

Attachment 3



Bob Riley
Governor

ALABAMA DEPARTMENT OF TRANSPORTATION

1409 Coliseum Boulevard, Montgomery, Alabama 36130-3050



Joe McInnes
Transportation Director

June 6, 2003

Mr. Joe D. Wilkerson
Division Administrator
Federal Highway Administration
500 Eastern Boulevard, Suite 200
Montgomery, AL 36117

SUBJECT: EA/FONSI Reevaluation
[Formerly Project ST-045-053-001]
For Project STPAA-0388(10)
Add Lanes to SR-53
From Mastin Lake Road to North of Rideout Road
Madison County

Dear Mr. Wilkerson:

The subject project comprises the southernmost construction segment of an overall project proposal to add lanes to the existing 2-lane SR-53, from the end of the 5-lane section in Huntsville (Madison County) to I-65 near Ardmore (Limestone County).

Project STPAA-0388(10) [approximately 1.65 miles long (see attached map)] will complement and be in conjunction with a new intersection at Rideout Road, which is a part of Project STPOA-8570(600), Extension of Rideout Road (FONSI issued on September 12, 2002).

STPAA-0388(10) is the only segment being reevaluated at this time. The remaining parts of the overall SR-53 improvements will be reevaluated at a future date, when plans have been advanced and funds are available.

A Finding Of No Significant Impact (FONSI) was issued by FHWA for the overall SR-53 project on June 21, 1999, based on an Environmental Assessment (EA) that was approved on December 23, 1998. A Corridor Hearing was held on March 4, 1999. In addition, a Design Hearing for the subject construction segment was conducted on February 27, 2003, in which no objections to the project were expressed. (The FHWA previously has

Mr. Joe D. Wilkerson
June 6, 2003
Page 2

been provided copies of the sign-in sheets and written comments from both hearings.) Of the three written comments that were received from the Design Hearing, one encouraged the ALDOT to "get on" with the SR-53 improvements—all the way to Ardmore, one addressed a personal property issue on a different segment of SR-53, and one addressed some perceived safety issues regarding bikeway crossings of SR-53. This latter comment was provided to ALDOT Consultant Management for consideration by the designers.

Because no other major action has occurred since the FONSI was issued, this reevaluation is being submitted due to the length of time that has transpired.

The original document has been examined for content, accuracy, scope of work, and identification of impacts. The statements and conclusions contained in the EA/FONSI remain valid, and there have been no changes in the design or location of the project that would cause any significant social, economic, or environmental impacts.

That being said, the original EA/FONSI called for upgrading the subject portion of SR-53 by providing a median and constructing two additional lanes parallel to the existing roadway, along the west side. Now, because development has continued apace as the City of Huntsville expands northward along the SR-53 corridor, the southernmost construction segment [STPAA-0388(10)] is proposed to be 5-lane, undivided, in order to minimize right-of-way acquisition and the dislocation impacts that would be associated with the wider, 4-lane divided proposal.

An ALDOT archaeologist and architectural historian reviewed the current plans to verify that no cultural resources will be affected by the project, and an updated concurrence from the State Historic Preservation Officer (SHPO) is attached. In addition, views and comments of the Native American THPOs were requested by letter of February 14, 2003, and, to date, there have been no substantive responses. (See attached.)

In regard to threatened and endangered species, an updated concurrence from the US Fish & Wildlife Service is attached. Although no threatened or endangered species (or critical habitat) occurs in the project area, USFWS indicated that the project is in the secondary recharge area of Shelta Cave, a known habitat of the Alabama Cave Shrimp (*Palaemoniaa alabamae*). The USFWS further indicated that use of best management practices (an ALDOT standard procedure) will help protect surface and ground water quality in the project area; therefore, no further consultation is required.

Mr. Joe D. Wilkerson
June 6, 2003
Page 3

An ALDOT Noise Analyst reviewed the project's original noise study and concluded that no additional noise study is required. A copy of the analyst's memorandum is attached.

The ALDOT Hazardous Materials Coordinator has cleared this proposed SR-53 construction segment, with the following provision: of the eleven (11) potential HAZMAT sites that were investigated, three (3) will require minor soil remediation for a total estimated cost of \$15,000. (See attached.)

