COONSKIN PARK ACCESS
KANAWHA COUNTY, WEST VIRGINIA
State Project X230-219/32-0.00

ENVIRONMENTAL ASSESSMENT AND SECTION 4 (f) DE MINIMIS ANALYSIS

Submitted Pursuant to 42 USC 4332(2)(C)
U.S. Department of Transportation
Federal Highway Administration
And
West Virginia Department of Transportation
Division of Highways

November 2010

State Project X230-219/32-0.00

COONSKIN PARK ACCESS
KANAWHA COUNTY, WEST VIRGINIA

ENVIRONMENTAL ASSESSMENT
and SECTION 4 (f) DE MINIMIS IMPACT ANALYSIS

Submitted Pursuant to 42 USC 4332(2)(C)
U.S. Department of Transportation
Federal Highway Administration
And
West Virginia Department of Transportation
Division of Highways

11-19-2010
DATE OF APPROVAL

Paul A. Mattox, Jr.
FOR WEST VIRGINIA DIVISION OF HIGHWAYS

11/22/2010
DATE OF APPROVAL

Jeff Blanton
FOR FEDERAL HIGHWAY ADMINSTRATION

The following persons may be contacted for additional information concerning this document.

Mr. Jeffrey Blanton, P.E.
Director, Program Development
Federal Highway Administration
700 Washington Street, East
Charleston, WV 25301
(304) 347-5436
Email: jeffrey.blanton@dot.gov

Mr. Ben Hark
Environmental Section Head
Engineering Division- WVDOH
State Capital Complex, Building Five
Charleston, WV 25305
(304) 558-9670
Email: Ben.L.Hark@wv.gov

This proposed project consists of study options for the new access into Coonskin Park, in Charleston, Kanawha County, West Virginia.

Comments on this Environmental Assessment are due by JAN 17 2011 and should be sent to:

Mr. Gregory L. Bailey, P.E., Director
Engineering Division
West Virginia Division of Highways
State Capital Complex, Building Five
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0430

EXECUTIVE SUMMARY

Introduction

The West Virginia Department of Transportation, Division of Highways (WVDOH), in cooperation with the Federal Highway Administration (FHWA), proposes to construct a new entrance to Coonskin Park, a public park of the Kanawha County Parks and Recreation system located in Charleston, WV (Exhibit 1), and to close the current entrance to Coonskin Park and approximately 1,900 feet (0.36 mile) of County Route 51/2 (Coonskin Drive). This project would be funded by the U.S. Department of Defense and the Office of the Adjutant General of the West Virginia National Guard (WVNG).

Evaluations conducted for the proposed project included coordination with the general public, landowners, Kanawha County officials, Federal and state regulatory agencies, the U.S. Department of Defense, and the WVNG. Assessment of alternatives included careful consideration of potential environmental impacts and of comments received on a range of alternatives developed for preliminary assessment. Analysis has led to selection of a Preferred Alternative that avoids, minimizes, and mitigates for environmental impacts, all of which would fall below a level of significance.

The project area includes Coonskin Park and adjacent roadways and neighborhoods (Exhibit 2). Coonskin Park is approximately 1,000 acres in size, and includes woodlands with a trail system, a golf course, a pool, a soccer field with seating for 2,000, an amphitheater, a clubhouse with banquet rooms, a pond with pedal boat rentals and fishing, and several types of courts, playgrounds, and picnic areas. The current entrance to the park is on Coonskin Drive at the southern end of the park, approximately 0.8 mile north of Greenbrier Street (WV State Route 114), just beyond a complex of WVNG facilities. Upon entering the park, visitors first encounter a woodland area with trails and picnic areas; the majority of recreational facilities listed above are located approximately 1.0 to 1.5 miles farther north in the park.

The need for the project has a primary component related to military security measures, and a secondary component related to emergency evacuation throughout the project area:

- The WVNG facilities along Coonskin Drive do not currently comply with certain U.S. Department of Defense (DoD) military security requirements, such as minimum allowable distances between military facilities and public roadways. To meet security standards, the WVNG plans to emplace a new Access Control Point to their facilities along Coonskin Drive. Once the new Access Control Point is in place, public access to Coonskin Park will be denied. Therefore, a need for the proposed project is to mitigate for the loss of access to the public park.
- Past flooding along Greenbrier Street has caused people to be stranded up Coonskin Drive and Airport Road. Because of the linkage between the Yeager Airport, the WVNG complex, and Coonskin Park via Commando Drive, a new exit from Coonskin Park that would not rely on Green brier Street could serve as an evacuation route for all three facilities.

With these needs in the project area, the purpose of this project is to implement and mitigate the DoD mandated physical security measure that will restrict personnel and vehicular traffic through the WVNG complex along Coonskin Drive and maintain minimum clearances between WVNG's facilities and the public roadways. A secondary purpose of this project is to provide an emergency entrance and exit from the WVNG complex, Kanawha County's Coonskin Park, and Yeager Airport in case of flooding along Greenbrier Street.

Alternatives

For the new park access, a range of alternatives were considered by WVDOH and through public and agency outreach. Eleven (11) land and bridge alternatives were developed (Exhibit 3), and two alternatives were considered as secondary routes for accessing the park in addition to a primary route (Exhibit 4). Although it would not satisfy the project's purpose and need, the No-Build Alternative was retained for detailed study to serve as a baseline for alternatives comparison.

A summary of each of the alternative's potential impacts is provided in Table ES-1. The following factors weighed heavily in the selection of a Preferred Alternative:

- Satisfaction of purpose and need.
- Feasibility.
- Impacts to Coonskin Park. As a publically owned park, Coonskin Park is a "Section 4(f) resource," afforded protection under the U.S. Department of Transportation Act of 1966. Additionally, because the park contains land purchased using the Land and Water Conservation Fund (L&WCF), it contains "Section 6(f) property" for which proposed alterations would be subject to review by the National Park Service (NPS).
- Public and resource agency feedback.

After initial consideration of these screening criteria and two stakeholder coordination meetings in 2009, nine of the initial ten preliminary alternatives were eliminated from further consideration, leaving Alternative 5. An eleventh alternative, Alternative 5A, was developed after consideration of comments from natural resource agencies. The West Virginia Division of Natural Resources (WVDNR) and the U.S. Fish and Wildlife Service (USFWS) expressed concern for possible project effects on Federally listed endangered species as well as other species known to inhabit the Elk River.

In response to comments following public outreach, WVDOH developed two secondary route alternatives that could potentially provide an entrance to the park for visitors from Greenbrier Street. Because of engineering constraints, such as grade steepness, these routes could not serve as a primary route, and because of their placement, these routes could not serve as the primary access point for the park while satisfying the project's purpose and need. However, as secondary routes, they were assessed for environmental impact. Because of the large acreages of forest impacts and cubic yards of earthwork requirements, the relatively large added cost, and the acreages of impacts to a Section 4(f) resource and Section 6(f) property, these routes were eliminated from further consideration.

Alternative 5A is a feasible and prudent alternative that would satisfy the purpose of the project; would have only *de minimis* impact (described within) to Coonskin Park, a Section 4(f) resource; and would have minimal impact to the function and recreational capacity of Section 6(f) property. Therefore, it has been selected as the Preferred Alternative for detailed assessment (Exhibit 5).

Table ES-1: Summary of Preliminary Alternatives

Item	Alternative											
	1 ELIMIN.	2 ELIMIN.	3 ELIMIN.	4 ELIMIN.	5 ELIMIN.	5A** PREFER.	6 ELIMIN.	7 ELIMIN.	8 ELIMIN.	9 ELIMIN.	9A ELIMIN.	10 ELIMIN.
Bridge Length* (ft)	0	0	0	400	400	400	425	565	750	500	650	375
Total Length (ft)	4,000	6,000	12,000	3,400	1,600	1,600	1,075	1,565	2,100	4,300	5,500	7,975
Design Speed (mph)	35	35	30	25	30	30	25	25	40	25	25	40
Est. Earthwork (CY)	163,000	2,023,000	2,015,000	184,000	25,000	25,000	25,000	25,000	289,000	31,000	150,000	884,000
Park Impacts (acres)	1.6	24.5	51.0	7.2	1.1	1.1	0.8	1.7	1.6	0.6	4.3	48.4
Residents Displaced	0	0	0	2	1	1	0	1	1	5	1	0
Stream Impacts	No	No	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
Meets Military Reqs	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Provides Emergency Entrance and Exit	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Involves RR that is to be reactivated	No	No	No	Yes	No	No	No	No	No	No	No	Yes
Est. Cost ($Million)	$9.184	$23.194	$24.324	Not Feasible	$12.124	$14.951	$14.014	$13.118	$23.980	$14.097	$21.372	Not Feasible

Notes: ELIM. = Eliminated from consideration as Preferred Alternative. PREFER. = Preferred Alternative.
*Bridge length is approximate main span length. ** Cost estimate for Alternative 5A includes techniques for not impacting the river during construction.

Summary of Preferred Alternative

The Preferred Alternative would include closing the current entrance to Coonskin Park and approximately 0.36 mile (1,900 feet) of Coonskin Drive and would provide a new entrance to Coonskin Park. The new entrance would not be in close proximity to the WVNG facilities, but could serve as an emergency evacuation route for the WVNG complex and Yeager airport. The proposed new right-of-way, totaling 1.48 acres, would begin on the north side of the Elk River in the community of Elk Hills along U.S. Route 119 (US 119), approximately 0.8 mile east of the Mink Shoals exit ramp off Interstate 79 (I-79). In its approach to a new bridge crossing, the Preferred Alternative would include one or two turning lanes, approximately 100 feet in length, along US 119. The main bridge span would be approximately 400 feet long. The bridge would include two abutments, one on either side of the river, placed outside the Elk River and its floodway. After crossing the river, the Preferred Alternative would enter Coonskin Park alongside and overlapping a portion of its maintenance facility area. The new roadway would be approximately 0.3 mile (1,600 feet) long. The southern terminus of the new roadway would lie between the golf course and the railroad within the park.

For this Environmental Assessment (EA) of the proposed project, WVDOH considered impacts to the natural, physical, and socioeconomic environments. After preliminary considerations, evaluations focused on the following resources and issues, as detailed within: land use, transportation planning, parks and recreation, Section 4(f) resources, Section 6(f) property, hazardous materials, socioeconomics, pedestrian and bicyclist facilities, historic and archaeological resources, surface waters and floodplains, fish and wildlife, air quality, noise, visual and aesthetic environment, and indirect and cumulative effects. A summary of some key impact considerations from the alternatives analysis is included in Table ES-1.

On both sides of the river, all of the land within the Preferred Alternative right-of-way has been previously disturbed, and associated impact of converting land to transportation uses would not constitute significant impact to land use, vegetation, or wildlife species. In addition to the single residential displacement (Table ES-1), the Preferred Alternative would displace several buildings within the current Coonskin Park maintenance facility. Coordination between the Adjutant General of the WVNG and the Kanawha County Parks and Recreation Commission has resulted in a mitigation plan that provides funding for construction of a temporary maintenance facility as well as permanent replacement facilities.

With placement of the bridge piers outside the Elk River and its floodway, and with implementation of mitigation measures developed in coordination with the USFWS, there would not be impact to surface waters. In addition, WVDOH determined that the Preferred Alternative is not likely to adversely affect any Federally listed threatened, endangered, or candidate species. In a letter dated November 18, 2010, USFWS concurred with this determination and stated that no further Section 7 consultation under the Endangered Species Act is required.

The Preferred Alternative would not result in significant adverse impacts to Coonskin Park or users of the park. Current users of the park whose trips originate near the existing park entrance would experience longer travel distance and time for using the park. For the majority of Kanawha County residents, travel time to the park, and particularly to the principle activity centers of the park, would be shortened. Because of the dilapidated state of some of the maintenance facilities, restoration of the maintenance area after project construction will likely be considered a beneficial impact to the park with regards to safety, utility, and aesthetics. Additionally, with the Preferred Alternative, high traffic flow would be removed from passive recreation areas in the south end of the park, and multiple routes would exist for evacuations from the park.

Because the proposed right-of-way overlaps Section 6(f) property, WVDOH initiated resource agency coordination in accordance with 36 CFR 59.3. As determined by the State Liaison Officer for the L&WCF and the NPS, the Preferred Alternative would not result in a conversion of Section 6(f) property. Coordination with the NPS would be finalized prior to implementing the proposed project.

Considering all impacts to Coonskin Park, FHWA has made the preliminary determination that the proposed project would have a *de minimis* effect on the Section 4(f) resource. As stipulated in Federal regulations (23 CFR 774.3(b), 774.5(b), 774.17). The Kanawha County Commission and Parks and Recreation Commission, as the officials with jurisdiction over the park, concurred in a Resolution dated November 2010 that the project would not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f). A detailed Section 4(f) *de minimis* analysis, including a review of applicable regulations and a copy of the officials' Resolution, is provided within. This publication, along with this entire EA, afford the public an opportunity for review of the proposed project's effects on Section 4(f) property. In addition, following publication of the EA, two public workshops will be held in the project area, and a public comment period will be provided for exchange of information on the project.

THIS PAGE INTENTIONALLY LEFT BLANK

CONTENTS

TABLES

FIGURES

EXHIBITS

APPENDICES

LIST OF ACRONYMS

130 AW Install - 130th Airlift Wing Installation

AADT - annual average daily traffic

AST - above ground storage tank

BMP - best management practice

CBC&S - Charleston, Blue Creek and Sanderson Railroad Company

CFR - Code of Federal Regulations

CO - carbon monoxide

CY - cubic yards

dBA - A-weighted equivalent sound level in decibels

DFIRM - digital Flood Insurance Rate Map

DoD - U.S. Department of Defense

EA - Environmental Assessment

EPA - Environmental Protection Agency

ESA - Environmental Site Assessment

FEMA - Federal Emergency Management Agency

FHWA - Federal Highway Administration

FONSI - Finding Of No Significant Impact

GIS - Geographic Information System

L&WCF - Land and Water Conservation Fund

MPO - Metropolitan Planning Organization

MSAT - Mobile Source Air Toxic

NAAQS - National Ambient Air Quality Standards

NEPA - National Environmental Policy Act

NPS - National Park Service

NRHP - National Register of Historic Places

NSX - Norfolk Southern Railroad

PM - particulate matter

RIC - Regional Intergovernmental Council

SHPO - State Historic Preservation Office

USDOT - U.S. Department of Transportation

USFWS - U.S. Fish and Wildlife Service

UST - underground storage tanks

WVANG - West Virginia Army National Guard

WVDEP - West Virginia Department of Environmental Protection

WVDNR - West Virginia Division of Natural Resources

WVDO - West Virginia Development Office

WVDOH - West Virginia Division of Highways

WVDOT - West Virginia Department of Transportation

WVNG - West Virginia National Guard

1.0 PURPOSE AND NEED

1.1 Introduction

The West Virginia Department of Transportation, Division of Highways (WVDOH), in cooperation with the Federal Highway Administration (FHWA), proposes to construct a new entrance to Coonskin Park, a public park of the Kanawha County Parks and Recreation system located in Charleston, WV, and to close the current entrance to Coonskin Park and approximately 1,900 feet (0.36 mile) of County Route 51/2 (Coonskin Drive). This project would be funded by the U.S. Department of Defense (DoD) and the Office of the Adjutant General of the West Virginia National Guard (WVNG).

Exhibit 1 shows the general project location, and Exhibit 2 shows the project area. The Preferred Alternative includes construction of approximately 1,600 feet of new roadway, including a bridge with an approximately 400-foot main span across the Elk River from Elk Hills to Coonskin Park. As detailed in the following Environmental Assessment (EA), careful consideration of potential environmental impacts has led to selection of a Preferred Alternative that avoids, minimizes and mitigates for environmental impacts, all of which would fall below a level of significance. The proposed action is included in the *2040 Regional Intergovernmental Council Long Range Transportation Plan Amendments* for Kanawha and Putnam Counties (BCKP RIC, 2010), and the *2010-2013 Transportation Improvement Program* [TIP] *for Kanawha and Putnam Counties* (BCKP RIC, 2009a).

This EA has been prepared in accordance with the requirements of the National Environmental Policy Act (NEPA) and related laws and regulations, as well as FHWA's Technical Advisory T 6640.8A, *Guidance for Preparing and Processing Environmental and Section 4(f) Documents* (FHWA, 1987) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59, Aug. 10, 2005, 118 Stat. 1144) and related guidance. Evaluations conducted for the proposed project included coordination with project stakeholders, including the general public, landowners, Kanawha County officials, DoD, WVNG, and Federal and state regulatory agencies.

Project Area

The project area includes Coonskin Park and adjacent roadways and neighborhoods (Exhibit 2). Coonskin Park is located in Kanawha County, WV and is bounded generally by WVNG facilities and Capital High School to the south, Yeager Airport and the Elk River to the west, the Elk River to the north, and wooded hillsides and residential neighborhoods off WV State Route 114 (Greenbrier Street) to the east. Coonskin Park is approximately 850 acres in size, and includes woodlands with a trail system, a golf course, a pool, a soccer field with seating for 2,000, an amphitheater, a clubhouse with banquet rooms, a pond with pedal boat rentals and fishing, and several types of courts, playgrounds, and picnic areas. The current entrance to the park is on Coonskin Drive at the southern end of the park, approximately 0.8 mile north of Greenbrier Street, just beyond the WVNG facilities. Upon entering the park, visitors first encounter a woodland area with trails and picnic areas; the majority of recreational facilities listed above are located approximately 1.0 to 1.5 miles farther north in the park.

The majority of the project area is hilly terrain of deciduous forest within the park, but the area surrounding the park is dominated by transportation land uses, with small pockets of residences to the

east and higher intensity mixed use development across the Elk River to the north. Prominent features of the regional landscape include the Elk River, Interstate 79 (I-79), and Yeager Airport. Although not currently a prominent feature, a railroad planned for reactivation runs between the Elk River and Yeager Airport and through the park boundary.

Although accessed from a different point along Greenbrier Street, Yeager Airport abuts the southwest border of Coonskin Park. Yeager Airport is the busiest airport in West Virginia, with over 238,000 boarding passengers in fiscal year 2009 (FAA, 2010), and is the only airport providing commercial services within 60 miles of the capital city (Charleston, WV). During final approach for landing, aircraft regularly fly over Coonskin Park, and a portion of Coonskin Park has an aerial easement for this reason.

The WVNG facilities along Coonskin Drive to the south of the park are comprised of two major components: the WV Army National Guard (WVANG) headquarters and the WV Air National Guard 130th Airlift Wing Installation (130 AW Install) (Exhibit 2). The 130 AW Install includes facilities on a plateau adjacent to the airport for housing aircraft and related supplies. The 130 AW Install also includes maintenance and administrative buildings connected to the airport via Commando Drive. Just before the entrance to Coonskin Park, the WVANG has administrative buildings located along Coonskin Drive.

1.2 Project Need

U.S. Military Security

The DoD established security requirements for military facilities in "Minimum Antiterrorism Standards for Buildings" (UFC 4-010-01) (DoD, 2003). Additionally, the 2002 Joint Services Integrated Vulnerability Assessment and both the 2006 and 2009 Air Force Vulnerability Assessment Team Reports identified necessary steps for improving security at military facilities. Principle Force Protection security measures include maintaining minimum clearances between military facilities and public roadways and ensuring "that access control measures are implemented to prohibit unauthorized personnel and vehicles from entering parking areas" (DoD, 2003). These measures are just two examples of security requirements that have been put in place at military facilities worldwide since the September 11, 2001 terrorist attacks. In contravention of DoD's security standards, the WVNG complex facilities along Coonskin Drive are closer to the public road than required minimum clearance distances and are not served by a controlled access point. Accordingly, the WVNG has designed a new Access Control Point that will allow the WVNG complex to meet Federal requirements (Figure 1).

Security access restriction through the new gate will allow only military and civilian personnel who have a valid need and identification to be on the premises. Public access to Coonskin Park will be denied once the gate is in place. If the WVNG complex would be required to elevate its Force Protection level to Force Protection Condition Delta (as after September 11, 2001), then public access to the park by Coonskin Drive would be denied completely until the Force Protection Condition was lowered. Minimal rerouting of the Coonskin Drive traffic to the park is not practical because the WVNG complex facilities are on both sides of the road. Consequently, a new entrance to Coonskin Park is needed.

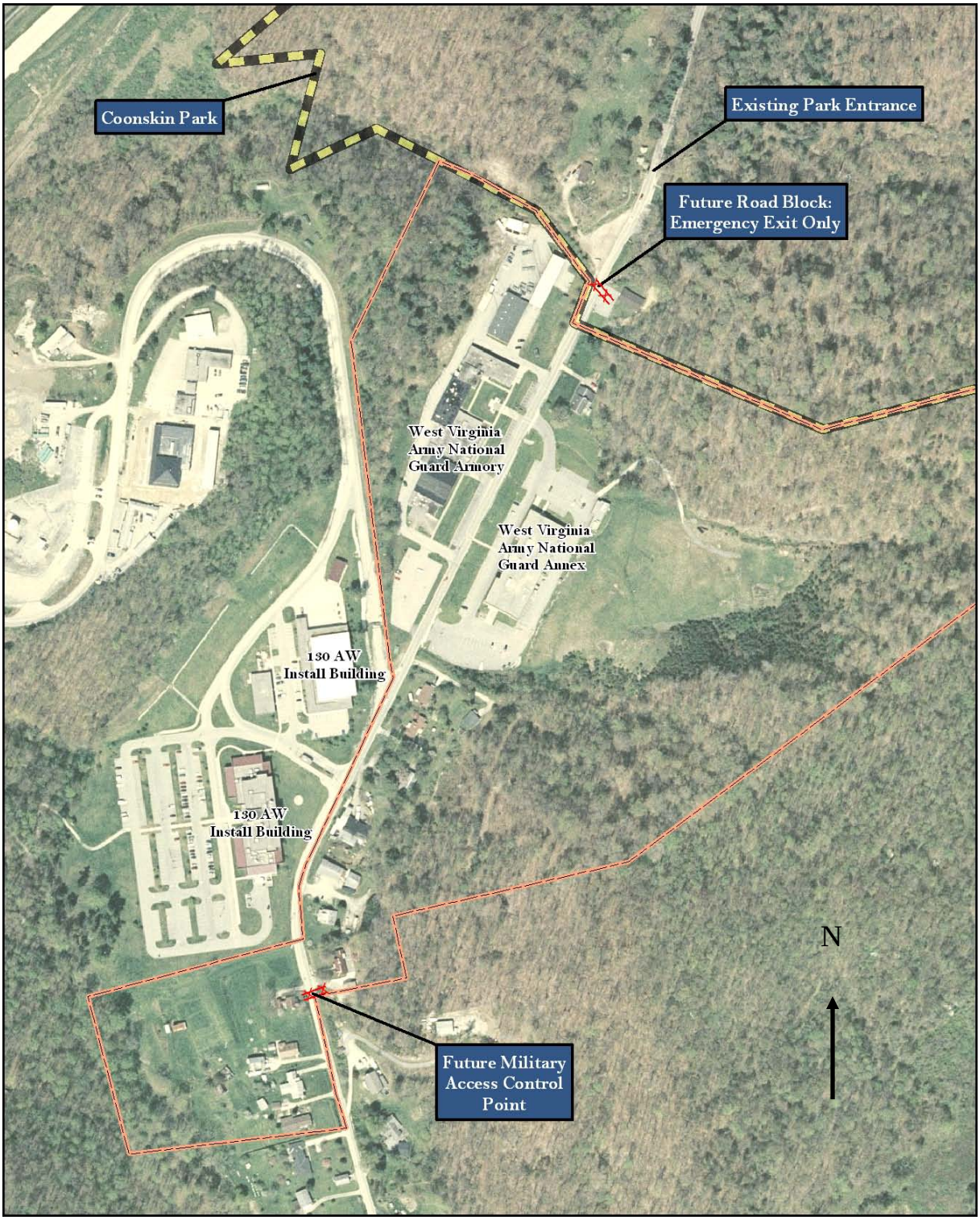


Figure 1: Road closure required to meet U.S. Department of Defense policies.
(Plan provided by WVNG, 2010)

Emergency Evacuation

Kanawha County's Greenbrier Street can flood dramatically and rapidly, isolating residences and businesses within the Project Area (Figure 2). Since the beginning of 2001, Kanawha County has experienced seven (7) flooding events warranting Presidential Disaster declarations. Several locations where high concentrations of people could be, and have been, stranded because of flooding are located along Greenbrier Street in the project vicinity. These include: Yeager Airport, the WVANG/130 AW Install complex, and Coonskin Park. If both the Airport Road and Coonskin Drive intersections with Greenbrier Street were flooded, people at all these activity centers would be stranded.

