

# FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND SECTION 4(f) FINDING

FOR

I-229 and Exit 4 (Cliff Avenue) Interchange Reconstruction

IM-B 2292(101)4, PCN 05HN

Sioux Falls CIP #11100

Sioux Falls #7 (2023 Bike Plan)

Minnehaha County, South Dakota

November 2024

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

by the

U.S. Department of Transportation

Federal Highway Administration

South Dakota Department of Transportation

and

City of Sioux Falls, South Dakota

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## 1.0 Introduction

The Federal Highway Administration (FHWA) has determined that in accordance with 23 CFR § 771.119 and § 771.121, the Interstate 229 (I-229) Exit 4 (Cliff Avenue) Interchange (the Project) will not have a significant impact on the human or natural environment. This Finding of No Significant Impact (FONSI) for the Proposed Action is based on the Environmental Assessment (EA) signed by FHWA and SDDOT. The EA was made available on August 16, 2024, to stakeholders, agencies, and the public for a 30-day comment period. A public meeting was held on September 4, 2024, at the Sioux Falls Lincoln High School.

A summary of comments received during the comment period is included in this FONSI. Comments received are discussed in FONSI **Appendix A**. No other agency or public comments were received that necessitated revisions to the content of the EA; therefore, the document will not be republished. Responses to comments, along with any progress on commitments from the EA have been documented in this FONSI. The EA has been independently evaluated by the FHWA, who has determined that it accurately discusses the need, purpose, alternatives, environmental resources, and impacts of the Project and appropriate mitigation measures. The EA and referenced reports have provided sufficient evidence for determining that an Environmental Impact Statement (EIS) is not required. The EA and supporting documents are incorporated by reference into this FONSI.

The Project was developed in accordance with the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's (CEQ's) Regulations for Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] §1500-1508) and the corresponding regulations and guidelines of the U.S. Department of Transportation (USDOT) and FHWA.

## 2.0 Description of Proposed Action

The Project includes the replacement of the existing I-229 Exit 4 Interchange and its adjacent connecting roadways along the Cliff Avenue Corridor in Sioux Falls, South Dakota. The Project includes new interchange bridges, ramps, new bicycle and pedestrian facilities, a realignment of the connecting 41<sup>st</sup> Street Corridor, and pavement modifications and access management improvements along Cliff Avenue in the immediate vicinity of the I-229 Exit 4 Interchange, as well as new stormwater detention areas. The major ground-disturbing activities of the Project are focused in the improvement areas.

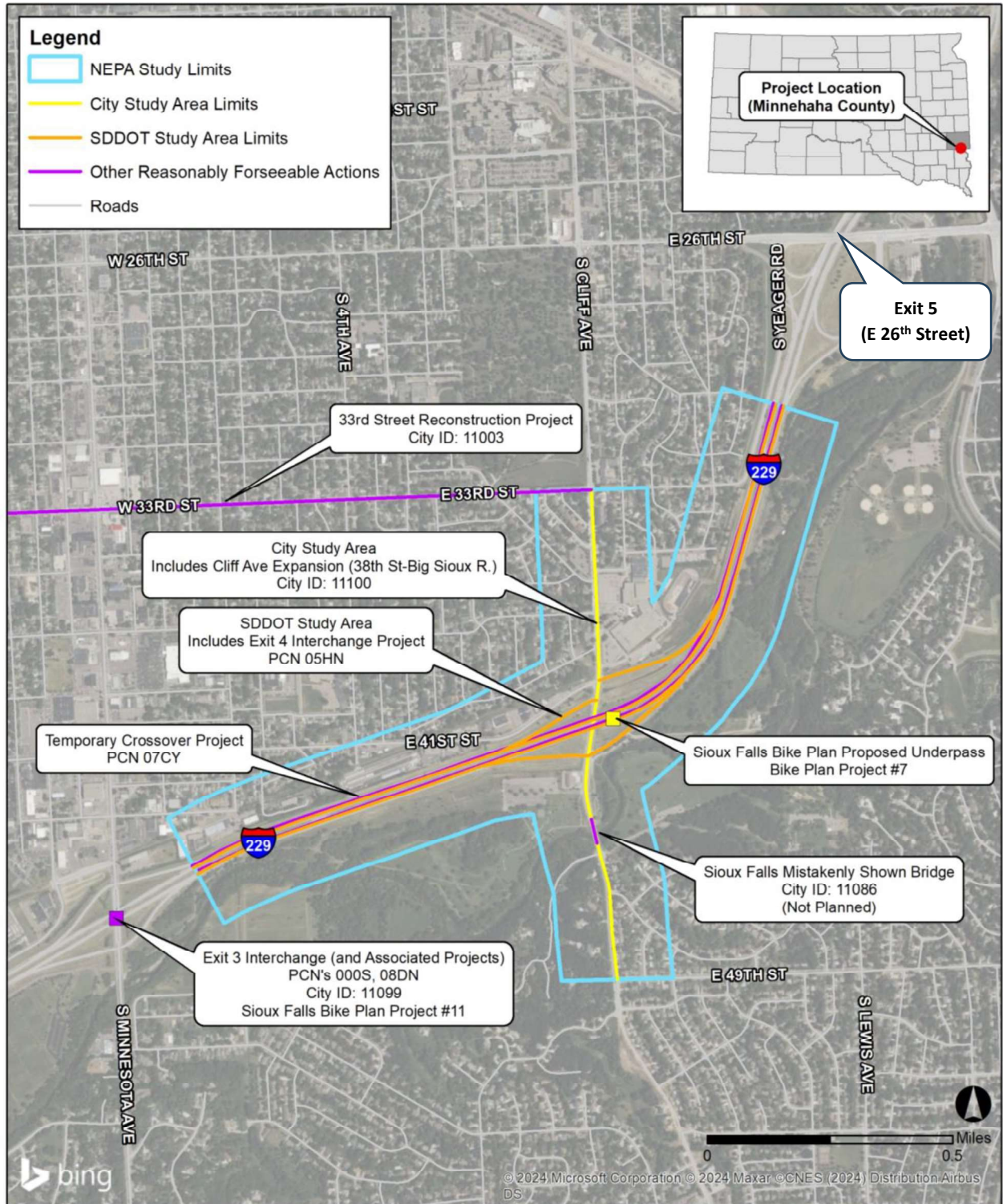
The Project's study limits, shown in Figure 1, were chosen based on logical termini. Logical termini are defined as rational end points for a transportation project and corresponding environmental review. Three conditions must be met as set forth in 23 CFR 771.111(f) paraphrased as follows:

- Connect logical termini and be of sufficient length to address environmental matters on a broad scope.
- Have independent utility or independent significance – that is, be usable and be a reasonable expenditure even if no additional transportation improvements are made.
- Not restrict the consideration of alternatives for other reasonably foreseeable transportation improvements

Logical termini were selected jointly between the SDDOT and City of Sioux Falls for this project. The SDDOT's I-229 mainline interstate study limits are Exit 3 (Minnesota Avenue) to the west and Exit 5 (26th Street) to the east. These were chosen because they are the nearest service interchanges in both directions along I-229. The City of Sioux Falls' Cliff Avenue study limits include 33rd Street to the north and 49th Street to the south. These were chosen because they are the closest major crossroads to Cliff Avenue near I-229, and major needs along Cliff Avenue primarily relate to the Exit 4 interchange. The rational end points of the environmental impact analysis

include the SDDOT and City study area limits and the human or natural environment limits of the affected resource located within it. Generally, the study area contains urban land uses to the north of I-229, and open/vacant land or natural area to the south of I-229.

Figure 1: Project Location Map



## 2.1 Purpose and Need for the Project

The purpose and need statement were developed with consideration of public input as well as agency and tribal input. Initial coordination with agencies and tribes occurred through scoping letters. In addition, meetings were held with each potentially affected landowner. Coordination with agencies, tribes, landowners, and the public will continue throughout the Project.

### 2.1.1 Purpose of the Project

The purpose of this project is to improve travel mobility and address geometric deficiencies at the I-229 Exit 4 interchange and along the Cliff Avenue corridor, while also considering potential additional desirable outcomes of improving safety and nonmotorized connectivity.

### 2.1.2 Project Needs

The project will address the main needs identified in the study area. These needs, which are listed below and will be addressed with equal importance and priority in this study, are:

- **Mobility** – LOS C or better should be maintained along all sections of I-229 and all ramp terminals (Per SDDOT standards) and LOS D or better should be maintained along all sections of Cliff Avenue within the project area (per City of Sioux Falls Standards) through the 2050 project design year with a preference for alternatives that meet these requirements under higher than anticipated demand. Supporting information for this need is included in EA Section 1.4.2.1.
- **Geometric Deficiencies** – Geometric deficiencies, including infrastructure condition deficiencies for roadways in the study area, should be addressed to meet current standards by the project's design year (2050). Supporting information for this need is included in EA Section 1.4.2.2.

### 2.1.3 Project Goals/Other Desirable Outcomes

As part of the planning process for the project, several other goals were identified for the project. While project goals are not direct project needs and are therefore not a basis for eliminating an alternative based on meeting the purpose of the project, they can be considered as a factor in screening and selecting a preferred alternative. They should be considered when evaluating the alternatives, where possible, to achieve desirable outcomes. The goals identified for the project include safety and non-motorized connectivity.

- **Safety** – Safety is an important consideration for all transportation projects. With any new transportation project comes an opportunity to improve safety. Safety should be considered during the design of alternatives for this project. Alternatives should work toward reducing crashes within the study area below the No Build Levels, with a preference for alternatives that improve safety more than others.
- **Non-motorized Connectivity** – A goal of this project is to work toward the desirable non-motorized traveler-desired outcomes identified in local plans and through public outreach efforts discussed above. Design efforts of the study alternatives must consider the addition of sidewalks, trails, bicycle facilities, and marked crossings in key locations where there are gaps in these networks. New facilities should also aim to address current deficiencies in ADA standards on existing facilities in the project area and ensure new project-related sidewalks and trails also meet these standards.

## 2.2 Alternatives Considered

Initial development of conceptual alternatives for this project started prior to the planning/Environmental Scan Report (ESR) phase of the project. Initially, the I-229 Major Investment Study (MIS), completed in 2017 and including the proposed Project, examined the need for improvements along a larger length of I-229 and included eight interchange alternatives for the Cliff Avenue Interchange with I-229. The MIS narrowed the range of build alternatives to three which were recommended to be carried forward for further analysis. More information on the previously dismissed alternatives from the MIS can be found in the I-229 Exit 4 (Cliff Avenue) Crossroad Corridor Study located online at:

[dot.sd.gov/media/documents/I229\\_SS1\\_FINALReportAppendices\\_June2017.pdf](http://dot.sd.gov/media/documents/I229_SS1_FINALReportAppendices_June2017.pdf)

The Project's Interchange Modification Justification Report (IMJR) focused its analysis on the MIS-recommended alternatives. In addition to these, a modification to MIS Alternative Cliff-6 was explored as part of this analysis. An offset Single Point Urban Interchange (SPUI) design was explored with the SPUI intersection located near the existing southern ramp terminal intersection, which became known as Alternative 6B. This design provides better intersection spacing and would require 41st Street to not be realigned; however, the design requires 6 separate bridge structures along I-229 to relocate the southbound I-229 ramps to the south side. Due to the increased number of structures, this alternative was removed from consideration.

The three remaining build alternatives were then evaluated in the planning phase of the project with the Environmental Scan Report (ESR). The ESR analysis determined that all three build alternatives satisfied the project's preliminary Purpose and Need, and therefore, they should be carried forward for additional consideration and screening in a NEPA evaluation. These build alternatives, along with the No Build Alternative, are described as follows.

### No Build Alternative

The No Build Alternative is a "no action" alternative. This alternative assumes that no modifications would be made, and the interchange would be maintained in its current configuration. Continual maintenance and repairs would be performed to ensure the safety of the traveling public, and safety measures would be implemented to the extent feasible and practicable. Although the No Build Alternative typically does not meet the purpose and need of a proposed transportation project, it is always carried forward to serve as the baseline to which the other alternatives are compared when analyzing the potential social, economic, and environmental impacts of other alternatives. Consideration of a no action alternative is required by Council of Environmental Quality regulations for implementing NEPA (40 CFR 1500-1508).

### Alternative Cliff-1

#### Northbound Cliff to Southbound I-229 Loop Ramp Alternative

This alternative is carried forward from the I-229 Major Investment Study (MIS) recommendations. For this alternative, the northbound I-229 ramp terminal would remain a standard diamond configuration with additional turn lanes to improve capacity.

The southbound I-229 ramps would be significantly reconfigured. The I-229 entrance ramp would be split into two ramps with a new entrance ramp access on southbound I-229. The southbound Cliff Avenue ramp would be a free right turn movement and the northbound Cliff Avenue traffic would have a free right turn onto a new loop ramp connection. The southbound I-229 exit ramp would connect to the 41st Street intersection. This connection helps improve safety and relieves the closely spaced intersection issues.

Along Cliff Avenue, a 4-lane divided roadway would be provided directly to the north with the south Lincoln High School driveway access being reduced to a right-in/right-out access (RI/RO). To the south, a median would be constructed to just north of the Spencer Park intersection resulting in RI/RO access for the existing business driveways.

#### Alternative Cliff-6

##### **Single Point Urban Interchange, 41st Street Realigned to Pam Road Alternative**

This alternative is carried forward from the I-229 MIS recommendations. The existing diamond interchange would be reconfigured to a Single Point Urban Interchange (SPUI). 41st Street would be realigned shifting the intersection with Cliff Avenue to the north to provide better intersection spacing with the proposed interchange design.

The 41st Street realignment creates a significant amount of right-of-way impacts and would require Pam Road to be closed to Cliff Avenue. The configuration creates a weaving condition along northbound Cliff Avenue between the southbound I-229 right turning vehicles wanting to use 41st Street to the west.

Along Cliff Avenue, a 4-lane divided roadway would be provided directly to the north with the south LHS driveway located across from 41<sup>st</sup> Street at the new Cliff Avenue intersection location. To the south, a median would be constructed to just north of the Spencer Park intersection resulting in RI/RO for the northern driveway to the Spoke-N-Sport retail store.

#### Alternative Cliff-7

##### **Single Point Urban Interchange, Southbound I-229 Exit Ramp Through and Right Turns at 41st Street Alternative**

This alternative is carried forward from the I-229 MIS recommendations. The existing diamond interchange would be reconfigured to a SPUI with a modified southbound ramp connection.

The northbound I-229 ramps are of typical SPUI design, and the southbound I-229 entrance ramp is also typical of a SPUI design.

The southbound I-229 exit ramp would be significantly reconfigured from a standard SPUI design. The I-229 exit ramp would be split into directional ramps for Cliff Avenue. The southbound Cliff Avenue traffic would tie into the traditional SPUI intersection. The northbound Cliff Avenue traffic would connect to the 41st Street intersection; this connection helps relieve the closely spaced intersection and weaving issues.

Along Cliff Avenue, a 4-lane divided roadway would be provided directly to the north with the south Lincoln High School driveway access being reduced to a RI/RO. To the south, a median would be constructed to just north of the Spencer Park intersection resulting in RI/RO for the northern driveway to the Spoke-N-Sport retail store.

### **2.3 Preferred Alternative**

Alternative Cliff-6 meets the purpose and need of the project. This alternative addresses the geometric deficiencies identified as project needs. It also improves LOS to acceptable levels in all locations, even under 10 percent higher traffic volumes than anticipated, and is the only alternative to do this.

Alternative Cliff-6 meets the safety goal of the project by reducing crashes, and it does this to a greater extent than any other build alternative. It also provides buffered sidewalks and trails, crosswalks, lighting, and transit signage; all of which are encouraged through the City's complete streets checklist. The city has signed off on the Phase I complete streets checklist for this alternative's preliminary design, further demonstrating that this alternative supports the non-motorized connectivity goal of the project. The designer would complete the

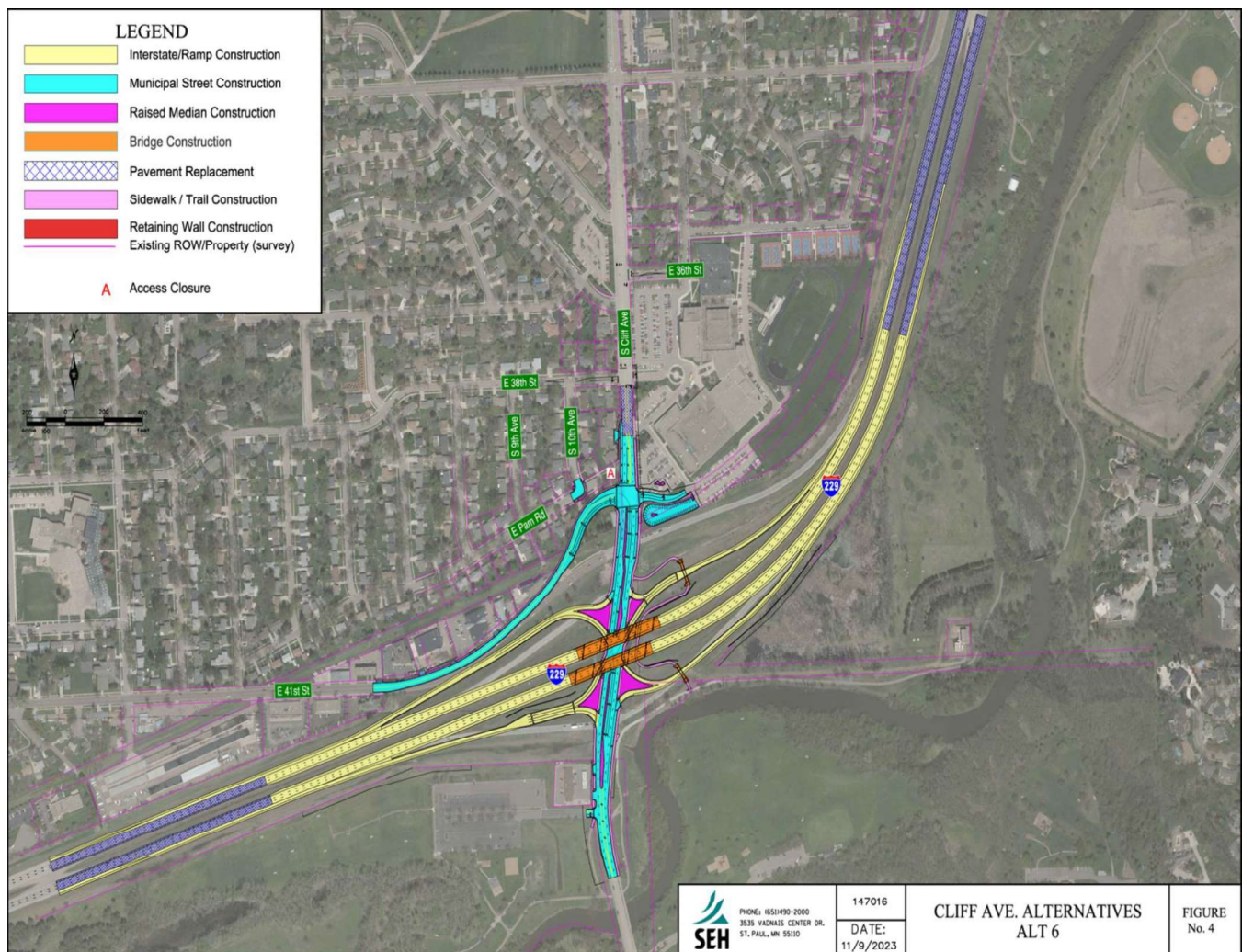


remaining phases of checklist in final design. Although this alternative among the most expensive of alternatives, it would still be fundable and would provide more benefits overall than other alternatives. For these reasons, this alternative will be carried forward for further analysis in the NEPA process.

Among the build alternatives, Alternative Cliff-6 was selected by the Project’s Study Advisory Team as the Preferred Alternative. Of the build alternatives carried forward for analysis, it is the most prudent and feasible, is the most likely to meet the purpose and need of the Project through the design year (2050) and provides the greatest safety benefit. The Preferred Alternative was further evaluated for environmental impacts in the Project’s Environmental Assessment (EA), including the three previously identified project components: the I-229 Exit 4 Interchange reconstruction (PCN 05HN), the expansion of Cliff Avenue (City ID #11100), and a bike/pedestrian underpass (Sioux Falls Bike Plan Project #7).

The Preferred Alternative for the Project is illustrated in **Figure 2**.

**Figure 2: Preferred Alternative**



**Summary of Impacts**

Table 1 summarizes the environmental impacts associated with No-Build Alternative and Preferred Alternative.

**Table 1: Impact Summary of the No Build Alternative and Preferred Alternative**

Environmental Resource	No Build Alternative	Preferred Alternative
Land Use	<ul style="list-style-type: none"> <li>The study area is fully developed, no direct land use changes would result from this alternative.</li> <li>This alternative is consistent with planned land uses, as minimal change is anticipated. However, the ability of the transportation system to serve these land uses would diminish as mobility and safety decrease under anticipated conditions. The No Build Alternative will not support surrounding land uses in the future.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed project would result in approximately 4.2 acres of new ROW converted from its existing use to transportation use:                             <ul style="list-style-type: none"> <li>1.9 residential acres.</li> <li>0.7 commercial acres.</li> <li>1.5 vacant/undeveloped/transportation acres.</li> <li>0.1 parks/recreational acres</li> <li>Additional Temporary Limited Easement (TLE) during construction, with no long-term impact.</li> </ul> </li> <li>The proposed project would convert approximately 0.37 acres of vacant land to parkland as a mitigation measure for impacts to Section 6(f) resources.</li> </ul>
Acquisitions, Relocations, and Access	<ul style="list-style-type: none"> <li>No structures would need to be acquired or relocated.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed project would result in the acquisition of three businesses and seven residential properties. Acquisitions have already occurred as part of the City of Sioux Falls' Voluntary Flood Buyout Program. Coordination with property owners has taken place, and the relocation of these businesses is not anticipated to be a substantial burden.</li> <li>Additional property would need to be acquired from several and access modifications would be required in certain locations, but the structures and functional access would be maintained. While this may result in temporary construction impacts, no long-term impacts are anticipated.</li> </ul>
Utilities, Public Facilities, and Services	<ul style="list-style-type: none"> <li>No impact to utilities.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed project will require the relocation of several utilities. These utilities could include cable, phone, fiber optic, and water lines.</li> <li>Relocations of utilities represent a temporary short-term negative impact.</li> <li>SDDOT and the City of Sioux Falls would coordinate with the utility companies about specific utility relocations prior to construction activities.</li> <li>During construction, the public would be informed of any service interruption prior to the loss of service. Interruptions would be temporary and minimized to the extent possible.</li> </ul>
Economic Resources	<ul style="list-style-type: none"> <li>This alternative would result in traffic congestion in the future. Over time, this congestion may diminish the desirability of the Project Area as a commercial, industrial, or residential destination. This could result in an adverse economic effect for infill and redevelopment.</li> </ul>	<ul style="list-style-type: none"> <li>Relocations would mitigate long term impacts to businesses.</li> <li>Short term construction impacts would occur for business but would be temporary.</li> </ul>
Considerations Relating to Pedestrians and Bicyclists	<ul style="list-style-type: none"> <li>No sidewalk or bike lane improvements would be added along Cliff Avenue.</li> <li>The project would not address public concerns identified by the public or be consistent with local plans.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed project includes the construction of new sidewalks, a new section of trail, and a grade separated crossing of I-229. New facilities would be designed and constructed to meet ADA accessibility standards. These facilities would provide a long-term benefit to the bicycle and pedestrian network in the study area.</li> <li>Proposed improvements would be consistent with planned city projects, providing improvements along Cliff Avenue and an underpass of I-229, which could be compatible with future surrounding</li> </ul>

Environmental Resource	No Build Alternative	Preferred Alternative
		<p>long-range projects that may connect to the study area. Improvements would also address public safety concerns by providing a grade-separated crossing of I-229, including crosswalks and pedestrian signals at all Cliff Avenue intersections near the school, and providing a safe connection between the existing Sioux Falls Bike Trail and Lincoln High School/Sioux Falls.</p>
Air Quality	<ul style="list-style-type: none"> <li>Increased traffic volumes would have the potential to result in localized air quality impacts related to vehicle exhaust, especially during AM and PM peak hours.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed project would result in temporary, minor impacts on air quality relating to increased dust levels and vehicle exhaust during construction.</li> <li>Impacts would be short-term and localized, and no permit would be required.</li> <li>No long-term major impacts are anticipated, and no air quality standards would be violated.</li> </ul>
Noise	<ul style="list-style-type: none"> <li>No impacts related to noise.</li> </ul>	<ul style="list-style-type: none"> <li>Construction noise impacts would be short-term and limit to the duration of construction.</li> <li>Modeled noise receptors exceeded FHWA criteria at 54 of 108 modeled receptor locations. None of these exceedances are from a substantial increase in traffic noise resulting from the Build Alternative.</li> <li>No noise barriers would not be recommended with this alternative (none were determined to be feasible and reasonable).</li> </ul>
Water Quality	<ul style="list-style-type: none"> <li>Potential for indirect impacts to quality water could occur as the area surrounding the roadway develops. Increased impermeable surface could cause increased storm-water runoff which has a negative impact on water quality downstream.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed project will require NPDES Permit (General Permit for Storm Water Discharges Associated with Construction Activities) under the South Dakota SWD program would be required.</li> <li>Development of a SWPPP that outlines the BMP's used during construction would be developed prior to construction.</li> </ul>
Floodplain	<ul style="list-style-type: none"> <li>No floodplain impacts would occur with this alternative.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed project will add an anticipated 15,860 CY of fill below the 100-year floodplain. As part of final design efforts, SDDOT will complete a floodplain analysis and issuance of a "no-rise" certification that will be sent to the Sioux Falls Floodplain Manager.</li> <li>Compensatory storage requirements would be met to ensure no net impacts to the floodplain are created.</li> </ul>
Wetlands and other Waters of the United States	<ul style="list-style-type: none"> <li>No wetland impacts would occur with this alternative.</li> </ul>	<p>The proposed Project will result in the following impacts to aquatic resources:</p> <ul style="list-style-type: none"> <li>Approximately 2.68 acres of wetlands impacted, including:                             <ul style="list-style-type: none"> <li>0.31 acres of jurisdictional wetlands</li> <li>2.37 acres of non-jurisdictional wetlands.</li> </ul> </li> <li>Non-jurisdictional wetlands mitigated under EO11990 and FHWA regulation 23 CFR 777.9. No net loss of wetlands.</li> <li>Any permanent impacts to jurisdictional wetlands would require a Section 404 Permit.</li> </ul>

Environmental Resource	No Build Alternative	Preferred Alternative
Vegetation, Fish, and Wildlife	<ul style="list-style-type: none"> <li>No impacts to vegetation, fish, or wildlife would occur with this alternative.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed project will result in some loss of habitat would occur (mowed lawn/ROW, vacant land, wetlands).</li> <li>Conversion of poor-quality habitat (lawns and cropland) to road ROW, which is considered to be poor quality habitat, and is plentiful in areas surrounding the study area.</li> <li>With the use of BMP's, such as silt fences and/or bales, and other stipulations in the NPDES construction permit required for the project, no indirect adverse effect on the Big Sioux River and associated aquatic resources.</li> <li>Adherence to the MBTA and its amendments and USFWS regulations should result in the avoidance and/or minimization of most impacts to migratory birds. Vegetation removal, including the removal of trees would be timed to the extent possible to avoid the migratory bird breeding and fledging season (April 1 through July 15).</li> </ul>
Threatened and Endangered Species	<ul style="list-style-type: none"> <li>No impacts to threatened or endangered species would occur with this alternative.</li> </ul>	<ul style="list-style-type: none"> <li>Preferred habitat for the federal listed/ proposed for listing species and state listed species does not occur within the study area.</li> <li>No Effect determination for all federal listed and candidate species, except the northern long eared bat. The NLEB bat determination was May Affect, Not Likely to Adversely Effect provided tree clearing does not occur from April 1 until October 31 at the proposed 6(f) Replacement Property, 200 W Rose St adjacent to Tomar Park.</li> <li>No impact on state listed species with the implementation of protection measures during construction.</li> </ul>
Cultural (Historic and Archaeological) Resources	<ul style="list-style-type: none"> <li>No impact to cultural resources.</li> </ul>	<ul style="list-style-type: none"> <li>A determination of No Adverse Effect was made for the Build Alternative assuming no impacts would occur to the environmentally sensitive site. No impacts are anticipated.</li> </ul>
Environmental Justice	<ul style="list-style-type: none"> <li>No direct adverse impact to low-income and/or minority populations.</li> </ul>	<ul style="list-style-type: none"> <li>No disproportional impact to low-income and/or minority populations.</li> <li>Improvements to alternate modes of transportation would potentially benefit low-income populations.</li> </ul>
Section 4(f) and Section 6(f) Resources	<ul style="list-style-type: none"> <li>No impact to Section 4(f) or Section 6(f) Properties.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed project impacts Section 4(f) and Section 6(f) resources. Temporary construction easements are needed for 0.89 acres of Tuthill Park and 0.29 acres of Spencer Park, and the permanent acquisition of 0.18 acres of Tuthill Park and 0.07 acres of Spencer Park for right of way use in the proposed project would be required. Both Parks are Section 4(f) and Section 6(f) resources. The list below describes the Section 4(f) and Section 6(f) approvals for these resources.                         <ul style="list-style-type: none"> <li>Tuthill Park – Section 4(f) de minimis &amp; Section 6(f) Conversion of Use</li> <li>Spencer Park – Section 4(f) de minimis &amp; Section 6(f) Conversion of Use</li> <li>200 W Rose St) is proposed as an addition to Tomar Park as a mitigation for Section 6(f) resources. Approval from NPS would be required prior to construction.</li> </ul> </li> <li>The 0.48 acres required from the historic rail grade would not constitute a Section 4(f) use because the impacted portion of the site does not contribute to the site's historic significance.</li> <li>The Sioux Falls Bike Trail is a Section 4(f) resource and a Section 6(f). The proposed project would have no impact on this resource</li> </ul>

Environmental Resource	No Build Alternative	Preferred Alternative
Regulated Materials and Hazardous Waste	<ul style="list-style-type: none"> <li>No Impacts related to regulated materials and hazardous waste.</li> </ul>	<ul style="list-style-type: none"> <li>No regulated materials are anticipated to be disturbed by construction. If it is determined in final design that regulated materials could be disturbed, a Phase II work plan is recommended.</li> </ul>
Visual Impacts and Aesthetics	<ul style="list-style-type: none"> <li>As this development occurs, the viewshed would be changed from a rural setting to an urban setting.</li> </ul>	<ul style="list-style-type: none"> <li>Temporarily altered by construction activities and construction equipment.</li> <li>Views of the surrounding area, including existing and future businesses, would be maintained, or even enhanced by improved transportation facilities with this alternative, providing a net benefit to those businesses.</li> <li>No long-term negative impacts to aesthetics would be anticipated.</li> </ul>
Indirect and Cumulative Impacts	<ul style="list-style-type: none"> <li>This alternative would contribute to a cumulative negative effect on traffic by not addressing future demand needs.</li> </ul>	<ul style="list-style-type: none"> <li>Would not likely alter land use in the surrounding developed area.</li> <li>Cumulative benefits to traffic operations and safety are anticipated with this alternative.</li> <li>Potential cumulative impact to noise levels, not anticipated to be significant.</li> <li>Other indirect and cumulative impacts are not anticipated to occur or would be fully mitigated.</li> </ul>
Consistency with Local and Regional Plans	<ul style="list-style-type: none"> <li>This alternative is largely inconsistent with local and regional plans. It does not address transportation or economic need identified in these plans.</li> </ul>	<ul style="list-style-type: none"> <li>The Build Alternative is consistent with goals identified in many local and regional plans and policies including:                             <ul style="list-style-type: none"> <li>Go Sioux Falls 2040 Long-Range Transportation Plan – consistent with connectivity and economic vitality goal, addresses operations needs on roadways identified in the study area.</li> <li>The Shape Sioux Falls 2040 Comprehensive Plan – capacity of transportation facilities goal.</li> <li>City of Sioux Falls Complete Streets Policy – incorporates bike and pedestrian infrastructure with new transportation project.</li> <li>City of Sioux Falls 2023 Bike Plan – supports multimodal facilities and proposed improvements in the study area.</li> <li>Sioux Falls 2024-2028 Capital Program – financial support for the project.</li> <li>Sioux Falls MPO 2024-2027 Transportation Improvement Program – financial support for the project.</li> </ul> </li> </ul>

### 3.0 Coordination and Public Involvement

As indicated in the EA and supporting documentation, SDDOT coordinated with Federal, State, and local agencies, and Tribes during the development of the EA.

#### 3.1 Public Involvement

A project website was established for the project which served as a tool for the public to access project information and view public meeting materials. The website was utilized throughout the ESR and NEPA process. The website can be accessed with the following link: <https://www.i229exits3and4.com>.

