

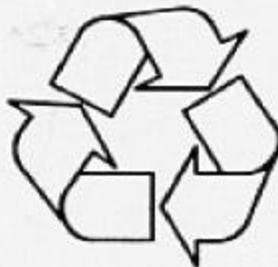
RECORD OF DECISION

IMPROVED HIGHWAY ACCESS TO THE
ENVIRONMENTAL MANAGEMENT DISTRICT
OF WESTERN JOHNSTON AND CRANSTON,
PROVIDENCE COUNTY, RHODE ISLAND

U. S. Department of Transportation
Federal Highway Administration

Rhode Island Department of Transportation

Rhode Island Resource Recovery Corporation



January 1999

RECORD OF DECISION

Improved Highway Access to the Environmental Management District of Western Johnston and Cranston, Rhode Island

FHWA-RI-EIS-98-01-F

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1.0 Project Overview

This Record of Decision presents the basis for a decision on implementation of a transportation project to improve highway access to the Environmental Management District (the District) of Western Johnston and Cranston, Rhode Island. It is issued under the requirements of 40 CFS 1505.2 and 23 CFR 771.127.

The Preferred Alternative consists of a new diamond style interchange at I-295 and Scituate Avenue in Johnston and the reconstruction of Shun Pike and Scituate Avenue from I-295 westward to the Central Landfill.

Project History

The Rhode Island Department of Transportation (RIDOT), along with the Federal Highway Administration (FHWA), published a Notice of Intent to prepare an Environmental Impact Statement for the project in the August 5, 1997 Federal Register. A Scoping Meeting with public and private agencies was held on September 15, 1997. Three access alternatives were discussed at the meeting which included the No-Build option, the extension of Comstock Parkway northward to Shun Pike and a new interchange at I-295 and Scituate Avenue in Johnston. Responses from agencies on the three alternatives to be studied were positive; and on September 23, 1997, RIDOT decided to advance them into the Draft Environmental Impact Statement (DEIS) evaluation.

The Notice of Availability for the DEIS for Improved Highway Access to the Environmental Management District was published in Volume 63, Number 127, July 2, 1998 of the Federal Register and in the Providence Journal. The notice period ran from the date of availability to September 22, 1998. A public hearing on the DEIS was held on August 3, 1998 at which the aforementioned three alternatives were presented for public comment. Twenty public comments were received at the hearing and an additional 181 individuals submitted comments during the public comment period. Chapter 8.0 of the Final Environmental Impact Statement (FEIS) documents the comments and responses. In general, the majority of commentors expressed support for Alternative 3, the I-295/Scituate Avenue interchange in Johnston. On September 23, 1998, RIDOT selected the I-295/Scituate Avenue Interchange as the "Preferred Alternative" for the FEIS.

The Notice of Availability for the FEIS was published in Volume 63, Number 224, November 20, 1998 of the Federal Register and in the Providence Journal. Comments on the DEIS and the responses are presented in Chapter 8.0 of the FEIS. Many of the commentors expressed support for the Preferred Alternative but also had concerns about potential impacts to the quality of life in adjacent residential areas. As a result, the FEIS reconsidered noise and visual impacts from the Preferred Alternative and subsequently committed to mitigation measures (see FEIS Sections 2.5 and 4.0).

2.0 Decision And Summary of Findings

A new interchange at I-295 and Scituate Avenue in Johnston, along with reconstructing Scituate Avenue and Shun Pike west of I-295, was identified as the Preferred Alternative in the FEIS and this Alternative has been selected for further development and construction. FHWA has carefully reviewed all concerns in the course of approving the selected alternative. We have concluded that the Preferred Alternative, based on vigorous exploration and objective evaluations, reasonably maximizes transportation benefits, minimizes environmental harm and best meets the desires of the Town of Johnston and City of Cranston.

Based on analyses in the DEIS and FEIS, the Preferred Alternative best satisfies the Project's Purpose and Need, causes the least overall disruption to the physical and biological environmental, conforms to long range planning objections for the District and conforms to community plans to buffer adjacent residential areas. The I-295/Scituate Avenue Interchange received overwhelming support from the general public, Town of Johnston, City of Cranston, the Rhode Island Department of Environmental Management (RIDEM), the Rhode Island Historical Preservation and Heritage Commission (RIHPHC) as well as other local, state and federal agencies who commented on the DEIS and FEIS. The U.S. Army Corps of Engineers selected the Preferred Alternative as the Least Environmentally Damaging Practicable Alternative on September 29, 1998 (See FEIS Section 8.3 for a copy of their correspondence).

