RECORD OF DECISION
FEDERAL HIGHWAY ADMINISTRATION

SOUTHERN BELTWAY TRANSPORTATION PROJECT
U.S. ROUTE 22 TO INTERSTATE 79
ALLEGHENY AND WASHINGTON COUNTIES

FHWA-PA-EIS-04-02-F
September 3, 2008

I. DECISION

The Selected Alternative for the Southern Beltway U.S. Route 22 to Interstate 79 Project is the B-2 Alternative. This Alternative was identified as the Recommended Preferred Alternative in the Draft Environmental Impact Statement (DEIS), and as the Preferred Alternative in the Final Environmental Impact Statement (FEIS). The B-2 Alternative is proposed as a four-lane, divided, limited access, tolled expressway originating at U.S. Route 22 at the completed Findlay Connector (Turnpike 576) interchange and continues south and east to a connection with Interstate 79 in Cecil Township, Washington Country near the Allegheny County/Washington County line. The total length of the Alternative is 21.4 kilometers (13.3 miles). Full interchanges will be provided at: U.S. Route 22, Beech Hollow Road (S.R. 4010), and PA Route 980 in Robinson Township, Washington County; at PA Route 50 in South Fayette Township, Allegheny County; and, Interstate 79 and Morganza Road (S.R. 1009) in Cecil Township, Washington County.

The Selected Alternative is shown in the FEIS Volume I on Figures III-8 and III-9, and is described in detail, including the treatment of side roads, in Chapter 3: Detailed Alternatives (pages III-40 through III-46). The B-2 Alternative (Plates 1 though 20) in Volume II of the FEIS shows the engineering plans for the Selected Alternative in detail.

The B-2 Alternative is the Selected Alternative based upon its ability to meet the identified project needs; upon engineering parameters and environmental effects; upon public input; environmental resource agency input; testimony and comments received on the DEIS during the 54-day review and comment period; and comments received on the FEIS during the 41-day review period.

The project was developed in accordance with the National Environmental Policy Act (NEPA), 40 CFR Parts (1500-1508) the Federal Highway Administration (FHWA) regulations (23 CFR Part 771), 49 USC subsection 303, the National Historic Preservation Act of 1966 (36 CFR Part 800), and other relevant federal and state requirements. The project was developed in compliance with all applicable Pennsylvania laws, and in accordance with the Pennsylvania Department of Transportation's (PennDOT) Transportation Project Development Process, including the requirements of

Pennsylvania Act 120 of the Administrative Code of 1969, as amended. A Draft Environmental Impact Statement was circulated for comment from December 31, 2004 to February 25, 2005. A Public Hearing was conducted on February 9, 2005. The Final Environmental Impact Statement was circulated for review from September 29 to November 9, 2006.

The FEIS addressed all comments received during the official DEIS comment period and all testimony given at the public hearing. The seven (7) comment letters received during the FEIS review period and responses, as appropriate, are presented in the Record of Decision Technical Basis Report.

II. ALTERNATIVES CONSIDERED

A preliminary alternatives development and evaluation process was performed to define and analyze a broad range of transportation alternatives based on the identified project needs. The preliminary alternatives were developed, analyzed, and specific alternatives were then advanced for detailed study based on the alternative's ability to meet the identified project needs, its impact on environmental features, and consideration of public and agency input which was received. The alternatives considered for this project are described in Chapter III of the FEIS.

An Integrated Congestion Management System/Major Investment Study (CMS/MIS) Report was completed for all three Southern Beltway Transportation Projects in accordance with Joint Statewide and Metropolitan Planning Regulations issued November 29, 1993.

The following alternatives were considered during the CMS/MIS and Preliminary Alternatives Analysis:

1. No-Build Alternative

The No-Build Alternative would consist of taking no action to improve the transportation facilities within the corridor. The No-Build Alternative would not meet the project needs, but was advanced into detailed study as a baseline comparison for the other alternatives.

2. Congestion Management System (CMS) Strategies Alternative

The Congestion Management System analysis was performed to determine if CMS strategies, such as improved transit, travel demand management, or car-pooling would eliminate the need for additional single occupancy vehicle capacity within the project area. More detailed information regarding the CMS analysis can be found in the *Integrated Congestion Management System Analysis and Major Investment Study, December 1996.* The CMS analysis concluded that the implementation of Congestion Management Strategies alone would not satisfy the need for additional highway capacity

in the corridor. As a result, additional single occupancy vehicle capacity was studied and evaluated through a Major Investment Study.

3. Major Investment Study (MIS) Alternatives

The MIS evaluated alternative transportation investments in attaining local, state, and national goals and objectives for the metropolitan area. The range of alternatives considered in the MIS was based on the identified project needs and long range regional goals. More detailed information regarding the MIS can be found in the *Integrated Congestion Management System Analysis and Major Investment Study, December 1996.* An Exclusive Transitway Alternative on new right-of-way to provide for east-west circumferential travel was considered. An upgrade alternative (the Roadway Network Upgrade Alternative) consisting of various roadway improvements, referred to as 3R improvements (resurfacing, restoration, and rehabilitation) and four-lane upgrades, where feasible, was also developed and evaluated. The MIS concluded that the Exclusive Transitway Alternative and the Roadway Network Upgrade Alternative were not reasonable, since they did not meet the identified project needs. As a result, these alternatives were not studied in further detail.

The Southwestern Pennsylvania Regional Planning Commission (SPRPC), currently the Southwestern Pennsylvania Commission (SPC), endorsed the *Integrated Congestion Management System Analysis and Major Investment Study Report, December 1996* through Resolution No. 21-96 dated September 30, 1996. This resolution endorsed the design concept and scope of the New Toll Road Alternative for further study in the DEIS.

4. New Toll Road Alternatives

In order to more clearly define the alternatives to be studied between U.S. Route 22 and Interstate 79, an engineering and environmental impact study was initiated. Within the project area, a Point-of-Access analysis was conducted to determine potential locations for new toll road connections along the project logical termini of U.S. Route 22 and Interstate 79. The analysis considered FHWA guidelines for interchange spacing along limited access highways. The result of this analysis identified one location on U.S. Route 22, between the existing Bavington and McDonald/Midway interchanges, and two locations on Interstate 79, between the Bridgeville and Southpointe and the Southpointe and Canonsburg North interchanges where new toll road interchanges could be located without affecting the safe operation of the existing interchanges.

Utilizing these interchange locations, five preliminary alternatives were developed between U.S. Route 22 and Interstate 79. The five preliminary New Toll Road Alternatives included the following: the B-1 Alternative; B-2 Alternative; B-3 Alternative; R-1 Alternative, and R-2 Alternative (Figure ES-2 of the FEIS).

Each of the New Toll Road Alternatives considered in detailed study would be a four-lane, limited-access expressway. The mainline typical section for these alternatives

consists of two 3.6 meter (12 foot) lanes in each direction, an 18 meter (60 foot) median, with inside shoulders of 2.4 meters (8 feet), and outside shoulders of 3.6 meters (12 feet) (FEIS Figure III-5). Each of the New Toll Road Alternatives would share a common interchange location with U.S. Route 22 between the existing Bavington and McDonald/Midway interchanges. Along Interstate 79, the interchange for the B-1, B-2, and B-3 Alternatives would be located near the Allegheny/Washington County line. The interchange for the R-1 and R-2 Alternatives would be located between the Southpointe and Canonsburg North interchanges.