Open House style public meetings were held throughout the project, which helped the study team identify impacts and obtain input on the alternatives. Stakeholder were notified of the meetings through postcard mailings, the project website, press releases, local newspaper ads, portable changeable message signs, and social media. The following Open Houses were held for the project:

- **Public Meeting/Open House #1** – The focus of this meeting, held on January 23, 2019, was to introduce the project and provide an overview of the scope and schedule, present a draft purpose and need, and present a draft range of alternatives. A presentation was provided by project staff, and poster-board exhibits were set up at the meeting. Comment forms were provided, and members of the study team were on hand to answer questions. Postcard invitations were mailed directly to 670 properties surrounding the project area. Approximately 166 individuals signed in at the meeting. Comments focused primarily on safety near the school, particularly for bike and pedestrians. These comments were addressed by including safety as a goal of the project and including sidewalks, crosswalks, and a grade separated bike/pedestrian underpass of I-299 and the Exit 4 Ramps. A summary of Public Meeting #1 is included in **Appendix A**.
- **Public Meeting /Virtual Open House #2** November 6 – December 5, 2020 - Due to the COVID 19 pandemic, an online public meeting and virtual open house were held without in-person contact. The online meeting was held concurrently for I-229 Exit 3 and I-229 Exit 4, as both interchanges are adjacent to one another and planned for reconstruction. Three individual speaker presentations were recorded for the public's information on recommended improvements, the Interchange Modification Justification Report (IMJR) summary, and Environmental Scan Report (ESR) and posted online for a period of 30 days. A total of 933 unique website visitors were recorded during this period, the majority of which accessed the project website directly for project update information. Online comment forms were provided next to each pre-recorded presentation in the Virtual Open House. Comments were received on the three video recordings and were also received via telephone and email. Similarly to the first meeting, comments focused primarily on safety near the school, particularly for bike and pedestrians. These comments were addressed by including safety as a goal of the project and including sidewalks, crosswalks, and a grade separated bike/pedestrian underpass of I-299 and the Exit 4 Ramps. A summary of Public Meeting #2 is included in **Appendix A**.
- **Public Meeting/Open House #3** – The purpose of this meeting, held on September 4, 2024, was to present the NEPA documentation for the project and visit with interested persons during the Project's EA formal public comment period and to receive comments on the I-229 Exit 4 EA document. A recorded loop presentation of the EA major findings was provided by project staff, and poster-board exhibits were set up at the meeting. Comment forms were provided, and members of the study team were on hand to answer questions. Postcard invitations were mailed directly to 344 properties surrounding the project area. There were 69 individuals recording their attendance at the meeting. There were 1,100 unique visitors to the Project's website between

August 16, 2024, and September 15, 2024, coinciding with the Project’s EA public comment period. Top sources of website traffic for the Project were direct site access, redirection from the Argus Leader newspaper, and from Google searches. A summary of Public Meeting/Open House #3 is included in **Appendix A**.

Verbal comments and responses received at the public meeting are summarized in Table 2. Written comments received at the public meeting and received via regular mail or via email during the formal comment period, with responses, are summarized in Table 3.

**Table 2: Verbal Comments Received During Public Meeting #3**

Verbal Comment	Verbal Response
How long will construction take and how will it be phased? Will Cliff Avenue be closed?	Final design and right of way acquisition will proceed through 2024, and construction will occur in 2025 and 2026. Cliff Ave will be closed to traffic during the summer months when bridge and utility work is being completed. At other times Cliff Avenue traffic will remain open with lane shifts and temporary bypasses.
Concerns about road and bridge construction noise.	Project contractors will be required to follow construction equipment specifications and operation during construction, as well as all local sound control and noise level rules, regulations, and ordinances. All engines, used for any purpose on the job or related to the job, will be equipped with a properly operating muffler recommended by the manufacturer and maintained in a satisfactory working condition.
Concerns about drainage in the northwest quadrant of the interchange; also in low-lying areas along Pam Road.	These areas are outside of the interchange project limits; however, the City of Sioux Falls is aware drainage issues will persist on local roads and will continue to monitor and design future projects to correct drainage problems on public local roadways.
Concerns about highway noise post construction and desire for a sound wall. If a sound wall is not possible, can a fence and more green space be added?	A noise study was completed as part of the I229 Exit 4 (Cliff Ave) interchange project. The noise analysis is required to follow the SDDOT and FHWA noise policy in which at this location a proposed noise wall was analyzed and did not meet the noise requirements. Visual screening enhancements will be added to the project by the City of Sioux Falls with continued discussion and participation of the affected property owner(s).

**Table 3: Summary of Written Comments Received**

Comment	Impact to EA and Section 4(f) / Section 6(f) Finding
How will pedestrian and cyclist safety and accessibility be improved with the project?	As discussed in the public meeting pre-recorded presentation and display boards, both on the project website, the recommended alternative includes a 10 ft. wide sidewalk on both sides of Cliff Ave along with a separate 10 ft. wide trail that will connect the Sioux Falls Bike Trail to the north side of I-229. The separate trail will provide a direct route, without crossing live traffic, to get from one side of I-229 to the other through the use of two proposed tunnels underneath the I-229 on and off ramps on the east side of Cliff Ave.
Concern for a business sign encroachment in the future right of way.	The City of Sioux Falls will review this potential encroachment and work with the property owner to reach a resolution.
Low spot on Pam Road near my driveway with poor drainage.	The area referred to is outside of the interchange project limits. The City of Sioux Falls is planning for a separate future project in this area that would occur after the interchange project is completed. This comment was shared with the City of Sioux Falls drainage engineer and noted to review during the design of the future City project.
The largest concern regarding this project includes the following: noise, proximity of expansion of 41st to surrounding houses, & any water redirection that will negatively affect those of us whom are already in the FEMA regulated flood zone.	<p>A noise study was completed as part of the I229 Exit 4 (Cliff Ave) interchange project. The noise analysis is required to follow the SDDOT and FHWA noise policy in which at this location a proposed noise wall was analyzed and did not meet the noise requirements.</p> <p>The proposed realignment of 41st St will move the existing intersection with Cliff Ave further away from the Exit 4 interchange providing more a more efficient and safer movement through the interchange. The realignment of 41st St meets the city design requirements for a city arterial street.</p> <p>The drainage areas within the interchange project limits have been reviewed and are not anticipated to negatively impact the surrounding properties. The City of Sioux Falls is planning for a separate future drainage project in the respondent’s noted area that would occur after the interchange project is complete. This future project is intended to review drainage needs in the areas outside the interchange project limits.</p>

### 3.2 Agency Coordination

Federal, state, and local agencies that were included in project coordination efforts include:

- South Dakota Department of Agriculture and Natural Resources
- South Dakota Game, Fish and Parks
- U.S. Fish and Wildlife Services – South Dakota Field Office
- Natural Resources Conservation Service
- U.S. Army Corps of Engineers
- South Dakota State Historic Preservation Office



The consultation letters sent to each agency and the agency responses were provided in EA Appendix C.

Federal, state, and local agencies that were included in project coordination efforts include:

- South Dakota Department of Environment & Natural Resources (renamed South Dakota Department of Agriculture & Natural Resources (SDDANR) during this study)
- South Dakota Game, Fish, and Parks (SDGFP)
- U.S. Fish and Wildlife Services – South Dakota Field Office (USFWS)
- Natural Resources Conservation Service (NRCS)
- State Historic Preservation Office (SHPO)
- U.S. Army Corps of Engineers (USACE)
- National Park Service (NPS) via SDGFP

A summary of agency correspondence is included in Table 4.

**Table 4: Agency Correspondence**

Date	Agency	Response
12/27/2018	SDGFP	Noted that the NHI database review identified the Trout Perch downstream of the project. Noted that the project would have no significant impact to fish and wildlife resources. Provided a list of considerations for planning/construction.
12/27/2018	SDDANR	Initial review providing commitments for Surface water quality, air quality, and hazardous/solid wastes.
06/12/2019	SHPO	Provided initial project review letter recommending a finding of No Adverse Effect for the project.
12/17/2021	USFWS	Concurred that the project will not adversely affect federally listed species.
03/31/2022	USACE	Provided the AJD for the project indicating that both jurisdictional and non-jurisdictional wetland will be impacted by the project.
09/12/2023	SHPO	Updated project concurrence for No Adverse Effect determination for the project.
10/26/2023	USACE	Confirmed that the project's AJD, completed under the Pre-2015 regulatory regime, remains valid.
11/06/2023	FHWA	Provided signed wetland finding for the project.
11/06/2023	FHWA	Agreed with determination that there is no direct use of the historic rail grade by the I-229 Exit 4 project for purposes of Section 4(f). Recommended the Exit 4 and Exit 3 project be coordinated separately so as not to be mistaken as a single project action.
11/9/2023	USFWS	Concurred that Exit 4 as a standalone project will not adversely affect federally listed species.
11/09/2023	Lincoln High School	Confirmed that the tennis courts and track/field are Section 4(f) resources which would not be impacted by the project.
11/13/2023	SHPO	Provided updated concurrence with the No Adverse Effect determination for the project. Acknowledged Exit 4 as a standalone project and verified the APE.
11/15/2023	USFWS	Concurrence with no effect determination on federally listed species resulting from the use of the designated option borrow site.
04/10/2024	SDGFP/NPS	Expressed preliminary approval of the proposed Section 6(f) replacement property pending property appraisals.

Date	Agency	Response
04/19/2024	USFWS	Updated concurrence with no effect determination on federally listed species resulting from the inclusion of traffic control measures, detector loops, and auxiliary lanes, as well as the removal of the Temporary Crossover Project.
07/07/2024	SDGFP	Agree that the project would have no additional impacts resulting from the inclusion of the designated option borrow site and proposed Section 6(f) replacement property.
07/10/2024	SDDANR	Provided updated project review based on Exit 4 as a stand-alone project including the designated option borrow site and proposed Section 6(f) replacement property. Noted the project would have impact on air quality, drinking water, forestry, groundwater, and solid water management. Provided project recommendations for surface water, tanks and spills, and water rights.
07/17/2024	SDDOT	Provided the City of Sioux Falls a notice of intent to pursue a <i>de minimis</i> finding for impacts to Tuthill Park and Spencer Park as well as the proposed Section 6(f) conversion of use of small amounts of property from these parks.
07/18/2024	SHPO	Acknowledged Exit 4 as a standalone project including the designated option borrow site and proposed Section 6(f) replacement property. Provided updated concurrence with the No Adverse Effect determination for the project.
08/28/2024	USFWS	Updated concurrence with no effect determination on federally listed species, except for a may affect, not likely to adversely affect the NLEB, resulting from the inclusion of the proposed 6(f) replacement property, 200 W Rose St parcel, into the project study area. There will be a seasonal restriction for tree removal restricting tree removal on the parcel from November 1 until April 30.
09/11/2024	SHPO	Provided continued concurrence of "No Adverse Effect" for the project including the Section 6(f) replacement property, 200 W Rose St Parcel, in the Area of Potential Effect.
10/02/2024	Parks & Recreation Department, City of Sioux Falls	Provided concurrence there will be no adverse effects to the protected recreational activities, features, or attributes associated with Spencer and Tuthill Parks.
11/15/2024	SDGFP/NPS	Confirmed that NPS will review FHWA NEPA decision document and determine if they will adopt or complete their own Categorical Exclusion as part of the 6(f) Conversion of Use approvals.
11/18/2024	SDGFP/NPS	NPS confirmed the timeline for final approval of the Conversion of Use can occur during our after construction has finished.

### 3.3 Tribal Coordination

In accordance with Section 106 of the NHPA (36 CFR Part 800), the SDDOT solicited comments on this project from the following tribes:

- Flandreau Santee Sioux Tribe
- Lower Brule Sioux Tribe
- Sisseton-Wahpeton Oyate Tribe
- Standing Rock Sioux Tribe
- Yankton Sioux Tribe

- Three Affiliated Tribes of North Dakota
- Ponca Tribe of Nebraska
- Chippewa Cree Tribe

Consultation letters were sent to each tribe on December 11, 2018 (located in EA Appendix C). The Yankton Sioux Tribe sent a response requesting any information on cultural resources found within the study area. No resources were identified during the Cultural Resource Investigation.

An updated coordination letter for the project, including the borrow site and Section 6(f) replacement property, was sent to the tribes on June 23, 2024. No additional responses were received.

## 4.0 Project Progress Since the EA Publication

Since the completion of the EA, additional progress has been made on certain elements of the project. This progress is described below.

### 4.1 Section 6(f)

The EA identified both temporary non-conforming use and a small amount of conversion to two section 6(f) properties, Spencer Park and Tuthill Park. A mitigation requirement was identified, and an addition to Tomar park is proposed as replacement property to satisfy this requirement. As a component of this project. Additional coordination was required for this property, as it was not included in prior coordination. The following coordination has been completed for the proposed Section 6(f) replacement property:

- USFWS: Updated concurrence with no effect determination on federally listed species, except for a may affect, not likely to adversely affect the NLEB, resulting from the inclusion of the proposed 6(f) replacement property, 200 W Rose St parcel, into the project study area. There will be a seasonal restriction for tree removal restricting tree removal on the parcel from November 1 until April 30.
- SHPO: Provided continued concurrence of "No Adverse Effect" for the project including the Section 6(f) replacement property, 200 W Rose St Parcel, in the Area of Potential Effect.
- Parks & Recreation Department, City of Sioux Falls: Provided concurrence there will be no adverse effects to the protected recreational activities, features, or attributes associated with Spencer and Tuthill Parks.
- The City of Sioux Falls complete real estate appraisals for the proposed conversion land in Tuthill Park and Spencer Park and the 200 W Rose St parcel.
- SDGFP: Confirmed the NPS will review FHWA final decision document as part of the conversion of use application and final approval can occur during or after construction has finished.

A copy of USFWS and SHPO coordination is included in **Appendix D**. A copy of concurrence from the Parks & Recreation Department, City of Sioux Falls and coordination with SDGFP is included in **Appendix C**.

### 4.2 Floodplain

Anticipated fill numbers within the floodplain have been updated since the EA, as design has progressed since they were initially calculated. These numbers are anticipated to continue to change through final design. The proposed project will add an anticipated 15,860 CY of fill below the 100-year floodplain. As part of final design efforts, SDDOT will complete a floodplain analysis and issuance of a "no-rise" certification that will be sent to the Sioux Falls Floodplain Manager. Compensatory storage requirements would be met to ensure no net impacts to the floodplain are created. Compensatory storage requirements and no-rise certification are standard

procedures for work within the floodplain in Sioux Falls and do not represent changes to the project since the publication of the EA.

## 5.0 Environmental Consequences and Summary of Comments

Chapter 3 of the EA discussed the existing environment and the effects of the alternatives carried forward, the No Build Alternative and the Build Alternative. No revisions to the Project's alternatives were required after the EA public comment period and no additional environmental impacts were identified. This section includes a summary of comments received during the public comment period, and responses to these comments. It also includes a summary of mediation measures, commitments, and required permits for the project moving forward.

### 5.1 Public Comments and Responses

The public comment period for the Project's EA began on August 16, 2024 and closed on September 15, 2024. Comments supported the Project and the Preferred Alternative. A full list of these comments and how they were addressed is included in **Appendix A**. Additional comments received at the project's first two public involvement meetings are also included in the meeting summaries provided in **Appendix A**.

### 5.2 Section 4(f) and Section 6(f) Resources and Evaluations

#### 5.2.1 Description of Section 4(f) Resources and Section 6(f) Resources

The following Section 4(f) and 6(f) resources are located in the NEPA study area and were discussed in the EA. The elements of these resources which qualify them as section 4(f) and section 6(f) resources is as follows:

- **Spencer Park** – Spencer Park is located adjacent to the project South of I-229 and West of Cliff Avenue. This park is identified as a Section 4(f) resource because it is open to the public and supports the following recreation features and activities: Portable Restroom, Accessible Picnic Shelter, Accessible Playground, League Soccer Fields, Accessible Dog Park, Bike Trail Access Point, Nordic Ski Trails, 9 Hole Disc Golf, Singletrack Bike Trails. Through coordination with SDGFP, Spencer Park was identified as also being a Section 6(f) resource due to the use of LWC funds for either purchasing or improving the park and/or its facilities.
- **Tuthill Park** – Tomar Park is located adjacent to the project South of I-229 and East of Cliff Avenue. This park is identified as a Section 4(f) resource because it is open to the public and supports the following recreation features and activities: Accessible Restroom, Accessible Picnic Shelters, Accessible Playgrounds, Disc Golf, Wedding Location Reservation, Formal Garden, Ice Skating Rink/Warming House, Backstop, Singletrack Bike Trails. Through coordination with SDGFP, Tuthill Park was identified as also being a Section 6(f) resource due to the use of LWC funds for either purchasing or improving the park and/or its facilities.
- **Tomar Park** – Tomar Park is located far to the southwest of any proposed construction activities. This park is identified as a Section 4(f) resource because it is open to the public and supports the following recreation features and activities: Portable Restroom, Accessible Picnic Shelter, Accessible Playground, League Soccer Fields, Bike Trail Access Point, Nordic Ski Trails, 9 Hole Disc Golf, Singletrack Bike Trails, and tennis courts. Through coordination with SDGFP, Tomar Park was identified as also being a Section 6(f) resource due to the use of LWC funds for either purchasing or improving the park and/or its facilities.
- **Sioux Falls Bike Trail** – The Sioux Falls Bike Trail extends through Tomar, Tuthill, and Spencer Parks and is adjacent to the project. The bike trail is identified as a Section 4(f) resource because it is open to the public and is a recreational trail. Through coordination with SDGFP, the Sioux Falls Bike Trail was identified as

also being a Section 6(f) resource due to the use of LWC funds for either purchasing or improving the trail facilities.

- **Lincoln High School** – Lincoln High School is located adjacent to the northeast portion of the project. The tennis courts and athletic fields at the school are identified as a Section 4(f) resource because they are open to the public for recreational use.
- **Historic Railroad Grade** – There is need to permanently incorporate 0.48 acres of a segment of the Burlington Northern Railroad. This segment of railroad was determined to no longer retain features that contribute to the overall railroad grade sites eligibility for the National Register of Historic Places. Therefore, FHWA concurred this segment of railroad grade would not be a Section 4(f) Property.

## 5.2.2 Summary of Impacts, Approvals, and Coordination

Table 5 summarizes the Section 4(f) and Section 6(f) uses and approvals completed as part of the EA and Section 4(f) processes.

**Table 5: Summary of Section 4(f) and Section 6(f) Uses and Approvals**

Resource	Type of Resource	Sections 4(f) and 6(f) Use	Approvals
Spencer Park	Section 4(f) and Section 6(f)	0.07 acres of permanent incorporation. 0.89 acres of temporary occupancy.	Section 4(f) <i>de minimis</i> Section 6(f) Conversion of Use
Tuthill Park	Section 4(f) and Section 6(f)	0.18 acres of permanent incorporation. 0.29 acres of temporary occupancy.	Section 4(f) <i>de minimis</i> Section 6(f) Conversion of Use
Tomar Park	Section 4(f) and Section 6(f)	No temporary occupancy or permanent incorporation.	No Section 4(f) use or 6(f) impacts
Sioux Falls Bike Trail	Section 4(f) and Section 6(f)	No temporary occupancy or permanent incorporation.	No Section 4(f) use or 6(f) impacts
Lincoln High School	Section 4(f)	No temporary occupancy or permanent incorporation.	No Section 4(f) use

Extensive coordination occurred between the SDDOT, FHWA, and the City of Sioux Falls to develop and evaluate project alternatives, along with the development of strategies to avoid, minimize, and mitigate impacts to the Section 4(f) resources in the study area.

The City of Sioux Falls Parks and Recreation Director is the official with jurisdiction (OWJ) for Spencer and Tuthill Parks. A letter of de minimis intent was sent to the City on July 17, 2024, which summarized impacts to Spencer Park and Tuthill Park and informed the city of SDDOT's intent to make a *de minimis* finding for impacts to these resources. Section 4(f) coordination documentation is included in **Appendix C**. The public was given the opportunity to comment on the proposed *de minimis* finding during the Draft EA review period. No objections to the determination were made. Formal concurrence with the *de minimis* finding for Spencer Park and Tuthill Park from the OWJ was received on October 2, 2024.

Coordination also occurred with the SDGFP Grants Coordinator regarding Section 6(f) properties within the study area. The SDGFP determined that the project would result in a temporary non-conforming use and conversion of use for Spencer Park and Tuthill Park, both of which are Section 6(f) resources.

Section 4(f) and Section 6(f) correspondence is included in **Appendix C**.

### 5.2.3 Final Section 6(f) Decision

Land and Water Conservation Fund (LWCF) is a federal aid assistance program to help states provide outdoor recreation facilities. The Division of Parks and Recreation within the Department of Game, Fish and Parks is the state agency authorized to represent and act for the State in dealing with the Secretary of Interior for the purposes of LWCF in South Dakota. Projects initially approved at the state level are submitted to the National Park Service (NPS) for final approval.

As discussed in Chapter 3 of the EA, coordination between SDDOT, FHWA, SDGFP, NPS, and the City of Sioux Falls identified small 6(f) conversions would result from the permanent incorporation of 0.18 acres of Tuthill Park and 0.07 acres of Spencer Park into the transportation project. The proposed project will also result in 6(f) temporary non-conforming use of both Tuthill Park (0.29 acres) and Spencer Park (0.89 acres) due to the need for temporary occupancy during construction. Through coordination with SDGFP and NPS the City of Sioux Falls and SDDOT identified a proposed replacement property, 200 W Rose St, for future incorporation into Tomar Park as part of the City of Sioux Falls Tomar Park Master Plan. SDGFP, in coordination with the NPS, confirmed the proposed replacement property would be satisfactory provided real estate appraisals showed the replacement property would be of equal or greater value than converted land from both Tuthill Park and Spencer Park and environmental review is complete for the replacement property.

Since the completion of the EA public comment period the property appraisals have been completed by the City of Sioux Falls for the properties which show the replacement property is of greater value than the total of property which will be converted in both Parks. NEPA review has been completed for the project, including the proposed 6(f) replacement property. Additional coordination between FHWA, SDDOT, the City of Sioux Falls, SDGFP, and the NPS concluded that the EA and final decision documents from FHWA will be provided as part of the 6(f) conversion application for review by NPS. NPS will determine if they will adopt FHWA's final decision document as part of the approval. NPS also confirmed that final 6(f) conversion approval can occur during or after construction is completed.

The replacement property is adjacent to Tomar Park and would be converted to city park land, according to the City's plan for park expansion as described in the Sioux Falls Tomar Park Master Plan. The replacement property will be an encumbered Section 6(f) resource, per final approval of the 6(f) conversion by NPS. The replacement property was previously acquired by the City of Sioux Falls as part of their flood relief buyout program. FHWA, SDDOT, and the City of Sioux Falls will provide the complete application materials to SDGFP for submission to the NPS review. FHWA, SDDOT and the City of Sioux Falls will coordinate with SDGFP and the NPS to obtain final approval for the 6(f) conversion resulting from this project. Final incorporation of the replacement property into planned park expansion, as described in the Tomar Park Master Plan, will be the responsibility of the City of Sioux Falls according to NPS approval documents.

The final application is being prepared and will be provided to SDGFP for submission to NPS upon approval of this environmental decision document by FHWA. The application will include the project EA and this final NEPA decision document. A summary of coordination with SDGFP and the NPS is included in **Appendix C**.

As described above, there is a need for temporary easement in both Spencer Park and Tuthill Park for construction. Temporary occupancy of each park will constitute a temporary non-conforming use provided construction activities are less than 180-days in duration at each location in the 6(f) encumbered Parks. The following environmental commitments will be included in the project plans regarding the 6(f) temporary non-conforming use:

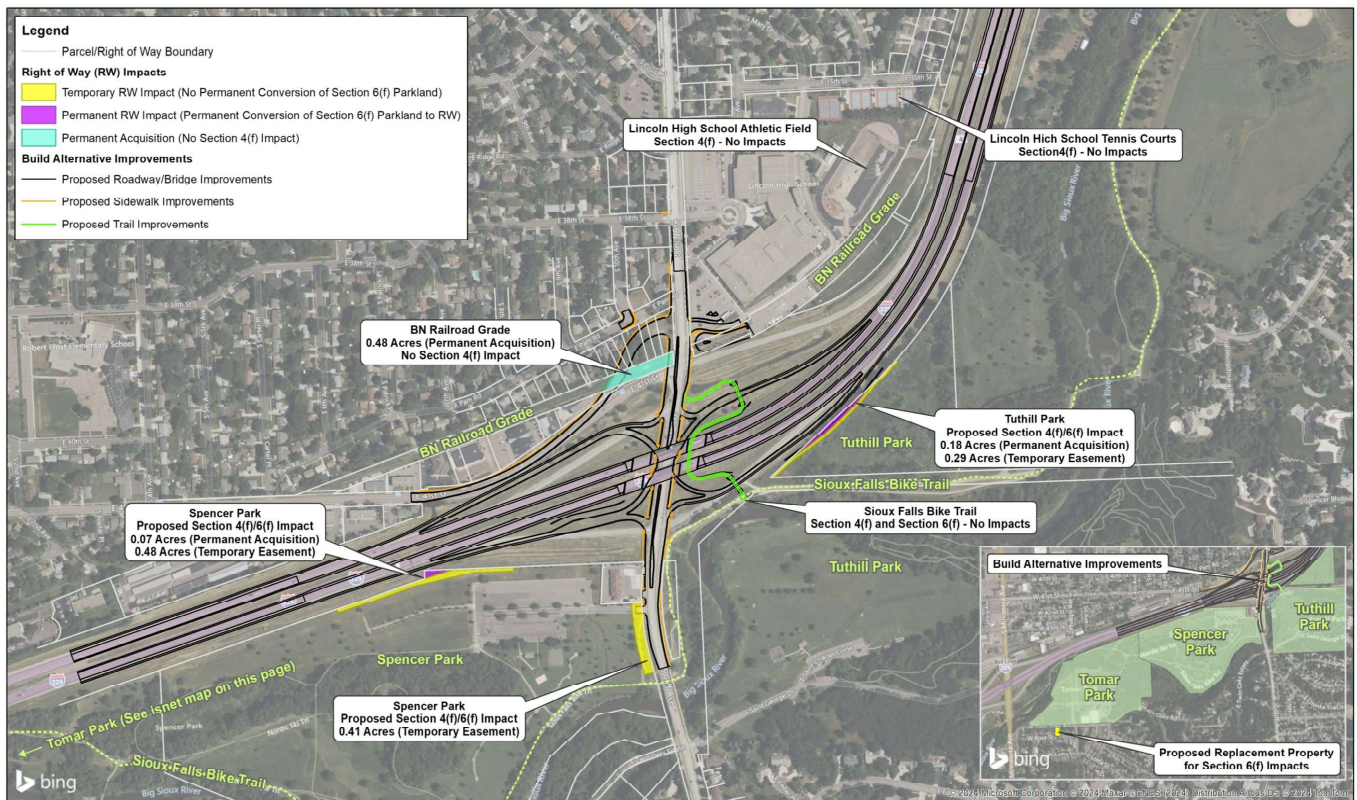
*Spencer Park*

- Land temporarily occupied by construction, in Spencer Park, will be fully restored by the conclusion of the project;
- Temporary occupancy of Spencer Park during construction is anticipated to last no longer than 180 days and will be less than the time needed for construction. There will be a Special Provision for Construction Time, included in the project plans, limiting the duration of construction at each location in this park to less than 180 days per location.
- Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing 6(f) property and the public.
- Appropriate signage shall be installed to alert users of Spencer Park of construction activities, access restrictions or closures, and to direct users to secondary access points.
- The staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of the 6(f) property.
- The Contractor shall be required to closely coordinate the construction schedule with the SDDOT Project Engineer who will coordinate with Chad Babcock, SDDOT Environmental Section Manager, 605.773.3721, and the Don Kearney, Director, Sioux Falls Parks & Recreation Department prior to the start of construction activities.

*Tuthill Park*

- Land temporarily occupied by construction, in Tuthill Park, will be fully restored by the conclusion of the project;
- Temporary occupancy of Spencer Park during construction is anticipated to last no longer than 180 days and will be less than the time needed for construction. There will be a Special Provision for Construction Time, included in the project plans, limiting the duration of construction at each location in this park to less than 180 days per location.
- Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing 6(f) property and the public.
- Appropriate signage shall be installed to alert users of Tuthill Park of construction activities, access restrictions or closures, and to direct users to secondary access points.
- The staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of the 6(f) property.
- The Contractor shall be required to closely coordinate the construction schedule with the SDDOT Project Engineer who will coordinate with Chad Babcock, SDDOT Environmental Section Manager, 605.773.3721, and the Don Kearney, Director, Sioux Falls Parks & Recreation Department prior to the start of construction activities.

Figure 3: Section 4(f) and Section 6(f) Resources and Impacts





### 5.2.4 Final Section 4(f) Evaluation

Evaluations of the two impacted Section 4(f) resources for this project are discussed below.

#### *Spencer Park*

During the design of alternatives, all efforts were made to limit additional acquisition and disturbance to Spencer Park. However, due to space constraints, the impacts discussed previously were unavoidable. Other build alternatives which were preliminarily considered but then dismissed would face the same constraints and would not have a lesser impact to Section 4(f) resources. During design, consideration was given to Spencer Park so as not to impact more area than would be necessary. Acquisition and easement areas were made as small as possible within the constraints of having a functional build alternative.

The City of Sioux Falls Parks and Recreation Director is the official with jurisdiction (OWJ) for Spencer Park. The City of Sioux falls was informed of the anticipated temporary occupancy and minor amount of permanent incorporation of Spencer Park which will result from the proposed project. Through this coordination, it was determined that the following measures to minimize harm will be incorporated into the plans as plan notes and as environmental commitments:

- Implement all measures to avoid, minimize, and mitigate impacts to Spencer Park and its recreational features;
- Land temporarily occupied by construction, in Spencer Park, will be fully restored by the conclusion of the project;
- Temporary occupancy of Spencer Park during construction is anticipated to last no longer than 180 days and will be less than the time needed for construction. There will be a Special Provision for Construction Time, included in the project plans, limiting the duration of construction at each location in this park to less than 180 days per location.
- Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing 4(f) property and the public.
- Appropriate signage shall be installed to alert users of Spencer Park of construction activities, access restrictions or closures, and to direct users to secondary access points.
- The staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of the 4(f) property.
- The Contractor shall be required to closely coordinate the construction schedule with the SDDOT Project Engineer who will coordinate with Chad Babcock, SDDOT Environmental Section Manager, 605.773.3721, and the Don Kearney, Director, Sioux Falls Parks & Recreation Department prior to the start of construction activities.

The public was provided an opportunity to review and comment on the projects effects to 4(f) resources during the Draft EA review period and at the public meeting held for the project September 4, 2024. No comments were received related to these resources.

Formal concurrence with the proposed *de minimis* finding for Spencer Park from the OWJ was received on October 2, 2024 (**Appendix C**). As part of this concurrence, the OWJ agreed that, based on the scope of the proposed project and type of work, there will be no adverse effects to the protected recreational activities, features, or attributes associated with Spencer Park. This concurrence also confirms that the OWJ concurs with the measures to minimize harm and the assessment of impacts in regard to the proposed project.

In accordance with 23 CFR 774, the proposed project will have a de minimis impact upon, Spencer and Tuthill Parks based upon the following assessment:

- All possible planning to minimize harm has been incorporated into project development.
- The nature and magnitude of changes will not adversely affect the recreational activities, features, or attributes that qualified the property for 4(f) protection.
- Proposed measures to minimize harm and resulting mitigation, in regard to protecting the 4(f) property and maintaining access and safety, are considered to be reasonable and acceptable.

#### *Tuthill Park*

During the design of alternatives, all efforts were made to limit additional acquisition and disturbance to Tuthill Park. However, due to space constraints, the impacts discussed previously were unavoidable. Other build alternatives which were preliminarily considered but then dismissed would face the same constraints and would not have a lesser impact to Section 4(f) resources. During design, consideration was given to Tuthill Park so as not to impact more area than would be necessary. Acquisition and easement areas were made as small as possible within the constraints of having a functional build alternative. To further minimize impacts, a retaining wall was included in the design at Tuthill Park, substantially reducing the amount of grading that would be required in the park.

The City of Sioux Falls Parks and Recreation Director is the official with jurisdiction (OWJ) for Tuthill Park. The City of Sioux Falls was informed of the anticipated temporary occupancy and minor amount of permanent incorporation of Tuthill Park which will result from the proposed project. Through this coordination, it was determined that the following measures to minimize harm will be incorporated into the plans as plan notes and as environmental commitments:

- Implement all measures to avoid, minimize, and mitigate impacts to Tuthill Park and its recreational features;
- Land temporarily occupied by construction, in Tuthill Park, will be fully restored by the conclusion of the project;
- Temporary occupancy of Tuthill Park during construction is anticipated to last no longer than 180 days and will be less than the time needed for construction. There will be a Special Provision for Construction Time, included in the project plans, limiting the duration of construction at each location in this park to less than 180 days per location.
- Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing 4(f) property and the public.
- Appropriate signage shall be installed to alert users of Tuthill Park of construction activities, access restrictions or closures, and to direct users to secondary access points.
- The staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of the 4(f) property.
- The Contractor shall be required to closely coordinate the construction schedule with the SDDOT Project Engineer who will coordinate with Chad Babcock, SDDOT Environmental Section Manager, 605.773.3721, and the Don Kearney, Director, Sioux Falls Parks & Recreation Department prior to the start of construction activities.

