

Chapter IV Comments and Coordination

A. Public Involvement

A public Pre-location Meeting was held at the South Valley Middle School on June 28, 2005 from 5 to 7 p.m. in which the preliminary alternatives were exhibited. Approximately 22 public officials from Liberty, Kansas City, Pleasant Valley and the Missouri Department of Transportation (MoDOT) met at 4 p.m. for an open forum discussion and brief project presentation. Sixty-seven (67) people signed the attendance register and 20 comment forms were collected at the meeting. The public meeting was held in an open-house format.

The public feedback was quite positive on the need of the project. Public concerns included funding, bike/hike trail connectivity, location of the roadway in regards to the school athletic fields, and anxiety about using roundabouts. Roundabouts were the most voiced public concern. As roundabouts are not common in this study area, many citizens are apprehensive about this type of intersection. Details concerning the public meeting and a summary of written and verbal comments are included in Appendix A.

B. Agency Coordination

1. AGENCY COMMUNICATIONS

At the outset of the project, coordination letters requesting input and information were sent to the following resource agencies:

- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers – KC District
- Natural Resources Conservation Service
- Federal Emergency Management Agency (no response)
- State Emergency Management Agency
- Missouri Department of Conservation
- Missouri Department of Natural Resources
- Missouri Department of Natural Resources – State Historic Preservation Office

Response letters can be found in Appendix B. A summary of agency concerns stated in those response letters is as follows:

Missouri Department of Natural Resources – State Historic Preservation Office (SHPO):

- Sites located within the Study Corridor determined to be not eligible for the National Register
- Request that possible cemetery location in the project area be monitored during construction

Missouri Department of Natural Resources (MDNR):

- Consider anticipated impacts on Little Shoal Creek and tributaries, including potential wetlands.
- Meet the requirements of the Section 106 review process to avoid or mitigate any impacts to cultural resources.
- Consider the possibility of karst features being present.
- Consider the presence of underground storage tanks in the area.

Environmental Protection Agency (EPA):

- Recommendation to set the boundaries for the socioeconomic and cumulative impact analyses at a greater distance from the work zone.

U.S. Fish and Wildlife Service (USFWS):

- No concerns. Section 7 consultation concluded.

U.S. Army Corps of Engineers (USACE):

- Department of the Army (DA) permit will be required prior to construction for discharges of fill material into waters of the U.S.

In addition, an informal meeting was held with a regulatory specialist with the U.S. Army Corps of Engineers, on December 13, 2005, to discuss potential impacts to waters of the U.S. and proposed stream relocations within the project. A summary of the Corps' concerns are as follows:

- The relocation of the unnamed tributary near Liberty Drive may be viewed as an unnecessary or avoidable impact to the wooded riparian area as compared to placing the stream in a culvert under the roadway.
- The Corps and resource agencies would prefer that mitigation for stream impacts take place along Little Shoal Creek.

State Emergency Management Agency (SEMA):

- Prior to construction, a "No-rise" certificate and statement as to the effects of possible flooding is required in conjunction with a floodplain development permit.

Missouri Department of Conservation (MDC):

- Consider the possibility of potential habitat for the Indiana bat (federal and state endangered) in the riparian and upland forests near Little Shoal Creek by preserving mature forest canopy.
- Re-vegetate disturbed areas with native plant species to minimize the impact of wildlife habitat disturbance and to minimize erosion.
- Efforts should be made to protect groundwater, and minimize erosion and sedimentation/runoff to nearby streams.

Natural Resources Conservation Service (NRCS):

- No concerns.