3.0 Major Factors Influencing the Selection of Alternatives

The three alternatives which were considered in the DEIS are:

- 1.1.1 Alternative No. 1: No-Build
- 1.1.2 Alternative No. 2: Comstock Parkway Extension
- 1.1.3 Alternative No. 3: I-295/Scituate Avenue Interchange (Johnston, RI)

The following project objectives were developed to select a proposed action that would satisfy the project's purpose and need.

- 1.1.4 Avoid compromising the safety of I-295
- 1.1.5 Avoid further deterioration of local streets
- 1.1.6 Maximize opportunities for the implementation of local and regional plans
- 1.1.7 Minimize disruption during construction

The following paragraphs discuss how these objectives were applied to the alternatives. Refer to Section 2 of the DEIS and FEIS for additional information on all of the alternatives considered as part of the study.

The **No-Build Alternative** included maintenance activities such as resurfacing Green Hill Road, Shun Pike and Scituate Avenue in the Town of Johnston (approximately 9,200 feet long) and the

construction of a new traffic signal system at the intersection of Green Hill Road and Plainfield Pike at the Johnston/Cranston border. For an illustration, see Figure 3 following page 2-2 of the DEIS.

When Compared to the no-build alternative, the preferred alternative provides for a reduction in the high volume of heavy truck traffic on local roadways and, in particular, Plainfield Pike. The no-build alternative would not satisfy the project objectives to avoid further deterioration of local streets and to maximize opportunities for the implementation of local and regional plans.

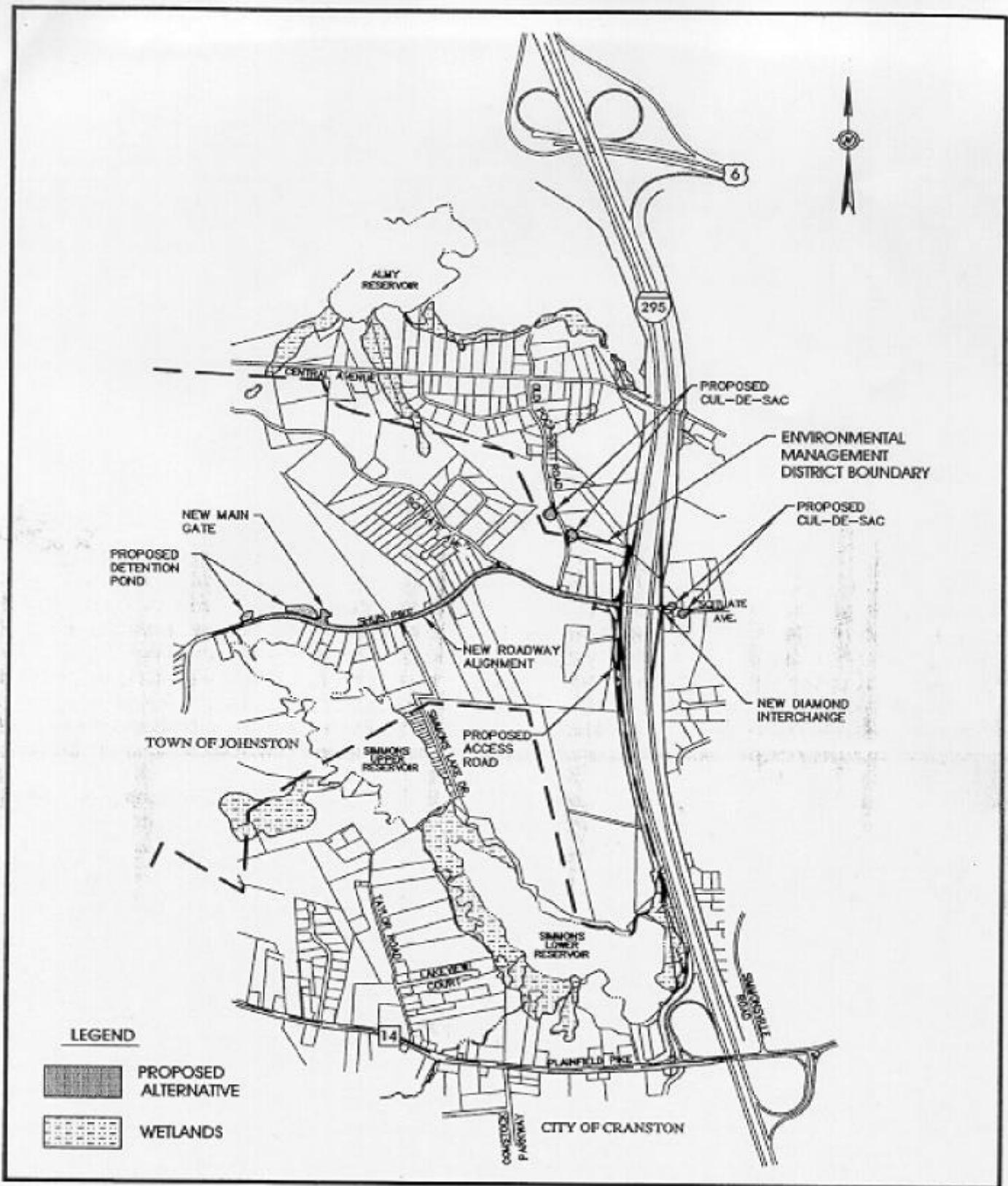
The **Comstock Parkway Extension Alternative** included an upgrade of Plainfield Pike from I-295 to Comstock Parkway (approximately 2,920 feet long), construction of approximately 1.2 miles of new roadway from the intersection of Plainfield Pike and Comstock Parkway northward to Shun Pike and reconstruction of approximately 0.9 miles of Shun Pike and Scituate Avenue. The new roadway would require the construction of a new causeway between the Simmons Upper and Lower Reservoirs. For an illustration, see Figure 4 following Page 2-4 of the DEIS.

