described in Section 2.9 of the *Final EIS*. CSS and CSD are collaborative, interdisciplinary approaches that involve all stakeholders in providing a transportation facility that fits its setting. It is an approach that leads to preserving and enhancing scenic, aesthetic, historic, community, and environmental resources, while improving or maintaining safety, mobility, and infrastructure conditions. Public comments and information acquired from the public and resource agencies throughout the study stimulated the project team’s awareness of environmental conditions of the study area and desire to identify an acceptable alternative for this project. CSS and CSD measures were considered early in the corridor/alternatives selection and evaluation process and continued through to the development of modifications of the PA. Elements of CSS/CSD considered during the evaluation process included:

- Decision to avoid one of two Scenic Streams in the study area resulted in corridor selection west of Haynesville.
- Public comments requested avoidance of Kisatchie National Forest land; therefore sections of the forest were avoided where possible and where not possible, the alignment traversed private property within the Kisatchie boundary.
- The decision to direct truck traffic transporting hazardous materials away from town centers of Haynesville and Homer influenced the corridor selection north of Haynesville and west of Homer.
- The re-evaluation of Corridor 2a, initiated by public response to the initial selection of Corridor 1d as the preferred corridor, ultimately became the basis of the PA. Issues expressed by the public related mainly to possible effects to the Sparta Aquifer, Cotton Valley Oil and Gas Field, and the proposed North Hills Lake Project.
- An intense study and field investigation of suitable crossings of Scenic Stream Bayou Dorcheat were conducted under guidance of the United States Fish and Wildlife Service (USFWS) and the Louisiana Department of Wildlife and Fisheries (LDWF) Scenic Stream Coordinator, with extensive public input. This analysis resulted in selection of a bayou crossing in a relatively inaccessible location currently impacted by the Kansas City Southern Railroad (KCS) crossing, rather than selecting either of the other bayou crossings that are more accessible and publically used, thus preserving the aesthetic quality of these other bayou sections. The extended bridge structure at the selected crossing, that is necessary to span US 371, the KCS Railroad, and Bayou Dorcheat, will allow adequate area for wildlife movement, as compared to other the crossing that were considered having shorter bridge structures and steeper banks.
- Several instances of alignment revisions were included in the preliminary design to reduce residential relocations or noise impacts, community division, and impacts that would subdivide properties. Additional public meetings were held to present the revisions and to gather public input and comment.

- The preliminary layout of frontage roads and access roads were conceptually designed to address property access issues and community cohesion in cooperation with input from landowners, local governments, and emergency responders.
- Local road closure decisions were coordinated with local government entities.
- The decision and conceptual design of the PA considered avoidance of many oil and gas wells in the Haynesville fields and avoidance of Hydrogen Sulfide (H₂S) producing wells in the Shuler field.
- Interchanges were added at LA 159 and Alternate LA 2 as a result of public comment in order to improve access in areas that were originally determined to be too remote.

3.3 I-69 SIU 14 Project Construction Cost Estimate and Schedule

Preliminary Construction Cost Estimate

The project construction cost estimates and schedule presented in Section 5 of the *Final EIS* for the project were separated for LA and AR. The combined estimated construction cost of \$1.03 Billion was based upon 2008 dollars. The project construction cost estimate includes engineering, right-of-way acquisition, roadway and bridge construction, and construction engineering and inspection (CE&I) with contingencies.

- The construction cost for the PA in LA was estimated to be approximately \$640 million (2008 dollars).
- The construction cost for the PA in AR was estimated to be approximately \$390 million (2008 dollars).

Updated FHWA regulations, as described within “*Guidance for FHWA Major Project Cost Estimate Reviews (CER)*,” (October 5, 2011) require cost estimates to be shown in current year dollars. As such, the estimated construction cost estimate for the Louisiana portion of the PA was updated from 2008 to 2011 dollars utilizing LADOTD 2011 unit costs for applicable project bid items. As a result, the project construction cost for the Louisiana portion of the PA was estimated to increase to approximately \$778 million in 2011 dollars. The construction cost estimate includes an additional cost of \$19 million for the potential relocation of oil wells. The construction cost estimate does not include the prior expenditure of \$7 million for the NEPA phase of the project for both the LA and AR portions of the project. No revisions were made to the cost estimate or implementation schedule presented in the *Final EIS* for the Arkansas portion of the PA.

Major Project Definition

In accordance with the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU), the Louisiana portion of the project is considered a Major Project which is defined as “a project with a total estimated cost of \$500 million or more that is receiving financial assistance.” The project delivery process for a large transportation project defined as a Major Project is often complex, requires extensive coordination, and undergoes various review processes before Federal funds can be released. In accordance with the FHWA Project Delivery Process, “the Project Owner must demonstrate to the FHWA that the project has been carefully planned out, i.e. costs have been estimated as accurately and meticulous as possible; risks have been carefully considered and mitigated; financial requirements and strategies have been clearly defined; and the implementation of the project has been carefully planned.” This is accomplished through the development and review of a series of financial and management plans.

The Arkansas portion of SIU 14 does not meet the definition of a Major Project as the cost is currently estimated to be less than \$500 million; therefore all of the Major Project Delivery requirements would not be required for Arkansas. Because the estimate is greater than \$100 million, a Financial Plan will be required prior to FHWA authorization of construction. Should future, updated cost estimates exceed \$500 million, then the project could become a Major Project and a Project Management Plan and CER would be required. FHWA Arkansas Division will determine this and coordinate with the FHWA Innovative Program Delivery Office.

Implementation Schedule

The implementation schedule, as presented in the *Final EIS*, was revised for inclusion in the Project Management Plan (PMP) for the Louisiana portion of SIU 14. The revisions are a result of updated FHWA regulations in addition to recommendations from LADOTD, FHWA, and Northwest Louisiana Council on Governments (NLCOG) to base the schedule start date contingent upon completion of SIU 15. The scheduled start date is 2025 and extends 15 years to 2039. During this 15 year period, the 5 phases of the Louisiana portion of the project would be implemented in stages consisting of:

- Stage 1 – Surveys, preliminary engineering, and right-of-way plans;
- Stage 2 – Earthwork, drainage and right-of-way acquisition (design and construction)
- Stage 3 – Bridges (design and construction);
- Stage 4 – Paving of mainline, crossroads and ramps (design and construction).

An exception to the project schedule described above is that some preliminary engineering and survey work for Phase 1 would be advanced to 2012. On February 28, 2012, the NLCOG submitted a request to LADOTD for an Administrative Amendment to The Northwest Louisiana Metropolitan Planning Area 2010 Transportation Improvement Program (TIP) for the Fiscal Year 2012. The Administrative Amendment request was for \$500,000 to be included in the STIP for the initial Engineering/Design phase of the I-69 SIU 14 improvement project in year 2012. FHWA approved the STIP Amendment on March 28, 2012. LADOTD subsequently revised the STIP consistent with FHWA approval of the Amendment.

3.4 FHWA Major Project Delivery Process

In order for FHWA to authorize and release Federal funding for major projects (greater than \$500 million), careful project planning must be demonstrated and various review processes are required through all phases of the project.

The project phases include:

1. NEPA Process;
2. Final Design/Right-of-Way;
3. Construction; and
4. Project Close Out.

The required processes include:

1. Cost Estimate Review – that is as accurate and meticulous as possible;
2. Financial Plan – that clearly defines financial requirements and strategies;
3. Project Management Plan – that identifies projects risks, mitigation of those risks, and carefully plans project implementation.