Some of the major engineering considerations in the development of these alternatives included interchange locations and layouts, traffic volumes and movements, abandoned mines and geology, and road, trail and stream crossings. The engineering developed for each alternative provided the means of evaluating their environmental impact, as well as their ability to improve the efficient movement of goods and services, relieve existing and future predicted roadway congestion, improve vehicular and pedestrian safety, increase roadway linkages between major highways, and provide transportation services to support economic development plans.

The evaluation of these alternatives was presented to the resource agencies at the January 26, 1996 Special Agency Coordination Meeting (SACM), and to the local elected officials and the public at a plans display on March 12, 1997.

The results of the preliminary alternatives analysis were documented in the *Preliminary Alternatives Analysis Report, September 1997.* This report was approved by the Pennsylvania Department of Transportation and the Federal Highway Administration on December 8, 1997. The report findings were presented to the resource agencies on March 26, 1998. The conclusion of the evaluations was that the R-1 and R-2 Alternatives would not be studied in further detail after consideration of environmental impacts, costs, and public and agency input.

The B-1, B-2 and B-3 Alternatives were advanced for Detailed Alternatives Analysis. Evaluations of the Detailed Alternatives involved engineering and environmental impact analysis, public involvement, and resource agency involvement.

The B-2 Alternative was identified as the Recommended Preferred Alternative in the DEIS, and as the Preferred Alternative in the FEIS, based upon its ability to meet the identified project needs; upon engineering parameters and environmental effects; upon public and environmental resource agency input; testimony and comments received on the DEIS; and upon the following eight specific reasons:

- **The B-2 Alternative would avoid the use of any Section 4(f) Resources.**
  The B-2 Alternative and the B-3 Alternative would not use any properties on or eligible for listing on the National Register of Historic Places or any property from publicly-owned public parks, recreation areas or refuges. The B-1 Alternative would require the use of the Savage Farm and Geary Farm, properties eligible for listing on the National Register of Historic Places.

- **The B-2 Alternative would impact the least amount of range land.**
  The B-2 Alternative would impact 40.46 hectares (100 acres) less range land than the B-1 Alternative. The B-3 Alternative would impact 101.5 hectares (251 acres) of range land, 24.28 hectares (60 acres) more than the B-2 Alternative.

- **The B-2 Alternative would impact less perennial stream length (having greater than 100 acre watersheds) than the B-3 Alternative.**
  The B-2 Alternative would impact (culverted or lost length) 480.7 m (1,577 ft) less perennial stream (having watersheds over 100 acres) than the B-3 Alternative. The B-1 Alternative would impact 1822.7 m (5,980 ft) of perennial stream, 163.9 m (538 ft) less than the B-2 Alternative.

- **The B-2 Alternative would impact the least acreage of grassland habitat.**
  The impact to grassland habitat would be 15 hectares (36 acres) with the B-2 Alternative, compared to 17 hectares (41 acres) with the B-1 Alternative and 32 hectares (79 acres) with the B-3 Alternative.

- **The B-2 Alternative would be the most consistent with municipal comprehensive plans.**
  During workshops conducted with Robinson Township, the B-2 Alternative was identified as the Alternative which would be the most consistent with their comprehensive plan. The B-2 Alternative has also received support from the surrounding communities of Midway Borough, McDonald Borough, North Fayette Township, and Mt. Pleasant Township. While South Fayette Township would be impacted to the same degree by all three alternatives, the project would be consistent with their municipal planning efforts. Cecil Township's Comprehensive Plan states that the project would have minimal effect on the township.

- **The B-2 Alternative would be consistent with the planned updates to the local Township Zoning Ordinances.**
  This alternative would provide consistency between the proposed project and local land use planning as outlined in PA Acts 67 and 68.

- **The B-2 Alternative would impact 31 fewer residences than the B-1 Alternative.**
  The B-1 Alternative would impact the greatest number of residences at 136. The B-2 Alternative and B-3 Alternative would both have the same impacts to 105 residences. During the Public Meetings conducted in December 2000, nearly all questionnaires received indicated a strong concern for minimizing the number of residential impacts.

- **The B-2 Alternative would have a lower construction cost than the B-3 Alternative.**
  The B-2 Alternative would cost an estimated $647 million in 2011 (expected Year of Expenditure) to construct at a length of 20.7 kilometers (12.9 miles), while the B-3 Alternative would cost $670 million in 2011 (expected Year of Expenditure) to construct at a length of 21.2 kilometers (13.2 miles). The B-1 Alternative would cost $639 million 2011 (expected Year of Expenditure) to construct at a length of 21.4 kilometers (13.3 miles).

5. Post-DEIS Design Evaluations and Refinements

Several modifications and additions were made between the DEIS and FEIS as a result of public comment, refinements to the design presented in the DEIS, and/or additional information that became available after publication of the DEIS.

A. Additional Information following DEIS Publication

- Per FHWA requirements for major projects, the project cost estimate was updated to reflect projected (Year of Expenditure 2011) costs and was submitted for an independent cost validation. The independent validation was completed on August 1, 2006 and was approved by PennDOT on August 10, 2006 and FHWA on August 15, 2006. The cost validation remains accurate at the time of the Record of Decision request.

- Also, per FHWA requirements for major projects, a Project Management Plan (PMP) was completed by the PTC (July 26, 2006). The plan was approved by FHWA on October 13, 2006 with requirements for future updates. The PMP was updated on January 28, 2008 to reflect the approved financial plan.

- A Conceptual Point of Access Report (March 2006) was prepared by the PTC for the proposed Interstate 79 interchange movements. FHWA and PennDOT approved this document in May 2006. During Final Design, the POA report will be updated to reflect any design refinements.

- Because the studies for the U.S. Route 22 to Interstate 79 project have taken a number of years to complete, the Southwestern Pennsylvania Commission (SPC) regional traffic model had been updated from Cycle VI to Cycle VII.

  The comparison of Cycle VII and Cycle VI traffic projections showed that Vehicle Miles Traveled (VMT) in Cycle VII is lower than Cycle VI forecasts. Cycle VII, while lower than Cycle VI, continues to show that the amount of travel in the region would continue to grow, albeit, at a lower rate than projected by Cycle VI.

  Based upon the current Cycle VII model, future traffic projections for the Build and No-Build condition were evaluated and are reflected in the FEIS Chapter IV-A.1 Traffic. Updated traffic data had also been utilized to re-evaluate environmental consequences to the following sections in the FEIS Chapter IV: C. Cultural Resources; E. Noise; and F. Air Quality.

- Threatened and endangered species coordination was conducted in June 2005 to update agency correspondence regarding threatened and endangered species since the original coordination was conducted for the DEIS. Updated coordination on state and federal species of special concern was completed with the U.S. Fish and Wildlife Service (USFWS), Pennsylvania Natural Diversity Inventory, Pennsylvania Game Commission (PGC) and Pennsylvania Fish and Boat Commission (PAFBC). The results of the 2005 coordination was updated in Chapter IV-Section B.7 - Threatened and Endangered Species, and copies of 2005 agency responses were contained in the FEIS Appendix A - Agency Correspondence.