When compared to the preferred alternative, this alternative was not selected primarily because of its environmental impacts. The new access roadway has the potential to impact historic and/or archaeological resources and Section 4(f) resources. The sites identified were the Simmons Reservoir Dam Complex which was determined to be potentially eligible for listing on the NRHP, the Luther-Randall Farm, which was not considered eligible for listing on the NRHP, and one potentially significant Native American site. Additionally, impacts to wetland and wildlife habitats associated with the Simmons Reservoirs and impacts to the neighborhoods on Lakeview Court and Taylor Road were considered to be unreasonable.

This alternative would require the acquisition of approximately 20 acres of land and 2 residential relocations. A total of 38 parcels would be effected.

The Preferred Alternative, I-295/Scituate Avenue Interchange, includes the construction of a new diamond style interchange with new I-295 northbound on and off ramps and new I-295 southbound on and off ramps, reconstructing 0.9 miles of Scituate Avenue and Shun Pike, disconnecting Old Pocasset Road 0.16 miles north of Scituate Avenue and disconnecting Scituate Avenue east of I-295. Figure 1 illustrates the proposed improvements. This alternative would require the acquisition of approximately 6.5 acres of land, three (3) residential relocations, five (5) tenant business relocations and the modification of an existing structure. (Refer to DEIS Section 4.4)

The improvements would create a short direct access and egress from I-295 to the District, reduce the volume of heavy trucks on Plainfield Pike and minimize environmental and social impacts. This alternative was considered to be the environmentally preferred alternative. and the US Army Corps of Engineers determined it to be the Least Environmentally Damaging Practicable Alternative.



IMPROVED HIGHWAY ACCESS TO THE ENVIRONMENTAL MANAGEMENT DISTRICT

 Crossman Engineering, Inc.

THE PREFERRED ALTERNATIVE
I-295/SCITUATE AVENUE INTERCHANGE

FIGURE No. 1

DATE: January 1999	Page 4 ⁴
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Major factors which influenced the selection of this alternative were that it met all of the project objectives, satisfied the project's purpose to improve access to the District, minimized impacts to the physical environment and complied with Town of Johnston objectives to buffer residential areas from industrial areas in the District.

Permits required include Federal Highway Administration Approval of new access to Interstate 295, Rhode Island Department of Environmental Management's Freshwater Wetland Program and Water Quality Certification Section, stormwater discharge permit from the Rhode Island Pollutant Discharge Elimination System and Johnston Town Council approval for excavation within 25 feet of a historic cemetery. (Refer to FEIS Section 4.19).