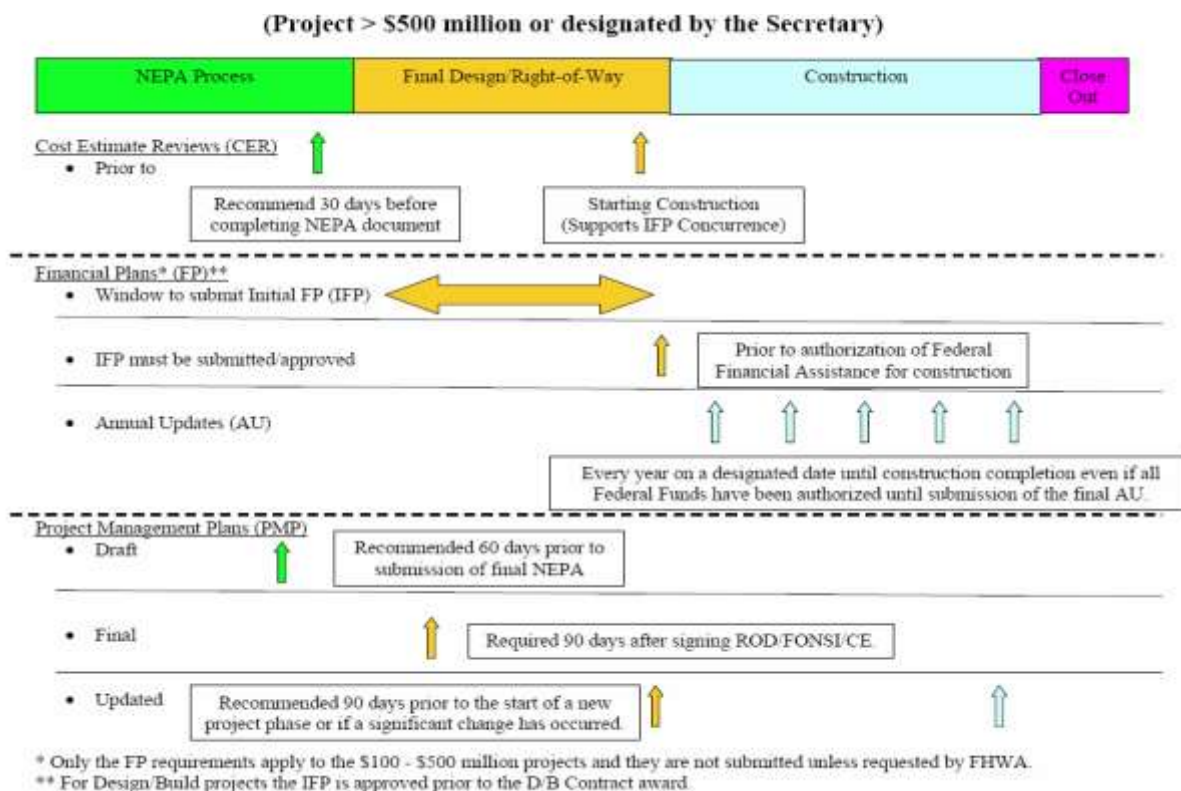


Figure 3-6: Major Project Deliverable Timeline

The FHWA timeline in Figure 3-6 identifies the major requirements and milestones for the three required processes, together with their relationship and other milestones in the overall project delivery process as it extends from planning/NEPA, to final design and right-of-way, to construction, and ending with project close out.

The I-69 SIU 14 project status relative to the Major Project Delivery processes for the LA portion of the project is as follows:

- NEPA Process – The Final EIS was approved in August 2011 and included both the LA and AR portions of the project.
- Cost Estimate Review (CER) – The first CER was conducted on March 26, 2012 to March 29, 2012. See Section 3.5 below for a summary of the CER.
- Project Management Plan (PMP) – A Draft PMP was submitted in November 2011. A Final PMP will be submitted after the ROD has been signed. PMP updates will occur as recommended 90 days prior to the start of a new project phase or if a significant change has occurred.
- Financial Plan - A Financial Plan will be prepared prior to the first federal authorization for construction funds and will be updated annually throughout the course of the project. The Financial Plan will be prepared as outlined in Section 6 of the PMP.
- Cost Estimate Review – A second CER will be conducted during final design/ROW and will serve as the programmed funding level within the Financial Plan.
- Final Design / Right-of-Way – Begins with Stage 1 of Implementation of Phase 1 that is scheduled to begin in 2012; \$500 million has been programmed within the TIP to begin preliminary engineering in 2012. Subsequent final design/ROW for each consecutive phase will proceed as outlined in Figure 6-1 Implementation Schedule of the PMP.

- Construction - Will proceed as outlined in Figure 6-1 Implementation Schedule in the PMP.
- Project Close Out – Project close out procedures will follow as outlined in Section 18 of the PMP.

3.5 I-69 SIU 14 Louisiana Portion - CER and PMP

Cost Estimate Review

The LADOTD and FHWA jointly participated in the first cost estimate review for the Louisiana portion of I-69 SIU 14 between March 26, 2012 and March 29, 2012. As noted in “*Guidance for FHWA Major Project Cost Estimate Reviews (CER)*, (October 25, 2011), “the objective of the FHWA cost estimate process is to conduct an unbiased risk-based review to verify the accuracy and reasonableness of the current cost estimate and schedule to complete a major project and to develop a probability range for the cost estimate that represents the project’s current level of design. The identified project costs from the cost estimate review shall be used in the major project financial plan and the NEPA decision document.” “All costs associated with the project from the NEPA phase through final construction must be included” in the CER.

The outcome of the CER is to identify the project cost in year of expenditure (YOE) dollars at the 70% confidence level; this is the value that would be programmed within the initial financial plan and similarly presented in the NEPA decision document. A range of costs between the 10% and 90% confidence levels are also identified as part of the CER; these values can be presented in the NEPA decision document as well.

During the CER, the LADOTD project team, including subject matter experts in financial, environmental, right-of-way, engineering and construction disciplines provided input into the base year cost estimate. This input was utilized to populate the FHWA CER Excel Template. Cost adjustments were made to the 2011 base year cost estimate to capture the following items:

- NEPA phase costs (initial NEPA document expenditure and future re-evaluation costs);
- LADOTD administrative costs throughout design and construction;
- Revisions to pavement typical sections due to existing soil conditions;
- Final adjustments to 2011 unit costs;
- Permit, right-of-way and environmental mitigation costs;
- Other allowances for construction items and project unknowns; and
- Soft costs including market conditions and inflation.

A Project Risk Matrix was developed by the project team in advance of the CER as part of the overall Risk Management Plan contained within the Draft PMP. The risk matrix included known project risks on a global basis - those occurring in all 5 phases of the project, and those that would exclusively occur on a phase by phase basis. Opportunities were identified that could serve to expedite and enhance the project, and to mitigate project risks. Risk events that were previously not identified within the project contingencies or other unknowns were also defined. Through a collaborative effort among the project team, the probability of these events occurring (either as an opportunity or risk) were defined and their potential impact on the project relative to cost and schedule (where applicable) were established. These data were input into the risk register within the FHWA CER Excel Template.

The FHWA CER Excel Template, in conjunction with Oracle based software Crystal Ball, was utilized to establish the YOE total project cost. The results of CER in terms of total project costs through the year 2039 are as follows:

Project Cost at the 70% confidence level - \$1.864 billion; and
Project Range of Cost (10% to 90% confidence level) - \$1.743 billion to \$1.920 billion.

Project Management Plan

LADOTD and FHWA jointly prepared the Project Management Plan (PMP) for the development of the Louisiana portion of I-69 SIU 14. It is an overall plan that both entities adopt and accept as the description of the management procedures for completion of the project from the point of issuance of the Record of Decision (ROD) through project completion. The PMP will be made available for public review on LADOTD's website, www.dotd.la.gov under the "Programs and Projects" page as well as the project website, www.i69arkla.com.

The PMP was prepared in accordance with FHWA Project Management Plan Guidance of January 2009 that assists recipients of federal financial assistance in meeting the requirements of Section 1904(a) of the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU). The guidance requires that a PMP be prepared within 90 days of the signing of the ROD, and that a Financial Plan be prepared prior to receiving construction authorization.

LADOTD and FHWA acknowledge that the PMP will be continuously evaluated and revisions will be issued as the project progresses in order to generate the most effectively managed project that will meet all project objectives.

4.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

During the conceptual study and the development of alternatives, efforts were made to avoid or minimize environmental impacts on the human, physical, and natural environment. Once a potential impact was identified as unavoidable, mitigation measures or other commitments to minimize harm were considered. Section 3 in the *Final EIS* fully discusses environmental impacts of the PA and specifically describes mitigation measures and commitments to minimize harm. The discussion below provides a brief overview of this analysis.

4.1 Human Environment

Communities and Residential Dwellings

Due in part to the rural nature of the study area, as well as intentionally designing the PA to avoid densely populated areas, the PA will likely impact only nine residential structures, no commercial structures, and no institutional structures. Based upon household surveys conducted in March 2005, of the nine possible residential relocations, one was determined to be a minority occupied residence and four were occupied by low-income residents. It was determined that there will be no disproportionate adverse effects on minority and low income populations. Due to the timeframe of implementing the project, additional relocations could occur, especially in the case semi-permanent mobile homes. Relocations will be addressed through the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 that insures residential displacements are provided decent, safe, and sanitary housing.