  Additionally, following the FEIS publication, updated coordination with State and Federal agencies relative to the potential for involvement with species of special concern was initiated on January 16, 2008. Copies of the response letters from state and federal agencies are enclosed with the ROD request, and are summarized below:

  - The PA Fish and Boat Commission responded on March 12, 2008 with a "No Adverse Impacts Expected From the Proposed Project" finding.

  - The PA Game Commission responded on February 13, 2008, consistent with FEIS responses, regarding ongoing coordination for the Pennsylvania Endangered Species Short Eared Owl (*Asio flammeus*).

  - The PA Department of Conservation of Natural Resources (PADCNR) coordination dated April 15, 2008 requested supplemental field surveys within the FEIS limits for State Listed plant species Snow

Trillium (*Trillium nivale*) and Wild Hyacinth (*Camassia scilloides*). Field surveys conducted on April 16, 2008 did not identify species of special concern within proposed impact areas, and PADCNR concurrence was issued on May 30, 2008.

- United States Fish and Wildlife Service coordination dated February 19, 2008 required field surveys for the Federally Endangered Indiana Bat (*Mysotis sodalis*) to be completed. These surveys were completed for the U.S. Route 22 to Interstate 79 project starting on May 15 and were concluded on June 23, 2008. A total of 177 individual bats, representing 6 species, were captured at 28 sites within the corridor. No endangered bat species were identified during these surveys. A copy of the "*Summer Mist Net Surveys for the Indiana Bat on Pennsylvania Turnpike Commission's Proposed Southern Beltway Project, US Route 22 to Interstate 79*" was submitted to the Pennsylvania Field Office of the United States Fish and Wildlife Service on July 11, 2008. In their August 18, 2008 reply, the Service concluded that based upon the documentation provided, construction of this project is not likely to adversely affect the Indiana bat. This determination is valid for 2 years; further coordination will be required if the project is not fully implemented within that timeframe, or if project plans change.

- Because the course of studies for the U.S. Route 22 to Interstate 79 project had taken a number of years to complete, the SPC regional traffic model had been updated from Cycle VI to Cycle VII in the FEIS evaluations.

  Based upon the current Cycle VII model, future traffic projections for the Build and No-Build condition were evaluated and were reflected in the FEIS Chapter IV-A.1 Traffic. Traffic noise effects as a result of the proposed project have been evaluated utilizing Cycle VII traffic data. The results of this evaluation were presented in the FEIS Chapter VI-E. Noise.

- Air Quality effects as a result of the proposed project were evaluated for the FEIS utilizing Cycle VII traffic data.

  In compliance with USEPA requirements published following publication of the DEIS, a qualitative analysis for PM 2.5 was also conducted for the FEIS. This analysis concluded that this project is not considered to be an air quality concern on the basis that the project will not serve a significant volume of diesel traffic as described in the regulations and guidance. As a result, no further project level air quality analysis for this pollutant is required.

  The results of the Air Quality evaluations can be found in the FEIS Chapter VI-F. Air Quality.

B. Design Modifications

As a result of comments received on the DEIS and during the February 9, 2005 Public Hearing, design refinements were implemented in the FEIS. The list below contains a brief description of each modification, including differences in resource impacts that were incorporated into the FEIS.

- During the official comment period on the DEIS, alternate interior interchange locations and configurations were proposed by the organization called Sustainable Pittsburgh. An evaluation of the proposed alternate interchanges was performed and results have been incorporated in the FEIS Chapter III – Alternatives, Section E. A response to comments from Sustainable Pittsburgh is also contained in the FEIS – Volume III.

- In response to comments received during the public comment period of the DEIS, the Southern Beltway interchange at Interstate 79 was re-evaluated and refined. Comments received included concerns with visual effects at the Department of Veterans Affairs' National Cemetery located along both sides of Interstate 79, and the need for local roadway traffic access to the proposed interchange.

  In response to these comments, the design of the interchange was refined from a three-level interchange as proposed in the DEIS, to a two-level interchange; thereby reducing the visual effects, to the extent practicable, at the Interstate 79 area. Local access movements were incorporated in the revised interchange design. A Conceptual Point of Access Report (March 2006) was prepared by the PTC for the proposed interchange movements. FHWA and PennDOT approved this document in May 2006. During Final Design, the POA report will be updated to reflect any design refinements.

  As a result of design refinements conducted at the Interstate 79 Interchange, the following resource impact changes were reflected in the FEIS:

  - Potential Archaeologic Probability Zones increase 15 ha (38 ac) and increases of Historic Archaeological Probability Significant sites at 6 low, 0 moderate and 3 high probability. The increases are due to the re-evaluation of the Archaeologic Probability Model using FEIS right-of-way limits, which represented an increased area required at the Interstate 79 interchange and Morganza Road area.

- Wetland impacts increased by 0.32 ha (0.81 ac), and perennial stream impacts increased by 347.5 m (1140 ft) length, due primarily to larger proposed right-of way required at Interstate 79 Interchange and Morganza Road.

- Residential and commercial displacement numbers were updated throughout the FEIS Chapter IV- Environmental Consequences to reflect current conditions within the study corridor. This updated information reflects the construction of new buildings, changes in commercial tenants, and changes to affected areas as a result of a refined design at the Hallam Road area and the Interstate 79 interchange area. The B-1 Alternative would impact the greatest number of residences at 136. The B-2 and B-3 Alternatives would both have the same impacts to 105 residences. The net increase of 29 residences in the FEIS was primarily due to an increased area required at the Interstate 79 interchange and Morganza Road area, although some residential impact changes occurred elsewhere along the alignment including the refined design at the Hallam Road area.

A description of the revised interchange was included in the FEIS Chapter III-Alternatives. Plates 17, 18, 19 and 20 contained in Volume II of the FEIS were also revised.

- Oil Resource K was removed as a resource eligible for listing on the National Register of Historic Places due to demolition of the structure by unknown parties. Additional properties, the Giffin Property, Park Farm and Hickman Property were also evaluated between the DEIS and FEIS as part of the U.S. Route 22 to Interstate 79 Southern Beltway project due to refinements of the Interstate 79 interchange. The Giffin Property was determined not to be eligible for listing on the National Register of Historic Places (*Determination of Eligibility Report, November 2005*).

  Potential effects to historic resources resulting from changes to traffic movements, projected noise levels, and the location of the proposed roadway were evaluated for potential historic sites including the Hickman Property and Parks Farm (*Determination of Effects Report, November 2005.*) These three sites were evaluated between the DEIS and FEIS as part of the U.S. Route 22 to Interstate 79 Southern Beltway Project due to refinements to the design of the Interstate 79 Interchange.

  The results of these evaluations was presented in the FEIS Chapter IV-C.1 Historic Structures and Properties, and Chapter IV-Section E. Noise.

- As a result of a change in property ownership at the Interstate 79 Interchange area and design refinements at Hallam Road, productive agriculture and Agricultural Security Areas impacts were revised for the FEIS. The change at both locations reflected 1.) the Morgan Farms (2 operators) represented in the DEIS as productive agriculture being converted to VA Cemetery use and, 2). the inclusion of additional farms affected by FEIS design refinements and availability of more accurate property owner information including the Rank, Fuchs, and Bowman farm operations. These changes resulted in one additional farmer being affected, but resulted in an overall decrease of 2.8 ha (7 ac) impact to productive agriculture. Additionally, a reduction of impact to Agricultural Security Area presented in the FEIS was due to a design refinement at Hallam Road. The B-2 Alternative in the DEIS and FEIS both include 1 operator/25 hectares (62 acres) of property which is in temporary farmland use according to the property owner, Imperial Land Corporation.

