

**FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT
AND SECTION 4(F) *de minimis* FINDING
FOR
KANSAS HIGHWAY 96 IMPROVEMENTS PROJECT**

CITY OF WICHITA

SEDGWICK COUNTY, KANSAS

FEDERAL PROJECT NUMBER: ACNHP-A609(902)
KDOT PROJECT NUMBER: KA-6099-02

Submitted Pursuant to 42 U.S.C. §4332 (2) (c); 49 U.S.C. §303; and 54 U.S.C §2003

by the
Federal Highway Administration
and
Kansas Department of Transportation

The Federal Highway Administration (FHWA) has determined that the recommended alternative will have no significant impact on the human and natural environment. This finding of no significant impact is based on the attached Environmental Assessment (EA) dated March 26, 2024, which has been independently evaluated by FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed action and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an environmental impact statement is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the attached EA.

4/22/2025
date of approval

Richard E. Backlund
Richard E. Backlund for FHWA



Portions of this document have been modified or removed by order of President Donald Trump through Executive Orders signed since January 20, 2025

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LIST OF ABBREVIATIONS

KDOT – Kansas Department of Transportation
WOTUS – Waters of the United States
FAA – Federal Aviation Administration
EA - Environmental Assessment
FHWA – Federal Highway Administration
FONSI – Finding of No Significant Impact
NEPA - National Environmental Policy Act
DDI – Diverging Diamond Interchange
LUST – Leaking Underground Storage Tank
PFAS – Per- and Polyfluoroalkyl Substance
CFR – Code of Federal Regulation
CAP – Contract Archaeology Program
KHS – Kansas Historical Society
SHPO – State Historical Preservation Office
WSU – Wichita State University
CWA – Clean Water Act
DWR – Division of Water Resources
BMP – Best Management Practices
SWPPP – Stormwater Management Pollution Prevention Plan
KDHE – Kansas Department of Health and Environment

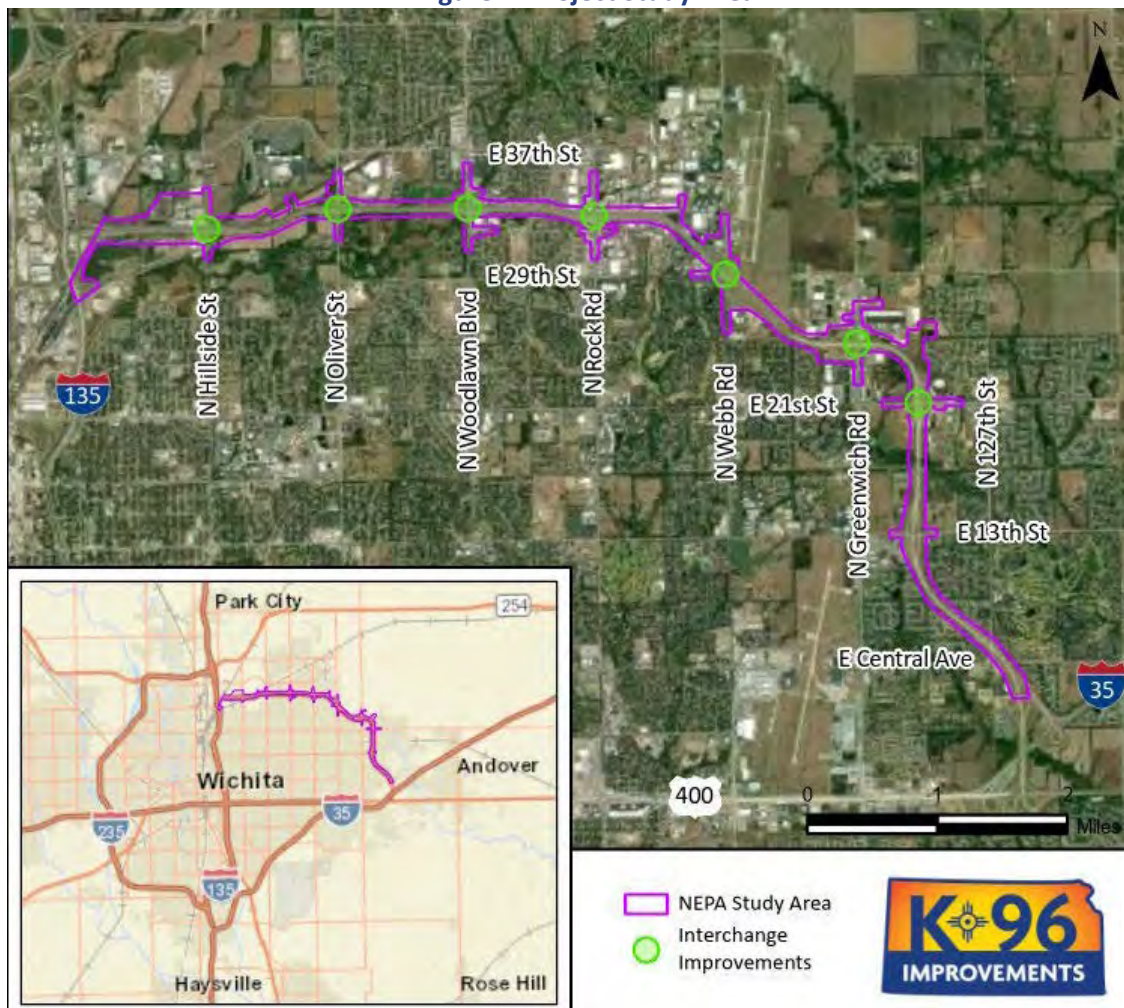


1. Project Overview

The City of Wichita, in coordination with the Kansas Department of Transportation (KDOT) and the Federal Highway Administration (FHWA), are proposing to upgrade the existing K-96 within the City of Wichita, Sedgwick County, Kansas. The project is intended to mitigate operational and safety challenges at the interchange and throughout the corridor. This Finding of No Significant Impact (FONSI) documents compliance with the National Environmental Policy Act (NEPA) and all other applicable environmental laws, Executive Orders, and related requirements.

The proposed project is located within the City of Wichita in Sedgwick County, Kansas (Figure 1). The project will upgrade K-96 from a 4-lane to a 6-lane freeway and extends from approximately the K-96/I-135 interchange 9.5 miles east/southeast to just north of the K-96/US 54/400 interchange. From 21st Street to 13th Street the project will replace pavement only. Also, improvements at seven locations including Hillside, Oliver, Woodlawn, Rock, Webb, Greenwich, and 21st Street interchanges are being considered. The Study Area was revised in the Fall of 2023 to accommodate the addition of the I-135 northbound to K-96 eastbound ramp to the project. The revised Study Area also accommodated the addition of property parcels throughout the study corridor where improvements in traffic circulation may occur.

Figure 1: Project Study Area





2. Purpose and Need

The proposed project is needed because the current K-96 roadway and interchanges are unable to meet the current and future mobility needs of a growing community. K-96 between the I-135 interchange and the I-35 interchange has high crash frequencies, increased congestion, and lacks reliability and flexibility to support the long-term travel needs of multiple modes. In addition, the corridor currently does not meet the needs for long-term sustainability and flexibility for all users, including incorporating non-vehicular modes of transportation.