4.0 Environmental Consequences

The environmental impacts of the Preferred Alternative were evaluated in a qualitative as well as quantitative manner in the FEIS. Both beneficial and adverse impacts were discussed and, where necessary, mitigation measures were developed. The Preferred Alternative, I-295/Scituate Avenue Interchange, would not involve the use of land from any significant publicly-owned parks, recreation areas and wildlife/waterfowl refuges. There are no National register Historic Places (NRHP) listed or eligible above-ground historic resources present in the area of the Preferred Alternative. (Also, refer to FEIS Section 4.12.) The RIHPHC has concurred with the no effect finding in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended.

Air Quality Conformity Statement

This project is included in Rhode Island's FY1999-2000 Transportation Improvement Program (TIP). The Statewide Planning Program's air quality conformity analysis for the TIP determined that the Preferred Alternative is consistent with the air quality goals in Rhode Island's State Implementation Plan (SIP) for air quality. On December 24, 1998, FHWA and the Federal Transit Administration (FTA) determined that the state's Long Range Transportation Plan and TIP conform to the SIP upon the recommendation of EPA. Since this project is drawn from a conforming Plan and TIP, it meets the requirements of 40 CFR Parts 51 and 93 as well as 23 CFR Part 450.

5.0 Measures to Minimize Harm

FHWA will ensure that all practical measures to avoid or minimize adverse environmental impact, which are related to the Preferred Alternative, will be implemented. The following measures, described in detail in the referenced sections of the FEIS, have been identified.

Noise and Visual Impacts: In response to public comments, the Preferred Alternative will include noise and visual impact mitigation measures. (Refer to FEIS Sections 4.8 and 4.14.)

Water Quality Impacts: In order to comply with State anti-degradation policies and water quality regulations, the preferred alternative includes “BMP” measures such as Wet Ponds, Stormwater Treatment Chambers and closed drainage systems. (Refer to FEIS Section 4.9.)

Relocation and Property Acquisition Impacts: Mitigation of impacts caused by property acquisition for highway construction. Treatment of displacees and property owners will be in accordance with the “Uniform Relocation Assistance and Real Property Acquisition Act of 1970” as amended and per RIDOT’s Acquisition and Relocation assistance program which is described in the Conceptual Stage Relocation Plan (DEIS Technical Data Report No. 4). Also, refer to FEIS Section 4.4.

Traffic Impacts: In order to comply with FHWA, interstate access modification policies, the preferred alternative includes lengthening the I-295 southbound lane transition to ensure traffic operations will not degrade to unacceptable levels. Accordingly, access modifications are needed to design and maintain safe acceptable conditions on the interstate. (Refer to FEIS Section 4.6.)

FHWA has determined that the measures described above are adequate to mitigate the impacts for the Preferred Alternative and to meet the legal requirements of other statutes mandating the consideration of or provision for mitigation of environmental impacts. Therefore, these measures must be implemented as part of FHWA approval.

Construction Impacts

General: Conceptually, the construction of the Preferred Alternative, I-295/Scituate Avenue Interchange, would be composed of two major phases: (1) construction of the new ramps and cul-de-sacs on Scituate Avenue and Old Pocasset Road and (2) the reconstruction of Scituate Avenue and Shun Pike. Surrounding residents could experience temporary impacts from dust, vibrations from ledge removal, emissions and noise from construction vehicles, views of stockpiles and changes to travel patterns. It is expected that temporary delays would occur on I-295 during blasting operations. Also, due to the close proximity of residential neighborhoods to the project area, intense on-site security would be warranted to prevent accidental injury.

Noise: Construction activities would result in temporary, localized increases in noise in the project area. These activities would be performed so that noise levels do not substantially impact nearby sensitive activities. Construction noise impacts are generally controlled by regulating the hours of construction, equipping machinery with noise abatement devices and establishing limits on certain construction vehicles, equipment or activities during the evening, weekends or holidays.

Air Quality: State and Federal regulations control emissions from construction equipment. Emissions from construction equipment would be temporary and localized. Roadway construction could have an impact on air quality conditions if dust is not properly controlled. Dust generation would be controlled by minimizing exposed earth; stabilizing exposed earth as soon as possible

using grass, mulch, pavement or other cover; applying water and using covered trucks for hauling material.

Water Quality: Best Management Practices (BMPs) for erosion and sediment control would be used throughout construction as outlined in the “Rhode Island Soil Erosion and Sedimentation Control Handbook.” Potential Impacts from construction activities would be mitigated by utilizing silt fences, haybales, check dams, water for dust control and implementing a street sweeping program.

Maintenance and Protection of Traffic: Disruptions to traffic flow would be minimized by development of a maintenance and protection of traffic control plan during the design phase of the project. The goal of the traffic control plan would be to safely route traffic at controlled speeds through or around construction areas.