  Updated impacts to farmland properties information were presented in the FEIS Chapter IV-B.8- Farmlands, and Appendix C- FPPA Form.

- Due primarily to design refinements at the Hallam Road area, Forestland and Rangeland impacts were reduced. Forestland impacts were reduced 18.9 ha (47 acres) and Range land impacts were reduced 16.7 ha (41 acres)

The FEIS included a table of other changes, revisions, and updates to the DEIS text, tables, figures, and plates. The changes were based upon comments received on the DEIS, or corrections or updates to the information presented in the DEIS.

III. MEASURES TO MINIMIZE HARM

During the Transportation Project Development Process, refinements were made to the various alternatives to avoid or minimize impacts to sensitive environmental resources where possible. These refinements were reviewed by the regulatory and review agencies at the SACM held during the project development. When appropriate, design refinements were discussed with the public and public officials through Public Meetings and other special interest groups meetings.

All practicable measures to minimize harm are incorporated in the project design. A final design management consultant retained by the PTC will ensure that commitments made in the FEIS and this ROD are included in the final design plans. Design refinements will also be reviewed for environmental sensitivity. Periodic presentations will be made during final design at the SACM to obtain further input from the resource agencies. The final design management consultant will also ensure that all required environmental

permits are obtained and permit conditions are incorporated into the construction contract documents.

Specific mitigation commitments are made in the FEIS, Chapter 4 (Environmental Consequences) and in this ROD as summarized below:

Soils, Geology and Groundwater Resources

- The use of blasting may be anticipated during construction. The control of blasting so as to prevent property and structure damage will be conducted according to PennDOT Publication 408. Pre-blast surveys (detailed inspections of structures within 305 meters (1,000 feet) of blasting operations) will be performed prior to any blasting operations to indicate areas of potential subsidence.

- A detailed subsurface exploration program will be performed on the selected alternative during final design to determine the actual bedrock characteristics for design. If geologic hazards such as slope stability problems or landslide potential areas are encountered in cut sections, additional geotechnical investigations and engineering design will be conducted to ensure stability and safe cut-slope angles. In fill sections, stability analysis will be conducted so as to maintain an acceptable factor of safety against slope failure. Additionally, the subsurface exploration program will identify areas where the interception of coal seams is anticipated as well as the recommendation of special design criteria and handling or disposal requirements in order to minimize environmental impacts.

- The presence of acid producing material will be identified, selectively handled, buried, or encapsulated in impermeable materials away from natural drainage ways. Runoff from construction will be directed away from exposed coal beds. Any seepage from exposed coal beds will be directed away from stream channels. All suspected mine drainage discharges will be addressed in the final design Geotechnical Engineering Report. Investigations and recommendations would be made for neutralization using approved Pennsylvania Department of Environmental Protection (PADEP) methods prior to allowing water to enter equal or higher quality streams.

- Exposed coal seams will be properly sealed to prevent the potential discharge of mine water into nearby streams. The engineering design for these seams would be considered during design efforts consistent with the Geotechnical Engineering Report investigations and recommendations conducted in final design.

- During final design, all existing private wells that may be impacted by the project will be identified and monitored prior to construction in order to establish pre-construction water levels and conditions.

- Coordination with all potentially affected property owners would occur during final design. If private wells are determined to be seriously impacted, resulting in the loss or degradation of water quality or quantity, the wells would be replaced, redrilled to another water producing zone or remediated, as appropriate.

Mining and Mineral Resources

- During final design activities, a surface and subsurface exploration program involving drilled borings and a comprehensive laboratory testing and sampling program, as appropriate, will be necessary to evaluate conditions in previous surface strip mines and to evaluate subsidence potential from past underground mining in the project area. This drilling program will be designed to locate areas of loose, uncompacted overburden, unstable soils, boundaries of highwalls and potential special handling or disposal requirements. Additionally, borings will be drilled to: sufficient depth to penetrate and sample materials above and below the Pittsburgh Coal Seam; determine the depth, extent, and flooded status of deep mines, and; identify the existence of previous subsidence events. This information will be used to evaluate overburden structural integrity, fill slope stability, and assess the risk of future mine subsidence. Based upon risk assessment, the appropriate mitigation design may be to overexcavate and recompact unconsolidated strip mine material, grout the deep mine for additional support for the highway and bridge foundations, or do nothing. Coordination with mine owners and PADEP will occur, as appropriate, throughout final design.

- During construction, all encountered deep mine entrances will be properly sealed for public safety reasons and to control entry of surface water into the deep mines and the potential discharge of mine waters into nearby streams. The discharge of mine waters encountered during construction is of concern. All suspected mine drainage discharges into surface waters which may be encountered during construction should be tested in compliance with PADEP surface water quality regulations and standards. The correct treatment and type of mine seal will be selected based on the conditions of the mine, and will be in place prior to backfilling during construction activities. Implementation of proper erosion and sediment pollution control and mine drainage abatement technologies will be investigated and designed as part of the final design process.

- Exposed coal seams will be properly sealed to prevent the potential discharge of mine water into nearby streams. The recommendations and engineering design for these seals will be considered as part of the Geotechnical Engineering Report conducted during final design.

- The presence of acid producing material will be identified, selectively handled, buried, or encapsulated in impermeable materials away from natural drainage ways. Runoff from construction will be directed away from exposed coal beds. Any seepage from exposed coal beds will be directed away from stream channels. All suspected mine drainage discharges will be addressed in the final design Geotechnical Engineering Report investigations. Recommendations will be made for neutralization using approved PADEP methods prior to allowing water to enter equal or higher quality streams.

- In areas where coal exists and is economically feasible to extract, the value of the coal resources will be negotiated with the owner of the resource during the right-of-way acquisition process. During construction, overexcavation for the removal of "in-place" coal will be conducted, as appropriate, to prevent potential settlement. The overexcavation will consider the location of the coal seam with respect to its depth below the roadway. This and other issues related to mining and mineral resources will be addressed during the geotechnical subsurface exploration program conducted during final design.

- The location of all producing oil/gas wells and distribution lines within the proposed right-of-way will be identified by field survey during final design activities. Active distribution lines may need to be relocated outside of the project right-of-way. Producing and abandoned wells encountered during construction will be properly closed and abandoned in conformance with the PADEP criteria. When producing wells are impacted, coordination with the owner may be conducted and replacement wells may be developed, as appropriate. Where economically feasible, new access will be provided where the project severs existing roadways providing access to existing wells. During final design, maintenance of existing wells will be evaluated, as appropriate.

Streams

In order to reduce or minimize potential impacts to water quality and aquatic biota, the following recommendations would be considered and undertaken where applicable, during final design and construction. Continued coordination with the PAFBC, PADEP, USACOE, and other appropriate agencies regarding these recommendations would be on-going throughout the course of the project.