The proposed project will:

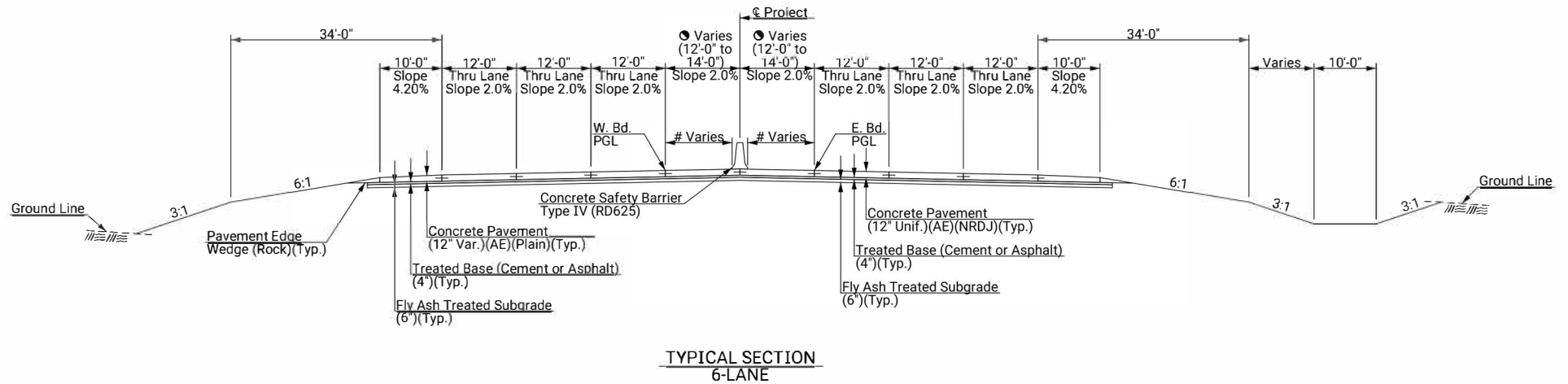
- Support local and regional growth consistent with planned and proposed land uses.
- Reduce congestion and improve traffic operations to meet existing and future travel demands.
- Address crash frequency and severity within the corridor to improve safety.
- Provide a transportation system that accommodates the needs of all users and modes.

3. Preferred Alternative

The Preferred Alternative for the K-96 corridor is mainline Option 2. Option 2 will create a 6-lane freeway from the Hillside Street Interchange to the 21st Street Interchange. It includes shifting travel lanes with pavement widening to both the inside and outside. Option 2 will also include revising the median to consist of two (2) 10-foot shoulders and concrete barrier. The mainline Preferred Alternative Option 2 Typical Section is shown on **Figure 2**. The remainder of improvements in the K-96 corridor to the south of 21st Street would consist of pavement reconstruction which will maintain four 12-ft wide travel lanes, 10-ft outside and 6-ft inside shoulders, and a 28-ft open median. Mainline widening Option 2 was selected as the Preferred Alternative due to its ability to meet the Purpose and Need for the project. The entirety of the Preferred Alternative is shown on **Exhibit 1**.



Figure 2: Mainline Widening Option 2 Typical Cross Section

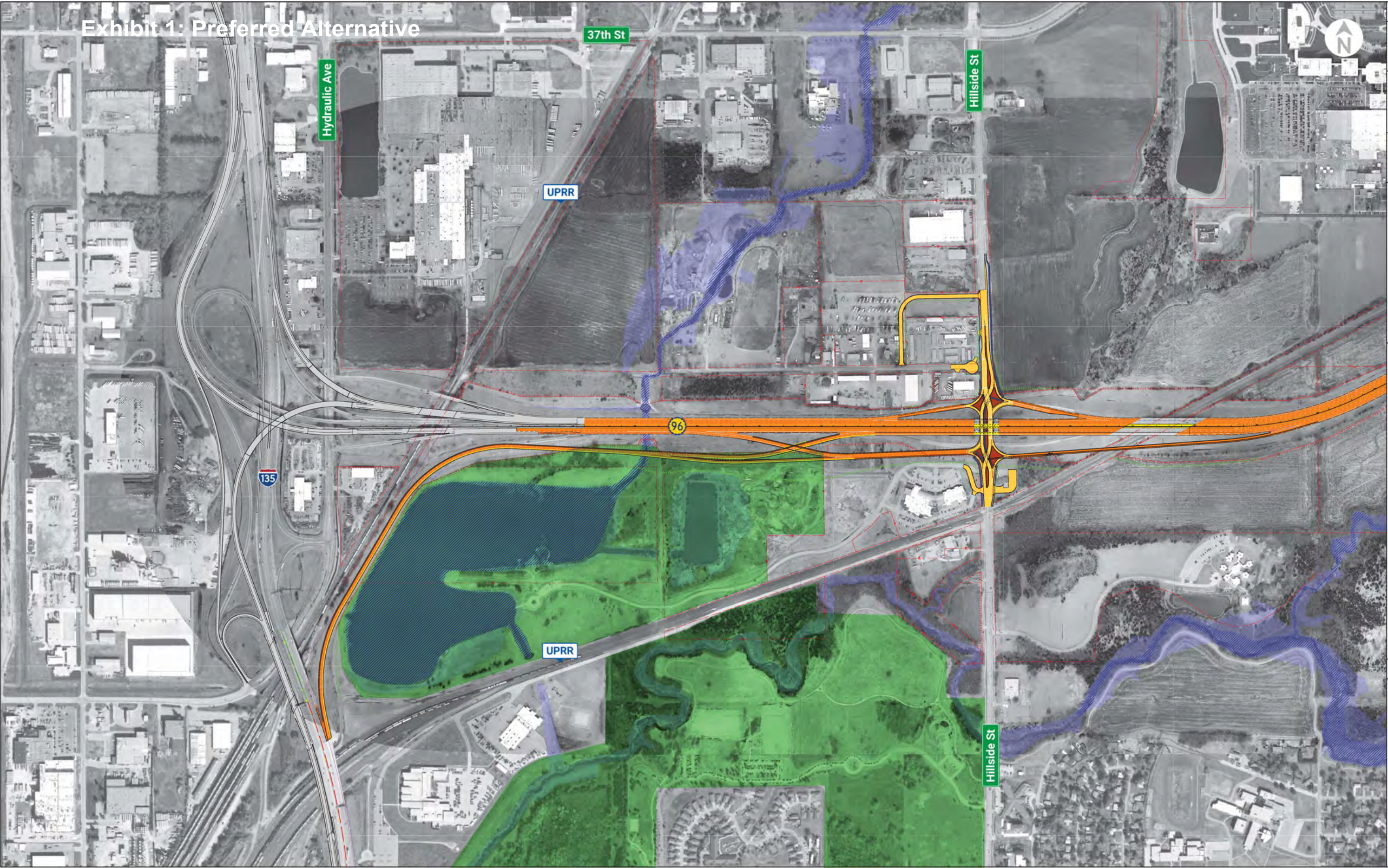




In addition to the selection of mainline Option 2 as the preferred widening concept, existing interchanges were evaluated for improvement needs. The following preferred interchange conceptual configurations were selected:

- **Northbound I-135 to eastbound K-96 Ramp (Exhibit 2)** – Conceptual Ramp Configuration 3 was chosen as the preferred configuration for the northbound I-135 to eastbound K-96 ramp. The braided ramp configuration will reduce weaving movements that affect mainline K-96 traffic operations. This is done by distributing weaving traffic to the new braided ramp system, which improves traffic operations. Configuration 3 also performed well with driver expectancy and future forecasted traffic operations.
- **Hillside Street Interchange (Exhibit 3)**– The DDI configuration was selected due to its ability to minimize conflict points with bicyclist and pedestrians through the interchange and to provide safety enhancements. The DDI will also improve traffic operations on the K-96 mainline and the on-ramps by reducing congestion.
- **Oliver Street Interchange (Exhibit 4)**- Similar to the Hillside Street interchange, the DDI concept was selected due to its ability to minimize conflict points with bicyclists and pedestrians through the interchange and to provide safety enhancements typical of DDIs in comparison to diamond interchanges. The DDI will improve interchange delay and provide additional overflow storage capacity on the ramp in comparison to the Tight Diamond concept.
- **Woodlawn Boulevard Interchange (Exhibit 5)**- The DDI concept was selected as it provided the best combination of bicycle, pedestrian, and vehicular safety aspects, driver expectancy, traffic operations and additional overflow storage and reserve capacity on the ramp and at the ramp terminals, and constructability.
- **Rock Road Interchange (Exhibit 6)**- The DDI concept was selected due to its performance in providing superior safety and mobility for pedestrians, bicyclists, and vehicles, additional overflow storage and reserve capacity on the ramp and at the ramp terminals, and fewer utility impacts.
- **Webb Road Interchange (Exhibit 7)**- The Exit Ramps concept was selected due to its traffic operations performance for future traffic projections, substantially reduced delay, and additional overflow storage and reserve capacity on the ramp and at the ramp terminal.
- **Greenwich Road Interchange (Exhibit 8)**- The Additional Turning Lanes concept was selected, as the addition of ramp lanes will help meet future capacity needs and will be cost effective in comparison to potential future costs.
- **21st Street North Interchange (Exhibit 9)**- The DDI concept was selected as the preferred concept due to its ability to provide better pedestrian, bicycle, and vehicular safety and mobility, and better future traffic operations.