2. PROJECT MEETINGS

Throughout the planning process, project meetings were held with the core team to discuss items such as progress, project goals, data collection, coordination, purpose & need statement, traffic analysis, design criteria, alignments, typical cross-sections, cost estimates, bridge types and lengths, floodplain/floodways, hydrology/hydraulics, public involvement, practical design, environmental aspects, multi-purpose trail, and schedule. The core team included representatives from the following:

- City of Liberty, Missouri
- City of Kansas City, Missouri
- Liberty Public School District #53
- Economic Development Corporation of Kansas City
- Missouri Department of Transportation (MoDOT) – District 4
- Federal Highway Administration (FHWA)
- Federal Emergency Management Agency (FEMA)
- Representative from the office of Sam Graves (House of Representatives)
- HNTB Corporation

Project meetings were held on the following dates:

- December 29, 2004
- April 1, 2005
- May 6, 2005
- June 3, 2005
- July 7, 2005
- August 3, 2005
- September 7, 2005
- October 5, 2005
- November 2, 2005
- January 11, 2006
- March 8, 2006
- April 12, 2006
- May 10, 2006
- June 7, 2006
- July 12, 2006
- August 9, 2006

a. Pleasant Valley Meeting

The south third of the Proposed Action will travel along the east edge of the City of Pleasant Valley, and as such, a meeting was held on April 17, 2006 with the Pleasant Valley City Council, the City of Liberty, and representatives of MoDOT District 4 to present the project to the Council and discuss its relevance to the economic development of Pleasant Valley. The Council decided to further review the Draft Environmental Assessment (DEA) document and the information presented at the meeting. A formal letter was also sent to the City of Pleasant Valley inviting them to be a signatory of the DEA document (see letter dated April 24, 2006 in Appendix B). The mayor authorized the letter, indicating that the City would act as a signatory for the DEA document. In a separate meeting with MoDOT representatives on June 12, 2006,

the City signed the signatory page and indicated that they would cooperate in the execution of an aerial easement agreement for the bridge over I-35, as they control the air space in that location.

C. Public Review

1. OFFICIAL COMMENT PERIOD

Draft Environmental Assessment documents were distributed among federal, state, and local agencies, and were made available in the following locations for public review during the official comment period of June 29, 2006 through August 7, 2006:

- Kansas City Central Library, 14 W. 10th Street, Kansas City, MO
- Kansas City City Hall, 414 E. 12th Street, 19th Fl. Planning Department, Kansas City, MO
- Liberty City Hall, Public Works Department, 10 E. Kansas Street, Liberty, MO
- Mid-Continent Public Library, Liberty Branch, 1000 Kent Street, Liberty, MO
- Pleasant Valley City Hall, 6500 Royal Street, Pleasant Valley, MO
- Missouri Department of Transportation, District 4 Office, 600 NE Colbern Road, Lee's Summit, MO
- On-line at www.modot.mo.gov/kansascity/major_projects

2. PUBLICITY

- Consistent with FHWA and MoDOT procedures, a legal notice regarding the public review period and public hearing was placed in the *Kansas City Star* and the *Northland Sun News* on 6/29/2006.
- Meeting/Project Notice to Potentially Affected Property Owners – the cities of Kansas City, Missouri and Liberty, Missouri sent letters to potentially affected property owners alerting them of the project, the potential for impacts to their property, and the public hearing.
- Meeting Notice - A project fact sheet and meeting notice was mailed to the approximately 250 individuals who had indicated an interest in the project, as well as elected officials and representatives of governmental agencies
- Meeting information was also posted on the MoDOT Web Site
- A press release was sent to local media regarding the Draft document and the public hearing.

3. PUBLIC HEARING

The open house public hearing was held on Thursday, July 27, 2006 from 4:00 – 7:00 p.m. at the Liberty Community Center, 1600 Withers Road in Liberty, Missouri.

a. Exhibits

The exhibits included the following topics:

- Purpose and Need
- Environmental Considerations
- Preliminary Concepts
- Recommended Preferred Alternative
- Meeting the Budget

- Interim Concept
- Interim Project Schedule
- Comment Table

b. Attendees

Thirty-four individuals signed in at the public hearing, including several members of the local press. Additionally, the hearing included representatives of the project team, including MoDOT; Kansas City, Missouri; Liberty, Missouri; and HNTB.

4. PUBLIC COMMENTS AND RESPONSES

Comments received at the public hearing and from the general public via mail through the end of the comment period are categorized and summarized below, with responses to those comments:

a. Roundabouts

Comments:

- Likes roundabouts.
- Liberty does not really care for roundabouts. They do not work and they are poorly designed.
- Why are you going to build the circles instead of traffic lights?