The public was provided an opportunity to review and comment on the projects effects to 4(f) resources during the Draft EA review period and at the public meeting held for the project September 4, 2024. No comments were received related to these resources.

Formal concurrence with the proposed *de minimis* finding for Tuthill Park from the OWJ was received on October 2, 2024 (**Appendix C**). As part of this concurrence, the OWJ agreed that, based on the scope of the proposed project and type of work, there will be no adverse effects to the protected recreational activities, features, or attributes associated with Tuthill Park. This concurrence also confirms that the OWJ concurs with the measures to minimize harm and the assessment of impacts in regard to the proposed project.

In accordance with 23 CFR 774, the proposed project will have a *de minimis* impact upon, Spencer and Tuthill Parks based upon the following assessment:

- All possible planning to minimize harm has been incorporated into project development.
- The nature and magnitude of changes will not adversely affect the recreational activities, features, or attributes that qualified the property for 4(f) protection.
- Proposed measures to minimize harm and resulting mitigation, in regard to protecting the 4(f) property and maintaining access and safety, are considered to be reasonable and acceptable.

Section 4(f) and Section 6(f) correspondence is included in **Appendix C**.

#### *Section 4(f) Summary*

The proposed project represents the alternative of least overall harm while still meeting the needs of the project. Based upon the above considerations, there is no feasible and prudent alternative to the use of land from Spencer Park and Tuthill Park and the proposed action includes all possible planning to minimize harm resulting to these properties. Construction activities associated with the project are a *de minimis* impact to Spencer Park and a *de minimis* impact to Tuthill Park as the project will not adversely affect the activities, features, or attributes of either property that make each property eligible for Section 4(f) protection.

### **5.3 Mitigation Measures and Commitments**

The mitigation measures and environmental commitments for the preferred alternative are summarized in Table 6 and will be implemented as part of this Project. Table 6 notes the phase of the Project for which the commitment will be completed, and the responsible party.

The City of Sioux Falls will be the responsible entity for commitments on local portions of the project. Although not a signatory to this FONSI, local coordination has taken place to confirm these mitigation commitments and the responsible entity's requirement to document their completion.

The project phases included pre-construction, construction, and post-construction. In addition, a summary of anticipated permits that will be required prior to construction activities are listed in Table 6. The responsible entity must ensure that the project is constructed in accordance with and incorporates all committed environmental impact mitigation measures and/or commitments listed in Table 6 unless the responsible entity requests and receives written FHWA approval to modify or delete such mitigation and/or commitment features. The commitments that will be completed during construction can be found in an updated Section A, Environmental Commitments, document found in **Appendix B**.

**Table 6: Mitigation Measures and Commitments for Project Improvements**

Environmental Commitment	Mitigation Measures	Project Phase	Responsible Entity
Land Use	The City of Sioux Falls would need to coordinate transportation and land use plans to allow for expansion of the roadway system to accommodate future development.	Pre-Construction	City of Sioux Falls
Acquisitions, Relocations, Access	Acquisitions and relocations would be conducted in conformance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended by the Surface Transportation Assistance Act of 1987 and 49 CFR, Part 24, effective April 1989. Relocation assistance would be made available to all affected persons without discrimination.	Pre-Construction	City of Sioux Falls, SDDOT
Utilities, Public Facilities and Services	SDDOT and the City of Sioux Falls would continue to coordinate with the utility companies about specific utility relocations and avoidance measures during final design and prior to construction activities to minimize impacts. During construction, the public would be informed of any service interruption prior to the loss of service. Interruptions would be temporary and minimized to the extent possible with the Build Alternative.	Pre-Construction	City of Sioux Falls, SDDOT
Economic Resources	Access would be maintained to surrounding businesses during construction. Construction would be phased to minimize traffic congestion impacts and overall time of construction in the project area.	Pre-Construction	City of Sioux Falls, SDDOT, Project Design/Engineer
Pedestrians and Bicyclists	The Preferred Alternative will include a grade- separated trail and tunnel crossing for pedestrians and bicyclists, as well as bicycle and pedestrian facilities along Cliff Avenue bridge structures and roadway. The city has signed off on the Phase I complete streets checklist for this alternative's preliminary design, further demonstrating that this alternative supports the non-motorized connectivity goal of the project. The designer would complete the remaining phases of checklist in final design.	Pre-Construction	City of Sioux Falls, SDDOT Project Design/Engineer
Air Quality	<p>Construction equipment with point source emissions in many cases are required to have an air quality permit to operate. Any such equipment used during construction would obtain any necessary air quality permits if applicable.</p> <p>Fugitive emissions, although not covered under State air quality regulations, are a common source of public concern and may be subject to local or county ordinances. Fugitive emissions add to the deterioration of the ambient air quality and should be controlled to protect the health of communities within the construction areas.</p> <p>Construction contractors would be required to comply with the State statutory regulations for air pollution control and</p>	Pre-Construction	Project Contractor

Environmental Commitment	Mitigation Measures	Project Phase	Responsible Entity
	obtain appropriate permits. Contractors will adhere to requirements regarding open burning of grub material, fugitive dust, visible emissions, and permits.		
Noise	<p>In conformance with SDDOT's Noise Analysis &amp; Abatement Guidance document Section 14, local officials will be provided with information on noise compatible planning techniques that can be used to prevent future highway traffic noise impacts. SDDOT will also provide local officials a copy of the final noise analysis report including information on future noise levels located along the project.</p> <p>The contractor must submit an application for a sound level permit to the City of Sioux Falls a minimum of one week prior to the start of construction: <a href="#">City of Sioux Falls - Apply/Sound Level</a>. During construction, contractors would be required to comply with sound control requirements identified in the SDDOT Standard Specifications for Roads and Bridges (SDDOT 2015). Construction noise abatement would be reviewed and specifically applied for this Project.</p> <p>SDDOT will not be responsible for providing highway traffic noise abatement for undeveloped lands permitted after the Date of Public Knowledge. The Date of Public Knowledge of the location and potential noise impacts of a Type I project will be the approval date of the environmental document (FONSI).</p>	Pre-Construction	SDDOT, City of Sioux Falls, Project Design/Engineer, Project Contractor
Floodplain	During final design of the Build Alternative, a Floodplain Development Permit is needed if project-related ground disturbances occur within designated floodplains within the Study Area.	Pre-Construction	City of Sioux Falls, Project Design/Engineer
Wetlands	<p>Jurisdictional and non-jurisdictional wetlands will be mitigated in accordance with EO 11990 and FHWA regulation 23 CFR 777.9. Credits will be purchased from the Goeden Properties II LLC Wetland Mitigation Bank site or Ducks Unlimited's In-Lieu Fee program in the Lower Big Sioux GSA to mitigate permanent impacts prior to letting the contract. Temporary impacts will not be mitigated as original grades would be re-established.</p> <p>Section 404 requires a permit before dredged or fill material may be discharged into WOUS, including jurisdictional wetlands. Section 404 Permit commitments are included as Commitment N.</p> <p>The final number of wetland credits needed would be determined by the USACE during Section 404 permitting.</p>	Pre-Construction, Construction	City of Sioux Falls, SDDOT, Contractor

<b>Environmental Commitment</b>	<b>Mitigation Measures</b>	<b>Project Phase</b>	<b>Responsible Entity</b>
Water Quality	<p>Waters of the state are located in the Project Area and are protected under Administrative Rules of South Dakota Chapter 74:51. The Big Sioux River is classified as a warm water semi-permanent fishery with a total suspended solids standard of less than 90 mg/L 30-day average, less than 158 mg/L daily maximum. Special construction measures may have to be taken to ensure that water quality is not impacted.</p> <p>Project specific sediment, erosion control, and spill prevention measures will be developed during final design and included within the plans and specifications. The Stormwater Pollution Prevention Plan (SWPPP) would incorporate SDDOT and the City’s standard BMPs for velocity dissipation, revegetation, stabilization, etc. that the contractor would comply with.</p> <p>SDDOT Standard Commitment E (Stormwater) will be incorporated into the plans and will require a stormwater permit, which requires revegetation of disturbed areas. Removal of vegetation shall be confined to those areas necessary for construction. A site-specific sediment erosion control plan will be implemented to provide interim control prior to reestablishing permanent vegetation cover on the disturbed site. If riparian vegetation is lost, it will be quantified and replaced on site. Seeding of indigenous species should occur immediately after construction to reduce sediment and erosion.</p> <p>All material identified in the stormwater permit application as removed waste material, material stockpiles, and dredged or excavated material shall be placed for either temporary or permanent disposal in an upland site that is not a wetland, and measures shall be taken to ensure that the material cannot enter the watercourse through erosion or any other means.</p>	Pre-Construction, Construction, Post-Construction	City of Sioux Falls, SDDOT, Project Design/Engineer, Project Contractor
Water Quality (Continued)	<p>Methods shall be implemented to minimize the spillage of petroleum, oils, and lubricants used in vehicles during construction activities. If a discharge does occur, suitable containment procedures such as banking or diking shall be used to prevent entry of these materials into a waterway. All newly created and disturbed areas above the ordinary highwater mark that are not riprapped shall be seeded or otherwise revegetated to protect against erosion.</p> <p>If construction dewatering is required, the Contractor shall obtain the General Permit for Temporary Discharge Activities from the SDDANR Surface Water Program. The</p>		

Environmental Commitment	Mitigation Measures	Project Phase	Responsible Entity
	<p>Contractor shall provide a copy of the approved permit to the Project Engineer.</p> <p>Any groundwater wells would be confirmed during physical survey and, if impacted, would be properly capped and sealed. Any impacted wells and connections would be replaced for properties that were not fully acquired. It is anticipated that Build Alternative would not impact the water resources in the area due to the incorporation of BMPs into final design and construction.</p>		
<p>Federally Threatened, Endangered, and Protected Species</p>	<p>Bald Eagle:</p> <ul style="list-style-type: none"> <li>Bald eagles are known to occur in the Sioux Falls vicinity. The bald eagle is no longer a federal listed threatened or endangered species; however, it is protected under the Bald and Golden Eagle Protection Act and the MBTA and is a state listed species. If an occupied bald eagle nest is observed within one mile of the construction site, the Project Engineer will be notified immediately so a course of action can be determined. Additionally, the project will comply with the National Bald Eagle Management Guidelines. Sioux Falls and SDDOT will preserve any trees with active or unoccupied eagle nests.</li> </ul> <p>Northern Long-Eared Bat:</p> <ul style="list-style-type: none"> <li>Tree removal activities would occur in accordance with the requirements of the Avoidance and Minimization Measures identified as part of the Range-wide Programmatic Consultation between the USFWS and FHWA for the Indiana Bat and Northern Long-eared Bat. Tree removal activities would occur outside of bat roosting period. Tree removal would occur after October and before April. Trees to be removed will be clearly demarcated prior to removal to assure no additional trees will be accidentally removed from the project area. Therefore, potential bat roosting habitat would be removed during the hibernation period when the roosting sites are not being used by the bats.</li> </ul> <p>Migratory Birds:</p> <ul style="list-style-type: none"> <li>If any trees need to be removed during this time period, the trees will be surveyed for nests and cleared by a qualified biologist prior to the initiation of work, and a migratory bird nest depredation permit under the MBTA will be obtained (if necessary), or appropriate inactive nest removal and hazing/exclusion measures will</li> </ul>	<p>Pre-Construction, Construction</p>	<p>SDDOT, Project Design/Engineer, Project Contractor</p>

Environmental Commitment	Mitigation Measures	Project Phase	Responsible Entity
	be incorporated into the work to avoid the need to disturb active migratory bird nests.		
Emerald Ash Borer Management	Removal of ash trees by the project undertaking will need to coordinate an action plan in accordance with the City's approved quarantine data and restrictions. City of Sioux Falls standard procedures for ash tree removal will be followed and included in the plans.	Pre-Construction, Construction	City of Sioux Falls, Project Design/Engineer
Historic Preservation Office Clearances	<p>FHWA/SDDOT has obtained concurrence with the SHPO for all work included within the project limits. The contractor will be responsible for all earth disturbing activities not designated within the plans obtaining a cultural resource review prior to scheduling the pre- construction meeting. This work includes but is not limited to: Contractor furnished material sources, material processing sites, stockpile sites, storage areas, plant sites, and waste areas.</p> <p>If cultural resources are encountered during construction activities, construction will be stopped and the SHPO would be contacted. Construction will not be resumed until appropriate coordination has occurred and SHPO approval has been received.</p> <p>In the unlikely event that human skeletal remains or associated funerary objects are inadvertently discovered during construction activities, all work in the immediate area of the find will immediately cease and the following protocol be followed, pursuant to the provisions of South Dakota Codified Law 34-27.</p>	Pre-Construction, Construction	City of Sioux Falls, SDDOT, Contractor
Contaminated Material	<p>Contaminated soil and/or known gas stations, undergrounds storage tanks, etc. are located within the project limits. Petroleum contaminated soil may be located north of I229 on the west side of Cliff Ave and at 3401 S Cliff Ave.</p> <p>If it is determined in final design that regulated materials could be disturbed, a Phase II work plan is recommended.</p> <p>The Contractor will give notice to the Engineer when contaminated soil is encountered on the project. The Engineer will contact the Environmental Office so that contact with the DANR and consultant to inspect and monitor removal of any contaminated soil can be initiated.</p>	Pre-construction	Contractor, Project Design/Engineer
Waste Disposal	The Contractor will furnish appropriate sites for the disposal of construction and/or demolition debris generated by this project.	Pre-construction, Construction	Contractor, Project Design/Engineer



Environmental Commitment	Mitigation Measures	Project Phase	Responsible Entity
	<p>Any waste disposal sites will be managed and reclaimed in accordance with the General Permit for Highway, Road, and Railway Construction/Demolition Debris Disposal under the South Dakota Waste Management Program issued by SDDANR. Any waste disposal sites will not be located in a wetland, within 200 feet of surface water, or in an area that adversely affects wildlife, recreation, aesthetic value of an area, or any threatened or endangered species, as approved by the Project Engineer.</p>		
Visual Impacts	<p>For any construction areas that would remain un-vegetated for an extended period of time, such as over the winter, temporary seeding would be required in accordance with the SWPPP. The designer will ensure vegetative screening is completed according to the City’s Complete Streets checklist in final design.</p>	Pre-construction	Contractor, Project Design/Engineer
Access, Operations, and Safety	<p>A Traffic Control Plan, including appropriate signage and construction barriers to alert motorists to altered traffic conditions, will be prepared. SDDOT and City of Sioux Falls will coordinate with emergency service providers and schools as necessary during the project. Access to all residences and businesses will be maintained throughout the construction period.</p> <p>Temporary and/or overnight closures may be necessary during construction. Detours would potentially be required along other roadways such as 41<sup>st</sup> Street and Cliff Avenue.</p>	Pre-construction	Contractor, Project Design/Engineer
Section 4(f)	<p>The following commitments apply to both Spencer Park and Tuthill Park:</p> <p>Properties must be listed in the plan note by station and include required measures for the Contractor to comply with Section 4(f). The Project Engineer will contact the EO if changes to an easement adjacent to the 4(f) property occurs, before proceeding with any plans that may affect Section 4(f) property.</p> <p>Land temporarily occupied by construction, in Spencer and Tuthill Parks, will be fully restored by the conclusion of the project;</p> <p>Temporary occupancy of Spencer and Tuthill Parks during construction is will last no longer than 180 days in any given location and will be less than the time needed for construction. There will be a Special Provision for Construction Time, included in the project plans, limiting</p>	Pre-construction, Construction	Contractor, Project Design/Engineer

Environmental Commitment	Mitigation Measures	Project Phase	Responsible Entity
	<p>the duration of construction at each location in each park to less than 180 days per location.</p> <p>Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing 4(f) property and the public.</p> <p>Appropriate signage shall be installed to alert users of Spencer and Tuthill Parks of construction activities, access restrictions or closures, and to direct users to secondary access points.</p> <p>The staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of the 4(f) property.</p> <p>The Contractor shall be required to closely coordinate the construction schedule with the SDDOT Project Engineer who will coordinate with Chad Babcock, SDDOT Environmental Section Manager, 605.773.3721, and the Don Kearney, Director, Sioux Falls Parks &amp; Recreation Department prior to the start of construction activities</p>		
<p>Section 6(f)</p>	<p>The City of Sioux Falls Parks Department will complete, review, and approve application materials for Section 6(f) conversion of use.</p> <p>SDDOT will submit the Section 6(f) application for impacts to Spencer and Tuthill Parks after FHWA approves the FONSI.</p> <p>NPS will review and approve conversion of use application materials prior to the commencement of construction activities on Section 6(f) encumbered property.</p> <p>Approval of the Section 6(f) application will be received from NPS.</p> <p>The City of Sioux Falls will proceed with the incorporation of replacement property into Tomar park in accordance with their Tomar Park Master Plan and schedule.</p>	<p>Pre-construction, Construction, Post Construction</p>	<p>City of Sioux Falls, SDDOT, NPS</p>

**Table 7: Summary of Anticipated Permits and Approvals**

Government Agency	Type of Permit or Approval	Status
<b>Federal</b>		
U.S Army Corps of Engineers	Section 404 Permit	Will be coordinated after the environmental decision document
USFWS	Concurrence with No Effect and May Affect, not Likely to Adversely Affect Determinations	IPAC up to date, preliminary effects determination sent to USFWS, concurrence with effect determinations received.
U.S. National Park Service	Section 6(f) application approval	Application in progress. NPS Conversion of Use approval will be required for converted lands from Spencer and Tuthill Parks into the transportation facility.
<b>State</b>		
SD Department of Agriculture and Natural Resources (formerly SD Department of Environment and Natural Resources)	National Pollutant Discharge Elimination System Permit	Required Prior to Construction
SD Department of Game, Fish, and Parks	Section 6(f)	Coordination ongoing through NPS application process
<b>Local</b>		
City of Sioux Falls Public Works	Floodplain Development Permit	Pending
Contractor	Application for a Sound Level Permit	Required prior to construction

## 6.0 FHWA Decision

FHWA has reviewed all relevant documents and materials as well as all comments from the public, agencies, and tribes received during the development of the EA. Based upon the independent review and analysis, FHWA finds that the EA analyzed and considered all the relevant potential environmental impacts and issues.

Based upon the review and consideration of the analysis and evaluation contained in the EA; and after careful consideration of all social, economic, and environmental factors and mitigation of construction impacts; and considering input from the public involvement process and agency coordination; FHWA hereby approves the issuance of a Finding of No Significant Impact (FONSI) for the I-229 Exit 4 Interchange Project. FHWA further approves the Build Alternative as the Preferred Alternative for the Project. The Preferred Alternative will best fulfill the purpose and need for the project, and meet the goals identified for the Project.

Commitments for this project have been stipulated in this FONSI. Assuming these commitments are fulfilled, the need for a NEPA re-evaluation is not anticipated for this project.

Regarding mitigation and commitments, SDDOT and the City of Sioux Falls, on behalf of FHWA, are hereby required to ensure completion of all mitigation outlined above and set out specifically in the EA. SDDOT and the City of Sioux Falls are also required to ensure that all local, state, and federal permit agencies and conditions are met and otherwise complied with.

Based on the considerations identified in the Section 4(f) Evaluation, FHWA also concludes that there is no feasible and prudent alternative to the use of the Section 4(f) protected lands and that the Proposed Action includes all possible planning to minimize harm to the identified Section 4(f) properties, Spencer Park and Tuthill Park, resulting from such use. The FHWA, SD Division, finds the impacts to Spencer Park are de minimis and to Tuthill Park are de minimis, as defined under 23 CFR 774.

# Appendix A – Public Comments

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## List of Attachments

Summary of Open House / Public Meeting #1

Summary of Open House/ Public Meeting #2

Summary of Open House/ Public Meeting #3



Building a Better World  
for All of Us®

## MEMORANDUM

TO: Steve Gramm  
Shannon Ausen

FROM: Al Murra  
Emma Siegworth

DATE: March 1, 2019

RE: Summary of Open House 1: January 23, 2019

This memo documents summary information regarding the public open house held on January 23, 2019, for the Interchange and Environmental Study for I-229 Exits 3 (Minnesota Ave) and 4 (Cliff Ave).

### Basic Meeting Information

- Public open house for the greater Sioux Falls community surrounding the project area
- Date: January 23, 2019
- Time: 5:30 – 7:00 pm
- Location: Lincoln High School (2900 Cliff Ave, Sioux Falls, SD)

### Meeting Notifications

- Postcard invitations were mailed directly to 670 properties surrounding the project area.
- Meeting information was posted on the project website
- Press release by SDDOT and City of Sioux Falls
- Advertisement in the Argus Leader (local newspaper) and Shopping News (weekly paper)
- Facebook event on the City's page
- Advertisements on variable message boards

### Attendance

- Approximately 166 individuals signed in (see **Attachments** for digital scans of the sign-in sheets)
  - A few attendees did not sign in
- 20 staff/PMT present
  - 7 SDDOT (Steve Gramm, Craig Smith, Cary Cleland, Brad Remmich, Brooke White, Travis Dressen, Pete Longman)
  - 3 City of Sioux Falls (Shannon Ausen, Sam Trebilcock, Maureen Buller)
  - 1 FHWA (SD) (Mark Hoines)
  - 1 SECOG (Jim Feeney)
  - 2 IDG (Phil Gundvaldson, Chad Hanisch)
  - 6 SEH (Al Murra, Ross Harris, Mark Dierling, Graham Johnson, Scott Hotchkin, Emma Siegworth)

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 3535 Vadnais Center Drive, St. Paul, MN 55110-5196  
SEH is 100% employee-owned | [sehinc.com](http://sehinc.com) | 651.490.2000 | 800.325.2055 | 888.908.8166 fax

### **Meeting Description**

The public meeting was held in an open house style format with a presentation by Al and Ross at the beginning of the meeting. The presentation included background on the project, the alternatives identified in the MIS, the project timeline, environmental considerations, project propose and need, and traffic analysis. Following the presentation, attendees were encouraged to view the presentation boards and speak one-on-one with the project staff about the project. Presentation boards contained information that was included in the presentation, including background and environmental information, project corridor traffic analysis, and the alternatives for Exits 3 and 4. Staff members were present at the boards to answer questions and help describe the project. A comment table was available for attendees to write and submit official comments.

### **Put a dot on it! Exercise**

Approximately 75 people participated in the exercise by placing a dot on/near their home or business on the map. The majority of dots were located in the neighborhoods along Cliff Avenue both north and south of I-229. See **Attachments** for a photograph of the results of the exercise.

### **Comments**

23 comment cards were collected, 2 were received by email, and 2 were received on the project website. See **Attachments** for a spreadsheet of all comments that were received.

Below is a summary of the comments received:

- Negative feedback on Exit 4 Alternative #6. (3 comments)
- Positive feedback on Exit 4 Alternative #1.
- Negative feedback on Exit 4 Alternative #1
- Positive feedback on Exit 4 Alternative #7.
- Positive feedback on Exit 3 Alternative #2C.
- Request for more frequent updates on the Cliff Avenue Project.
- Concern that work on the exits will divert more traffic onto 41<sup>st</sup> Street, which will make it even harder to get out of driveways. Request to reroute traffic another route.
- Request to consider improving conditions for walking and bicycling. (2 comments)
- Request that bicycle traffic is viewed separately from walking and running.
- Concern about traffic flow in front of Lincoln High School when school is going on.
- Request that westbound exit by Lincoln High needs to slow down traffic.
- Concern about the safety conditions at the end of 41<sup>st</sup> Street and I-229 off ramp and not being able to see oncoming traffic. (3 comments)
- Suggestion that Lincoln High School should cut down the trees that block the view at the intersection of 41<sup>st</sup> Street, Cliff Avenue, and the I-229 off ramp.
- Question if a second southbound lane will be added to Cliff Avenue between 49<sup>th</sup> Street and 57<sup>th</sup> Street.
- Concern about the safety conditions involved in going north on Minnesota Avenue and turning north from the park.
- Request for access entry in the median on 43<sup>rd</sup> Street for a Minnesota Avenue business to allow traffic into their parking lot.
- Request to consider adding a turn lane in front of the Farm Bureau Office south of Minnesota Avenue/57<sup>th</sup> Street to improve safety conditions.
- Request to improve flow into and out of Yankton Trail.
- Suggestion that more bridges crossing both the river and interstate would put less of a demand on the existing bridges.
- Concern about the lack of turn lanes at major intersections and onto intersections.

### **Additional Staff Notes**

- Negative feedback on the fact that there was no group Q&A.
- Duplex on Pam Road has concerns with project and would like buyout.
- Schmidt Music wants buyout.

- Concern about bike access.
- Request for a bike and pedestrian overpass on Minnesota Avenue.
- Request for a stoplight at the intersection of 38<sup>th</sup> Street and Cliff Avenue.
- Project should consider transit stops.
- Business owners are concerns about how medians may impact access.
- Some property owners are located in the floodplain which may impact their want to be bought out.
- Concern about potential detour route on 41<sup>st</sup> Street increasing traffic.
- Concern about speeding on Cliff Avenue and 57<sup>th</sup> Street.
- Concern about access to parks.
- Would like to see an extension of Phillips Avenue over river/highway.

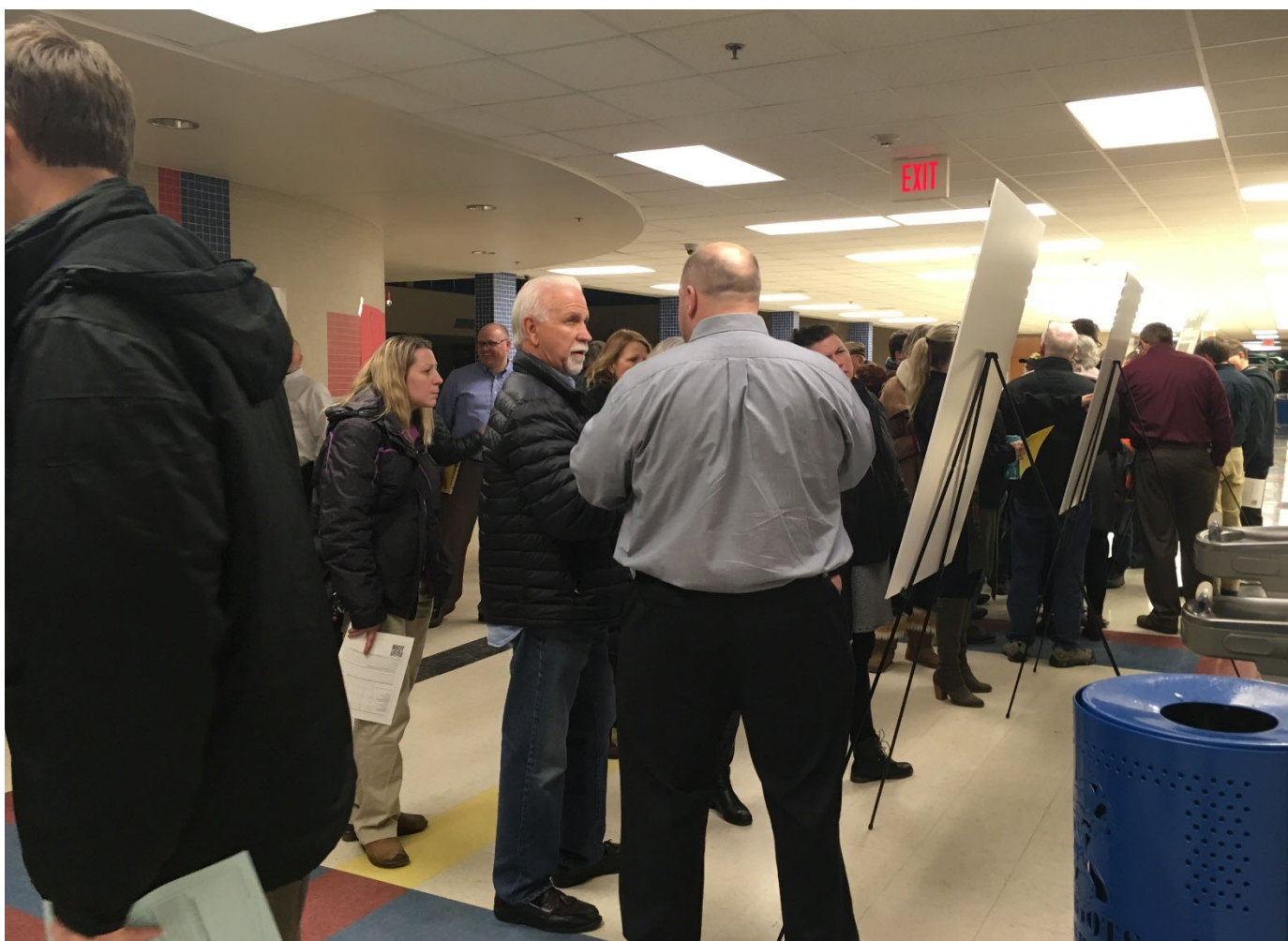
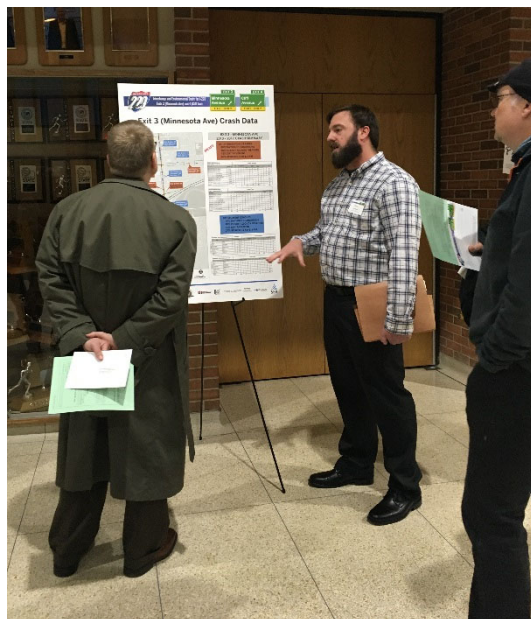
### **Attachments**

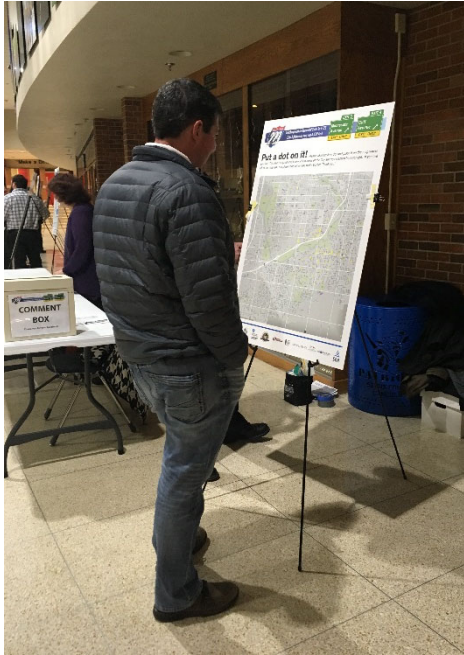
Sign-in sheet scans  
Put a dot on it! Exercise  
Comments

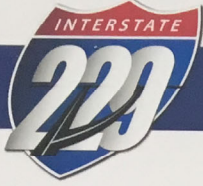
### **Photos of Events**









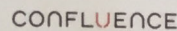
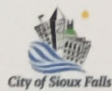
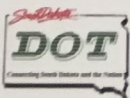
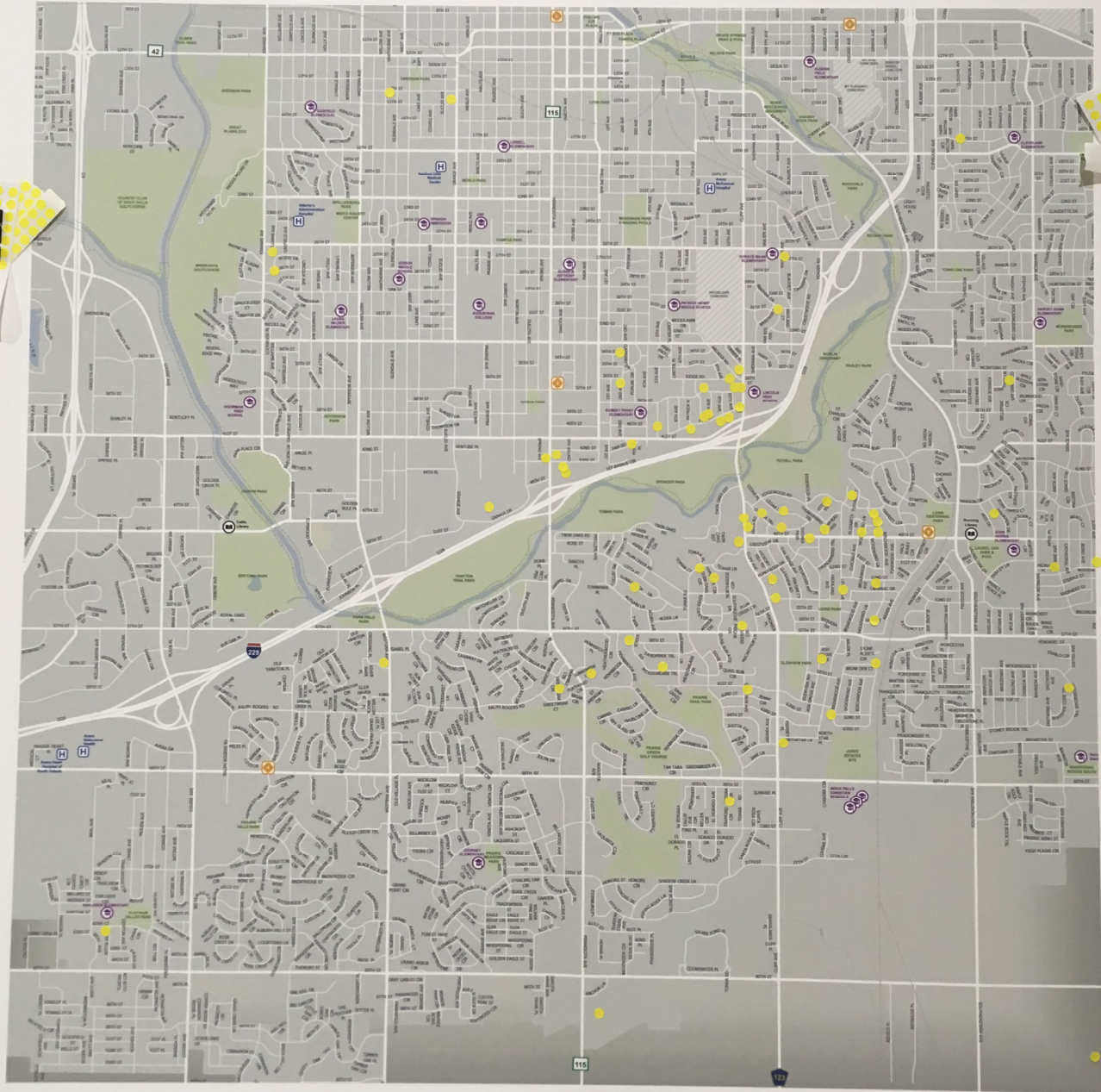


# Interchange and Environmental Study for I-229 Exits 3 (Minnesota Ave) and 4 (Cliff Ave)



## Put a dot on it!

Please take a yellow dot and place it on the map where you live. This helps us (and you) know which areas of the City are represented here tonight. If you live off of the map, you can place your dot on the white border. Thank you!



