

## 5 COMMITMENTS

Each subsection of the Environmental Consequences Section contains commitments specific to the impact area being assessed. This section contains a summary of the commitments that have been made in this document to minimize potential impacts associated with the construction of this project.

The AHTD's standard commitments associated with relocation procedures, hazardous waste abatement, and control of water quality impacts have been made in association with this project.

### 5.1 AIR QUALITY

During construction, the selected project contractor will minimize air quality impacts through a combination of fugitive dust control, equipment maintenance, and compliance with state and local regulations.

### 5.2 NOISE

For all areas where noise impacts would be most notable, noise abatement (i.e., barriers) would have to be constructed between the road and the receiver in order to effectively abate the noise being produced by the traffic. These areas are located in the more dense residential developments in the study corridor and will be reviewed to determine the reasonableness and feasibility of noise mitigation in future studies.

The AHTD's policy of "reasonableness" and "feasibility" will be applied to the residential areas near the selected alignment that are identified as having the potential to be impacted by noise. Based upon the preliminary data related to noise contour information, the following residential areas warrant additional and detailed studies for noise barrier analysis if the Preferred Line is chosen as the selected alignment:

- 1) Residential development near Kimberly Place
- 2) Residential development in Old Highway 68 area and Brush Creek Subdivision
- 3) Churchill Subdivision adjacent to Brush Creek Road
- 4) Belmont Estates Subdivision adjacent to Silent Grove Road

This detailed noise mitigation analysis will be conducted as part of the design phase of the selected alignment. The focus of this analysis will be in the segments that currently have existing and/or expanding residential development. The current residential development within the study area is increasing the number of sensitive receptors on a continuing basis. These changes will be evaluated and considered during the noise barrier feasibility evaluation.

If the Toll Funding Alternative is selected, detailed evaluation on toll plaza locations and identified impacts will be performed. These toll plazas will have unique noise characteristics including braking, gearing and engine noises that are difficult to mitigate. An evaluation to determine if noise barrier systems are warranted will be conducted as part of the project's detailed design and presented at the design public hearing.

### **5.3 ECONOMICS**

Any economic impacts associated with the implementation of a toll facility will be examined during the process of completing an investment-grade study on tolling of the proposed facility. These impacts will be included in the social, economic, and environmental evaluation performed during the Design Reassessment associated with the selection of the Toll Funding Alternative.

### **5.4 RELOCATIONS**

All relocations for the proposed action would be conducted in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Public Law 91-46) and the AHTD relocation policies and procedures (see Appendix J).

### **5.5 ENVIRONMENTAL JUSTICE**

Further steps to minimize relocations will be considered during final project design. Where avoidance is not possible, the acquisition and relocation process will be conducted in accordance with the Uniform Relocation Assistance and Real Property Policies Act of 1970. Relocation resources are made available to all residents and businesses without discrimination and comparable to the need of the relocatees.

## **5.6 CAVES AND CAVE RESOURCES**

Efforts will be made during the design, construction, and operations stage to minimize the impacts to and to protect the cave habitat of the Split Cave system near Beaver Lake and any other caves discovered on the right of way.

After access is obtained, the proposed right of way will again be surveyed for karst features, such as cave openings and sinkholes. In the event construction operations encounter any indications that a previously unidentified cave has been discovered, work will immediately be discontinued in the area, access shall be denied, and the opening secured to prevent unauthorized entry.

In the event of cave discovery, the USFWS will be contacted for the proper procedures to be followed and to examine the cave to determine usage by any listed species.

## **5.7 FLOODWAYS AND FLOODPLAINS**

Benton and Washington Counties both participate in the National Flood Insurance Program. All of the floodplain and floodway encroachments previously identified will be designed to comply with the respective county's local flood damage prevention ordinance. The local ordinances prohibit any new construction within the boundaries of any identified regulatory floodway(s) that would cause any increase in flooding depths on upstream, or adjacent, properties. Similarly, the local ordinances require that the cumulative effects of all construction within any identified 100-year floodplain or Special Flood Hazard Area may not cause more than one foot (0.3 meter) of increase in flooding depths anywhere within the community. The AHTD's own internal policy is to design projects within these areas so that any permanent construction within an identified 100-year floodplain, or Special Flood Hazard Area, may not cause an increase in flooding depths during passage of the 100-year flood if there are any existing insurable buildings within the boundaries of the floodplain with floor elevations below the current 100-year flood elevation. Additionally, increases in flooding depth caused by any new construction may not cause other insurable buildings to be flooded during passage of the 100-year flood. During the project design, hydraulic data and

construction plans will be submitted to the counties for review, approval and/or permitting as specified by their ordinance.