Response: The circles are typically called roundabouts and these traffic features offer safer interchanges for vehicles, have higher traffic capacities with shorter vehicle delays to accommodate traffic, and are more economical to maintain and operate than an intersection with traffic lights.

EA Reference: II.B.3.b. & c.

b. Funding/Costs

Comments:

- Liberty Parkway should be the first priority over this project in terms of being funded and built.
- Seeking confirmation that the federal funding is available.

Response: MoDOT has set aside \$19.2 million for the project over a three year period. The first installment of the funding is approximately \$6 million and will be available to the City for the project on July 1, 2008. The remainder of the funding would be available in nearly equal installments on July 1, 2009 and July 1, 2010.

EA Reference: I.A.2. and II.E.2.b.

Comment:

- What does it cost to do this study?

Response: The environmental phase of this project will cost approximately \$1,000,000 not including incidental costs incurred by the City staff, MoDOT staff and other reviewing agency staffs such as FHWA, DNR, etc. *Additional Comment:* What a waste of tax payer's money.

EA Reference: None

Comment:

- Why doesn't the Liberty School District pay for more of the project? It seems that they are the big beneficiaries of the new road?

Response: The new road is a public works project and typically, the cost of such projects is borne by the tax payer. In addition, the School District is not the only beneficiary of the project. The entire community will benefit from easier and better access from one side of the Interstate to the other, so the community benefits as well as all the businesses on both sides of the interstate.

EA Reference: I.C.

c. Pedestrian Access

Comments:

- Will the new road have a sidewalk?
- Concerns about the kids/pedestrian access along 76th street to get to the school north on Flintlock. (verbal and written comment)

Response: The new roadway will have a 10-foot wide pedestrian/bicycle path on the east side of the road. In addition, a sidewalk will be included on the south side of NE 76th Street, from the new roundabout to the existing sidewalk on NE 76th Street to the west, near the residential area.

EA Reference: III.A.5. and Exhibit II-2

d. Schedule

Comment:

- When will the road be built?

Response: Assuming a Finding of No Significant Impact is received from the Federal Highway Administration, the earliest the project could begin is July 1, 2008 when funding becomes available. The first or interim phase of the project is anticipated to be complete in 2011. The interim phase will consist of all of the grading, right-of-way, and utility relocation required for the four-lane Proposed Action, but construction will include only a two-lane roadway and two-lane bridges to carry traffic. The interim phase will also include an enclosed storm sewer system, lighting, and the multi-use pedestrian trail. The final phase will occur as traffic demands warrant, and will consist of widening the two-lane roadway and bridges to four lanes. Based upon the traffic analysis, this is not anticipated for the next 15-20 years.

EA Reference: II.E.2.b.

e. Maintenance of Traffic**Comment:**

- Will you have to close I-35 to build the bridge?

Response: No. The bridge will be constructed in stages in order to retain two lanes of I-35 in each direction, except for short intervals during the night time hours, to erect the steel girders over the interstate. Interstate 35 will most likely retain two lanes of traffic in each direction during peak traffic hours.

EA Reference: III.Q.b.

f. Roadway Maintenance**Comment:**

- Who will own the roadway when it is completed?

Response: The final ownership of the roadway and the bridge will be determined with the funding agreement that is currently being negotiated between MoDOT and the City of Liberty.

EA Reference: None

g. Right-of-Way**Comment:**

- Is there sufficient room to build a four lane roadway in the future?

Response: Yes. One of the purposes of preparing the Environmental Assessment was to determine how much right-of-way would be needed for a four-lane roadway in order to determine the extent of impacts resulting from construction of a four-lane roadway. The interim phase will consist of all of the grading, right-of-way, and utility relocation required for the four-lane Proposed Action.

EA Reference: II.E.2.b.