- Reduce the amount of aquatic habitat (and riparian vegetation) that is disturbed by minimizing the linear distance of streams impacted at each crossing.

- Design and construct depressed bottom culvert structures that would promote the reestablishment of benthic habitat within the culvert. This includes the use of bottomless arch and depressed bottom culverts to maintain the natural channel bottoms and eliminate potential barriers to indigenous aquatic organisms. These structures would be designed in accordance with PennDOT Design Criteria.

- Prepare and implement an approved Sediment and Erosion Pollution Control Plan that would reduce sediment deposition to aquatic habitats.

- Revegetate all disturbed areas in a timely fashion to prevent accelerated soil erosion.

- Construct all cofferdams, causeways, and temporary crossings from rock-fill and other approved materials.

- Minimize the need for in-stream work by heavy equipment.

- Develop project sequencing to facilitate in-stream work during periods of seasonal low flow conditions, and use temporary protective fencing to reduce stream disturbance outside of the construction areas.

- Prepare and implement a Preparedness, Prevention and Contingency (PPC) Plan to designate equipment fueling, storage, and service areas away from surface waters to minimize the potential for accidental spillage of petrochemicals into surface waters.

- Incorporate the use of storm water management facilities and vegetated drainage swales to reduce sediment and toxicant levels of highway runoff prior to entering the receiving streams.

- Coordinate the design and construction of relocated channels to replicate existing stream morphology characteristics, to the extent practicable, through coordination with agency personnel.

- Incorporate depressed bottoms, baffles, and other energy dissipaters in the culvert design to provide reduced linear sheet flows and provide additional habitat.

- Final design efforts will consider the use of metal arch culverts having natural bottoms and Openness Indices of 1 or greater for stream crossings SC 44, SC 38, and SC 16 to provide for terrestrial habitat and wildlife movements along the respective riparian corridors. See FEIS Plates Volume II for the locations of these stream crossings.

- Incorporate rip-rap energy dissipaters at culvert outflows to minimize the effects of scour.
- Treat any intercepted acid mine drainage prior to stream discharge.

- During final design, when detailed mitigation plans are developed, the reuse of natural stream bottom material from the relocated sections of streams will be considered.

- Develop a stream mitigation plan through coordination with the FHWA, PennDOT, PAFBC, PADEP, USFWS, United States Environmental Protection Agency (USEPA) and USACOE. The plan will identify sites for stream enhancement and mitigation to compensate for unavoidable losses of aquatic habitat due to the placement of culverts and loss of channel. Mitigation measures included within the

plan may include, but are not limited to, acid mine drainage (AMD) remediation, stream bank fencing, streambank stabilization and naturalization, and habitat improvement projects including the removal of coal gob piles from riparian corridor areas. Potential stream mitigation areas have been identified as part of the EIS process and will be re-evaluated in final design for selection and implementation (See Figure IV-12 of the FEIS).

- Preliminary location and size of stormwater management ponds have been included in the FEIS and will be reevaluated in final design to try and incorporate the ponds within the roadway features while minimizing impacts to the environment.

- The required permits for work in and around stream systems will be obtained, as applicable. These include 401 Water Quality Certification, PADEP National Pollution Discharge Elimination Systems (NPDES) Permit, PADEP Chapter 105 Permit, Army Corps of Engineers 404 Permit, and PAFBC Drawdown Permit.

Floodplains

- Proposed impacts to floodplains have been minimized throughout the preliminary design process by shifting alternatives and alignments to avoid or minimize floodplain encroachments. This process would continue through final design. Detailed hydrologic and hydraulic analyses would be conducted during final design to determine if structures and associated pier placement would increase the base flood elevation as per 23 CFR 115, 117, and 650. The structures would be designed to avoid increases in the flood elevation of floodways in the project area.

- During final design and prior to construction, permitting procedures would be instituted in accordance with Title 25, Chapter 105, "Dam Safety and Waterway Management" Rules and Regulations, P.L. 851 No. 166 "The Floodplain Management Act", and Title 25, Chapter 106, "Floodplain Management". All of these programs and associated permits are administered by PADEP. All actions taken with respect to construction would conform to Executive Order 11988 - Floodplain Management, dated May 24, 1977. Coordination with Federal Emergency Management Agency (FEMA) and local communities will be conducted as needed throughout the design stage of the project to address impacts to and concerns about floodplain impacts. If it is determined through hydraulic calculations that the project would modify the contour of the base flood elevation (BFE) cumulatively by one foot or more, a Conditional Letter of Map Revision (CLOMR) would be applied for through FEMA.

Wetlands

A final wetland mitigation plan will be prepared during final design. Wetland mitigation replacement sites will be designated to replace lost principal wetland functions exhibited

by the impacted wetlands. For the 3.01 hectare (7.45 acre) wetland impact identified in the FEIS, wetland mitigation will be conducted at a ratio of 1:1 acre for impacted emergent wetlands, 1.5:1 acres for scrub/shrub wetlands, and 2:1 acres for forested wetlands. Mitigation for hydrologically isolated wetlands will be conducted at a ratio of 1:1 acre in accordance with PADEP requirements only, as hydrologically isolated wetlands are not regulated by the USACOE. Coordination will be conducted with PADEP, PAFBC, PGC, USACOE, USFWS, USEPA, PennDOT and FHWA during the development of the wetland mitigation process through the final design. The following course of action would be followed to offset adverse impacts to wetland resources:

- Continue efforts through final design to avoid and/or minimize wetland impacts.

- Mitigate for unavoidable wetland impacts through the construction of replacement wetlands. Generally, replacement as close as possible to each area of impact is considered most desirable. However, due to the small size of individual wetlands (majority less than 0.04 hectares (0.01 acres)), a single mitigation site large enough to replace the aggregate acreage or individual impact sites will be pursued.

- Evaluate and select wetland replacement sites in accordance with PADEP Title 25, Section 105.20a, using the following criteria:

  - Availability of replacement hydrology (including potential sources and reliability);

  - Existing land use/land cover impacts of replacement area development on other natural, cultural, and social resources;

  - Ecological compatibility of the replacement area with adjacent land cover (including consideration of existing development, and proposed future development);

  - Disturbance level of the site and adjacent areas (disturbed sites are preferred over undisturbed sites due to their low wildlife habitat value);

  - Contiguousness to adjacent wetland and proximity of the replacement areas to impacted wetlands in light of functional impacts (based on the general premise that the entire project lies within the Ohio River basin);

  - Availability of replacement acreage at each potential replacement site;

  - Topography and stratigraphy;

  - Source of sediments from adjacent areas;

- Construction feasibility and practicality of developing the replacement site; and,
- Consideration of future management and property disposal options available (i.e. transferring the replacement area to state agency [PGC or PFBC], local government, etc.).

Wetland Finding

Wetland investigations conducted from Spring 1999 to Spring 2001 resulted in the identification of 310 palustrine wetlands. The B-2 Alternative as presented in the FEIS would affect would affect 3.01 hectares (7.45 acres) of jurisdictional wetlands.

Following avoidance and impact minimization efforts to be conducted in Final Design, the remaining impacted area of wetlands will be mitigated through replacement according to wetland classification and functional value. Additionally, wetland replacement would be conducted with agency involvement and at a minimum ratio of 1:1.