Exhibit 1: Preferred Alternative



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PRELIMINARY CONCEPT
02/13/2024
SUBJECT TO CHANGE

This exhibit depicts conceptual design for potential improvements to the K-96 corridor. The design is subject to change without notice. The exact right-of-way, property lines and utilities cannot be determined from this drawing. KDOT makes no warranties, guarantees, or representations for the accuracy of this information and assumes no liability for errors or omissions.

K-96 IMPROVEMENTS

Preferred Alternative

LEGEND	
PROPOSED	
	MAINLINE/RAMP PAVEMENT
	BRIDGE
	SIDEWALK/SHARED USE PATH
	CLOSED ACCESS
	RETAINING WALL
	RIGHT-OF-WAY
	ACCESS CONTROL
	TEMP. CONST. EASEMENT
EXISTING	
	FEMA FLOODPLAIN
	PARKS
	RIGHT-OF-WAY
	ACCESS CONTROL

Exhibit 1: Preferred Alternative



Exhibit 1: Preferred Alternative



096-087 KA-6099-02



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K-96 IMPROVEMENTS Preferred Alternative

LEGEND	
PROPOSED	
	MAINLINE/RAMP PAVEMENT
	SIDEROAD PAVEMENT
	BRIDGE
	SIDEWALK/SHARED USE PATH
	MEDIAN
	CLOSED ACCESS
	RETAINING WALL
	RIGHT-OF-WAY
	ACCESS CONTROL
	TEMP. CONST. EASEMENT
EXISTING	
	FEMA FLOODPLAIN
	FEMA FLOODWAY
	PARKS
	RIGHT-OF-WAY
	ACCESS CONTROL

Exhibit 1: Preferred Alternative

096-087 KA-6099-02



PRELIMINARY CONCEPT
02/13/2024
SUBJECT TO CHANGE

This exhibit depicts conceptual design for potential improvements to the K-96 corridor. It is intended to provide a general overview of the project and is not intended to be used for final design or construction. The exact right-of-way, property lines, and utilities cannot be determined from this drawing. KDOT makes no warranties, guarantees, or representations for the accuracy or completeness of the information and assumes no liability for errors or omissions.

K-96 IMPROVEMENTS Preferred Alternative

LEGEND	
PROPOSED	
	MAINLINE/RAMP PAVEMENT
	SIDEROAD PAVEMENT
	BRIDGE
	SIDEWALK/SHARED USE PATH
	MEDIAN
	CLOSED ACCESS
	RETAINING WALL
	RIGHT-OF-WAY
	ACCESS CONTROL
	TEMP. CONST. EASEMENT
EXISTING	
	FEMA FLOODPLAIN
	FEMA FLOODWAY
	PARKS
	RIGHT-OF-WAY
	ACCESS CONTROL

Exhibit 1: Preferred Alternative

096-087 KA-6099-02



PRELIMINARY CONCEPT
02/13/2024
SUBJECT TO CHANGE

This exhibit depicts conceptual design for potential improvements to the K-96 corridor. It is intended to provide a visual overview of the proposed project and is not intended to be used for legal or engineering purposes. The design is preliminary and subject to change without notice. The exact right-of-way, property lines, and utilities cannot be determined from this drawing. KDOT makes no warranties, guarantees, or representations, or assumes any liability for errors or omissions.

K-96 IMPROVEMENTS

Preferred Alternative

LEGEND	
PROPOSED	
	MAINLINE/RAMP PAVEMENT
	SIDEROAD PAVEMENT
	BRIDGE
	SIDEWALK/SHARED USE PATH
	MEDIAN
	CLOSED ACCESS
	RETAINING WALL
	RIGHT-OF-WAY
	ACCESS CONTROL
	TEMP. CONST. EASEMENT
EXISTING	
	FEMA FLOODPLAIN
	FEMA FLOODWAY
	PARKS
	RIGHT-OF-WAY
	ACCESS CONTROL

Exhibit 2: I-135 Northbound to K-96 Braided Ramp

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PRELIMINARY CONCEPT
11/15/2023
SUBJECT TO CHANGE

This exhibit depicts conceptual design for potential project changes. The design is subject to change without notice. The exact right-of-way, property lines and utilities cannot be determined from this drawing. KDOT makes no warranties, guarantees, or representations. KDOT assumes no liability for errors or omissions.

I-135 TO K-96 ALT. 3A - BRAIDED RAMP W/ NEW HILLSIDE ONRAMP

LEGEND

PROPOSED

- MAINLINE/RAMP PAVEMENT
- SIDEROAD PAVEMENT
- BRIDGE
- SIDEWALK/ SHARED USE PATH
- MEDIAN
- CLOSED ACCESS
- RETAINING WALL
- RIGHT-OF-WAY
- ACCESS CONTROL
- TEMP. CONST. EASEMENT