In the design phase of the project, surveys of the alignment and stream crossing areas will be made and the current effective flood insurance study models will be obtained (or constructed if not available). The surveys will provide the information required to develop a preliminary project design including roadway embankment and bridge locations, heights, lengths, and widths that will be used to perform hydraulic model modifications to determine the effects of the project's construction on potentially impacted floodplains. The hydraulic model modifications will be made prior to the completion of the final project design, and the information will be available to the communities when a floodplain development permit/approval is requested from them.

The final project design will be reviewed to confirm that the design is adequate and that the potential risk to life and property are minimized. Adjacent properties should not be impacted nor have a greater flood risk than existed before construction of the project. None of the encroachments will constitute a significant floodplain encroachment or a significant risk to property or life.

For all of the streams previously identified, bridging and/or other large drainage structures will be used to span most of the streams' natural floodplains in order to comply with the local floodplain development ordinance restrictions on increasing upstream flood depths. The construction will not cause a significant reduction of floodwater storage or retention functions. Bridges and/or drainage structures will be sized sufficiently to minimize impacts on natural and beneficial floodplain values. These values include, but are not limited to, fish, wildlife, plants, open space, natural beauty, scientific study, outdoor recreation, agriculture, aquaculture, forestry, natural moderation of floods, water quality, maintenance, and groundwater recharge. The project will be designed so as to minimize adverse impacts to streams, and to correct any project-related impacts that may destroy, diminish, or impair the character and function of those streams.

This project will serve as a principal arterial and, as such, will serve emergency vehicles in time of disaster. This project will be designed to avoid roadway overtopping by the 50-year flood and, therefore, will not have a significant potential for interruption or termination due to flooding. The project will be on new location, so detours for bridge construction will not be required.

Cumulative impacts to floodplains related to other past and reasonably foreseeable future actions would be related to interchange locations with other proposed transportation projects. Currently, the NWARA Access Road, the Eastern Fayetteville Bypass Corridor, and the Eastern Bypass to Rogers are the only major projects in the foreseeable future. As with the current bypass project, floodplain impacts will be minimized on these projects through location and design considerations. No floodplain exists at the proposed location of the NWARA interchange.

#### **5.8 WETLANDS AND WATERS OF THE U.S.**

The AHTD will comply with all requirements of the Clean Water Act, as Amended, for the construction of this project. This includes Section 401, Water Quality Certification; Section 402, National Pollutant Discharge Elimination System (NPDES); and Section 404, Permits for Dredged or Fill Material.

Commitments to minimize harm to streams and springs are as follows:

- Springheads will be avoided to the maximum extent practicable.
- Context Sensitive design will be utilized in areas where springs are present.
- Dredged or fill material used for construction will be nonpollutional material in accordance with EPA Guidelines for the Discharge of Dredged or Fill Material found in 40 CFR 230.
- All construction activity will be performed in a manner that would minimize increased turbidity of the water in the work area and otherwise avoid adverse effects on water quality and aquatic life.

- All dredged material not used as backfill will be placed on land and no runoff water from the disposal site will be allowed to enter the waterway.
- The discharge will not be located in the proximity of a public water supply intake.
- Erosion, both during and after construction, will be controlled as outlined in the latest edition of the *AHTD's Standard Specifications for Highway Construction*.
- The project will not significantly disrupt the movement of those species of aquatic life indigenous to the water body.
- Temporary work ramps or haul roads, when needed, will provide sufficient waterway openings to allow the passage of expected high flows.
- Precautions in the handling and storage of hazardous materials, including lubricants and fuels, will be taken to prevent discharges or spills that would result in degradation of water quality.
- Stream Mitigation (if required) will be determined by the USACE during the Section 404 permit application process. At that time, preliminary plans will be available for each stream crossing. Further information relating to stream mitigation will be contained in the Section 404 permit application documents.

Commitments to protect wetlands will include:

- Wetland areas will be avoided to the maximum extent practicable.
- Wetlands outside the construction limits will not be used for construction support activities (borrow sites, waste sites, storage, parking access, etc.).
- Heavy equipment working in wetlands will be placed on mats.