Local Travel Patterns and Safety

Implementation of the proposed PA will improve public mobility and safety with travel pattern changes that will decrease traffic (especially heavy truck traffic) on local roads and divert traffic onto the new interstate facility, which will be safer. Terminations of crossroads proposed on low volume local roads will inconvenience the fewest number of residences; however, the magnitude of effects could be substantial depending on the proximity of an alternate route. Re-routing of existing roadways was considered and resulted in providing or combining adjacent roadways or frontage roads to assure connectivity. Solutions to some property access issues were also reflected in the design of frontage roads; remaining access issues will be addressed in final design and property acquisition. A detailed traffic control plan will be formulated during the design process to minimize impacts to traffic during construction.

Industry, Employment and Commercial Structures

While the PA will have no direct impact on existing commercial or community facilities, benefits will be created by improved access to larger retail and personal service centers located in the Shreveport and El Dorado areas. Interstate access will also be attractive to industry and commercial development will likely occur along highways where interchanges will be constructed. During final design, procedures will be defined for actions, responsibilities, and sequence required for relocation of electrical distribution lines, communication lines, pipelines and other infrastructure.

Public Lands and Recreation

The PA will minimize adverse effects to the recreational and visual aspects of Bayou Dorcheat. The PA will have no effect on property of the Kisatchie National Forest. Although the alignment will traverse a portion of the forest, not all land within the forest is government owned, and right-of-way will be needed only from private owners.

Cultural Resources

The PA will have no adverse effect to historic properties in LA; however, right-of-way will be required from a property in AR that is determined to be eligible for nomination to the National Register of Historic Places. Section 4(f) De Minimis documentation of the site is provided in Appendix E of the *Final EIS*. The AR State Historic Preservation Office has determined that the project will have no adverse effect on this property. This determination is based upon a commitment from AHTD which states that adjustments in the final design of the alignment shall be made to avoid impacts to this structure. There are five archaeological sites in AR recommended for Phase II assessment prior to construction.

Visual Environment

The forested nature of the region and the curvature of existing roadways will likely reduce the visual impact of interchanges from existing crossroads. Dense vegetation surrounding the Bayou Dorcheat crossing of the PA will obscure views of the structure, thus resulting in minimal effect on the scenic environment of the structure crossing.

4.2 Physical Environment

Surface Waters

Although minimizing impacts to all surface waters, floodplains, and wetland areas within the project area were important, the most critical decision for the project and for the selection of the PA was selecting the most suitable crossing of Bayou Dorcheat. The PA crossing will utilize an existing railroad crossing in order to minimize impacts to the stream, and the angle of approach was chosen to reduce wetland impacts. Coordination with the U.S. Army Corps of Engineers and other jurisdictional resource agencies will be conducted throughout design and construction of the PA to determine the mitigation needs for potential direct adverse stream effects.

Floodplains

Coordination with local floodplain administrators and the Federal Emergency Management Agency was conducted in the development of the PA, and will continue through the completion of the design and construction phases of the project. Impacts have been evaluated and determined to be minimal; therefore, the PA does not constitute a “significant” encroachment on project area floodplains.

Groundwater

Direct effects of the PA will not result in substantial groundwater withdrawals; however, indirect effects will include an increase in groundwater demand that will be associated with induced residential and industrial development, which is anticipated to be minor. The PA minimizes potential effects to potential aquifer recharge areas.

Geology, Mineral Resources, Soils

While construction of the PA will not result in adverse effects to area soils, some of the soils underlying the region have limitations for construction of a major interstate facility. Severe ratings imply that soil properties and features are unfavorable or difficult to overcome and that special design, as well as increases in construction and possibly maintenance costs, would be required. Before construction begins, geotechnical analysis will be conducted for the required right-of-way to confirm the type of soil material present and to determine subsurface design requirements that should be implemented to suit existing soil properties. Design and

construction activities will incorporate best management practices (BMPs) to prevent future erosion. Some of the BMPs may include: temporary and permanent soil erosion control measures; low-impact land use practices; preservation of stream buffers, sensitive areas, and riparian corridors; maintaining natural infiltrative capacity; and limiting the extent of soil and vegetation disturbance. Direct effects to prime farmland will occur along the entire length of the proposed PA, decreasing along the northern portions of the PA alignment, comparable to the other build alternatives evaluated for this project. The PA will not affect any lignite or gravel mining operations and impacts to oil and gas wells have been minimized to the greatest extent possible. The Haynesville, State Line, and Shuler oil and gas fields will be traversed by the PA, which will impact approximately five active and inactive oil and gas wells. Consideration of these sites will be addressed in final design and right-of-way acquisition.

Hazardous Materials and Sites

Considering the history of oil and gas exploration and production in the area, it is likely that many wells have been abandoned without proper plugging and abandonment procedures, that discarded equipment has been buried, that there are abandoned gas station sites with underground storage tanks, and that there are both active and abandoned hydrogen sulfide gas wells and pipelines. Nine hazardous sites (six in Louisiana and three in Arkansas) were identified within one-half mile of the required PA right-of-way, as described in Section 3.4.6 of the *Final EIS*. Prior to construction, all sites identified as potentially hazardous and located within one-half mile of planned construction activities will be evaluated in the field to assess hazards and liability. This environmental evaluation will include title searches, interviews and sampling. If areas of hazardous waste contamination are encountered during construction, the requirements of LADOTD and AHTD policies and procedures will be implemented.

Air Quality

Direct effects on ambient air quality of the PA will be minimal. Limited traffic volumes and the rural nature of the project location indicate that neither the one-hour nor the eight-hour National Ambient Air Quality Standard for carbon monoxide will be violated. Induced land development and other regional projects are not anticipated to result in substantial increases in carbon monoxide concentrations from vehicular or other point and area emission sources. No mitigation will be required for the PA in regard to effects on ambient air quality.

Noise

Modifications to the PA have reduced the number of residences predicted to be adversely impacted by noise as well as the magnitude of the impacts, when compared to the original PA alignment. Due to the isolated nature of the impacted residences, mitigation of any adverse noise impacts is not feasible or reasonable. If required, additional traffic noise modeling for these sites may be performed during preliminary design of the project. Because the PA will not be constructed in close proximity to highly populated areas, adverse noise effects from construction activities should be only minor. Noise abatement measures could include muffling all motorized equipment where reasonable. Other abatement measures could include, as deemed reasonable, locating haul roads away from sensitive areas, limiting the hours of operation, and the construction of temporary noise barriers around stationary equipment. Determination of the need for such measures will be made prior to construction and specified for implementation by the construction contractor.

4.3 Natural Environment

Upland Communities and Wildlife

The majority of the study area is dominated by upland communities; consequently, impacts to this habitat type will be substantial. The timber industry has already altered the majority of land into various stages of silviculture, leaving few remaining pockets of undisturbed habitat. The PA avoids these areas to the maximum extent possible, thus minimizing effects to native uplands. Because of the presence of an interstate facility, wildlife movement may be adversely affected along the PA. To minimize this impact, CCS and CSD measures were identified, including extending the bridge length of this proposed crossing of Bayou Dorcheat. The extended bridge structure crossing Bayou Dorcheat will allow adequate area for wildlife movement, as compared to the shorter bridge structure and the steeper banks associated with the other proposed crossing alternatives that were eliminated from consideration. The barrier effect for wildlife will be lessened by the existence of other bridged sections and proper direction of fencing to guide wildlife to safer passageways instead of crossing travel lanes.

Wetland Communities

There is no practicable alternative to the proposed construction in wetlands and the proposed action includes all practicable measures to minimize harm to wetlands. Unavoidable wetland impacts identified for the PA will be mitigated in accordance with the *I-69 SIU 14 Wetland Delineation Report* and the *Wetland Delineation Report Supplement*. Mitigation of adverse stream effects will also be addressed. This plan addresses methods to mitigate the direct effects of the project by restoration, enhancement, creation and/or preservation of wetlands. On-site mitigation opportunities along the corridor will be given preference to off-site measures. In-kind mitigation, or mitigation with wetlands similar in type to those adversely affected, will likewise be given preference.

Aquatic Communities

The majority of aquatic habitats that will be affected by the proposed PA alignment are mostly lotic (flowing-water) in character, with manmade ponds comprising a smaller portion. Of particular interest are the springs identified along portions of the PA east of Bayou Dorcheat. These features are relatively unusual in the study area and provide special habitats not found elsewhere along the PA alignment. The PA avoids these aquatic communities to the extent practicable.