For the Preferred Alternative, the proposed interchange is at a new location and impacts to traffic on I-295 and Scituate Avenue would be minimal. For the reconstruction of Shun Pike and Scituate Avenue, lane closures would be performed during off-peak hours in order to minimize impacts and two-way traffic would be allowed at all times.

Blasting: Under the Preferred Alternative, blasting would be required to construct the interchange ramps. During blasting operations, the Contractor would be required to implement protection measures and to monitor surrounding areas. Where rock or ledge removal is required in close proximity to an existing structure, an alternative means of removal, such as mechanical removal would be used. Pre-blast condition surveys of existing structures would be required prior to any blasting activity.

6.0 Monitoring and Enforcement Program

FHWA’s Rhode Island Division Office will monitor further project development of the Preferred Alternative through its administration of the Federal-Aid Highway Program. This monitoring will ensure that all practicable mitigation measures, as summarized above and as described in Chapter 4 of the FEIS, will be included in final project design. FHWA staff will monitor RIDOT and RIRRC activities during the construction phase to ensure that these measures are implemented and constructed in accordance with plans and specifications.

RIDOT and RIRRC personnel will provide plans and specifications at every stage of development to the Town of Johnston to ensure that local concerns are met. Further, RIDOT and RIRRC have committed to hold a series of meetings with local residents during the design phase, which will give residents an opportunity to review the plans and proposed mitigation measures.

7.0 FEIS Comments and Responses

Four (4) written comments were received during the FEIS comment period. The comment period extended from the Federal Register Notice of Availability, November 20, 1998 to December 21, 1998. Most comment letters either indicated no comment or expressed support for the project.

FHWA has carefully reviewed all comments received on the FEIS and is generally satisfied that the substantive environmental issues raised have been fully responded to. FHWA has considered all FEIS comments in reaching the decisions documented in this Record of Decision.

US Environmental Protection Agency, Region 1, December 17, 1998:

- 1.1.8 The EPA supports the selection of the I-295/Scituate Avenue Interchange as the preferred access alternative because we believe it has the greatest potential to achieve the project purpose with the fewest environmental impacts.
- 1.1.9 The EPA requested that the final design of the stormwater management system for the Preferred Alternative address their concerns regarding water quantity and water quality. Additionally, the EPA offered their assistance in any future efforts to explore further modifications to the proposed stormwater management system.

Response: RIDOT and FHWA will work with EPA during final design of the Preferred Alternative to refine the stormwater management plan so that their water quantity and water quality concerns are satisfied.

US Department of the Army, New England District, Corps of Engineers, November 19, 1998:

- 1.1.10 The ACOE determined that a Department of the Army permit is not required for the project entitled “Improved Access to the Environmental Management District of Western Johnston and Cranston, Rhode Island.” That decision was based on the selection of Alternative No. 3 and the information in the FEIS dated November, 1998.

Rhode Island Historical Preservation and Heritage Commission, December 8, 1998:

- 1.1.11 The RIHPHC finds that the document is essentially correct in its description of the efforts made to identify cultural resources and the potential effects to resources from the several alternatives.
- 1.1.12 The RIHPHC noted that in the FEIS on Page S-8 of the Executive Summary, the discussion in the second paragraph implies that the boundaries of Johnston Historic Cemetery No. 29 were defined.

Response: The second paragraph on Page S-8 of the FEIS should have stated “...the boundaries of the historic cemetery at the corner of Scituate Avenue and Old Pocasset Road

would need to be defined.” Section 4.12 of the FEIS correctly identified the need for this action during the design phase and for appropriate compliance with the State Historic Cemeteries Act of 1992.

Rhode Island Coastal Resources Management Council, November 25, 1998:

- 1.1.13 The RICRMC based on review of the Final Environmental Impact Statement dated November, 1998, the project does not appear to represent a reasonable probability of impact to coastal resources of the state and on this basis, no further action shall be required by RICRMC.

8.0 Conclusion

Based on the analysis and evaluation in the FEIS and after careful consideration of the social, economic and environmental factors and input from the public involvement process, it is my decision to adopt the recommended alternative, I-295/Scituate Avenue Interchange in Johnston as the proposed action for this project.

Date: January 5, 1999

/Original Signed by:/
Daniel J. Berman, Acting Division Administrator
Rhode Island Division
Federal Highway Administration