## **5.9 SURFACE WATER QUALITY**

In the design phase of the project, field investigations will be conducted in order to minimize water quality impacts through planning and design. Stream crossings will be located to maximize protection of wetlands, wildlife, and water quality. Erosion control will be an important component for water quality protection in this area due to the steep slopes and fine textured soils. Site-specific erosion control plans will be developed for the project and

reviewed by the ADEQ. Some in-stream work will be required to complete this project regardless of the alignment chosen. Even with extensive controls in place, this construction in and around streams could result in localized, short-term adverse water quality impacts, including exceedances of state water quality standards. A short-term activity authorization (ADEQ Regulation 2) will be obtained from the ADEQ for these activities.

Special provisions during the design and construction phase will be utilized to minimize surface water impacts from this project.

The AHTD will comply with all requirements of The Clean Water Act, as Amended, for the construction of this project. This includes Section 401, Water Quality Certification; Section 402, National Pollutant Discharge Elimination System Permit (NPDES); and Section 404, Permits for Dredged or Fill Material.

Any construction disturbing an area of one acre (0.4 hectare) or more in Arkansas is required to comply with NPDES regulations for storm water discharge from construction sites as issued by the ADEQ. The AHTD will prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the requirements of the permit. Before construction begins, the AHTD will file the requisite Notice of Intent with the ADEQ. The SWPPP will include all specifications and best management practices (BMPs) needed for control of erosion and sedimentation. This will be prepared when the roadway design work has been completed in order to best integrate the BMPs with the project design.

General measures to be used to manage highway storm water runoff include curb elimination, litter control, good management usage of deicing chemicals and herbicides, establishment and maintenance of vegetation, and reducing direct discharges to receiving waters wherever practicable.

Specific measures to be considered and used for management of a potential pollution problem include grassed channels, overland flow through vegetation, wet detention basins, infiltration basins, and wetlands.

During construction or after the facility is operating, runoff impacts may be caused by spills of materials. If a material spill should occur during construction, clean-up procedures are followed as outlined in the *AHTD's Standard Specifications for Highway Construction*. Measures taken to ensure accidental spill and runoff control while the facility is operating are coordinated by the Arkansas State Police, the Arkansas Highway Police, the AHTD, and a contracted hazardous spill containment team. The State Emergency Operations Center's HAZMAT Hot Line is notified for official notification and response.

#### **5.10 GROUNDWATER QUALITY**

The Preferred Line may impact some existing springs, either by disruption of their recharge areas, or contamination during construction. If the impacted springs are used for domestic or agricultural purposes, damages will be paid or provisions made to replace the water.

Special provisions and actions will be required during the design and construction phase to protect the Springfield Plateau aquifer, especially if any spring locations will be impacted by the proposed project. These commitments will include ditch paving through highly vulnerable areas including areas where conduits directly leading to the groundwater are discovered during construction. Coordination with State and Federal Agencies involved with groundwater quality protection will be conducted as needed when concerns are identified.

#### **5.11 DRINKING WATER SUPPLIES**

If any permanent impacts to private drinking water sources occur as a result of this project, the AHTD will mitigate these impacts by providing an alternative water source, either by drilling a new well or connecting the residents to a community or rural water system.

#### **5.12 TERRESTRIAL FLORA**

Direct application of appropriate herbicides will be a part of the AHTD's right-of-way management program in order to combat the invasive species Johnson grass. Due to the easily contaminated groundwater in the region, the AHTD does not use broadcast herbicides for vegetation control in Benton or Washington County.



### **5.13 TERRESTRIAL FAUNA**

Bird species that are protected by the Migratory Bird Act Treaty could be impacted by this project. Nesting habitat for migratory bird species will be cleared and grubbed during the construction phase. Existing bridges, culverts and other structures provide nesting sites for migratory birds. Netting of the structures may occur before nesting and brood raising activities begin to prevent nest disturbance and/or destruction of nestlings during construction activities. If the structure is being utilized by migratory birds as nesting habitat, demolition will not be permitted between April 1 through August 31. Every attempt will be made, where practicable, to schedule construction clearing and grubbing activities so that they do not occur during the primary nesting season for migratory birds.

### **5.14 THREATENED AND ENDANGERED SPECIES**

The Preferred Line lies outside the delineated Cave Springs recharge area, and therefore should not directly impact the listed species utilizing the cave habitat. However, the USFWS expressed concerns that the construction of the bypass could promote secondary development in the area, especially around local access interchanges and/or along frontage roads.

To minimize potential impacts that could result from the construction of the Preferred Line, the USFWS requested the FHWA and AHTD not to build additional interchanges between I-540 and Highway 112 and to limit frontage roads. The following commitments were established.