Protected Flora and Fauna

Rare plant species of state concern inhabit the types of natural systems present along the PA; however, field investigations have not sighted any state-listed rare plant or wildlife species. No state-listed rare reptiles are expected within the proposed PA right-of-way. The only federally protected species known to potentially inhabit the area is the red-cockaded woodpecker (RCW). Although potential suitable habitat for the RCW occurs throughout the PA alignment, and the potential exists for bald eagles to establish nests near the Bayou Dorcheat crossing, and wading bird nesting colonies are commonly found in bottomland habitat, field investigations of the PA have not revealed evidence of the actual presence of these birds, so it is concluded that the PA is not likely to adversely affect these birds.

5.0 MITIGATION COMMITMENTS, PERMITS, CERTIFICATIONS AND ADDITIONAL STUDIES NEEDED PRIOR TO CONSTRUCTION

Additional tasks remain before construction of the PA may commence. Below is a summary of the planning, environmental, and design tasks that need to be completed prior to project construction:

- Hydrologic and hydraulic study of the PA 100-year floodplain crossings;
- Geotechnical investigations along the PA to assess design needs;
- Environmental site assessment along PA for potential hazardous sites as explained in Section 3.4.6.3 of the *FEIS*;
- Preliminary design and right-of-way limit identification for the PA;
- Initiation of Relocation Assistance Program for properties within the required right-of-way of the PA; and
- Development of construction sequencing and traffic maintenance plans for construction activities.

Permits and certifications that must be obtained prior to construction include:

- Short Term Activity Authorization (ADEQ);
- State Water Quality Certifications (LDEQ, ADEQ);
- Scenic Stream Crossing Permit (LDWF);
- National Pollution Discharge Elimination System Permit (LDEQ, ADEQ) for discharges of stormwater from the roadway;
- Stormwater Management Permit (LDEQ, ADEQ) for controlling and treatment of surface runoff from construction sites;
- Burning Permit (LDEQ, ADEQ) for burning construction debris;
- Section 404 Wetland Permit (U.S. Army Corps of Engineers) for discharging dredged and fill material into waters of the US and adjacent wetlands. Permits are reviewed by USFWS, LDWF and AGFC.
- Coordination and required permits would need to be acquired from the two railroad companies where I-69 overpasses are proposed at three locations: One north of Interstate 20 in Bossier Parish (Kansas City Southern (KCS) leased by WATCO); one east of US 371 in Webster Parish (also KCS leased by WATCO); one west of US 79 in Claiborne Parish, Louisiana & Northwest Railroad (L&NW).

Commitments and mitigation measures that will be implemented to offset adverse effects of the PA will include, but are not limited to, the following:

- Implementation of BMPs during construction;
- Location of staging areas in non-wet areas that are not environmentally sensitive;
- Purchase of wetland banking credits, wetland conservation easements, enhancement, restoration and/or creation of wetlands or a combination thereof based on U.S. Army Corps of Engineers, LA, and AR specifications during the Section 404 permitting process;
- Inclusion of CSS and CSD for the Bayou Dorcheat, US 371, KCS Railroad bridge structure to provide a longer span to minimize impacts to wetlands, scenic stream, and wildlife movement.
- Mitigation of adverse stream effects based on the Section 404 permitting process;

- Avoidance of construction activities during the nesting season (September to June) of bald eagles should individual nests be sighted within 1,500 feet of the PA;
- Re-investigation and survey of areas considered potentially suitable habitat for federally-protected species within one year of letting the construction contract for the project;
- Assessment of five archaeological sites within the proposed PA right-of-way for National Register eligibility and agreement on handling of previously undiscovered cultural resources during construction;
- As recorded in the *I-69 SIU-14 Shreveport to El Dorado – Arkansas Section (US 82 to Stateline) Phase I Documentation*: “FHWA, through AHTD, has made a reasonable and good faith effort to identify historic properties that may be affected by the undertaking 36 C.F.R. § 800.4(b) (1). FHWA, through AHTD, has determined in accordance with 36 C.F.R. § 800.4(a)-(c) that there are historic properties that may be affected by the undertaking, and through the present report, has provided documentation of this finding to the SHPO. With these findings and given the possibility that previously unrecorded or undetected historic properties may be present in the area of potential affect, a *Programmatic Agreement* should be entered into among FHWA, AHTD, the AR SHPO and, as appropriate, Indian tribes, that governs how discoveries would be treated and what responsibilities will be carried out prior to taking any actions that could have an effect on properties listed in or considered eligible for the NHRP (under the provisions of 36 C.F.R. § 800.13 et seq. Post-review discoveries).

This approach could involve stopping construction if historic properties are discovered. It may also require monitoring by staff archeologist or qualified professionals. Possibly the safest and least costly way to approach this issue is to have qualified archeologist resurvey the APE during and after clearing and grubbing activities when ground conditions are more suitable for resource discovery. Procedurally, this may require separating the clearing and grubbing contract from the construction contract in order to provide adequate time for the resurvey, assessment, and any necessary data recovery or mitigation.

The proposed activities by FHWA, through AHTD, should be allowed to proceed in accordance with recommendations presented in the *Final EIS*. If undiscovered archeological or other remains are encountered during project implementation or if changes are made in the APE beyond the boundaries of the APE surveyed (including, for example, any landscape alterations that result from activities associated with the project such as access roads, construction and material staging areas, and areas from which fill material would be borrowed) or if intact cultural deposits are discovered during future management activities, work should stop and the SHPO should be contacted immediately (36 C.F.R. § 800.13) and the provisions of the 36 C.F.R. Part 800 (Subpart B) including 36 C.F.R. §800.6 should be implemented. FHWA and AHTD may be required to take further steps in the Section 106 process (36 C.F.R. Part 800 et.seq.) as recommended in this report.”

- In accordance with a commitment by AHTD to the AR State Historic Preservation Officer, adjustments in final design shall be made to avoid impacts to one eligible standing structure (CO0430) identified during the initial Phase I survey. Avoidance measures shall be sufficient to achieve a finding of “no effect”. These avoidance measures would be evaluated during future project design and construction phases.

6.0 COMMENTS ON THE FINAL EIS

The Final EIS for this project was approved by FHWA on August 26, 2011 as documented on the signature page of the *Final EIS*.

The Notice of Availability of the *Final EIS* was placed in the *Federal Register* on September 30, 2011. A copy of this notice is included in **Appendix A**.

The timeframe for comment submittal extended until November 10, 2011. **Table 6-1** is a summary of comments received and a response to the comment, if needed. Copies of the comments received on the *Final EIS* are included in **Appendix B**.

Table 6-1: FEIS Comment Summary and Response

Page #	Name / Agency	Comment Summary	Response to Comment
B-2	Lance Jones, P.E. / AR Department of Health	No comments regarding the proposal.	Comment is noted. No response needed.
B-3	Mike Howard / AR Geological Survey	FEIS has been reviewed and have no further comment.	Comment is noted. No response needed.
B-4 & B-5	Beth Altazan-Dixon / LDEQ	The Department has no objections based on the information provided in submittal but provides general comments (see copy of correspondence in Appendix B).	Comments are noted. No response needed.
B-6 B-7 B-8 & B-9	Bruce Simpson / D&S Producers	Concerned about impacts to his oil and gas business facilities located at the interchange with US 79. Provided graphics depicting the locations of production processing plant, wells, pipelines, and access roads that he could not clearly identify in graphics in FEIS. (see copy of correspondence and graphics in Appendix B).	Copies from the Line and Grade Report were sent to Mr. Simpson that depicts the proposed interchange location. Response provided by phone and email.
B-10 & B-11	Jack Wilhelm / Landowner	Requested location information relative to impacting personal property.	Project will have no impact upon his personal property. Response provided by email.
B-12	Laura Cleveland / Magnolia Library	Requested a public presentation. (Phone message.)	Explanation was provided to Ms. Cleveland that the public meetings and hearings as required by NEPA had already been held, but if the library received substantial public inquiries or requests for such, then the possibility of scheduling a presentation would be considered. Phone response provided.
B-13	Tonika Goins / USDA Forest Service Kisatchie National Forest	No issues regarding the Final EIS.	Comment is noted. No response needed.
B-14	Jason Dobbins / Resident	Extend Caney Lake Road to I-69 and create an interchange to better serve Minden	Interchanges have been established on US 371 northwest of Minden and on LA 159 north of Minden; both within a 20 minute access time. These interchange locations meet FHWA standard requirements for interchange spacing. Response provided by email.