EXISTING

- FEMA FLOODPLAIN
- FEMA FLOODWAY
- PARKS
- RIGHT-OF-WAY
- ACCESS CONTROL

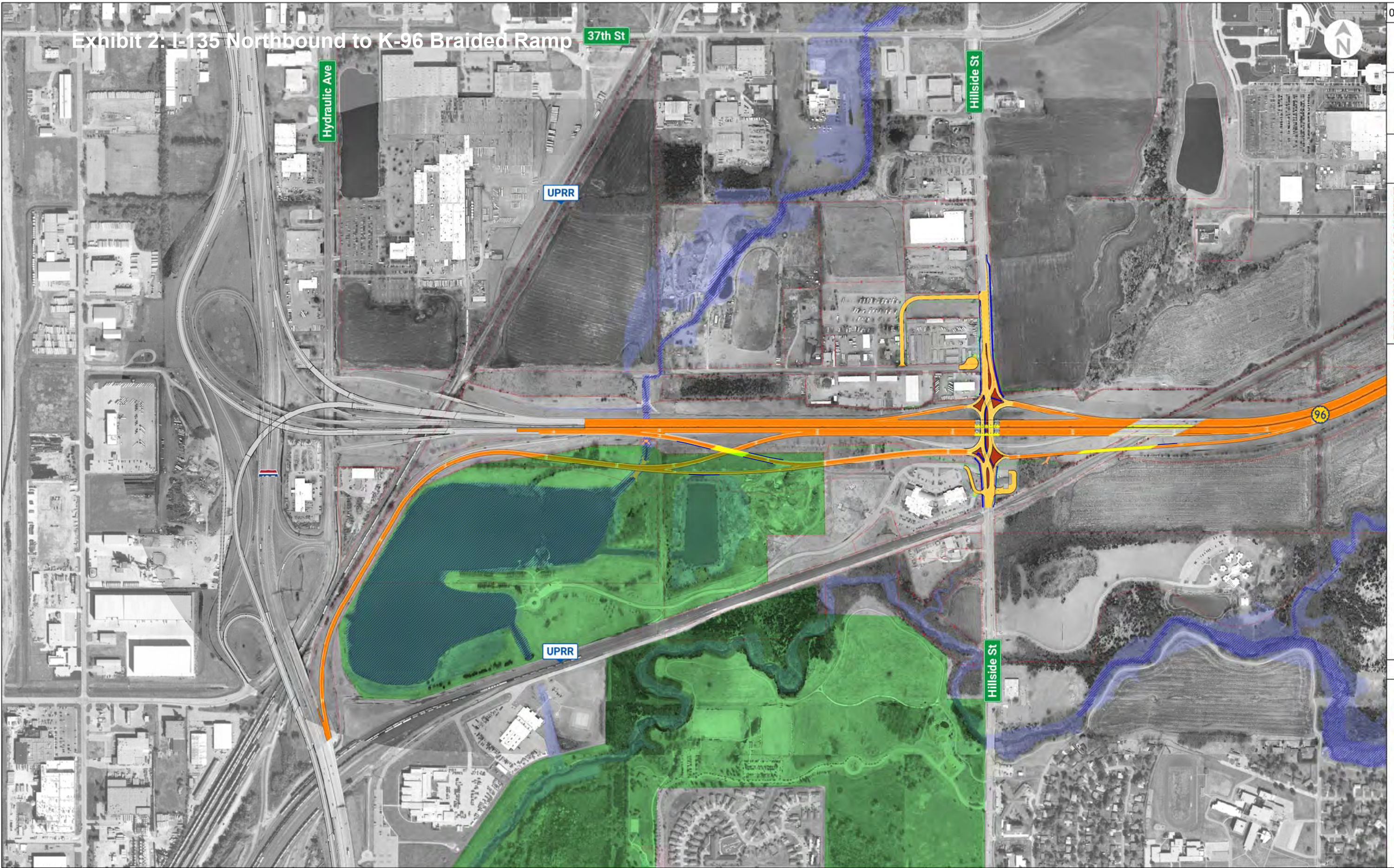
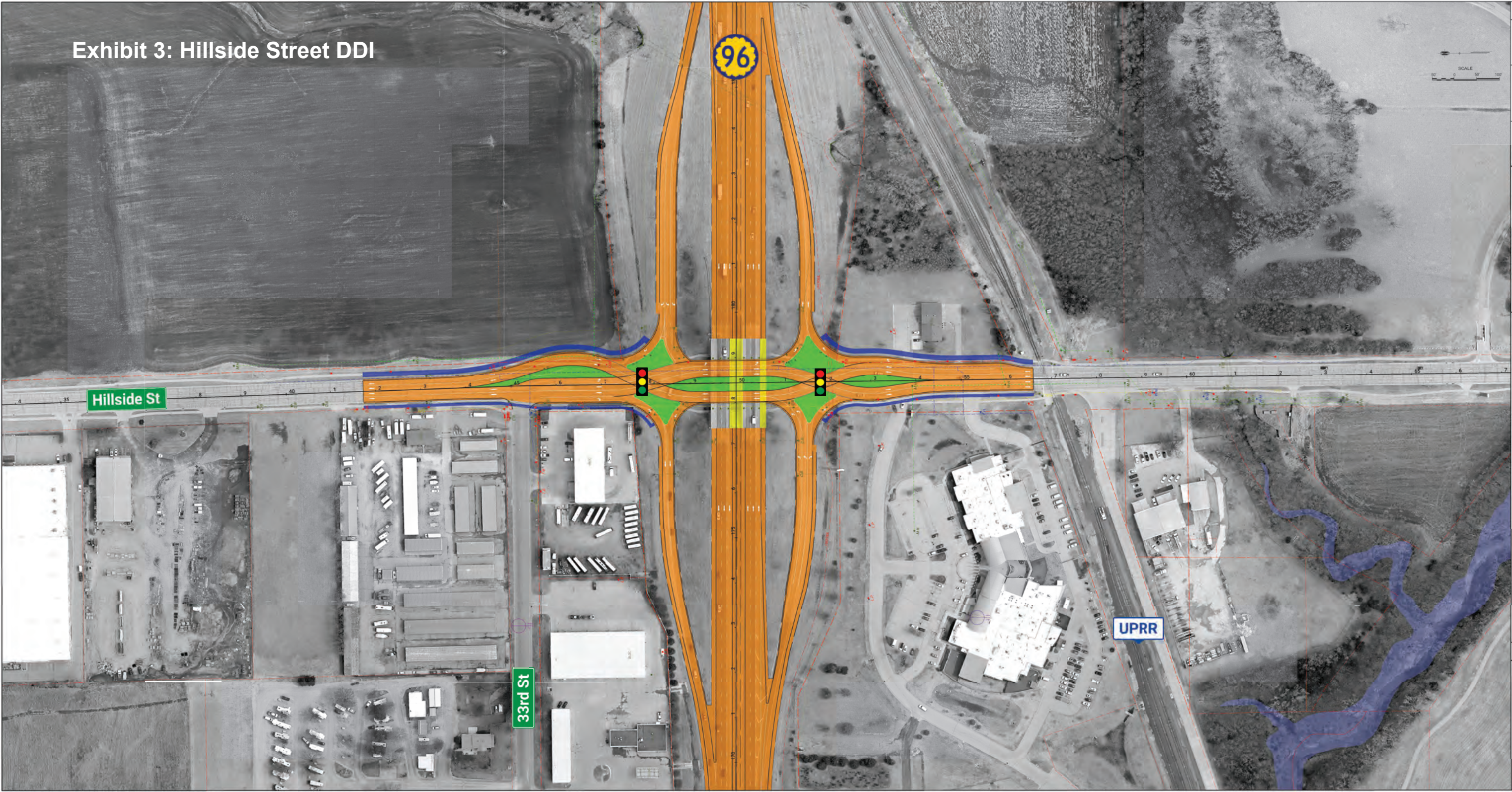


Exhibit 3: Hillside Street DDI



096-087 KA-6099-02

Kansas
Department of Transportation

IKE
KANSAS INFRASTRUCTURE
KANSAS IMPROVEMENTS

K-96
IMPROVEMENTS

PRELIMINARY CONCEPT
11/17/2022
SUBJECT TO CHANGE

This exhibit depicts conceptual design for potential improvements to K-96 in Sedgewick County and is subject to final design and construction. It is not intended to be used for legal or financial purposes. KDOT makes no warranties, guarantees, or representations for this information and assumes no liability for errors or omissions.

