

H. Responses to Comments

All comments that were received during the public review period were considered and reviewed to determine which specific comments were considered to be substantive and in need of a response.

In the subsequent text, the substantive comments are grouped by specific subject matter, with a response following each one. Comment letters received from agencies, organizations, and various public entities can be found in Appendix E. All comment letters and forms are available on CD upon request, or on the KDOT website at www.southlawrencetrafficway.org. All comment letters/forms on the CD have been assigned an identification number. The ID numbers for the letters in Appendix E are noted on the “List of Comment Letters” at the front of Appendix E.

Comment 1: *Oppose 42nd A Alternative – Cost is excessive*
(Comment ID Numbers – 95, 166, 167, 177)

Response: The 42nd Street Alignment A Alternative is one mile longer and crosses the Wakarusa River twice with long bridges. As a result, the 42nd Street alignment costs more than the 32nd Street Alignment B Alternative. These factors are essential in determining which alternative is feasible and prudent, and best serves the overall public interest.

Reference: Section E.2.c. Floodplain and Floodway Impacts; and Response to Comment 10.

Comment 2: *Oppose 42nd A Alternative – It is more harmful to the environment, more area is impacted, additional natural resources are needed for its construction, more vehicle emissions will occur from longer trips, and it will encourage urban sprawl south of the river.*
(Comment ID Numbers – 31, 95)

Response: These factors are essential in determining which alternative is feasible and prudent, and best serves the overall public interest.

Reference: Section E.2.

Comment 3: *Oppose 42nd A Alternative – Too far south for local traffic to use*
(Comment ID Numbers – 100, 166)

Response: This factor is essential in determining which alternative is feasible and prudent, and best serves the overall public interest.

Comment 4: *Oppose 42nd A Alternative – Historic trails and sites are impacted*
(Comment ID Numbers – 20, 84, 119, 184)

Response: The Blanton’s (Bridge) Crossing area is a “High Potential Site” identified by the National Park Service (NPS) trail management plan as part of the Oregon and California National Historic Trail. The 42nd A Alternative is near the crossing and the NPS urges protection of the high potential sites as important trail resources. Although the 42nd Street A Alternative would avoid direct impacts to Blanton’s Crossing and would have no adverse effect on the

National Register eligible Meair's Farmstead (see letter dated March 13, 2007 in Appendix D), the Oregon and California Trail ran through this area and the historic importance of this area in the history of western migration and of "Bleeding Kansas" are essential factors to be considered in determining which alternative is feasible and prudent, and best serves the overall public interest.

(The SHPO, in a letter dated October 4, 2001, determined that the area within the defined boundaries of the Blanton's Crossing site 14DO328 was not considered eligible for listing on the National Register. The SHPO also stated that "...many of the claims for archaeological potential and "significance" are located farther to the east at the location of the natural ford crossing of the river.")

Reference: Section E.2.a. and Exhibit 4f-9.

Comment 5: *42nd Street A Alternative will have secondary impacts because of increased traffic on side roads.* (Comment ID Numbers – 98, 100, 167, 184)

Response: Growth south of the Wakarusa River will most likely occur at some point in the future no matter which alignment is built. However, as the text states, the 42nd Street A alignment will "accelerate" development south of the river. Whenever that development occurs, traffic on Haskell Avenue and Louisiana Streets will increase, as these are the primary north/south routes from Lawrence to the areas south of the river. Traffic will also increase on 31st Street. As a result, these streets will most likely require expansion from two lanes to four lanes, thereby causing increases in noise, light, urban debris, and visual disturbances (see section E.2.b, traffic volume forecast in Appendix F, and Response to Comment 19). As part of the 32nd Street B alignment, Haskell Avenue and Louisiana Street will be relocated, moving them away from the Baker Wetlands in order to allow for wetland mitigation areas. Although the secondary impacts from the streets will not be mitigated for, the wetland mitigation areas will provide a buffer between the existing Baker Wetlands and the relocated streets.

The secondary impacts on the Haskell Agricultural Farm Property, due to increased traffic are essential factors in determining which alternative is feasible and prudent, and best serves the overall public interest.

Reference: Section E.2.b., Appendix F, and Response to Comment 19.