Page #	Name / Agency	Comment Summary	Response to Comment
B-15	J. B. Schwaller, P.E.	I-69 project is the wrong mode of transportation within or across USA borders. It is not a carbon sink and will not: produce fresh oxygen, allow secure movement for wildlife, promote tranquility, abate deforestation, nor provide economic benefits. Benefits will go to drug trafficking and illegal immigration on this NAFTA Superhighway, at the environmental and economic expense of the US citizens.	Comments are noted.
B-16	Mayra G. Diaz FEMA	Request that County and Parish Floodplain Administrators be contacted for review and possible permit requirements for this project. Request compliance with EOs 11988 and 11990.	Coordination with County and Parish Floodplain Administrators is documented in Appendix B of the I-69 SIU 14 FEIS.
B-17	USEPA	No comment letter was sent to the preparing agency.	Comment is noted.
B-18	Bill Anoatubby The Chickasaw Nation	The Chickasaw Nation Environmental Services Department has no comment to provide for the project. If activities generate any environmentally detrimental effects or culturally significant material or remains are unearthed, immediately contact Mr. Mack Peterson, environmental section head, at 580-272-5415.	Comment is noted.

7.0 RECORD OF DECISION APPROVAL

Based on the analysis and evaluation presented in the Final Environmental Impact Statement for the proposed project, after careful consideration of all the social, economic, and environmental factors and input from 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 selection of the Preferred Alternative, Alternative 4 with Option 3, for SIU 14 of Interstate 69 proposed in Bossier, Claiborne, and Webster Parishes in Louisiana and Columbia and Union Counties in Arkansas.

April 27, 2012
Date approved

Charles "Wes" Bolinger
Charles "Wes" Bolinger, P.E.
Louisiana Division Administrator
Federal Highway Administration

APPENDIX A
FEIS NOTICE OF AVAILABILITY



60822

Federal Register / Vol. 76, No. 190 / Friday, September 30, 2011 / Notices

that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

Docket: Documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other materials, such as copyrighted material, are publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the OEI Docket in the EPA Headquarters Docket Center.

Dated: September 20, 2011.

Darrell A. Winner,

Acting Director, National Center for Environmental Assessment.

[FR Doc. 2011-25298 Filed 9-29-11; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8999-3]

Environmental Impacts Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed 09/19/2011 Through 09/23/2011 Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EIS are available at: <http://www.epa.gov/compliance/nepa/eisdata.html>.

EIS No. 20110325, Final EIS, FHWA, 00, I-69 Corridor—Section of Independent Utility (SIU) No. 14, Construction from Junction 1-20 near

Haughton, LA to U.S. 82 near EL Dorado, AR, Bossier, Claiborne and Webster Parishes, LA and Columbia and Union Counties, AR, Review Period Ends: 11/10/2011, Contact: Christi Wilson 504-837-6326.

EIS No. 20110326, Final EIS, USA, MT, Limestone Hills Training Area (LHTA) Withdrawal Project, To Withdraw Federal Lands from within the LHTA from DOI, Bureau of Land Management for Transfer to Montana Army National Guard for Military Training Use, Broadwater County, MT, Review Period Ends: 10/31/2011, Contact: Sundi West 406-324-3088.

EIS No. 20110327, Draft EIS, BR, 00, Klamath Facilities Removal Project, Advance Restoration of the Salmonid Fisheries Klamath Basin, Siskiyou County, CA and Klamath County, OR, Comment Period Ends: 11/21/2011, Contact: Elizabeth Vasquez 916-978-5055.

EIS No. 20110328, Draft EIS, NPS, CA, Drakes Bay Oyster Company (DBOC) Special Use Permit (SUP) for the Period of 10 Years for its Shellfish Operation, which Consists of Commercial Production, Harvesting, Processing, and Sale of Shellfish at Point Reyes National Seashore, CA, Comment Period Ends: 11/21/2011, Contact: Cicely Muldoon 415-464-5101.

EIS No. 20110329, Draft EIS, FHWA, NC, U.S.-70 Havelock Bypass Project, Construction of a New Location, 10-mile, Four Land Divided, Controlled-Access Freeway for U.S.-70 around the Southwest Side of the City of Havelock and the Cherry Point U.S. Marine Corps Air Station (MCAS), Craven County, NC, Comment Period Ends: 11/14/2011, Contact: Mark Pierce 919-707-6035.

EIS No. 20110330, Draft EIS, USFS, 00, Kiowa, Rita Blanca, Black Kettle, and McClellan Creek National Grasslands Land and Resource Management Plan, Implementation, Mora, Harding, Union, and Colfax Counties, NM; Dallam, Hemphill, and Gray Counties, TX; and Cimarron and Rogers Mills Counties, OK, Comment Period Ends: 12/28/2011, Contact: Champe Green 505-346-3900.

EIS No. 20110331, Final EIS, NPS, MI, Isle Royale National Park Wilderness and Backcountry Management Plan, Implementation, MI, Review Period Ends: 10/31/2011, Contact: Phyllis Green 906-482-0986.

Dated: September 27, 2011.

James D. Gavin,

Environmental Protection Specialist, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2011-25297 Filed 9-29-11; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2011-0282; FRL-8887-9]

Registration Review; Pesticide Dockets Opened for Review and Comment and Other Docket Actions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has established registration review dockets for the pesticides listed in the table in Unit III.A. With this document, EPA is opening the public comment period for these registration reviews. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. Registration review dockets contain information that will assist the public in understanding the types of information and issues that the Agency may consider during the course of registration reviews. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment. EPA is also announcing that the docket for methyl nonyl ketone (MNK), which was planned for September 2011, has been delayed to FY 2012 (Q3). This document also announces the Agency's intent not to open a registration review docket for puccinia thlaspeos (case number 6013). This pesticide does not currently have any actively registered pesticide products and is not, therefore, scheduled for review under the registration review program.

DATES: Comments must be received on or before November 29, 2011.

ADDRESSES: Submit your comments identified by the docket identification (ID) number for the specific pesticide of interest provided in the table in Unit III.A., by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P),



APPENDIX B
FEIS COMMENTS



Arkansas Department of Health

4815 West Markham Street • Little Rock, Arkansas 72205-3867 • Telephone (501) 661-2000
 Governor Mike Beebe

Paul K. Halverson, DrPH, FACHE, Director and State Health Officer

Engineering Section, Slot 37
www.HealthyArkansas.com/eng/

Ph 501-661-2623

Fax 501-661-2032

After Hours Emergency 501-661-2136

September 19, 2011

Louisiana Department of Transportation and Development
 ATTN: Noel Ardoin
 1201 Capital Access Road, Room 201BB
 Baton Rouge, LA 70802

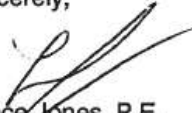
RE: Interstate 69 – Section of Independent Utility No. 14
 Louisiana State Project No. 736-99-1032
 Arkansas State Project No. 070212
 Federal Aid Project No. CBI-9901(516)
 Junction I-20 near Haughton, LA to US 82 near El Dorado, AR
 Bossier, Claiborne and Webster Parishes, Louisiana
 Columbia and Union Counties, Arkansas

Dear Mr. Ardoin,

A staff review has been made of the information received regarding the above referenced project. The Engineering Section has no comments regarding the proposal.

Should you have questions or need additional information, please feel free to contact Chris Talley at 501-661-2067.

Sincerely,


 Lance Jones, P.E.
 Chief, Technical Support
 Engineering Section

CC: John Fleming
 Arkansas Highway and Transportation Department
 P.O. Box 2261
 Little Rock, AR 72203

RH:JS:LJ:LG:CT

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Wilson, Christi

From: Mike Howard <Mike.Howard@arkansas.gov>
Sent: Thursday, September 22, 2011 9:09 AM
To: I69 Project Team
Subject: RE: Final EIS for I-69 (SIU 14) is available!

Bill Prior and I have reviewed the I-69 (SIU 14) final EIS and have no further comments. We have filed our copy in the AGS library.

Mike Howard , AR RPG #009
Geology Supervisor/Mineralogist
Arkansas Geological Survey
3815 West Roosevelt Road
Little Rock, AR 72204
501-683-0125
cell 501-246-0964 during work hours only, please!
fax 501-663-7360

From: i69arkla@urscorp.com [i69arkla@urscorp.com]
Sent: Wednesday, September 21, 2011 10:57 PM
To: Mike Howard
Subject: Final EIS for I-69 (SIU 14) is available!