HILLSIDE ST
ALT. 3 - DDI

LEGEND

PROPOSED

- MAINLINE/RAMP PAVEMENT
- SIDEROAD PAVEMENT
- BRIDGE
- SIDEWALK/SHARED USE PATH
- MEDIAN
- RETAINING WALL

EXISTING

- FEMA FLOODPLAIN
- FEMA FLOODWAY
- PARKS
- RIGHT-OF-WAY

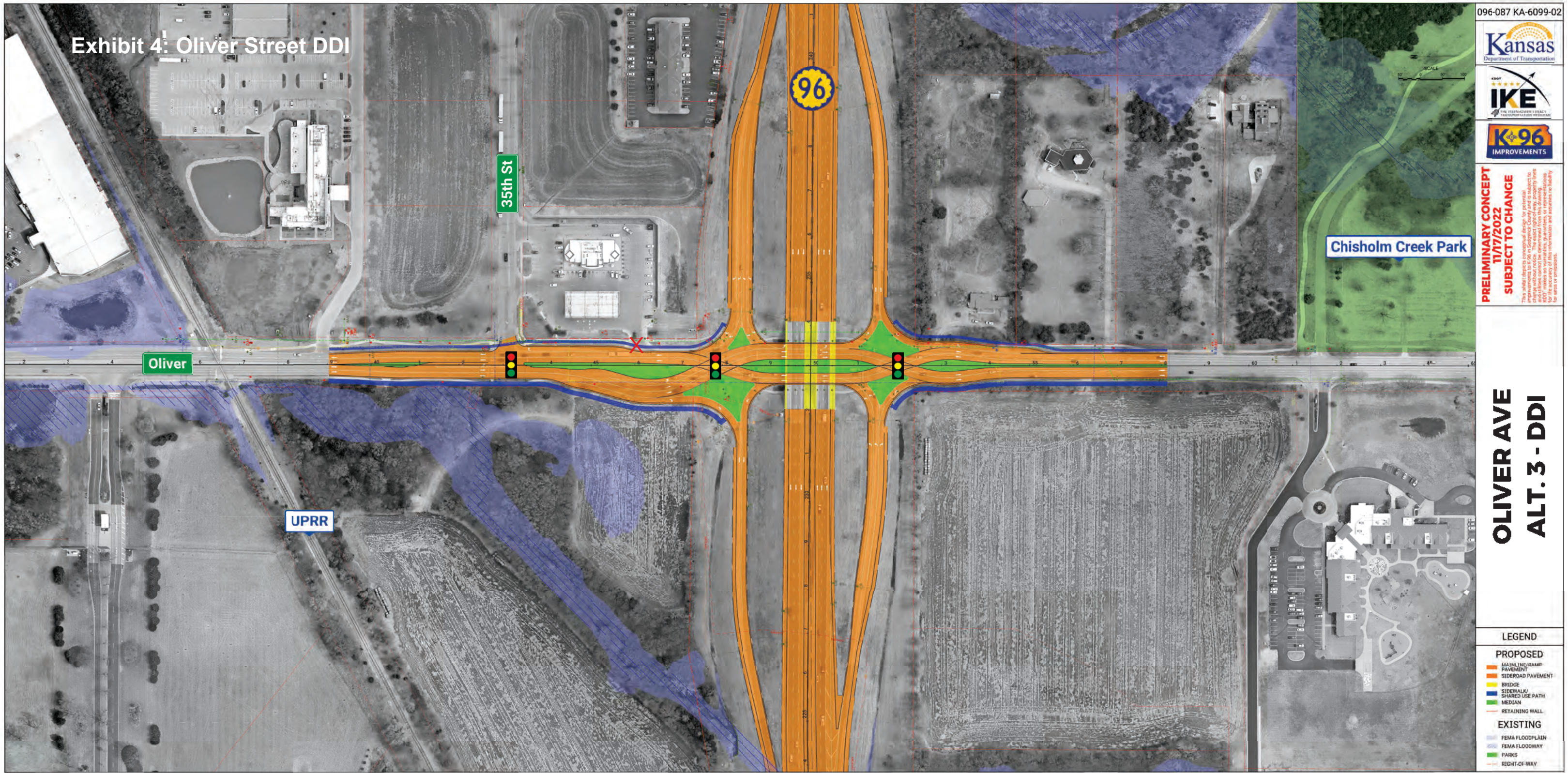
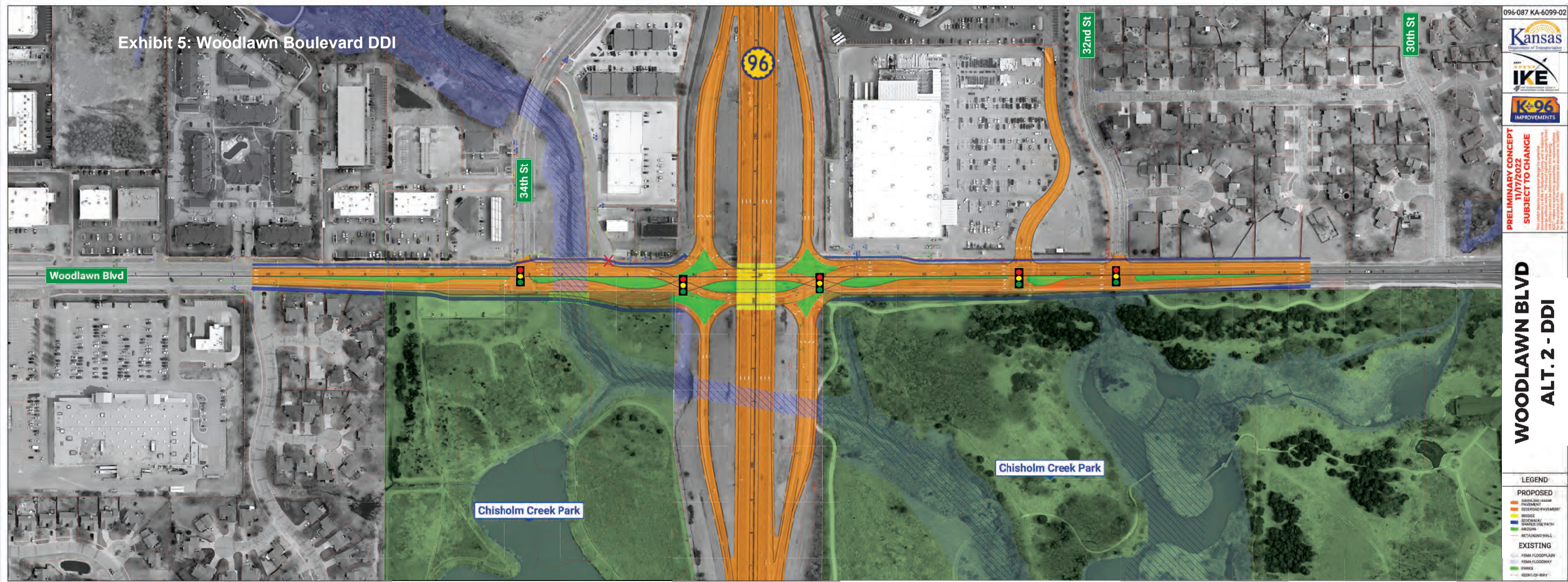