Figure 2: Flooding vehicles along Greenbrier Street, June 2003. ***(WVDEP, 2003)***

For preventing loss of life and property in natural disasters, Federal Emergency Management Agency (FEMA) guidance places a priority on mitigation activities that protect critical facilities. As stated on the FEMA website, "For some activities and facilities, even a slight chance of flooding is too great a threat. . . .

These facilities should be given special consideration when formulating regulatory alternatives and floodplain management plans. . . . Communities should develop emergency plans to continue to provide these services during the flood." The WVNG complex, from which military and emergency operations are administered and deployed, is a critical facility. Because it serves as the initiation point for emergency services from the 130 AW Install, Yeager Airport is also a critical facility.

Developing emergency evacuation routes in addition to Greenbrier Street is a need in the Project Area. Because of the linkage between the airport, the WVNG complex, and Coonskin Park via Commando Drive, a new exit from Coonskin Park that would not be prone to flooding could serve as an evacuation route for all three facilities.

1.3 Project Purpose

The purpose of this project is to implement and mitigate the DoD mandated physical security measure that will restrict personnel and vehicular traffic through the WVNG complex along Coonskin Drive and maintain minimum clearances between WVNG's facilities and the public roadways. A secondary purpose of this project is to provide an emergency entrance and exit from the WVNG complex, Kanawha County's Coonskin Park, and Yeager Airport in case of flooding along Greenbrier Street.

2.0 ALTERNATIVES

To fulfill its purpose, the Coonskin Park Access project consists of:

I. Closing a section of Coonskin Drive to the public so that a secured and adequate Access Control Point to the WVNG complex can be installed to meet Force Protection security requirements; and

II. Building a new access into Coonskin Park that provides unimpeded public access to the park and an emergency entrance and exit route for the WVNG complex and Yeager Airport.

The following section discusses the range of alternatives considered for the new park access, the process used to identify and screen the alternatives, alternatives considered and eliminated from further consideration, and alternatives carried forward for detailed study. The No-Build Alternative was retained for detailed study and serves as a baseline for alternatives comparison. A Preferred Alternative has been identified, and impacts associated with it are detailed in Section 3.0.

2.1 Alternative Development and Screening Process

In order to best meet all the requirements of this project, eleven (11) land and bridge alternatives were developed and analyzed by WVDOH. Each of the alternatives is described in the following sections and is shown in Exhibit 3.

The following design criteria have been used, unless noted otherwise:

- Bridge width = 30 feet
- Lane width = 11 feet
- Shoulder width = 4 feet
- A cut and fill slope of 2:1
- Maximum Grade = 8 percent

Preliminary Alternatives

All alternatives include closing the current entrance to Coonskin Park and approximately 1,900 feet of Coonskin Drive. The following paragraphs describe the preliminary alternatives for the proposed new park entrance.

Alternative 1 - Land Route - This alternative relocates a portion of Coonskin Drive to the east and around the WVNG facilities. Visitors would access the park via the same route currently used; however, a 400-foot lateral separation would be provided between the road and nearest existing WVNG facility. The new road would start at mile post 0.40, and proceed north reconnecting with Coonskin Drive at mile post 1.13. Approximately 4,000 feet of new roadway would be constructed, with approximately 163,000 cubic yards (CY) of earthwork.

Alternative 2 - Land Route - Alternative 2 proposes a new entrance to Coonskin Park from Greenbrier Street, by acquiring a private access road (owned by River Ridge Church) and constructing a new

roadway into the park. The park entrance would be located approximately one mile northeast of the intersection of Greenbrier Street and Coonskin Drive. This route essentially goes straight over the mountain to the park. The route would include approximately 500 feet of a 14 percent grade near the beginning of the access route. Approximately 6,000 feet of new roadway would be constructed, with over two million CY of earthwork.

Alternative 3 - Land Route - Alternative 3 is similar to Alternative 2 except the route uses the fire road within Coonskin Park. Approximately 12,000 feet of new roadway would be constructed. The route includes the same steep grade at its beginning, with approximately the same earthwork requirements, but would require more acres to be acquired within Coonskin Park to join the existing roadway network.

Alternative 4 – Bridge Route - This route would include a 400-foot long bridge spanning the Elk River into the park from Elk Hills. Visitors would access the park from US 119. The new entrance would use Viking Road (CR 119/17) and the Norfolk Southern Railroad (NSX). Approximately 3,400 feet of new roadway would be constructed, with approximately 184,000 CY of earthwork.

Alternative 5 - Bridge Route – Alternative 5 would require the construction of a 400-foot long bridge over the Elk River heading into the park from Elk Hills. This alternative originates along US 119, approximately 0.8 mile from the Mink Shoals exit off I-79. This alternative would displace maintenance facilities within a portion of the park that is not accessible to the public (Figure 3). Approximately 1,600 feet of new roadway would be constructed, with approximately 25,000 CY of earthwork.

Figure 3: Portions of Coonskin Park maintenance area overlapped by Alternative 5.
(Photo taken by WVDOH, 2010)

Alternative 6 - Bridge Route - This alternative would require construction of a 425-foot long bridge over the Elk River into the park from US 119 approximately 0.3 miles north of the Mink Shoals exit off I-79. The route crosses perpendicular to the river with a straight alignment ending at the parking lot adjacent to the park's clubhouse. To limit the impact to the golf course, a box cut with retaining walls is recommended in conjunction with this alternative. Approximately 1,075 feet of new roadway would be constructed, with approximately 25,000 CY of earthwork.

Alternative 7 - Bridge Route - Alternative 7 would place a 565-foot long bridge over the Elk River into the park from US 119. The bridge would originate next to the Harding's Restaurant, which is adjacent to the Mink Shoals exit off I-79. From the bridge within the park, this route would connect to the existing road system next to the skate park. Approximately 1,565 feet of new road would be constructed, with approximately 25,000 CY of earthwork.

Alternative 8 - Bridge Route - Alternative 8 would construct a 750-foot long bridge over the Elk River into the park from US 119. The bridge would originate approximately 0.1 miles south of the Mink Shoals exit off I-79, at the intersection of Roselane Drive and US 119. The alternative crosses I-79. From the bridge within the park, this route would connect to the existing road system next to the skate park. Approximately 2,100 feet of new road would be constructed, with approximately 289,000 CY of earthwork.

Figure 4: Herscher Lake within Coonskin Park, as shown on County website.

Alternative 9 - Bridge Route - This route requires construction of a 500-foot long bridge over the Elk River, entering the park just south of Herscher Lake (Figure 4). This alternative intersects US 119 approximately 0.7 miles south of the Mink Shoals exit off I-79. The new alignment would use Conner Drive (CR 119/33). Approximately 4,300 feet of new road would be constructed, with approximately 31,000 CY of earthwork.

Alternative 9A - Bridge Route - This alignment would also use Conner Drive (CR 119/33), but would immediately cross the Elk River and the Norfolk Southern Railroad with a 650-foot long bridge southwest of the park boundary. This route would use part of the Elk River Trail, which includes a 50-foot bridge over Coonskin Branch. Approximately 5,500 feet of new road would be constructed, with approximately 150,000 CY of earthwork. Given this alignment would impact the Elk River Trail, this alternative includes a wider shoulder to provide pedestrian access.

Alternative 10 - Land Route - This alternative would place a new entrance to Coonskin Park from Greenbrier Street, approximately 1.9 miles north of Capitol High School and would use the railroad line. This alternative would include a 375-foot long bridge over Mill Creek. Approximately 7,975 feet of would be constructed, with approximately 884,000 CY of earthwork.

Screening Criteria

Three principle criteria were used initially to screen alternatives: ability to fulfill the purpose of the project, feasibility, and impact to Coonskin Park, a Section 4(f) resource and Section 6(f) property (as explained below).

Project Purpose – The project need and purpose are detailed in Section 1.0. In summary, the project purpose is primarily to provide a new entrance to Coonskin Park and secondarily to provide access

that can serve as an evacuation route when Greenbrier Street floods at the intersections with Airport Road and Coonskin Drive.

Feasibility - During the initial assessment of the alternatives, WVDOH learned of two critical updates that helped assess the feasibility of alignments. First, the WVNG has a master plan that includes development of a new child care center, family support center, and additional future buildings. These facilities have been carefully planned to fit within the WVNG property boundaries which are limited by the area's steep terrain. Second, Norfolk Southern Corporation, which owns the railroad right-of-way passing through the park (Exhibit 3), has recently signed an agreement with a short line company the Charleston, Blue Creek and Sanderson Railroad Company (CBC&S). CBC&S plans to return this rail system to service to haul coal from mining operations in Kanawha County and Clay County, WV.

Section 4(f) Evaluation - Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966, commonly referred to as Section 4(f), stipulates that FHWA and other USDOT agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless the following conditions apply:

- There is no feasible and prudent alternative to the use of land.
- The action includes all possible planning to minimize harm to the property resulting from use.

As defined in 23 CFR 774.17, one form of a Section 4(f) property "use" occurs "when land is permanently incorporated into a transportation facility." Because this project requires that a new entrance be constructed into a publically owned park, any alternative satisfying the project purpose would have a Section 4(f) use. Therefore, evaluation of the nature of the use of the protected property could serve as a useful screening criterion.

Not all uses of Section 4(f) protected property are equal. A use of Section 4(f) land can be considered *de minimis*, as established in the Section 6009 of the SAFETEA-LU (Pub. L. 109-59, Aug. 10, 2005, 118 Stat. 1144), and the Final Rule of Section 4(f), dated March 12, 2008 (24 CFR 774.3(b), 774.5(b), and 774.17).

In order for impact to a publicly owned park, such as Coonskin Park, to be considered *de minimis*, the transportation use of the facility, together with any impact avoidance, minimization, and mitigation or enhancement measures, must not adversely affect the activities, features, and attributes that qualify the park for protection under Section 4(f). Language included in the SAFETEA-LU Conference Report (U.S. House of Representatives, 2005; p. 1,057) provides additional insight on the meaning of *de minimis* impact: "The purpose of the language is to clarify that the portions of the resource important to protect, such as playground equipment at a public park, should be distinguished from areas such as parking facilities. While a minor but adverse effect on the use of playground equipment should not be considered a *de minimis* impact under Section 4(f), encroachment on the parking lot may be deemed *de minimis*, as long as the public's ability to access and use the site is not reduced."

Section 6(f) Property Avoidance – As stated in Federal regulations (36 CFR 59.3), Section 6(f)(3) of the Land and Water Conservation Fund Act of 1965, commonly referred to as Section 6(f), is "the cornerstone of Federal compliance efforts to ensure that the Federal investments in L&WCF [Land and Water Conservation Fund] assistance are being maintained in public outdoor recreation use." As

shown on a boundary map provided by the West Virginia Development Office (WVDO) (Appendix A), most of the land comprising Coonskin Park was purchased using L&WCF funds, and thus are considered Section 6(f) property. Therefore, many proposed alterations to the park are subject to review by the Federal government, specifically the National Park Service (NPS), for effects to the function and recreational capacity of the property. Hence, evaluation of the extent of park land conversion from and intrusion upon recreational uses was a consideration in the alternatives screening for this proposed project.

2.2 Alternatives Eliminated from Detailed Study

Preliminary assessment of each of the alternatives is summarized in Table 1.

Alternative 1 – This alignment would not be feasible because of the expansion plans of the WVNG facilities and because it compromises security by allowing exposure of the WVNG's campus from a higher view point. In addition, this alternative would not provide an emergency evacuation route. Therefore, this alternative was eliminated from further consideration.

Alternative 2 – The 14 percent grade and tremendous earthwork requirements renders this alternative nearly infeasible. In addition, this alternative would not provide an emergency evacuation route that leads evacuees away from Greenbrier Street. However, this alternative was definitively eliminated from further consideration based on its Section 4(f) and Section 6(f) property impact, which far surpasses all but two other alternatives. This alternative would require 24.5 acres of right-of-way acquisition within the park.

Alternative 3 - Alternative 3 was eliminated for the same reasons as Alternative 2. This alternative would require 51.0 acres to be acquired within the Section 4(f) and Section 6(f) property.

Alternative 4 – Because this alternative proposes to use the same railroad right-of-way that NSX has indicated would not be for sale, this alternative is not feasible and was eliminated from further consideration.

Alternative 5 – This alternative is feasible and would fulfill the project purpose. With regard to Section 4(f) and Section 6(f) property, this alternative would have 1.1 acres of impact in an area adjacent to the northern end of the golf course. The direct acreage impact is predominantly within areas not currently accessible for public recreation (Figure 3). This alternative would displace a portion of the maintenance facilities; however, mitigation for this impact could provide a net improvement to the park, as some of the maintenance facilities that would be replaced as part of this project are in a dilapidated state. This alternative was retained for further consideration.

Alternative 6 - This alternative is feasible and would fulfill the project purpose. However, this alternative would adversely affect the activities, features, and attributes that qualify the park for protection under Section 4(f) and the recreational uses that were the objective of L&WCF funding. The bridge and roadway construction would impact the park's golf course (Figure 5), pool, parking, and club house. Golfers accessing the course from the clubhouse would have to cross this new roadway, and Hole #1's tee box would be required to be relocated, thereby shortening the fairway. Therefore, this alternative was eliminated from further consideration.

Alternative 7 - This alternative is feasible and would fulfill the project purpose. However, this alternative would adversely affect the activities, features, and attributes that qualify the park for protection under Section 4(f) and the recreational uses that were the objective of L&WCF funding. This alternative would follow along the fairway and impact the putting green of Hole #13, and would widen the Family Center access road that runs alongside the skate park. Therefore, this alternative was eliminated from further consideration.

Figure 5: Coonskin Park Golf Course, as shown on County website.

Alternative 8 - This alternative is feasible and would fulfill the project purpose. However, this alternative would adversely affect the activities, features, and attributes that qualify the park for protection under Section 4(f) and the recreational uses that were the objective of L&WCF funding. This alternative would pass alongside the putting green of Hole #13 and would widen the Family Center access road that runs alongside the skate park. Construction would be the most costly of the alternatives (Table 1) because this alternative's bridge would have to span both the Elk River and I-79. With all these considerations, this alternative was eliminated from further study.

Alternative 9 - This alternative is feasible and would fulfill the project purpose. However, this alternative would adversely affect the activities, features, and attributes that qualify the park for protection under Section 4(f) and the recreational uses that were the objective of L&WCF funding. Also, although such concerns fall outside the confines of the screening criteria outlined in this section, consideration was given to the fact that this alternative would require the most residential impact of all the alternatives (five residential displacements and more driveway disruptions). Even though the park acreage required by this alternative is not large as compared to other alternatives (0.6 acre), it would cross a trail along the riverbank and pass alongside Herscher Lake. With all these considerations, Alternative 9 was not carried forward for further study.

Alternative 9A –Alternative 9A is located in an area with known landslide and drainage problems along the Elk River, and this area would be followed for a substantial distance by the alignment (Exhibit 3). These geotechnical concerns and consideration for the substantial earthwork required rendered it nearly infeasible. This alternative would also adversely affect the activities, features, and attributes that qualify the park for protection under Section 4(f) and the recreational uses that were the objective of L&WCF funding because it would require 4.3 acres of right-of-way, including the park's Riverside picnic shelter and land alongside Herscher Lake. Therefore, this alternative was eliminated from further consideration.

Alternative 10 - Because this alternative proposes to use the railroad right-of-way that NSX has indicated would not be for sale, this alternative is not feasible and was eliminated from further consideration.

Table 1: Summary of Preliminary Alternatives

Item	Alternative											
	1 ELIMINATED **Land Route around National Guard Facilities**	**2** ELIMINATED **Land Route via private road and new roadway**	**3** ELIMINATED **Land Route via private road and fire road**	**4** ELIMINATED **Elk River Bridge along Viking Road and Railroad**	**5** ELIMINATED **Elk River Bridge adjacent to park's maintenance facility**	**5A** PREFERRED Elk River Bridge adjacent to park's maintenance facility**	**6** ELIMINATED **Elk River Bridge adjacent to park's clubhouse**	**7** ELIMINATED **Elk River Bridge adjacent to Harding's Restaurant**	**8** ELIMINATED **Elk River Bridge Elk Forest fly over bridge (over I-79)**	**9** ELIMINATED **Elk River Bridge along Conner Drive and lake**	**9A** ELIMINATED **Elk River Bridge Conner Drive and new roadway**	**10** ELIMINATED **Mill Creek Bridge Meadowbrook along railroad**
Bridge Length* (ft)	0	0	0	400	400	400	425	565	750	500	650	375
Total Length (ft)	4,000	6,000	12,000	3,400	1,600	1,600	1,075	1,565	2,100	4,300	5,500	7,975
Design Speed (mph)	35	35	30	25	30	30	25	25	40	25	25	40
Est. Earthwork (CY)	163,000	2,023,000	2,015,000	184,000	25,000	25,000	25,000	25,000	289,000	31,000	150,000	884,000
Park Impacts (acres)	1.6	24.5	51.0	7.2	1.1	1.1	0.8	1.7	1.6	0.6	4.3	48.4
Residents Required	0	0	0	2	1	1	0	1	1	5	1	0
Stream Impacts	No	No	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
Meets Military Security Requirements	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Provides Emergency Entrance and Exit for Guard, Park, and Airport	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Involves Railroad that is to be reactivated	No	No	No	Yes	No	No	No	No	No	No	No	Yes
Construction Cost Estimate	$9,184,000	$23,194,000	$24,324,000	Was Not Calculated - Not Feasible Alternative	$12,124,000	$14,951,000	$14,014,300	$13,118,000	$23,980,000	$14,097,000	$21,372,000	Was Not Calculated - Not Feasible Alternative

Notes: *Bridge length is approximate main span length. **Alternative 5A was added after initial assessment of alternatives (Section 2.3). Cost estimate for Alternative 5A includes techniques for not impacting the river during construction.

THIS PAGE INTENTIONALLY LEFT BLANK.

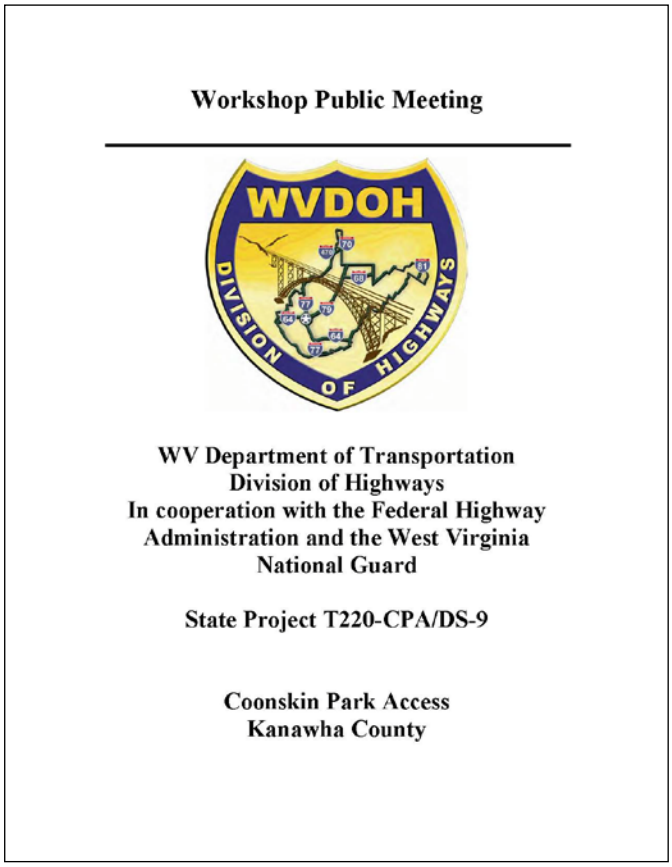
2.3 Additional Alternatives Developed for Consideration

Alternative 5A

As reviewed for each alternative in Section 2.2, all of the alternatives except Alternative 5 were eliminated based on satisfaction of project purpose, feasibility, and impact to a Section 4(f) resource and Section 6(f) property. This selection involved consultation with resource agencies in a series of stakeholder meetings hosted by WVDOH in 2009 (Section 0). Subsequently, consideration for impacts other than those listed as the screening criteria (Section 2.1) led WVDOH to modify Alternative 5.

WVDOH received feedback from the U.S. Fish and Wildlife Service (USFWS) during early stakeholder coordination in July 2009, and from the West Virginia Division of Natural Resources (WVDNR) in February 2010 correspondence. Both agencies expressed concern for endangered species in the Elk River (Section 3.9). WVDNR's comments, provided with Appendix B, included the following statements: "Unless choosing Alternative 6 or 9 all in stream work should be avoided," and, "Any alternative that does not include in stream work is PREFERRED" (Clayton, 2010). Because Alternative 5 was the preference of WVDOH as well as other stakeholders, WVDOH proceeded to modify its design so that it avoided in stream work, as requested by the resource agencies.

Although construction costs are substantially raised in order to construct a bridge with no disturbance to the river bed, WVDOH proceeded to make that commitment with the design of Alternative 5A. Alternative 5A would be located in the same place as Alternative 5, described in Section 2.2; however, its bridge abutments would be located outside the Elk River floodway, and the entire alternative would be constructed in such a way as to avoid disturbance to the river bed. Such methodology adds considerable cost and time to the construction, but, ultimately, Alternative 5A would still be less expensive than several other alternatives considered for the project.



Secondary Access Routes

After WVDOH conducted a series of two public workshops in March 2010 to present the preliminary alternatives and the preliminary selection of a Preferred Alternative (Alternative 5A), some commenters suggested creating a second access route that could continue to provide an entrance to the park from Greenbrier Street along with an Elk River bridge access route. Subsequently, WVDOH sought to design secondary routes with a reduced size, as compared to the primary access route, because it was presumed that the secondary route would principally serve just local traffic. The reduced size proposed for the secondary access allowed WVDOH to find

additional alternative routes where they had been more limited in finding primary access. The study resulted in two secondary routes, as shown in Exhibit 4.

Both secondary routes would access Coonskin Park directly from Greenbrier Street and would have a typical roadway section of two 9-foot lanes with 2-foot shoulders.

- Secondary Route 1 would begin approximately 515 feet east of the Coonskin Drive intersection with Greenbrier Street and would pass approximately 300 feet east of the closest WVNG complex building. This route would have 5,150 feet of new roadway, including two 2,000-foot segments of sustained 13 percent grade (ascending and descending). This alternative would include approximately 380,000 CY of earthwork, and would require roughly 1,000 feet of privacy fence to shield the WVNG complex from public viewers along the park access. Approximately 16 acres of woodland would be disturbed, including several acres of Section 4(f) resource impact. Right-of-way would need to be purchased from Coonskin Park, the WVNG, and the Board of Education (for Capital High School property). Overall, this additional route would add over eight (8) million dollars to the cost of the primary route.

- Secondary Route 2 would begin just before the Mill Creek Bridge along Greenbrier Street, approximately 1.9 miles east of the intersection with Coonskin Drive. This route would include construction of 2,050 feet of new roadway on a sustained grade of 18 percent before reaching a ridge where the alignment can tie into Shelter Road within the park. A park visitor wishing to go to the large venues of the park (pool, soccer stadium, etc.) would need to ascend this secondary access route, but then navigate Shelter Road, which includes more steep terrain at times with single, one-way lanes. The total trip to the clubhouse would be approximately 2.8 miles. This alternative would include approximately 280,000 CY of earthwork and disturb 8.2 acres of woodland, all of which lies within the park. Overall, this additional route would add an estimated 5.5 million dollars to the cost of the primary route.