Wilson, Christi

From: Dussom, Kent
Sent: Friday, September 23, 2011 11:13 AM
To: Wilson, Christi
Subject: FW: DEQ SOV 736-99-1032/2695 Final EIS-I-69 Corridor Shreveport to El Dorado

From: Beth Altazan-Dixon [Beth.Dixon@LA.GOV]
Sent: Friday, September 23, 2011 11:02 AM
To: Dussom, Kent
Subject: DEQ SOV 736-99-1032/2695 Final EIS-I-69 Corridor Shreveport to El Dorado

September 23, 2011

Kent B. Dussom, P.E. - Project Manager
 URS Corporation
 3500 N. Causeway Blvd., Suite 900
 Metairie, LA 70002
kent.dussom@urs.com

RE: 736-99-1032/2695 Final EIS-I-69 Corridor Shreveport to El Dorado
 LADOTD Funding
 Bossier, Claiborne and Webster Parishes

Dear Mr. Dussom:

The Department of Environmental Quality (LDEQ), Business and Community Outreach Division has received your request for comments on the above referenced project.

After reviewing your request, the Department has no objections based on the information provided in your submittal. However, for your information, the following general comments have been included. Please be advised that if you should encounter a problem during the implementation of this project, you should immediately notify LDEQ's Single-Point-of-contact (SPOC) at (225) 219-3640.

- Please take any necessary steps to obtain and/or update all necessary approvals and environmental permits regarding this proposed project.
- If your project results in a discharge to waters of the state, submittal of a Louisiana Pollutant Discharge Elimination System (LPDES) application may be necessary.
- If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater.
- All precautions should be observed to control nonpoint source pollution from construction activities. LDEQ has stormwater general permits for construction areas equal to or greater than one acre. It is recommended that you contact the LDEQ Water Permits Division at (225) 219-3181 to determine if your proposed project requires a permit.
- If your project will include a sanitary wastewater treatment facility, a Sewage Sludge and Biosolids Use or Disposal Permit application or Notice of Intent must be submitted no later than June 1, 2011. Additional information may be obtained on the LDEQ website at <http://www.deq.louisiana.gov/portal/tabid/2296/Default.aspx> or by contacting the LDEQ Water Permits Division at (225) 219- 3181.
- If any of the proposed work is located in wetlands or other areas subject to the jurisdiction of the U.S. Army Corps of Engineers, you should contact the Corps directly regarding permitting issues. If a Corps permit is required, part of the application process may involve a water quality certification from LDEQ.
- All precautions should be observed to protect the groundwater of the region.

- Please be advised that water softeners generate wastewaters that may require special limitations depending on local water quality considerations. Therefore if your water system improvements include water softeners, you are advised to contact the LDEQ Water Permits to determine if special water quality-based limitations will be necessary.
- Any renovation or remodeling must comply with LAC 33:III.Chapter 28, Lead-Based Paint Activities; LAC 33:III.Chapter 27, Asbestos-Containing Materials in Schools and State Buildings (includes all training and accreditation); and LAC 33:III.5151, Emission Standard for Asbestos for any renovations or demolitions.
- If any solid or hazardous wastes, or soils and/or groundwater contaminated with hazardous constituents are encountered during the project, notification to LDEQ's Single-Point-of-Contact (SPOC) at (225) 219-3640 is required. Additionally, precautions should be taken to protect workers from these hazardous constituents.

Currently, Bossier, Claiborne and Webster Parish are classified as attainment with the National Ambient Air Quality Standards and has no general conformity determination obligations.

Please send all future requests to my attention. If you have any questions, please feel free to contact me at (225) 219-3958 or by email at beth.dixon@la.gov.

Sincerely,



Beth Altazan-Dixon
Performance Management
LDEQ/Business and Community Outreach Division
Office of the Secretary
P.O. Box 4301 (602 N. 5th Street)
Baton Rouge, LA 70821-4301

Wilson, Christi

From: Bruce S <bruce.s@suddenlink.net>
Sent: Monday, September 26, 2011 3:56 PM
To: Wilson, Christi
Subject: Re: I-69 crossing Hwy 79

Christi,

I am at the house if you would like to call. I will be around for about the next 60 min. My number is 870-881-8498. Looks like the interchange is going right across the top of all 3 of our pipelines and it also looks like it is going across the top of a church building or even maybe through the old gas plant.

----- Original Message -----

From: [Wilson, Christi](#)
To: [Bruce S](#)
Sent: Monday, September 26, 2011 2:50 PM
Subject: RE: I-69 crossing Hwy 79

Bruce I have attached an enlargement from the Line and Grade Report (preliminary design) of the proposed design of the Interchange on US 79 - it is over grayscale background - and the design is a cloverleaf design where all ramps are located on one side - the East side of the alignment.

If you go into the FEIS Chapter 3 and find Figure 3.4-1 at the end of the chapter you can see that we identified 3 abandoned wells within the Right of Way of the Interchange

From: Bruce S [bruce.s@suddenlink.net]
Sent: Monday, September 26, 2011 12:58 PM
To: Wilson, Christi
Subject: Fw: I-69 crossing Hwy 79

Christi,

I am trying again. My computer is blocking files. I am trying again to figure out what is going on. I think I resolved the problem.

Thanks,
 Bruce

----- Original Message -----

From: [Bruce S](#)
To: [Wilson, Christi](#)
Sent: Monday, September 26, 2011 11:56 AM
Subject: Fw: I-69 crossing Hwy 79

Christi,

Here it is with the attachment.

----- Original Message -----

From: [Bruce S](#)
To: christi_wilson@urscorp.com
Sent: Monday, September 26, 2011 10:54 AM
Subject: I-69 crossing Hwy 79