- 1) The directional interchange of the Preferred Line and I-540 will provide no local access.
- 2) No additional interchanges will be constructed between Highway 112 and I-540.
- 3) No frontage roads will be built along the proposed project between the Highway 112 and I-540 interchanges, including local road construction under federal or state control, except for two short lengths of road that would provide connectivity for local roads severed by the proposed facility. The severed roads that could be reconnected are: A) Puppy Creek Road/Spring Creek Road, and B) Wagon Wheel/South Zion Road. A grade separation should be placed on both Wagon Wheel Road and South Zion Road if design and budget criteria allow.
- 4) Drainage from the proposed project will not be allowed to enter the Cave Springs recharge area as delineated and shown in the DEIS.

A complex of 11 springs is present along Brush Creek between the Lake Elmdale Dam and approximately 0.25 mile (0.4 km) downstream of the Highway 112 crossing of Brush Creek. In July 2004, a single specimen of *Cambarus aculabrum* was recovered by a local landowner from one of the spring openings. The recharge area for the spring complex is currently unknown, but surrounding topography suggests that recharge would occur from the south from the vicinity of Highway 412 and Tontitown. The spring and purported recharge area are approximately 0.5 mile (0.08 km) east of the Preferred Line at the closest point. A recharge delineation study for the spring complex is underway to assure that construction of the Preferred Line does not fall within the recharge area for this spring complex. If the Preferred Line falls within the recharge zone, a biological assessment will be conducted to determine potential impacts to the endangered cave crayfish and the need for further consultation under Section 7 of the Endangered Species Act.

#### **5.15 CULTURAL RESOURCES**

All potential site leads pertaining to the Preferred Line that were received from the public will be investigated during the final survey.

During the final survey, particular attention will be given to any sites or landscape features that might be associated with the Trail of Tears. Should the intensive survey reveal well-preserved segments of the trail or archeological sites that might be associated with it, additional consultation will be implemented to insure that any management recommendations are consistent with the NPS Comprehensive Management and Use Plan.

As soon as preliminary design has been developed and a stable right-of-way footprint of the final alignment is available, an intensive cultural resources survey will be conducted covering the proposed project right-of-way. Prior to and during fieldwork, consultation between FHWA and any appropriate Indian Tribe or Tribes will be maintained according to 36 CFR part 800.4(a) of the National Historic Preservation Act. All phases of fieldwork, evaluation and reporting will conform to the Secretary of the Interior's "Standards and Guidelines for Archeology and Historic Preservation" (48 CFR 44716); the standards for field work and report writing in *A State Plan for the Conservation of Archeological*

*Resources in Arkansas*; and all other pertinent State and Federal laws and regulations. A full report documenting the results of the survey and stating the AHTD's recommendations will be prepared and submitted to the SHPO for review. All sites identified will be evaluated to determine if Phase II testing is necessary.

Eligibility determinations will be made by the FHWA in consultation with the SHPO and any appropriate Indian tribe or tribes. Should any of the sites be found to be eligible or potentially eligible for nomination to the National Register of Historic Places and avoidance is not possible, site specific treatment plans will then be developed and submitted to the SHPO and the appropriate tribes for review and comment. A corresponding Memorandum of Agreement between SHPO, the FHWA and the appropriate tribes will then be implemented and the appropriate treatment plan will be carried out at the earliest practicable time.

Should any of the sites be found to qualify as a Section 4(f) property, there should be enough flexibility within the study corridor (a quarter mile on either side of the center line) to modify actual roadway designs to consider avoidance of all but the very largest of sites.

#### **5.16 HAZARDOUS MATERIALS**

The project will require the acquisition and demolition of standing structures. An asbestos survey will be conducted on each building prior to the development of demolition plans. If the survey detects the presence of any asbestos-containing materials, plans will be developed to accomplish the safe removal of these materials prior to demolition. All asbestos abatement work will be conducted in conformance with ADEQ, Environmental Protection Agency, (EPA), and Occupational Safety and Health Administration asbestos abatement regulations.

If a hazardous waste site is identified, observed, or accidentally uncovered within the right-of-way area, it will be the AHTD's responsibility to determine the type and extent of the contamination. The AHTD will determine the remediation and disposal methods to be employed for that particular type of contamination. All remediation work will be conducted in conformance with ADEQ, EPA and Occupational Safety and Health Administration regulations.