Given the non-significant impact of the above changes to the proposed project, we respectfully request FHWA concurrence in this reevaluation and a determination that all previous approvals remain valid.

If you have questions, please telephone Mr. Colyn Moatts, the ETS Project Manager, at 242-6835.

Sincerely,

Don T. Arkle, Chief
Design Bureau

BY:


Alfred Acoff, Coordinator
Environmental Technical Section

ccm

attachment

c: Mr. Dykes Rushing
Mr. Johnny Harris
Design File
ETS File

CONCUR:



DATE:

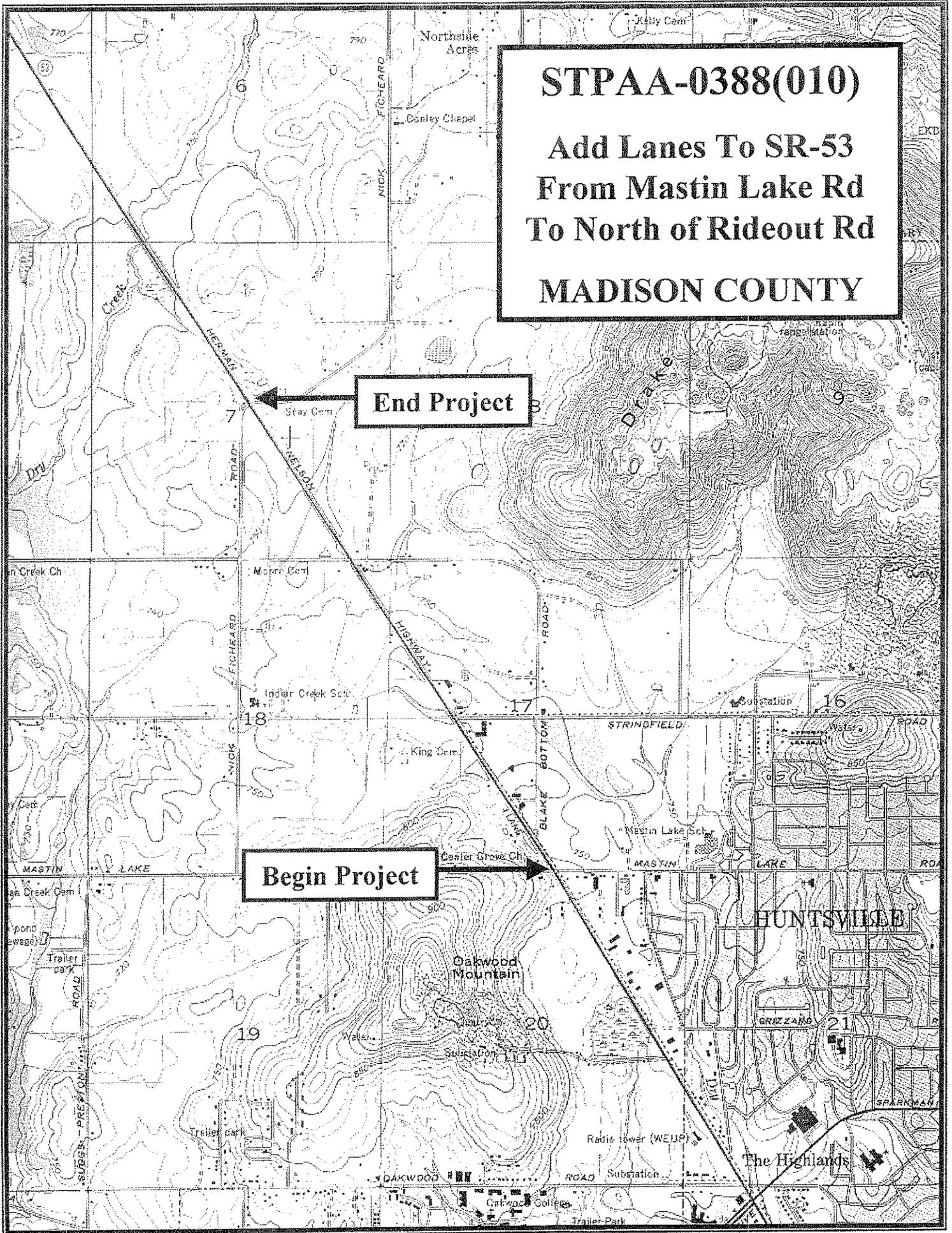
6/19/03

STPAA-0388(010)