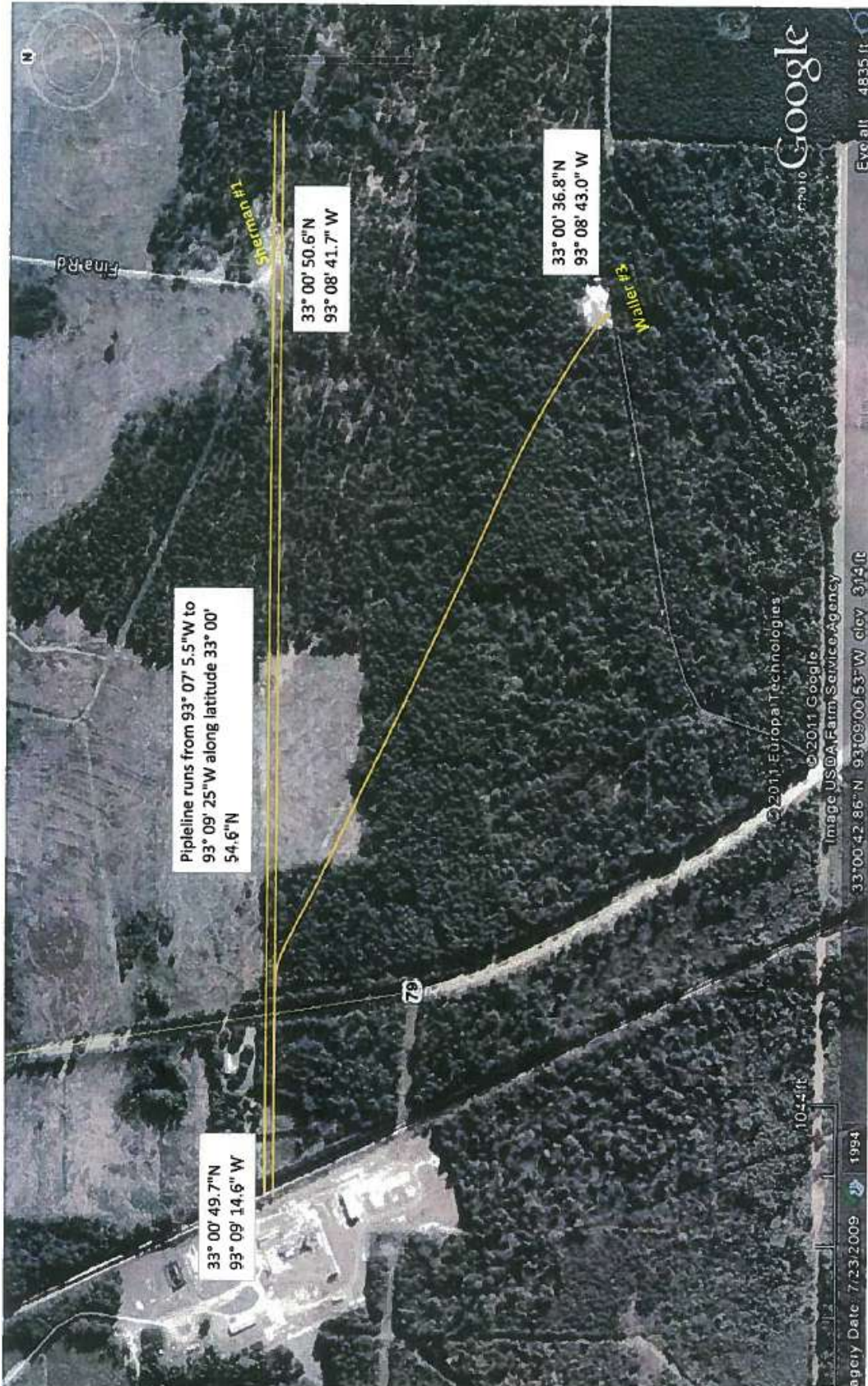
Christi,

Hope I got your email address correct. I am sending you a snapshot picture from google of the area surrounding some of our production and transportation lines that the proposed I-69 will supposedly effect. I took (2) snapshots. I put them in a spreadsheet with each under a separate tab in the spreadsheet. They are labeled *79 Crossing* and *Zoomed Out*. I have added some coordinates from some of our production sites and marked the pipeline including some of the access roads. There is another well owned and operated by Indigo that uses the same access road.

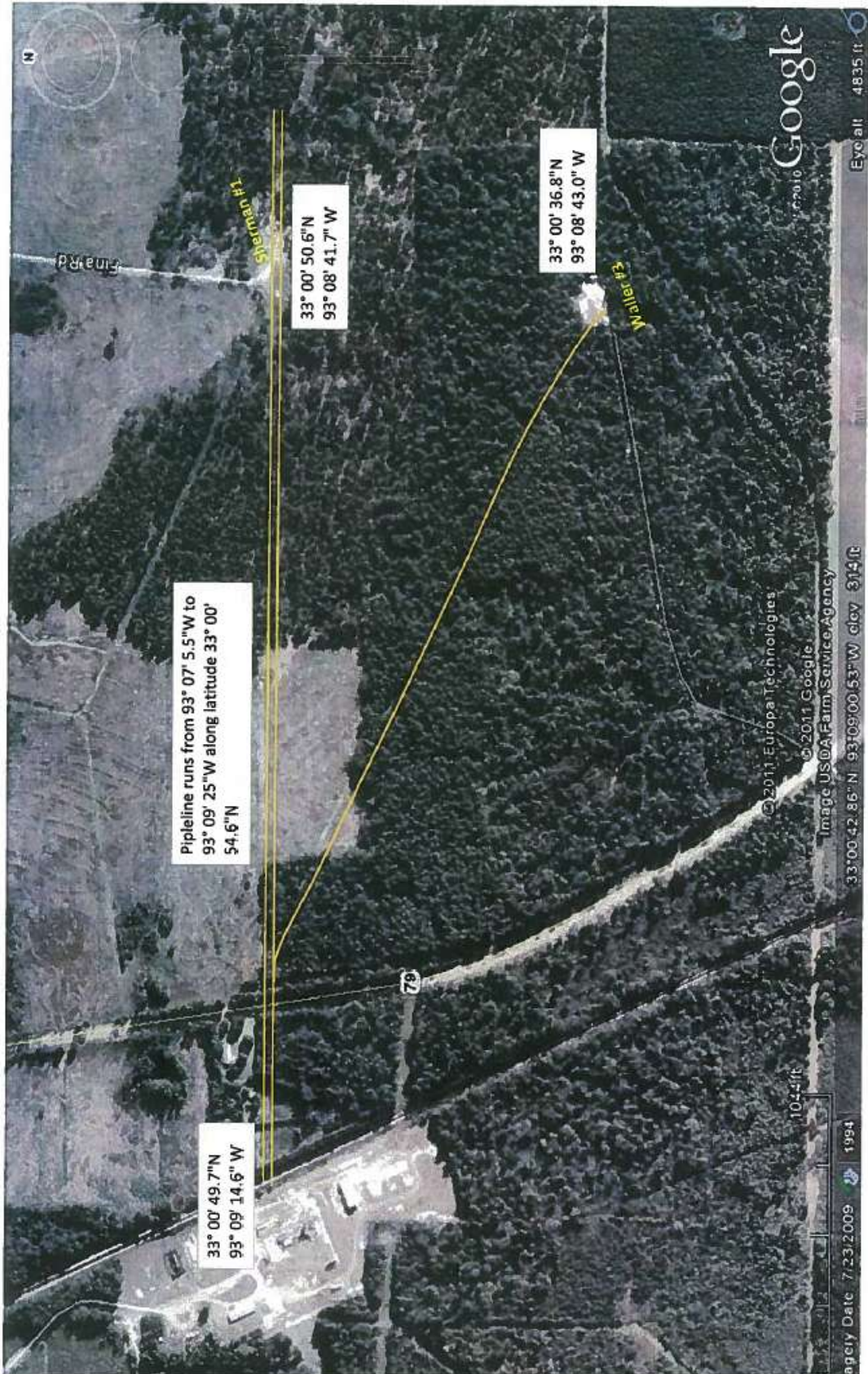
By the way, I surveyed my family and none ever recall anyone contacting them regarding the effects of I-69 coming across our gas field.

Thanks,
Bruce Simpson

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D+S Producers - Bruce Simpson



D+S Producers - Bruce Simpson

Wilson, Christi

From: Jack Wilhelm <jwilhelm@wilhelmlaw.net>
Sent: Wednesday, October 05, 2011 11:28 AM
To: Wilson, Christi
Subject: Re: I-69 Need Map! - Comment response

Thank you; I think this will be helpful to me and also to others. I appreciate your promptness and professionalism. Best regards.

Jack Wilhelm, Attorney At Law
1201 Rio Grande, Suite 100
Austin, Texas 78701
(512) 236-8400
(512) 236-8404 (fax)
(512) 517-2062 (cellular)
jwilhelm@wilhelmlaw.net
www.wilhelmlaw.net

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From: "Wilson, Christi" <christi.wilson@urs.com>
To: "jwilhelm@wilhelmlaw.net" <jwilhelm@wilhelmlaw.net>
Sent: Wed, October 5, 2011 11:11:06 AM
Subject: RE: I-69 Need Map! - Comment response

After speaking with you several days ago and explaining that your property is out of the area of the Final Preferred Alignment for I-69 – we now have the Township, Range and Section feature on the interactive map on the project website: www.i69arkla.com

Thank You,
Christi Wilson, Project Assistant
URS Corporation
504-837-6326 office phone

From: Dussom, Kent
Sent: Friday, September 23, 2011 4:57 PM
To: jwilhelm@wilhelmlaw.net
Cc: Wilson, Christi
Subject: RE: Need Map! - Comment response

Mr. Wilhelm -

We have recently replaced the link on the website and now a new GIS map is connected that shows the preferred alignment. You can either switch from a "street map" view or to an "aerial view". Zooming may take a minute or so for the images to load, but I hope that this is the information that you need. We do not have the section, township, and range data, but perhaps you can use the aerial or street maps to locate your property.

I am checking with my IT folks to see if the Section, Township, and Range data is something they can add to map - I will give you an update next week.

Please give me a call if you need something other than what this new tool can provide.

Thanks,
Kent B. Dussom, PE
URS Corporation
Transportation Project Manager
504 837 6326 office phone

From: Jack Wilhelm [jwilhelm@wilhelmlaw.net]
Sent: Thursday, September 22, 2011 12:08 PM
To: I69 Project Team
Subject: Need Map!

I need a map of the route that shows section, township and range, so that I can determine whether this goes across my lands. The map you have requires a "viewer" that will not download onto my relatively sophisticated computer. Thank you.

Jack Wilhelm, Attorney At Law
1201 Rio Grande, Suite 100
Austin, Texas 78701
(512) 236-8400
(512) 236-8404 (fax)
(512) 517-2062 (cellular)
jwilhelm@wilhelmlaw.net
www.wilhelmlaw.net

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Wilson, Christi

From: Wilson, Christi
Sent: Friday, September 30, 2011 10:56 AM
To: Fleming, John
Cc: Kent.Dussom@urscorp.com
Subject: RE: I-69 SIU 14 Contacted by Magnolia Library

Thank You John,
I will contact Ms. Cleveland to explain and will notify you if anything else arises from this.