### **5.17 POLLUTION PREVENTION MEASURES**

It is the intention of the AHTD to lessen these environmental impacts through pollution prevention measures that have been incorporated into the *AHTD's Standard Specifications for Highway Construction, Edition of 2003*. In order for the AHTD to incorporate pollution prevention measures, the AHTD requires the contractor to comply with pollution prevention measures. In Appendix E, the reader will find Standard Construction Specifications addressing responsibilities of the AHTD's contractors as they relate to pollution prevention; issues such as how to lessen impacts to temporary rights-of-way; applicable environmental permits, licenses and taxes; Section 404 permits; and ways to reduce or eliminate point and non-point sources of pollution.

A responsibility of the AHTD is to ensure that the contractor reduces the use of potentially hazardous materials during construction of this project.

The AHTD will allow the usage of recyclable materials in road construction where they yield economic, engineering and environmental benefits.

### **5.18 CONSTRUCTION IMPACTS**

Sensitive noise areas such as residential neighborhoods will be identified and work restricted to daylight hours in these areas.

### **5.19 SECONDARY AND CUMULATIVE IMPACTS**

Planning for the Preferred Line of the Springdale Northern Bypass has included consideration of interchange sites for future connections to all of these three projects. These projects will be designed and planned to minimize cumulative impacts for the four projects.

### **5.20 COMMENTS AND RESPONSE TO BE ADDRESSED DURING THE DESIGN PHASE**

#### **5.20.1 DEIS Public Comments**

**Comment Number 1:** The preferred alignment needs to have interchanges added at Parsons Road, Monitor Road, and Brush Creek Road.

**Response:** No interchanges are planned for the proposed bypass at Monitor Road, Parson-Monitor Road, or Brush Creek Road at this time, since traffic levels are very low. During the design process, interchanges at Parsons Road and Monitor Road will be considered if traffic increases substantially.

**Comment Number 2:** There needs to be an interchange on Silent Grove Road. This is a well-traveled road and an interchange would be beneficial to the public.

**Response:** No local access will be feasible at Silent Grove Road since the directional interchange for the Preferred Line and I-540 is located in the immediate vicinity. The interchange of the Preferred Line and I-540 will sever the connection between Silent Grove Road, West Apple Blossom Avenue, and Goad Springs Road. A grade separation is proposed for North Graham Road to provide access between Wagon Wheel Road and West Apple Blossom Avenue. During the design phase of the process, retaining the connection between Silent Grove Road and West Apple Blossom Avenue will be evaluated.

**Comment Number 7:** Are you going to provide a means for cattle, tractors, etc. to get from one side of the highway to the other side when the highway cuts a farm in half?

**Response:** Issues dealing with property severance will be dealt with during the design and right-of-way acquisition phase of the process. Financial compensation will be considered if property severance occurs.

**Comment Number 8:** The (DEIS) preferred line (Line 3/4) would cut off some residences north of Graham Road to quicker access of emergency response.

**Response:** Line 3/4 is not the FEIS Preferred Line. However, safety issues such as emergency response time and improved access to neighborhoods are mitigated by including grade separations reconnect streets and neighborhoods. North Graham Road and Highway 71B will both be provided with grade separations for use by local traffic and emergency response vehicles. Access to the facility will be controlled and can only occur at local access interchanges. This would limit the ready use of the proposed facility by child abductors. Other possible options, such as fencing, will be considered in the design phase of the process.

**Comment Number 14:** Suggested moving the Highway 71B interchange approximately 300 feet to the north and/or moving the on-off ramps to the north side of the road to reduce business relocations.

**Response:** Comment noted. During the design phase of the projects, further efforts will be made to minimize impacts and costs relating to the Highway 71B interchange.

**Comment Number 46:** If the (DEIS) Preferred Line is chosen, I recommend a service road be built so there will be access to the balance of the Blevins property on the northwest corner of the Highway 71B interchange.

**Response:** If it is less expensive to build access to the property than purchase it, this request will be taken into consideration during the design phase and right-of-way acquisition phases of the project.

**Comment Number 48:** My property is located at the southwest corner of Reed and Mountain Roads. I don't want Reed blocked off going to Old Wire Road. Please consider an overpass at this location.

**Response:** Currently, a grade separation is planned for Highway 264, approximately 0.2 miles to the north of Reed Road. During the design phase, this request will be taken under consideration.

**Comment Number 50:** Please consider moving alignment in the area of Reed Road a little southwest onto pastureland to avoid my house and property.

**Response:** During the design phase, this request will be taken into consideration.

**Comment Number 51:** Move NWARA Access Road interchange to west to avoid impacting the Northwest Arkansas Pallet, Inc. buildings and truck parking.