Either of these alternatives would provide more convenient access to the backwoods regions of the park. However, for accessing the northern activity centers of the park, it is possible that visitors from a Greenbrier Street community could arrive at their destination more quickly using the Alternative 5A bridge accessed via Greenbrier Street north and US 119 west from Big Chimney. The limited gain in usership for the park provided by a secondary route was not considered prudent given an expenditure of $5.5 to $8 million additional dollars. Neither of these alternatives supports the project's purpose. These routes could not serve as a primary access route because their grades and widths would not allow for trucks providing services and supplies to the park. Additionally, Section 4(f) requires the selection of an alternative that is least impactful of Section 4(f) property, and adoption of either secondary route would be inconsistent with Section 4(f). Moreover, both alternatives would involve impacting more of the Section 6(f) property.

2.4 Alternatives Carried Forward

No-Build Alternative

Under the No-Build Alternative, the proposed project would not be implemented. This alternative would include all currently adopted and planned transportation improvements. The No-Build Alternative would not meet the project need to provide secure access to the DoD facilities. The No-

Build Alternative would also not meet the project purpose to provide an alternative route for evacuating the park, the airport, and the DoD facilities. Nevertheless, while it would not meet the project need, the No-Build Alternative provides a means to measure the relative impacts of the Build Alternative under consideration.

Preferred Alternative

Alternative 5A is a feasible and prudent alternative that would satisfy the purpose of the project, would have only *de minimis* impact to Coonskin Park, a Section 4(f) resource, and would have minimal impact to the function and recreational capacity of Section 6(f) property. Therefore, it has been selected as the Preferred Alternative for detailed assessment. A close-up of the Preferred Alternative is provided in Exhibit 5.

As with all alternatives satisfying the project purpose, the Preferred Alternative would include closing the current entrance to Coonskin Park and approximately 1,900 feet of Coonskin Drive and would provide a new entrance to Coonskin Park. The proposed new right-of-way for the park access would begin on the north side of the Elk River in the community of Elk Hills along US 119, approximately 0.8 mile east of the Mink Shoals exit ramp off I-79. In its approach to a new bridge crossing, the Preferred Alternative would include one or two turning lanes, approximately 100 feet in length, along US 119.[1] The main bridge span would be approximately 400 feet long. The bridge would include two abutments, one on either side of the river, placed outside the Elk River and its floodway. After crossing the river, the Preferred Alternative would enter Coonskin Park alongside and overlapping a portion of its maintenance facility area. The new roadway would be approximately 1,600 feet long. The southern terminus of the new roadway would lie between the golf course and the railroad.

On both sides of the river, all of the land within the Preferred Alternative right-of-way has been previously disturbed. The alternative would displace one (1) residence and several buildings within the current Coonskin Park maintenance facility. Mitigation for these impacts is detailed in Section 3.5 (Socioeconomics) and Section 3.3 (Parks and Recreation), respectively. For impacts to the maintenance facility, coordination between the Adjutant General of the WVNG and the Kanawha County Parks and Recreation Commission has resulted in a mitigation plan that provides funding for construction of a temporary maintenance facility as well as permanent replacement facilities. Other effects to the park include: providing an entrance that can remain open during flooding events along Greenbrier Street and during heightened security at the WVNG complex; providing quicker access from an interstate roadway; and separation between passive recreation activities and entering and exiting traffic.

Figure 6 shows a generalized section of the proposed bridge, to be refined by the design-build team during final design. Both a sidewalk and bike lane would be provided for crossing the new bridge.

[1] Further analysis would be completed on the need for turning lanes. However, it is not anticipated that they would require additional acquisition of right-of-way.

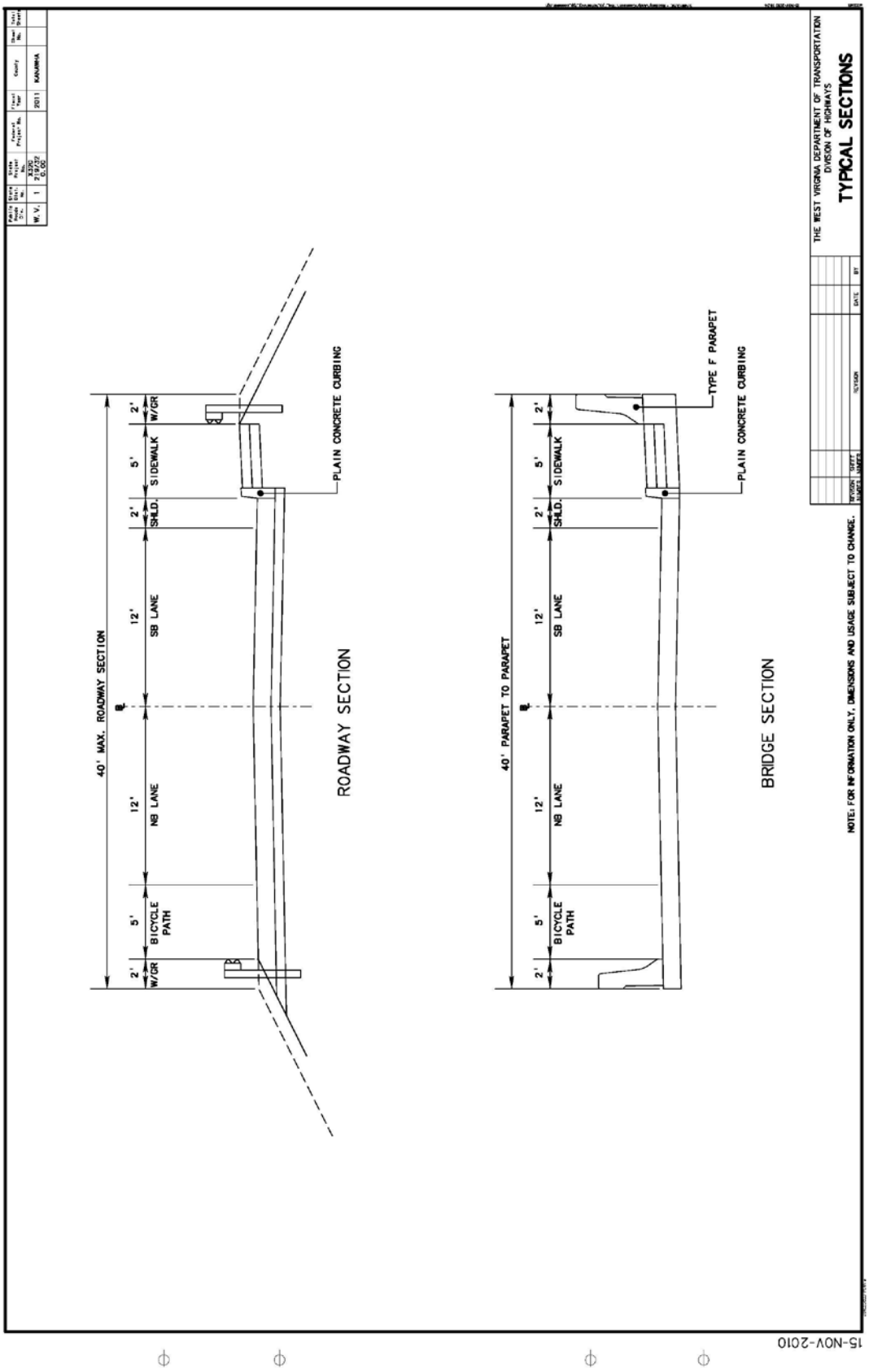


Figure 6: Generalized typical section along the bridge within the Preferred Alternative.

3.0 IMPACTS

3.1 Land Use

The majority of the project area (Exhibit 2) is inside Kanawha County's Coonskin Park; therefore, the majority of land use in the project area is recreation. Land cover within the park is dominated by hilly terrain of deciduous forest with a trail system, though the northwestern corner is generally dominated by grass for sporting activities. Potential impacts to specific recreational activities within the park are addressed in Section 3.2.

The proposed right-of-way within the park was once part of an industrial brick manufacturing site (Figure 7). Underneath a surface of scrubby vegetation along the western side of the maintenance facility, there remain piles of bricks and other debris that would be removed as part of the proposed bridge and access road construction. The historic significance of this site is addressed in Section 3.7; however, in summary, no resource eligible for or currently listed on the National Register of Historic Places would be affected by the proposed project.

The area currently surrounding the park is dominated by transportation land uses, with small pockets of residences to the east and higher intensity mixed use development across the Elk River to the north. Aside from smaller community roadways, the transportation land uses include I-79 to the west, US 119 to the north, Greenbrier Street (WV 114) to the east and south, and Yeager Airport to the southwest. Other development in the areas immediately surrounding the park includes the WV Army National Guard Headquarters and 130 Air Wing Installation to the south, Capital High School to the southeast, and the communities of Wilson, Elk Forest, Elk Hills, Creed, Meadowbrook, and Airport Village.

Another transportation land use in the project area is rail. There is a state-owned, abandoned rail bed along the north side of the Elk River (not shown on mapping), and there is a privately owned, abandoned rail bed passing through the park (Exhibit 6). As mentioned in Section 2.0, the owner of the second railway, NSX, has recently signed an agreement with a short line company (CBC&S). CBC&S plans to return this rail system to service to haul coal from mining operations in Kanawha County and Clay County, WV.

As detailed in the alternatives analysis (Section 2.0), disruption to these land uses was an important consideration in the selection of the new park entrance location. Conversion of recreational lands was an important constraint because of Section 4(f) and Section 6(f) regulations and potential impacts to park visitors. The planned CBC&S rail activities were reasons for eliminating two of the alternatives, and the complications of widening right-of-way lined with residences and of crossing I-79 were factors in eliminating alternatives from the west.

The Preferred Alternative would include closing public access for the final 0.36 mile (1,900 feet) of Coonskin Drive before reaching the park boundary. Although this portion of the road would still function as transportation land use, it would not be publically accessible transportation. Effects of this change on park visitors are addressed in Section 3.3.

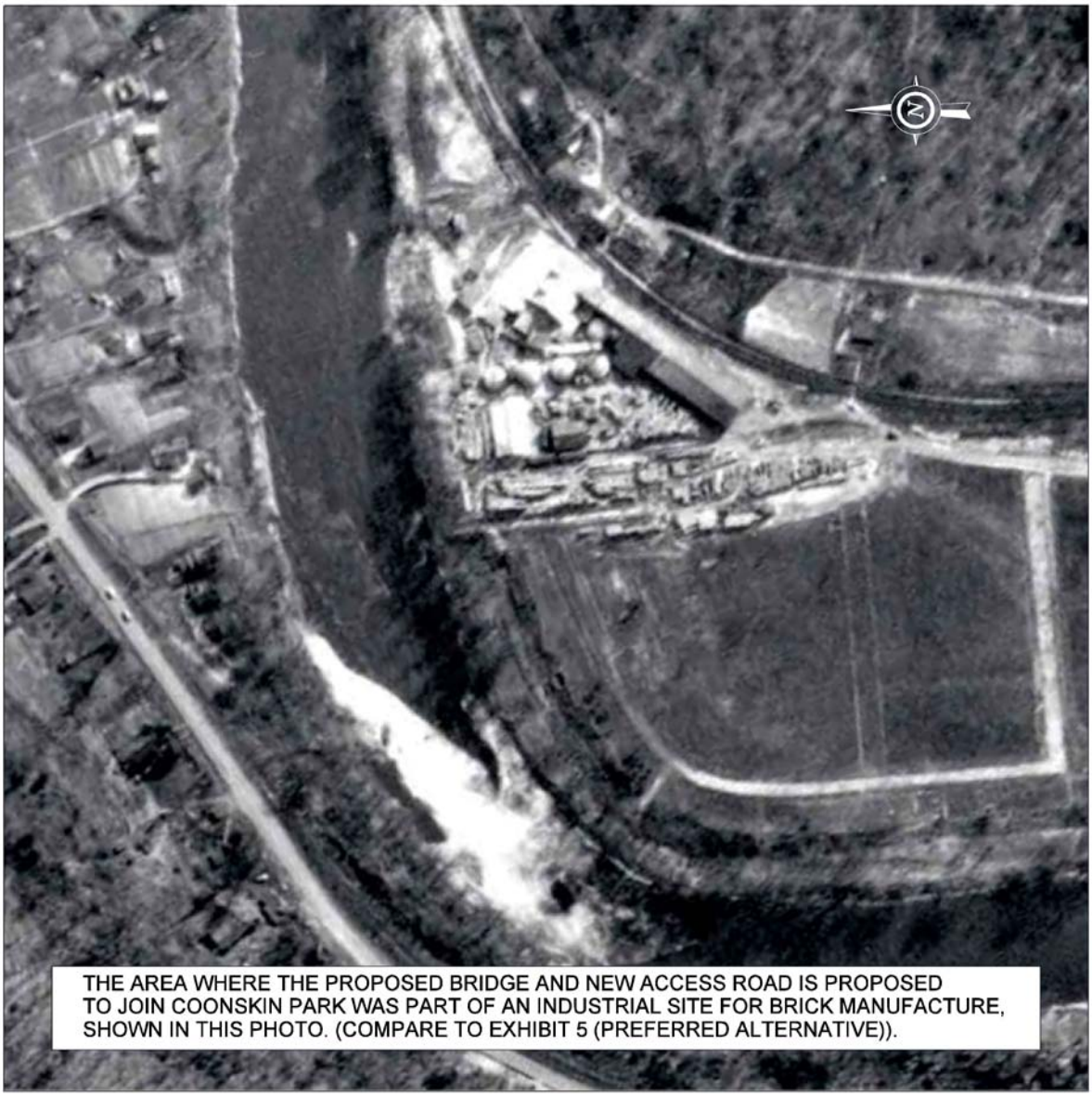


Figure 7: Historic aerial view of land use within proposed right-of-way. *(WVDOH, 1957*)

The Preferred Alternative would require a total of 1.48 acres of right-of-way, including a new bridge across the Elk River. The upland portion of the right-of-way would total approximately 1.25 acres. Of this upland acreage, a portion (0.17 acre) is already used for transportation within the park (see southern extension of Preferred Alternative on right side of Exhibit 5). The bridge design avoids disturbance within the floodway of the river; vegetation along the river banks would be maintained to the extent possible during construction, along with best management practices (BMPs) for controlling sedimentation and erosion. The remainder of the upland right-of-way is comprised of one residential lot with lawn and trees, the maintenance facility at the park, and the disturbed edge of the maintenance area (Figure 3). Further analysis would be completed for incorporation of turning lanes prior to the

entrance along US 119. However, it is not anticipated that they would require additional acquisition of right-of-way.

With its limited acreage and conversion of uses, the Preferred Alternative would not have significant land use impacts.

3.2 Transportation Planning

The Preferred Alternative is included in the *2040 Regional Intergovernmental Council Long Range Transportation Plan Amendments* for Kanawha and Putnam Counties (BCKP RIC, 2010), and the *2010-2013 Transportation Improvement Program* [TIP] *for Kanawha and Putnam Counties* (BCKP RIC, 2009a). These plans are approved at the local level by the area's Regional Intergovernmental Council (BCKP RIC), and are under review at the Federal level at the time of this EA publication (Callahan, 2010). As stated in the Addendum to the Long Range Plan, "This project is anticipated to be completed in the fourth quarter of 2013. As a result, the Coonskin Park access bridge project will be included in the 2013, 2018, 2020, 2030, and 2040 air quality conformity simulations" (BCKP RIC, 2010, p.6).

The Preferred Alternative is in keeping with long-term plans for the park. The Kanawha County Commission voted to support the proposed project in February of 2010. At the same Commission meeting, discussion included mention that park officials had called for a switch in park access location in the past, but funding had not been available (Kanawha County Commission, 2010). In November 2010, officials with jurisdiction over the park signed a Resolution supporting a *de minimis* finding by FHWA and plans for mitigation activities in conjunction with the project (Section 3.3, "Section 4(f)").

3.3 Parks and Recreation

The project area (Exhibit 2) is primarily comprised of Coonskin Park, one of six (6) public recreational facilities operated by the Kanawha County Parks and Recreation Commission (Figure 8). Coonskin Park is centrally located in the County, within the state's capital city of Charleston and near the intersections of I-77, I-79, and I-64. No other state, county, or local parks or recreational facilities would be impacted by the Preferred Alternative.

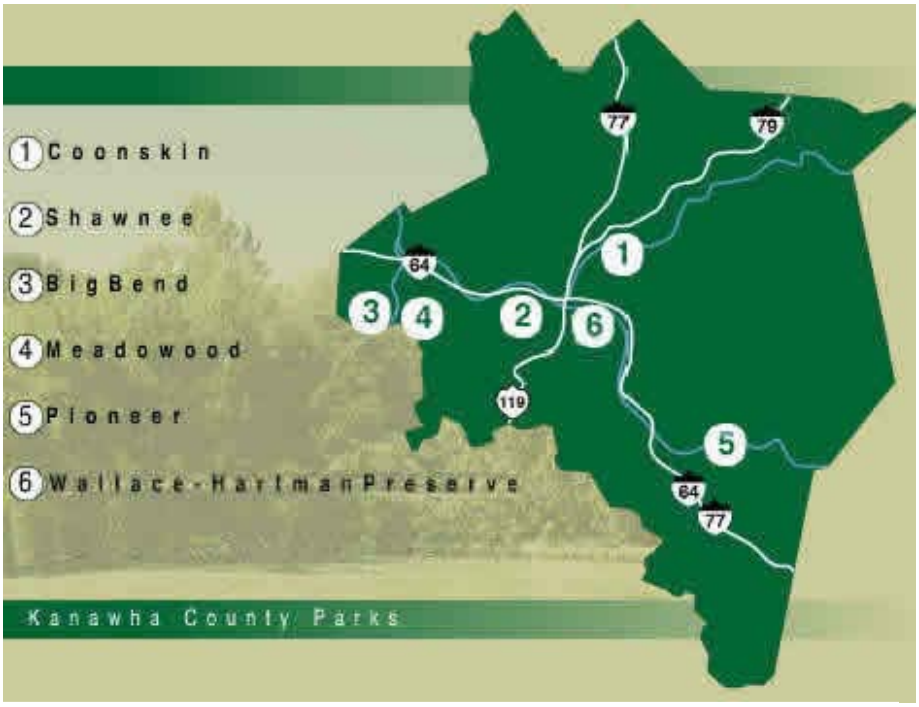


Figure 8: Map of Kanawha County Parks and Recreation facilities, from County website.

Coonskin Park Activities

Coonskin Park is approximately 1,000 acres in size and contains a wide variety of recreational facilities (Exhibit 6). Currently, upon entering the park, visitors first encounter a woodland area with trails and picnic areas; the majority of the recreational facilities are located approximately 1.0 to 1.5 miles farther north in the park. Park facilities include:

- woodlands with a trail system,
- 18-hole par three golf course,
- Olympic size pool,
- soccer field with seating for 2,000,
- amphitheater (which uses the soccer stadium seating),
- clubhouse with banquet rooms for rent,
- Herscher Lake with pedal boat rentals and fishing,
- miniature golf course,
- tennis and sand volleyball courts,
- bike rentals,
- skate park,
- picnic shelters, and
- playgrounds.

No recreational facilities would be displaced by the proposed project. The new entrance would be adjacent to the far northeastern end of the golf course, and, although vegetation may remain between golfers and the new right-of-way, the new entrance could be visible and audible from this portion of the golf course (Exhibit 7 and Figure 9).

The Preferred Alternative would displace a portion of the park currently used for maintenance vehicles and supplies (Exhibit 7). Three structures would be removed prior to construction of the proposed project. These include the northern warehouse, the southern warehouse, and the service center. The warehouses were built in the late 1950's and their largely metal structures are rusting (Figure 3 in Section 2.1 in Figure 9 below); the service center was built in the 1970s. The current entrance to the maintenance facility (shown from within the maintenance area in Figure 3) would be within the new right-of-way. The function of any maintenance facilities displaced by the proposed new park entrance would be replaced.

VIEW NORTHEAST FROM WITHIN PROPOSED RIGHT-OF-WAY ALONGSIDE BOTH WAREHOUSES. (SEE EXHIBIT 5 (PREFERRED ALTERNATIVE)). GOLF COURSE IS TO THE LEFT, PAST ROW OF TREES WHICH WOULD BE OUTSIDE OF RIGHT-OF-WAY.

VIEW SOUTHWEST FROM WITHIN PROPOSED RIGHT-OF-WAY ALONGSIDE THE SOUTHERN WAREHOUSE (SEE EXHIBIT 5 (PREFERRED ALTERNATIVE)). GOLF COURSE IS TO THE RIGHT, PAST ROW OF TREES WHICH WOULD BE OUTSIDE THE RIGHT-OF-WAY.

Figure 9: Portion of Proposed Right-of-Way Within Maintenance Area

Special programs throughout the year at the park include athletic events (e.g., golf, tennis, and soccer tournaments), nature activities, concerts, and a popular winter holiday light display. The proposed project would facilitate access to events at the clubhouse, amphitheater, and sports venues. It is expected that the holiday display will still occur at Coonskin Park with implementation of the proposed project, and may be enhanced by lighting of the new bridge; however, traffic patterns associated with donation collection and circulation near the southern end of the park may need to be adjusted to prevent any traffic queuing (back-up) onto US 119. It is anticipated that with the new bridge and roadway, there would be adequate space to adjust the location of the donation collection point to preclude traffic queuing problems.

For park operations during construction of the proposed project, a temporary maintenance facility would be built as part of the project costs. This temporary facility would be located in an area of the park that is currently barren. In coordination with park officials, this temporary facility has been proposed for an unused area to the south of the soccer field (Exhibit 6). This temporary facility and activities associated with it may have minor and temporary impacts, such as to the aesthetics and traffic flow in this part of the park; however, locating a new building adjacent to the soccer fields allows for repurposing of the barren area. After the new entrance and roadway are constructed, the current maintenance area would be rebuilt and the temporary maintenance area to the south of the soccer field, as proposed by park officials, would be converted to include restroom and locker room facilities. Although detailed repurposing plans remain up to park officials, construction of this new park facility would be funded as part of the proposed new park access project.

With closure of the current park entrance, the Preferred Alternative could have minor indirect effects to park uses in the southern end of the park. With the Preferred Alternative, all traffic entering and exiting the park would be at the northwest corner of the park and would not necessarily see other areas of the park. Currently, visitors must travel over a mile through wooded areas and past some of the less concentrated park facilities to access most park facilities, including the clubhouse, office, or soccer field/amphitheater events. The resulting decrease in traffic at the southern end of the park could decrease usership in this portion of the park. This decrease in traffic could improve the setting in this area for picnicking and hiking activities. For park visitors driving to the southern end of the park, a turnaround area would be provided in conjunction with placing a gate blocking access to Coonskin Drive. Effects of the Preferred Alternative from changes to traffic patterns outside the park are addressed in the following section.

Coonskin Park Access

The current entrance to the park is on Coonskin Drive at the southern end of the park, approximately 0.8 mile north of Greenbrier Street, just beyond the WVNG facilities. Coonskin Drive is accessed from WV 114, which is called Greenbrier Street within Charleston. WV 114 begins at Kanawha Boulevard, along the banks of the Kanawha River adjacent to the State Capitol complex, and runs northeast passed Yeager Airport and Coonskin Drive. After Coonskin Drive, WV 114 passes Capital High School and winds toward Pinch, WV, but takes a left turn (Coopers Creek Road) for crossing the Elk River into Big Chimney, WV. The route terminates in Big Chimney at the Exit 5 ramps off I-79.

Accessing the park by way of the Preferred Alternative would take a longer time for some Kanawha County residents, particularly those living and working near Yeager Airport and Capital High School.

However, because of the winding and stop-and-go nature of travel along Greenbrier Street and Coonskin Drive, most visitors destined for the principle activity centers within the park (in the northwestern corner, Exhibit 6), would experience a reduced travel time via the proposed new entrance along the park's northern border.