**Add Lanes To SR-53
From Mastin Lake Rd
To North of Rideout Rd
MADISON COUNTY**

End Project

Begin Project





ALABAMA DEPARTMENT OF TRANSPORTATION

Design Bureau

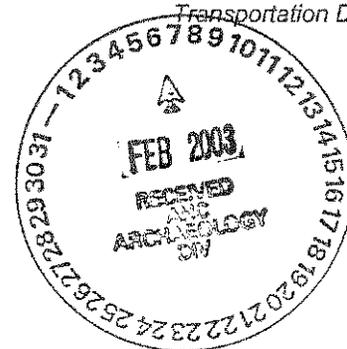
1409 Coliseum Boulevard, Montgomery, Alabama 36110
P. O. Box 303050, Montgomery, Alabama 36130-3050
Phone: 334-242-6178 FAX: 334-269-0826



Bob Riley
Governor

Joe McInnes
Transportation Director

February 7, 2003



Ms. Elizabeth Brown, Deputy
State Historic Preservation Officer
Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36130

Re: Cultural Resource Survey Report, Reevaluation
ALDOT Project: #STPAA-388 (10), (9) and (8)/AHC #98-0455
Road Widening and Additional Improvements on SR 53
Three Segments from Mastin Lake to Harvest Roads
Huntsville, Madison County, Alabama

Dear Ms. Brown:

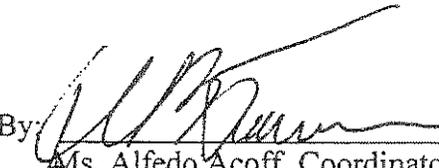
Attached are copies of both our original submittal correspondence and your recent response letter to our agency concerning the above referenced projects. The issues of concern to your office are focused on one of the three segments of highway construction projects: STPAA-388 (9). This portion of the State Route 53 planned widening is the tract that runs from Rideout Road north to Jeff Road. We request that a separate letter of concurrence be issued for the other two submitted segments: parenthesis (8), from Jeff Road to Harvest Road and (10), from Mastin Lake Road to Rideout Road. It is our understanding that all three segments are cleared for architectural resources, but the there are a number of archaeological questions which are still in the process of being resolved. Again, these questions are in relation to the "middle" segment of State Route 53, STPAA-388 (9). An archaeological report is being completed by the Office of Archaeological Research, UA, and will be forwarded to your agency for review and concurrence after our review and satisfaction with the document.

Therefore, we request your concurrence that two proposed lane additions and road widening projects on State Route 53, situated on the northwestern edge of Huntsville in Madison County, be cleared as having no effect on any cultural resources on or eligible for the National Register of Historic Places. These segments are as follows: 1) STPAA-388 (10) between Lake Mastin and Rideout Roads and 2) STPAA-388 (8) also State Route 53, from Jeff Road to Harvest Road. Neither project will have an effect on any significant archaeological or structural resources. We

appreciate any and all efforts to assist us in expediting this matter. If you have any questions please feel free to call Lee Luis of our staff at 242-6225.

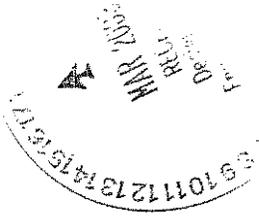
Sincerely,

Don T. Arkle, Chief
Design Bureau

By: 
Ms. Alfredo Acoff, Coordinator
Environmental Technical Section

LAL
attachment

CONCUR: *Thomas C. Medley* DATE: 2/24/03



Creek Nation of Oklahoma

Cultural and Historic Preservation

March 12, 2003

Alfredo Acoff
Alabama Dept. of Transportation
1409 Coliseum Boulevard
Montgomery, Alabama 36130-3050

RE: Projects: STPPA-0388 (8) (9) (10)
[Formerly Project ST-045-53-001]
Add Lanes to SR-53
Madison and Limestone Counties

Dear Mr. Acoff:

Thank you for contacting our department regarding the above mentioned projects with the Alabama Department of Transportation. In reviewing the enclosed maps, we have determined that no culturally significant sites are located at your project locations at this time.