Comment 6: *Support 32nd Street B Alternative – Net benefits: enhances wetlands, improves traffic, improves access to Baker Wetlands, buffer zone protects wetlands.* (Comment ID Numbers – 56, 98, 167)

Response: The net benefits of the 32nd Street B Alternative (traffic improvements, additional wetland acreage, relocation of adjacent roadways, wetland/cultural education center, hike/bike trails, camp sites, parking) are essential factors in determining which alternative is feasible and prudent, and best serves the overall public interest.

Reference: Section F. and section I.7.b.

Comment 7: *Oppose 32nd Street B Alternative – Impacts historic trail ruts in Baker Wetlands* (Comment ID Number – 69)

Response: According to the sign/marker on the north end of the Baker Wetlands, the “Historic Oregon Trail Crossing” was at one time in this location. The interpretive map at the Baker Wetlands kiosk shows that the trail traveled north/south through the middle of the west half of the Baker Wetlands. However, there is no mention of visible ruts/swales of the Oregon Trail in this location on the National Park Service’s list of High Potential Sites in their “Management and Land Use Plan/Final Environmental Impact Statement” dated 1995, which lists known locations of visible ruts/swales. (The southwest quadrant of the Baker Wetlands had been cultivated in the early 1900s and used as cropland. The northwest quadrant was used as a hay meadow in the early 1900s and had been used as pasture in later years. The dominant herbaceous vegetation was smooth brome and Kentucky bluegrass. Both of these grasses are non-native, and as such, were most likely planted at some point in time with cultivation equipment, thereby disturbing the ground.)

Comment 8: *Oppose 32nd Street B Alternative – It will deter access and use of the wetlands*
(Comment ID Number – 219)

Response: The 32 B Alternative will actually increase the access to the wetlands by the addition of 4 new parking areas including the parking area to be built at the new Wetland Center just East of the relocated Louisiana Street. The alternative also includes hiking and biking paths from the wetland center to Louisiana Street along the full length of the wetlands to Haskell Avenue. This path will include access under K-10 at both Louisiana and Haskell, so no at grade crossing will be required to access the wetlands. These are essential factors in determining which alternative is feasible and prudent, and best serves the overall public interest.

Reference: Sections F.2 and 3.

Comment 9: *Oppose 32nd Street B Alternative – It fails to acknowledge the growth patterns to the south and future transportation needs.* (Comment ID Numbers – 159, 184, 223, 224)

Response: The 32nd Street B Alternative acknowledges that growth will occur to the south, which will result in increased traffic on Haskell Avenue and Louisiana Street. This alternative includes relocation of these two streets to allow for wetland mitigation areas adjacent to the existing Baker Wetlands. Although these street relocations will minimize impacts on the HAFP from traffic and development, the purpose is for wetland mitigation areas, not for mitigation of secondary impacts. The 42nd Street A Alternative does not allow for relocation of these two streets because it does not directly impact the Baker Wetlands and, therefore, does not require wetland mitigation of that area. Increased traffic (and widening) on Haskell and Louisiana, and potential future development near the Baker Wetlands are reasonably foreseeable cumulative future impacts associated with the 42nd Street A Alternative, and are likely to be significant. This is one of the determining factors that is considered in determining which alternative is the most feasible and prudent, and best serves the overall public interest.

Comment 10: *Inaccurate costs for 42nd Street A Alternative*
(Comment ID Numbers – 3, 108, 184, 219, 224)

Response: Cost estimates have been revised to reflect 2007 pricing, indicating that the 42nd Street Alignment A Alternative would cost approximately \$19 million more than the 32nd Street Alignment B Alternative.

Cost Item (Dollars in Millions)	Preferred (32B)	Avoidance (42A)
Mitigation	22.1	2.0
Road Construction	56.2	43.4
Bridge Construction	35.9	82.6
Utility Relocation	0.8	0.6
Preliminary Engineering	11.4	12.8
Construction Engineering	9.1	10.2
Right of Way & Displacement	12.4	15.3
Total Project	147.9	166.9
Operation and Maintenance	0.213	0.246

Bridges are a major part of the cost and are necessary when crossing the “floodway” (a no-rise area). The bridge located between E 1600 Road and E 1700 Road that crosses the floodway, would also need to cross N 1250 Road and Naismith Creek. Even a 42nd Street alignment that would extend straight west and intersect with US59 south of the river would not eliminate a bridge. This alignment, which was included and evaluated in the Corps’ Final EIS (called the 42nd Street B Alternative), had to cross a wide floodway of a tributary of the Wakarusa River and it required a longer bridge in that area than did Alignment A, thereby increasing the cost. In addition, Alignment B would not meet driver expectations in regard to system continuity, and it was not chosen as a preferred alternative in the Final EIS.