Table 2 shows examples of changes in travel time from points in Kanawha County to the Coonskin Park clubhouse, as calculated in a WVDOH traffic study. Figure 10 shows the locations of the trip origins addressed in the table. For example, the table shows results for potential clubhouse visitors coming from the Charleston split between I-64 and I-77, represented as Location C in Figure 10. This particular location addresses many potential park visitors, because it is a location likely to be crossed by visitors coming from US 119 south of Charleston or from I-64 west of the city. As shown in Table 2, these visitors would travel 6.86 miles for 10.7 minutes to get to the Coonskin Park clubhouse via the current entrance. These same visitors would need to travel 5.03 miles for a duration of 5.5 minutes to access the clubhouse via the new proposed entrance, for a reduction in travel of 1.83 miles and 5.3 minutes. Potential visitors coming from the junction of Greenbrier Street and I-77 near the Capitol complex would experience a longer trip with respect to distance, but their trip to the clubhouse would still take less time via the new proposed entrance than via the current entrance.

Table 2: Examples of Change in Travel to Coonskin Park Clubhouse with Preferred Alternative

Origin of Trip (corresponding to Locations in Figure 10)	Distance/Travel Time via Current Entrance	Distance/Travel Time via Proposed New Entrance	Difference* (Reduction in Travel with Proposed New Entrance)
A: I-79 Exit 5 (Big Chimney)	6.97 miles / 11.3 minutes	4.43 miles / 4.7 minutes	-2.54 miles / -6.6 minutes
B: I-77 Exit 106 (Edens Fork Road)	12.07 miles / 16.1 minutes	5.95 miles / 6.0 minutes	-6.12 miles / -10.0 minutes
C: I-64/I-77 Split in Charleston	6.86 miles / 10.7 minutes	5.03 miles / 5.5 minutes	-1.83 miles / -5.3 minutes
D: I-77 Exit 99 (Greenbrier Street)	5.04 miles / 8.9 minutes	6.64 miles / 7.1 minutes	+1.60 miles / -1.8 minutes

* Negative numbers represent a reduction with the proposed new entrance as compared to the current entrance to Coonskin Park, and positive numbers represent an increase with the proposed new entrance.

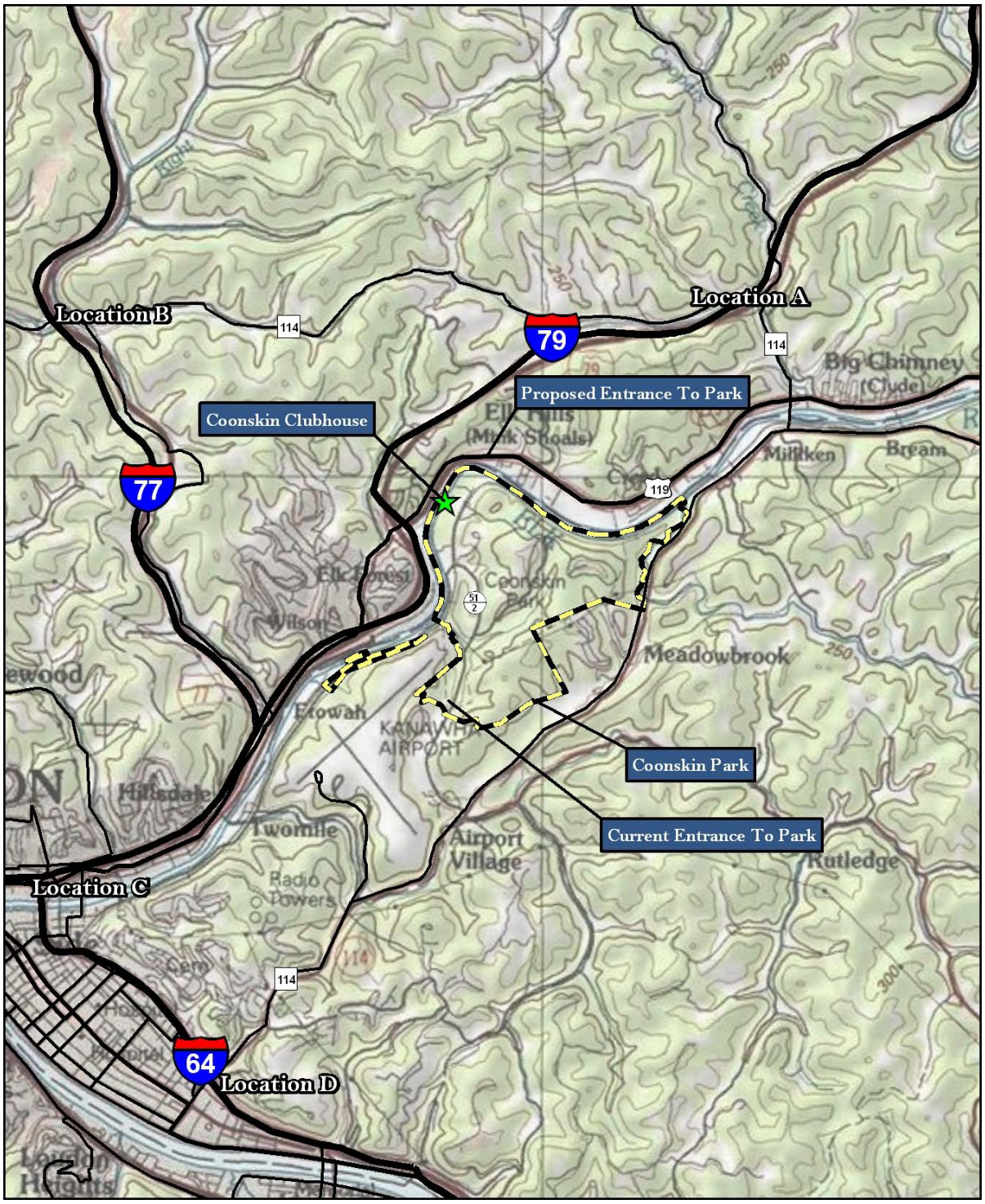


Figure 10: Trip Origin Locations Detailed in Table 2

Note: These locations correspond to the locations for which travel times and distances to the Coonskin Clubhouse are compared in Table 2.

Section 4(f)

The project area was assessed for the presence of Section 4(f) resources (i.e., publicly owned public parks, recreational areas, wildlife and waterfowl refuges, and public and private historical sites). As summarized in Section 2.1, a Section 4(f) property is assessed for impacts under the provisions of the USDOT Act of 1966 and related regulations. Coonskin Park is the only Section 4(f) property that would be impacted by the proposed project.

FHWA has made the preliminary determination that the proposed project would have a *de minimis* effect on Coonskin Park. As stipulated in Federal regulations (23 CFR 774.3(b), 774.5(b), 774.17), an impact to a publically owned park may be determined to be *de minimis* if:

(i) The transportation use of the Section 4(f) resource, together with any impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f);

(ii) The official(s) with jurisdiction over the property are informed of FHWA's intent to make the *de minimis* impact finding based on their written concurrence that the project will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f); and

(iii) The public has been afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resource.

The Kanawha County Commission and Parks and Recreation Commission, as the officials with jurisdiction over the park, concurred in a Resolution dated November 2010 that the project would not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f). A detailed Section 4(f) *de minimis* analysis, including a review of applicable regulations and a copy of the officials' Resolution, is provided in Appendix C. This publication, along with this entire EA, afford the public an opportunity for review and comment on the proposed project's effects on Section 4(f) property. In addition, following publication of the EA, two public workshops will be held in the project area, and a public comment period will be provided for exchange of information on the project, as further detailed in Section 0.

Section 6(f)

The portion of Coonskin Park overlapped by the Preferred Alternative right-of-way was purchased using L&WCF funding, as shown in a map provided to WVDOH by the WVDO (Appendix A). Therefore, in accordance with 36 CFR 59.3, WVDOH has initiated coordination with the NPS.

In September 2010, WVDOH met with the local NPS Liaison for administration of the L&WCF, a representative from the WVDO, to discuss the potential effects of the proposed project on the function and recreational capacity of the property. Because of the limited effects to land use and recreational activities in the park, as detailed in Sections 3.1 and 3.3, the Liaison made the preliminary determination that effects would not constitute a conversion of park land. The NPS concurred with this determination (Appendix A).

Coordination between WVDOH and the WVDO will proceed with the understanding that effects to the park are classified as a "Change of Use." A summary of the changes of use within the park associated with the proposed project is provided in Appendix A. These include changing the use of land adjacent to the maintenance facilities and replacing maintenance facilities; placing a gate at the current access point; and providing a new facility for the park to incorporate to recreational needs next to the soccer field. Coordination with the NPS would be finalized prior to implementing the proposed project.

Conclusions

Overall, the project would provide benefits to park users: access to the principal activity areas would be more direct from the entrance; high traffic flow would be removed from passive recreation areas in the south, multiple routes would exist for evacuations; with its proximity to I-79, the entrance would be more easily accessed from most points in Kanawha County; and mitigation associated with the project would provide new park facilities, including improved maintenance and soccer facilities. Access to and from the park would require traveling a greater distance for some Kanawha County residents. Ultimately, the proposed new entrance location is in keeping with Kanawha County officials' plans, would pose only a *de minimis* use of the Section 4(f) resource, and would not affect a conversion of Section 6(f) property.

3.4 Hazardous Materials

In May 2010, Environmental Resources Management performed a Phase I Environmental Site Assessment (ESA) and a Preliminary Site Assessment within the project area, with a focus on the maintenance facility area (ERM, 2010a and 2010b). The initial survey used site visits, interviews, and government database searches, and the results are summarized in the following section. Hazardous materials within and adjacent to the Preferred Alternative right-of-way are shown in Exhibit 7.

Past Operations and Land Use

The maintenance facility and the Preferred Alternative new access road are located on property formerly used to manufacture clay bricks and tiles. A railroad spur formerly used to load and unload equipment and materials still exists in the western portion of the facility. A dump pile in the northern portion of the facility contains brick, tiles, and other materials leftover from the previous land use. This dump pile is not hazardous, but is addressed in more detail in Section 3.7 as it relates to historic resources.

Additionally, three former underground storage tanks (USTs) were located within the maintenance facility, but were removed in 1992. Though the West Virginia Department of Environmental Protection (WVDEP) issued a "closure" for the area in 1993, evidence of a leak was found during the UST removal. Therefore, a Phase II ESA has been conducted for the proposed future land use (see "Planned Operations" below).

Current Operations

The buildings and the surrounding maintenance facility area store supplies and materials including pesticides, fungicides and fertilizers, as well as oil, gasoline, and diesel fuel in above ground storage tanks (ASTs). These materials are generally used for grass maintenance on the golf course and vehicle maintenance. The facility also receives and stores equipment, empty ASTs, and oil drums from other Kanawha County parks. In addition, propane is used in the park maintenance area to operate a forklift.

Approximately 400 gallons of used oil, 4,000 gallons of gasoline, and 2,000 gallons of diesel fuel are stored at the facility at one time. The Phase I ESA found some staining near the fuel AST pumps and on the cracked concrete warehouse floors where maintenance equipment is stored (Exhibit 7). The areas around the ASTs drain to a gravel area. The maintenance equipment and vehicles are washed in the warehouses, and that drainage is piped to the Elk River. There is no secondary containment where vehicles are refueled, and the facility does not currently have a plan for Spill Prevention, Control, and Countermeasures. No spillage of the pesticides, fungicides, or fertilizers has been reported.

The dump pile containing brick and tile from the previous land use also contains contemporary materials such as tires and wood debris, but, generally, solid waste generated by the park is hauled away regularly by local trash collection. The park does not create hazardous waste, and is not required to register as a generator of hazardous waste. Fluorescent bulbs are in use at the facility and are routinely replaced. The spent bulbs are stored for future disposal, but the small amount generated qualifies the park as a small quantity handler of universal waste.

Some of the facility buildings, including two slated for demolition as part of the Preferred Alternative, were constructed before the 1970s, and may contain asbestos-containing material and lead-based paint. No samples were taken and no previous survey for asbestos-containing or lead-based materials was found.

Planned Operations

The Preferred Alternative would pass through a portion of the dump pile and three of the buildings (Exhibit 7). Based on observations of fuel spills and the possible presence of asbestos and lead containing materials, a Phase II ESA has been conducted (ERM, 2010b).

Construction of the Preferred Alternative would not impact any hazardous waste or volatile oils/gases; however, prior to reconstruction of the new maintenance facility, a Voluntary Remediation Plan will need to be implemented. Two areas of concern were found: the location of the old USTs, and the area in front of the metal shop at the far end of the maintenance facility. Neither of these two areas is within the right-of-way limits of the Preferred Alternative.

As part of Preferred Alternative, the park's maintenance facilities would be temporarily relocated, as detailed in Section 3.3. The project also includes provision of funding to the park for replacing the maintenance facilities. With the replacement, there would be opportunity for improving the facility and waste management in the park.

3.5 Socioeconomics

As reviewed in the following sections, the proposed project would have no impact or only minor impact on the populations, incomes, community facilities, and businesses in the project area and Kanawha County as a whole.

Population and Income

Kanawha County is one of 55 counties in the State of West Virginia and ranks fourth in total land area. Kanawha County is the state's most populous county, with approximately 10.6 percent of the total state population. The City of Charleston is the most populous city in the county and in the state, and it accounts for approximately 26.4 percent of Kanawha County's population. Based on US Census

Bureau three-year estimates (2006-2008), the City of Charleston has a population of 50,500, Kanawha County has a population of 191,300, and the state has a population of 1,810,400 (rounded to the nearest 100). For the state, this result represents an increase over the 2000 Census total population; however, for both Kanawha County and the City of Charleston, these numbers are less than the population in 2000 (US Census Bureau, 2009).

The project area has a low proportion of both minority populations and low-income populations as compared to either the state or Kanawha County in general. The Census Tracts that surround the park include Census Tract 11301 to the south of the Elk River and Census Tract 11000 along the north side of the Elk River. Minority residents comprised 1.1 percent of the Tract 11301 population (38 out of 3,384 individuals) and 1.0 percent of the Tract 11000 population (45 out of 4,607 individuals) (US Census Bureau, 2000). This compares to 8.4 percent minorities in Kanawha County as a whole and 4.1 percent statewide (US Census Bureau, 2000).

The project is expected to have no disproportionate impact to low-income or minority families. In the Tracts surrounding the park, 5.1 percent of families in Tract 11000 and 9.4 percent of families in Tract 11301 fell below the Census Bureau's poverty threshold (income $17,029 for a family of four). These levels are compared to 11.2 percent of families below the poverty threshold in Kanawha County and 13.9 percent of families statewide (US Census Bureau, 2000). According to USDOT requirements for addressing environmental justice, low-income means "a person whose median household income is at or below the Department of Health and Human Services [HHS] poverty guidelines." DOT Order 5610.2, Appendix 1.b. The median income for the Census Tracts surrounding the park in 1999 was $27,587 (Census Tract 11301) and $39,720 (Census Tract 11000) (US Census Bureau, 2000). For a family of four, the HHS considered $17,050 to be the guideline below which would be considered low-income in 1999. Federal Register Vol. 64, No. 52, March 18, 1999, pp. 13428-13430.

In general, the project area lacks considerable minority and low income populations to be affected by the proposed project, and no significant, adverse environmental impacts are expected to result from the proposed project; therefore, it is not anticipated that any environmental justice populations would experience disproportionately high and adverse effects from the proposed project. This assessment includes consideration for cumulative effect, which is addressed in Section 3.13. To help ensure potential impacts to the community were addressed, WVDOH has provided forums for exchange of information on the proposed project (Section 0), and has considered comments received by the public. On balance, with consideration for all potential impacts, the Preferred Alternative would best fulfill the need for the project while reducing impacts to the natural, physical, and social environments.

One residence would be displaced with implementation of the Preferred Alternative. Acquisition and relocation would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. The owner of a displaced residence is eligible to receive reimbursement for the fair market value of the property acquired, as well as moving costs, and would be provided relocation assistance and advisory services together with the assurance of the availability of decent, safe, and sanitary housing. Displaced renters who have rented their apartment/home for at least 90 days before negotiations would be provided with relocation assistance advisory services and compensation, which may be used to rent another housing property or to purchase a home.

Community Services

No community facilities lie within or immediately adjacent to the park's current or future proposed entrances. Two elementary schools and one church are in the vicinity (within roughly one mile) of the proposed new park entrance (Exhibit 8); however, none of these would be directly impacted by the project.

Generally, emergency services could more quickly access the majority of park facilities, which are located at the northern end of the park. Emergency vehicles would not have to travel on slower roadways for as long a distance as with the current entrance. For example, services from the Pinch Volunteer Fire Department, which currently services the park and would continue to do so, would be quicker to the new entrance, only having to travel US 119 from their Big Chimney outpost.

Businesses

The area surrounding the existing entrance to Coonskin Park is primarily residential. Other than Yeager Airport and the WVNG complex, only light commercial businesses currently operate in that vicinity. Businesses include a Go Mart gas station, with convenience store and take-out meals, Deli Fresh, a dine in and take-out meal establishment, Corral Bar and Grill, and Cornerstone Technology Group, an integrated computer technology provider. These businesses all lie at or near the intersection of Greenbrier Street and Coonskin Drive.

Similar to the area around Coonskin Drive, development in the vicinity of the proposed new park entrance is residential with light commercial activities. A small area of denser commercial activity is concentrated around the I-79 interchange with US 119, which is within one mile of the proposed entrance. Businesses in the vicinity of the proposed new entrance to the park include Professional Healthcare Billing Services, Country Blossoms florists, Olin's Day and Night Market, which provides groceries and convenience items, and Just One More Tavern. At the I-79 interchange, there is a balloon store, a pizza restaurant, a Sleep Inn hotel, and Hardings, a "family-style" restaurant. All these businesses lie within one mile of the proposed new access.

Although the proposed new entrance may afford easier access to the park for Kanawha County residents in general (Table 2), it is not anticipated that this project would have substantial effect on the customer base for businesses along Greenbrier Street of US 119. Near the current park entrance, a few businesses may see a slight drop in customers; however, none of the businesses near the current entrance specifically target park visitors (such as bike rental or catering), and large pools of customers for more general businesses such as the gas station, remain from Capital High School and WVNG employees. It is also possible that businesses near the proposed new entrance would see a slight rise in customers.

The project would affect short-term economic benefits to the region due to the temporary construction employment and materials-related expenditures for the project. However, overall economic impacts are expected to be insignificant with the proposed project.

Safety

The Preferred Alternative would provide a permanent improvement to safety in the region, as it would fulfill the need for an emergency evacuation route (see Section 1.2). Because of the linkage between the airport, the WVNG complex, and Coonskin Park via Commando Drive and Coonskin Drive, the

new proposed exit from Coonskin Park could serve as an evacuation route for all three of these facilities in case of flooding along Greenbrier Street. Two of these facilities, the airport and the military complex, are critical facilities, from which emergency services can be provided. Additionally, as mentioned above (Section 3.5, "Community Services"), emergency vehicles would have quicker access to the centers of activity within the park via the new entrance.

As is standard procedure when conducting construction activities on a highway facility where traffic flow will be maintained, WVDOH would develop and implement a maintenance of traffic plan which would assure both motorist and construction worker safety. This plan would be developed utilizing guidelines of FHWA, the American Association of State Highway and Transportation Officials, and WVDOH.

Conclusions

Impacts to the social and economic environments from the proposed project would be minimal. One residence would be relocated, short-term economic benefits associated with construction would be expected, and safety in the region would improve.

3.6 Pedestrian and Bicyclist Facilities

The Preferred Alternative would not directly impact any existing pedestrian or bicycle trails. There are no officially designated pedestrian or bicycle trails outside the park that would be impacted.

Access to trails within Coonskin Park would change with the Preferred Alternative. The public access to the final section of Coonskin Drive outside the park must close in order to fulfill Federal military security requirements (see Section 1.2). Therefore, pedestrians and bicyclists accustomed to accessing the park along Coonskin Drive would no longer be able to do so. Among such park visitors are Capital High School track team members that use the park for long run practices. While it is possible that bicyclists could use the local roadways to access the new park entrance along US 119, it is also possible that many if not all bicyclists would elect to drive to the park instead. The new park entrance, as proposed, is located seven (7) miles away from the current entrance – via Greenbrier Street and US 119.

While the new park entrance would be less easily accessible by some park visitors, it would be more easily accessible to a new and larger population of Kanawha County residents who could walk or bike to the facility. However, as with the current entrance, there are no officially designated pedestrian or bicyclist facilities in the vicinity of the proposed new entrance. The Preferred Alternative would not have a significant impact on pedestrians and bicyclists.

3.7 Historic and Archaeological Resources

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800, WVDOH identified historic and cultural resources within the area of potential effects of the Coonskin Park project, and subsequently evaluated the effects on identified historic resources.

In May, 2010, WVDOH examined the project area to identify cultural or historic resources listed, or eligible for listing, in the National Register of Historic Places (NRHP). The architectural field work encompassed the area of potential effects, including all of Coonskin Park, the railroad passing through

the park, and the north shore of the Elk River near the proposed new bridge construction. Further, staff at the West Virginia Division of Culture and History, State Historic Preservation Office (SHPO) searched their Geographic Information System (GIS) for records on surveyed properties in the project area. The Elk Hills area was surveyed in 1998 but yielded no historic properties near the project area. Similarly, the GIS yielded no results for historic properties within Coonskin Park.

To complete survey work, WVDOH prepared West Virginia Historic Property Inventory Forms for three resources: 1) Coonskin Park, 2) Charleston, Clendenin and Sutton Railroad/Norfolk Southern Corp. Railroad, and 3) Elkland Clay Products / Charleston Vitreous Clay Products / Charleston Tile & Brick Co. In a letter dated 25 May 2010, the SHPO concurred with WVDOH's findings that none of the inventoried properties were eligible for listing in the NRHP. The letter stated that the architectural consultation process was complete (Appendix D).

On June 3, 2010, the SHPO responded to WVDOH's correspondence on archaeological resources within the project area. The archaeological reconnaissance work had consisted of a pedestrian survey and the excavation of seven shovel test pits. Shovel test pits on the north side of Elk River encountered disturbed soils and infill likely related to prior culvert and terrace construction. Shovel test pits on the south side of the river, within the area formerly occupied by the Elkland Fire Brick Company, encountered varying amounts of brick debris, while one shovel test resulted in the identification of a circular brick feature that likely served as a foundation of an unknown structure. WVDOH provided supplemental information on archaeological resources on June 22, 2010, leading the SHPO to respond on July 22, 2010, concurring with WVDOH's finding that no resources in the project area are eligible for listing in the NRHP under Criterion D. The SHPO indicated that no further work was required for compliance with Section 106.

Though the project area yielded no archaeological or historic resources, the WVDOH concluded that it would be appropriate to commemorate the history of the Elkland Fire Brick Company by dedicating an informational and interpretive kiosk at the new Coonskin Park entrance. The kiosk would include map panels to orient visitors to the park and its new entrance, as well as interpretive panels to connect visitors with tangible and intangible resources within the park. Figure 11 shows an example of historic photos from the brick plant.