#	Comment sent Via	Exit #	Comment
1	email	3 & 4	see 4-pg word document; main principles include: safety, speed, attractiveness and access
2	website	4	I am a property owner (Minnehaha Properties) along E 41st Street. Alternative #6 of the Exit 4 option has so many negative impacts to the long time property owners that it should not be seriously considered. Our property was acquired and developed decades ago upon the belief that 41st street would not be relocated into an existing neighborhood to handle future traffic concerns. Further, future traffic volume is forecasted in 2050 to not even be 10,000 cars per day along 41st Street does not seem to support the huge expense of construction as well as the negative impacts to the property owners (both directly impacted or casually impacted by being in the neighborhood.)
3	website		I am excited to see what will happen for pedestrian / bicycling.
4	HDR email 2-4-19	3	We have received a couple of notices regarding the I-229. We own the residence at 109 E 41st St and wondering if any of the plans would impact our property.
5	comment card	4	We attended the meeting...It was not very helpful. We spent time afterwards with one the staff working the project. That was helpful. I thought all three options for the Cliff Ave. interchange made sense, but liked the one on top the best. It was a partial cloverleaf, was least expensive, and seemed to capture the needs well. My second choice would be the middle option.
6	comment card	4	Good information. Need more frequent updates on the Cliff Ave Project and impacts of which option is to be selected. We appreciate your efforts to keep us informed.
7	comment card	3 & 4	We have a hard enough time getting out of the driveway now. When you work on these exits it will divert more traffic onto 41st St between Minnesota & Cliff, making it even harder for homeowners to get out. Please consider this & re-route another way.
8	comment card		Not board proposal #6--41st St traffic and Lincoln HS traffic are merging/connecting at the same spot, a traffic nightmare. I think #7 proposal would be the most effective to keep traffic from backing up, from north or south or from Lincoln High and get everyone to the street they want.
9	comment card	4	I drive my daughter to Lincoln via Cliff every morning. On most days ZERO students walk or bike to Lincoln--likely due to the hazardous conditions without a barrier on Cliff for crossing busy intersections. This lack of walking adds further to the traffic congestion. Please consider creating conditions friendly to riding, walking and biking.
10	comment card	4	Alt #1 on Exit 4 will not grow with the City. Alt #6 on Exit 4 is too busy by the high school. Alt #7 is nice--the stop light will slow down the speed of traffic and not so close to Lincoln. Please call?? About the bus stop at Lincoln.
11	comment card	4	I look forward to future meetings. My concern is still in front of Lincoln High School and traffic flow when school is going on.
12	comment card	4	West-bound exit by Lincoln High needs to be set up to slow traffic down. As it is now east bound on 41st cannot see traffic exiting to the west.
13			Will a second south bound lane be added to Cliff between 49th and 57th Streets?
14	comment card		Concern over safety end of 41st St and ramp off of 229. Have seen many accidents there. Vision from stop at end of 41st St. is hindered by traffic coming off exit--could be going straight on turn north.
15	comment card	4	Schmitt Music Building. I am willing to discuss the option of having my property purchased as part of the project. I have limitations on building improvements due to FEMA rules and frontage that me be used (City property) that will limit my useful parking.
16	comment card		41st going east should not line up with the 229 S. exit due to people from 41st going straight onto the off ramp. I would also like to suggest Lincoln cut down the trees that block the view when you come off the off ramp.
17	comment card	3	I prefer alternative 2C for Exit 3 so a left turn can be made at 43rd St. going north on Minnesota.
18	comment card		I live on 43rd
19	comment card		Go north on Minnesota Ave turning north from the park is most dangerous intersection. I ride on my bike. Cars coming off the interstate don't look for traffic crossing nor do traffic going south & north on Minnesota.
20	comment card		As a business along Minnesota we would really like a access entry in the median on 43rd St. This will allow traffic into our parking lot. Without this, we believe we will loose (sic) business.
21	comment card		Please consider adding a turning lane in front of the Farm Bureau Office south of Minn/57th St. This area is dangerous as customers attempt turning left into this office area. Also--please devise better flow into and out of Yankton Trail. During activities this is also very dangerous area. Maybe left turns for people exiting Yankton Trail. Thanks!
22	comment card	3 & 4	Concerned that traffic flow will make it even more difficult for me to access bike trails on either Exit 3 or 4. Thank you for your presentation. Well done.
23	comment card	4	Does the interchange project coincide with 49th Street construction between Minnesota Ave. and Western Ave?
24	comment card		I would like to address the language used. As a bike rider, I would like to make sure bike traffic is viewed separately from walking and running.
25	comment card		I think we need more bridges overall crossing both the river and interstate (without getting onto the interstate). More bridges would put less of a demand on the existing bridges.
26	comment card		Never put story boards in the hallway. People could not see or hear discussions.
27	comment card		My concerns are lack of turn lanes at major intersections, as well as lack of turn lanes onto intersections. I'm not sure if I can list the exchange that come to mind or if you'd like to discuss on the phone.
28	comment card		Happy to see projects moving. Needed badly!

My comments are grounded in several principles. They are:

- Safety—paramount in the plans for these projects is the safety of people who will be using them—be they in motorized vehicles, on bicycles, or on foot.
- Speed—the biggest threat to safety is the speed of motorized vehicles as the faster the speed the greater the danger to all in that corridor, with that danger growing exponentially as speed increases.
- Attractiveness—an appealing corridor with regards to sights, sounds, and ambiance serves to maintain/increase property values along that corridor and make the corridor places people want to be.
- Access—people move about so they can get to places—work, shop, friends, school, recreation. These corridors have most of those places within their footprint, so access must occur for all modes.

With these principles in mind I offer the following suggestions for these projects.

- Keep the speed of the corridors at no greater than 35 mph. This can be difficult given the hills to the south of each interchange. To keep speeds low several things can be done. They are:
  - Have lane width no greater than 10 feet. Wider lane widths encourage speed while narrower lane widths call upon drivers to pay more attention to driving. Various studies have showed that 12 foot lanes are clearly associated with higher speeds and higher crash frequencies (and severity) than 10 foot lanes. Ten foot lanes handle no less traffic than 12 foot lanes. The National Association of City Transportation Officials (NACTO) noted that “Lane widths of 10 feet are appropriate in urban areas and have a positive impact on a street’s safety without impacting traffic operations.” In addition the Institute of Transportation Engineers (ITE) in its Traffic Engineering Handbook (7<sup>th</sup> Ed) note, “Ten feet should be the default width for general purpose lanes at speeds of 45 mph or less.”
  - Ten foot lanes are able to accommodate trucks and buses. Semi truck trailers may have a maximum outside width of 102 inches (8.5 feet) as per federal rule. Bus width is between 8-9 feet. Given the low percentage of semi and bus traffic in these two corridors, particular to the south, ten foot lanes should prove even less an issue.
  - With the current footprint of Minnesota Avenue being (I’m guessing) at least 60 feet, the reduction to 10 foot lanes provides some safety and transportation opportunities. They include:
    - A raised concrete median south of 229 on Minnesota to 57<sup>th</sup>. This stretch has few cross streets with few residences which can access Minnesota by right turn movements. Current left turn movements in that stretch are very few.
    - A raised concrete median with ornamental trees. In addition to what is noted above the presence of trees would serve to slow traffic and make the corridor function less like a high-speed highway. And it would add to the attractiveness of the corridor.

- Include a 5-6 foot bike lane in each direction.
- Have a 10 foot sidewalk in each direction
- Plant trees along the sidewalk where they do not now exist (and the space is available) as they:
  - Protect users of sidewalk from street traffic
  - Reduce crashes
  - Absorb stormwater
  - Absorb UV and pollutants
- With all of these suggestions you would have:
  - 4-10 foot lanes=40 feet
  - 1 raised median (with trees)=6 feet
  - 2-6 foot bike lanes=12 feet
  - 2-10 foot sidewalks=10 feet (plus the 10 feet already there)
- Have right turn movements onto I-229 that intersect a cross-walk designed as a sharp right turn rather than a smooth right turn. A sharp right turn will serve to slow the vehicle and make it safer for pedestrians whereas a smooth right turn allows vehicles to travel at a higher speed, endangering pedestrians. Currently all alternatives show right turns intersecting with cross-walks that are smoother rather than sharp.
- The right turn movements at 41<sup>st</sup> and Minnesota should also be sharp and not soft as shown in both alternatives.
- In the material presented there is no mention of people who bicycle and walk. That is critical for the integrated development of these two projects. Such aspects must not be seen as an add-on after a design is determined. This is especially important given the proximity to Lincoln High School and the greenway system. With this in mind I suggest the following:
  - Have sidewalks on both sides of Minnesota Avenue all the way through the study area
  - Have sidewalks, at minimum, on the east side of Cliff. Ideally, have it all the way through the study area
  - Have all right turn movements which intersect with cross-walks in both studies be sharp rather than smooth to lower the speed of vehicles and enhance the safety of those in the cross-walks.
  - Include safe movement of people walking and bicycling across Minnesota Avenue south of I-229. At present there is a user-activated signal to assist in such crossing. This crossing is important to enable users south and east of Minnesota and 41<sup>st</sup> to access the greenway system. The traffic signal at Lotta is an alternative to this.
  - Include bike lanes in both corridors. South Minnesota Avenue already has a “Bikes May Use Full Lane” sign. A bike lane can be accomplished through having 10 foot lanes and a smaller raised median.
  - Have green boxes in bike lanes at traffic signals providing a safe space for cyclists.

There are two aspects of these projects that have received no attention. They are movements in and around Lincoln High School and non-motorized access to the greenway system.

Two thousand plus students and staff use Lincoln High over 180 days/year. Evidence needs to be shown that the city and transportation planners are working with the school district to ensure safe movement of the Lincoln High community, whether they are in cars, on bicycle, or on foot. Aspects to consider include:

- 10 foot lanes on Cliff south of 33<sup>rd</sup> to slow traffic in this corridor
- Planting of trees adjacent to the Lincoln High parking lots on the east side of Cliff
- Placement of speed sensors (much as seen on 8<sup>th</sup> St between Phillips and Weber) so that vehicles can see just how fast they are going (and slow as happens on 8<sup>th</sup>).
- Continued pedestrian activated signals to assist with safe crossing of Cliff. This includes both a traffic signal AND a flashing signal alert prior to the signal when the button is pushed.
- Sidewalks on both sides of Cliff
- Analysis of vehicle movements in and out of the Lincoln High parking lots east of Cliff with recommendations that address vehicle safety as well as pedestrian and bicycle safety
- Making sure that any corners allowing right turn movements by vehicles are sharp, rather than smooth, serving to slow down the vehicles' movement.
- Having zebra crosswalks for pedestrians and signage directing vehicles to stop for pedestrians in the crosswalk

The Sioux Falls Greenway System is viewed as a highlight of the city. People use it year-round for exercise, accessing recreation, and as a transportation facility to get to work, stores, and friends. With this in mind it is imperative that pedestrian and bicycle access be integral to the plan. To reiterate some of the suggestions above:

- Bicycle lanes in both corridors
- Sidewalks in both corridors
- Pedestrian actuated signals by Lincoln High and near the entrance to the greenway on Minnesota (with an alternative being the traffic light at Lotta)

In addition to these there is a need to have alternative access for people walking and bicycling between the core of the city (within the I-229 belt) and outside of the core. Not everyone is comfortable with riding/walking on busy corridors, particularly with children. With that in mind, I suggest a pedestrian/bicycle bridge over I-229 much like the bridge over I-94 in Fargo connecting 20<sup>th</sup> Ave S and 21<sup>st</sup> Ave S by 16<sup>th</sup> St. S.

The question becomes where to put such a bridge. Access to the greenway from the core is most limited between Western Ave and east 26<sup>th</sup> St. A place midway between the two that also connects the grid street system in the core with the greenway would be ideal. Such a location could be either on Phillips south over I-229 or on Duluth/Norton south over I-229.

Finally, let me address the interchange alternatives presented. First, I looked at Alternatives 2C and 2D for Minnesota Avenue and cannot discern any difference between the two. That confuses me. The one concern present in both alternatives is access between the greenway system and Minnesota at the point



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## MEMORANDUM

TO: Steve Gramm  
Shannon Ausen

FROM: Alan Murra  
Kristin Petersen

DATE: December 23, 2020

RE: Summary of Open House 2: November 6, 2020 to December 5, 2020

This memo documents summary information for the 30-day public comment period held for the second round of engagement for the Interchange and Environmental Study for I-229 Exits 3 (Minnesota Ave) and 4 (Cliff Ave).

### Basic Meeting Information

- Audience: Greater Sioux Falls community surrounding the project area
- Date: 11/6/2020 to 12/5/2020
- Duration: 30 days
- Format: Due to restrictions on in-person gatherings due to the COVID-19 pandemic, the project team created a virtual public open house that included recorded presentations and online comment opportunities. Presentations included information on the Recommended Improvements, Interchange Modification Justification Report (IMJR) summary and Environmental Scan Report (ESR) for both Exits 3 and 4.
- Location: [www.i229exits3and4.com](http://www.i229exits3and4.com)

### Meeting Notifications

- Postcard invitations were mailed directly to approximately 645 properties surrounding the project area
- Meeting information was posted on the project website
- Press release by SDDOT and City of Sioux Falls
- Advertisement in the Argus Leader (local newspaper) and Shopping News (weekly paper)
- Facebook event on the City's page
- Emails were sent out to the Project Email list (160 emails) on 11/6/2020

### Attendance

- There were 933 unique visitors to the project website between 11/6/2020 and 12/5/2020
- Top sources of website traffic were:
  - 561 accessed the site directly
  - 142 were directed via the Argus Leader
  - 56 were from Google searches
  - 53 were directed from the SDDOT website
  - 119 were from other sources

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 401 East 8th Street, Suite 309, Sioux Falls, SD 57103-7032  
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## Comments

Online comments forms were included next to each pre-recorded presentation for each exit on the Virtual Open House tab. A general comment form was also available on the Contact Us webpage. The comments received are listed below.

### Exit 3, Video 1 comments:

- 1) Similar to the cliff avenue project. With the reconstruction of the on and off ramps you are certainly going to get more traffic moving through the intersection at faster speeds. What accommodations are being made for cyclists or pedestrians? What can be done to give more people the option to use something other than a car? If you live any where inside of 229 it's incredibly hard to go south. There are pinch zones at Cliff, Minnesota, Western and Louise. Those corridors are VERY intimidating. A 6ft / 10ft path next to lots of traffic is also intimidating. If a pedestrian / cyclist is traveling north on the 10 foot ""path"" they will have to cross traffic 4 times. Intersections are the most dangerous place for pedestrians and cyclists. How can this be addressed?

Cyclists and multi use trail users often use the parking at Yankton Trail Park. I am going to imagine you will reduce the usage by creating a right turn only exit. Not only will you put more cars through the area, but not you have a negative consequence for those that want to stay healthy. I would challenge you to find solutions for pedestrians and cyclists first before choosing to move more traffic at higher rates of speed through this intersection. At some point it's just going to take more time to get from A to B if you rely on a car.

- 2) Are there overall cost estimates? I really like the plans for Minnesota Ave through 41st St. I have a slight preference for the partial cloverleaf but also support the SPUI. Most importantly, I would like to see construction start ASAP.
- 3) 9D looks to be worth the extra money. As someone who drives through this intersection every day, I don't think that any other option will set up the intersection to prepare for another 50+ years of traffic without much redesign needed.

The continued growth of South Sioux Falls as well as Harrisburg only reiterate the need for 9D and the traffic it will support for years to come.

- 4) I really hope you can do something to improve the safety for pedestrians and bicyclists as they move through the intersection. It appears from all the proposed plans, there will be multiple times an individual would cross lanes of traffic, and the single light control is often not at an appropriate angle to view as you are moving through the intersection. This leads to pedestrian/bicyclists often trying to ""time it"" to get through the intersection because you cannot not adequately prepare for when you have the right of way. I know some places have added a tunnel as a way to remove these individuals from the vehicle traffic. If that is not possible, please install solid barricades between the sidewalk/trail and the motorized lanes.

The best way to reduce traffic congestion is to get people out of cars and into public transportation or alternative modes of transportation such as bicycles. As this is so close to the main Bike Trail in Sioux Falls, providing safe cycling infrastructure will promote bicycling commuting and business for the stores located near the interchange.

- 5) I vote for the no build option.
- 6) I would love to see a well lit tunnel utilized to move pedestrian and bicycle traffic from north of 229 to the bike path on the south. Riding my bicycle while taking the lane I repeatedly get honked/sworn at and have had more close calls with cars than I can count. It's not much better running on the sidewalk. Especially in

the morning and evening commute times and after dark people take little notice of their surroundings and crossing either the S bound on ramp or n bound off ramp on the west side of the road is a gamble every time.

I don't feel safe riding with my 5 year old daughter or walking to the bike path from our house. This is a shame that we have such an amazing resource as the bike trail in SF but don't always have a safe way to access it.

Exit 3, Video 2 comments:

- None

Exit 3, Video 3 comments:

- None

Exit 4, Video 1 comments:

- 1) 6 looks pretty impressive. With the reconstruction of the on and off ramps you are certainly going to get more traffic moving through the intersection at faster speeds. What accommodations are being made for cyclists or pedestrians? What can be done to give more people the option to use something other than a car? If you live anywhere inside of 229 it's incredibly hard to go south. There are pinch zones at Cliff, Minnesota, Western and Louise. Those corridors are VERY intimidating. A 6ft / 10ft path next to lots of traffic is also intimidating. If a pedestrian / cyclist is traveling north on the 10 foot ""path"" they will have to cross traffic 4 times. Intersections are the most dangerous place for pedestrians and cyclists. How can this be addressed?

Being sensitive to local businesses? What sort of accommodations will be made for the gas station and the bank? Increasing traffic will greatly reduce their accessibility. Can access be created from the park to the gas station / bank strip mall? Are there options to remove the median or end it further north of the property to give customers leaving the gas station a little more room? Rear access to the gas station would also solve this.

Will there be a response to feedback?

- 2) Thank you, Al, for your very thorough outline of the proposed interchange modifications. I am in agreement with both of the recommendations made by the study group. We live on the corner of Pam Rd and 6th Ave.
- 3) sorry it is a bit small on my computer , On plan 6 it appears 41st street has been shifted slightly south from the original plan 6 ? Are 1101 E PAM RD and 1105 E PAM RD are going to be left alone then?
- 4) will there be a stoplight at 41st street?
- 5) I live in the neighborhood: 38th and 7th Ave. I am looking forward to this project getting started ASAP. I like the wide pedestrian paths planned at the interchange. Please keep pedestrian usability as a priority. It is dangerous getting to the bike trail. I lean towards the partial cloverleaf but also support the SPUI option.
- 6) Where are the plans for bicycling?

- 7) The options provided are far too dangerous for anyone that must cross the street on foot. Given that this is next to a high school, it is likely to increase the number of fatalities for non motorized users. More must be done to consider the costs of children and individuals that are not in a car.
- 8) Alternative 6 makes the most sense. Without realigning 41st Street, traffic will still be backed up.

Not sure that his is relevant to this discussion, but Cliff Ave needs to also be 4 lanes all the way to Harrisburg. From 49th to 57th, the reduction to 1 lane in the Southbound lane significantly congests traffic all the way to 26th Street. Everyone tries to get in the left lane as soon as they can, creating additional congestion.

- 9) I really hope you can do something to improve the safety for pedestrians and bicyclists as they move through the intersection. It appears from all the proposed plans, there will be multiple times an individual would cross lanes of traffic, and the single light control is often not at an appropriate angle to view as you are moving through the intersection. This leads to pedestrian/bicyclists often trying to "time it" to get through the intersection because you cannot not adequately prepare for when you have the right of way. I know some places have added a tunnel as a way to remove these individuals from the vehicle traffic. If that is not possible, please install solid barricades between the sidewalk/trail and the motorized lanes.

The best way to reduce traffic congestion is to get people out of cars and into public transportation or alternative modes of transportation such as bicycles. As this is so close to the main Bike Trail in Sioux Falls, providing safe cycling infrastructure will promote bicycling commuting and business for the stores located near the interchange.

- 10) To Whom it may concern:

My name is Ryan Groeneweg, I am a resident of District 14 residing in SE Sioux Falls on E 57th street. I am also legally blind, so I rely on my wife to drive during our daily commute to work in central Sioux Falls via Minnesota and/or Cliff Ave. We are very familiar with the morning and evening routes, traffic, and most importantly the numerous pedestrians and bicyclist that navigate these busy corridors. We also frequently walk/jog the trail systems which brings us to the Minnesota and Cliff Ave areas.

As a person who has some functional vision, limited as it is, it is very scary trying to account for all fast moving vehicles, light changes, curbs, and noise (I am also hearing impaired so it's difficult to determine where sound is traveling from). Please consider that designing a safe means for pedestrians with any disability to navigate a busy exchange, makes it safe for all pedestrians with or without disability. Disabilities that can impair a persons ability to account for their surrounding (vision & hearing deficits), how quickly they can move (physical limitations due to disability or age, use of wheelchairs), and even executive functioning requiring decisions on safety of crossing (those with developmental and cognitive disabilities) deserve to be safe. Designing a path from point A to B using a typical healthy person without limiting disabilities is far to narrow of a scope and disregards the needs of many Sioux Falls residents.

I have reviewed some plans proposed, and the idea of including a wide, well-lit tunnel under 229 and both on/off ramps on both sides is very appealing. I believe this to be the absolute safest option in that it completely eliminates exposure of all pedestrians from crossing in front of fast moving traffic. This would be heavily used by students commuting on foot or bicycle every day, but also I believe would make the trail system more convenient and accessible to many for Sioux Falls residents.

Alternatively, sidewalks that run alongside either Cliff or Minnesota (i.e. like I-29 and 12th street) should be wide and similarly very well-lit to ensure drivers can see any pedestrian day or night, sunny or cloudy. I would be in support of any measures that slow traffic down in this area (rumble strips, sharper turning lanes for on-and off-ramp traffic) that requires slower traffic etc.

Thank you for considering my concerns and don't hesitate to reach out if you have further questions.

- [REDACTED]
- 11) As a driver leaving Robert Frost Elementary and traveling east on 41st and hoping to turn S on cliff this intersection is almost unusable during the evening rush hour. When S bound traffic has a green light there is no break in traffic to turn in. When E/W traffic has a green light the cars turning off of S bound 229 ramp almost always turn into the westernmost lane. Some sort of traffic control to keep this from happening would make this less of a headache.

As a pedestrian or cyclist heading south on cliff towards the bike path or tut hill park there is not a safe way to accomplish this. Cars don't pay attention to us on the sidewalk and the speeds there are often much faster than the posted 30 mph. It's quite the risk. A well lit tunnel would be an ideal solution to this unsafe conundrum.

Exit 4, Video 2 comments:

- None

Exit 4, Video 3 comments:

- None

General comments:

- 1) Please send 229 updates
- 2) As it stands today I am amazed there have been no fatalities at Exit 4. I have personally seen vehicles exiting at 40-50 MPH to beat a red light. Alternative 6 should eliminate this problem. Thank You
- 3) Thanks for moving the cross walk from just N. of 38th St to 38th and Cliff with a light. The students run across Cliff almost anywhere including across 38th st - so dangerous often. Leaving 41st where it is and making a light at the convergence of I-229 exit/entrance to Cliff will really help the flow of traffic to/from I-229 from both ways on Cliff. Thanks.
- 4) Please, please get the SAM buses to pick up student riders from the bus shelter that sits on Lincoln property as was 1st intended vs picking them up on the west side of Cliff, north of 38th. A nice shelter sits on Lincoln property so students don't have to cross the street and have to wait on sidewalk near the edge of the Cliff street. It was rumored that McKennan didn't like the Life Scape folks who worked at the workshop just north of 21st at that time, standing at the corner of 21st and Cliff on their property waiting for the bus. SAM then changed the direction of the route stopping on west side of Cliff at the light between 38th and 36th. Students RUN across Cliff anywhere to the west bus stop on Cliff causing dangerous situations for students and cars. Now would be a good time to change the direction of SAM route to go North on Cliff so students don't cross Cliff at all while waiting for bus and can wait at a safe distance from the street. Thanks.
- 5) where is the prerecorded video? is there a direct link?
- 6) I am a neighbor for exit 3. Where is the 2020 information.
- 7) Not sure who to send this to so am submitting under general comments. I live just south of 33rd on Cliff and have concerns about traffic from Minnesota Ave being rerouted to Cliff Ave. Traffic on Cliff already travels about 40 mph. How will speed be controlled? Even though this is a busy street, it's still residential in this area. Will I even be able to get out of my driveway? I'm very concerned about adding MN Ave

traffic? Also noise is a concern. When will we be able to see plans that show the changes on the Cliff exit?

Thank you for thinking of those of us who live in this area.

- 8) I have concerns with this as someone who has a vision impairment.
- 9) Existing bicyclist and pedestrian facilities do not meet current standards
- 10) The focal point in draft narrative and project planning on pedestrian and bicycle access is critically important given the current lack of safety for these users. I hope the committee and project teams will continue to focus on the fact that existing bicyclist and pedestrian facilities do not meet current standards. Thank you kindly.
- 11) I am writing to comment on the interchange projects at I-229 and Cliff and at Minnesota. I am a driver through both corridors and also bicycle through both corridors. I am writing in support of a single point interchange with a realigned 41st St, but with some significant modifications for safety for all.

The material shared at the January, 2019 open house at Lincoln High and the information now on the web centers on moving motorized vehicles quickly through both corridors and both on and off of the interstate. Sidewalks and side paths are included for pedestrian and bicyclists.

The word 'safety' is used, but there is little in these projects that centers on safety. There are two aspects that address the safety of pedestrians and bicyclist. These are the wider facilities on both sides of the corridor for them to use and the user activated switches so that there might be safe crossing at the single point interchange.

Rather than build safe corridors, both projects have several aspects that fly in the face of safety for all—pedestrians, cyclists, and motor vehicle users. Both projects are in the greenway corridor which draws many people. There is retail in both corridors. And, Lincoln High draws over 2000 people daily during the school year.

- The safety concerns are:
  - ✓ Design speeds that enable vehicles going north down the hill to easily reach 40+mph. Risk of significant injury and property damage increases exponentially as speeds go over 25mph.
  - ✓ The current speeds through both corridors often exceed the posted limit. Nothing in the single point interchange serves to limit the speed of motor vehicles.
  - ✓ Free right turns on and off of the interstate with soft curves enable vehicle speeds to be maintained and not slow for potential conflicts with non-motorized users
  - ✓ The single point interchange presents eight crossing points for pedestrians and cyclists in each corridor. Each crossing point, even with actuated signals, presents dangers at each of those points with conflicts between motorized users and non-motorized users.
- There are design options to address these safety issues. These include:
  - ✓ Lanes on Cliff Avenue that are 10'-10.5' wide instead of the proposed 11'. Narrower lanes have been shown to reduce vehicle speed without significantly affecting travel time.
  - ✓ Plant trees wherever possible in the corridor. The presence of trees serve to reduce speed of motor vehicles.
  - ✓ Have the 'free-right' lanes with a hard right turn onto the ramps/streets. This will serve to slow the movement of vehicles without significantly affecting travel times. Slower speeds where vehicles and pedestrians/cyclists intersect adds to the safety of all.
  - ✓ Have rumble strips in the 'free-right' lanes to alert drivers to the potential presence of other users and slow the vehicles.

- ✓ Have good lighting at the single point interchange under the 229 bridge. The lighting at single point interchanges along I-29 seem dim.

The most significant way to improve safety in both corridors is to construct a pedestrian/bicyclist tunnel under the east side of the Cliff project and the west side of the Minnesota project. Such a tunnel should be wide and well-lit with as good drainage as possible. I support the building of these tunnels.

It is my understanding that such tunnels would cost in the neighborhood of \$1M (not sure if that is total or for each). It is also my understanding that this cost would be borne by the city and not the state or federal government. I am not clear why federal transportation money sent to the state could not be used as federal money can be used for bicycle and pedestrian projects.

The cost of the tunnels is small when looking at the world of transportation planning. The recent project on Minnesota and 37th and 41st cost around \$700K. The purpose was to improve travel time by 11 seconds. That seems like a lot of money for me to save a small amount of time. Surely a similar amount for safety is justifiable.

I would ask that more information be provided about the length of the sidewalks and side paths at both projects. That is not clear in the presentation. It seems that one end should be at the river. How far north would they go?

Also, the projects do not satisfactorily address entrance and exit into the greenway by motorized vehicles. These are busy locations, especially during the summer months. I ask that more study be given this and alternatives proposed.

I look forward to hearing more about the next steps in this project.

Other comments via phone/mail:

- 1) Shannon Ausen (City of Sioux Falls) talked on the phone to [REDACTED]. He wanted to know the exact impacts to his property, I said no but we may need small area of temporary construction easement and a small area of right of way but we are not in final design yet and won't know the impacts until we are in final design. I said we will be having additional meetings in the future either in person or virtual. He said he is in favor of alternate 6 now that is doesn't take his house and Pam Road and Cliff Avenue are cut off from one another.
- 2) Al Murra (SEH) mailed hard copies of the meeting #2 presentations to [REDACTED] and followed up with a phone. She mostly wanted to be able to see what was being recommended for improvements at the Exit 4 interchange as well as the improvements for Cliff Avenue.
- 3) Jeff Mersch from the Falls Area Bicyclists (FAB) organization sent an email with a letter of support from the FAB requesting the Study Advisory Team to consider the bike/pedestrian tunnels underneath the freeway. The letter included an attachment with 130+ community advocates who have signed in support of the letter.
- 4) [REDACTED] sent an email inquiring about potential excess property on the northwest corner of the Exit 3 interchange. The email correspondence is included as an attachment.