Exhibit 5: Woodlawn Boulevard DDI



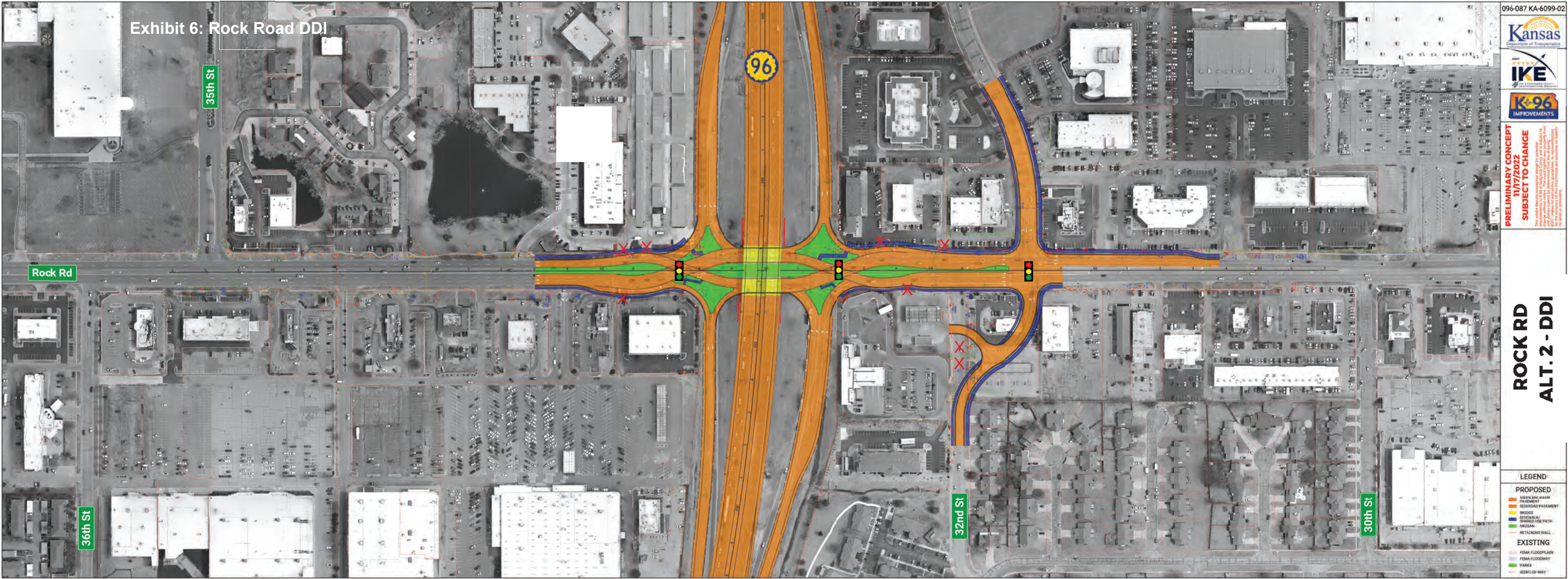


Exhibit 7: Webb Road Exit Ramps

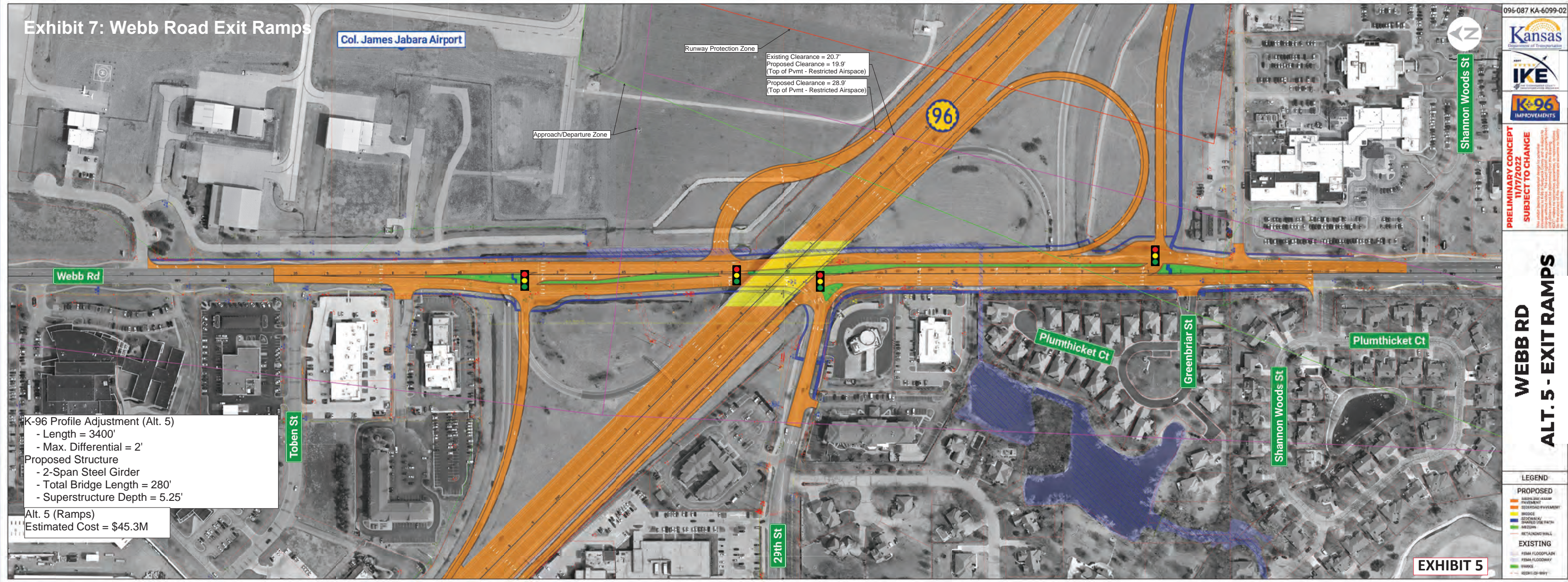


Exhibit 8: Greenwich Road Additional Lanes

27th St

Greenwich Rd

26th St

Greenwich Ct

96

22nd Cir



PRELIMINARY CONCEPT
11/17/2022
SUBJECT TO CHANGE

GREENWICH RD
ALT. 2 - ADD'L LANES

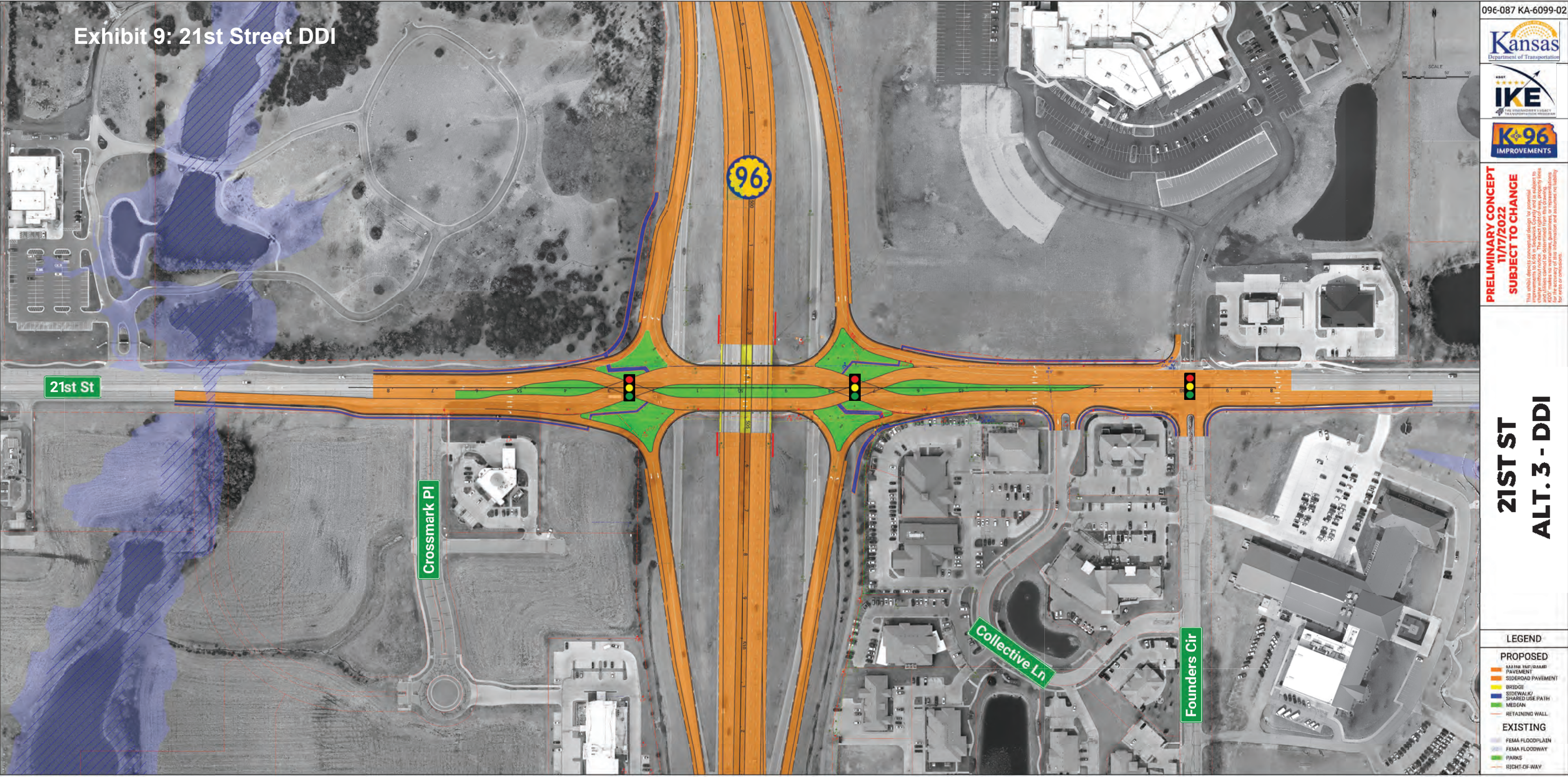
PROPOSED

- MAJOR INFRASTRUCTURE PAVEMENT
- SIDEROAD PAVEMENT
- BRIDGE
- SIDEWALK/SHARED USE PATH
- MEDIAN
- RETAINING WALL

EXISTING

- FEMA FLOODPLAIN
- FEMA FLOODWAY
- PARKS
- RIGHT-OF-WAY

Exhibit 9: 21st Street DDI





4. Summary of Impacts

The EA evaluated resources present in the project study area for impacts that may occur due to the construction of or because of the proposed project. The EA documents the absence of significant impacts associated with the implementation of the Proposed Action. **Table 1** summarizes the impacts from the Preferred Alternative.