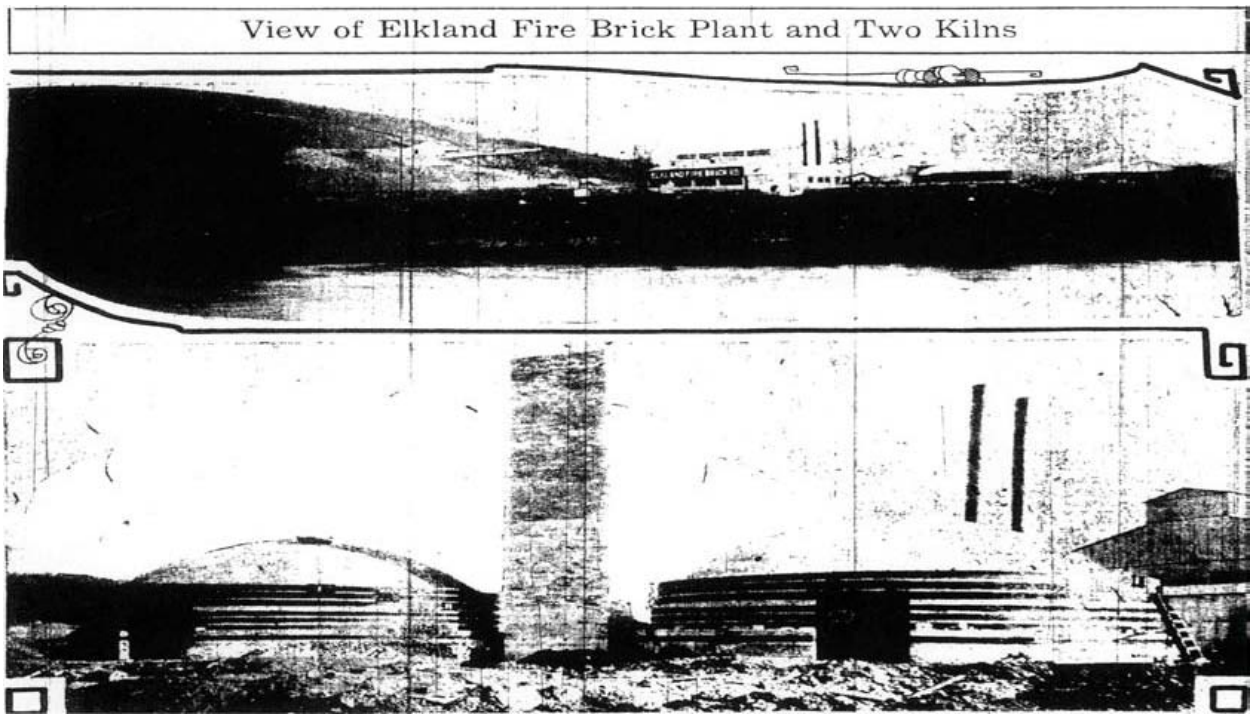


Figure 11: Elkland Fire Brick Company Formerly Within Coonskin Park. ***(TCG, 1927)***

3.8 Surface Waters and Floodplains

Surface Waters

The project area contains a portion of the Elk River and several of its tributaries (Exhibit 9). There are no identified wetlands in proximity to the Preferred Alternative right-of-way. The Elk River itself is the only surface water in the vicinity of the Preferred Alternative.

The Elk River flows north to south along the northern and western boundaries of Coonskin Park for approximately two (2) miles. The Elk River is dredged by the US Army Corp of Engineers from the Kanawha River to Pennzoil dock, which is located 2.5 miles upstream of the Elk's confluence with the Kanawha River. The Preferred Alternative bridge location is upstream of this location. In addition, the US Coast Guard has indicated that a permit would be required for any bridge crossing on the Elk River from its confluence with the Kanawha River to Shoal Dam located approximately 4.5 miles upstream. The Preferred Alternative is upstream of these permit boundaries and thus would not require a permit from the US Coast Guard.

As part of the Preferred Alternative, no bridge piers would be placed in the Elk River and bridge construction would not take place within the river. Roadway runoff from the bridge would be consistent with WVDEP requirements. Therefore, there would be no significant impacts to surface waters with the Preferred Alternative.

Floodplains

As of September 2010, FEMA has made available a digital Flood Insurance Rate Map (DFIRM) for Kanawha County. The DFIRM has been incorporated to the project GIS, and the floodplains and floodways in the project area are depicted in Exhibit 9.

The FEMA DFIRM No. 54039C0264E for Kanawha County, dated February 6, 2008, indicates that the Elk River 100-year floodplain elevation within the study reaches ranges between 598 to 601 feet. A detailed hydraulic analysis for the Elk River would be performed during the final design phase for the Preferred Alternative. The bridge would be designed such that the presence of a bridge would not cause increase in backwater that would have adverse impacts on the surrounding community.

3.9 Fish and Wildlife

The Elk River is the only aquatic habitat crossed by the Preferred Alternative right-of-way. As currently designed, the proposed bridge would have an approximately 400-foot long main span, with approximately 0.23 acre of right-of-way above the river and its banks (Exhibit 5). Because of the placement of bridge abutments outside the floodway and the use of BMPs proposed with construction, the river would not be directly impacted by the Preferred Alternative. Therefore, it is not anticipated that any fish or other aquatic species would be directly impacted by the project.

The Elk River is known to be inhabited by a Federally listed endangered mussel species, the pink mucket (*Lampsilis abrupta*) and another mussel being considered for Federal listing, the snuffbox (*Epioblasma triquetra*). Other native mussel species can also be found in the Elk River. Additionally, the diamond darter (*Crystallaria cincotta*), a three to five inch long fish species, is found in the Elk River and is under consideration by the USFWS as a candidate species for protected status (USFWS WVFO, 2009).

The proposed right-of-way for the new Coonskin Park access includes approximately 1.25 acres of upland. The majority of upland (0.68 acre) is comprised of structures and roadway within the residential and park areas. The remaining 0.57 acres is vegetated land cover, which is comprised of lawn associated with the residence, scrubby growth adjacent to the warehouses (Figure 9), and riverside trees and shrubs along the steep banks of the Elk River. A few trees would require removal, but no forestland would be impacted. Wildlife species found in the proposed right-of-way would likely include those typically associated with residential development (e.g., mice, squirrels, and a limited number of bird species).

In considering potential impacts to protected species, WVDOH consulted with both the USFWS and the WVDNR. Both agencies have expressed concern that the project not involve placement of piers inside the Elk River in order to avoid impacts to the aquatic habitat. USFWS attended a preliminary stakeholders meeting in July 2009. In February 2010, WVDNR provided written feedback on the preliminary alternatives for the project, stating that all stream work should be avoided, and that any alternative that does not include in stream work would be preferred by their agency (Appendix B).

The Preferred Alternative includes plans for keeping the bridge abutments out of the stream and constructing the bridge in such a way as to eliminate activity within the stream. Construction activity would employ BMPs for avoiding increased sedimentation in the stream, as planned in coordination with USFWS. Such preventative measures will include specialized BMPs including super silt fencing,

minimized clearing of riparian vegetation, and frequent planting on non-invasive species for the areas that are cleared, as detailed by the USFWS (letter dated November 18, 2010, Appendix B). Additionally, the bridge would be designed to carry all runoff and potential spills off the bridge away from the river.

Given the limited areal disturbance proposed with the project, the lack of high quality wildlife habitat within the upland portion of the right-of-way, and the measures to avoid disturbance to aquatic habitat, WVDOH has concluded that the project is not likely to have adverse effect on protected species. USFWS, in a letter dated November 18, 2010 (Appendix B), concurred with the finding that the project is not likely to adversely affect any Federally listed threatened, endangered, or candidate species, and that "no further Section 7 consultation under the ESA [Endangered Species Act] is required."

3.10 Air Quality

Existing Conditions

The proposed project is located in Kanawha County, West Virginia. Kanawha County is part of the Regional Intergovernmental Council (RIC) serving local governments within the four-county region of Boone, Clay, Kanawha and Putnam. This RIC serves as the Metropolitan Planning Organization (MPO) for the region.

According to the U.S. Environmental Protection Agency (EPA) publication "The Green Book Nonattainment Areas for Criteria Pollutants," the project is in an area currently designated as being in nonattainment under the 1997 and 2006 National Ambient Air Quality Standards (NAAQS) for PM 2.5 (USEPA). The area also has a Former Subpart 1 classification for the 8-hour ozone (O_3) standard and was redesignated as a maintenance area on August 10, 2006. It is in attainment for all other NAAQS criteria pollutants.

Conformity/NEPA Requirements

Conformity regulations apply to Federal actions occurring in regional air basins designated as nonattainment areas for criteria pollutants or in attainment areas subject to maintenance plans (maintenance areas). Federal actions occurring in air basins that are in attainment with criteria pollutants are not subject to the conformity rule.

NEPA requirements are generally applicable to project level impacts such as carbon monoxide (CO) and particulate matter (PM). FHWA also provides guidance on analyzing Mobile Source Air Toxics (MSATs) in NEPA documents.

Project Impacts

The proposed project is included in the MPO's regional analysis. At the time of this analysis, the draft regional analysis was in the process of being internally approved and then sent to EPA for comment and final approval. The preliminary results have not "raised any red flags." As a result, the project is expected to be part of an approved and conforming transportation plan and air quality conformity report.

The proposed project is in an area designated as being in attainment of the CO standard so no Federal action is required. Additionally, the relatively small number of diverted vehicles to the new intersection with US 119 will not cause a violation of the NAAQS.

The proposed project is in a nonattainment area for both the PM 2.5 1997 and 2006 standards. However, the US 119 annual average daily traffic (AADT) of approximately 15,000 falls well below the threshold where a hot-spot analysis would be required for a "project of air quality concern," defined as "a project on a new highway or expressway that serves a significant volume of diesel truck traffic, such as facilities with greater than 125,000 AADT and 8% or more of such AADT is diesel truck traffic." Therefore, no further action is required.

Though not a criteria pollutant, MSATs are emitted by motor vehicles, as well as nonroad engines (such as lawn and garden equipment, farming and construction equipment, locomotives, and ships), aircraft, and their fuels. FHWA issued guidance on MSATs in NEPA documents in which projects with low potential for MSAT effects must be projected to meet a minimum 140,000-150,000 AADT criterion. Hence, this project would be classified as an "Exempt Project with no Meaningful Potential MSAT Effects," under "Other project with no meaningful impacts on traffic volumes or vehicle mix" and no further action is required.

3.11 Noise

Existing Conditions

The existing Coonskin Park traffic shares access with the WVNG along Coonskin Drive. State traffic records indicate this roadway has had up to approximately 2,400 vehicles per day. This volume may be a daily maximum annual figure. It is likely that an AADT value would be less because it would take seasonal variations into account.

According to the WVDOT Program Planning and Administration Division (WVDOT, 2008), the current estimated traffic on US 119 is approximately 15,000 AADT.

FHWA/WVDOT Requirements

FHWA regulations (23 CFR 772) require noise analyses for all Type I projects, defined as projects that involve construction of a highway on new location or the physical alteration of an existing highway which significantly changes either the horizontal or vertical alignment or increases the number of through-traffic lanes. With a new roadway proposed, the project is considered to be Type I and a noise analysis was performed consistent with WVDOT Noise Policy (DD-253, Noise Analysis and Abatement Guidelines).

Project Impacts

Traffic noise levels are expressed in terms of hourly, A-weighted equivalent sound level in decibels (dBA). A decibel is a unit that relates the sound pressure of a noise to the faintest sound the young human ear can hear. The A-weighting refers to the amplification or attenuation of the different frequencies of the sound (subjectively, the pitch) to correspond to the way the human ear "hears" these frequencies. Figure 12 shows common outdoor and indoor sound levels from various sources.

Figure 13 shows typical human sensitivity to sound level differences.

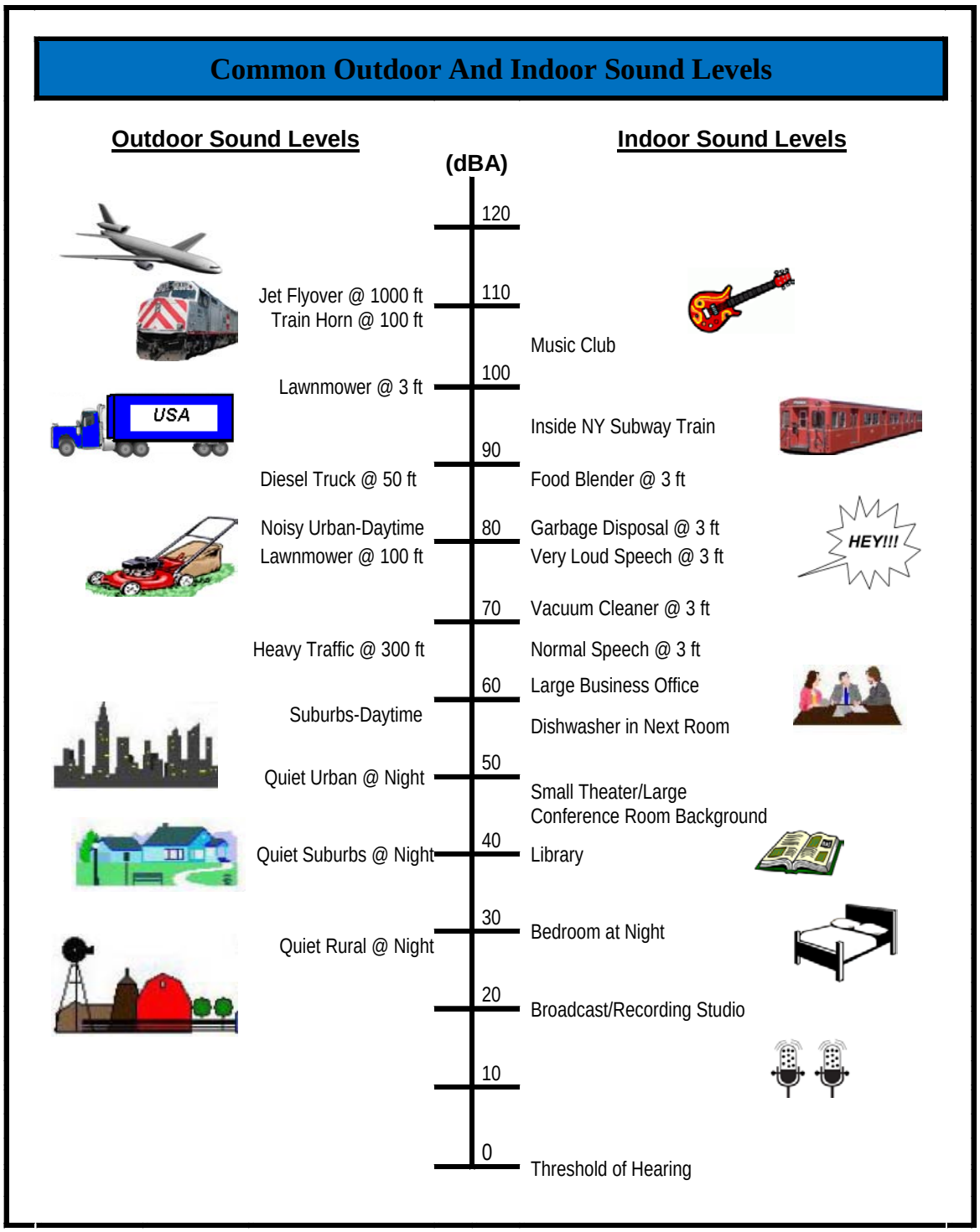


Figure 12: Common Outdoor and Indoor Sound Levels

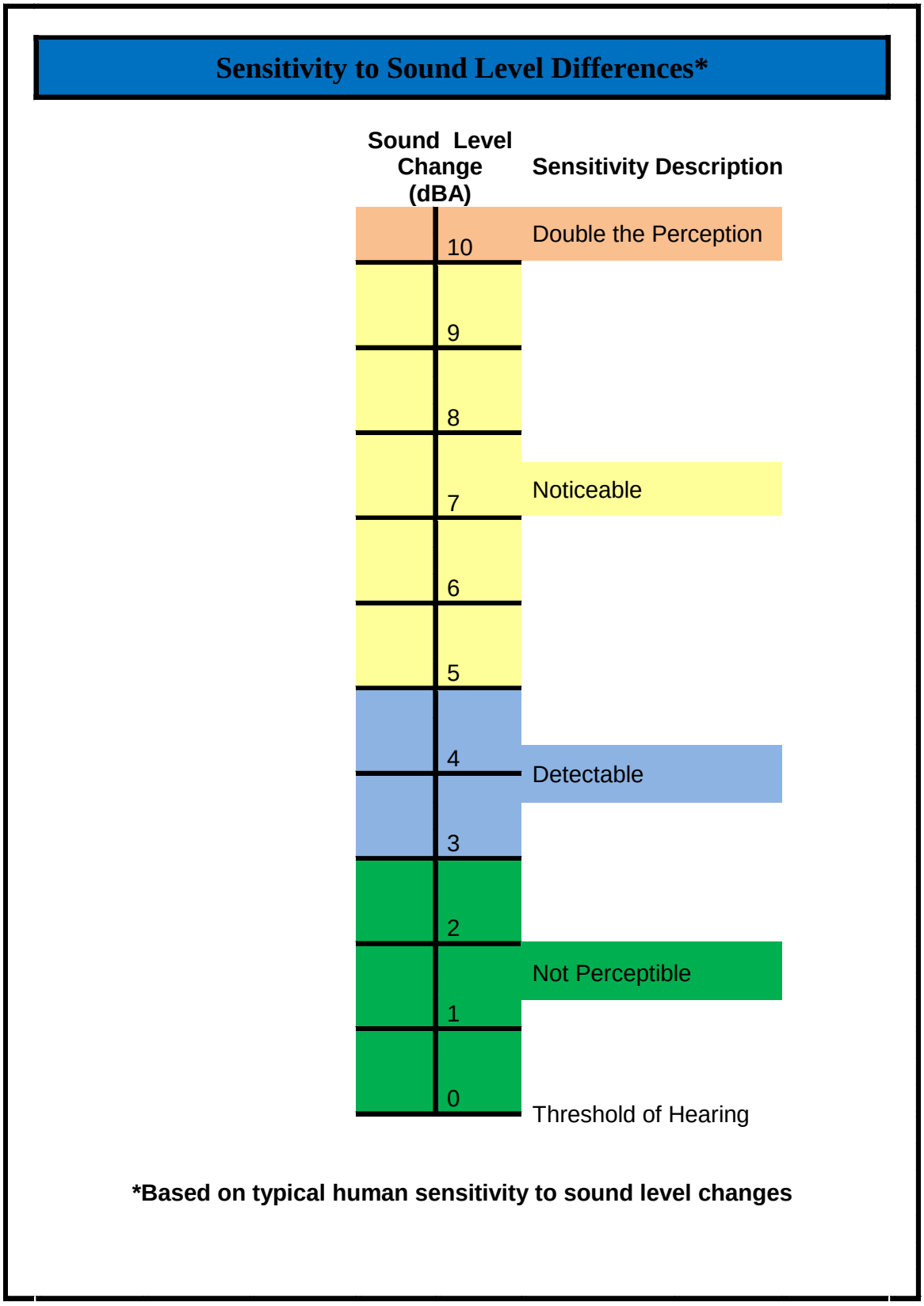


Figure 13: Sensitivity to Sound Level Differences

For typical human perception, a doubling of vehicles will increase the hourly equivalent sound level by approximately 3 dB, which is usually the smallest change in hourly equivalent A-weighted traffic sound levels that people can detect without specifically listening for the change.

As mentioned, the current estimated traffic on US 119 is approximately 15,000 AADT. The AADT would have to increase to 30,000 (100 percent) in order to create a perceptible difference in the hourly equivalent A-weighted sound levels to a typical person.

Also as mentioned, state traffic records indicate Coonskin Drive has had up to approximately 2,400 vehicles per day. However, this volume includes the traffic using the WVNG complex which will not be diverted to US 119. There are approximately 315 daily personnel at the base. Therefore, in the "worst case scenario," there are 630 one-way trips to or from the facility. Additionally, please note that this volume (630) does not account for other vehicles that come and go from the base nor does it account for service vehicles ("service" meaning delivered supplies, goods and repairs, not military service). Nonetheless, 630 trips was used as a relative maximum of trips that will not be diverted from the existing entrance road.

According to DD-253, "Analysis, whether by nomograph, current FHWA highway traffic noise prediction model or narrative, should be done even if potential abatement may not be feasible or reasonable." Because of the relatively low increase in US 119 AADT as a result of the diverted traffic, a narrative of the probable sound level changes is presented. Additionally, preliminary sound level calculations were made using FHWA's TNM 2.5 computer model, as necessary.

A traffic noise impact occurs if the predicted sound level is 66 dBA or more for a residential land use. A traffic noise impact also occurs if the predicted sound level increases by more than at least 16 dBA over the existing sound level.

If a worst-case volume of 1,770 vehicles per day (2,400-630) was proposed to be diverted to US 119, the predicted increase in traffic would be less than12 percent. This would correlate to a sound level increase at noise sensitive sites along US 119 that is less than 0.5 dBA during the peak hour. This change would not be perceptible to a typical person. Furthermore, if mitigation (e.g., noise walls) were considered, it would not be feasible because most of these sites along US 119 near the proposed new entrance require direct access to US 119. A barrier would likely have to be placed across the driveways in order to lower the sound levels.

The land uses with the greatest potential for a perceptible change in the sound level environment would be those sites immediately on either side of the proposed entrance because of the introduction of a new road. However, the change would likely be more visual and psychological rather than being perceptible.

Preliminary results indicate that if 50 percent (half) of the proposed 1,770 vehicles all come and go during the peak hour as a starting point (which should be highly unlikely), then a preliminary estimate of the 66 dBA sound level contour would be approximately 15 to 20 feet from the new roadway centerline, or three to eight feet from the edge of the nearest travel lane.

The residence to the west of the entrance is approximately 100 feet from the centerline of US 119. Assuming a ten percent peak hour factor and five percent trucks, a rough estimate of the current peak

hour sound level at this home is in the low-mid 60's dBA (approximately). The distance to the nearest travel lane of the new road is approximately 70 feet. At this distance, the traffic sound levels generated by vehicles traveling on the new road would be in the high 50's dBA (approximately).

Conclusion - The proposed action will not cause noise impacts according to WVDOT noise policy as a result of the proposed project. Additionally, because it is highly unlikely that half the entering and exiting vehicles will all come at the same time, the impact will likely be less than projected. Therefore, formal noise mitigation is not proposed. Nonetheless, it is suggested that visual screening be placed between the new road and the abutting land uses.

Construction Impacts

The following general steps are suggested for addressing construction air emissions and noise for this project:

- Identify land uses or activities that may be affected by air and noise from construction of the project.
- Determine the measures recommended for inclusion in the contract plans and specifications to minimize or eliminate adverse construction air and noise impacts on the community. This determination shall include a weighing of the benefits to be achieved and the overall adverse social, economic, and environmental effects and the costs of the abatement measures.
- Incorporate the recommended abatement measures into the contract plans and specifications.
- Contractor shall maintain equipment to proper specifications so as to minimize the temporary air quality and sound level changes.

Generally, the potential for temporary increases in the air pollution and sound level environment as a result of construction activities may occur at any location near the general construction area. Therefore, control of construction activities will be governed by the Standard Specifications for Road and Bridge Construction and any additional abatement measures developed specifically for the action.

3.12 Visual and Aesthetic Impacts

The visual environment of the current Coonskin Park entrance does not constitute a unique or sensitive viewshed. Visual sensitivity in the project area as a whole is generally low because of the dominance of Yeager Airport. As compared to other portions of the project area, special views include the open fields and lake within the park, the Elk River along the park's riverside trail (Exhibit 6), and green and lush roadsides and trailsides found throughout the park, which could be particularly special to residents from more urbanized portions of Kanawha County. The following sections consider impacts to these and other views both from the project and of the project.

Views of the Project

Minor impacts to the project area's visual environment would occur with introduced views of the project. The new entrance would be visible for approximately a 0.4 mile stretch of US 119. The view becomes obscured from the east because of residential structures, and the view becomes obscured from the west because of a bend in the river and roadway. From US 119, some observers may consider

the new bridge to be an unwelcome obstruction of a clear view of the Elk River, while other observers may consider the bridge to be an interesting added feature for the region. The bridge would be designed with a sensitivity to the community context and plantings would be provided to avoid bare land where not needed for transportation and maintenance.

From within Coonskin Park, views of the new entrance are generally restricted to the northwestern corner of the park. An exception may be more distant views of the project from hillside trails in the autumn when leaves have fallen. Viewers of the new roadway right-of-way and bridge would be the same as those who can presently see the maintenance facilities. Therefore, the view of this portion of the park would likely be improved by the project. The current view of the maintenance facilities could be considered unsightly because of the disrepair of some of the structures and the equipment that could be considered a distraction from attractive features of the park, such as the golf course or lake. A line of trees would be maintained to the extent practical along the western edge of the new right-of-way within the park to reduce the view and noise from the new roadway for golfers.

With implementation of the road closure component of the Preferred Alternative, the setting of the extreme southern end of the park would become quieter and more secluded. This could provide a more attractive aesthetic for the picnicking and hiking that take place in that portion of the park. Views from within the park in this area would not change other than a decrease in traffic.