**Attachments**

Website Comment Spreadsheet  
Falls Area Bicyclists Letter  
Email Comments

Photos of Website Homepage & Comment Period Analytics



NEW! OPEN HOUSE MEETINGS    BACKGROUND AND SCHEDULE  
STAY IN TOUCH

Open House Meetings

- [Open House 1](#) - public meeting held January 23, 2019
- New!! [Open House 2 - Exit 3](#) - virtual meeting web page launched November 6, 2020
- New!! [Open House 2 - Exit 4](#) - virtual meeting web page launched November 6, 2020



Photo of Open House 1 held on January 23, 2019.



Traffic

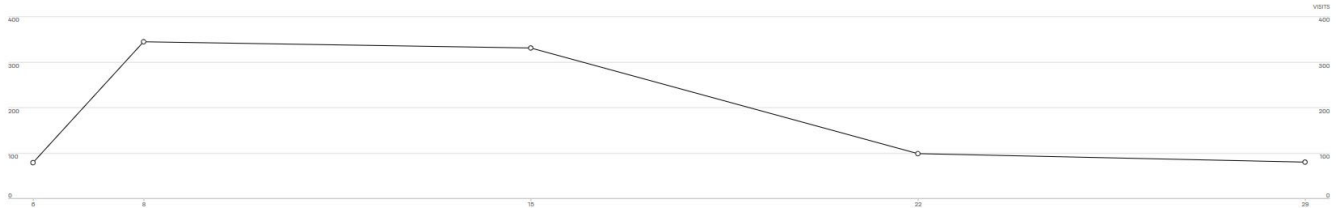
Custom

visits <b>931</b> +390% mo/mo	UNIQUE VISITORS <b>933</b> +449% mo/mo	PAGEVIEWS <b>2.4K</b> +387% mo/mo
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Visits

Nov 6 - Dec 5, 2020 • 931 Total • +390% mo/mo

Weekly

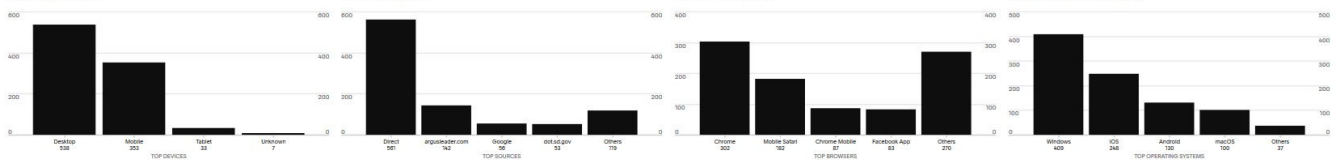


Top Devices by Visits

Top Sources by Visits

Top Browsers by Visits

Top Operating Systems by Visits



I-229 / Exits 3&4 Interchange Study - Virtual Meeting #2 Comment Spreadsheets



I-229 / Exits 3&4 Interchange Study

General - Comments submitted during Virtual Meeting #2

Submitted On	Name	Email Address	Message
11/05/2020 12:01:19	K P	kpeteresen@sehinc.com	Testing general form.
11/09/2020 11:31:13	[REDACTED]	[REDACTED]	Please send 229 updates
11/09/2020 12:04:49	[REDACTED]	[REDACTED]	As it stands today I am amazed there have been no fatalities at Exit 4. I have personally seen vehicles exiting at 40-50 MPH to beat a red light. Alternative 6 should eliminate this problem. Thank You
11/09/2020 20:42:02	[REDACTED]	[REDACTED]	Thanks for moving the cross walk from just N. of 38th St to 38th and Cliff with a light. The students run across Cliff almost anywhere including across 38th st - so dangerous often. Leaving 41st where it is and making a light at the convergence of I-229 exit/entrance to Cliff will really help the flow of traffic to/from I-229 from both ways on Cliff. Thanks.
11/10/2020 17:15:14	[REDACTED]	[REDACTED]	Please, please get the SAM buses to pick up student riders from the bus shelter that sits on Lincoln property as was 1st intended vs picking them up on the west side of Cliff, north of 38th. A nice shelter sits on Lincoln property so students don't have to cross the street and have to wait on sidewalk near the edge of the Cliff street. It was rumored that McKennan didn't like the Life Scape folks who worked at the workshop just north of 21st at that time, standing at the corner of 21st and Cliff on their property waiting for the bus. SAM then changed the direction of the route stopping on west side of Cliff at the light between 38th and 36th. Students RUN across Cliff anywhere to the west bus stop on Cliff causing dangerous situations for students and cars. Now would be a good time to change the direction of SAM route to go North on Cliff so students don't cross Cliff at all while waiting for bus and can wait at a safe distance from the street. Thanks.
11/14/2020 13:46:47	[REDACTED]	[REDACTED]	where is the prerecorded video? is there a direct link?
11/17/2020 16:57:16	[REDACTED]	[REDACTED]	I am a neighbor for exit 3. Where is the 2020 information.
11/23/2020 8:38:22	[REDACTED]	[REDACTED]	Not sure who to send this to so am submitting under general comments. I live just south of 33rd on Cliff and have concerns about traffic from Minnesota Ave being rerouted to Cliff Ave. Traffic on Cliff already travels about 40 mph. How will speed be controlled? Even though this is a busy street, it's still residential in this area. Will I even be able to get out of my driveway? I'm very concerned about adding MN Ave traffic? Also noise is a concern. When will we be able to see plans that show the changes on the Cliff exit? Thank you for thinking of those of us who live in this area.
12/02/2020 16:26:50	[REDACTED]	[REDACTED]	I have concerns with this as someone who has a vision impairment.
12/04/2020 10:44:12	[REDACTED]	[REDACTED]	Existing bicyclist and pedestrian facilities do not meet current standards
12/04/2020 10:46:09	[REDACTED]	[REDACTED]	The focal point in draft narrative and project planning on pedestrian and bicycle access is critically important given the current lack of safety for these users. I hope the committee and project teams will continue to focus on the fact that existing bicyclist and pedestrian facilities do not meet current standards. Thank you kindly.

I-229 / Exits 3&4 Interchange Study

General - Comments submitted during Virtual Meeting #2

Submitted On	Name	Email Address	Message
12/04/2020 17:53:09	[REDACTED]	[REDACTED]	<p>Minnesota. I am a driver through both corridors and also bicycle through both corridors. I am writing in support of a single point interchange with a realigned 41st St, but with some significant modifications for safety for all.</p> <p>The material shared at the January, 2019 open house at Lincoln High and the information now on the web centers on moving motorized vehicles quickly through both corridors and both on and off of the interstate. Sidewalks and side paths are included for pedestrian and bicyclists.</p> <p>The word 'safety' is used, but there is little in these projects that centers on safety. There are two aspects that address the safety of pedestrians and bicyclist. These are the wider facilities on both sides of the corridor for them to use and the user activated switches so that there might be safe crossing at the single point interchange.</p> <p>Rather than build safe corridors, both projects have several aspects that fly in the face of safety for all—pedestrians, cyclists, and motor vehicle users. Both projects are in the greenway corridor which draws many people. There is retail in both corridors. And, Lincoln High draws over 2000 people daily during the school year.</p> <p>The safety concerns are:</p> <ul style="list-style-type: none"><li>•Design speeds that enable vehicles going north down the hill to easily reach 40+mph. Risk of significant injury and property damage increases exponentially as speeds go over 25mph.</li><li>•The current speeds through both corridors often exceed the posted limit. Nothing in the single point interchange serves to limit the speed of motor vehicles.</li><li>•Free right turns on and off of the interstate with soft curves enable vehicle speeds to be maintained and not slow for potential conflicts with non-motorized users</li><li>•The single point interchange presents eight crossing points for pedestrians and cyclists in each corridor. Each crossing point, even with actuated signals, presents dangers at each of those points with conflicts between motorized users and non-motorized users.</li></ul>

I-229 / Exits 3&4 Interchange Study

Exit 3 Video 1 - Comments submitted during Virtual Meeting #2

Submitted On	Provide your feedback on the improvements recommended at ExName	Email	Phone
11/05/2020 11:59:31	Test	K P	kpeteresen@sehinc.com
11/05/2020 12:04:20	Test 2	K P	kpeteresen@sehinc.com
11/07/2020 8:47:24	<p>Similar to the cliff avenue project. With the reconstruction of the on and off ramps you are certainly going to get more traffic moving through the intersection at faster speeds. What accommodations are being made for cyclists or pedestrians? What can be done to give more people the option to use something other than a car? If you live any where inside of 229 it's incredibly hard to go south. There are pinch zones at Cliff, Minnesota, Western and Louise. Those corridors are VERY intimidating. A 6ft / 10ft path next to lots of traffic is also intimidating. If a pedestrian / cyclist is traveling north on the 10 foot "path" they will have to cross traffic 4 times. Intersections are the most dangerous place for pedestrians and cyclists. How can this be addressed?</p> <p>Cyclists and multi use trail users often use the parking at Yankton Trail Park. I am going to imagine you will reduce the usage by creating a right turn only exit. Not only will you put more cars through the area, but not you have a negative consequence for those that want to stay healthy. I would challenge you to find solutions for pedestrians and cyclists first before choosing to move more traffic at higher rates of speed through this intersection. At some point it's just going to take more time to get from A to B if you rely on a car.</p>		
11/13/2020 10:14:18	<p>Are there overall cost estimates? I really like the plans for Minnesota Ave through 41st St. I have a slight preference for the partial cloverleaf but also support the SPUI. Most importantly, I would like to see construction start ASAP.</p>		
11/19/2020 15:37:39	<p>9D looks to be worth the extra money. As someone who drives through this intersection every day, I don't think that any other option will set up the intersection to prepare for another 50+ years of traffic without much redesign needed.</p> <p>The continued growth of South Sioux Falls as well as Harrisburg only reiterate the need for 9D and the traffic it will support for years to come.</p>		
11/19/2020 17:24:46	<p>I really hope you can do something to improve the safety for pedestrians and bicyclists as they move through the intersection. It appears from all the proposed plans, there will be multiple times an individual would cross lanes of traffic, and the single light control is often not at an appropriate angle to view as you are moving through the intersection. This leads to pedestrian/bicyclists often trying to "time it" to get through the intersection because you cannot not adequately prepare for when you have the right of way. I know some places have added a tunnel as a way to remove these individuals from the vehicle traffic. If that is not possible, please install solid barricades between the sidewalk/trail and the motorized lanes.</p> <p>The best way to reduce traffic congestion is to get people out of cars and into public transportation or alternative modes of transportation such as bicycles. As this is so close to the main Bike Trail in Sioux Falls, providing safe cycling infrastructure will promote bicycling commuting and business for the stores located near the interchange.</p>		
11/30/2020 10:00:00	I vote for the no build option.		
12/02/2020 19:30:29	<p>I would love to see a well lit tunnel utilized to move pedestrian and bicycle traffic from north of 229 to the bike path on the south. Riding my bicycle while taking the lane I repeatedly get honked/sworn at and have had more close calls with cars than I can count. It's not much better running on the sidewalk. Especially in the morning and evening commute times and after dark people take little notice of their surroundings and crossing either the S bound on ramp or n bound off ramp on the west side of the road is a gamble every time.</p> <p>I don't feel safe riding with my 5 year old daughter or walking to the bike path from our house. This is a shame that we have such an amazing resource as the bike trail in SF but don't always have a safe way to access it.</p>		

I-229 / Exits 3&4 Interchange Study

Exit 3 Video 2 - Comments submitted during Virtual Meeting #2

Submitted On	Provide your feedback on the IMJR summary for Exit 3	Comment Name	Email	Phone
11/05/2020 11:59:45	Test	K P	kpeteresen@sehinc.com	
11/05/2020 12:04:33	Test	K P	kpeteresen@sehinc.com	

I-229 / Exits 3&4 Interchange Study

Exit 3 Video 3 - Comments submitted during Virtual Meeting #2

Submitted On	Provide your feedback on the environmental analysis at Exit 3 C Name		Email	Phone
11/05/2020 11:59:57	Test	K P	kpeteresen@sehinc.com	
11/05/2020 12:04:47	Test 2	K P	kpeteresen@sehinc.com	

I-229 / Exits 3&4 Interchange Study

Exit 4 Video 1 - Comments submitted during Virtual Meeting #2

Submitted On	Provide your feedback on the improvements recommended at ExName		Email	Phone
11/05/2020 11:58:38	Test	K P	kpeteresen@sehinc.com	
	<p>6 looks pretty impressive. With the reconstruction of the on and off ramps you are certainly going to get more traffic moving through the intersection at faster speeds. What accommodations are being made for cyclists or pedestrians? What can be done to give more people the option to use something other than a car? If you live any where inside of 229 it's incredibly hard to go south. There are pinch zones at Cliff, Minnesota, Western and Louise. Those corridors are VERY intimidating. A 6ft / 10ft path next to lots of traffic is also intimidating. If a pedestrian / cyclist is traveling north on the 10 foot "path" they will have to cross traffic 4 times. Intersections are the most dangerous place for pedestrians and cyclists. How can this be addressed?</p> <p>Being sensitive to local businesses? What sort of accommodations will be made for the gas station and the bank? Increasing traffic will greatly reduce their accessibility. Can access be created from the park to the gas station / bank strip mall? Are there options to remove the median or end it further north of the property to give customers leaving the gas station a little more room? Rear access to the gas station would also solve this.</p>			
11/07/2020 8:37:03	Will there be a response to feedback?			
11/09/2020 18:53:28	Thank you, AI, for your very thorough outline of the proposed interchange modifications. I am in agreement with both of the recommendations made by the study group. We live on the corner of Pam Rd and 6th Ave.			
11/10/2020 13:38:19	sorry it is a bit small on my computer , On plan 6 it appears 41st street has been shifted slightly south from the original plan 6 ? Are 1101 E PAM RD and 1105 E PAM RD are going to be left alone then ?			
11/10/2020 14:58:21	will there be a stoplight at 41st street?			
11/13/2020 13:23:38	I live in the neighborhood: 38th and 7th Ave. I am looking forward to this project getting started ASAP. I like the wide pedestrian paths planned at the interchange. Please keep pedestrian usability as a priority. It is dangerous getting to the bike trail. I lean towards the partial cloverleaf but also support the SPUJ option.			
11/18/2020 10:21:06	Where are the plans for bicycling?			
11/18/2020 21:02:03	The options provided are far too dangerous for anyone that must cross the street on foot. Given that this is next to a high school, it is likely to increase the number of fatalities for non motorized users. More must be done to consider the costs of children and individuals that are not in a car.			
11/19/2020 15:45:52	<p>Alternative 6 makes the most sense. Without realigning 41st Street, traffic will still be backed up.</p> <p>Not sure that his is relevant to this discussion, but Cliff Ave needs to also be 4 lanes all the way to Harrisburg. From 49th to 57th, the reduction to 1 lane in the Southbound lane significantly congests traffic all the way to 26th Street. Everyone tries to get in the left lane as soon as they can, creating additional congestion.</p>			

I-229 / Exits 3&4 Interchange Study

Exit 4 Video 1 - Comments submitted during Virtual Meeting #2

Submitted On	Provide your feedback on the improvements recommended at ExName	Email	Phone
11/19/2020 17:24:12	<p>I really hope you can do something to improve the safety for pedestrians and bicyclists as they move through the intersection. It appears from all the proposed plans, there will be multiple times an individual would cross lanes of traffic, and the single light control is often not at an appropriate angle to view as you are moving through the intersection. This leads to pedestrian/bicyclists often trying to "time it" to get through the intersection because you cannot not adequately prepare for when you have the right of way. I know some places have added a tunnel as a way to remove these individuals from the vehicle traffic. If that is not possible, please install solid barricades between the sidewalk/trail and the motorized lanes. The best way to reduce traffic congestion is to get people out of cars and into public transportation or alternative modes of transportation such as bicycles. As this is so close to the main Bike Trail in Sioux Falls, providing safe cycling infrastructure will promote bicycling commuting and business for the stores located near the interchange.</p>	[REDACTED]	[REDACTED]
11/30/2020 10:37:53	<p>My name is [REDACTED] I am a resident of District 14 residing in SE Sioux Falls on E 57th street. I am also legally blind, so I rely on my wife to drive during our daily commute to work in central Sioux Falls via Minnesota and/or Cliff Ave. We are very familiar with the morning and evening routes, traffic, and most importantly the numerous pedestrians and bicyclist that navigate these busy corridors. We also frequently walk/jog the trail systems which brings us to the Minnesota and Cliff Ave areas.</p> <p>As a person who has some functional vision, limited as it is, it is very scary trying to account for all fast moving vehicles, light changes, curbs, and noise (I am also hearing impaired so it's difficult to determine where sound is traveling from). Please consider that designing a safe means for pedestrians with any disability to navigate a busy exchange, makes it safe for all pedestrians with or without disability. Disabilities that can impair a persons ability to account for their surrounding (vision &amp; hearing deficits), how quickly they can move (physical limitations due to disability or age, use of wheelchairs), and even executive functioning requiring decisions on safety of crossing (those with developmental and cognitive disabilities) deserve to be safe. Designing a path from point A to B using a typical healthy person without limiting disabilities is far to narrow of a scope and disregards the needs of many Sioux Falls residents.</p> <p>I have reviewed some plans proposed, and the idea of including a wide, well-lit tunnel under 229 and both on/off ramps on both sides is very appealing. I believe this to be the absolute safest option in that it completely eliminates exposure of all pedestrians from crossing in front of fast moving traffic. This would be heavily used by students commuting on foot or bicycle every day, but also I believe would</p>	[REDACTED]	[REDACTED]
12/02/2020 19:35:28	<p>As a driver leaving Robert Frost Elementary and traveling east on 41st and hoping to turn S on cliff this intersection is almost unusable during the evening rush hour. When S bound traffic has a green light there is no break in traffic to turn in. When E/W traffic has a green light the cars turning off of S bound 229 ramp almost always turn into the westernmost lane. Some sort of traffic control to keep this from happening would make this less of a headache.</p> <p>As a pedestrian or cyclist heading south on cliff towards the bike path or tut hill park there is not a safe way to accomplish this. Cars don't pay attention to us on the sidewalk and the speeds there are often much faster than the posted 30 mph. It's quite the risk. A well lit tunnel would be an ideal solution to this unsafe conundrum.</p>	[REDACTED]	[REDACTED]

I-229 / Exits 3&4 Interchange Study

Exit 4 Video 2 - Comments submitted during Virtual Meeting #2

Submitted On	Provide your feedback on the IMJR summary for Exit 4 Comment	Name	Email	Phone
11/05/2020 11:58:57	Test	K P	kpeteresen@sehinc.com	



I-229 / Exits 3&4 Interchange Study

Exit 4 Video 3 - Comments submitted during Virtual Meeting #2

Submitted On	Provide your feedback on the environmental analysis at Exit 4 C Name	Email	Phone
11/05/2020 11:59:11	Test	kpeteresen@sehinc.com	

I-229 / Exits 3&4 Interchange Study - Letter and comments from Falls Area Bicyclist (FAB)

## Al V. Murra

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**From:** Falls Area Bicyclists <clubfabfsd@gmail.com>  
**Sent:** Friday, December 4, 2020 9:18 PM  
**To:** steve.gramm@state.sd.us; sausen@siouxfalls.org; Al V. Murra; president@fallsareabicyclists.org  
**Subject:** Safe Bicycle and Pedestrian Access at Proposed I-229 Exits at Cliff and Minnesota Ave.  
**Attachments:** supporters.pdf; fab\_letter.pdf

Sioux Falls Project Managers

My name is Jeff Mersch, President of a local bicycle advocacy organization called Falls Area Bicyclists (FAB). Our mission is to help make Sioux Falls the best bicycling community in the upper midwest by encourage bicycling as a safe, fun and healthy activity and mode of transportation. On behalf of our members, and for our great community, I would like to present the attached letter and attestations. We ask that you give consideration to the tunnels underneath the interstate projects and think beyond vehicular traffic as you make your decision.

Thank you

Jeff Mersch  
President, FAB

Steve Gramm, PE  
SDDOT, Project Manager  
[steve.gramm@state.sd.us](mailto:steve.gramm@state.sd.us)

Shannon Ausen, PE  
City of Sioux Falls, Principal Transportation Engineer - Public Works  
[sausen@siouxfalls.org](mailto:sausen@siouxfalls.org)

Alan Murra, PE  
Short Elliott Hendrickson Project Manager  
[amurra@sehinc.com](mailto:amurra@sehinc.com)



December 4, 2020

**TO:**

Steve Gramm, PE  
SDDOT, Project Manager

Shannon Ausen, PE  
City of Sioux Falls, Principal Transportation Engineer - Public Works

Alan Murra, PE  
Short Elliott Hendrickson Project Manager

**RE:**

Safe Bicycle and Pedestrian Access at Proposed I-229 Exits at Cliff & Minnesota Ave

Dear Stakeholders of I-229 exits 3 and 4 Interchange Study,

We the executive board of Falls Area Bicyclists write to you today on behalf of our membership. We ask that you take steps to ensure that vulnerable street users are also provided safe, convenient, and comfortable access across I-229 at Cliff and Minnesota Ave.

The 2015 Sioux Falls Bicycle Plan lists I-229 as a major barrier for bicyclists between Central Sioux Falls and Southern Sioux Falls and the Sioux Falls Greenway trail system. The reconstruction of the I-229 exits at Cliff and Minnesota Ave represent a once in a lifetime opportunity to overcome this barrier by providing safe and comfortable access across I-229 and further enhance the gem of our park system.

While there are currently some improvements in the current design recommendations, e.g adding a sidewalk on the west side of Cliff Ave, the addition of 'free right' turn lanes arguably makes the crossing even less safe for people on the sidewalk than what currently exists.

The free right turn lanes do not require drivers to stop or significantly reduce their speed when entering or exiting I-229. The free right turns are being heralded as a great benefit to drivers and traffic flow. They however significantly increase the risk of severe injury or death to vulnerable walkers, joggers, and bicycle riders.

It only takes one lapse in judgement or a moment of distraction for a free right turn to become a fatal crash. The trail system is highly used and usage continues to increase. It is in your power to provide safe access to the Greenway that truly acknowledges the value the citizens of Sioux Falls have placed on our park and trail system.

Plan designs submitted to the Sioux Falls Bicycle Committee included the potential for a conflict free option that utilized tunnels to provide a safe and comfortable alternative. We believe this alternative is necessary and request that this design is incorporated in the final designs for both intersections.

We also have attached to this letter over one hundred community advocates who have signed on in support of this letter. Several of these individuals have added additional input.

We encourage you to make improvements to the intersections that benefit all users and include the tunnel options that remove the potential conflict points with fast moving drivers.

Falls Area Bicyclists stand ready to help in any way we can to improve the safety of bicycling in Sioux Falls.

Sincerely,

Jeffery Mersch,  
President, Falls Area Bicyclists

Jason Mueller,  
Vice President, Falls Area Bicyclists

Attachment: supporters.pdf

NAME	ADDRESS	ADDITIONAL COMMENTS
[REDACTED]	[REDACTED]	I regularly pass from the greenway to Eriks at 41st and Minnesota. Drivers are careless around that area and barely pay attention to anyone else. I don't feel very safe in that area trying to pass under the interstate.
[REDACTED]	[REDACTED]	City of Sioux Falls, Please consider including biking and pedestrian tunnels in your final plans.
[REDACTED]	[REDACTED]	I cannot count the times I've almost been hit trying to cross the 229 ramp on Cliff. Last week I was almost struck by a semi on my way to the trail and on the way home. I was using the walk signal and wearing a light up vest. It's honestly one of the most dangerous intersections I use, but families and high schools also need to cross there.
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	Everyone deserves to feel safe when moving around Sioux Falls, including those not in cars.
[REDACTED]	[REDACTED]	Please add a tunnel connection from Lincoln High School to the trail under I 229 and a bridge near the Minnesota exit for people to safely walk and bike across the Interstate barrier in Sioux Falls.
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	I co-own Bluestem Bicycles in Brookings, and have many customers from Brookings and surrounding towns that regularly drive to Sioux Falls to ride the trails there. Physically separated infrastructure is the only way to ensure non-automobile traffic's safety from automobile traffic. Building the proposed tunnels would give all users more confidence in navigating the trail system, and likely result in their recommending it to others. Building them would also minimize stress for automobile users who wish to avoid harming others. Thank you.

[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	Safety first and foremost.
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	We must have a complete and safe city bike/running/walking path loop. It is essential for the health, and and safety of our community that there is safe passage under, or over this area of Sioux Falls. People come from all over to ride our bike path, we must keep it a continuous loop.
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	Crossing from Yankton Trails Park along Minnesota Ave into central Sioux Falls is so scary. The south bound Minnesota traffic turning right onto I-229 is the worst part. The drivers hardly slow down because of the easy turn radius. Please don't make us bicyclists and walkers deal with even more easy right turns at the new intersections.
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	Please think beyond the automobile.
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	I have lived in this neighborhood for 40 years. Cliff Ave connects us to many important parts of town. From the high school, middle school and downtown. High school gym classes use it for trail access and more. As a high schooler I rode my bike to Lincoln. I want to be able to let my high schoolers do the same. Otherwise itâ€™s another car driving down the hill. Safety and walkability should be a priority.
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	I use the bike trails at least 3 times a week. I am concerned about safety.
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	

[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	This is an area that is utilized by many bicycles and would benefit from a tunnel
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	My family lives south of this area and we use this bike route frequently. It's vital we have a safe place to ride free of potentially being hit by a distracted driver or during heavy traffic flow. Our city is big enough to make these improvements that other cities have to make biking in Sioux Falls safer and more accessible. Please consider all modes of transportation during this important planning. Thank you!
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	Please help Sioux Falls move further towards a safe place for the 1000s of runners and bikers who need safe access to the trail system.
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	







[REDACTED] [REDACTED]

options, we will continually attract educated residents while also breaking down the barrier of entry to self sufficiency and commuting for lower income and/or citizens concerned about the effects of climate change (which should be all citizens). These types of capital investments are essential to our community, and that area is the least friendly to cyclists I can think of, especially for being adjacent to easily the most desirable and busy cycling corridor in the city. It seems insane that the parking lot at Spencer Park is jam packed with cyclists driving their bikes short distances to take off from there, safely. We can make it feel and actually be safe with proper design, to ride to the park. Cut down on thousands of trips and tons of emissions over time, by just making these roads safe for cyclists. I try to use the "I can have my own lane" signs on 49th almost daily, and it feels like a flirtation with death every single time with distracted drivers and no protection. I'm still alive, I make it work, but imagine with all the space we left in our city for huge roads, if we simply protected the cyclists while enabling them to get anywhere in the city. I vote for a network of protected bike lanes, but give us more safe paths across the interstates and mega streets and you will see this community continually grow and thrive, and the

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] Many families on the south side would greatly appreciate our safety being considered in these designs

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] This would be a great asset as been nearly hit and a few times hit by cars at 229 and Minnesota.

[REDACTED] [REDACTED]

Reconstruction design team ... understandably there are budgets and practical hurdles to overcome when doing such a project, but building infrastructure that supports the community with safety and promotes wholesome activities should be priorities along with good automobile traffic flow. Please insure that our Greenway is has seamless flow (i.e. tunnels) included in the plan. Don't miss this opportunity to go from Good to Great !!!

[REDACTED] [REDACTED]

Your attention to this request is appreciated

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

Cliff is a very high access point for the bike trail system. Proximity of the high school places large numbers of kids crossing the interstate access point multiple times a day. Track and crosscountry teams are crossing at peak rush hour traffic times. Very concerning for safety!

[REDACTED] [REDACTED]

With growth of Sioux Falls in mind, safe recreation needs to be prioritized for the health of our overall community.

[REDACTED] [REDACTED]

As an avid rider from Harrisburg to Sioux Falls, more investment is needed for all modes of transportation. Sioux Falls is growing and changing. More people are riding bikes out of necessity and Sioux Falls needs to be aware of that.

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

Please ensure all users are safe in our transportation infrastructure. The safety of all users is vital to our healthy community. historical infrastructure projects have been way too focused on automotive users.



[REDACTED] [REDACTED]  
[REDACTED]  
I've continuously seen drivers exiting the highway at this location who are focusing their gaze on the stoplight and their planned turning direction without focusing on any other activity That would have right of way as the walkers, riders, or bicycles present at the same location. An alternate route as the tunnel for these travelers would remove this hazard. Thank you.

[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]

[REDACTED] [REDACTED]  
[REDACTED] do not overlook the outdoor enthusiasts that take pride in this town - trust me, I am ALL for better traffic flow - but yes, this is a once-in-a-lifetime opportunity with this project - we need to take everything into consideration

[REDACTED] [REDACTED] Keep everyone outdoors safe

[REDACTED] [REDACTED]  
[REDACTED]

[REDACTED] [REDACTED]  
[REDACTED]

[REDACTED] [REDACTED]  
[REDACTED]

[REDACTED] [REDACTED]  
[REDACTED]

[REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]

I-229 / Exits 3&4 Interchange Study - Email comments

## Al Murra

---

**From:** [REDACTED]  
**Sent:** Wednesday, December 23, 2020 12:10 PM  
**To:** Gramm, Steve  
**Cc:** Ausen, Shannon; Al Murra  
**Subject:** Re: Ecess Land on Minnesota Avenue

Thanks for the feedback. We are in design process for the adjacent party, it would be nice to create a grand plan that presents this intersection to the community in a positive way. We believe that this is the Front Door to SF.

[REDACTED]

---

**From:** Gramm, Steve <Steve.Gramm@state.sd.us>  
**Date:** Wednesday, December 23, 2020 at 11:57 AM  
**To:** [REDACTED]  
**Cc:** Ausen, Shannon <sausen@siouxfalls.org>, amurra@sehinc.com <amurra@sehinc.com>  
**Subject:** RE: Ecess Land on Minnesota Avenue

[REDACTED]

It is still yet to be determined whether or not this will become excess property. Drainage detention and/or wetland mitigation needs for the project won't be determined and finalized until we get much farther into the design details. There's also been discussions going on at the City level about potential installation of pedestrian/trail underpasses of the western ramps of this interchange. Should this idea come to fruition, the trail connection from these underpasses back to Minnesota Ave. would use a portion of this area.

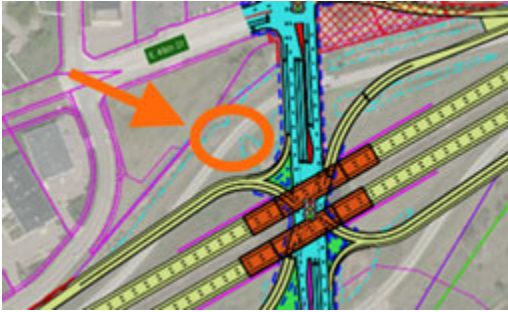
Steve

Steven Gramm, P.E.  
Planning Engineer  
Desk: 605-773-6641  
[steve.gramm@state.sd.us](mailto:steve.gramm@state.sd.us)

---

**From:** [REDACTED]  
**Sent:** Wednesday, December 23, 2020 11:33 AM  
**To:** Gramm, Steve <Steve.Gramm@state.sd.us>  
**Cc:** Ausen, Shannon <sausen@siouxfalls.org>; amurra@sehinc.com  
**Subject:** [EXT] Ecess Land on Minnesota Avenue





█,

We are looking at our property to the NW of this corner and the interchange plans. What is going to happen with the excess land when the interchange gets built? Generally where the orange circle lies.

█  
█  
█

just south of the interchange. Right turns at that point should not be an issue. Left turns in or out can be dangerous. Short of a signal or creative signal timing, I'm at a loss for alternatives.

As for the Cliff project, my preference leans toward Alternative 1 for several reasons. It appears safer for pedestrians presenting fewer pedestrian cross-walks (2 instead of 3). In addition the curves associated with the ramps are sharper, thus safer for pedestrians, than those on the urban interchange. I do not see a single point urban interchange as appropriate because such interchanges are best suited for places where space is not available (such as 10<sup>th</sup> and I-229) or when it is not near an area that can generate a large amount of foot or bicycle traffic (such as Lincoln High or the greenway vs by Benson and I-29).



Building a Better World  
for All of Us®

## MEMORANDUM

TO: Steve Gramm

FROM: SEH

DATE: September 20, 2024

RE: Summary of Open House Public Meeting 3 (Exit 4 - EA): Held on Wednesday, Sept. 4, 2024

This memo documents summary information for Interchange and Environmental Study for I-229 Exit 4 (Cliff Ave) EA public meeting along with the comments received during the 30-day public comment period.