Table 1: Preferred Alternative Summary of Impacts

Resources	Measure	Preferred Alternative Impacts	Mitigation
Community Resources (Police, Fire, Libraries, Hospitals, Places of Worship)	Quantity	1	Acquisition and relocation of Firehouse 18. Temporary detours will be coordinated with emergency responders and school district transportation
Parks and Recreation Areas, Trails, Section 4(f)/6(f) Resources	Quantity and acres	4 / 3.93 acres	Acquisition of small portions of K-96 Lake Park and Chisholm Creek Park (North and South). The K-96 Bike Trail will temporarily be impacted. Coordination with the city will occur to notify trail and park users of closures and detours. For the acquisitions of Section 6(f) properties, suitable replacement property that has reasonably equivalent usefulness and location and of at least equal fair market value will be acquired to satisfy the Section 6(f) conversion process.
Bicycle and Pedestrian Facilities	Quantity and linear feet	Temporary closures and detours	KDOT plans to replace the K-96 Bike Trail within the existing Chisholm Creek Park South. The portion of the K-96 Bike Trail on FAA property will be relocated to accommodate Webb Road interchange ramp improvements. KDOT will coordinate temporary closures with the City of Wichita.
Historical Sites or Districts	Quantity	0	The Kansas SHPO determined the proposed project will not affect any property listed or determined eligible for listing in the NRHP
Archeological Sites	Quantity	0	In the event that a previously unevaluated property of cultural significance is discovered during construction, all construction and excavation activities should cease immediately within the area
Full Property Acquisition	Number / Acres	2 / 7.4 acres	Property owners will be compensated as determined by KDOT and FHWA guidelines and requirements.



Resources	Measure	Preferred Alternative Impacts	Mitigation
Partial Property Acquisition	Number / Acres	129 / 37.4 acres	Property owners will be compensated as determined by KDOT and FHWA guidelines and requirements.
Farmland Impacts	Acres	0	The project is exempt from evaluation under the FPPA.
Wetland Impacts	Acres	0.5	Any required mitigation of impacts to WOTUS would be completed through the purchase of credits within a wetland and/or stream mitigation bank or other in-lieu fee program.
Stream Impacts	Linear Feet	3,788	Any required mitigation of impacts to WOTUS would be completed through the purchase of credits within a wetland and/or stream mitigation bank or other in-lieu fee program.
Floodway Impacts	Acres	0	Not applicable.
100-year Floodplain Impacts	Acres	9.1	Any need for and amount of compensatory mitigation for potential impacts would be determined during the City of Wichita's floodplain development permitting process.
500-year Floodplain Impacts	Acres	0	Any need for and amount of compensatory mitigation for potential impacts would be determined during the City of Wichita's floodplain development permitting process.
Threatened and Endangered Species Critical Habitat	Acres	0	There will be no significant impacts to critical wildlife habitat and no special mitigation measures are recommended.
Noise Impacts	Sensitive receptors with impacts	233	Five proposed noise walls meet the KDOT feasibility and reasonableness criteria and are recommended for construction: NW4, NW5-2, NW6-1, NW6-2, and NW16-2. Noise walls vary in height and length but fall between 11 and 19 feet tall and 698 feet and 1,600 feet in length. These five walls will positively impact 163 noise receptors. Outreach to impacted receptors will be coordinated by KDOT as design progresses in accordance with the adopted KDOT Noise Policy.
Hazardous Material Sites	Quantity and type	7 known sites/ LUST, Cleaner/Drycleaner, PFAS, Solid Waste Disposal	Known hazardous waste sites will be avoided.



Resources	Measure	Preferred Alternative Impacts	Mitigation
			If a previously unknown site is uncovered during construction, measures will be taken, as necessary, to eliminate or minimize adverse environmental consequences.

5. Changes to the EA

A Phase II Cultural Resource Survey (CRS) was completed by the Kansas SHPO Contract Archeology Program (CAP) for the expanded Study Area in response to the request of the Osage Nation on February 19-23, 2024. This survey identified two additional archeological sites, both of which are outside of the project construction limits. Kansas SHPO provided a project clearance letter on August 20, 2024, regarding the additional archeological survey results. This clearance letter is available in **Appendix A** of the EA.

On January 21, 2025, The City of Wichita Parks and Recreation Department concurred with FHWA's Section 4(f) *de minimis* impact finding for proposed impacts to K-96 Lake Park, Chisholm Creek Park (both North and South), and to the K-96 Bike Trail. This concurrence is available in **Appendix A** of the EA.

The FAA provided comments on the Draft EA during the agency and public comment period. Changes to the EA resulting from FAA comments include the following:

- Clarification on partial and full property acquisitions in **Sections 3.7.1** and **4.5.1**, including the full acquisition of 6.6 acres of FAA-owned property associated with Jabara Airport located immediately south of the Webb Road interchange.
Throughout **Chapter 4**, references to resource impact analyses detailed in **Chapter 3** were added.
- The addition of the K-96 Bike Trail as an impacted Section 4(f) resource on FAA property south of the Webb Road interchange. Additional text and references to this additional impact were added in **Section 4.5.6** (new section) and in **Table 4-3**.
- The addition of the KDOT commitment to design and maintain proposed storm water detention basins at the Webb Road interchange so that they do not hold water for a period longer than 48-hours after a storm event. Storm water detention basins holding water may induce the presence of wildlife hazardous to airport operations.
- The addition of FAA-specific CFR language and KDOT commitments related to the safe, efficient use and preservation of navigable airspace. This includes formal notice and review for airspace considerations.
- Additional CFR and FAA Order language related to unconditional approval of airport layout plans and FAA property release requirements.

Kansas SHPO also provided comments on the draft EA. The resulting changes in the EA include:

- The addition of a reference to the Contract Archeology Program (CAP) staff at the Kansas Historical Society (KHS) conducting February 2024 field investigations in **Section 3.8.4**.
- Redaction of one map in **Appendix A** due to site sensitivity.



6. Consultation and Coordination

The EA was made available for public and agency review on March 27, 2024. Following publication of the EA, members of the public, identified Native American Tribes, and federal, state, and local resource and regulatory agencies were invited to submit comments on the proposed project. The review and comment period was open until May 15, 2024. Agency comments were received from FAA and the Kansas SHPO. **Section 1.5** of this FONSI includes the changes to the EA resulting from the agency comments.

KDOT and its partners hosted the Public Hearing K-96 Improvements Project at WSU's Eugene M. Hughes Metropolitan Complex from 5-7 p.m. on Thursday, April 11, 2024. More than 125 community members met KDOT and City of Wichita staff, as well as members of the design team. Information about the project was shared, including the project timeline, the draft Environmental Assessment, and three-dimensional renderings and videos demonstrating design concepts for the seven interchanges along the K-96 corridor.

The Design Team received over 35 comments from the Open House, both on written comment forms and through the website and emails during the comment period. The following comment trends were noted:

- Many people were happy to see safety improvements coming to the corridor.
- The community is excited to see multimodal improvements and would like to see more detailed information about crosswalks and DDI pedestrian barriers included in final design materials.
- People talked to the study team about noise testing/noise wall locations.