In the event that human remains or culturally significant artifacts are inadvertently discovered during construction, please contact me at 1(800) 482-1979 ext. 604.

Respectfully,

Joyce A. Bear
Cultural Preservation Officer
Muscogee Creek Nation

Copy to: st Div. Eng.
 Location
 Utilities
 ETS *CM*

jj





the Chickasaw Nation HEADQUARTERS

Arlington at Mississippi / Box 1548 / Ada, OK 74821-1548 / (580) 436-2603

Bill Anoatubby
Governor

Jefferson Keel
Lieutenant
Governor

April 17, 2003



Mr. Don T. Arkle
Alabama Department of Transportation
1409 Coliseum Boulevard
Montgomery, AL 36130-3050

Dear Mr. Arkle:

Thank you for your letter of notification regarding Alabama's Department of Transportation Projects: Madison and Limestone Counties, STPAA-0388 (8) (9) (10). Pursuant to Section 800.2(c)(3) of the 1999 Rules and Regulations implementing Section 106 of the National Historic Preservation Act, the Chickasaw Nation does want to be included as a consulting party for this project.

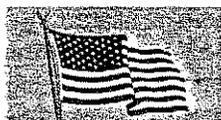
We are unaware of any specific historic properties or traditional cultural, religious and/or sacred sites at this time. However, in the event of inadvertent discoveries, we expect all construction activities to cease and we be notified according to all applicable state and federal laws.

If you have any questions, please contact Ms. 'Rena Duncan, historic preservation officer, at (580) 332-8685.

Sincerely,

Jefferson Keel, Lt. Governor
The Chickasaw Nation

Copy to: 1st Div. Eng.
 Location
 Utilities
 ETS *CM*



God Bless America!



United States Department of the Interior

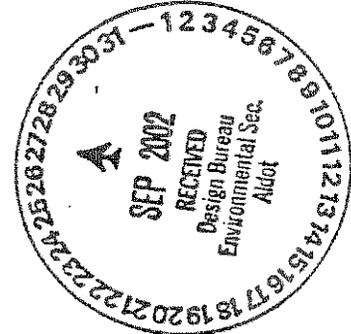
FISH AND WILDLIFE SERVICE
P. O. Drawer 1190
Daphne, Alabama 36526

IN REPLY REFER TO:

02-1663

September 20, 2002

Ms. Alfredo Acoff
Alabama Department of Transportation
1409 Coliseum Boulevard
Montgomery, Alabama 36130-3050



Dear Ms. Acoff:

Thank you for your letter of September 11, 2002, requesting comments on the re-evaluation of the proposed addition of lanes to SR-53 north of Huntsville in Madison County, Alabama (Project No. STPAA-0388(010)). We have reviewed the information you enclosed and are providing the following comments in accordance with the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

Our records indicate that no endangered, threatened or proposed species, or their critical habitat occurs in the project area. However, the project is located within an identified secondary recharge area for Shelta Cave. This cave is inhabited by the endangered Alabama cave shrimp (*Palaemoniaa alabamae*). Although little is known of its life history and population size, the overall population is believed to be in decline. Threats to these populations are from groundwater contamination, land use in cave recharge areas and destruction of habitat. In order to protect the Alabama cave shrimp, its food source, and its habitat, water flowing to Bobcat Cave must also be protected from contamination. Surface pollutants can easily and rapidly enter the subsurface aquifer, particularly during storm events. Urbanization and development surrounding recharge areas and caves may cause contamination of the aquifers. Groundwater contamination may result from sewage leakage, industrial contaminants, road and highway runoff, toxic spills, pesticides, and siltation.