Although cost is an import factor in the evaluation, it is only one of many factors considered and is not the determining factor in the final decision. The final decision is based on a determination of which alternative is the most feasible and prudent and best serves the overall public interest, including net benefits.

Comment 11: *Inaccurate costs for 32nd Street B Alternative* (Comment ID Numbers – 176, 224)

Response: Cost estimates have been revised to reflect 2007 pricing, and include all mitigation measures in the cost (see revised cost estimate table in response to comment above).

Reference: See revised cost estimate in Comment 10 above.

Comment 12: *Bypass farther south should be studied* (Comment ID Numbers – 97, 159, 184)

Response: A very large number of alternatives could be considered for this project by reshaping the proposed alignments, moving alignments farther south, or by moving alignments laterally across the floodplain in an effort to identify every conceivable alternative route. Such efforts are not anticipated, encouraged, or required under NEPA. In addition, a bypass farther to the south would not meet the purpose and need of the project in regard to alleviating traffic on Lawrence city streets.

The Corps’ EIS addressed five potential roadway corridors and twelve reasonable individual alternative alignments within those corridors. Two reasonable alternatives were identified within the 42nd Street corridor south of the Wakarusa River. The two 42nd Street alternatives considered in the EIS, alignments A and B, represent reasonable alternatives within the corridor that achieve the purpose and need for the project, and are feasible from a technical perspective.

The identification and discussion of reasonable alternatives within the Corps' EIS met both the spirit and intent of NEPA implementing regulations.

Comment 13: *4(f) process is inadequate – Not all feasible and prudent avoidance alternatives are included* (Comment ID Numbers – 175, 217, 223, 224)

Response: (Also see response to Comment 12 above.) A request was made to study an additional south-of-the-river alignment called 42D, which would extend farther east of the 42nd Street A Alignment (from Haskell Avenue), to tie into K-10 near Eudora. A conceptual level evaluation was preformed and it was found that this 42D alignment would be approximately 2 miles longer than the 42A alignment, but would cost approximately \$500,000 less than the 42A alignment. However, the 42D alignment would impact Blue Mound and the Blue Mound cemetery.

Blue Mound is one of the “High Potential Sites” designated by the National Park Service (NPS) in their Comprehensive Management and Use Plan for historic trails. The NPS describes Blue Mound as “....a major camping site and the first natural landmark encountered by emigrants, many of whom climbed to the top for the view. Its oval, tree-covered summit, approximately 150 feet high and 0.5 mile long, is one of a series of mounds in this area. John C. Fremont placed signal fires atop the mound in 1843 to summon his Indian hunters. The Oregon-California Trail passed on the south edge of the mound on its way to the Upper Wakarusa Crossing.” There is also a historic cemetery (site 14DO1021) located on the north side of the mound.

The 42D alignment would impact approximately 10 residences as compared to 4 for the 42A alignment. In addition, the 42D alignment would have the same secondary and cumulative impacts on the HAFP as those described for the 42A alignment.

An additional request was received suggesting that an eastern bypass would be a prudent alternative. This alternative would connect I-70 to K-10 with a six-lane bypass to the east of Lawrence, and would include a new bridge over the Kansas River. However, this alternative would not meet the purpose and need of alleviating traffic concerns on the local city street network.

Reference: Response to Comment 12 above.

Comment 14: *Inaccurate information about 42nd Street A Alternative causing more development and traffic adjacent to the HAFP and to the south.*
(Comment ID Numbers – 116, 218, 224)

Response: Growth south of the Wakarusa River will most likely occur at some point in the future no matter which alignment is built. However, as the text states, the 42nd Street A alignment will “accelerate” development south of the river. Whenever that development occurs, traffic on Haskell Avenue and Louisiana Streets will increase, as these are the primary north/south routes from Lawrence to the areas south of the river. Traffic will also increase on 31st Street. As a result, these streets will most likely require expansion from two lanes to four lanes, thereby causing significant increases in noise, light, urban debris, and visual disturbances (see section E.2.b, traffic volume forecast in Appendix F, and Response to Comment 19). As part of the 32nd Street B alignment, Haskell Avenue and Louisiana Street will be relocated, moving them away from the Baker Wetlands in order to allow for wetland mitigation areas.