Comment:

- The property owner of the tract shown to be impacted between the bridge and NE 76th Street prefers an earlier alignment that keeps the road closer to/in the floodplain and left him with a larger tract for development. He was concerned about the size of the "remnants" he would be left with and how developable they would be. He requested rough size (acres) and dimensions with the current alignment proposal. (verbal and written comment)

Response: Permanent right-of-way will be determined in the final design stage and affected property owners will be kept informed during this design phase. At this point, preliminary numbers could be provided, but they are likely to change if the project moves forward to design.

EA Reference: None

h. General Comments

Comments:

- There were six written comments in general support of the project, including encouragement to move as quickly as possible.
- Dislikes the design and thinks it should just go from NE 76th Street straight across I-35 and stop (at Mid Jay Drive – the street traveling past the schools).

Response: The Flintlock Overpass alignment has been shown in its general configuration for nearly a decade. The alignment serves the project purpose of traffic safety, roadway capacity, increased mobility, and increased economic development opportunities. The alignment was identified to connect the minor arterials of NE 76th Street and Flintlock Road in Kansas City, Missouri with an arterial of Flintlock and collector of Liberty Drive in Liberty, Missouri. A connection between NE 76th Street and Mid Jay Drive would not be desirable due to the functional classification of Mid Jay Drive (local residential street) and the proximity of houses along the roadway. Mid Jay Drive was not designed to carry the forecasted traffic volumes that are anticipated to cross I-35 as a result of the new overpass. In addition, in order for a bridge overpass to clear both I-35 and the adjacent frontage roads, a new roadway connecting to Mid Jay Drive would have significant impacts to adjacent residential properties as it ties back into Mid Jay Drive. The current Flintlock alignment shown in the EA minimizes environmental impacts and social impacts to nearby neighborhoods. The alignment was identified to span I-35 and both of the adjacent frontage roads

EA Reference: I.C.

i. Traffic

Comment:

- Concerns about the increased traffic in the area.

Response: As a result of the Flintlock Overpass, traffic is expected to increase on some roads and decrease on other roads. Increases in traffic are expected on Liberty Drive and NE 76th Street as an alternative east-west corridor over I-35 for motorists. Traffic will increase on Flintlock Road both north and south of I-35. Decreases in traffic are expected along routes of M-152 and Pleasant Valley Road that currently cross and provide access to I-35. These two interchanges are currently Liberty's most congested interchanges. The City's comprehensive transportation plans assume the Flintlock Overpass to be a significant regional transportation project to improve mobility and safety in the area. Also, traffic is expected to decrease along the existing Church Road frontage road west of I-35 and along Pleasant Valley Road.

EA Reference: I.C.1. & 2.

Comment:

- Concerns about increased traffic on Liberty Drive

Response: Traffic is expected to increase on Liberty Drive as a result of the new overpass. Motorists will use Liberty Drive as an alternative east-west route to M-152 and Pleasant

Valley Road. Traffic is expected to increase between 500 and 1,000 cars in 2030 as compared to no Flintlock Overpass. The project is expected to reduce traffic congestion and improve safety for motorists that currently cross I-35 at M-152 and Pleasant Valley Road.

EA Reference: I.C.1. & 2.

Comment:

- Concerns about the project increasing traffic on NE 76th Street. It is currently a rolling unimproved 2-lane road and believes that more traffic will flow west on NE 76th street than is there now, and that more people will take NE 76th Street to get to I-35 rather than going north on Flintlock to M-152.

Response: NE 76th Street is identified on Kansas City, Missouri's *Major Street Plan* as a Secondary Arterial. The City of Kansas City, Missouri plans for the roadway to be a 4-lane divided roadway. This area of Kansas City is identified to be built-out primarily with residential and is known as Shoal Creek development.

EA Reference: I.C.1. & 2.

j. Safety

Comment:

- Concerns about safety along Liberty Drive. It is signed at 15 mph (east of the Pleasant Valley interchange), but feel the nearby intersections were dangerous.

Response: Liberty Drive is a collector road for the City. South Liberty Parkway was designed to help relieve traffic from Liberty Drive and provide improved east-west travel on the south side of the City.

EA Reference: I.B.

Comment:

- Need a traffic signal at High Drive and Liberty Drive for students to cross the road, and for Wilshire Highlands residents to exit the area.