Implementing and maintaining Best Management Practices during construction will help to protect surface and ground water quality in the project area. If Best Management Practices are implemented no further endangered species consultation will be required for the project unless: 1) the identified action is subsequently modified in a manner that causes an effect on a listed species or designated Critical Habitat; 2) new information reveals the identified action may affect federally protected species or designated Critical Habitat in a manner or to an extent not previously considered; or 3) a new species is listed or a Critical Habitat is designated under the Endangered Species Act that may be affected by the identified action.

PHONE: 334-441-5181

www.fws.gov

FAX: 334-441-6222

SHIPPING ADDRESS: 1208-B Main Street, Daphne, AL 36526

If you have any questions or need additional information, please contact Mr. Scott Floyd at (251) 441-5181, ext. 40. Please refer to the reference number located at the top of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry E. Goldman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Larry E. Goldman
Field Supervisor

Moatts, Colyn

From: Turman, Dan
Sent: Tuesday, March 25, 2003 7:40 AM
To: Moatts, Colyn
Subject: RE: Projects STPAA-0388(8)(9)(10) Reval (Most Current)

Memorandum

To: Mr. Colyn Moatts
Project Manager

From: Dan Turman
Air/Noise Analyst

RE: Noise and Air Analysis Review For Projects STPAA-0388 (8) (9) (10)
SR-53, Madison County, Alabama

Noise Study

An approved (6-21-99) FONSI document for project ST-045-053-001 (SR-53 Huntsville to Ardmore) is being re-evaluated under the new project numbers STPAA-0388 (8) (9) (10). Each project scope remains the same (widening SR-53 from a 2-lane to a 4 lane divided roadway) with the exception of the southern most project, STPAA-0388(10).

The southern most project (Nick Fitcher Rd. to Mastin Lake Rd.) current scope of work involves widening from a 2-lane to a 5-lane undivided. It is the determination of ALDOT that the original noise study can be used even though the original receptors studied on the southern most termini project will experience noise levels of a lesser impact. However, there will be some receptors that were originally displaced that will now remain, these receptors are currently represented by other representative receptors in the original analysis.

There will be a slight increase in the predicted db due to the increase in traffic in a four year period. These increases are not predicted to have increases in db high enough to warrant a new noise analysis to be conducted. In addition, because the new roadway will continue to have open access, i.e., several cross-streets and numerous driveways, mitigation of noise impacts is impractical. A current, on-site field review has been conducted to determine if any new residential or non-profit structures are now present that would warrant a new study. There are no new structures present that meet the study criteria. With the above mentioned reasoning, it is the determination of ALDOT that a new noise analysis will not be needed.

Air Study

In the original air analysis, the worst case intersection was analyzed for the possibility of carbon monoxide exceedances as defined by the Clean Air Act Amendments of 1990 and the National Ambient Air Quality Standards (NAAQS). The original air analysis was well below the required exceedances levels and is not predicted to be in exceedance for the current build scenario.



ALABAMA DEPARTMENT OF TRANSPORTATION

1409 Coliseum Boulevard, Montgomery, Alabama 36130-3050

Bureau of Materials & Tests

3700 Fairground Rd., Montgomery, Alabama 36110

Hazardous Materials (334)206-2284 FAX (334)264-6263

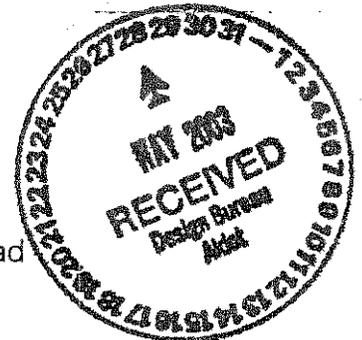


Bob Riley
Governor

Joe McInnes
Transportation Director

May 27, 2003

Ms. Alfredo Acoff, Coordinator
Environmental Technical Section
Design Bureau



RE: STPAA-388(10), Preliminary Contamination Assessment
Additional lanes SR-53 from Mastin Lake Road to Rideout Road
Madison County

Dear Ms. Acoff:

Attached you will find a copy of the preliminary contamination assessment for sites 3, 4, 6, 7, 8, 9, 11, 12, 13, 14, & 15 on the above referenced project. These sites are located on the left and right side of SR-53 from Mastin Lake Road to Rideout Road.