Although the secondary impacts from the streets will not be mitigated for, the wetland mitigation areas will provide a buffer between the existing Baker Wetlands and the relocated streets.

Although land in the floodplain (outside of the “floodway”) is not recommended for urban development, it may be approved if the development complies with the city floodplain regulations.

The secondary impacts on the Haskell Agricultural Farm Property, due to increased traffic and potential development are essential factors in determining which alternative is feasible and prudent, and best serves the overall public interest.

Comment 15: *Inaccurate visual impact assessment* (Comment ID Numbers – 116, 223, 224)

Response: The following is a further explanation regarding the text on Visual Impacts (section D.3.g.):

As shown in Exhibit 4f-12, the dike and trees located on the northern edge of the Baker Wetlands will screen the wall from the HINU south campus wetlands. Relocated 31st Street and the north wall will still be visible from the south side of the dike until the evergreen tree plantings used for screening grow to sufficient height. The south noise wall will be 6 feet high on a 6-foot earthen berm that will be planted with vegetation for screening. This south wall will be visible from the Baker Wetlands south of that berm until the vegetation grows to near the height of the wall. Therefore, the visual impact of the walls on the wetlands will be temporary.

Reference: Section D.3.g. and Exhibit 4f-12

Comment 16: *Inaccurate information – HINU main campus should be included in the HAFP.*
(Comment ID Numbers – 118, 127, 219)

Response: The Corps of Engineers on October 25, 2002, wrote a letter to the Keeper of the National Register of Historic Places asking for concurrence on two National Register eligibility determinations. The first, that the Haskell Indian Nations University and its adjacent property known as the Baker Wetlands are eligible for listing on the National Register. The second determination was that the Baker Wetlands is not eligible for listing as a Traditional Cultural Property. The entire area, as proposed by the Corps of Engineers, was to be called the Haskell Institute Historic District (HIHD).

The Keeper, the highest authority in the nation on historic matters, concluded on November 7, 2002 that the HIHD was not eligible for listing due to its lack of sufficient integrity, considerable building and modernization and that only a limited number of isolated resources remain on the school campus from the period 1884-1940.

The Keeper did agree that the area known as the Haskell Agricultural Farm Property, including the upper fields (North of 31st Street) and the area within the Baker Wetlands (but excluding the main campus) is eligible for listing (see the next response and Appendix D for a further explanation of the Keeper’s finding). This is the reason the FHWA has under taken the 4(f) Evaluation.

Reference: Appendix D. and response to Comment 17 below.

Comment 17: *Inaccurate information – Historical importance of the 4(f) property should not be limited to farm usage (oral history ignored).* (Comment ID Numbers – 157, 217, 219)

Response: In an attachment to the Keeper’s Determination of Eligibility, dated November 7, 2002 (see Appendix D), the Keeper explained the reasoning for determining that the area designated as the Haskell Agricultural Farm Property is eligible for the National Register as follows:

The Keeper’s approach eliminated “...the considerable number of non-historic elements that comprise the current school campus and focuses instead on the few extant historic resources that can directly convey the historic significance of the nationally important school. The former agricultural farm property (Upper Fields and Baker Wetlands) is important because it reflects the essential role of agricultural training in the early history of the Haskell School and the diverse historic uses of the lands to the south of the core campus. While modified, these former agricultural lands still retain the essential physical characteristics associated with this area from the historic period, including lands use patterns, spatial organization, circulation networks, and small scale elements such as the various water control systems and structures.”

In the early history of the Haskell Institute, the school constructed levees, tile fields, drainage canals, and w-ditches to drain the land for agricultural purposes. The farmed areas consisted of pasture and row crops during the period of its use by the Haskell Institute. Therefore, the wetland and open water complex (known as Baker Wetlands), as it exists today, does not contribute to the “Farm” Property historic landscape.

Reference: Appendix D.

Comment 18: *Inaccurate information – Traffic projections* (Comment ID Number – 224)

Response: The traffic data shown in the EIS for Haskell Avenue and Louisiana Street included forecast traffic volumes from 27th Street to 31st Street only. KDOT has computed additional forecast traffic volumes for Haskell and Louisiana from 31st Street to the Wakarusa River, for the No-Build Scenario, the 32nd Street B Alternative, and the 42nd Street A Alternative. The forecast traffic volumes were derived from the same travel demand model as that used for the EIS (1998 Lawrence –Douglas County QRS II model). These additional forecast traffic volumes can be found in Appendix F. The results indicate that the year 2025 vehicle traffic per day for Haskell and Louisiana would be more with the 42nd A scenario than with the 32nd B scenario.

