

RIGHT OF WAY AND RELOCATIONS

The project's Selected Alternative would acquire an estimated 74 acres of right of way and would displace approximately five residences.

To minimize unavoidable effects of right-of-way acquisition and the displacement of people, the City of Memphis will carry out a right-of-way relocation program in accordance with:

- Tennessee's Uniform Relocation Assistance Act of 1972, and
- Federal Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Public Law 91646).

An information pamphlet entitled "Relocation Assistance Program" is available at this meeting. It outlines the services offered and any payments for which you may be eligible.

Representatives from the TDOT and City of Memphis Right-of-Way Offices are here tonight to answer questions relating to relocations and right-of-way acquisition.



PROCEDURE FOR SUBMITTING PUBLIC COMMENTS

You are encouraged to provide comments and input on the project. Your input will become part of the official public record for this project.

Please use the comment card to make a written statement, and leave it with a representative from TDOT at the registration desk, or mail it to TDOT by Oct. 15, 2013 at the address on the comment card.

If you do not wish to make a statement at this time, or if you wish to make an additional statement, you may send in your written comments within 21 days from the date of this hearing or by Oct. 15, 2013 to:

Public Hearing Comments
Attn: Kirby-Whitten (Shelby Farms)
Parkway, Shelby County
TDOT
Suite 700, James K. Polk Building
505 Deaderick Street
Nashville, TN 37243-0332

Public comments concerning this project can also be submitted to: TDOT.Comments@tn.gov. Be sure to include the project name: Kirby-Whitten (Shelby Farms) Parkway, Memphis, Shelby County.

A court reporter is available for those persons who desire to make a statement about the project and have the statement included in the official transcript of this hearing. If you wish to make a statement, please see the representative at the court reporter's table.

TDOT anticipates that a copy of the complete transcript and all written comments received from this hearing will be available for review on TDOT's website within 60± days of this meeting.

FOR ADDITIONAL INFORMATION

Please feel free to contact TDOT representatives:

Margaret Slater
NEPA Contact
TDOT Environmental Division
505 Deaderick St., Suite 900
Nashville, TN 37243
615-253-0033
Margaret.Slater@tn.gov

Steve Chipman
Project Manager
TDOT Region 4, Jackson
300 Benchmark Place
Jackson, TN 38301
731-935-0157
Steve.Chipman@tn.gov

The project website contains recent project updates and includes the summary and disposition of comments from the circulation of the SDEIS as well as the SFEIS and related technical studies:

<http://www.tdot.state.tn.us/kirbypar/kway/default.shtml>

Please follow project updates on this website.

A hard copy of the SFEIS is available for review at:

- Memphis-Shelby County Library in Cordova
- Memphis-Shelby County Library in Memphis
- TDOT Region 4 in Jackson
- University of Memphis Library-Government Publications Department

**THANK YOU FOR YOUR
INTEREST IN THE
PROPOSED
KIRBY-WHITTEN
(SHELBY FARMS)
PARKWAY PROJECT**

AGENDA

5:00-5:30 pm	Sign in/Sign up to Speak/Visit Displays/Talk with Project Team and/or Court Reporter
5:30-5:50 pm	PowerPoint presentation
5:50-7:00 pm	Question & Answer

WE NEED YOUR INPUT

This National Environmental Policy Act (NEPA) Public Hearing is the follow-up to the last Public Hearing, held on December 13, 2007, and is being conducted in accordance with the NEPA process for this project and the FHWA's regulations at 23 CFR Parts 771 and 774. The focus of this hearing is to update the public and local officials on changes in the project's NEPA environmental documentation, environmental investigations on the landfill and aquifer, and preliminary design that has occurred since the last Hearing. This Public Hearing will also afford the public an opportunity to view and comment on the proposed project and the *de minimis* (minor) impacts to Section 4(f) resources.

The meeting will include a short presentation, followed by an opportunity for attendees to present their opinions about the project and the proposed Section 4(f) *de minimis* determinations, and to ask questions. Individuals presenting their opinions will be limited to three minutes and cannot share or yield time to enable anyone to speak for longer than three minutes. Maps of the project area and other pertinent information are displayed in the hallway outside the meeting room.

Representatives of the Tennessee Department of Transportation (TDOT), Shelby County, and the City of Memphis can answer any questions that you may have. They can be identified by name tags.

PROJECT OVERVIEW

The proposed roadway is a north-south route extending from the west end of Shelby Farms Park at Walnut Grove Road on the south to Mullins Station Road and then along Whitten Road to Macon Road on the north. Over the past decade, several alternatives have been studied.

In October 2003, TDOT announced its decision to refer the proposed roadway project to the local government for future planning using a "context sensitive solutions" (CSS) approach.