Site 3 – Abandoned lot (Station 50+00 Right). Previous warehouse with abandoned UST's. The soil samples at this site indicated non-detectable concentrations of TPH. There were no abandoned tanks located. Therefore, there should be no remediation cost associated with this site.

Site 4 – Campells Truck Stop & Hughes Moving & Storage (Station 53+00 Right). Two businesses are located on this parcel. The first business (Campells) is a truck repair shop and the other (Hughes) is a moving and storage facility. The investigation indicated a TPH reading above the ADEM Corrective Action Limit at soil bore 4-2. **We recommend 50 yards of soil, for remediation, be put in the plans for this site at \$100.00 per yard, for a total of \$5000.00.** If a cut is made at this site, the soil should be stockpiled and retested for proper disposal.

Site 6 – Jordan Lane Auto & Truck Salvage (Station 65+00 Right). Auto salvage yard. The soil samples at this site indicated small amounts and non-detectable concentrations of TPH. Therefore, there should be no remediation cost associated with this site.

Site 7 – Pacific Pride (Station 79+00 Right). Commercial fueling facility and service station. The investigation indicated a TPH reading above the ADEM Corrective Action Limit at soil bore 7-1 and 7-2. We think that asphalt might have contaminated the 0-4(ft.) of these two samples, because the readings below the 4 ft. are low and non-detectable for TPH. Therefore, there should be no remediation cost associated with this site.

Site 8 – Citgo (Discount Daddy's) (Station 82+00 Right). Active service station. The soil samples at this site indicated non-detectable concentrations of TPH. Therefore, there should be no remediation cost associated with this site.

Site 9 – Chevron (Station 110+00 Right). Active service station. The soil samples at this site indicated small amounts and non-detectable concentrations of TPH. Therefore, there should be no remediation cost associated with this site.

Site 11 – Yellow Ribbon Collision Center (Station 70+00 Left). Auto body repair shop. The soil samples at this site indicated small amounts of concentrations of TPH. Therefore, there should be no remediation cost associated with this site.

Site 12 – B&B Automotive & Junkyard (Station 64+00-69+00 Left). Automotive repair & junkyard. The soil samples at this site indicated small amounts and non-detectable concentrations of TPH. Therefore, there should be no remediation cost associated with this site.

Site 13 – Advent Auto Repair & Club (Station 62+00 Left). Auto parts w/ engine repair shop. The investigation indicated a TPH reading above the ADEM Corrective Action Limit at soil bore 13-2. **We recommend 50 yards of soil, for remediation, be put in the plans for this site at \$100.00 per yard, for a total of \$5000.00.** If a cut is made at this site, the soil should be stockpiled and retested for proper disposal.

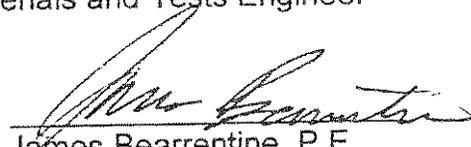
Site 14 – Auto Works (Station 39+00 Left). Auto parts w/ engine repair shop. The investigation indicated a TPH reading above the ADEM Corrective Action Limit at soil bore 14-2. **We recommend 50 yards of soil, for remediation, be put in the plans for this site at \$100.00 per yard, for a total of \$5000.00.** If a cut is made at this site, the soil should be stockpiled and retested for proper disposal.

Site 15 – P & T Trailers (Station 37+00 Left). Trailer manufacture & machine shop. The soil samples at this site indicated small amounts and non-detectable concentrations of TPH. Therefore, there should be no remediation cost associated with this site.

If you have any questions, contact this office at (334) 206-2284.

Yours very truly,

Larry Lockett
Materials and Tests Engineer

By: 
James Bearrentine, P.E.
Hazardous Materials Coordinator

LL/JDB/jk

cc: Mr. Johnny L. Harris, First Division Engineer
File

Page intentionally blank