Reference: Appendix F

Comment 19: *Inaccurate and inadequate information – Noise impacts of 32nd Street B Alternative and 42nd Street A Alternative.* (Comment ID Numbers – 224, 227, 228)

Response: A traffic noise study consists of the identification of land use, measurement of existing noise levels, prediction of future design year noise levels and identification of traffic noise impacts to sensitive receivers adjacent to the project. If traffic noise impacts are identified, noise abatement measures (mitigation) are evaluated.

The FHWA has determined the noise abatement criteria (NAC) for different land uses classified according to human activities that occur within the property boundaries. Following are the land use categories and examples of each category.

Land Use Category	Noise Abatement Criteria	Description of Land Use Category
A	57dBA	Land on which serenity and quiet are of extraordinary significance.
B	67 dBA	Residences, parks, etc.
C	72 dBA	Developed lands
D	No NAC	Undeveloped lands
E	52 dBA (Interior)	Residences

Traffic noise impacts occur when the predicted noise levels approach or exceed the NAC or when predicted (2025) traffic noise levels substantially (greater than a 10 dB increase) exceed the existing noise level. KDOT's "Policy Statement on Highway Noise Abatement" defines the "approached" value as 1 dBA less than the NAC.

The NAC does not define a permissible level of noise. It should not be viewed as a federal standard of a desirable noise level. The NAC defines the noise level at which noise abatement must be evaluated and considered for each land use category.

If an impact is identified, noise abatement measures must be considered. Noise abatement measures include the modeling of noise walls to reduce noise impacts adjacent to the project. The NAC also is not a design goal for noise abatement. Noise abatement measures must provide at least a 5 dBA insertion loss to provide substantial reduction in noise. For example a barrier protecting a residence with a 69 dBA noise level should not be designed to mitigate to the NAC of 67dBA. Conversely, the same residence with an existing noise level of 82 dBA can not expect a noise barrier to provide a 15 dBA insertion loss. The design of such a barrier would not be reasonable or feasible. There is no requirement to construct noise walls. It is the project sponsor's decision whether the implementation of abatement measures is reasonable and feasible.

The 42nd Street A alignment would not have noise impacts on the undeveloped land, but rather on certain sensitive receivers (residences) within that undeveloped area. Undeveloped lands (Land Use Category D) have no Noise Abatement Criteria (NAC), and noise abatement analysis is not required for this land use. Although there are few residences along the 42nd Street A alignment, noise impacts would occur to those sensitive receivers that would experience noise levels that approach or exceed the NAC or experience traffic noise levels that substantially exceed the existing noise levels. If a sensitive receiver is impacted, noise abatement analysis is required in accordance with C.F.R. 772.11 (c). The 42nd Street A alignment would not have direct noise impacts to the Haskell Agricultural Farm Property (HAFP), however, the future traffic noise generated by expansion of adjacent Haskell Avenue, Louisiana Street, and 31st Street will increase from existing conditions (see additional text below).

The 32nd Street B alignment would have significant noise impacts on the HAFP without walls, as noted in section D.3.f. – Noise Impacts, where it states *"The 32nd Street Alignment B Alternative was modeled for noise levels with and without noise walls. Without noise walls there would be a significant impact on adjacent noise-sensitive areas (HINU south campus, Baker Wetlands)"*. If there had been no impact, abatement analysis would not have been considered.

To reiterate, the 57 dBA (Category A) is not a permissible sound level, but rather it is the NAC, which if approached or exceeded triggers noise abatement analysis. In addition, these noise levels are EXISTING noise levels. That is, this is what the area is experiencing at the present time without the construction of the 32nd Street B alternative. Also, as stated above, the 4(f)

clearly states that the 32nd Street B alternative would create a significant impact on the Haskell Farm area without the construction of noise walls.