Response: Comment Noted. That intersection is beyond the scope of this project and out of the project limits.

EA Reference: None

5. RESOURCE AGENCY COMMENTS AND RESPONSES

Comments were also received from the following resource agencies:

- The U.S. Army Corps of Engineers
- The Missouri Department of Natural Resources
- The Missouri State Emergency Management Agency
- The U.S. Fish and Wildlife Service
- The Missouri Department of Conservation

Responses to resource agency comments are included below. Comment letters and e-mails from the agencies are located at the end of this section.

a. U.S. Army Corps of Engineers

Comment: In a phone conversation (see Record of Telephone Call, August 10, 2006), the US Army Corps of Engineers stated that they would not be providing a comment letter, and that their comments from a previous meeting with them regarding stream relocation and permitting are still valid (see Meeting Notes, December 13, 2005). In that meeting, the USACE stated that if the stream near Liberty Drive is filled and relocated, rather than culverted under the roadway, it will most likely require an Individual Permit rather than a Nationwide Permit. The Corps and the resource agencies may consider the relocated channel an unnecessary impact, but would consider the culverting of the channel as an unavoidable impact. The Corps stated that their first preference for stream mitigation would be to look at possibilities along Little Shoal Creek.

Response: The stream relocation near Liberty Drive, and appropriate mitigation measures (along Little Shoal Creek) for stream impacts will be further studied and discussed with the Corps and the resource agencies during the design phase of the project, prior to applying for a permit.

EA Reference: III.G.3.

b. Missouri Department of Natural Resources

Comment: Letter from the Missouri Department of Natural Resources (see letter dated August 7, 2006) stated that they are satisfied that environmental issues have been appropriately addressed, and that protective measures outlined in the Draft EA should be followed during construction in order to minimize negative environmental impacts.

Response: Protective measures (Best Management Practices, as noted in the EA document) will be followed during construction.

EA Reference: III.H.2.b.

c. State Emergency Management Agency

Comment: Letter from the State Emergency Management Agency (see letter dated July 5, 2006) stated that a floodplain development permit must be obtained prior to construction, and that a "No-Rise" Certificate and statement as to the effects of possible flooding is required before the project can be permitted.

Response: A "No-Rise" analysis will be prepared and a floodplain development permit will be applied for during the design phase of the project.

EA Reference: III.P.1.c.

d. US Fish & Wildlife Service

Comment: E-mail from the US Fish & Wildlife Service (see e-mail dated 06-29-2006) to FHWA stated that they have no objections to the project, and that no further consultation under Section 7 of the ESA (Endangered Species Act) is necessary.

Response: None necessary.

EA Reference: None

e. Missouri Department of Conservation

Comment: The Missouri Department of Conservation did not send an official comment letter, however, the MDC was represented by two of its local employees at the Public Hearing on July 27, 2006. The MDC representatives' concerns were as follows:

- How will storm water be managed? Will the roadway have curb and gutter? Consideration should be given to using vegetated swales and bio-retention ponds to filter water before it reaches the streams.

Response: It is currently planned that the roadway will have a closed drainage system with curb and gutter. There may be some areas, such as the area west of the schools on the west side of the roadway near Little Shoal Creek, that may have the potential of incorporating vegetated swales or bio-retention areas for storm water run off. These areas will be studied further in the design phase of the project.

EA Reference: III.H.2.b.

Comment:

- The relocated channels can benefit from utilization of native vegetation on channel banks or a combination of vegetation and ungrouted rock.
- Use native plants for landscaping, which can provide wildlife habitat

Response: The type of erosion protection on the banks of the relocated channels will depend on velocities and will be determined in the design phase of the project. Utilization of native vegetation and bio-engineering techniques on channel banks will be considered where appropriate. In addition, native plants will be considered for landscaping in appropriate areas of the project.

EA Reference: III.G.3., III.H.2.b., and III.O.3.

RECORD OF TELEPHONE CALL



Job # 40024 –Flintlock Road Overpass
Call From Tim Flagler
Call To Brian Donahue
By Tim Flagler

Date August 10, 2006
Of HNTB Corporation
Of Corps of Engineers – KC District

Subject Discussed

Re: Comments on the Flintlock Road Overpass
Draft Environmental Assessment.