**Response:** Although moving the interchange to the west isn't feasible, the alignment of the bypass was shifted slightly to the north in this area. This shift should lessen the impacts to this business and property.

**Comment Number 54:** Opposition to closing Graham Road because of access problems during winter weather. Request (DEIS) Preferred Alignment be moved just south of Graham Road.

**Response:** Graham Road will not be severed by the FEIS Preferred Line, since grade separation is proposed to reconnect the street.

**Comment Number 55:** The Preferred Line severs my 155 acre farm, located at 20697 Perry Road, removing my largest hay field and the only spring fed pond. It will also cut off the water line and the primary access to my son's house. Consider straightening the alignment to lessen the impacts to my property.

**Response:** This request will be evaluated during the design and right-of-way acquisition process.

#### **5.20.2 SDEIS Agency Comments**

**USDOJ, Fish and Wildlife Service, August 5, 2004-Comment #1:** If the following conditions are made an integral part of alignment 5, the Fish and Wildlife Service has no objection to construction of this alignment. To minimize potential impacts that could result from the construction of alignment 5, the FHWA and AHTD are requested not to build additional interchanges between Interstate 540 and Highway 112 and to limit frontage roads.

- 1) The directional interchange of the Preferred Line and I-540 will provide no local access.
- 2) No additional interchanges will be constructed between Highway 112 and I-540.
- 3) No frontage roads will be built along the proposed project between the Highway 112 and I-540 interchanges, including local road construction under federal or state control, except for two short lengths of road that would provide connectivity for local roads severed by the proposed facility. The severed roads that could be reconnected are: A) Puppy Creek Road/Spring Creek Road, and B) Wagon Wheel/South Zion Road. A grade separation should be placed on both Wagon Wheel Road and South Zion Road if design and budget criteria allow.
- 4) Drainage from the proposed project will not be allowed to enter the Cave Springs recharge area as delineated and shown in the DEIS.

**Response:** These commitments have been agreed to by FHWA and the AHTD.

### 5.20.3 SDEIS Public Comments

**Comment Number 37:** Move Line 5 north off Belmont Subdivision.

**Response:** Preliminary design evaluations indicate that the Line 5/I-540 interchange cannot be moved much farther south or north, because of its location between and proximity to the Wagon Wheel Road/I-540 and Highway 264/I-540 interchanges. Further consideration of changes to avoid and/or minimize impacts to the Belmont Subdivision will be given during the survey and design process.

**Comment Number 38:** The Preferred Segment A-B is too close to Churchill Subdivision. It is impacting the value of the homes there.

**Response:** The conceptual alignment was adjusted in the area of Churchill to move it slightly east of the subdivision. Further consideration of changes to avoid impacts to the Churchill Subdivision will be given during the survey and design process.

**Comment Number 39:** Silent Grove Road is an important connector to residential areas and enables the elderly to avoid using Highway 71B. West Appleblossom is needed for access. Do not sever Silent Grove Road and West Appleblossom.

**Response:** During the design phase of the process, retaining the connection between Silent Grove Road and West Apple Blossom Avenue will be evaluated.

**Comment Number 41:** Build the bypass as close to Miller Road as possible to avoid land severance impacts to local landowners to the south.

**Response:** The alignment was shifted north closer to Miller Road to lessen these impacts. Further consideration to avoidance of impacts will be given during the survey and design process.

**Comment Number 42:** Leave Graham Road open. The street is too icy in winter to go north to Appleblossom Road.



**Response:** The current conceptual design for Line 5 does not sever Graham Road. Further consideration to avoid closing Graham Road will be given during the survey and design process.

**Comment Number 58:** Belmont Estates should be totally left as a subdivision or totally removed!

**Response:** Preliminary design evaluations indicate that the Line 5/I-540 interchange cannot be moved much farther south or north because of its location between and proximity to the Wagon Wheel Road/I-540 and Highway 264/I-540 interchanges. Moving the alignment and interchange to the north would impact additional relocatees along Appleblossom Road and the Burrell Place neighborhoods. If the alignment and interchange were to be moved south, the western side of Belmont could potentially be affected instead of the northern side. Further consideration of changes to avoid and/or minimize impacts to the Belmont Subdivision will be given during the survey and design process. Federal regulations do not allow the purchase of ROW tracts that will not be needed for the construction of the highway facility.

**Comment Number 71:** We are requesting the AHTD consider moving Line 5 where it intersects with Wagon Wheel Road, west from 200-300 yards (map attached).

**Response:** This requested alignment change to the Preferred Line will be evaluated during the survey and design process.

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