Christi Wilson

From: Fleming, John [John.Fleming@arkansashighways.com]
Sent: Friday, September 30, 2011 10:25 AM
To: Wilson, Christi
Subject: RE: I-69 SIU 14 Contacted by Magnolia Library

Christi,

Please explain to Ms. Cleveland where this project is in the NEPA process and that public meetings and hearings have already been held in reference to this project. This FEIS is provided to the library for public information and that individuals can contact URS or the Highway Dept with specific questions. If this FEIS generates substantial interest from the folks in Magnolia, then Ms. Cleveland should call back and then maybe a question and answer session would be appropriate. Thanks John

John Fleming
Section Head - Special Studies
Environmental Division
Arkansas State Highway and
Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203
Phone: 501-569-2522
Fax: 501-569-2009
e-mail: john.fleming@arkansashighways.com

From: Wilson, Christi [mailto:christi.wilson@urs.com]
Sent: Thursday, September 29, 2011 9:00 AM
To: Fleming, John
Cc: Dussom, Kent
Subject: I-69 SIU 14 Contacted by Magnolia Library

John,
Laura Cleveland with the Magnolia Library left a voice mail for me, saying that they had received the FEIS and asked if there would be anyone available to come to the library to give a presentation on the project. She provided no other details. Our question is how do we need to handle this? The phone number is 870-234-1991. I don't mind contacting her at all - however, I need to know how to respond.
Thanks



United States
Department of
Agriculture

Forest
Service

Kisatchie National Forest
Caney Ranger District

3288 Hwy. 79
Homer, LA 71040
318/927-2061

File Code: 1950
Date: October 5, 2011

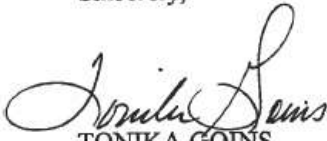
Louisiana Dept of Transportation and Development
Attn: Noel Ardoin
1201 Capitol Access Road, Room 201BB
Baton Rouge, LA 70802

Re: I-69 Corridor FEIS

Dear Ms. Ardoin,

We have no issues regarding the I-69 Corridor Final Environmental Impact Statement.

Sincerely,


TONIKA GOINS
District Ranger



Caring for the Land and Serving People

Printed on Recycled Paper



Wilson, Christi

From: Wilson, Christi
Sent: Wednesday, October 19, 2011 8:37 AM
To: 'jasondobbins@hotmail.com'
Subject: RE: I-69ARKLA Online Comment Submittal

Thank you for your comment. Interchanges have been established on US 371 northwest of Minden and on LA 159 north of Minden; both within a 20 minute access time and these highways meet FHWA standard requirements.

From: jasondobbins@hotmail.com [mailto:jasondobbins@hotmail.com]
Sent: Monday, October 17, 2011 8:50 AM
To: I69 Project Team
Subject: I-69ARKLA Online Comment Submittal

Jason Dobbins submitted the following comment at 10/17/2011 8:50:02 AM

Extend Caney Lake Road from Dorcheat Road to I-69 and create an interchange to best serve Minden.

Please contact this person by Email

General Public, Owner-Resident, Resident

127 Fitzwilliam St.
Haughton, LA 71037
jasondobbins@hotmail.com

Final Environmental Impact Statement (EIS), Received 09/14/11

11/8/11

EIS states on Page S-1 that I-69, NAFTA Superhighway through USA's Heartland is feasible. Feasible being Webster Defined as: capable of being done. Yes, but I-69 is the wrong 21st Century Mode of Transportation -- within and/or across borders.

Energy fuel costs in the 21st Century should govern Mode --Hence! I-69 is way-behind-times. In simple terms, I-69's potential Concrete & Asphalt: are NOT Carbon Sinks, will NOT produce fresh Oxygen for Air Quality, will NOT allow secure Wildlife movement (Ref. Page S-8), will NOT promote prevalent tranquility (Ref. 3-50), will NOT abate deforestation, AND, will NOT provide 'massive inroads to local, regional, or national economic benefits -- particularly during depressed economic hard times launched by criminals. Then who benefits and who will pay?

Mexican Drug Lords will rejoice & dance at Texas Borders for NAFTA Superhighway Benefits -- a win, win scenario for them without costs. Drugs flow north, NOT south!

Canada will rejoice in 'duping' USA Public for allowing ground transportation through its heartland, no environmental costs to them, and USA pays the entire tab. Particularly, Canada's and USA's Sister Mafia will rejoice on improved drug movement.

Louisiana Percent of Population by Hispanic or Latino has increased 78.7% (Ref. Piney Woods Journal, Vol. 14, No. 12, May 2011) and PBS announces: ethnics will be the majority within this decade for all Gulf Coast States. Will illegal immigrants benefit by I-69? YES. Can the above cited changes in demographics occur by legal means? NO. Will illegal Mexican Immigrants pay for I-69. NO! --- then, who pays?

United States Citizens between the Mexican Border and Canadian Border will not equitably benefit environmentally or economically; and, 'DUPED' by today's 'SHAM', USA children's children will immeasurably pay and pay alone. The I-69 Corridor for USA 21st Century is Insane!

If every \$1.00 spent by US Government, 40 cents is borrowed, I-69 is NOT viable or feasible, and should **Alarm** vast majorities of U. S. Citizens from Border to Border.

If I-69 is intended as a jobs program, and recognizing that today, 50% of US GNP is spent by the Federal Government (not with my permission) , ANY DEBT SPENDING, Under Radar or (I-69) otherwise by government is suicidal when indebted-consequences of 40 cents (above), or greater!, become obvious to each and every tax-paying citizen!

May GOD help us. Concerned,


Johnny B. Schwaller, P.E.

CF: Vitter, Fleming, Jindal, Adley, Sexton, Roberts, URS



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 COMMUNITIES (Counties & Parishes)
FLOODPLAIN ADMINISTRATOR BE CONTACTED FOR THE REVIEW AND
POSSIBLE PERMIT REQUIREMENTS FOR THIS PROJECT.
We would request Project to be compliant with EO 11988 & 11990.**

REVIEWER:

Mayra G. Diaz
Floodplain Management and Insurance Branch
940-898-5541

DATE: October 5, 2011



EIS Data | National Environmental Policy Act (NEPA) | US EPA

Page 1 of 1



housemite.epa.gov/oeca/web/eis.nsf/EIS01/DA5A3F8251C86FFA8525794800210AE1?opendocument

Last updated on Monday, November 14, 2011

National Environmental Policy Act (NEPA)

You are here: [EPA Home](#) [Compliance and Enforcement](#) [National Environmental Policy Act \(NEPA\)](#) [EIS Database](#) [EIS Data](#)

EIS Data

Title	I-69 Corridor - Section of Independent Utility (SIU) No. 14, Construction from Junction 1-20 near Houghton, LA to US 82 near EL Dorado, AR, Bossier, Claiborne and Webster Parishes, LA and Columbia and Union Counties, AR		
EIS Number	20110325	State	00
Document Type	Final EIS	Lead Agency	FHWA
Federal Register Date	09/30/2011	Contact Name	Christi Wilson
EIS Comment Due/ Review Period Date	11/10/2011	Contact Phone	504-837-6326
Amended Notice Date			
Amended Notice			
Supplemental Information			
Website			
Comment Letter Date	11/09/2011	Rating, if Draft EIS	

No comment letter was sent to the preparing agency.

[Return](#)



OFFICE OF THE GOVERNOR

The Chickasaw Nation

Post Office Box 1548 • Ada, Oklahoma 74821

(580) 436-2603 • Fax (580) 436-4287

<http://www.chickasaw.net/~cnation>BILL ANOATUBBY
GOVERNOR

October 27, 2011

Mr. Noel Ardoin
Louisiana Department of Transportation and
Development
1201 Capitol Access Road, Room 201 BB
Baton Rouge, LA 70802

Dear Ms. Ardoin:

Thank you for inviting us to comment on the Final Environmental Impact Statement for the Interstate 69 Section of Independent Utility Number 14 (SIU 14). The Chickasaw Nation Environmental Services Department has no comment to provide for the above proposed project at this time.

If activities generate any environmentally detrimental effects or any culturally significant material or remains are unearthed, please immediately notify the Chickasaw Nation.

If you have any questions, please contact Mr. Mack Peterson, environmental section head, at (580) 272-5415.

Your time and consideration in this matter are appreciated.

Sincerely,

Handwritten signature of Bill Anoatubby in cursive script.

Bill Anoatubby, Governor
The Chickasaw Nation