The public review comment period for the Draft EA had ended and we had not received an official comment letter from the Corps of Engineers. I called Brian Donahue to see if the Corps was still intending to send any official comments. Brian said that the Corps usually does not comment on EAs, but rather waits for the submittal of the 404 permit application for the project. They then perform their 404(b)(1) analysis in processing the permit application.

Brian then referred to a meeting that I had with him on December 13, 2005 to discuss stream impacts and relocations, and said that the items we discussed in that meeting were still valid concerning the stream impacts, stream relocations, and permitting. He reiterated the fact that the relocation of the stream near Liberty Drive would most likely result in the necessity of an Individual Permit rather than a Nationwide Permit. (See Meeting Notes dated 12/13/2005 regarding the meeting with the Corps.)

Action to be Taken

The Corps will not provide an official comment letter, so the meeting notes of 12/13/2005 will be added to the EA document as the Corps comments.

MEETING NOTES



December 13, 2005

HNTB Project No.: 40024 - Flintlock Road Overpass EA

Re: Stream Impacts and Relocations

Location: Corps of Engineers office (KC, MO)

Purpose: To discuss stream impacts and stream relocations of the project

Attending: Tim Flagler (HNTB); Brian Donahue (USACE - KC District)

I met with Brian Donahue, Regulatory Specialist with the US Army Corps of Engineers, on Tuesday (December 13, 2005) to show him exhibits of the proposed stream relocations that were incorporated in the EA document. His comments were as follows:

- **Tributary south of NE 76th Street** - Brian had no problem with the relocation of this stream. He said it appeared to be a practicable solution, based on the location and construction limits of the roundabout, and that the length of stream being adjusted was the same or more than what was being filled.
- **Tributary near Liberty Drive** - Brian said that the relocation of this stream might be looked upon as an additional impact that is "unnecessary", since a culvert can convey the water under the roadway where there is an "unavoidable" impact of placing fill in the channel. The additional impact is on the existing wooded riparian environment, and the resource agencies may be concerned about the destruction of mature woodland habitat when it is not absolutely necessary. The Corps and the resource agencies are looking for the "least damage" to the environment. Brian said that the stream relocation can be included in the project, but that this type of impact (filling a stream and relocating it) usually pushes it into an "Individual Permit", which would entail a longer and more involved review process.

Brian said that the Corps and resource agencies would prefer that mitigation for stream impacts take place along Little Shoal Creek if there are areas that could benefit from measures such as grade control, bio-engineering, tree plantings, etc. (There are no wetland impacts on this project)

This is our understanding of items discussed and decisions reached. Please contact us if there are changes or additions.

Submitted by,

HNTB CORPORATION

A handwritten signature in black ink that reads "Tim Flagler". The signature is written in a cursive style.

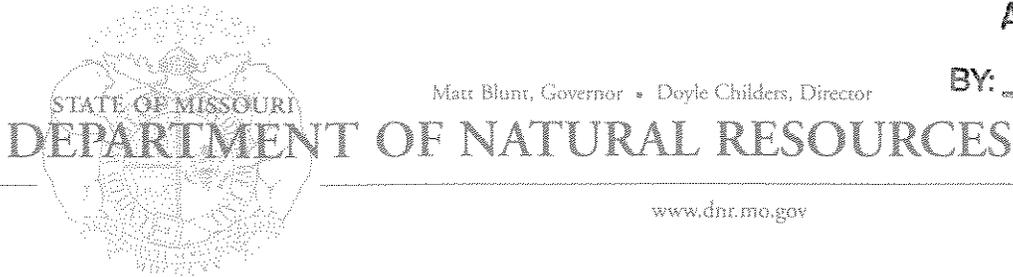
Tim Flagler
Environmental Planner / Landscape Architect

cc: Kevin Wallace (HNTB), Bob Gilbert (HNTB), Lisa Mosley (HNTB)

RECEIVED

AUG 10 2006

BY: _____



Matt Blunt, Governor • Doyle Childers, Director

www.dnr.mo.gov

AUG - 7 2006

Flintlock Overpass
c/o HNTB
715 Kirk Drive
Kansas City, MO 64106
Attn: Tim Flagler, Environmental Planner

Re: Flintlock Road over I-35 Draft Environmental Assessment

Dear Mr. Flagler:

The Missouri Department of Natural Resources has reviewed the Draft Environmental Assessment (DEA) for Flintlock Road over Interstate 35. We appreciate the opportunity to review this project again, as the department submitted comments on August 2, 2005 and November 17, 2005.