Views from the Project

Minor impacts to the project area's visual environment would occur with new views from the project. The proposed project would provide a new view of the Elk River. Also, with the Preferred Alternative park visitors would not be afforded secluded, forested views within the park unless they sought them out. All traffic entering and exiting the park would be within the northeast portion of the park and would not necessarily see other areas of the park.

Overall, impacts to the aesthetic and visual environment of the project area would not be significant and be considered beneficial with improvements to the park's maintenance facilities and afforded views of the Elk River.

3.13 Indirect and Cumulative Effects

Indirect impacts are "caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems." 40 CFR 1508.8(b). Cumulative impact is defined as "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time." 40 CFR 1508.7.

The scope of this assessment only included the project area, which encompasses approximately one mile surrounding Coonskin Park. The Elk River and other streams would not be impacted by the project (Section 3.8); therefore, the cumulative impact study area did not reach farther into the Elk River watershed. Impacts considered for cumulative effect from this project in conjunction with other

actions included traffic and noise. The direct minor impacts related to these issues from the proposed project are discussed in Section 3.11, with additional discussion of traffic as it relates to park activities provided in Section 3.3.

To assess the potential for cumulative impact, WVDOH examined the potential for indirect effects on development due to the project and researched other reasonably foreseeable actions in the project area. Although Coonskin Park can draw substantial crowds for occasional events, it is not anticipated that the increase in traffic along US 119 from the re-positioning of the park entrance would instigate new development and none is currently planned in the project area, as confirmed with the Kanawha County Office of Planning and Development (Luoni, 2010). Other foreseeable future actions were reviewed from the following planning documents: *Short EA for Airport Development Projects at Yeager Airport* (Yeager Airport, 2009), *Final Environmental Assessment for Proposed Construction Activities at the 130th Airlift Wing* (WVNG, 2005), the *2040 Regional Intergovernmental Council Long Range Transportation Plan* for Kanawha and Putnam Counties and its amendments (BCKP RIC, 2009b and 2010), and the *2010-2013 Transportation Improvement Program* [TIP] *for Kanawha and Putnam Counties* (BCKP RIC, 2009a).

Results revealed only two transportation projects planned for the project area and several projects planned for the airport and WVNG complex. The two transportation projects on roadways near the park include a new turning lane planned for the intersection of Greenbrier Street and Coonskin Drive and resurfacing at the Mink Shoals exit scheduled for 2010. None of the projects listed in these documents would have impacts that, when considered in combination with the minor impacts of the proposed project, would rise to a significant level.

THIS PAGE INTENTIONALLY LEFT BLANK.

4.0 COORDINATION

4.1 Public Involvement

WVDOH conducted a series of public workshops both in the spring of 2010 during the development of alternatives and in the fall of 2010 during the comment period for the EA of the project. Information on the workshops is summarized in Table 3. For both sets of workshops, one workshop was/will be held near the current entrance to Coonskin Park, at Capital High School along Greenbrier Street, and the other was/will be held on the north side of the Elk River, at the Elk Elementary Center. All workshops include presentation of maps, hand-outs of information, and WVDOH personnel available for questions.

Table 3: Public Workshops for Coonskin Park Access Project

Purpose	Date	Location	End of Comment Period
To Introduce Project and Alternatives and Solicit Comments	March 1, 2010	Capital High School 1500 Greenbrier St (WV 114) Charleston	April 2, 2010
To Introduce Project and Alternatives and Solicit Comments	March 2, 2010	Elk Elementary Center 3320 Pennsylvania Ave (US 119) Charleston	April 2, 2010
To Present Preferred Alternative and Solicit Comments During Environmental Assessment Review Period	December 14, 2010	Capital High School 1500 Greenbrier St (WV 114) Charleston	January 17, 2011
To Present Preferred Alternative and Solicit Comments During Environmental Assessment Review Period	December 16, 2010	Elk Elementary Center 3320 Pennsylvania Ave (US 119) Charleston	January 17, 2011

In addition to the public workshops, WVDOH has maintained a public project website for disseminating information about the project and announcing meetings. This website is located at: http://www.transportation.wv.gov/highways/engineering/comment/coonskinparkaccess/Pages/default.aspx. Workshop hand-outs have been available for download and contact information for submitting comments has been posted on this website.

WVDOH considered comments made during spring 2010 public coordination to the continuing assessment of alternatives. As presented in the spring 2010 workshops, it appeared the Preferred Alternative to be presented in the EA would be Alternative 5A. Consequently, some comments were received on providing another access to Coonskin Park from Greenbrier Street in addition to what would be a northern access point from US 119. As detailed in Section 2.2, secondary access routes were considered, but subsequently eliminated from further detailed study because of the relatively

large added cost and additional impact to a Section 4(f) resource and Section 6(f) property (Coonskin Park land).

Additional comments submitted during the public comment period will be considered by WVDOH and FHWA, and responses to substantive comments will be provided. WVDOH is requesting of FHWA that there be a Finding of No Significant Impact (FONSI) for this proposed project. If issued, the FONSI documentation would include copies of substantive comments and responses to them and any substantive updates to information provided in the EA.

4.2 Agency Coordination

The following outreach has taken place with resource agencies for assessing the potential for impacts due to the proposed project:

- Resource agency meeting on July 15, 2009 with WVDOH, FHWA, USFWS, Yeager Airport, Kanawha County Commission, Kanawha County Parks and Recreation Commission, and WVNG. Alternative 9A was added to alternatives analysis after this meeting.
- Resource agency meeting on September 20, 2009 with WVDOH, Yeager Airport, Kanawha County Parks and Recreation Department, and WVNG. Selection of Preferred Alternative was narrowed to Alternatives 5 and 7 after this meeting.
- Throughout the project, coordination has taken place with the WVNG for project funding plans and for understanding the project needs and activities adjacent to Coonskin Drive and the south side of the park.
- Coordination with WVDNR for protected species. Results influenced selection of a Preferred Alternative (Section 2.2). A copy of correspondence is provided in Appendix B.
- Coordination with USFWS for protected species. Results are presented in Section 3.9, and letter of concurrence is presented in Appendix B.
- Coordination with the officials with jurisdiction over the Section 4(f) resource within the project area, Coonskin Park. This included communication with both the Kanawha County Commission and Kanawha County Parks and Recreation Commission, who signed a Resolution concurring with FHWA's *de minimis* finding. Both the *de minimis* analysis and the Resolution are provided in Appendix C.
- Coordination with the U.S. Department of the Interior is currently ongoing for Section 6(f) property involvement with the proposed project. On September 30, 2010, WVDOH met with the State Liaison Officer, James Marshall of the WVDO, for the L&WCF program. After this meeting, it was determined between Mr. Marshall and the NPS that the Preferred Alternative would not result in a conversion of the Section 6(f) property. Coordination with the NPS will be finalized prior to implementing the proposed project.
- Coordination with the SHPO for historic and archaeological resources. Results are detailed in Section 3.7, and letters of concurrence are presented in Appendix D.

Coordination with resource agencies is ongoing for the proposed project. The EA is being distributed to the agencies discussed above and other agencies likely to have an interest in the project. Comments will be accepted on both the EA and the Section 4(f) *de minimis* analysis until January 17, 2011, unless an extension is provided. Comments will be considered, and responses to substantive comments will be provided. If the project is implemented, WVDOH would also continue to coordinate with resource agencies as appropriate for agreed upon mitigation activities.

5.0 REFERENCES

Boone, Clay, Kanawha, and Putnam County Regional Intergovernmental Council (BCKP RIC).2009a. The FY 2010-2013 Transportation Improvement Program for the Charleston, WV Metropolitan Statistical Area. December, 2009, as amended November 16, 2010. Charleston, WV.

Boone, Clay, Kanawha, and Putnam County Regional Intergovernmental Council (BCKP RIC). 2009b. 2040 Regional Intergovernmental Council Long Range Transportation Plan for Kanawha and Putnam Counties. Charleston, WV.

Boone, Clay, Kanawha, and Putnam County Regional Intergovernmental Council (BCKP RIC). 2010. 2040 Regional Intergovernmental Council Long Range Transportation Plan Addendum for Kanawha and Putnam Counties. September 9, 2010. Charleston, WV.

Callahan, Chris. Planning Director, Regional Intergovernmental Council for Boone, Clay, Kanawha and Putnam Counties. Personal Communication with Martha DoByns of Michael Baker Corporation. November 15, 2010.

Clayton, Janet. Wildlife Diversity Biologist II, WVDNR. Email correspondence with Lovell Facemire of WVDOH regarding Coonskin Park on February 23, 2010.

Environmental Resources Management (ERM). 2010a. Phase I Environmental Site Assessment. Prepared for West Virginia Department of Transportation, Division of Highways. May 2010.

Environmental Resources Management (ERM). 2010b. Preliminary Site Assessment. Prepared for West Virginia Department of Transportation, Division of Highways. November 2010.

Federal Aviation Administration (FAA). 2010. Preliminary CY09 Enplanements at Commercial Service Airports as of 6/29/2010.

Federal Highway Administration (FHWA). 1987. Guidance for Preparing and Processing Environmental and Section 4(f) Documents. FHWA Technical Advisory T 6640.8A. October 30.

Kanawha County Commission. 2010. Minutes - Commission Meeting of February 18, 2010. Accessed on October 11, 2010 via the internet: http://www.kanawha.us/documents/minutes/commission/2010/cm02182010.pdf.

Luoni, John. County Engineer, Kanawha County Office of Planning and Development. Personal Communication with Martha DoByns of Michael Baker Corporation. November 4, 2010.

The Charleston Gazette (TCG). 1927. “Elkland Fire Brick Company Opens Plant on Elk River Near City; First Unit represents Investment of $150,000 of Local Capitol.” 13 March: p.2. Charleston, WV.

U.S. Census Bureau. 2000. Decennial Census – 2000 Population Data. Available via the internet through http://www.census.gov/.

U.S. Census Bureau. 2009. 2006-2008 American Community Survey 3-Year Estimates. Released in 2009. Available via the internet through http://www.census.gov/.

U.S. Department of Defense (DoD). 2003. Minimum Antiterrorism Standards for Buildings. UFC 4-010-01l. 8 October 2003, Including change 1, 22 January 2007.

U.S. Environmental Protection Agency (USEPA). 2010. Nonattainment Status for Each County by Year for West Virginia. Accessed on October 25, 2010 via the internet: http://www.epa.gov/oar/oaqps/greenbk/anay_wv.html.

U.S. Fish and Wildlife Service, West Virginia Field Office (USFWS WVFO). 2009. Diamond Darter (*Crystallaria cincotta*) Spotlight Species Action Plan. October 9, 2009. Elkins, WV. 6 pp.

U.S. House of Representatives. 2005. Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Conference Report of the Committee of Conference on H.R. 3, Report 109-203.

West Virginia Air National Guard (WVANG). 2005. Final Environmental Assessment for Proposed Construction Activities at the 130th Airlift Wing. Prepared by Environmental Resources Management (ERM) for the ANG Readiness Center, Environmental Division. Charleston, WV.

West Virginia Department of Environmental Protection (WVDEP). 2003. West Virginia's Nonpoint Source Program Annual Report: Fiscal Year 2003. Nitro, WV: WVDEP. 28 pp.

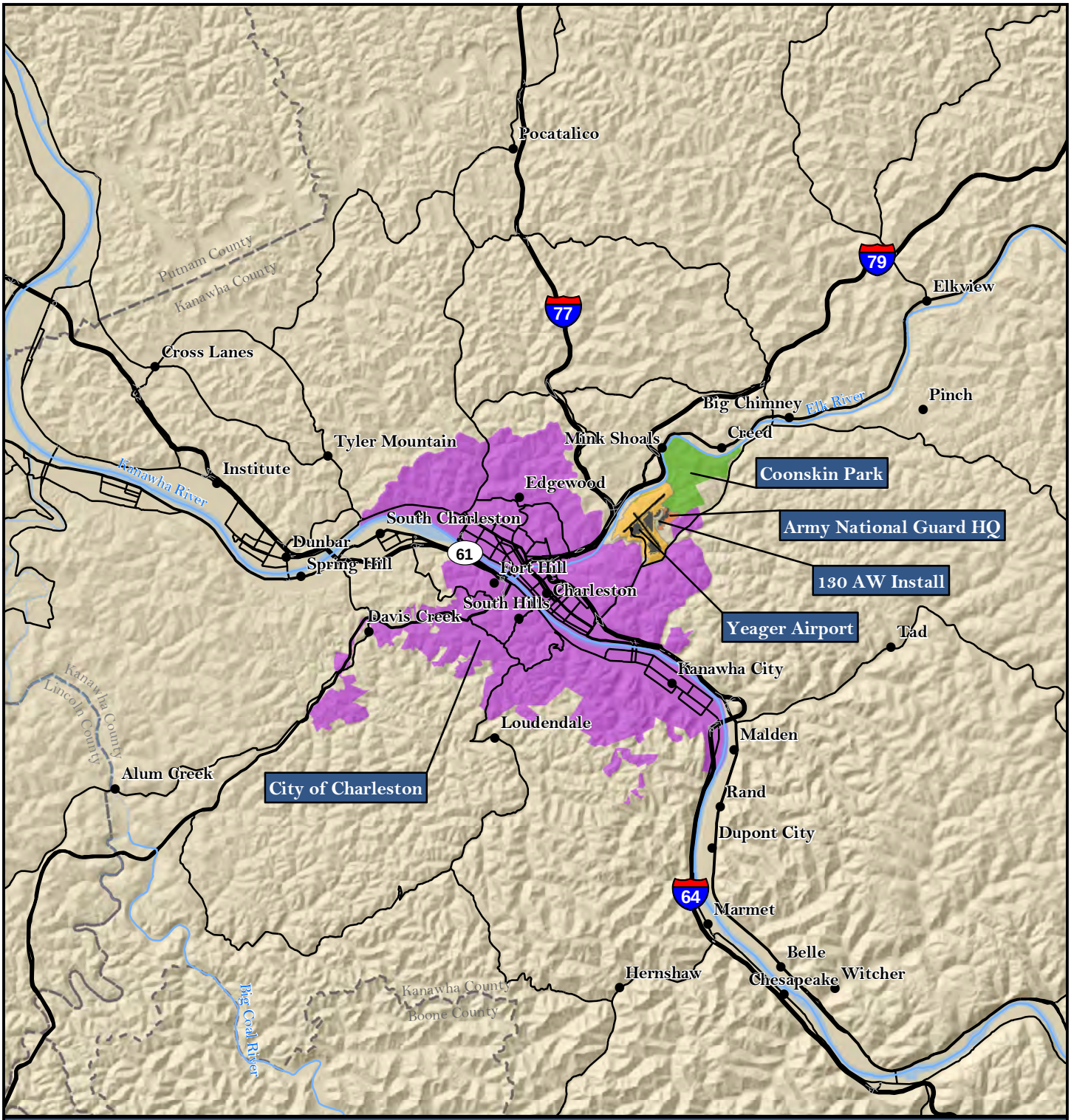
West Virginia Department of Transportation (WVDOT), Program Planning and Administration Division. 2008. State of West Virginia 2007 Traffic Flow Map.

West Virginia Division of Highways (WVDOH). 1957. "WVP 055 Aerial Map, Charleston Vicinity 1957." Provided by Sondra Mullins from WVDOH archives of state plans.

West Virginia Division of Highways (WVDOH). 2006. Noise Analysis and Abatement Guidelines, DD-253.

Yeager Airport. 2009. Short EA for Airport Development Projects at Yeager Airport. (Federal Aviation Administration Environmental Evaluation Form "C"). Prepared by Yeager Airport. Charleston, WV.

Exhibits



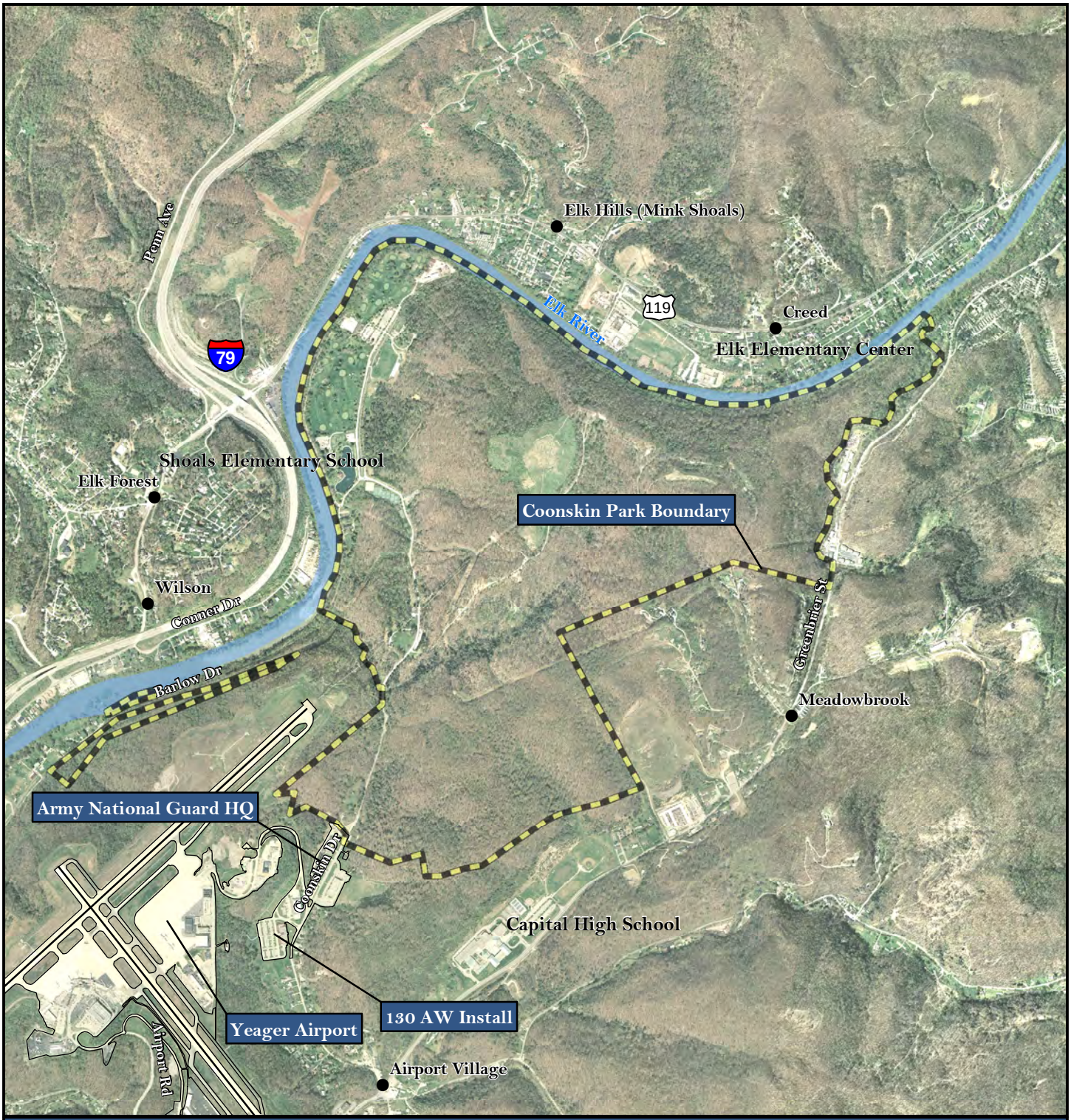
Coonskin Park Access Project Environmental Assessment

EXHIBIT 1: PROJECT LOCATION

1 in = 3 miles

0 0.5 1 2 Miles

- City of Charleston
- Yeager Airport
- WV Army National Guard HQ
- Coonskin Park Boundary



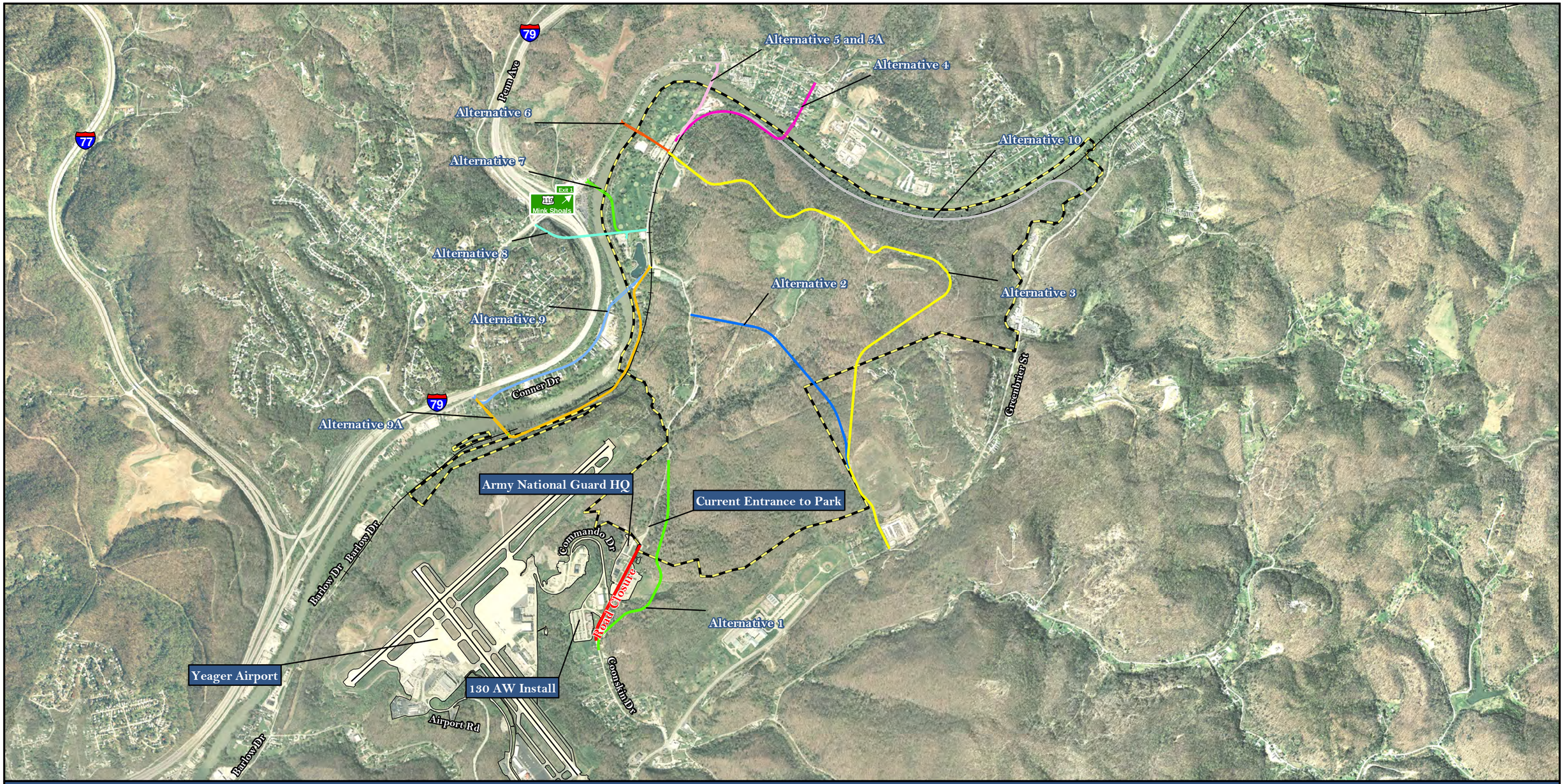
Coonskin Park Access Project Environmental Assessment