Conceptual wetland mitigation sites were identified during the EIS development process, and were presented in the FEIS. Potential sites included areas which were determined to possess favorable hydrologic conditions, level topography, compatible landuse, absence of existing wetlands, compatible site and surrounding land use, good access, and absence of utilities. Ten sites were presented in the FEIS which initially met these criteria, including privately owned properties and one wetland mitigation bank owned and managed by PennDOT District 11-0. Further investigation of the potential sites will be conducted during final design including detailed hydrologic investigations, property ownership and acquisition potential, and agency coordination.

In accordance with Executive Order 11990, avoidance and minimization measures have been incorporated in the development process for each Alternative. There are no practicable alternatives that avoid wetland impacts. The final design would incorporate all practicable measures to minimize harm to wetlands.

Vegetation and Wildlife

A terrestrial mitigation plan will be developed in accordance with FHWA and PennDOT policies on terrestrial mitigation, and will be coordinated with the appropriate federal and state resource agencies (USFWS, USEPA, USACOE, PGC, PADEP, PAFBC). The following are possible elements of the terrestrial mitigation plan:

- Compensatory mitigation will not occur on highway outslopes, interchange infields, or other areas that may result in traffic/wildlife conflicts. Outslope areas of the highway would be seeded in native warm season grasses where appropriate. A vegetation clear zone along the edge of the roadway to discourage wildlife entry will be considered.

- Compensatory mitigation will be considered on expanded right-of-way areas, remnant land parcels, specific land parcels obtained by the Turnpike Commission, and other public land available for habitat enhancement. The PGC recommendations will be considered when selecting sites. Coordination with the Natural Resource Conservation Service (NRCS), USFWS, and local land owners will determine if there are current participants or potential enrollees for the NRCS' Wildlife Habitat Incentives Program (WHIP) and USFWS' Partners for Wildlife program (cost sharing programs to develop wildlife habitat on private lands). Project area participants in the PGC's Farm Game Coop Program will also be identified.

- Planting vegetation species that will provide cover for wildlife entering and leaving bridge underpass corridors and enhancing corridors with native plantings that have a high wildlife value would be considered.

- During final design, bridges and box culverts placed on selected riparian corridors will be evaluated for minimization of impact to wildlife movements. Where economically feasible, this evaluation may include the use of retaining walls in order to reduce the length of impact, and enlarged box culverts, arch culverts, or bridge spans in order to maintain sufficient opening sizes for wildlife movements. Selected riparian corridors exhibiting wildlife corridor characteristics have been identified in coordination with the appropriate resource agencies during the FEIS process.

- Specific commitments to control invasive vegetation species in accordance with Executive Order 13112 will be developed during final design.

Threatened and Endangered Species

- Coordination with the PGC will continue through final design to determine the continued presence of the short-eared owl within reclaimed strip mine grassland habitat and to coordinate mitigation measures for the direct loss of grassland habitat by the Selected Alternative. Upon consideration by the FHWA, PTC, PennDOT, mitigation measures may include continued field survey of reclaimed strip mine grassland areas prior to construction, and/or acquisition and management of similar habitat.

- If any previously unidentified mine entrances are uncovered during construction activities, the USFWS will be contacted for further coordination regarding the Indiana Bat (*Myotis soldatis*). Upon consideration by the FHWA, PTC, and PennDOT these mine openings would be investigated for the presence of the Indiana Bat (*Myotis soldatis*). In accordance with the USFWS' August 2008 letter, if the project is not fully implemented within 2 years, or if plans change, their conclusion that the project is not likely to adversely affect the species may be reconsidered.

Farmlands

In accordance with PA Act 100, the agricultural Land Preservation Policy (ALPP), and the Federal Farmland Protection Policy Act (FPPA), efforts were made to avoid or minimize impacts to farmland resources. Where avoidance was not reasonable and prudent, an effort was made to cross productive fields in a manner that minimized effects on agricultural operations.

- During the preliminary alternative analysis, it was determined that tracts of land in agricultural production were located throughout the project area. Interviews with farmers were conducted to gather input on their operations in an attempt to minimize the impacts to productive lands. It was determined that no prudent or reasonable avoidance alternative exists to the taking of productive agricultural lands. PA Act 100 requires the PTC to receive approval from the Agricultural Lands Condemnation Approval Board (ALCAB) prior to condemnation of productive agricultural land for highway purposes. There will be a continued effort to avoid and minimize impacts to productive agricultural lands in final design stages for this project. In accordance with the ALCAB adjudication issued November 22, 2005, the PTC is committed to maintenance of farm access during roadway construction to outlying fields for one farm parcel so as to allow continued agricultural production.

Cultural and Archeological Resources

- As the project has progressed, efforts have been made through research and coordination with the State Historic Preservation Office (SHPO) to avoid and minimize impacts to cultural resources. In select locations, such as the Stephenson-Campbell Log House area, the PTC has investigated using earthen mounds to minimize potential noise impacts to this property. The PTC will continue its coordination with the SHPO to protect resources located within the project area during final design. A Determination of Effect Report, Determination of Effect Addendum, and a Programmatic Agreement have been prepared for this project.

- A Phase Ib archeological survey, and if necessary, Phase II and Phase III archeological studies, will be conducted within the Area of Potential Effect (APE) for the Selected Alternative. These activities will be coordinated with the PHMC as the project progresses. A Programmatic Agreement has been developed. The Programmatic Agreement outlines in detail the process to be followed for further archaeological studies. The Programmatic Agreement is included in Appendix A of this ROD.

Community Facilities

- Coordination with the U.S. Department of Veterans Affairs is ongoing to address the impacts to the Department of Veterans Affairs' National Cemetery and to develop design

and mitigation strategies to further avoid and minimize impacts to the National Cemetery. As part of this coordination, a Memorandum of Understanding (MOU) was executed on March 28, 20006 to facilitate the coordinated and compatible development of both the Department of Veterans Affairs National Cemetery and the Southern Beltway projects. The MOU was included in Appendix A of the FEIS. The Fast Track and Phase I portion of the National Cemetery of the Alleghenies has been completed as of June 2008, and the National Cemetery is advancing Phase II construction on the west side of I-79 to the north of Morgan Road. The cemetery construction completed to date is consistent with prior Veterans Administration coordination and the commitments contained in the FEIS Memorandum of Agreement.

Residential and Commercial Displacements

All properties to be acquired would be purchased in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and Title VI of the Civil Rights Act. As such, individuals and families displaced by the project would be offered the full extent of benefits and payments provided by the Acts. Additionally, provisions would be made to assure that any person with a disability who would be displaced is offered replacement housing that has been fitted to meet any special needs. These procedures are fully documented in PTC pamphlet entitled *Policies and Procedures for Right-of-Way Acquisition: Property Owners & Tenants Guide.* The PTC policies that cover relocations include the following:

- All displaced persons would be offered relocation advisory assistance, as well as the monetary benefits provided by law.

- All displaced persons would be offered comparable, decent, safe, and sanitary housing that is within their financial means.

- No person shall be displaced by a construction project unless and until adequate replacement housing has been made available to all affected persons regardless of their race, color, religion, sex, or national origin in accordance with the Title VI of the Civil Rights Act of 1964.

- Services and payments shall be provided to all relocatees within the limits of the laws and administrative procedures established by the State.