After review of the completed DEA, the department is satisfied that environmental issues have been appropriately addressed. As long as the protective measures outlined in the DEA are followed during construction, any negative environmental impacts should be minimized.

We appreciate the opportunity to provide comments on this proposed project. If you have any questions or need clarification, please contact Ms. Jane Beetem at 573-522-2401. Her address for correspondence is Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102. Thank you.

Sincerely,

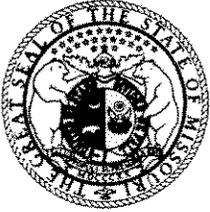
DEPARTMENT OF NATURAL RESOURCES

A handwritten signature in cursive script that reads "Doyle Childers".

Doyle Childers
Director

DC:bjj

EMERGENCY MANAGEMENT AGENCY



DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE ADJUTANT GENERAL

PO Box 116, Jefferson City, Missouri 65102
Phone: 573/526-9100 Fax: 573/634-7966
E-mail: mosema@mail.state.mo.us



July 5, 2006

Tim Flager
HNTB Companies
715 Kirk Drive
Kansas City, MO 64106

Re: Open House Public Meeting on the Flinklock Road over I-35 project.

Dear Mr. Flager:

We very much appreciate your notice of the open house public meeting on the Flinklock Road over I-35 project. Please accept this letter as comment on the proposed plan in lieu of attendance at the public hearing.

The State of Missouri is a participant in the National Flood Insurance Program (NFIP). Any development associated with this project located within a special flood hazard area (SFHA), as identified by the Federal Emergency Management Agency (FEMA), must meet the requirements of the State of Missouri Executive Order 98-03. This would require obtaining a floodplain development permit for the proposed project. This permit must be obtained prior to the commencement of any construction/development activities. This permit would be obtained from this agency.

If the proposed development is also located within a regulatory floodway, a "No-Rise" Certificate and statement as to the effects of possible flooding, is required before the development can be permitted. This analysis must be performed by a licensed engineer and to current FEMA standards.

If you have any questions concerning this letter or the requirements of Executive Order 98-03, please feel free to contact me at (573) 526-9119.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Schneider".

Jason Schneider
Floodplain Management Engineer

cc: Connie Wisniewski, Mitigation Specialist, FEMA R-VII
Donald Booth, Floodplain Administrator, Kansas City, MO
Brian Hess, Floodplain Administrator, Liberty, MO
James Huey, Floodplain Administrator, Pleasant Valley, MO
MoDOT File

Charlie Scott/R3/FWS/DOI
06/29/2006 02:59 PM

To: peggy.casey@fhwa.dot.gov, Alan.Leary@modot.mo.gov
cc
bcc
Subject: Flintrock Rd. Draft EA - No comment/No objections from
USFWS

Alan and Peggy,

We received from Tim Flagler, HNTB KC, today a CD with the draft EA for the Flintrock Rd. project in Liberty, Missouri. I did not have an email for Tim but will fax him a copy of this email.

The USFWS has reviewed the document and we have no comments nor do we have any objections to the project. The project will result in minimal impacts on fish and wildlife, including their habitats. We have previously provided information that no federally listed species are known to occur in the project area and thus indicated that no further consultation under section 7 of the ESA was necessary.

Thanks for providing the opportunity to review and provide comments. Please contact me if you have any questions.



Charlie Scott, Field Supervisor
US Fish and Wildlife Service
101 Park DeVille Dr., Suite A
Columbia, MO 65203
573-234-2132 ext. 104