Section E. – Avoidance Alternatives, discusses, in general, where the 42nd Street A alternative-related noise will come from. As stated in the Draft 4(f) “*However, due to noise mitigation features (of the 32nd Street B alternative), which include 12-foot-high noise walls and relocation of Louisiana Street and Haskell Avenue, the total audible disturbance associated with this alternative will be less by the year 2025 (ending year for local land use planning) than noise disturbances associated with the No-Action or 42nd Street alternatives*”. The noise impacts of the No-Action and 42nd Street alternatives would be secondary in nature, as they would come from traffic on Haskell Avenue, Louisiana Street, and 31st Street. To explain further, this means that when future development south of the Wakarusa River occurs, traffic on Haskell Avenue and Louisiana Streets will increase, as these are the primary north/south routes from Lawrence to the areas south of the river (see traffic data in Appendix F). To accommodate this traffic, these streets will most likely require expansion from two lanes to four lanes, and the noise generated from the traffic of Haskell Avenue, Louisiana Street, and 31st Street in their existing locations would have a greater effect on the HAFP than would the noise from the 32nd Street B alternative with noise walls and the relocation of those streets (see Sound Level Contour exhibit in Appendix F). In the No-Action and 42nd Street alternatives, there is no provision for relocation of those streets

The above information was formulated based on the November 6, 2002 Traffic Noise Analysis. In that study, the area greater than 56 dBA in the Baker Wetlands for the 32nd Street alignment is limited north of the roadway to approximately existing 31st Street due to the construction of noise walls adjacent to the 32nd Street alignment and the relocation of Louisiana and Haskell away from the wetland. The area greater than 56 dBA in the Baker Wetlands for the 42nd Street alignment includes a sliver along Louisiana and existing 31st Street, and a wider area along Haskell all the way to the river.

Comment 20: *Inadequate impact analysis – Omission of analysis for exhaust, oil, and vibration impacts.* (Comment ID Number – 227)

Response: These types of impacts were discussed in the Corps’ Final EIS in Chapter 4 in sections 4.8 Air Quality, 4.16 Construction Impacts, and 4.24 Energy Impacts.

Comment 21: *Consider additional mitigation measures that benefit and involve HINU (management of Haskell wetlands and other mitigation amenities is not stated).*
(Comment ID Number – 185)

Response: Project impacts will occur in the Baker Wetlands, therefore, wetland mitigation measures are geared mostly toward those aspects of mitigation that deal with the Baker Wetlands complex and Baker University. If the project is built, there could be opportunities for the HINU community to become involved with the proposed Wetland/Cultural Education Center which could also be used to provide insight into the history of the area.

At this time it is anticipated that wetlands could be created on Haskell University property where 31st Street will be removed, if the HINU community so desires.

The proposed campsites, hike and bike trails, and parking areas will be maintained by Baker University, since these amenities will be located on the land that will become the responsibility of Baker University.

Measures to minimize harm include walls along the trafficway that will contain or minimize noise, roadway debris, light, and visual disturbances. In addition, roadway runoff will be routed to ditches outside of the Baker Wetlands to prevent potential contaminated runoff from entering the wetlands.

Reference: Sections F.2 and 3.

Comment 22: *Inaccurate information – no mention of public use of wetlands for education.*
(Comment ID Number – 218)

Response: Section B.1.f. (Function and Usage of the Baker Wetlands) of the 4(f) document states that Baker University "...has made the area accessible to the public". In addition, the Baker Wetlands history in Appendix A indicates that a boardwalk and informational kiosk were added in 1994. Although the text in the 4(f) document does not specifically explain public usage, FHWA and KDOT are aware that several elementary school students use the Baker Wetlands for educational purposes, and that the Jayhawk Audubon Society sponsors field days and provides transportation and volunteers for elementary schools that have experienced reductions in financial support for field trips.

Reference: Section B.1.f.

Comment 23: *Mitigation for 42nd Street A Alternative secondary impacts is ignored and should be similar to mitigation for 32nd Street B Alternative.* (Comment ID Number – 224)

Response: It is not the policy of FHWA to mitigate for secondary impacts. As part of the 32nd Street B alignment, Haskell Avenue and Louisiana Street will be relocated, moving them away from the HAFP/Baker Wetlands. Although this will minimize the secondary impacts that traffic noise and potential development would have on the Baker Wetlands, the primary purpose of the street relocation is to gain contiguous land for mitigation of direct wetland impacts, not for mitigation of secondary impacts.

Comment 24: *Consideration of an eastern by-pass.* (Comment ID Number – 175)

Response: The Eastern By-pass has been considered over the years by KDOT, FHWA and the Corps of Engineers. Each time the agencies felt it did not meet the Purpose and Need of the Project. Further, the Corps said that, "this corridor would require extensive bridging of the large floodplain and floodway of the Kansas River". This would translate into excessive cost and environmental impacts.