- No persons lawfully occupying real property shall be required to move from their dwelling or to move their business, farm operations, or non-profit organization without written notice of at least 90 days prior to the date such move is required.

Environmental Justice

- Because the project would not have a disproportionately high and adverse human health and environmental effect to minority, low-income, or non-English speaking populations, mitigation specific to satisfying the provisions of Environmental Justice would not be necessary. During Final Design activities, the Environmental Justice populations will be monitored to determine if any shifts or concentrations of an Environmental Justice population developed over time within the project area. Any shift of an Environmental Justice population may affect specific project details and may require further investigation or mitigation.

Visual Resources

- During final design, further opportunities for secluding the roadway through hillside cut sections and limiting the visual disturbance of the roadway by adjacent vegetation planting and natural screening will be evaluated and integrated into the design plans, if reasonable. Other design aesthetic features that will be evaluated include blending the engineering design with the landscape, landscape plantings, natural re-vegetation, and incorporating visually appealing facility elements into the project design. Additionally, the use of widened fill and berm materials will be considered between the proposed road and potential viewers.

- The quality of the "view from the road" and the "view of the road" are important considerations because the Selected Alternative will serve as one of the principal means of transportation for the region. As such, a major objective of the proposed design will be to construct a transportation facility that would be visually compatible or complementary to the surrounding areas.

- By planting trees adjacent to the facility, views from the alternative would be framed and enhanced and views of the alternative would be buffered. Strategic gaps in plantings will be used to frame scenic views. Roadside plantings will also be used to hide views of unattractive features, such as power lines, unsightly buildings, or other landscape elements. An additional means of visual mitigation could include heavy plantings and rounded slopes within the median. This approach could improve the scenic quality of the area by quickly returning the landscape to a more natural, native appearing state. The use of roadside plantings could improve the chances for faster and more successful re-vegetation while improving slope stability and reducing possible erosion.

- At the Interstate 79 interchange area, the PTC would include earth mounds along the western ramp location to minimize the visual intrusion of the proposed facility from the Department of Veterans Affairs' National Cemetery. In addition, special plantings would be utilized to further screen the Southern Beltway in this area.

Noise

- The preliminary analysis conducted for the FEIS determined that 77 receptor locations were eligible for abatement consideration as a result of projected noise increases in the Build Condition. Mitigation via structural barriers (noise walls or earthen berms) at 75 receptors was determined to be not feasible and/or not reasonable in the project area due to: 1) the cost per residence benefited exceeded the current per unit allowance or, 2) the preferred minimum insertion loss of five dBA could not be realized.

- Based on the analysis, noise abatement mitigation is anticipated to be feasible and reasonable within NSA 10 at Barrier 13 for Receptors N-P and N-Pv as presented in the FEIS - Volume I. Final Design activities will consider the feasibility and reasonableness of noise abatement at this location with updated information available in Final Design.

- The traffic noise environment, potential impacts, and mitigation options for the Selected Alternative will be re-evaluated during Final Design utilizing *PennDOT Publication 24, Project Level Traffic Noise Handbook, February 2002.*

Air Quality

None of the "worst case" one-hour CO concentrations for the B-2 Alternative is predicted to exceed the one-hour or eight-hour NAAQS. Therefore, no mitigation is required.

Conformity with Regional Air Quality Planning

The Pittsburgh area, including Allegheny and Washington Counties, has been classified as a non-attainment area with respect to the eight-hour ozone standard. As a result, under the Clean Air Act, as amended, transportation planners are required to demonstrate that the planned projects on the Transportation Improvement Program (TIP) and Long-Range Transportation Plan (LRP) will conform to the applicable air quality implementation plans. The conformity analyses are conducted by the regional planning agency. For this area, the Southwestern Pennsylvania Commission (SPC) has responsibility for completing these studies. The Southwestern Pennsylvania Commission on January 28, 2008 approved the US Route 22 to Interstate 79 project for incorporation in the 2035 Long Range Plan and the 2007-2010 Transportation Improvement Program.

The Southern Beltway US Route 22 to Interstate 79 project is included in the current (2007-2010) Transportation Improvement Program and the 2035 Transportation and Development Plan for Southwestern Pennsylvania (which represents the LRP). Any project that is part of a

conforming TIP and LRP is considered to be conforming for air quality. Therefore, the project meets the conformity requirements of the Clean Air Act.

PM 2.5 Qualitative Analysis

The proposed project is located in counties that have been designated as being in non-attainment for PM2.5. The project is not exempt; however, it is not considered to be of air quality concern according to 40CFR 93.123(b)(1)(i-iv) and the March 29, 2006 FHWA/EPA guidance entitled "Transportation Conformity Guidance for Qualitative Hot-spot Analysis in PM2.5 and PM10 Non-attainment and Maintenance Areas." The basis for this determination is that the project will not serve a significant volume of diesel traffic as described in the regulations and guidance. Interagency consultation has confirmed this determination. As a result, no further project level air quality analysis for this pollutant is required.

Hazardous and Residual Waste Sites

- ***Industrial Waste Site "M"*** - The B-2 Alternative would involve earthwork and right-of-way acquisition for this site. The conclusion of investigations conducted on this site determined that the material, as a residual waste, has off-site disposal restrictions due to the concentrations of metals exceeding PADEP Clean Fill criteria. However, the material may be excavated and used on-site as a limited-use fill, since the levels encountered are similar to mine spoil materials surrounding the site. During final design activities, as part of the geotechnical subsurface exploration program, groundwater sampling and testing should be conducted to ensure that water released from potential construction dewatering activities is of a quality appropriate for discharge into receiving surface waters.

- ***Goldschmidt Industrial Chemical Company*** - Right-of-way through the Goldschmidt Industrial Chemical Company parcels will not be required for any alternative. However, the B-2 Alternative connector road between Fort Cherry Road and PA Route 980 will cross an unnamed tributary to Robinson Run downstream of the Goldschmidt property within highway right-of-way. Due to the exceedance of PADEP Clean Fill Criteria, any of the material that is taken off-site should be disposed of at a residual waste landfill licensed to accept this material. Therefore, it is recommended that any material excavated during construction be used as fill material for widened embankment areas.

  Sediment and surface water sample results show compliance with PADEP Act 2 Statewide Health Standards for Non-Residential Use and PADEP Chapter 16 Human Health Criteria for Surface Waters. This indicates that unexcavated material

remaining within proposed highway right-of-way is suitable for transportation use, and will not require remediation.

Land Use

- Development within the project area is already occurring as a result of current economic trends and development is likely to continue whether the proposed project is constructed or not. With improved access, however, the rate and pattern of development could be influenced. A commitment was made to project area municipalities to assist in their planning initiatives by providing project data, planning experts for identifying development scenarios, and coordination with the county and other township planning departments for the improvement of the regional economy. This work was conducted throughout the DEIS / FEIS development process by way of municipal workshops on the development of alternatives and consistency with municipal plans and coordination of GIS data files. It is anticipated that this effort will continue through Final Design, but will be limited to the affected municipalities relative to the project design considerations.