A 17-member Shelby Farms Parkway Advisory Team, appointed by Shelby County Mayor A. C. Wharton, was charged with developing recommendations on how best to construct this roadway through Shelby Farms Park. After six meetings and two public workshops, the Advisory Team identified three build alternatives and a no-build alternative. The build alternatives were designed specifically to avoid the controversy that had surrounded

NEPA PUBLIC HEARING

September 24, 5:00 – 7:00 p.m.
Agricenter International
7777 Walnut Grove Road
Memphis, TN 38120

Kirby-Whitten Parkway (Shelby Farms Parkway)

Tennessee Department of Transportation
Shelby County Government
City of Memphis

the Selected Alternative in the 1991 NEPA Final Environmental Impact Statement (FEIS).

FHWA approved a Draft Supplemental EIS (SEIS) in October 2007, which was published for public comment in the Federal Register in November 2007. TDOT submitted the Final Supplemental EIS (FSEIS) to FHWA in December 2008. In November, 2010, TDOT submitted a revised FSEIS to FHWA.

Alternative Q was chosen as the Selected Alternative for its overall design qualities, including fewer lanes, advantages in functionality, fewer environmental impacts, improved safety, compatibility with trails and aesthetics.

Below are the agencies involved in the project development process and their roles.

- TDOT - NEPA Process
- City of Memphis – Final Design
- Shelby County- CSS Process
- Federal Highway Administration (FHWA)- NEPA Oversight

PROJECT SCHEDULE

The NEPA Record of Decision (ROD) is anticipated in Winter 2013/14. The schedule for future project phases (right-of-way acquisition and construction) will be determined based on identification of funding.

ABOUT THE NEPA PROCESS

This meeting is part of the NEPA process, which is required by the federal government for projects or undertakings that use federal funds. TDOT prepared and the Federal Highway Administration has approved on January 30, 2012 a NEPA SFEIS.

The preparation of ROD will be the final NEPA action needed to allow the project to move forward to the survey and design phase.

SECTION 4(F) IMPACTS

This Hearing is also intended to provide notice of TDOT's intent to file, as a part of the project's NEPA process, a Determination of Section 4(f) *de minimis* use related to the minor use (acquisition) of recreational lands associated with the:

- Greenline Trail,
- Greenline Trail Connector, and
- Wolf River Greenway Trail Connector

In addition, this Hearing provides an opportunity to make additional comments on the proposed Section 4(f) *de minimis* finding for the proposed roadway. The comment period for that finding occurred in early 2012 with the circulation of the SFEIS.

Section 4(f) of the US Department of Transportation (USDOT) Act of 1966 requires the USDOT to identify and address impacts to certain resources, including public parks and trails. An impact may be determined *de minimis* under Section 4(f) if:

1. The transportation use of the Section 4(f) resource, together with any impact avoidance, minimization, and mitigation or enhancement measures added into the project, does not

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

2. The official(s) with jurisdiction over the property are informed of FHWA's intent to make the *de minimis* impact finding based on the written concurrence of the official(s) that the project will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f); and
3. 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.

Once the requirements above are met and FHWA determines that a transportation use of Section 4(f) property results in a *de minimis* impact, the Section 4(f) evaluation process is complete.

Mitigation for the Build Alternative's impacts to the trails will be construction of two tunnels under the proposed roadway and the realignment of trails. Trail connectivity will be retained. The proposed realignment of the trails and the construction of the tunnel crossings will occur entirely within the limits of Shelby Farms Park.

The tunnel locations will be at Walnut Grove Road for the Wolf River Greenway Trail Connector and at the Greenline Trail Connector towards Mullins Station Road. These well-lit tunnel connections will improve safety for bicyclists and pedestrians. In addition, the tunnels will accommodate horses and park maintenance vehicles. The tunnel crossing is safer than an at-grade

crossing and will eliminate a stop condition on the trails at the proposed Kirby-Whitten (Shelby Farms) Parkway and Walnut Grove Road intersection.

Measures to minimize harm to the Greenline Trail, which is planned but not yet constructed, were also considered. The trail is anticipated to be built before the parkway. The use of the trail will not be compromised after the trail is realigned to accommodate the proposed project. The trail will be located in the same general area but it will be safer than the initially constructed crossing due to the installation of a signal-controlled intersection at the new parkway.

The Shelby Farms Park Conservancy will be asked to concur that the trail impacts are minor when mitigation is taken into account. The public will be afforded a 21-day comment period to comment on the Section 4(f) *de minimis* recommendation. The comment period coincides with that for this Hearing. The Section 4(f) determinations for the affected resources will be contained in the NEPA ROD.



Shelby Farms Parkway Public Hearing September 24, 2013

LEGEND

Section 4(f) Trails

- Future Greenline Trail
- Existing Greenline Trail Connector
- Greenline Trail Connector To Be Removed
- Existing Wolf River Trail Connector

Proposed Parkway

- Proposed Road
- Proposed Bridge

Proposed Trails Built with Parkway

- Trail
- Tunnel

Proposed Trails

- Transportation Enhancement Trail
- Future Unfunded Trail