EXHIBIT 2: PROJECT AREA

1 in = 2,000 feet

0 500 1,000 2,000 Feet

Coonskin Park Boundary



Coonskin Park Access Project Environmental Assessment

EXHIBIT 3: BUILD ALTERNATIVES

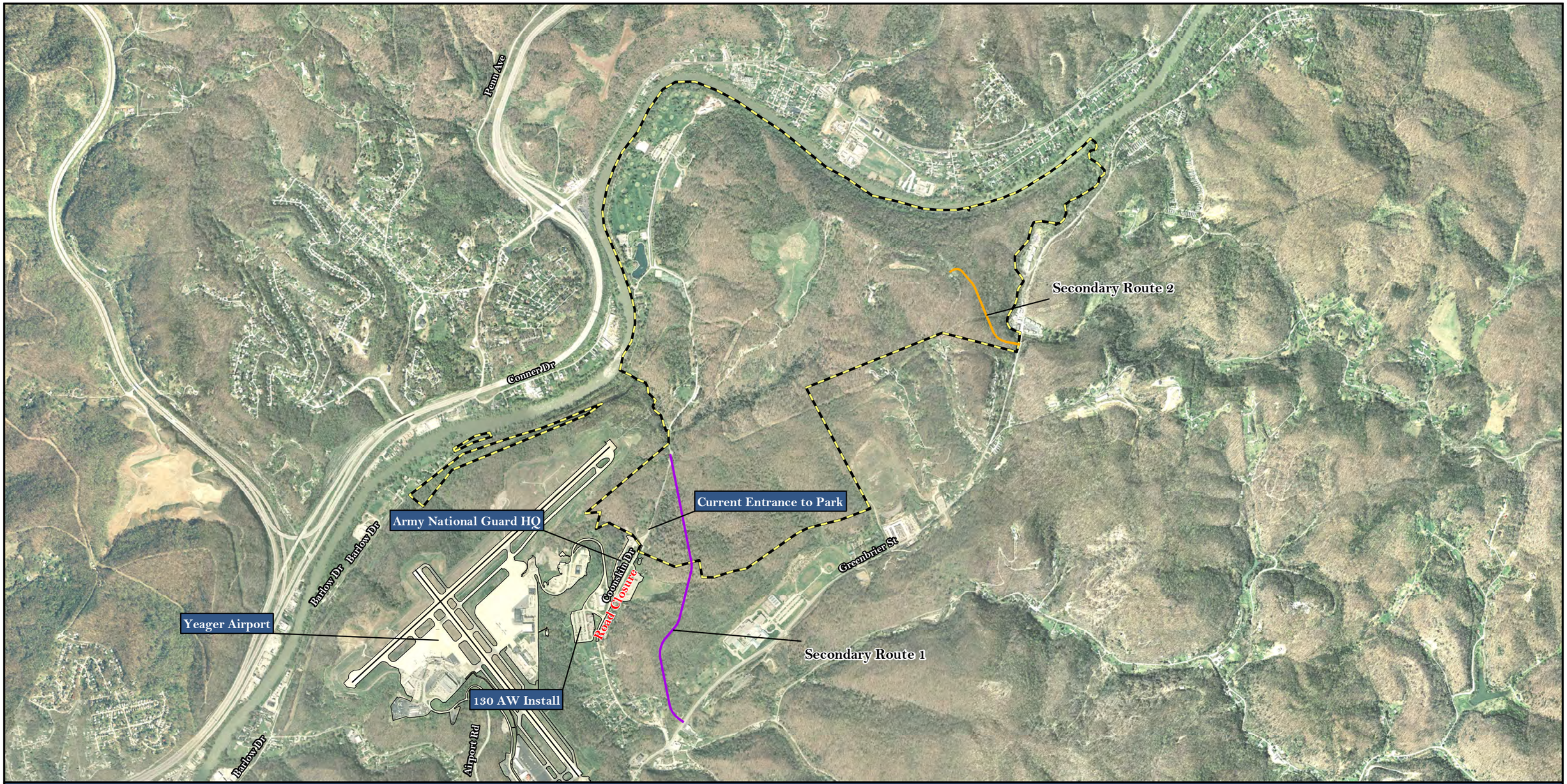
Coonskin Park Boundary

Alternatives

- Alternative 1
- Alternative 2
- Alternative 3
- Alternative 4
- Alternative 5 and 5A
- Alternative 6
- Alternative 11
- Alternative 8
- Alternative 9
- Alternative 9A
- Alternative 10
- Road Closure

1 inch = 1,750 feet

0 250 500 1,000 1,500 2,000 Feet



Coonskin Park Access Project Environmental Assessment

EXHIBIT 4: SECONDARY ROUTES

1 inch = 1,750 feet

0 250 500 1,000 1,500 2,000 Feet

- Coonskin Park Boundary
- Secondary Route 1
- Secondary Route 2

Coonskin Park Boundary

Centerline

Current Maintenance Area

Proposed Bridge Abutment

Proposed Bridge Abutment

Edge of Pavement

Coonskin Park Access Project Environmental Assessment

EXHIBIT 5: PREFERRED ALTERNATIVE

1 inch = 175 feet

0 25 50 100 150 200 Feet

- Centerline
- Concrete Gutter
- Curbline
- Edge of Pavement
- Fill Limits
- Guardrail
- Shoulder
- Sidewalk
- Ticks
- Proposed Bridge Abutments
- Coonskin Park Boundary

Coonskin Park Access Project Environmental Assessment

EXHIBIT 6: COONSKIN PARK

1 inch = 1,250 feet

0 625 1,250 Feet

- Shelter Locations
- Coonskin Trails
- WVARNG Construction Zones
- Coonskin Park Boundary
- Picnic Area
- Playground
- Pond/Lake
- Proposed Temporary Maintenance Area
- Restroom
- Railroad ROW

Coonskin Park Access Project Environmental Assessment

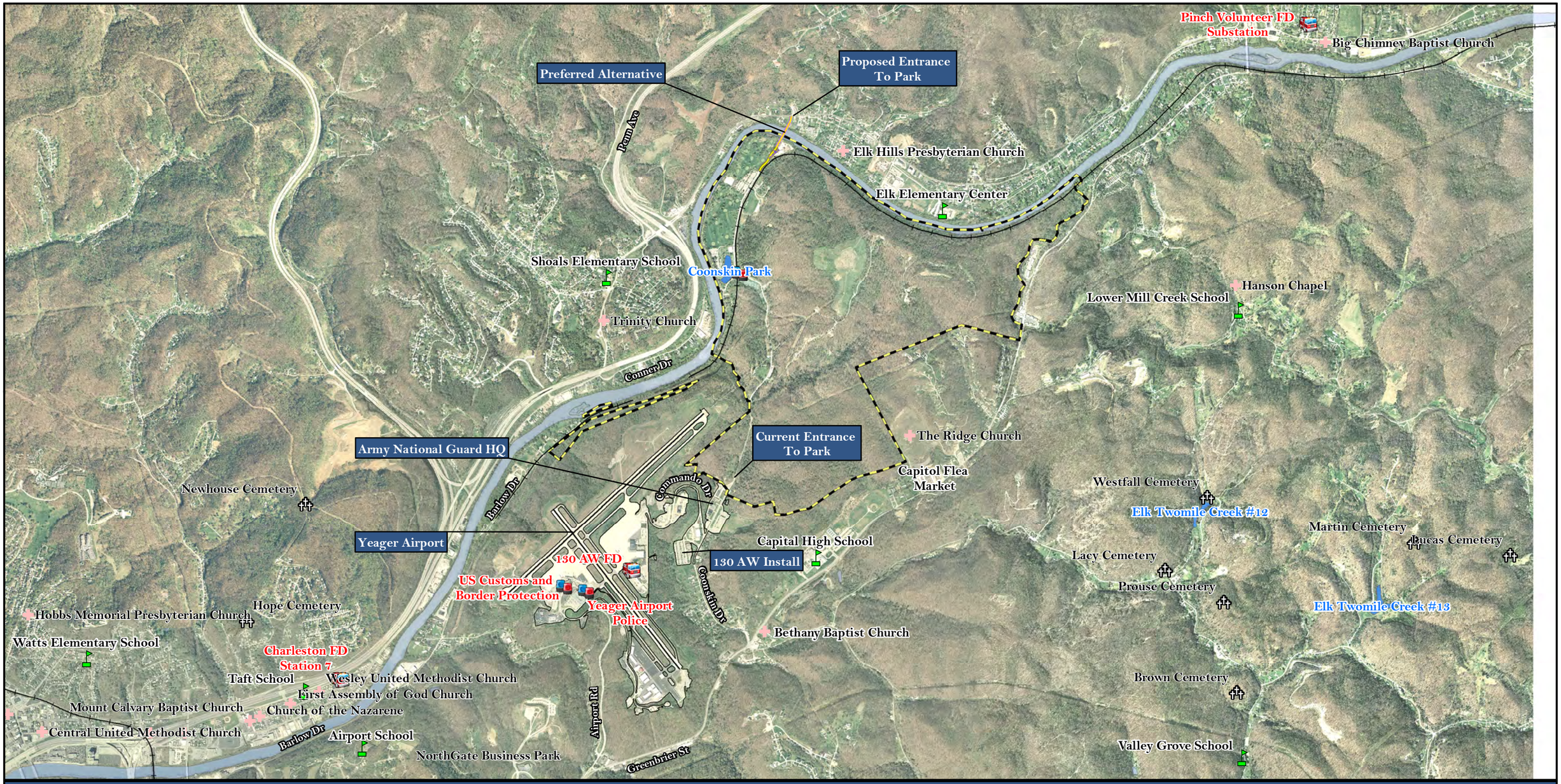
EXHIBIT 7: MAINTENANCE FACILITIES AND HAZARDOUS MATERIALS

1 inch = 125 feet

0 100 200 Feet

Preferred Alternative

- Coonskin Park Boundary
- Dump Pile
- Former UST Area
- Centerline
- Concrete Gutter
- Curbline
- Edge of Pavement
- Fill Limits
- Guardrail
- Shoulder
- Sidewalk
- Ticks



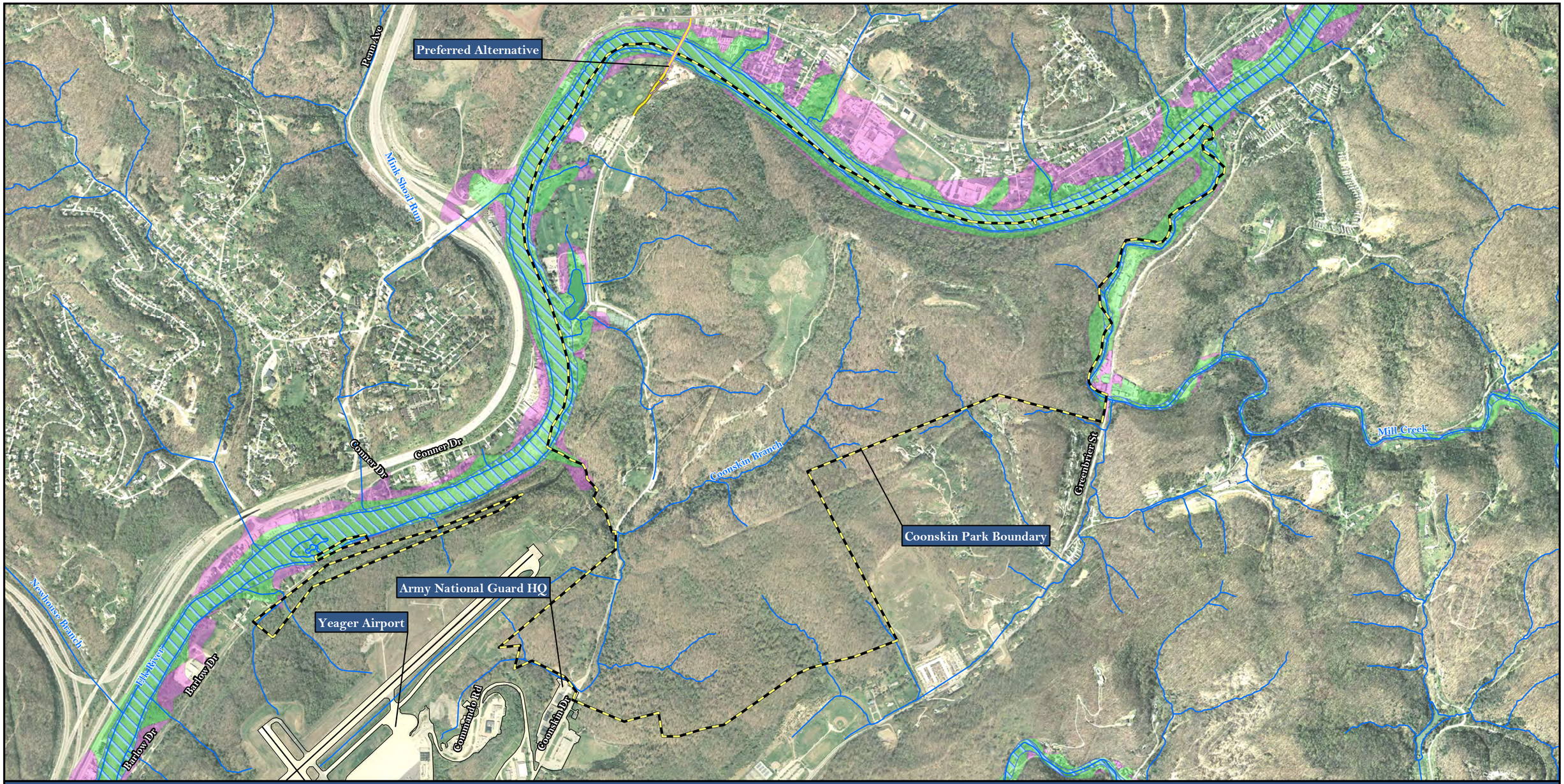
Coonskin Park Access Project Environmental Assessment

EXHIBIT 8: COMMUNITY RESOURCES

1 inch = 2,250 feet

0 500 1,000 1,500 2,000 Feet

- Coonskin Park Boundary
- Public Fishing Areas
- Cemeteries
- Churches
- Schools
- Fire Departments
- Law Enforcement



Coonskin Park Access Project Environmental Assessment

EXHIBIT 9A: SURFACE WATER AND FLOODPLAINS

1 inch = 1,250 feet

0 625 1,250 Feet

Coonskin Park Boundary

National Hydrography Dataset

Flood Hazard

Floodway

500 Year Floodplain

100 Year Floodplain

Coonskin Park Boundary

Centerline

Proposed Bridge Abutment

Proposed Entrance To Park

Proposed Bridge Abutment

Edge of Pavement

Elk River

Coonskin Park Access Project Environmental Assessment

EXHIBIT 9B: PREFERRED ALTERNATIVE AND FLOODPLAINS

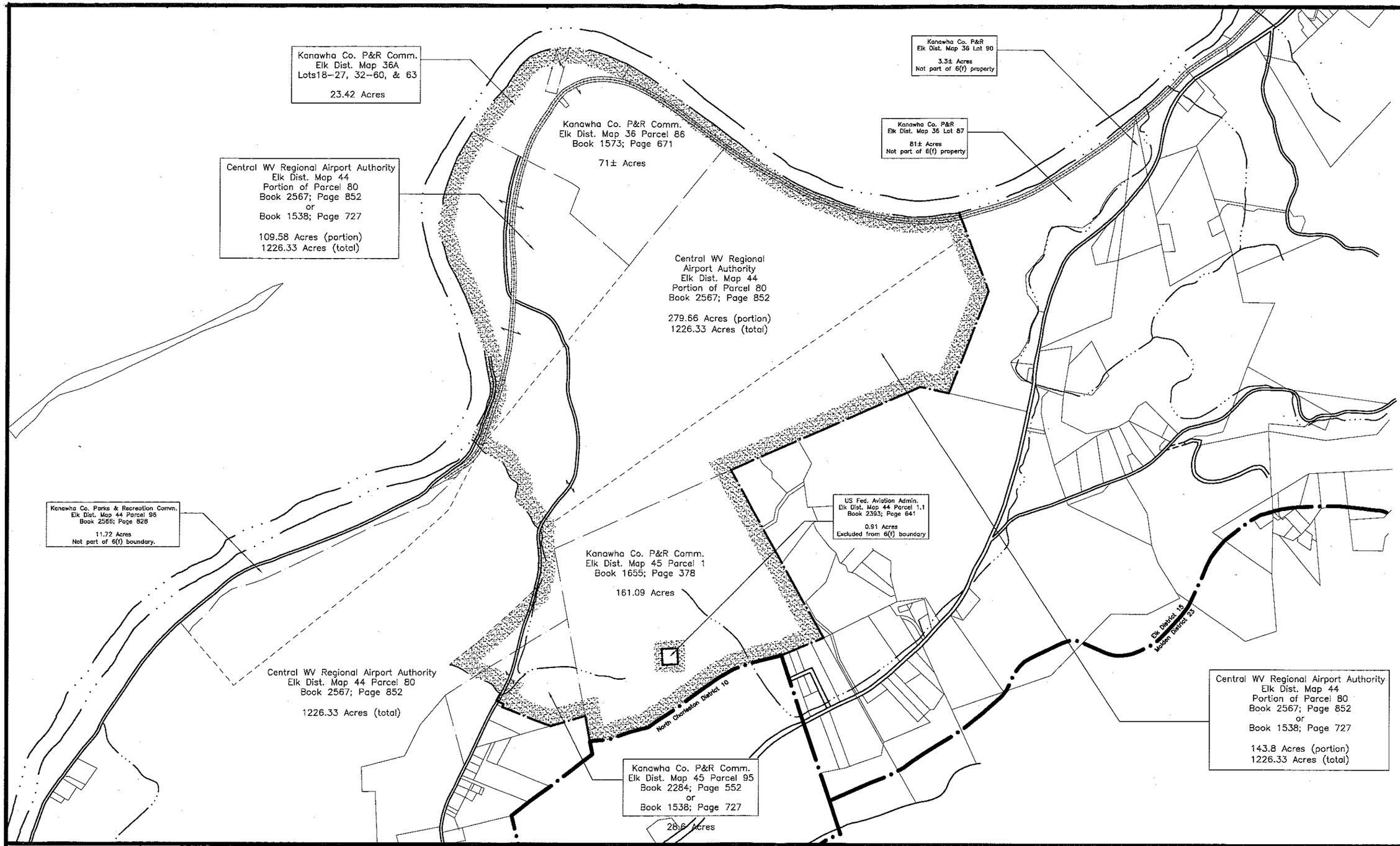
1 inch = 175 feet

0 25 50 100 150 200 Feet

- Centerline
- Concrete Gutter
- Curbline
- Edge of Pavement
- Fill Limits
- Guardrail
- Shoulder
- Sidewalk
- Ticks
- Existing Major Contours
- Existing Minor Contours
- Minor Grid Lines
- Proposed Bridge Abutments
- 500 Year Floodplain
- 100 Year Floodplain
- Floodway
- Coonskin Park Boundary

Appendix A:

Section 6(f) Coordination



LAND & WATER CONSERVATION FUND — A FEDERAL, STATE AND LOCAL PARTNERSHIP SINCE 1965 — NATIONAL PARK SERVICE

West Virginia USA
West Virginia Development Office
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0311

(304) 558-4010
(304) 558-3248 (fax)
(800) 982-3386 (toll free)
www.wvdo.org

6(f) Boundary Map

Coonskin Park

Kanawha County Parks & Recreation

Designed By:	**Project Number** 54-00414
Drawn By: J. Marshall	**Sheet** 1 of 1
Revisions:	**Scale:** 1" = 1200'
	Date: June 16, 2009

DoByns, Martha Young

From: Marshall, James S [James.S.Marshall@wv.gov]
Sent: Wednesday, October 27, 2010 3:09 PM
To: DoByns, Martha Young; john.dulin@ang.af.mil; charles.d.wheeler1@us.army.mil; Facemire, Lovell R; Cummings, Traci L; Jason.Workman@dot.gov; Barnette, Scott E CIV NGWV
Subject: Coonskin 6(f) Process

After some discussions with our National Park Service (NPS) representative in Philadelphia, it has been determined that this project, as presented, will not be classified as a "Conversion" but will be classified as a "Change of Use." What this means is that the amount of time and effort will not be as extensive as once thought and that additional property will not need to be obtained for the 6(f) provisions of the LWCF Act.

I just received this decision today and haven't had the chance to look up all that needs to be done yet, but we will need to supply the NPS with a thorough explanation of the project via plans, narratives, and an updated 6(f) map at the very least. I will be in touch with you soon regarding all the information that will be needed.

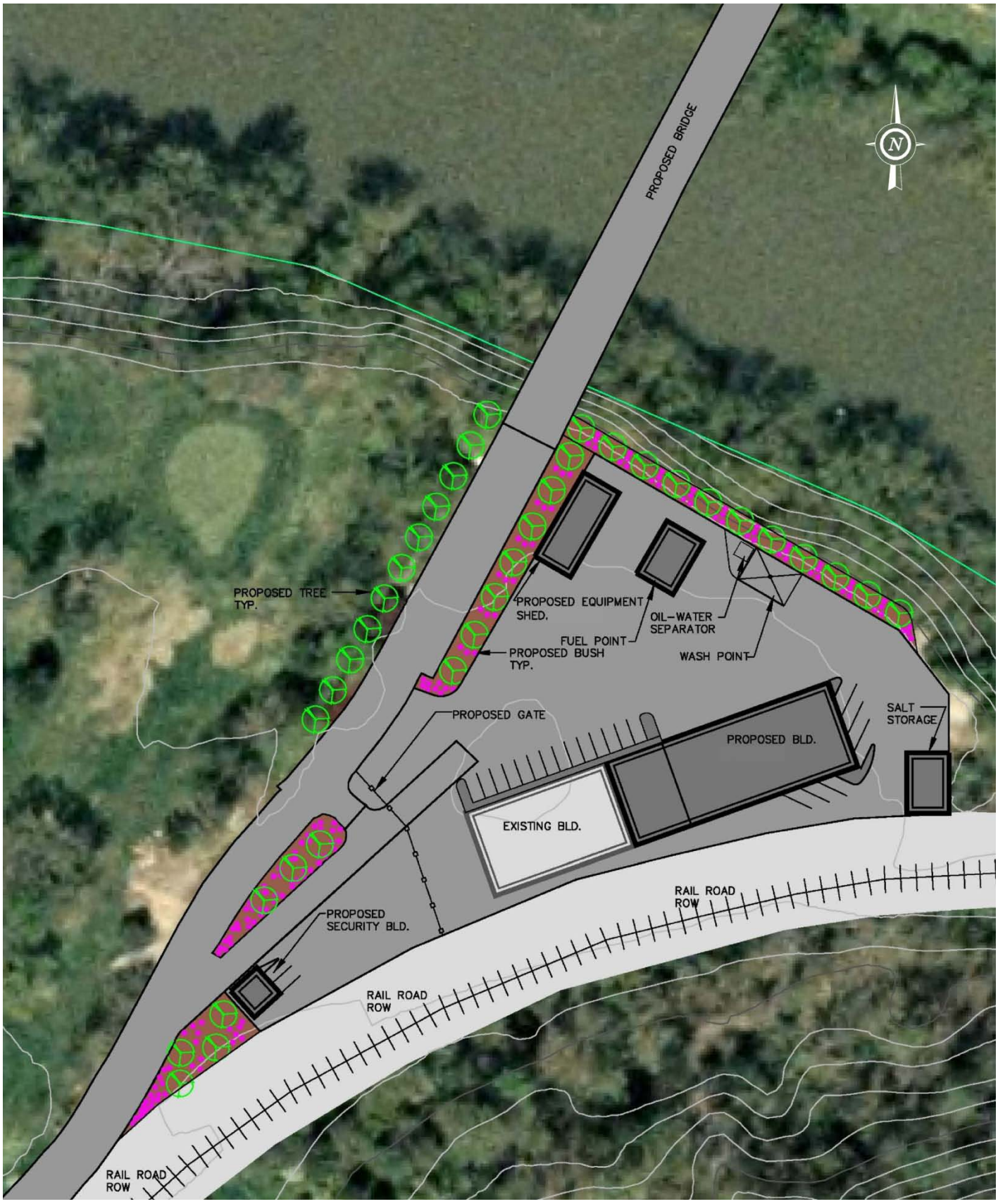
If you have any immediate questions, please send me an email or give me a call at the number below.

James S. Marshall
Landscape Architect

West Virginia Development Office
State Capitol Complex
Building 6 Room 553
Charleston, WV 25305
Ph. 304.957.2041
Fx. 304.558.3248

James.S.Marshall@wv.gov

Changes in Use to Coonskin Park



Overlap with current maintenance facilities and preliminary proposed replacement plans.

Current park entrance would have gate to be used only for emergencies.