### Basic Meeting Information

- Audience: Greater Sioux Falls community surrounding the project area
- Date: 9/4/2024
- EA Comment Period: 8/16/2024 to 9/15/2024 (30 days)
- Format: Included a pre-recorded presentation playing in the large auditorium on a loop during the meeting along with display boards set up in the commons area for 1 on 1 conversations with SDDOT and other staff members. The presentation included information on the Environmental Assessment completed for the exit 4 interchange.
- Location: Lincoln High School with information also included on the project website: [www.i229exits3and4.com](http://www.i229exits3and4.com)

### Meeting Notifications

- Postcard invitations were mailed directly to approximately 344 properties surrounding the project area including 270 single family homes, 30 multi-family homes, and 44 business/commercial properties. (6 postcards were returned undeliverable).
- Meeting information was posted on the project website (EA document, pre-recorded video, display boards).
- Press release by SDDOT and City of Sioux Falls
- Advertisement in the Dakota Scout and the Argus Leader newspapers
- Facebook event on the City of Sioux Falls Facebook page
- Emails were sent out to the Project Email list (229 emails) on 8/23/2024

### Attendance

- Approximately 69 individuals signed in (see **Attachments** for digital scans of the sign-in sheets)
  - A few attendees did not sign in.
- 15 staff attended
  - 8 SDDOT (Steve Gramm, Travis Dressen, Chad Babcock, Harry Johnston, Sarah Gilkerson, Brian Rogness, Katrina Burckhard, Pete Longman)
  - 5 City of Sioux Falls (Shannon Ausen)
  - 2 FHWA (Kelly VanDeWiele, Tom Lemkuhl)
  - 1 SECOG (Sean Heggi)
  - 2 Confluence (Chad Kucker, Jon Jacobson)
  - 1 InfrastructureDG (Phil Gundvaldson)

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 5016 South Bur Oak Place, Suite 1, Sioux Falls, SD 57108-2322

605.330.7000 | 877.214.4370 | 888.908.8166 fax | [sehinc.com](http://sehinc.com)

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- 8 SEH (Al Murra, Ross Harris, Marty Falk, Mike Lyons, Kristi Pederson, Kelsey Waltz, Abbi Nill, Jeremy Walgrave)
- There were approximately 1,900 unique visitors to the project website from August to September 15, 2024.

### **Meeting Description**

The public meeting was held in an open house style format with a pre-recorded video playing on a loop during the public meeting open house. The video included information relating to the environmental assessment for the project, information on how to view the environmental assessment online at the project website, how to submit comments, and the tentative project schedule. Attendees were encouraged to view the pre-recorded video and then to review the presentation boards and speak one-on-one with the project staff about the project. Presentation boards contained information that was included in the pre-recorded video.

Staff members were present at the boards to answer questions and help describe the project. A comment table was also available for attendees to write and submit official comments on the provided comment cards.

### **Comments**

Comments received are summarized on a spreadsheet following the presentation documents, meeting advertisements and publication proofs.

- Five comment cards were collected the night of the meeting.
- Three comment cards were mailed to Shannon A. One those was a comment related to the I229 Exit 6 Interchange Study.
- One email comment was received asking where to find information about the public meeting.
- Five comments were received from the website, in which two of them were SEH test comments.

Below is a summary of the comments received.

- Positive feedback on the display boards and staff conversations.
- Positive feedback on the project and use of the aerial 3D renderings.
- Positive feedback on the addition of a bicycle/pedestrian path crossing I-229.
- Positive feedback on the two 10'-wide sidewalks along Cliff Ave.
- Concerns with noise and drainage in the northwest quadrant of the interchange.

### **Additional Staff Notes**

- General questions on how long construction will take and how will it be phased.
- Questions on construction phasing and if Cliff Ave be closed during construction.
- Owners along the south side of Pam Rd near 9<sup>th</sup> Ave had concerns about noise since the Schmidt Music Building was removed. There were also concerns in the same area about poor drainage within the former railroad bed behind their properties and asked if something could be done there to improve drainage.
- Owner of the Therapeutic Massage along 41<sup>st</sup> St has concerns about noise during construction.
- Positive comments on the new entrance into the LHS parking lot.
- Regarding noise some residents along Pam Rd would like a sound wall, and if that isn't possible, they mentioned the addition of more landscape screening and greenspace separation. Adding a screen fence was mentioned for just south of the property line that would have more of an immediate visual impact than waiting for trees to grow and would be a good start if the sound wall wasn't possible.

### Website & Comment Period Analytics

**INTERSTATE 229**  
Interchange and Environmental Study for I-229  
Exits 3 (Minnesota Ave) and 4 (Cliff Ave)  
Sioux Falls, South Dakota

**EXIT 3**  
Minnesota Avenue  
EXIT ONLY

**EXIT 4**  
Cliff Avenue  
EXIT ONLY

BACKGROUND AND SCHEDULE    OPEN HOUSE MEETINGS    STAY IN TOUCH

#### Environmental Assessment Public Meeting Open House

Was held on Wednesday, Sept. 4, 2024 from 5:30 p.m. - 7 p.m.  
@ Lincoln High School

[View open house public meeting materials](#)

- [Click here to view the narrated Video Presentation](#)
- [Click here to view the Environmental Assessment Document](#)
- [Click here to view the Open House Presentation Boards](#)

Photo of Open House 1 held on January 23, 2019.

#### PROVIDE YOUR COMMENTS AND FEEDBACK BELOW

Environmental Assessment Comment Period closes on Sunday, Sept. 15, 2024.

Name:  
 First Name     Last Name

Email:

Please provide your feedback on the Interstate 229 exit 4 (Cliff Avenue) interchange Environmental Assessment.



Public Meeting Photos





**List of Attachments**

- Public Meeting Pre-recorded Video (slides)
- Public Meeting Display Exhibits
- Public Meeting Advertisements and Proofs of Publication
- Public Meeting Sign-In Sheets
- Public Meeting Comments Received (written cards / emails)



I-229 / Exit 4 Interchange Study - EA Meeting Newspaper Affidavits

# The DAKOTA SCOUT

114 S Main Ave Suite B-4 | Sioux Falls, SD 57104 | 605-271-4586 | Legals@TheDakotaScout.com

Proof of Publication:

Al Murra

Short Elliott Hendrickson Inc.  
5016 S Bur Oak Pl. Ste 1  
Sioux Falls, SD 57108

State of South Dakota, County of Minnehaha

The Dakota Scout, a weekly newspaper published in the city of Sioux Falls, State of South Dakota, and personal knowledge of the facts herein state and that the notice hereto annexed was published in said newspaper in the issue:

Edition No. 99, Aug. 16, 2024  
Edition No. 100, Aug. 23, 2024

And the fees charged are legal.  
Sworn to and subscribed before on 8/23/2024

Joe Sneve  
Representative of The Dakota Scout

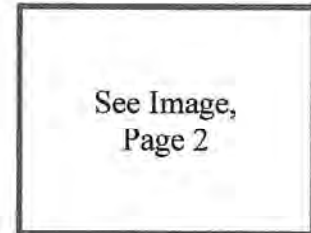
Jonathan Ellis  
Notary, State of SD, County of Minnehaha  
07-16-2030

My Commission Expires

Publication Cost: \$103.74  
PP 99.15, 100.10

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SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION  
(SDDOT) AND CITY OF SIOUX FALLS  
NOTICE OF PUBLIC INFORMATION MEETING / OPEN HOUSE

Environmental Assessment for the Interchange Reconstruction for  
Interstate 229 Exit 4 (Cliff Avenue) | IM 2292(101)W N, PCN 05HN

Date: Wednesday, Sept. 4, 2024  
Time: 5:30 – 7 p.m. Central Time  
Place: Lincoln High School  
2900 Cliff Ave.  
Sioux Falls, SD 57106

Project Website:  
<http://www.i229exits3and4.com>

The South Dakota Department of Transportation (SDDOT), City of Sioux Falls, Sioux Falls Metropolitan Planning Organization (MPO), and the Federal Highway Administration (FHWA) will hold a public information meeting / open house to receive public input on the Environmental Study and Environmental Assessment (EA) for this project.

The study advisory team and engineering consultants have prepared the EA in accordance with the National Environmental Policy Act (NEPA) to develop and evaluate the type and location alternatives for a new interchange and corridor improvements.

The Environmental Assessment (EA) document will be available Friday, Aug. 16, 2024, for public review on the project website and at the following locations:

SDDOT – Sioux Falls Area Office  
5316 W. 80<sup>th</sup> St. N.; Sioux Falls, SD

City of Sioux Falls – City Center  
231 N Dakota Ave.; Sioux Falls, SD

A prerecorded presentation will be uploaded to the project website on Friday, Aug. 16, 2024, and will be played on a loop during the public meeting. No formal presentation will be given at the public meeting.

SDDOT, City of Sioux Falls, Sioux Falls MPO, Federal Highway Administration (FHWA) and consultant team staff will be available with displays to discuss the proposed project and answer questions. During this time, participants will also have the opportunity to present written comments.

Comments may be submitted at the open house, or by emailing one of the project contacts listed below. The comment period regarding the EA will close on Sunday, Sept. 15, 2024.

Individuals needing assistance, pursuant to the Americans with Disabilities Act (ADA), should contact the SDDOT ADA Coordinator (605-773-3540) two business days prior to the meeting in order to ensure accommodations are available. For any in-person meeting, notice is further given to individuals with disabilities that the meeting is being held in a physically accessible location.

For further information regarding this project, contact: Shannon Ausen (City of Sioux Falls) at (605) 387-8607 or [shannon.ausen@siouxfalls.gov](mailto:shannon.ausen@siouxfalls.gov); Steve Gramm (SDDOT) at 605-773-3281 or [steve.gramm@state.sd.us](mailto:steve.gramm@state.sd.us); or Al Murra (SEH) at 605-330-7000 or [amurra@sehinc.com](mailto:amurra@sehinc.com).

Published twice on Aug. 16 & Aug. 23, 2024, at the approximate cost of \$103.74, and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com) or [TheDakotaScout.com](http://TheDakotaScout.com).

**AFFIDAVIT OF PUBLICATION**

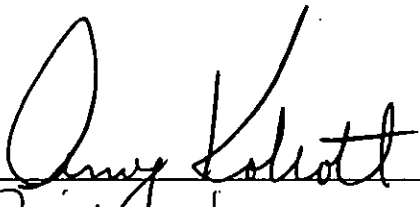
\_kpetersen@sehinc.com kpetersen@sehinc.com  
Kristin C. Petersen  
SEH  
3535 Vadnais Center DR  
Saint Paul MN 55110-3507

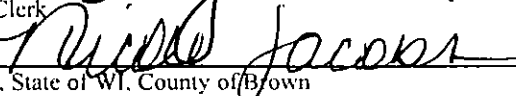
STATE OF WISCONSIN, COUNTY OF BROWN

The Argus Leader, a daily newspaper published in the city of Sioux Falls, Minnehaha County, State of South Dakota, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

08/19/2024, 08/26/2024

and that the fees charged are legal.  
Sworn to and subscribed before on 08/26/2024

  
\_\_\_\_\_  
Legal Clerk

  
\_\_\_\_\_  
Notary, State of WI, County of Brown

8-21-26

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SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION  
(SDDOT) AND CITY OF SIOUX FALLS  
**NOTICE OF PUBLIC INFORMATION MEETING / OPEN HOUSE**

Environmental Assessment for the Interchange Reconstruction for  
Interstate 229 Exit 4 (Cliff Avenue)  
IM 2292(101)4 N, PCN 05HN

**Date:** Wednesday, Sept. 4, 2024  
**Time:** 5:30 – 7 p.m. Central Time  
**Place:** Lincoln High School  
2900 Cliff Ave. Sioux Falls, SD 57105

**Project Website:** <http://www.i229exits3and4.com>

The South Dakota Department of Transportation (SDDOT), City of Sioux Falls, Sioux Falls Metropolitan Planning Organization (MPO), and the Federal Highway Administration (FHWA) will hold a public information meeting / open house to receive public input on the Environmental Study and Environmental Assessment (EA) for this project.

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5316 W. 60th St. N.; Sioux Falls, SD

City of Sioux Falls – City Center  
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Notice published twice at a cost of \$123.32.

I-229 / Exit 4 Interchange Study - EA Meeting Comment Cards

Number	Date Received	Comment	Response
1	8/27/2024	<p>I am glad to hear this project is moving forward. I was not able to find any information about how this project will improve pedestrian and cyclist safety at this intersection. This is an incredibly dangerous area that hundreds of Lincoln High School students cross multiple times per day. I would like to see concrete barriers, walk signs and street signage to protect bike lanes and sidewalks. Access to the neighborhoods to the south of this interchange need to be directly connected to the High School, Patrick Henry Middle school and this important artery to central Sioux Falls. There has been next to no consideration for pedestrian safety with recent construction projects, with one prime example being the Cliff Ave work done between 49th street and 57th street that actually made walking along Cliff even more dangerous by allowing criminally fast traffic to plow out of Harrisburg into Sioux Falls at insane speeds INCHES away from the sidewalks. We wasted tax dollars creating what is basically a highway from Harrisburg into Sioux Falls with no regard given to the safety of the residents of Crown Heights/Tutt Hill. Please, I implore you to give some serious and actual thought to bicycle and pedestrian safety in Sioux Falls for once.</p>	<p>As discussed in the public meeting pre-recorded presentation and display boards, both on the project website, the recommended alternative includes a 10' wide sidewalk on both sides of Cliff Ave along with a separate 10' wide trail that will connect the Sioux Falls Bike Trail to the north side of I-229. The separate trail will provide a direct route, without crossing live traffic, to get from one side of I-229 to the other using two proposed tunnels underneath I-229 on and off ramps on the east side of Cliff Ave.</p>
2	9/4/2024	<p>Owner of the Sioux Falls Chiropractic asked if their property would have a possible sign encroachment.</p>	<p>The City of Sioux Falls will reach out to the property owners to resolve a possible sign encroachment on this property.</p>
3	9/4/2024	<p>Very helpful - Thank you to the project staff present.</p>	<p>No response needed.</p>
4	9/4/2024	<p>"Posters" very helpful in "visioning" the changes to come - not as scary now. We will live through it!</p>	<p>No response needed.</p>
5	9/4/2024	<p>Low spot @ Pam Road right by my driveway = holds water - does not drain. That area needs to be addressed to flow water out.</p>	<p>The area referred to is outside of the interchange project construction limits. The City of Sioux Falls is planning for a separate future project in your area that would happen after the interchange project is complete. This drainage comment was shared with the City of</p>

Number	Date Received	Comment	Response
			Sioux Falls' drainage engineer and noted to review during that future project's design.
6	9/9/2024	I have reviewed the Environmental Assessment for SDDOT's Interstate 229 Exit 4 (Cliff Avenue) study and I approve and support the findings in the document.	No response needed.
7		The largest concern regarding this project includes the following: Noise, proximity of expansion of 41st to surrounding homes, & any water redirection that will negatively affect those of us whom are already in the FEMA regulated flood zone. Respectively, please be aware of the residents who this impacts the most. Our families, children, pets, & livelihood are valuable.	<p>A noise study was completed as part of the I229 Exit 4 (Cliff Ave) interchange project. The noise analysis is required to follow the SDDOT and FHWA noise policy in which at this location a proposed noise wall was analyzed and did not meet the noise requirements.</p> <p>The proposed realignment of 41st St will move the existing intersection with Cliff Ave further away from the Exit 4 interchange providing more a more efficient and safer movement through the interchange. The realignment of 41st St meets the city design requirements for a city arterial street.</p> <p>The drainage areas within the interchange project limits have been reviewed and are not anticipated to negatively impact on other surrounding properties. The City of Sioux Falls is planning for a separate future drainage project in your area that would happen after the interchange project is complete. This future project is intended to review drainage needs in the areas outside the interchange project limits.</p>
8		Bravo! The preferred alternative for Cliff & 229 provides multi-modal connections to the high school & neighborhood. I was so happy to see that the engineers figured out the bike trail connection & more pedestrian connections. The plan is going in the correct direction.	No response needed.



# **Appendix B – Section A Plan Notes**

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## **List of Attachments**

SDDOT Section A Plan Notes - Environmental Commitments

**ENVIRONMENTAL COMMITMENTS**

The SDDOT is committed to protecting the environment and uses Environmental Commitments as a communication tool for the Engineer and Contractor to ensure that attention is given to avoid, minimize, and/or mitigate an environmental impact. Environmental commitments to various agencies and the public have been made to secure approval of this project. An agency with permitting authority can delay a project if identified environmental impacts have not been adequately addressed. Unless otherwise designated, the Contractor's primary contact regarding matters associated with these commitments will be the Project Engineer. During construction, the Project Engineer will verify that the Contractor has met Environmental Commitment requirements. These environmental commitments are not subject to change without prior written approval from the SDDOT Environmental Office.

Additional guidance on SDDOT's Environmental Commitments can be accessed through the Environmental Procedures Manual found at: <https://dot.sd.gov/media/documents/EnvironmentalProceduresManual.pdf>

For questions regarding change orders in the field that may have an effect on an Environmental Commitment, the Project Engineer will contact the Environmental Engineer at 605-773-3180 or 605-773-4336 to determine whether an environmental analysis and/or resource agency coordination is necessary.

Once construction is complete, the Project Engineer will review all environmental commitments for the project and document their completion.

**COMMITMENT A: AQUATIC RESOURCES**

**COMMITMENT A1: WETLANDS**

All efforts to avoid and minimize wetland impacts from the project have resulted in approximately 3.72 acres of wetlands (includes temporary and permanent) becoming impacted. Refer to Section B – Grading Plans for location and boundaries of the impacted wetlands.

**Table of Impacted Wetlands**

Wetland No.	Station	Perm. Impact (Acres)	Temp. Impact (Acres)	Total Impact (Acres)
1	55+00 to 59+43 (64+94)	0.49	0.40	0.89
2	15+83 to 17+57	0.12	0.0	0.12
6	31+53 to 34+54	0.19	0.0	0.19
7	80+44 to NB Cliff 119+37	0.75	0.0	0.75
8	12+61 to 21+47	1.31	0.0	1.31
9	11+55 to 12+50	0.10	0.0	0.10
10	220+49 to 233+22	0.36	0.0	0.36

**Action Taken/Required:**

SDDOT will acquire 4.08 credits from the Goeden Properties II LLC's wetland mitigation bank site or Ducks Unlimited's In-Lieu Fee program in the Lower Big Sioux GSA to mitigate permanent impacts.

Temporary impacts identified in the Table of Impacted Wetlands will not be mitigated as original contours and elevations will be re-established as designated in Section B – Grading Plans. Prior to initiating temporary work in wetlands, the Contractor will submit a plan to the Project Engineer in accordance with Section 7.21 D of the Specifications.

**COMMITMENT B: FEDERALLY THREATENED, ENDANGERED, AND PROTECTED SPECIES**

**COMMITMENT B4: BALD EAGLE**

Bald eagles are known to occur in this area.

**Action Taken/Required:**

If a nest is observed within one mile of the project site, notify the Project Engineer immediately so that he/she can consult with the Environmental Office for an appropriate course of action.

**COMMITMENT B5: NORTHERN LONG-EARED BAT**

This project is within the range of suitable habitat for the Northern Long-Eared Bat (NLEB) and project work will avoid conflicts with NLEB roosting habitat.

**Action Taken/Required:**

Project activities that include tree removal, structure work, and/or work within one-quarter mile of a known hibernacula or 150 feet of a known maternity roost tree, or suitable habitat should not occur within the location(s) listed below during the NLEB seasonal work restriction timeframe without approval from the SDDOT Environmental Office.

Station	NLEB Seasonal Work Restriction
Ramp B – 35+45 to 35+84 R	April 1 to October 31

Tree removal will occur between November 1<sup>st</sup> and March 31<sup>st</sup>.

The following avoidance, minimization, and mitigation measures are required:

Tree removal should be restricted to those identified in the plans for removal.

If project activities cannot be conducted outside of the seasonal restriction the Contractor will notify the Project Engineer and the Environmental Office Biologist (605-773-3309) to schedule a presence absence survey.

**COMMITMENT B6: MIGRATORY BIRDS WORK RESTRICTION**

Migratory birds are known to use the project area for nesting, which primarily occurs from April 1<sup>st</sup> to July 15<sup>th</sup>.

**Action Taken/Required:**

The Contractor is responsible for contracting the services of a qualified biologist for conducting preconstruction migratory bird surveys in suitable areas that have not been mowed or cleared prior to April 1<sup>st</sup> to determine if there are current nests and to determine offsetting measures to compensate for impacts to migratory birds. A survey will be conducted annually for each

year of construction. Contractor will coordinate the survey findings with the Project Engineer. If any nests are found, appropriate minimization measures will need to be developed in cooperation with the Environmental Office.

Construction activities should not occur in the locations listed in the table below during the migratory bird work restriction without prior approval from the SDDOT Environmental Office to avoid conflicts with nesting migratory birds.

**Table 3 – Migratory Bird Seasonal Work Restriction Locations**

Station	Migratory Bird Restriction
SB229 - 241+25 to 241+67 L	April 1 to July 15
RAMP B - 35+45 to 35+84 R	April 1 to July 15
RAMP C - 55+19 to 56+29 R	April 1 to July 15
RAMP D - 79+97 to 83+39 L	April 1 to July 15
RAMP H - 35+10 to 35+42 L	April 1 to July 15
NBCLIFF - 122+61 to 123+94 R	April 1 to July 15
SBCLIFF - 305+76 to 325+78 L	April 1 to July 15
41ST ST - 21+84 to 22+48 R	April 1 to July 15
41ST ST - 23+38 to 37+14 L	April 1 to July 15
PAM - 50+77 to 50+82 R	April 1 to July 15
PAM - 50+87 to 51+65 L	April 1 to July 15
SCHOOL - 40+40 to 40+40 R	April 1 to July 15
SCHOOL - 40+76 to 40+76 L	April 1 to July 15
SCHOOL - 40+80 to 40+80 R	April 1 to July 15
SCHOOL - 40+82 to 40+82 L	April 1 to July 15
SCHOOL - 41+81 to 42+91 R	April 1 to July 15

If project activities cannot be conducted outside of the seasonal restriction the Contractor will notify the Project Engineer and the Environmental Office Biologist (605-773-3309) to coordinate with the USFWS.

**COMMITMENT B7: Tout Perch (SDGFP Recommendations)**

Disturbance to riparian and wetland areas should be kept to an absolute minimum.

If riparian vegetation is lost it should be quantified and replaced on site. Seeding of indigenous species should be accomplished immediately after construction to reduce sediment and erosion.

A site-specific sediment and erosion control plan should be part of the project.

A post construction erosion control plan should be implemented in order to provide interim control prior to re-establishing permanent vegetative cover on the disturbed site.

Stream bottoms impacted by construction activities should be restored to pre-project elevations.

In stream work should not be conducted during fish spawning periods.

**COMMITMENT C: WATER SOURCE**

If a Contractor needs access to state waters for extraction, the Contractor must obtain a water right, through the application of a Temporary Permit to Use Public Waters before work begins.

The Contractor will not withdraw water with equipment previously used outside the State of South Dakota or previously used in aquatic invasive species (AIS) positive waters within South Dakota without prior approval from the SDDOT Environmental Office. To prevent and control the introduction and spread of invasive species into the project vicinity, all equipment will be power washed with hot water (≥140 °F) and completely dried for a minimum of 7 days prior to subsequent use. South Dakota administrative rule 41:10:04:02 forbids the possession and transport of AIS; therefore, all attached dirt, mud, debris and vegetation must be removed and all compartments and tanks capable of holding standing water must be drained. This includes, but is not limited to, all equipment, pumps, lines, hoses and holding tanks.

**Action Taken/Required:**

The Contractor will obtain the necessary permits from the regulatory agencies such as the South Dakota Department of Agriculture and Natural Resources (SDDANR) and the United States Army Corps of Engineers (USACE) prior to water extraction activities.

Temporary permit to use public waters for highway construction purposes application can be found on the SDDANR website:  
<https://danr.sd.gov/OfficeOfWater/WaterRights/PermitForms/default.aspx>

Additional information and mapping of water sources impacted by Aquatic Invasive Species in South Dakota can be accessed at:  
< <https://sdleastwanted.sd.gov/maps/default.aspx> >

< [South Dakota Administrative Rule 41:10:04 Aquatic Invasive Species: https://sdlegislature.gov/rules/DisplayRule.aspx?Rule=41:10:04](https://sdlegislature.gov/rules/DisplayRule.aspx?Rule=41:10:04) >

**COMMITMENT D: WATER QUALITY STANDARDS**

**COMMITMENT D1: SURFACE WATER QUALITY**

The Big Sioux River s classified as a warm water semi-permanent fishery with a total suspended solids standard of less than 90 mg/L 30-day average, less than 158 mg/L daily maximum.

This project may be in the vicinity of multiple streams and wetlands. These waters are considered waters of the state and are protected under Administrative Rules of South Dakota (ARSD) Chapter 74:51. Special construction measures may have to be taken to ensure that this water body is not impacted.

**Action Taken/Required:**

The Contractor is advised that the South Dakota Surface Water Quality Standards, administered by the South Dakota Department of Agriculture and

Natural Resources (DANR), apply to this project. Special construction measures will be taken to ensure the above standard(s) of the surface waters are maintained and protected.

**COMMITMENT D2: SURFACE WATER DISCHARGE**

The DANR General Permit for Temporary Discharge Activities is required for temporary dewatering and discharges to waters of the state. The effluent limit for total suspended solids will be 90 mg/L 30-day average. The effluent limit applies to discharges to all waters of the state except discharges to waters classified as coldwater permanent fish life propagation waters according to the ARSD 74:51:01:45. For discharges to waters of the state classified as coldwater permanent fish life propagation waters, the effluent limit for total suspended solids will be 53 mg/L daily maximum.

The permittee has the option of completing effluent testing or implementing a pollution prevention plan for compliance with this permit. If the permittee develops a pollution prevention plan instead of total suspended solids sampling, the plan must be developed and implemented prior to discontinuing total suspended solids sampling. Refer to Section 4.0 of the permit. If any pollutants are suspected of being discharged, a sample must be taken for those parameters listed in Section 3.4 of the permit.

Refer to Commitment D1: Surface Water Quality for stream classification.

**Action Taken/Required:**

If construction dewatering is required and this project is currently covered under a General Permit for Stormwater Discharges Associated with Construction Activities, the contractor will need to submit the dewatering information to the Project Engineer using the following form:

<<https://dot.sd.gov/media/documents/SDDOTDewateringInfoCDX.pdf>>

The Contractor will provide a copy of the approved permit or the submitted dewatering information to the Project Engineer prior to proceeding with any dewatering activities. The approved permit or submitted dewatering information must be kept on-site and as part of the project records.

Effluent monitoring, as a result of dewatering activities, will be summarized for each month and recorded on a separate Discharge Monitoring Report (DMR) and submitted to DANR monthly. Additional information can be found at:

<<https://danr.sd.gov/OfficeOfWater/SurfaceWaterQuality/swdpermitting/Ereporting.aspx>>

**COMMITMENT E: STORM WATER**

Construction activities constitute 1 acre or more of earth disturbance and/or work in a waterway.

**Action Taken/Required:**

The DANR General Permit for Stormwater Discharges Associated with Construction Activities is required for construction activity disturbing one or more acres of earth and work in a waterway. The SDDOT is the owner of this permit and will submit the NOI to DANR 15 days prior to project start in order

to obtain coverage under the General Permit. Work can begin once the DANR letter of approval is received.

The Contractor must adhere to the “Special Provision Regarding Storm Water Discharges to Waters of the State.”

The Contractor will complete the DANR Contractor Certification Form prior to the pre-construction meeting. The form certifies under penalty of law that the Contractor understands and will comply with the terms and conditions of the permit for this project. Work may not begin on this project until this form is signed and submitted to DANR.

The form can be found at:

<  
[https://danr.sd.gov/OfficeOfWater/SurfaceWaterQuality/docs/DANR\\_CGPAppendixCCA2018Fillable.pdf](https://danr.sd.gov/OfficeOfWater/SurfaceWaterQuality/docs/DANR_CGPAppendixCCA2018Fillable.pdf)>

The Contractor is advised that permit coverage may also be required for off-site activities, such as borrow and staging areas, which are the responsibility of the Contractor.

**Storm Water Pollution Prevention Plan**

The Storm Water Pollution Prevention Plan (SWPPP) will be developed prior to the submittal of the NOI and will be implemented for all construction activities for compliance with the permit. The SWPPP must be kept on-site and updated as site conditions change. Erosion control measures and best management practices will be implemented in accordance with the SWPPP.

The DOT 298 Form will be used for site inspections and to document changes to the SWPPP. A copy of the completed inspection form will be filed with the SWPPP documents and retained for a minimum of three years.

The inspection will include disturbed areas of the construction site that have not been finally stabilized, areas used for storage materials, structural control measures, and locations where vehicles enter or exit the site. These areas will be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion and sediment control measures identified in the SWPPP will be observed to ensure that they are operating correctly, and sediment is not tracked off the site.

Information on storm water permits and SWPPPs are available on the following websites:

SDDOT: < <https://dot.sd.gov/doing-business/environmental/stormwater> >

DANR:<  
<https://danr.sd.gov/OfficeOfWater/SurfaceWaterQuality/stormwater/default.aspx>>

EPA: < <https://www.epa.gov/npdes> >

**COMMITMENT G: DEWATERING AND SEDIMENT COLLECTION**

The purpose of a dewatering and sediment collection system is to collect turbid stormwater on the project, treat it with flocculants as needed, and capture the sediment that falls out of suspension before the water is

discharged into "Waters of the US" or "Waters of the State". Refer to Commitment D1: Surface Water Quality for stream classification.

**Action Taken/Required:**

The Contractor will meet the terms of the Temporary Discharge Permit and the Storm Water Permit for Construction Activities.

The Contractor will create a Pollution Prevention Plan (PPP) for dewatering and sediment collection if the Contractor chooses to discharge the water into "Waters of the US" or "Waters of the State". Refer to the detail sheet OPTIONS FOR DEWATERING AND SEDIMENT COLLECTION in the plans. The PPP must be kept on-site and updated as site conditions change.

**COMMITMENT H: WASTE DISPOSAL SITE**

The Contractor will furnish a site(s) for the disposal of construction and/or demolition debris generated by this project.

**Action Taken/Required:**

Construction and/or demolition debris may not be disposed of within the Public ROW.

The waste disposal site(s) will be managed and reclaimed in accordance with the following from the General Permit for Construction/Demolition Debris Disposal Under the South Dakota Waste Management Program issued by the Department of Agriculture and Natural Resources.

The waste disposal site(s) will not be located in a wetland, within 200 feet of surface water, or in an area that adversely affects wildlife, recreation, aesthetic value of an area, or any threatened or endangered species, as approved by the Environmental Office and the Project Engineer.

If the waste disposal site(s) is located such that it is within view of any ROW, the following additional requirements will apply:

1. Construction and/or demolition debris consisting of concrete, asphalt concrete, or other similar materials will be buried in a trench separate from wood debris. The final cover over the construction and/or demolition debris will consist of a minimum of 1 foot of soil capable of supporting vegetation. Waste disposal sites provided outside of the Public ROW will be seeded in accordance with Natural Resources Conservation Service recommendations. The seeding recommendations may be obtained through the appropriate County NRCS Office. The Contractor will control the access to waste disposal sites not within the Public ROW with fences, gates, and placement of a sign or signs at the entrance to the site stating, "No Dumping Allowed".
2. Concrete and asphalt concrete debris may be stockpiled within view of the ROW for a period not to exceed the duration of the project. Prior to project completion, the waste will be removed from view of the ROW or buried, and the waste disposal site reclaimed as noted above.

The above requirements will not apply to waste disposal sites that are covered by an individual solid waste permit as specified in SDCL 34A-6-58, SDCL 34A-6-1.13, and ARSD 74:27:10:06. Failure to comply with the requirements stated above may result in civil penalties in accordance with South Dakota Solid Waste Law, SDCL 34A-6-1.31.

All costs associated with furnishing waste disposal site(s), disposing of waste, maintaining control of access (fence, gates, and signs), and reclamation of the waste disposal site(s) will be incidental to the various contract items.

**COMMITMENT I: HISTORIC PRESERVATION OFFICE CLEARANCES**

The SDDOT has obtained concurrence with the State Historic Preservation Office (SHPO) for all work included within the project limits and all department designated sources and designated option material sources, stockpile sites, storage areas, and waste sites provided within the plans.

**Action Taken/Required:**

All earth disturbing activities not designated within the plans require a cultural resource review prior to scheduling the pre-construction meeting. This work includes but is not limited to: Contractor furnished material sources, material processing sites, stockpile sites, storage areas, plant sites, and waste areas.

The Contractor will arrange and pay for a record search and when necessary, a cultural resource survey. The Contractor has the option to contact the state Archaeological Research Center (ARC) at 605-394-1936 or another qualified archaeologist, to obtain either a records search or a cultural resources survey. A record search might be sufficient for review if the site was previously surveyed; however, a cultural resources survey may need to be conducted by a qualified archaeologist.

The Contractor will provide ARC with the following: a topographical map or aerial view in which the site is clearly outlined, site dimensions, project number, and PCN. If applicable, provide evidence that the site has been previously disturbed by farming, mining, or construction activities with a landowner statement that artifacts have not been found on the site.

The Contractor will submit the cultural resources survey report to SDDOT Environmental Office, 700 East Broadway Avenue, Pierre, SD 57501-2586. SDDOT will submit the information to the appropriate SHPO/THPO. Allow **30 Days** from the date this information is submitted to the Environmental Engineer for SHPO/THPO review.