Construction Impacts

Construction activities associated with the proposed alternative could result in disruptions to local residents and the traveling public. These disruptions will be temporary, localized, and of short duration during the construction period. Traffic will be maintained on the major roads, Interstate 79, and PA Route 50 at all times during construction for the B-2 Alternative. Construction will be performed to comply with all applicable federal, state, and local laws regarding safety, health, and sanitation. All contractors are required to adhere to the Occupational Safety and Health Administration (OSHA) guidelines to protect the life and health of employees, the safety of the public, and the integrity of adjacent properties. Construction of the project will require a temporary occupancy on the Montour Trail and Panhandle Trail, which may result in temporary inconvenience to users of the trails.

- **Access** - The construction of the new southbound safety rest area will not impact the daily operation of the existing safety rest area. Some shifts in access to and from the safety rest area may change; however, it is anticipated that the existing safety rest area would remain open during all construction activities.

  Temporary road closures and reduced speed work zones will be required during construction of the proposed project. The temporary road closures and short-term traffic delays anticipated to result from any of the alternatives will cause minor inconveniences to local residents and the traveling public. These delays could result in decreased access and potentially increased response times for emergency service providers during peak traffic periods. Road closures will be coordinated with the local service providers in order to minimize any inconveniences.

Travel times on Interstate 79 will increase during construction of the interchange of the proposed project for any of the alternatives due to reduced speed limits through construction work zones.

- **Water Quality** - Clearing and grubbing of existing vegetation and earthwork will be required for any of the alternatives. Exposed soil will result in the potential increase for soil erosion and sedimentation to nearby streams. Soil erosion and sedimentation would be controlled by the implementation of proper soil erosion and sedimentation control measures. Prior to the initiation of construction activities, an Erosion and Sedimentation Pollution Control Plan (E&S) will be prepared in accordance with PennDOT and PADEP guidelines. Some of these controls include, but are not limited to:

    - diverting stormwater originating off-site away from the construction area;
    - construction of channels during low flow periods;
    - use of proper material for temporary stream crossings;
    - minimize the extent and duration of exposed soils by use of temporary and permanent seeding and mulching;
    - use of temporary stormwater sedimentation ponds; and
    - use of hay bales and silt barrier fences.

  All appropriate permits pertaining to water quality will be obtained prior to construction activities.

- **Air Quality and Noise** - Particulate matter in the form of fugitive dust resulting from earth moving activities is the most prominent air pollution associated with highway construction. In accordance with 25 PA Code 123.1, the use of approved dust suppressing materials such as calcium chloride or water may be required to control fugitive dust emissions.

  Construction noise from heavy construction equipment during earthmoving operations could result in temporary increases in existing noise levels. The contractor may be required to utilize proper mufflers on construction vehicles and equipment in order to mitigate excessive noise levels. The majority of the earthwork activities is expected to occur away from residential areas, thereby reducing potential noise and air quality impacts.

- **Utilities** - During construction, involvement with utilities including gas, water, sewage, electric, telephone, etc. is anticipated. Temporary short-term disruption of service may occur. All disruptions are planned to occur in such a manner as to minimize inconvenience to utility users. To guard against the potential for unplanned utility involvement, coordination with the utility companies will occur during preliminary and final design to locate the utilities. Additionally, prior to construction, the "One Call" system will be utilized to confirm utility locations and thereby avoid

unplanned utility involvement. Appropriate coordination will be conducted with the owners of sewage mainlines and sewage enforcement officers prior to construction activities.

- **Recreational Trails** - Coordination with the owners and operators of the Montour Trail and Panhandle Trail would be continued through final design to ensure the minimal disruption of trail use. Although temporary disruptions of trail traffic may occur, a goal of the construction will be to keep disruptions to a minimum. Measures will be evaluated to ensure the safe use of the trail during construction. Temporary Occupancy Agreements with the Panhandle Trail for both counties were obtained and were included in the FEIS Appendix A-Agency Correspondence.

- **Railroads** - The crossing of the Pittsburgh and West Virginia rail line is anticipated near PA Route 50. An aerial easement will be obtained from the rail line during final design activities. Coordination during final design will include development of a plan to have on-site railroad representation during construction activities.

- **Construction Vibration** - During final design activities special provisions will be developed where the potential for construction vibration impacts exists. The Department of Veterans Affairs' National Cemetery is one such location. Provisions will prohibit the use of blasting along the Southern Beltway west to Interstate 79 south ramp.

- **Waste Site Issues** - Excavation and borrow/ waste activities will be conducted in accordance with the current PennDOT Publication 408, including Specification 105.14 (a).

All mitigation commitments from the FEIS and this ROD will be consolidated into a single Mitigation Report in accordance with PennDOT's Transportation Project Development Process. This report will be made available to final design consultants and agency officials, and will be used as a tool by the final design management consultant to ensure commitments are fulfilled.

IV. MONITORING AND ENFORCEMENT PROGRAM

FHWA, PennDOT, and the PTC have committed to monitor final design development and construction of this project to ensure that all mitigation commitments made in the FEIS, this ROD, and permit conditions are implemented. Appropriate periodic briefings will be offered for environmental resource agency representatives (USEPA, USACOE, USFWS, US Coast Guard, PADEP, PAFBC, PGC, PHMC, and Pennsylvania Department of Agriculture (PADOA)) to monitor the progress of final design and construction and to refine the ongoing efforts to minimize the project's impacts. These efforts will include consideration of displacements and community impacts, effects on cultural resources, wetlands impact minimization and mitigation, stream relocation, stormwater management design, noise abatement, and visual impacts. A final design

management firm will assist in the environmental monitoring effort. A construction management firm will be selected to continue the environmental monitoring when the project reaches the construction stage.

V. COMMENTS ON THE FINAL EIS

The Notice of Availability of the FEIS was published in the Federal Register on September 29, 2006 and in the local newspapers on September 27, 2006. The 41-day review period officially closed on November 9, 2006. The minimum required review period is 30 days.

Comments were received from federal, state, and local governments; businesses and private citizens.

Following the end of the comment period, all comments were reviewed. The seven (7) comment letters received during the FEIS review period and written responses are included the Record of Decision Technical Basis Report. This report is available upon written request from any of the following: Mr. David P. Willis of the PTC Central Office, Turnpike Administration Building, P.O. Box 67676, Harrisburg, PA 17106-7676; Ms. Patricia Remy of the Pennsylvania Department of Transportation, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15108-2853; and Ms. Karyn E. Vandervoort of the Federal Highway Administration, Pennsylvania Division Office, 228 Walnut Street, 5th floor, Harrisburg, PA 17101-1720. This Record of Decision will be distributed to all those who provided substantive comments on the FEIS.

VI. CONCLUSION

Based on the analysis and evaluation presented in the Final Environmental Impact Statement; consideration of the identified project needs; upon engineering parameters and environmental effects (natural, cultural, and social), including an analysis of adverse disproportionate effects to minority and low-income populations; public input; environmental resource agency input; testimony and comments received at the Public Hearing and 54-day DEIS review and comment period; and the written comments on the FEIS during the 41-day review period, the B-2 Alternative, included in the FEIS as the Preferred Alternative, is adopted as the Selected Alternative for the U.S. Route 22 to Interstate 79 Southern Beltway Project in Allegheny and Washington Counties.

Date 9/3/08

Renee Sigel

Ms. Renee Sigel
Division Administrator
Pennsylvania Division
Federal Highway Administration