Temporary maintenance facilities would be needed during construction. These would be located in a barren area to the south of the soccer field. This location allows for converting the temporary maintenance facility to recreation use needed by the park. The area is planned for restroom and locker room facilities for the soccer field.

Appendix B:

Section 7 Coordination

From: Janet Clayton [mailto:janetclayton@wvdnr.gov]
Sent: Tuesday, February 23, 2010 10:45 AM
To: Facemire, Lovell R
Subject: RE: coonskin park

Alternative 5 and 5A cross the Elk River in a high density mussel area which includes the snuffbox. The likelihood of encountering an endangered species is high. Only acceptable as option 5A, no stream disturbance.

Alternative 6 crosses the middle of a long pool. A 2002 survey by WVDNR found most mussels concentrated at the head of this pool (Alt 5) with scattered mussels throughout the pool. The likelihood of finding an endangered species is greatly reduced here but still a possibility.

Alternative 7 crosses near a shoal area with moderate densities of mussels which includes the snuffbox. This alternative is not acceptable if in stream disturbance is expected. A high probability of finding an endangered species exists.

Alternative 8 crosses near the lower end of the above shoal. A high probability of finding an endangered species exists.

Alternative 9 crosses in an area in which a 2002 survey did not find any mussels though some were observed in 1997. This indicates that it is probably a low density area. The likelihood of finding an endangered species is very low but still a possibility.

Alternative 9A appears to be at the head of an area in which a moderately dense mussel population was found in 2002 which included the snuffbox. Likelihood of finding an endangered species exists.

Unless choosing Alternative 6 or 9 all in stream work should be avoided. Of these 2, Alternative 6 is probably the least likely to effect endangered species.

Any alternative that does not include in stream work is PREFERRED.

Janet L. Clayton
Wildlife Diversity Biologist II
WVDNR
PO Box 67
Elkins, WV 26241

304-637-0245 x 2010

From: Facemire, Lovell R [mailto:Lovell.R.Facemire@wv.gov]
Sent: Tuesday, February 23, 2010 9:38 AM
To: Clayton, Janet
Subject: coonskin park

http://www.transportation.wv.gov/highways/engineering/comment/coonskinparkaccess/Documents/Handout-Complete.pdf

United States Department of the Interior

FISH AND WILDLIFE SERVICE

West Virginia Field Office
694 Beverly Pike
Elkins, West Virginia 26241

November 18, 2010

Mr. Gregory L. Bailey, P.E., Director
West Virginia Department of Transportation
Division of Highways
1900 Kanawha Blvd East, Bldg 5, Room 110
Charleston, West Virginia 25305-0430

Re: Coonskin Park Access Road, Kanawha County, West Virginia

Dear Mr. Bailey:

This responds to your letter dated June 7, 2010, regarding the proposed Coonskin Park Access Road and bridge across the Elk River in Kanawha County, West Virginia. You also provided additional project information on September 7, 2010, October 11, 2010, November 4, 2010, and November 15, 2010. These comments are provided pursuant to the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

The Federally-endangered pink mucket pearly mussel *(Lampsilis abrupta),* and the northern riffleshell *(Epioblasma torulosa rangiana)*, are known to occur within this reach of the Elk River and could potentially be adversely affected by the proposed project. In addition, the proposed action may also adversely affect two species that are known to occur in this reach of the Elk River that are either Federal candidates or currently being reviewed for potential listing, the diamond darter *(Crystallaria cincotta),* and the snuffbox mussel (*Epioblasma triquetra*).

Limited mussel surveys have been conducted within the reach of river potentially affected by this project. Although the scope of these previous surveys would generally not be sufficient to determine presence or likely absence of Federally-listed species within the immediate footprint of the proposed project, a moderately dense bed supporting 17 species of mussels, including the snuffbox, was documented within the shoals adjacent to Coonskin Park.

The reach of the Elk River adjacent to Coonskin Park is one of only two locations in the world currently known to support the diamond darter, a candidate species that has been prioritized for potential listing. The diamond darter is a species that inhabits moderate to large, warm water

streams with moderate current and clean sand and gravel substrates. The species was formerly widely distributed throughout the Ohio River Drainage, but is now only known to occur in the lower Elk River Watershed. Even within this watershed, it is extremely rare, and despite extensive and targeted survey efforts within the species' known range and preferred habitat in the Elk River, only 19 individuals have been collected in the last 30 years.

Construction of the proposed action could affect freshwater mussels and the diamond darter by: 1) direct habitat disturbance and potential mortality or injury to individuals through any instream construction; 2) increased erosion and sedimentation into the river as a result of disturbance to terrestrial and riparian habitats adjacent to the river; and 3) contaminated run-off and spills from the bridge entering the river during construction, maintenance, and continued use of the bridge. The West Virginia Division of Highways (WVDOH) has incorporated the following measures into the description of the proposed action in order to avoid impacts to fish and wildlife resources within the Elk River:

- There will be no instream work or fill during any phase of project construction. The bridge will include two abutments, one on either side of the river, but placed outside the Elk River and its floodway.

- The contractor will use specialized Best Management Practices to control sedimentation and erosion during project construction including the use of super silt fencing. The contractor will also be instructed to reseed all disturbed areas every 14 calendar days with non-invasive vegetation, and will monitor weather forecasts. If a rain or other precipitation event is predicted, the contractor will seed and mulch the disturbed areas immediately. Removal of vegetation from the riparian zone will be kept to the minimum. Once project construction is complete all disturbed areas will be reseeded with native vegetation.

- The bridge has been designed so that run-off from the bridge will not discharge directly into the Elk River. Runoff from the bridge will be carried off the bridge and discharged into a grass-lined swale that will have a controlled outlet to allow for blockage if a spill were to occur on the structure. The swale will also absorb salt and other road run-off prior to the run-off entering the river.

Based on the WVDOH's commitment to implement the measures outlined above, the Service concurs that the proposed construction is not likely to adversely affect any Federally-listed threatened, endangered, or candidate species. Therefore, no further section 7 consultation under the ESA is required. Should project plans change, or if additional information on listed and proposed species becomes available, this determination may be reconsidered. The Service should be notified immediately if any deviations from the proposed project description as modified above are anticipated.

The Service appreciates the WVDOH's proactive cooperation and your efforts to design the project so that fish and wildlife resources are protected and conserved. If you have any questions regarding this letter, please contact Ms. Barbara Douglas of my staff, at (304) 636-6586, Ext. 19, or at the letterhead address.

Sincerely,

Deborah Carter

Deborah Carter
Field Supervisor

Appendix C:

Section 4(f) *De Minimis* Finding

SECTION 4(F) *DE MINIMIS* IMPACT ANALYSIS

for

COONSKIN PARK ACCESS PROJECT

KANAWHA COUNTY, WEST VIRGINIA

Section 4(f) Regulations

Under Section 4(f) of the Department of Transportation Act of 1966 (49 USC Section 303 and 23 CFR Part 774), the Federal Highway Administration (FHWA) "may not approve the used of land from a significant publicly-owned public park, recreation area, or wildlife and waterfowl refuge, or any significant historic site unless a determination is made that:

(i) There is no feasible and prudent alternative to the use of land from the property; and
(ii) The action includes all possible planning to minimize harm to the property resulting from such use.

A "use" under Section 4(f) can be any of the following:

- a direct use – property is permanently incorporated into the transportation project;
- a temporary use – property is temporarily occupied in a way that is adverse to the property's purpose; or
- a constructive use – occurs when "the transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished." (23 CFR Section 774.15(a).

Federal law (SAFETEA-LU Section 6009(a)) amended Section 4(f) to simplify the processing and approval of projects that have only *de minimis* impacts on lands protected by Section 4(f). The subsequently issued guidance for making findings of *de miminis* impact and also amended its Section 4(f) regulations to provide for these findings (23 CFR 774.3(b), 774.5(b), 774.17).

An impact to a park, recreation area, or wildlife and waterfowl refuge may be determined to be *de minimis* if:

(i) The transportation use of the Section 4(f) resource, together with any impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f);
(ii) The official(s) with jurisdiction over the property are informed of FHWA's intent to make the *de minimis* impact finding based on their written concurrence that the project will not

adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f); and

(iii) The public has been afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resource.

Under the new provisions, once the US Department of Transportation determines that a transportation use of Section 4(f) property results in a *de minimis* impact, analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete.

Coonskin Park

Coonskin Park is located approximately four miles northeast of Charleston, WV and is owned by Kanawha County and operated by the Kanawha County Parks and Recreation Commission. The Kanawha County Parks and Recreation Commission was created by the Kanawha County Commission through the authority of the West Virginia legislature. The Voluntary eleven member Commission is appointed by the County Commission for six year terms. The Park Commission hires an Executive Director who is responsible for the day to day operation of the Park system, under the direction of the Park Commission.

The park is approximately 850 acres in size predominantly comprised of woodlands with hiking and biking trails and picnic shelters dotted throughout. In its northwest corner, the park has concentrated a wide array of recreational facilities, including a handicapped accessible 18-hole, par three golf course; a miniature golf course; an Olympic size pool; a soccer field with seating for 2,000; an amphitheater; a clubhouse with banquet rooms; tennis courts; sand volleyball courts; a pond with fishing and pedal boat rentals; a skate park; and a modern playground. Special programs throughout the year include athletic events, nature activities, concerts, and a winter light display. The entrance to the park is currently from Coonskin Drive (Kanawha County Route CR 51/2), which is off WV 114 North (Greenbrier Street).

Proposed Project

The purpose of this project is to implement and mitigate a U.S. Department of Defense (DoD) mandated physical security measure that will restrict personnel and vehicular traffic through the West Virginia National Guard (WVNG) complex along Coonskin Drive (Kanawha CR 51/2). This project addresses military security issues identified in the DoD's "Minimum Antiterrorism Standards for Buildings" (2003 Unified Facilities Criteria as updated in 2007), the 2002 Joint Services Integrated Vulnerability Assessment and both the 2006 and 2009 Air Force Vulnerability Assessment Team Reports. These documents identified necessary steps for improving security at military facilities. Principle Force Protection security measures include maintaining minimum clearances between military facilities and public roadways and ensuring that access control measures are implemented to prohibit unauthorized personnel and vehicles from entering parking areas.

The WVNG Complex facilities along Coonskin Drive are too close to the public road to meet required minimum clearance distances. Accordingly, the security measures require that access to the Complex be restricted. Adequately restricting access onto the military installation will involve closing a portion of Coonskin Drive. The access restriction will only allow military and civilian personnel who have a valid

need and identification to be on the premises. Therefore, public visitors will be blocked from accessing Coonskin Park along Coonskin Drive. To allow visitors into the park, a new access point must be created for the park.

A secondary purpose of this project is to provide an emergency route for Coonskin Park, the WVNG complex, and Yeager Airport. Like the park and WVNG complex, Yeager Airport is accessed from a road off Greenbrier Street (Airport Road). Historically, flash flooding along Greenbrier Street has closed access to and from the park, the WVNG complex, and the airport. Although Yeager Airport has an access point other than Airport Road, this access, via Commando Drive through the WVNG complex, also relies on free passage along Greenbrier Street. If both the Airport Road and Coonskin Drive intersections with Greenbrier Street were flooded, people at all three employment and activity centers would be stranded. Both the WVNG complex and Yeager Airport are important facilities to the state of West Virginia and, particularly because of the military service they provide, potentially to the nation. These facilities in particular are in need of alternative entrance and exit route for emergency situations.

In summary, the Coonskin Park Access project consists of:

(i) Closing a section of Coonskin Drive to the public so that an adequate Access Control Point to the WVNG Complex can be installed to meet Force Protection security requirements; and

(ii) Building a new access into the Park that provides unimpeded public access to the Park and an emergency entrance and exit route for the WVNG Complex and Yeager Airport.

In order to best meet all the requirements of this project, eleven (11) land and bridge alternatives were identified and analyzed. From these alternatives, the "Preferred Alternative" – Alternative 5A – was identified based on its ability to meet all of the requirements of the project. A detailed alternative analysis is included in the Environmental Assessment (WVDOH, 2010) for the project and is incorporated by reference into this Section 4(f) *de minimis* analysis.

Project Impacts to Coonskin Park

The Preferred Alternative right-of-way overlaps approximately 1.07 acres of park property. This acreage includes portions of three structures within the park's maintenance area (0.17 acre), an additional 0.32 acre of dirt-covered open space within the maintenance area, 0.17 acre of roadway accessing the maintenance area, and 0.41 acre of vegetation alongside the maintenance area and the river bank (Exhibit 1).

Also, as part of the proposed project, the current entrance to Coonskin Park would be closed and gated to prevent public access to the WVNG facilities. No use of park property would be required as part of this closure.

With regard to vegetated portions of the proposed right-of-way, none of the areas are used for recreation within the park. The proposed project would include maintaining or replacing a buffer of vegetation between the golf course and the new access road. Vegetation along the river banks is not currently used for recreation in this portion of the park and would be maintained to the extent possible

during construction along with best management practices for controlling erosion. Part of the vegetated right-of-way contains remnants of a historic brick manufacturing plant, and has refuse and scrubby vegetation because of the continual disturbances through decades of use by the plant and the park's maintenance facility. The historic brick manufacturing plant was surveyed to determine its potential for eligibility for the National Register of Historic Places by WVDOH architectural historians. Following this survey, WVDOH recommended to the WV Division of Culture and History, State Historic Preservation Office (SHPO) that the site had lost too much of its original integrity to be eligible for the Register. The SHPO concurred with that recommendation by letter dated July 22, 2010.

With regard to impacts on the park's maintenance facilities, WVDOH has agreed to the following mitigation and enhancement measures in conjunction with the proposed project:

- Provision of funding to Coonskin Park so that the area currently occupied by maintenance facilities can be restored and enhanced, and
- Provision of funding to Coonskin Park so that a temporary maintenance facility may be created in another location within the park and repurposed in a permanent way that will be compatible with and does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f).

In a resolution dated November 17, 2010, the Kanawha County Commission and Kanawha County Parks and Recreation Commission, as officials with jurisdiction over the park, stated that, based on current engineering designs and the planned mitigation measures, the new access project would not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f) (Attachment 1).

Potential Finding of *de minimis* Impact

The project would require changing the land use of approximately 1.07 acres of land from park to transportation. This acreage is predominantly developed or disturbed land area, not used directly by the public for recreation. The proposed project includes plans for replacing and enhancing the facilities that would be impacted. The Preferred Alternative impacts would not affect the activities, features, and attributes that qualify the park for protection under Section 4(f). As described above, the agencies with jurisdiction over Coonskin Park signed a resolution in concurrence with this proposed finding.

FHWA is requesting comments on the proposed finding of *de minimis* impact for Coonskin Park in conjunction with soliciting comments on the project's Environmental Assessment. Following consideration of public comments, FHWA will issue a final Section 4(f) Finding.

Attachment:

Resolution from Officials with Jurisdiction Over Section 4(f) Resource

2010-686

Resolution

Concerning

Coonskin Park Entrance Relocation

WHEREAS, Section 4(f) of the Transportation Act of 1966 (49 USC 303) affords special protection to publicly owned parks from use by a transportation project unless it can be demonstrated that there is no prudent or feasible alternative to such use and that the proposed transportation project includes all possible planning to minimize harm to the park property resulting from the use; and

WHEREAS, a "Use" by a transportation project is defined in 23 CFR 774.17 as: permanently incorporating any portion of a publicly owned park into a transportation project; a temporary occupancy of a portion of a publicly owned park by a transportation project in a way that is adverse to the park's purpose; or where there is a constructive use of the park property due to the indirect effects of the transportation project's proximity in which the impacts are so severe that the protected activities, features, or attributes that qualify the park property for protection under Section 4(f) are substantially impaired; and

WHEREAS, the process for approval of transportation projects that have only *de minimis* impacts on lands protected by Section 4(f) was simplified by the 2005 enactment of the Federal law known as SAFETEA-LU (Section 6009(a)); and

WHEREAS, regulations have been adopted by the Federal Highway Administration (FHWA) for making findings of *de minimis* impact by a transportation project on Section 4(f) protected properties (see 24 CFR 774.3(b), 774.5(b), and 774.17); and

WHEREAS, pursuant to the aforesaid regulations, FHWA can make a *de minimis* finding if:

- the transportation use of the publicly owned park, together with any impact avoidance, minimization, and mitigation or enhancement measures incorporated into such project, does not adversely affect the activities, features, and attributes that qualify the park for protection under Section 4(f),

- The official(s) with jurisdiction over the publicly owned park are informed of FHWA's *de minimis* impact finding and have concurred with such finding in writing, and

- The public has been afforded an opportunity to review and comment on the effects of the transportation project on the protected activities, features, and attributes of the park; and

WHEREAS, the U.S. Department of Defense (DoD) has mandated that physical security measures be implemented that will restrict personnel and vehicular traffic through the WV National Guard complex along Coonskin Drive (Kanawha CR 51/2). This project must address military security issues identified in the 2002 Joint Services Integrated Vulnerability Assessment (JSIVA), 2006 Air Force Vulnerability Assessment Team Report (AFVATR), and the 2009 Air Force Vulnerability Assessment Team Report; and

WHEREAS, in order to implement the mandated U.S. DoD security measures and the military security issues identified in the JSIVA, the current entrance to Coonskin Park on Coonskin Drive (Kanawha CR 51/2) must be relocated (the "Project"); and

WHEREAS, Coonskin Park is a publicly owned park, that has received LWCFA grant(s) and, thus, is afforded protection under Section 4(f) of the Transportation At and Section 6(f) f the LWCFA; and

WHEREAS, FHWA, WVDOH, Kanawha County Commission, Kanawha County Parks and Recreation Commission and the WV National Guard are cooperating partners in the Project; and

WHEREAS, FHWA regulations identify the "official(s) with jurisdiction" as the official(s) of the agency or agencies that own or administer the public park property in question with the power to represent the agency on matters related to the property and, in the case of Coonskin Park, those officials are the Kanawha County Commissioners and the Kanawha County Parks and Recreation Commissioners; and

WHEREAS, FHWA and WVDOH have conducted an extensive alternative analysis to minimize impacts to Coonskin Park from the Project and have identified Alternative 5A as the preferred alternative which will "use" a portion of Coonskin Park by the incorporation of approximately one acre of Coonskin Park into the new entrance; and

WHEREAS, the U.S. Department of Defense and the Office of the Adjutant General of the West Virginia National Guard are funding the entire Project; and

WHEREAS, FHWA, WVDOH, Kanawha County Commission, Kanawha County Parks and Recreation Commission and the WV National Guard have jointly developed and/or agreed upon the following mitigation and enhancement measures that will be incorporated into the Project:

- Provision of funding to Coonskin Park so that the area currently occupied by maintenance facilities can be restored and enhanced, and

- Provision of funding to Coonskin Park so that a temporary maintenance facility may be created in another location within the park and repurposed in a permanent way that will be compatible with and does not adversely affect the activities, features, and attributes that qualify the park for protection under Section 4(f).

THEREFORE, BE IT RESOLVED

1. That we, the undersigned, are the officials with jurisdiction over Coonskin Park; and

2. That we have been informed of FHWA's Section 4(f) *de minimis* finding relative to the use of approximately one acre of Coonskin Park to accommodate the new park entrance; and

3. That we concur with the finding that the new entrance project, along with the minimization measures included in the alternatives analysis and the proposed enhancement and mitigation measures outlined above, will not adversely affect the activities, features, and attributes that qualify the park for protection under Section 4(f) of the Transportation Act.

W. Kent Carper
President, Kanawha County Commission

11/4/10
Date

Henry C. Shores
Commissioner

11/4/10
Date

Dave Hardy
Commissioner

11/4/10
Date

Harold W. Carter

11-17-2010

Date

Kanawha County Parks and Recreation Commission

Appendix D:

Section 106 Coordination

WEST VIRGINIA
Division of Culture and History

The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300
Randall Reid-Smith, Commissioner
Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562
EEO/AA Employer

RECEIVED
JUN 01 2010
ENGINEERING DIVISION
WV DOH

May 25, 2010

Mr. Gregory L. Bailey
Director
West Virginia Division of Highways
Building Five, Room 110
Capitol Complex
Charleston, WV 25305

Re: Coonskin Park Access
FR#: 10-861-KA-1

Dear Mr. Bailey:

We have reviewed the above referenced project to determine its effects to cultural resources. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

Based on submitted information, plans call for the closing of the existing public access to Coonskin Park and providing a new entrance with a bridge across the Elk River from US 119.

It is your opinion that the area of potential effect of the proposed project, or preferred alternative 5A, will include the Elkland Neighborhood, Coonskin Park, an existing railroad grade and the buildings that were historically part of the Elkland Fire Brick Company. It is also your opinion that none of the aforementioned resources are eligible for inclusion in the National Register of Historic Places due to a loss of integrity. We concur with your assessment and it is our opinion that no historic resources listed or eligible for inclusion in the National Register of Historic Places will be effected by the proposed project. No further consultation regarding architecture is necessary.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Aubrey Von Lindern, Historian, in the Historic Preservation Office at (304) 558-0240.*

Sincerely,

Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/ACV

WEST VIRGINIA
Division of Culture and History

The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300
Randall Reid-Smith, Commissioner
Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562
EEO/AA Employer

June 3, 2010

Mr. Gregory L. Bailey
Director
West Virginia Division of Highways
Building Five, Room 110
Capitol Complex
Charleston, WV 25305

Re: Coonskin Park Access; State Project T220-CPA/DS-9
FR#: 10-861-KA

Dear Mr. Bailey:

We have reviewed the Phase I Archaeological Resources Management Report submitted for the above referenced project to determine its effects to cultural resources. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

Based on submitted information, plans call for eliminating existing public access through a section of Coonskin Drive and providing a new access route and entrance with a bridge across the Elk River from US 119. It is our understanding that Alternative 5A, which has been selected as preferred, proposes to construct a new bridge over the Elk River that would provide entrance into the park from Elk Hills. Approximately 1200 feet of new roadway will be constructed as well as a 100-foot right-turn lane on US 119.

According to the report, reconnaissance of the proposed project area consisted of pedestrian survey and the excavation of shovel test pits. Shovel test pits on the north side of Elk River encountered disturbed soils and fill likely related to prior culvert and terrace construction. Shovel test pits on the south side of Elk Creek within the location of the former Elkland Fire Brick Company encountered varying amounts of brick debris, while shovel test 6 resulted in the identification of a circular brick feature that likely served as a foundation of an unknown structure.

The report describes the brick types recovered from the shovel test pits as "jumbled together." However, it is unclear how this conclusion was reached because the report does not provide any known corresponding manufacture dates for the various types of brick that were recovered. Nor does it indicate from which strata the different types of bricks and brick fragments were recovered. The report also does not address potential impacts to archaeological resources resulting from construction of the proposed 1200 feet of new roadway. As a result, we cannot concur with your assessment that the site had lost integrity and is not capable of providing significant information. Please submit the requested information in an amended report. We will provide further comment upon its receipt.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Lora A. Lamarre, Senior Archaeologist, at (304) 558-0240.*

Sincerely,

Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/LAL

WEST VIRGINIA
Division of Culture and History

The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300
Randall Reid-Smith, Commissioner
Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562
EEO/AA Employer

July 22, 2010

Mr. Gregory L. Bailey
Director
West Virginia Division of Highways
Building Five, Room 110
Capitol Complex
Charleston, WV 25305

Re: Coonskin Park Access; State Project T220-CPA/DS-9
FR#: 10-861-KA-2

Dear Mr. Bailey:

We have reviewed the additional information requested for the previously reviewed Phase I Archaeological Resources Management Report. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

Based on the new information, it is our understanding that brick fragments dating from 1927 were found in the same stratum as those dating from the late 1960s. In addition, these were intermixed with brick fragments that spanned the operation of the factory. It is also our understanding that shovel tests and soil probes were excavated within the proposed right-of-way for the 1200 feet of new bridge approach roadway. According to the letter, disturbed soils were observed and no intact cultural materials were recovered. As a result, we concur that the facility lacks integrity and is not eligible for inclusion in the National Register of Historic Places under Criterion D. We also concur that no further work is necessary for the preferred alternative.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Lora A. Lamarre, Senior Archaeologist, at (304) 558-0240.*

Sincerely,

Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/LAL