In the event of an inadvertent discovery of human remains, funerary objects, or if evidence of cultural resources is identified during project construction activities, then such activities within 150 feet of the inadvertent discovery will immediately cease and the Project Engineer will be immediately notified. The Project Engineer will contact the SDDOT Environmental Office, who will contact the appropriate SHPO/THPO within 48 hours of the discovery to determine an appropriate course of action.

SHPO review does not relieve the Contractor of the responsibility for obtaining any additional permits and clearances for Contractor furnished material sources, material processing sites, stockpile sites, storage areas, plant sites, and waste areas that affect wetlands, threatened and endangered species, or waterways. The Contractor will not utilize a site known or suspected of having contaminated soil or water. The Contractor will provide the required permits and clearances to the Project Engineer at the preconstruction meeting.

**COMMITMENT L: CONTAMINATED MATERIAL**

Contaminated soil and/or known gas stations, undergrounds storage tanks, etc. are located within the project limits. Petroleum contaminated soil may be located at the following sites:

**Table 4 – Locations of Potential Contaminated Material**

Description	Location
Vacant Land (former railroad corridor)	North of I-229 approximately 450', on the west side of Cliff Avenue
Spoke-N-Sport/former gas station	3401 S Cliff Ave, west side of Cliff Ave south of I-229

**Action Taken/Required:**

The Contractor will give notice to the Engineer when contaminated soil is encountered on the project. The Engineer will contact the Environmental Office so that contact with the DANR and consultant to inspect and monitor removal of any contaminated soil can be initiated.

The Contractor will be responsible for having the existing underground utilities located in the construction area. Underground utilities damaged by the Contractor due to negligence will be repaired at the Contractor's expense.

Petroleum contaminated soil may be disposed of at the Sioux Falls Regional Sanitary Landfill (contact Don Kuper, Landfill Superintendent at 605-367-8162). Measurement of "Contaminated Material Excavation" will be in accordance with Section 120.4 of the Specifications. All costs for excavating and transporting the contaminated materials to the disposal site and all fees charged per cubic yard by the disposal site will be incidental to the contract unit price per cubic yard for "Contaminated Material Excavation".

The estimated quantity of "Contaminated Material Excavation" is 100 cubic yards. The quantity of "Contaminated Material Excavation" may vary from the plans. No adjustment will be made to the contract unit price for variations in the quantity of "Contaminated Material Excavation". The estimated quantity of "Contaminated Material Excavation" is provided in Section B – Grading Plans

**COMMITMENT M: SECTION 4(f)/6(f) RESOURCES**

**COMMITMENT M1: SECTION 4(f) PROPERTY**

A Section 4(f) Evaluation concluded there are no feasible and prudent alternatives to avoiding Section 4(f) property located within the project.

**Table 5 – Section 4(f) Resources**

Station	Section 4(f) Property
Ramp C – 54+50 to 55+95	Spencer Park (perm impact)
Ramp C – 55+00 to 58+96	Spencer Park (temp impact)
SBCliff – 308+35 to 308+76	Spencer Park (temp impact)
NBCliff – 108+96 to 110+74	Tuthill Park (temp impact)
Ramp B – 36+44 to 41+80	Tuthill Park (perm impact)
Ramp B – 35+11 to 43+45	Tuthill Park (temp impact)

**Action Taken/Required:**

The following measures are required to minimize harm to the above Section 4(f) property:

- Land temporarily occupied by construction, in Spencer and Tuthill Parks, will be fully restored by the conclusion of the project;
- Temporary occupancy of Spencer and Tuthill Parks during construction is anticipated to last no longer than 180 days and will be less than the time needed for construction. There will be a Special Provision for Construction Time, included in the project plans, limiting the duration of construction at each location in both parks to less than 180 days.
- Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing 4(f) property and the public.
- Appropriate signage shall be installed to alert users of Spencer and Tuthill Parks of construction activities, access restrictions or closures, and to direct users to secondary access points.
- The Contractor shall be required to closely coordinate the construction schedule with the SDDOT Project Engineer who will coordinate with Chad Babcock, SDDOT Environmental Section Manager, 605.773.3721, and the Don Kearney, Director, Sioux Falls Parks & Recreation Department prior to the start of construction activities.

The Contractor is not permitted to stage equipment or materials within [name of park(s)]. The Contractor will notify the Project Engineer if additional easement is needed to complete the work adjacent to any Section 4(f) property. The Project Engineer will obtain an appropriate course of action from the Environmental Office before proceeding with construction activities that affect any Section 4(f) property.

**COMMITMENT M2: SECTION 6(f) PROPERTY**

National Park Service concurrence is required for project impacts to the following resource(s) acquired and developed through a Land and Water Conservation Fund grant.

**Table 6 – Work areas Within Section 6(f) Resources**

Station	Section 6(f) Property
Ramp C – 54+50 to 55+95	Spencer Park (perm impact)
Ramp C – 55+00 to 58+96	Spencer Park (temp impact)
SBCliff – 308+35 to 308+76	Spencer Park (temp impact)
NBCliff – 108+96 to 110+74	Tuthill Park (temp impact)
Ramp B – 36+44 to 41+80	Tuthill Park (perm impact)
Ramp B – 35+11 to 43+45	Tuthill Park (temp impact)

**Action Taken/Required:**

The following actions are required to ensure 6(f) replacement lands of equal value and usefulness are achieved:

- Land temporarily occupied by construction, in Spencer Park and Tuthill Parks, will be fully restored by the conclusion of the project;
- The contractor must adhere to the Special Provision for Construction Time, included in the project plans, limiting the duration of construction at each location in these parks to less than 180 days per location.
- Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing 6(f) property and the public.
- Appropriate signage shall be installed to alert users of Spencer and Tuthill Parks of construction activities, access restrictions or closures, and to direct users to secondary access points.

The Contractor is not permitted to stage equipment or materials within [name of park(s)]. The Contractor will notify the Project Engineer if additional easement is needed to complete the work adjacent to any Section 6(f) property. The Project Engineer will obtain an appropriate course of action from the Environmental Office before proceeding with construction activities that affect any Section 6(f) property.

**COMMITMENT N: SECTION 404 PERMIT**

The SDDOT has obtained a Section 404 Permit from the USACE for the permanent actions associated with this project.

**Action Taken/Required:**

The Contractor will comply with all requirements contained in the Section 404 Permit.

The Contractor will also be responsible for obtaining a Section 404 Permit for any dredge, excavation, or fill activities associated with material sources, storage areas, waste sites, and Contractor work sites outside the plan work limits that affect wetlands, floodplains, or waters of the United States.

**COMMITMENT T1: EMERALD ASH BORER MANAGEMENT**

The City of Sioux Falls is taking a proactive approach to manage Emerald Ash Borers in Minnehaha County. Removal of ash trees by the project undertaking will need to coordinate an action plan in accordance with the City's approved quarantine data and restrictions.

**Action Taken/Required:**

Ash wood cannot be transported off the project site between Memorial Day and Labor Day due to the presence of the Emerald Ash Borer in the area. If ash trees to be removed with the project cannot be removed from the project site prior to Memorial Day, or cannot wait to be removed from the project site until after Labor Day, the Contractor may still cut down the ash tree(s), but the ash wood must remain on the project site until after Labor Day. All costs associated with the transporting and disposal of ash wood, and/or storing ash wood on the project site until it can be safely transported to a disposal facility, shall be incidental to the contract unit price for "Clear and Grub Tree".

Ash wood cannot be transported outside of the Quarantine Area designated by the South Dakota Department of Agriculture and the United States Department of Agriculture without a permit. The Quarantine Area is currently defined per the SDDANR Emergency Plant Pest Quarantine Map shown on <https://emeraldashborerinsouthdakota.sd.gov/quarantine.aspx>. Transport of ash wood outside the Quarantine Area without a permit will subject offenders to civil and/or criminal penalties. All costs associated with the transporting and disposal of ash wood, as well as permitting fees, if necessary, shall be incidental to the contract unit price for "Clear and Grub Tree". Facilities within the Quarantine Area that accept ash wood for disposal include:

Mueller Pallets  
27163 471st Avenue  
Sioux Falls, SD 57108  
(605) 368-2440

Mueller Pallets  
46868 Sands Street  
Sioux Falls, SD 57107  
(605) 368-2440

Sioux Falls Regional Landfill  
26750 464th Avenue  
Hartford, SD 57033  
(605) 367-8162

Grinding of ash tree stumps and disposal of ash tree stump grinding waste may occur at any time of the year with no restriction on transportation time frames within the Quarantine Area. If ash tree stumps are removed by any method other than grinding (i.e. excavator, etc.), the same transportation restrictions as regular ash wood waste apply. All costs associated with grinding, removing, and disposal of ash tree stumps shall be incidental to the contract unit price for "Clear and Grub Tree"

STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
		A5	A#

**COMMITMENT T2: CITY OF SIOUX FALLS SOUND LEVEL PERMIT**

The City of Sioux Falls City ordinance requires amplified sound permits for sound variations over a certain decibel levels.

**Action Taken/Required:**

The Contractor will apply for a sound level permit for construction activities within the boundary of the City of Sioux Falls when construction activities will produce amplified or elevated sound levels (e.g. pile driving). The Contractor will provide the approved permit to the Project Engineer prior to scheduling the preconstruction meeting.

<[https://www.siouxfalls.gov/files/assets/public/v/1/parks-and-recreation/special-events/3y18008\\_sound\\_permit\\_app\\_20.pdf](https://www.siouxfalls.gov/files/assets/public/v/1/parks-and-recreation/special-events/3y18008_sound_permit_app_20.pdf)>

# Appendix C – Section 4(f) and Section 6(f) Correspondence

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## List of Attachments

Official With Jurisdiction (OWJ) Concurrence Letter for Section 4(f)  
De Minimis Finding for Spencer Park and Tuthill Park

Correspondence with SDGFP and Maps Denoting Section 4(f) and  
Section 6(f) Properties

and

Section 6(f) Proposed Mitigation Site (200 West Rose Street, Sioux  
Falls, South Dakota)



**Planning and Engineering**  
Environmental Office  
700 E Broadway Avenue  
Pierre, SD 57501-2586  
O: 605.773.4336  
dot.sd.gov

October 2, 2024

Don Kearney, Director  
Parks & Recreation, City of Sioux Falls  
224 W Ninth St  
Sioux Falls, SD 57104

**Subject: Official with Jurisdiction (OWJ) Concurrence for Section 4(f) *De Minimis* Finding for Spencer Park and Tuthill Park**

**RE: Project IM 2292(101), PCN 05HN, Minnehaha County & Sioux Falls CIP #11100, Sioux Falls (#7 2023 Bike Plan)**  
I229 – Exit 4 (Cliff Ave) Sioux Falls  
Interchange modification and associated City improvements to Cliff Ave and bike trail

Dear Mr. Kearney:

Attached is the Approved Scope and map detailing the location of the above referenced project. This project will reconstruct the I229 Exit 4 (Cliff Ave) Interchange. The purpose of this project is to replace the current interchange with a Single Point Urban Interchange (SPUI) and realign 41<sup>st</sup> St to improve intersection spacing to meet design standards. The project will also include City of Sioux Falls improvements to Cliff Ave (CP 11100) and a bike path construction (Sioux Falls Bike Plan #7). The project will also include a potential borrow site located at the I229N Louise Ave on-ramp gore area. The proposed project will include temporary occupancy of both Spencer and Tuthill Park during construction. The proposed project also includes minor amounts of permanent incorporation of Spencer and Tuthill Parks into the transportation facility. The proposed project would incorporate, into the I229 right-of-way, about 0.07 acres of Spencer Park for construction of the I229N off-ramp and about 0.18 acres of Tuthill Park for construction of a retaining wall along the I229N on-ramp. Spencer and Tuthill Parks are managed by the City of Sioux Falls Parks & Recreation Department. I have attached a map and the preliminary plan sheets showing the work area and the affected Section 4(f) Properties, Spencer and Tuthill Parks and the Sioux Falls Bike Trail.

The I229 Exit 4 Interchange Project will include connection of a path to the existing Sioux Falls Bike Trail inside the boundaries of Tuthill Park. There will not be temporary occupancy, restriction of access or use, nor permanent incorporation of the Sioux Falls Bike Trail resulting from the project.

Through coordination with SDGF&P and the City of Sioux Falls, it was determined that both Tuthill Park and Spencer Park are encumbered by Land Water Conservation Funds making them Section 6(f) properties. The I229 Exit 4 Interchange Project is proposed to require a small amount of unavoidable permanent acquisition of land in each park (about 0.25 acre total). This will result in a 6(f) Conversion of Use in each park. As you are aware, we have consulted with the City of Sioux Falls to identify a replacement property for impacts to these Section 6(f) resources. The proposed replacement property is located at 200 W Rose St and falls outside the initial study area for the project. We are working with the City of Sioux Falls and SDGF&P to complete a Section 6(f) Conversion of Use application for approval by the National Park Service to mitigate the I229 Exit 4 Interchange Project Section 6 (f) impacts. The application is proposed to include encumbering the 200 W Rose St parcel as a Section 6(f)



property for inclusion into Tomar Park as part of the City's Tomar Park Master Plan. I have attached a map detailing the 200 W Rose location as well as the Tomar Park Master Plan for reference.

Due to the use of federal funds, the proposed transportation project is subject to the requirements of Section 4(f) of the Department of Transportation (DOT) Act of 1966, which affords protection to publicly owned parks, recreation areas, and wildlife and waterfowl refuges. The purpose of this correspondence is to document that the Official with Jurisdiction (OWJ) concurs with the listed measures to minimize harm and the assessment of impacts.

Land temporarily occupied by construction, in Spencer and Tuthill Parks, will be fully restored by the conclusion of the project. The following measures to minimize harm will be incorporated into the plans as plan notes and as environmental commitments in the environmental document:

- Access to both Spencer and Tuthill Parks shall always be maintained during construction activities.
- Temporary occupancy of Spencer and Tuthill Parks during construction is anticipated to last no longer than 180 days and will be less than the time needed for construction. There will be a Special Provision for Construction Time, included in the project plans, limiting the duration of construction at each location in both parks to less than 180 days.
- Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing 4(f) property and the public.
- Appropriate signage shall be installed to alert users of Spencer and Tuthill Parks of construction activities, access restrictions or closures, and to direct users to secondary access points.
- The staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of the 4(f) property.
- The Contractor shall be required to closely coordinate the construction schedule with the SDDOT Project Engineer who will coordinate with Chad Babcock, SDDOT Environmental Section Manager, 605.773.3721, and the Don Kearney, Director, Sioux Falls Parks & Recreation Department prior to the start of construction activities.

In accordance with 23 CFR 774, the proposed project will have a de minimis impact upon, Spencer and Tuthill Parks based upon the following assessment:

- All possible planning to minimize harm has been incorporated into project development.
- The nature and magnitude of changes will not adversely affect the recreational activities, features, or attributes that qualified the property for 4(f) protection.
- Proposed measures to minimize harm and resulting mitigation, in regard to protecting the 4(f) property and maintaining access and safety, are considered to be reasonable and acceptable.

Based on the scope of the proposed project and type of work, there will be no adverse effects to the protected recreational activities, features, or attributes associated with Spencer and Tuthill Parks. If you concur with the measures to minimize harm and the assessment of impacts in regard to the proposed project, please indicate as such by providing your signature in the space provided below at your earliest convenience so the project's environmental documentation can be completed.

Thank you for your time and cooperation on this matter. If you have questions and/or concerns, please feel free to contact me.

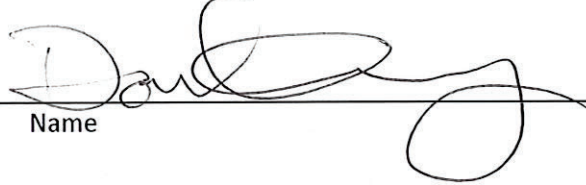
Sincerely,



Chad Babcock  
Environmental Section Manager  
605.773.3721  
[chad.babcock@state.sd.us](mailto:chad.babcock@state.sd.us)

Attachments

OWJ Concurrence:



---

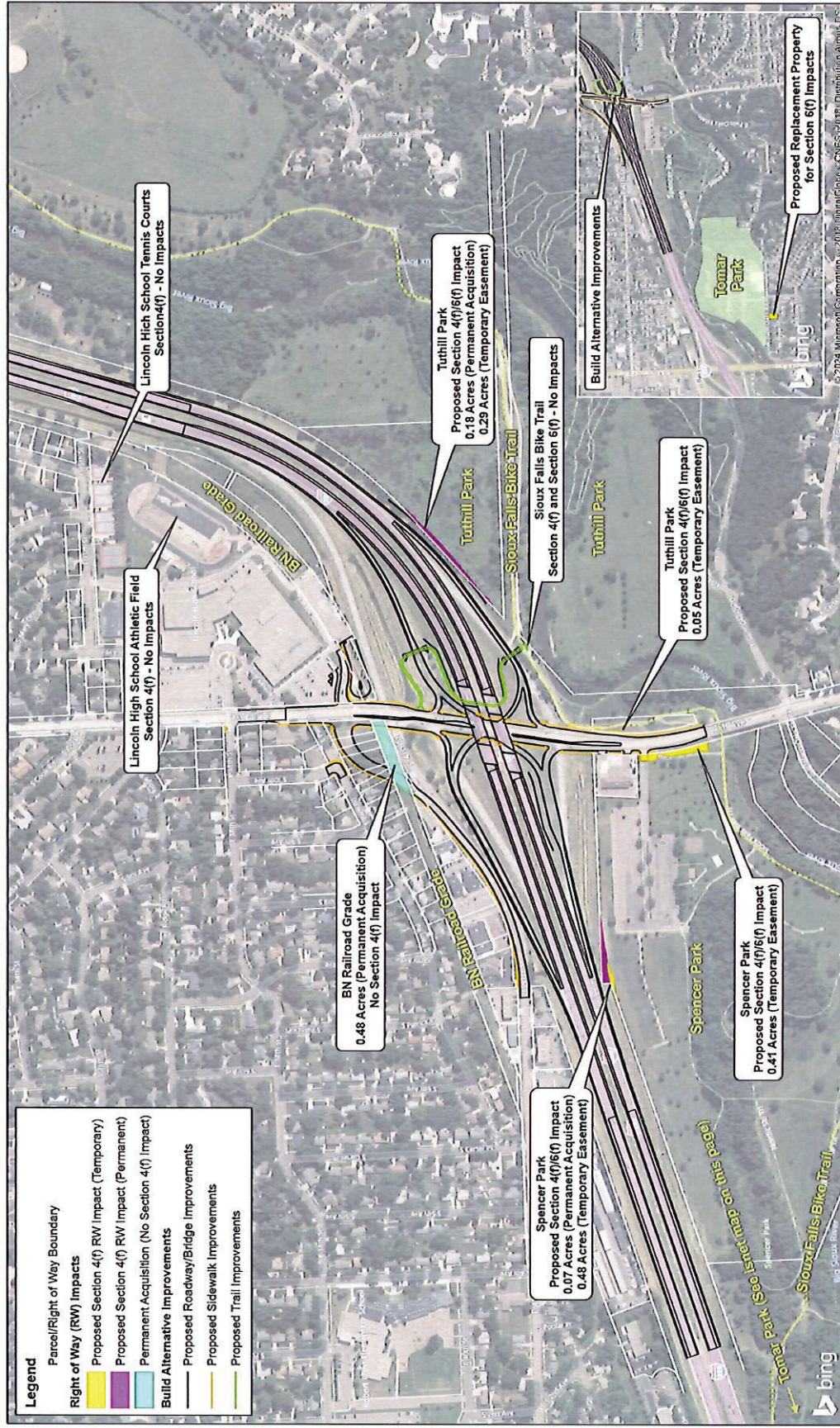
Name

10/2/24

---

Date

Figure 3-16: Section 4(f) and Section 6(f) Resources and Anticipated Impacts



STATE OF SOUTH DAKOTA	PROJECT	TOTAL SHEETS
IM-B-CR 2292(10)13		B19 B102
Posting Date:	7/10/2024	

197+20+139' L to 197+20+70' R (NB I-229)  
Take Out 42" x 84" RCP Box Culvert  
(Incidental Work, Grading)

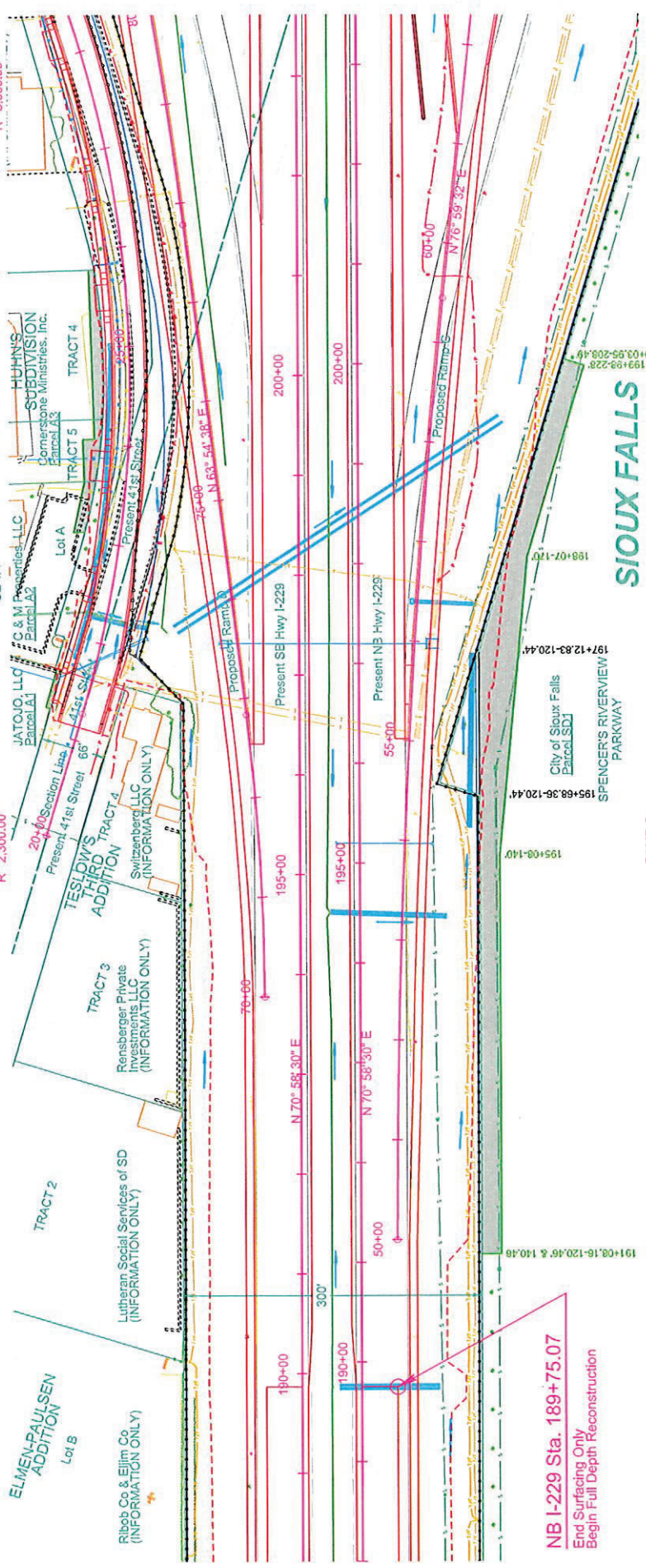
Note:  
Refer to 41st Street plan sheets for 41st Street  
easement & ROW notes.

**RAMP D**  
PT 71+1.97  
N 451,302.0993  
E 2,927,538.5931  
Δ 7° 03' 52" (L)  
D 2° 29' 28"  
T 141.197  
L 263.59'  
R 2,300.00'

**RAMP D**  
PT 79+16.94  
N 451,643.0884  
E 2,928,234.9238  
Δ 3° 10' 53" (L)  
D 1° 08' 15"  
T 277.62'  
L 5,000.00'

**Sec 28 - T101N - R49W**

SE 1/4



**SIoux FALLS**

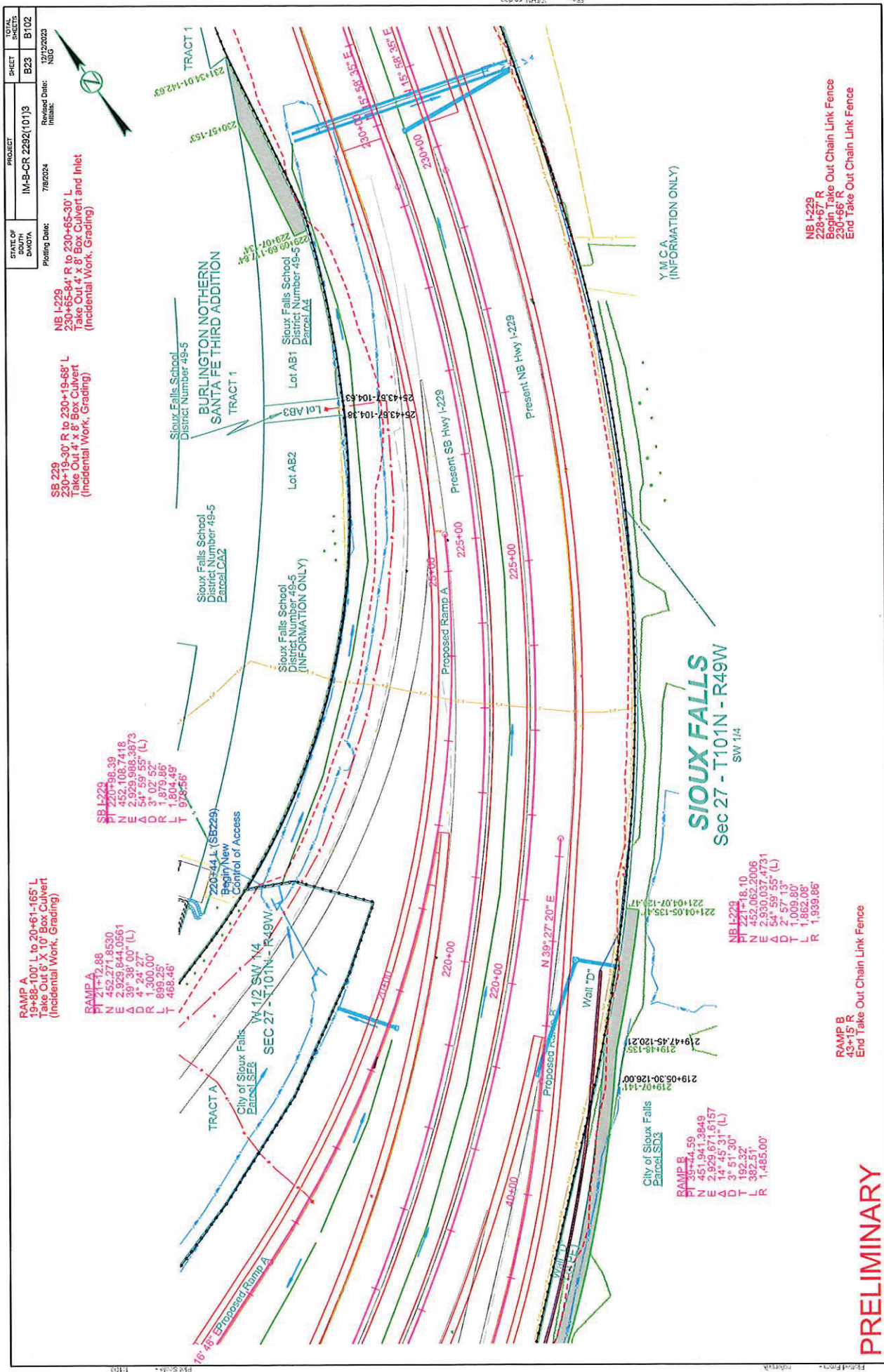
**Sec 33 - T101N - R49W**  
NE 1/4

**RAMP C**  
PT 54+73.01  
N 450,265.9006  
E 2,927,014.6395  
Δ 0° 38' 12"  
T 473.01'  
L 945.15'  
R 9,000.00'

**NB I-229 Sta. 189+75.07**  
End Surfacing Only  
Begin Full Depth Reconstruction

**PRELIMINARY**





STATE OF S.D.A.C.T.A.	PROJECT	SHEET	TOTAL SHEETS
IM-B-CR 2292(10)13	7/8/2024	B23	B102
Posting Date:	Released Date:	Initials:	
		NBJ/2023	

SB 229  
230+19.30' R to 230+19.68' L  
Take Out 4' x 8' Box Culvert  
(Incidental Work, Grading)

NB 1-229  
230+65.84' R to 230+65.30' L  
Take Out 4' x 8' Box Culvert and Inlet  
(Incidental Work, Grading)

RAMP A  
19+88-100' L to 20+61.165' L  
Take Out 6' x 7' Box Culvert  
(Incidental Work, Grading)

RAMP A  
N 452.2711.8530  
E 2.929.844.0561  
D 39° 38' 00" (L)  
D 4° 24' 27"  
L 1,300.00'  
T 899.25'  
R 468.46'

SB 1-229  
N 452.086.9839  
E 459.108.7418  
D 2,929.988.3873  
D 54° 59' 55" (L)  
D 3° 02' 52"  
L 1,879.86'  
T 1,804.45'  
R 938.56'

**SIOUX FALLS**  
Sec 27 - T101N - R49W  
SW 1/4

Y.M.C.A.  
(INFORMATION ONLY)

RAMP B  
N 39+44.59  
E 451.941.3849  
D 14° 45' 31" (L)  
D 3° 51' 30"  
L 362.32'  
T 192.32'  
R 1,465.00'

NB 1-229  
N 221+18.10  
E 452.062.2006  
E 2,930.057.4731  
D 3° 57' 13"  
D 1,005.80'  
L 1,862.08'  
R 1,939.86'

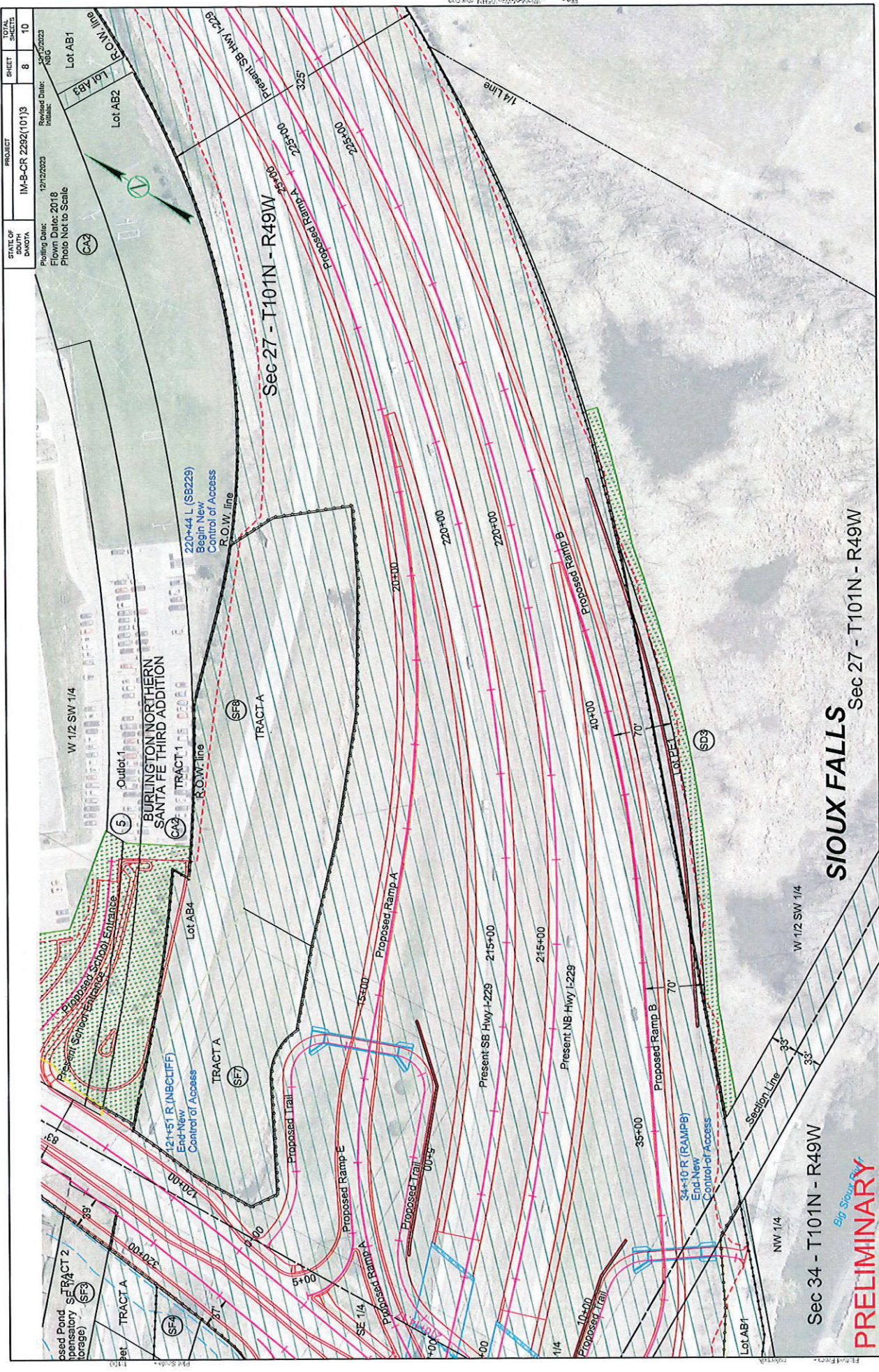
RAMP B  
43+15' R  
End Take Out Chain Link Fence