This Public Hearing occurred during the public comment period for the draft Environmental Assessment, which was open from March 27 to May 15, 2024. During this period, the draft Environmental Assessment and comment form were available to view online on the project website at <https://k96improvements.ksdot.gov/ea>. The document and comment sheets were also available in-person at the following locations:

- Atwater Neighborhood Resource Center, 2755 E. 19th St. N., Wichita, KS 67214
- Rockwell Branch Public Library, 5939 E. 9th St. N., Wichita, KS 67208

A summary of comments received online, on paper forms at the public hearing, or verbally at the public hearing is shown on Table 2.



Table 2: Summary of Public Comments and Responses

Comment Theme	Comment	Summary Responses	Changes to the EA Required?
Noise Abatement (4 Comments)	Concern of noise at the Woodlawn interchange	A traffic noise study for the proposed project was performed in accordance with Federal Highway Administration (FHWA) standards and regulations and KDOT’s Highway Traffic Noise Policy and Guidance. Details of this noise study and potential impacts can be found in the project’s Draft Environmental Assessment.	No
	Noise barriers requested at the Great Plains Nature Center		
	Noise barriers requested on both sides of K-96 around N. Oliver Street	In accordance with FHWA requirements, detailed computer models were created to predict and analyze peak hourly noise levels for these noise receptors. Where noise levels were predicted to require noise abatement, noise walls have been proposed to mitigate the anticipated increase.	
	Noise study requested for additional area (backside of Fairmont)		
Bike/Pedestrian (5 Comments)	Concern for bikers and pedestrian crossing at K-96 interchanges	The proposed Diverging Diamond Interchanges (DDIs) provide more safety features for pedestrians and cyclists than traditional interchanges, including a signal at intersections, which can be activated by a pedestrian or cyclist for a protected crossing. Pedestrians and cyclists will cross less lanes per movement than at a traditional intersection, and our plans include a barrier-protected median through the intersection.	No
	Concern for the changes in the area of the K-96 Bike Trail and the Great Plains Nature Center	The K-96 Bike Trail at the GPNC will be relocated in the same general vicinity as it currently exists. Impacts will be temporary in nature and the area will be returned to its current environment as much as possible.	No
Right-of-Way Acquisition/Property Values (1 comment)	Concern about change in property values	The process of determining property values will occur during the right-of-way process, which is anticipated to begin in spring 2025. While our team will not be able to give specific value estimates until that time, we can hold a virtual meeting to discuss anticipated property effects and the general right-of-way process with you.	No
Traffic (1 comment)	Concern with driveway access changes on N. Oliver Street	Access changes throughout the K-96 corridor will be coordinated with property owners to minimize timing, duration, property, and access impacts to the extent possible.	No
Other General Comments (28 comments)	Traffic projects in progress should be completed before changing K-96	Ongoing projects in the K-96 corridor will be coordinated with the proposed K-96 Improvements project to minimize area-wide construction and traffic impacts.	No
	DDIs are confusing, unsafe, and out of character for this area	Thank you for your feedback on the K-96 Improvements Project. Our team is taking all comments into consideration as they complete the Environmental Assessment and Preliminary Designs for the project.	No



Comment Theme	Comment	Summary Responses	Changes to the EA Required?
	Diverging Diamond interchanges will help clean up traffic	Thank you for your feedback on the K-96 Improvements Project. Our team is taking all comments into consideration as they complete the Environmental Assessment and Preliminary Designs for the project.	No
	This is a much needed and appreciated project	Thank you for your feedback on the K-96 Improvements Project. Our team is taking all comments into consideration as they complete the Environmental Assessment and Preliminary Designs for the project	No

All public comments and study team responses are available in **Appendix B of the EA**.

7. Basis for Finding of No Significant Impact

The EA evaluated resources present in the project study area for effects as they may occur for the construction of the K-96 Improvement Project. The EA documents the absence of significant impacts associated with the proposed implementation of the Preferred Alternative.

8. Special Conditions for Approval

The following environmental commitments will be implemented during construction and permits will be obtained during final design and prior to construction of the project:

- KDOT will ensure that the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, be carried out without discrimination based on race, color, national origin, religion, and age and in accordance with Title VI (the Civil Rights Act of 1964), and the Americans with Disabilities Act. In accordance with the Uniform Act and the states' relocation programs, fair market compensation will be provided to property owners who are impacted by the proposed project.
- KDOT will coordinate with Jabara Airport (AAO) and the FAA to relocate proposed detention basins. The storm water basins are required to and will be designed and maintained to not hold water for more than 48-hours after a storm event and will not become a hazardous wildlife attractant per FAA Advisory Circular 150/5200-33C. KDOT is responsible for maintaining these detention basins and will work with the Wichita Airport Authority to ensure regular maintenance so that they perform as designed and do not attract wildlife. KDOT will coordinate with FAA to determine the design storm frequency detention basins will be designed to.
- Shielded or low-intensity lighting will be used as part of the proposed improvements in the vicinity of Jabara Airport (AAO) and will not interfere with airport or aircraft operations.
- This project may require formal notice and review for airspace considerations under 14 CFR Part 77, Safe, Efficient Use, and Preservation of the Navigable Airspace. Several items may need to be checked such as any changes in ground elevation, structures, towers, poles, objects, and temporary construction equipment that exceed the notice criteria.
- The official traffic detour routes will be coordinated in tandem with KDOT, the City of Wichita and the Contractor.
- A maintenance of traffic management plan will be developed and implemented by the contractor during the construction phase of the project.



- Construction phasing will be utilized to ensure that emergency response vehicles have access throughout the corridor.
- KDOT will satisfy and complete the Section 6(f) property conversion process in conjunction with the U.S. National Park Service requirements, with coordination from Kansas Department of Wildlife and Parks and the City of Wichita.
- Bicycle and pedestrian routes impacted by the Preferred Alternative will be restored to their existing condition where possible after project construction.
- The level of Clean Water Act (CWA) Section 404 permitting for the project would be determined during final design after obtaining concurrence on the jurisdictionally of the wetlands and stream features delineated and the magnitude of impacts resulting from the placement of fill materials (including earthen fill, bridge bents/piers, riprap, etc.) within jurisdictional wetland boundaries and/or below the ordinary high-water mark in the stream channels.
- If any changes to the stream or wetlands impacts occur during the final design phase of the project, coordination with the DWR will be required to obtain a Stream Obstruction permit.
- The Contractor will obtain a National Pollutant Discharge Elimination System Construction Stormwater Permit from the Kansas Department of Health and Environment and develop a stormwater pollution prevention plan. This plan will utilize BMPs such as: seeding disturbed areas as soon as possible, installing ditch checks and silt fences at the outset of construction, minimizing disturbances to stream banks and riparian zones, and taking all necessary precautions to prevent petroleum products from entering streams or wetlands. The contractor will be responsible for the monitoring of the BMPs and updating the SWPPP as necessary during project construction.
- A Land Disturbance Permit will be obtained from the City of Wichita. Any disturbed area that will be revegetated will be planted with native warm-season grasses, forbs, or trees.
- Compost, mulch, or biodegradable/natural fiber blankets (coconut/coir fiber is common) will be used as potential alternatives to plastic erosion control blankets for erosion control stabilization.
- Any soil excavated in hazardous waste site locations is to be incorporated back into the direct area or tested and properly remediated. Any remediation will require the coordination and approval of KDHE.
- KDOT commits to re-evaluating potential project impacts should the scope of the improvements, project limits, existing conditions, or regulations pertaining to some aspect of the project change.
- KDOT will ensure measures are taken to reduce fugitive dust and other air contaminants generated during construction. Air contaminants from construction would be controlled in accordance with standards prescribed under state and federal regulations. Materials resulting from clearing and grubbing, demolition, or other operations, except for materials to be retained, would be removed from the project area and disposed of by the contractor. A selection of Air quality BMPs that could be used include:
 - Where appropriate, retrofit of older-tier nonroad engines with an exhaust filtration device before it enters the construction site to capture diesel particulate matter. Stabilization of open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative, where appropriate.