NB 1-229  
228+67' R  
End Take Out Chain Link Fence  
230+66' R  
End Take Out Chain Link Fence

**PRELIMINARY**







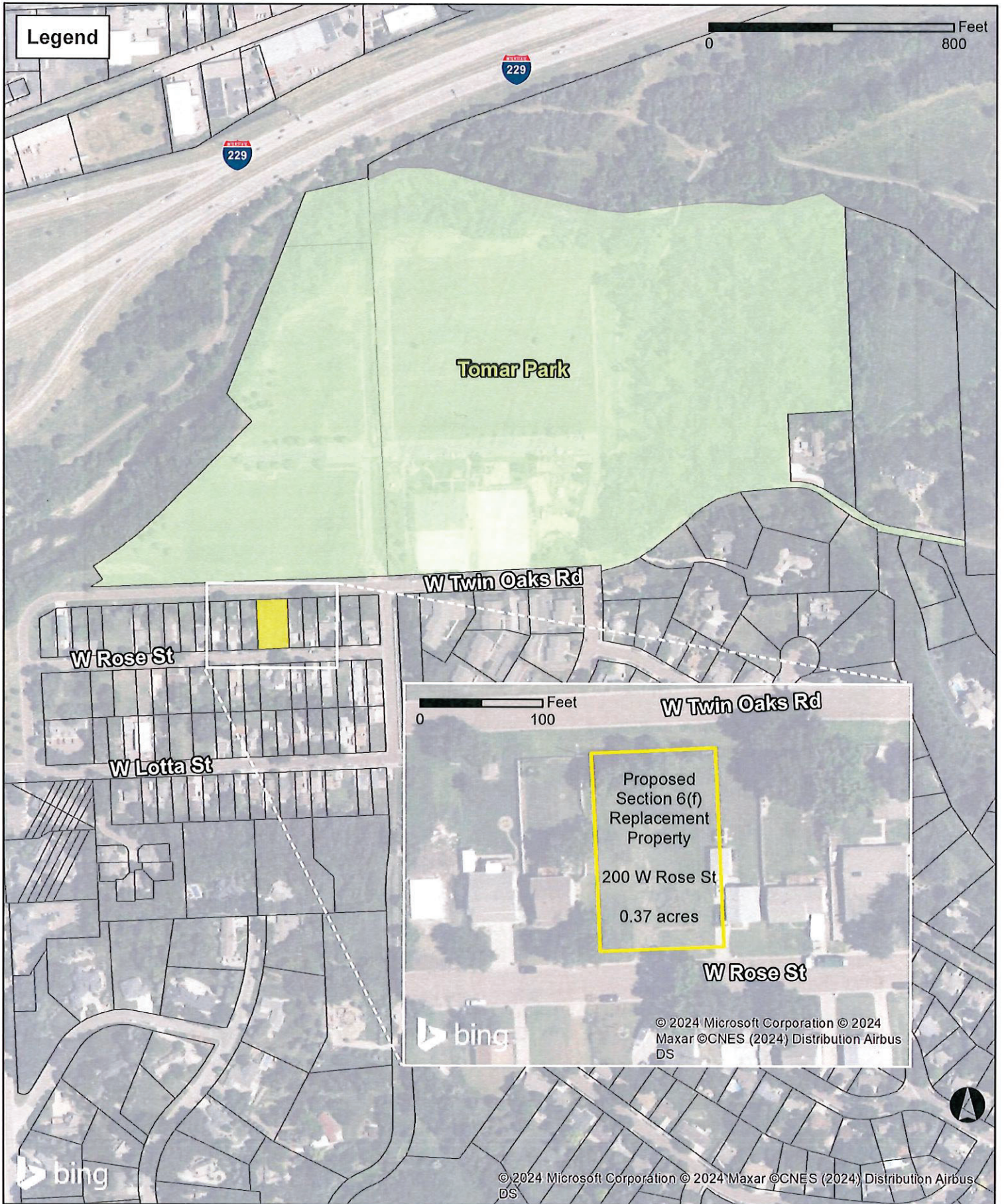
STATE OF SOUTH DAKOTA	PROJECT	IM-B-CR 2292(101)3	SHEET	8	TOTAL SHEETS	10
Revision Date: 12/12/2023 Flown Date: 2018 Photo Not to Scale	Initials:	NBC				

Sec 34 - T101N - R49W

**SIoux FALLS** Sec 27 - T101N - R49W

**PRELIMINARY**  
Big Sioux River



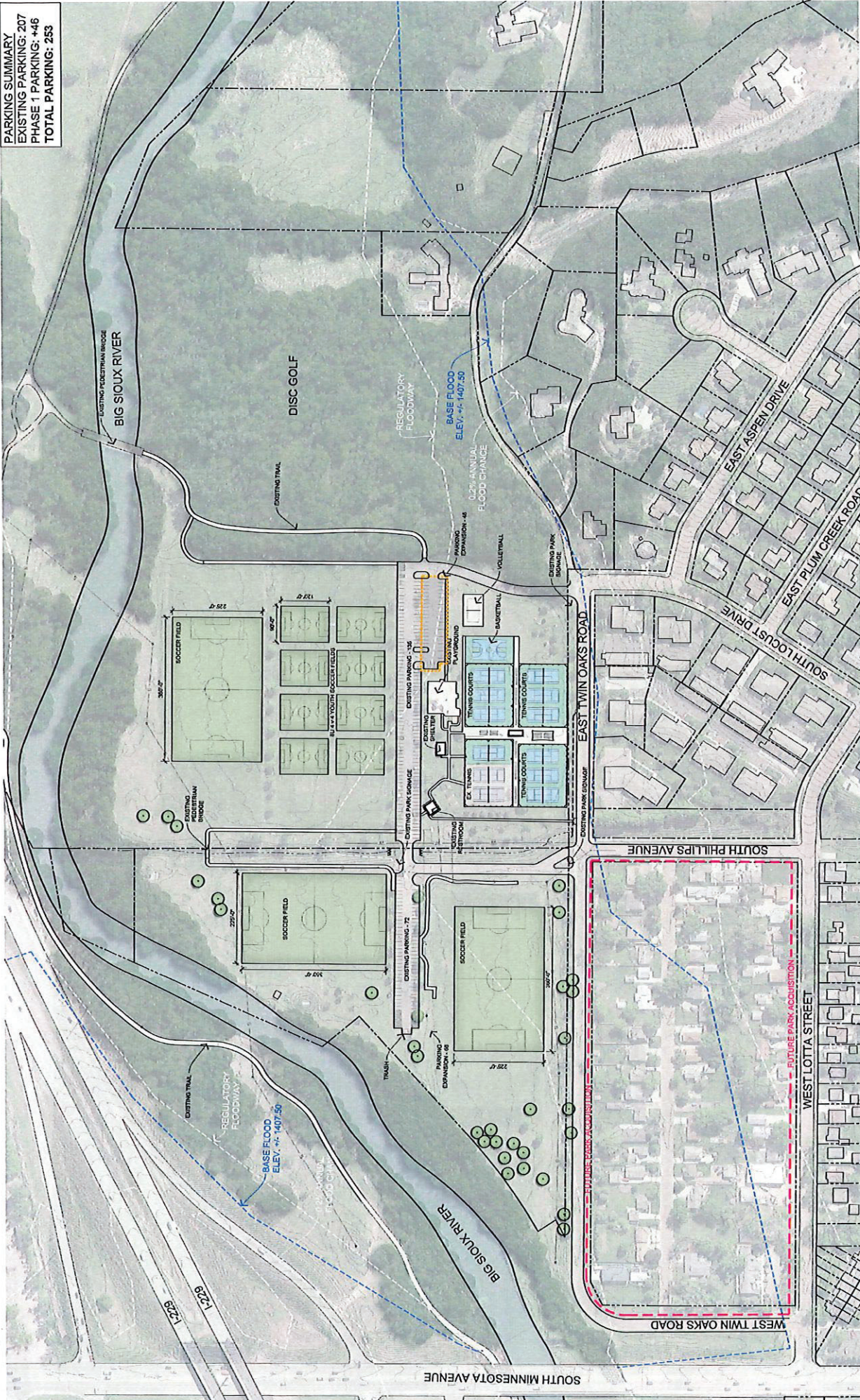


401 East 8th Street  
Suite 309  
Sioux Falls, SD 57103  
(605) 330-7000

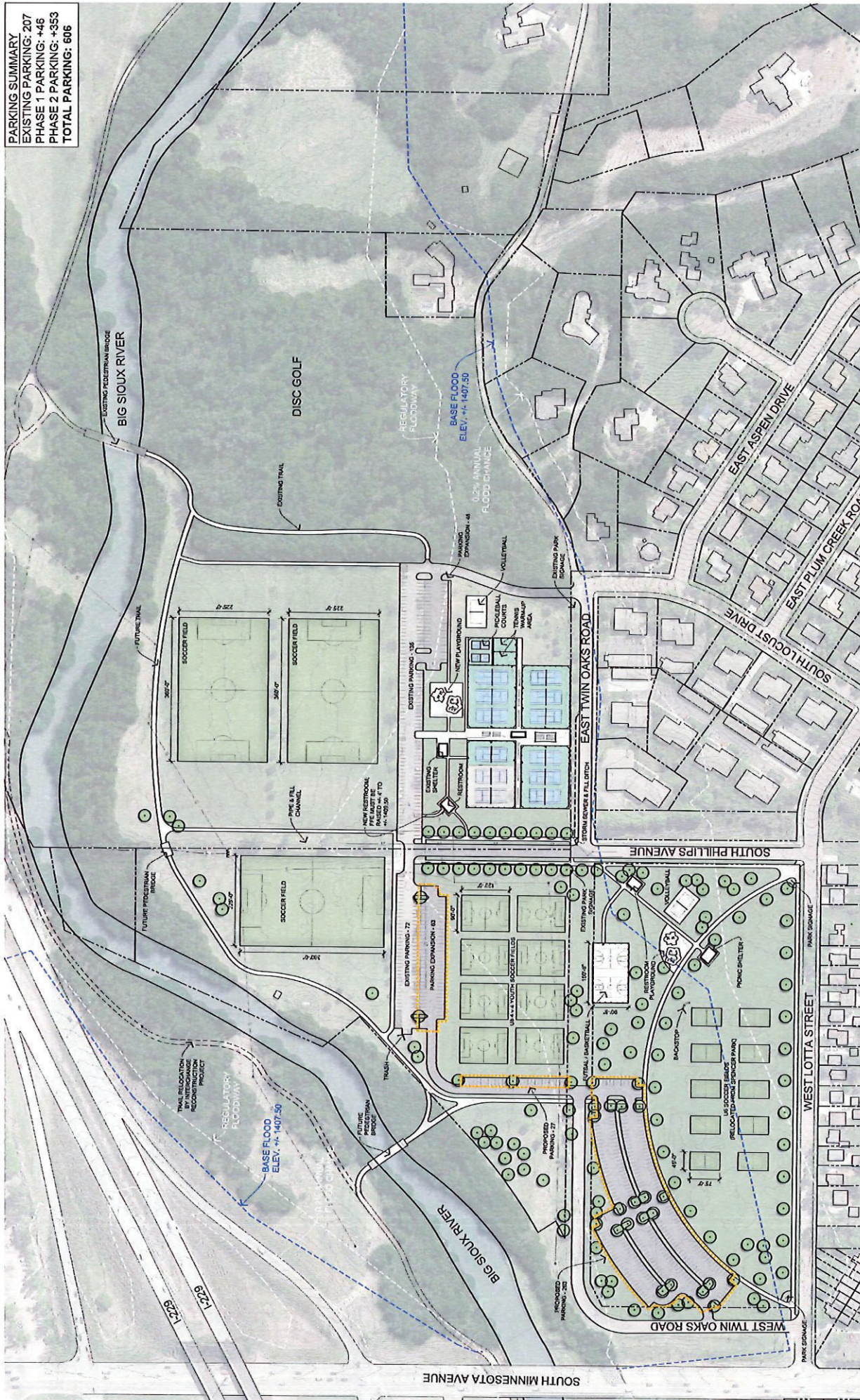
Print Date: 6/19/2024  
Source: Bing Maps,  
Map by: mfaik  
Projection: State Plane  
South Dakota S

**Proposed Section 6(f) Replacement Property**  
I-229 Exit 4 (Cliff Avenue) Interchange  
Minnehaha County, SD

**PARKING SUMMARY**  
 EXISTING PARKING: 207  
 PHASE 1 PARKING: +446  
 TOTAL PARKING: 253



**PARKING SUMMARY**  
 EXISTING PARKING: 207  
 PHASE 1 PARKING: +46  
 PHASE 2 PARKING: +353  
 TOTAL PARKING: 606



## Babcock, Chad

---

**From:** Kulesa, Adam  
**Sent:** Monday, November 18, 2024 3:09 PM  
**To:** Babcock, Chad  
**Cc:** Al Murra; Marty Falk; Ross D. Harris; Shannon R. Ausen (shannon.ausen@siouxfalls.gov); Lehmkuhl, Tom (FHWA)  
**Subject:** RE: SDDOT Proj #IM-B-CR 2292(101)3, PCN 05HN\_Tomar Park Replacement Property

Chad, please see responses from my compliance contact with NPS below. Please let me know if you have any additional questions.

It is our intention to explain the proposed conversion of use plan and application to NPS (as previously presented to SDGF&P) in the FONSI for FHWA approval. A point of clarification we need for the FONSI is:

1. Does acquisition of the 6(f) property occur after the conversion approval by NPS? and
  - The sooner that replacement land is identified and communicated to NPS the better. The sponsor should communicate that a conversion will be occurring to the state as soon as they know it will likely be happening to allow time for the state to coordinate with NPS.
  - **The replacement property can be acquired before** a conversion takes place IF and ONLY IF the sponsor communicates its intention of using the land that it is acquiring for the purpose of satisfying a conversion. If the sponsor does not communicate this to NPS, and the sponsor acquires land for the purpose of turning it into a park, this will invalidate the land's ability to be used as replacement land for a conversion (See Chapter 8 of the LWCF Manual for more information).
  - **The replacement property can be acquired during** the conversion process. The conversion process can take a long time, so it's no unusual for a sponsor to identify replacement land before all the conversion documents are finalized but after the process has begun. Again, it's best to consult with NPS when the replacement land is identified to ensure that it meets the standards of replacement land for the converted parcel.
  - **The replacement property can also be identified after-the-fact** (retroactively) in a process known as "Conversion with Delayed Replacement," but this is not ideal and we encourage sponsors to find replacement land as part of the conversion, not retroactively.
2. Can 6(f) conversion of use approval by NPS occur as a follow-up to construction activities (impacting the parks) or does approval need to be obtained prior work which will permanently convert park land to the transportation facility?
  - The conversion process often starts after a construction project has started or even finished. NPS always appreciates being notified ahead of time, though. The federal action that NPS is causing in a conversion is encumbering the replacement land with an LWCF boundary, so the replacement land needs to be approved by NPS. Construction that causes a conversion does not need to be approved by NPS, but the state and sponsor need to justify that alternatives were considered and that there was no practical way to avoid a conversion (documented in C&S form).
  - FHWA is usually the federal agency that does NEPA for transportation projects, and NPS just needs to verify that the correct federal compliance actions were done for the construction project, but does not necessarily approve them.

---

**From:** Babcock, Chad <Chad.Babcock@state.sd.us>

**Sent:** Monday, November 18, 2024 10:59 AM

**To:** Kulesa, Adam <Adam.Kulesa@state.sd.us>

**Cc:** Al Murra <amurra@sehinc.com>; Marty Falk <mfalk@sehinc.com>; Ross D. Harris <rharris@sehinc.com>; Shannon R. Ausen (shannon.ausen@siouxfalls.gov) <shannon.ausen@siouxfalls.gov>; Lehmkuhl, Tom (FHWA) <tom.lehmkuhl@dot.gov>

**Subject:** RE: SDDOT Proj #IM-B-CR 2292(101)3, PCN 05HN\_Tomar Park Replacement Property

Adam,

We are working to finalize the FONSI for the I229 Exit 4 Interchange and have additional questions related to the tie-in with NPS conversion of use approval. We have completed environmental coordination for both the 6(f) encumbered property that will be affected by the project (Tuthill and Spencer Parks, Bike Trail) as well as the proposed replacement property (200 W Rose St). This will document there are no adverse effect to historic properties, threatened and endangered species, etc. that will be included in the FONSI and is also required to be included in conversion of use application to NPS.

It is our intention to explain the proposed conversion of use plan and application to NPS (as previously presented to SDGF&P) in the FONSI for FHWA approval. A point of clarification we need for the FONSI is:

- 1) Does acquisition of the 6(f) property occur after the conversion approval by NPS? and
- 2) Can 6(f) conversion of use approval by NPS occur as a follow-up to construction activities (impacting the parks) or does approval need to be obtained prior work which will permanently convert park land to the transportation facility?

Please let me know if you have questions. Thanks



**Chad Babcock**

**Environmental Manager | South Dakota Department of Transportation**

Better Lives Through Better Transportation

700 E. Broadway Ave, Pierre SD 57501

O: 605.773.3721 | C: 605.321.1953 | [dot.sd.gov](http://dot.sd.gov)

---

**From:** Kulesa, Adam <[Adam.Kulesa@state.sd.us](mailto:Adam.Kulesa@state.sd.us)>

**Sent:** Friday, November 15, 2024 10:21 AM

**To:** Babcock, Chad <[Chad.Babcock@state.sd.us](mailto:Chad.Babcock@state.sd.us)>

**Cc:** Al Murra <[amurra@sehinc.com](mailto:amurra@sehinc.com)>; Marty Falk <[mfalk@sehinc.com](mailto:mfalk@sehinc.com)>; Ross D. Harris <[rharris@sehinc.com](mailto:rharris@sehinc.com)>; Shannon R. Ausen ([shannon.ausen@siouxfalls.gov](mailto:shannon.ausen@siouxfalls.gov)) <[shannon.ausen@siouxfalls.gov](mailto:shannon.ausen@siouxfalls.gov)>; Lehmkuhl, Tom (FHWA) <[tom.lehmkuhl@dot.gov](mailto:tom.lehmkuhl@dot.gov)>

**Subject:** RE: SDDOT Proj #IM-B-CR 2292(101)3, PCN 05HN\_Tomar Park Replacement Property

Chad,

Please see note from my compliance contact at NPS:

“We need to see the FONSI to confirm that FHWA did the NEPA for the project, but depending on the situation we might not adopt it as our own and instead write a CE for the conversion. We need documentation that NEPA was completed by FHWA, so ask them to submit documentation that they

completed the NEPA process for this conversion. They should err on the side of sending more documentation than less documentation just to be safe.”

---

**From:** Babcock, Chad <[Chad.Babcock@state.sd.us](mailto:Chad.Babcock@state.sd.us)>

**Sent:** Thursday, November 14, 2024 4:09 PM

**To:** Kulesa, Adam <[Adam.Kulesa@state.sd.us](mailto:Adam.Kulesa@state.sd.us)>

**Cc:** Al Murra <[amurra@sehinc.com](mailto:amurra@sehinc.com)>; Marty Falk <[mfalk@sehinc.com](mailto:mfalk@sehinc.com)>; Ross D. Harris <[rharris@sehinc.com](mailto:rharris@sehinc.com)>; Shannon R. Ausen ([shannon.ausen@siouxfalls.gov](mailto:shannon.ausen@siouxfalls.gov)) <[shannon.ausen@siouxfalls.gov](mailto:shannon.ausen@siouxfalls.gov)>; Lehmkuhl, Tom (FHWA) <[tom.lehmkuhl@dot.gov](mailto:tom.lehmkuhl@dot.gov)>

**Subject:** RE: SDDOT Proj #IM-B-CR 2292(101)3, PCN 05HN\_Tomar Park Replacement Property

Adam,

We are working with the City of Sioux Falls to finalize the draft maps that have been prepared are the accurate boundaries of 6(f) encumbered property to get the materials to you for application to the NPS.

As we finalize the NEPA documents FHWA has inquired if NPS requires adoption of the NEPA decision (FONSI) as a condition of their 6(f) conversion approval? Or, do they just require the NEPA documents for review of the 6(f) properties (Tuthill and Spencer parks) and the proposed conversion of use (200 W Rose St.) as part of the application. Please let me know if you have any questions.



**Chad Babcock**

**Environmental Manager | South Dakota Department of Transportation**

Better Lives Through Better Transportation

700 E. Broadway Ave, Pierre SD 57501

O: 605.773.3721 | C: 605.321.1953 | [dot.sd.gov](http://dot.sd.gov)

---

**From:** Kulesa, Adam <[Adam.Kulesa@state.sd.us](mailto:Adam.Kulesa@state.sd.us)>

**Sent:** Tuesday, November 5, 2024 2:26 PM

**To:** Babcock, Chad <[Chad.Babcock@state.sd.us](mailto:Chad.Babcock@state.sd.us)>

**Cc:** Al Murra <[amurra@sehinc.com](mailto:amurra@sehinc.com)>; Marty Falk <[mfalk@sehinc.com](mailto:mfalk@sehinc.com)>; Ross D. Harris <[rharris@sehinc.com](mailto:rharris@sehinc.com)>; Shannon R. Ausen ([shannon.ausen@siouxfalls.gov](mailto:shannon.ausen@siouxfalls.gov)) <[shannon.ausen@siouxfalls.gov](mailto:shannon.ausen@siouxfalls.gov)>; Lehmkuhl, Tom (FHWA) <[tom.lehmkuhl@dot.gov](mailto:tom.lehmkuhl@dot.gov)>

**Subject:** RE: SDDOT Proj #IM-B-CR 2292(101)3, PCN 05HN\_Tomar Park Replacement Property

Chad,

Wanted to provide an update after my meeting with the National Park Service today:

Transmittal letter- This is simply an email from myself to explain what is happening. I can copy and paste information that you have already provided

CNS Form- 2023 is the last time it was updated, so you have the most recent form.

424 Forms – These will be filled out by myself and will CC you with any questions or correspondence with NPS on these Description and notification form- this form is completed at the end of the conversion, so no need to include it until we get much further along in the process

Project amendment form- this form is completed at the end of the conversion, so no need to include it until we get much further along in the process

The rest of the information you have provided is enough to start the process with NPS. These processes take awhile, so the best thing is to get it into the hands of the compliance team at NPS and stay in contact if they have any questions/concerns.

IF you feel good about the information you have included, I believe we have enough to start the process with NPS.

Please let me know if you have any questions,

Adam Kulesa  
Planning/Development Administrator  
South Dakota Game Fish & Parks  
605-773-5526

---

**From:** Babcock, Chad <[Chad.Babcock@state.sd.us](mailto:Chad.Babcock@state.sd.us)>  
**Sent:** Monday, November 4, 2024 2:53 PM  
**To:** Kulesa, Adam <[Adam.Kulesa@state.sd.us](mailto:Adam.Kulesa@state.sd.us)>  
**Cc:** Al Murra <[amurra@sehinc.com](mailto:amurra@sehinc.com)>; Marty Falk <[mfalk@sehinc.com](mailto:mfalk@sehinc.com)>; Ross D. Harris <[rharris@sehinc.com](mailto:rharris@sehinc.com)>; Shannon R. Ausen (<[shannon.ausen@siouxfalls.gov](mailto:shannon.ausen@siouxfalls.gov)> <[shannon.ausen@siouxfalls.gov](mailto:shannon.ausen@siouxfalls.gov)>); Lehmkuhl, Tom (FHWA) <[tom.lehmkuhl@dot.gov](mailto:tom.lehmkuhl@dot.gov)>  
**Subject:** RE: SDDOT Proj #IM-B-CR 2292(101)3, PCN 05HN\_Tomar Park Replacement Property

Adam,

Attached are draft maps SEH has developed to identify the current 6(f) properties (Tuthill, Spencer, Tomar Parks & Bike Trail) along with areas in Tuthill and Spencer Parks which will be converted. Please note, that we are still waiting for review by the City of Sioux Falls to verify current 6(f) encumbered property boundaries. But, I wanted to get you the preliminary information in advance of your meeting w/ the NPS to better facilitate discussion.

Drafts of the Compliance and Stewardship Form and Additional Narrative have also been attached to provide background information. I have also included the appraisal reports for the proposed conversion and replacement properties, from the City of Sioux Falls, and the prior coordination w/ Randy Kittle concerning this plan.

We look forward to any specific direction you are able to provide about the final submittal materials after your meeting w/ the NPS. Please let me know if you need anything additional from me in advance. Thanks



**Chad Babcock**  
Environmental Manager | South Dakota Department of Transportation  
Better Lives Through Better Transportation  
700 E. Broadway Ave, Pierre SD 57501  
O: 605.773.3721 | C: 605.321.1953 | [dot.sd.gov](http://dot.sd.gov)

---

**From:** Kulesa, Adam <[Adam.Kulesa@state.sd.us](mailto:Adam.Kulesa@state.sd.us)>  
**Sent:** Monday, November 4, 2024 9:17 AM  
**To:** Babcock, Chad <[Chad.Babcock@state.sd.us](mailto:Chad.Babcock@state.sd.us)>  
**Subject:** RE: SDDOT Proj #IM-B-CR 2292(101)3, PCN 05HN\_Tomar Park Replacement Property

Chad,

Can you send me what you have for the parcel data on which part of both parks the DOT project will be affecting for the conversion of use as well as the proposed portion to add on at Tomar Park?

---

**From:** Babcock, Chad <[Chad.Babcock@state.sd.us](mailto:Chad.Babcock@state.sd.us)>

**Sent:** Monday, October 28, 2024 3:16 PM

**To:** Kulesa, Adam <[Adam.Kulesa@state.sd.us](mailto:Adam.Kulesa@state.sd.us)>

**Cc:** Al Murra <[amurra@sehinc.com](mailto:amurra@sehinc.com)>; Ross D. Harris <[rharris@sehinc.com](mailto:rharris@sehinc.com)>; Marty Falk <[mfalk@sehinc.com](mailto:mfalk@sehinc.com)>; Shannon R. Ausen ([shannon.ausen@siouxfalls.gov](mailto:shannon.ausen@siouxfalls.gov)) <[shannon.ausen@siouxfalls.gov](mailto:shannon.ausen@siouxfalls.gov)>

**Subject:** SDDOT Proj #IM-B-CR 2292(101)3, PCN 05HN\_Tomar Park Replacement Property

Good afternoon,

The City of Sioux Falls has the appraisal information for parcels in Spencer and Tuthill parks as well as the proposed replacement property near Tomar Park. Would you have time to meet Wednesday afternoon to discuss the 6(f) Conversion of Use application process associated with this project?



**Chad Babcock**

**Environmental Manager | South Dakota Department of Transportation**

Better Lives Through Better Transportation

700 E. Broadway Ave, Pierre SD 57501

O: 605.773.3721 | C: 605.321.1953 | [dot.sd.gov](http://dot.sd.gov)



## Babcock, Chad

---

**From:** Kittle, Randy  
**Sent:** Wednesday, April 10, 2024 8:15 AM  
**To:** Babcock, Chad  
**Cc:** Ausen, Shannon; Al Murra; Ross D. Harris; Hight, Joanne  
**Subject:** RE: SDDOT Exit 4\_Tomar Park

Chad,

Thanks for sharing the proposal. If the appraisals work out, yes this parcel should satisfy the conversion of use. The city will also need to provide a development plan for this parcel, if that is part of the bigger plan previously shared or if they are looking at something specific for this lot.

**Randy Kittle** | *Grants Coordinator*  
South Dakota Game, Fish and Parks  
523 East Capitol Avenue | Pierre, SD 57501  
605.773.5490 | [randy.kittle@state.sd.us](mailto:randy.kittle@state.sd.us)



---

**From:** Babcock, Chad <Chad.Babcock@state.sd.us>  
**Sent:** Tuesday, April 9, 2024 1:47 PM  
**To:** Kittle, Randy <Randy.Kittle@state.sd.us>  
**Cc:** Ausen, Shannon <sausen@SIOUXFALLS.org>; Al Murra <amurra@sehinc.com>; Ross D. Harris <rharris@sehinc.com>; Hight, Joanne <Joanne.Hight@state.sd.us>  
**Subject:** RE: SDDOT Exit 4\_Tomar Park

Randy,

Attached is an updated figure. The 200 W Rose St lot is 0.37 acres. It is our intention to proceed with the appraisal and NEPA review in preparation of the conversion of use application. But, I wanted to pass the information along to you to ensure this will be a viable option.

Please let me know if you have questions or need additional information. Thanks



**Chad Babcock**  
**Environmental Manager** | **South Dakota Department of Transportation**  
Better Lives Through Better Transportation  
700 E. Broadway Ave, Pierre SD 57501  
O: 605.773.3721 | C: 605.321.1953 | [dot.sd.gov](http://dot.sd.gov)

---

**From:** Kittle, Randy <[Randy.Kittle@state.sd.us](mailto:Randy.Kittle@state.sd.us)>  
**Sent:** Monday, March 11, 2024 4:35 PM  
**To:** Babcock, Chad <[Chad.Babcock@state.sd.us](mailto:Chad.Babcock@state.sd.us)>  
**Cc:** Ausen, Shannon <[sausen@SIOUXFALLS.org](mailto:sausen@SIOUXFALLS.org)>; Al Murra <[amurra@sehinc.com](mailto:amurra@sehinc.com)>; Ross D. Harris <[rharris@sehinc.com](mailto:rharris@sehinc.com)>;

Hight, Joanne <[Joanne.Hight@state.sd.us](mailto:Joanne.Hight@state.sd.us)>

**Subject:** RE: SDDOT Exit 4\_Tomar Park

Chad,

Just had a good meeting with NPS Compliance Team regarding the Exit 4 Conversion of Use and the Tomar Park potential replacement property.

SDDOT is converting 2 properties near Exit 4 that total about 0.25 acres. The yellow book appraisal rate for these properties will need to be established and then figure out what will be needed for replacement property, ideally, the lots between Twin Oaks and Rose would make the most sense, there don't appear to be any that are adjoining lots to make one larger parcel for an extension of Tomar Park. If a few lots would meet the appraisal value and acreage to satisfy the conversion of use, the city could offer those lots as an extension of Tomar Park and would be added to the encumbered boundary of Tomar Park. If a smaller area of replacement property is what is available at this time, we will need to provide a development plan for that property.

NPS asked what is the status with the parcels that do not have a color on the property? NPS also asked what the properties in pink mean as they are listed as Open on the map. It seemed that they were trying to determine how probable it is that the master for Tomar Park could be completed in the next few years. They do like the master plan concept for the Tomar Park expansion and would love to see that happen and encumber that entire parcel.

If the city doesn't encumber more lots than are needed to resolve this conversion and the additional buyout lots remain general city property and are not transferred to the Parks Department, those lots would be eligible for replacement property for the Exit 5, 6 project if replacement property will be needed for that project. Basically, it could be looked at as a land bank for additional city conversions in the near future. If that happens, those additional lots would be added to the encumbered Tomar Park boundary at that time. If the city owned all of the lots at this time, the property would all be used as replacement property to resolve this conversion even if the appraisals didn't dictate the need for that much replacement property. Since the city doesn't own it all at this time, we still have options. NPS would love to see the entire area encumbered, I reminded them that not everyone is as interested in encumbering more land under LWCF than is necessary.

NPS also asked if Federal funds would be used for this project? FHWA would be responsible for completing NEPA, etc for the replacement property.

Good discussion to keep this conversion moving forward.

**Randy Kittle** | *Grants Coordinator*  
South Dakota Game, Fish and Parks  
523 East Capitol Avenue | Pierre, SD 57501  
605.773.5490 | [randy.kittle@state.sd.us](mailto:randy.kittle@state.sd.us)



---

**From:** Babcock, Chad <[Chad.Babcock@state.sd.us](mailto:Chad.Babcock@state.sd.us)>

**Sent:** Tuesday, February 27, 2024 4:35 PM

**To:** Kittle, Randy <[Randy.Kittle@state.sd.us](mailto:Randy.Kittle@state.sd.us)>

**Subject:** SDDOT Exit 4\_Tomar Park

Randy,

I have attached some information provided by the City about the potential property adjacent to Tomar Park for use as replacement property for the Cliff Ave project.

Would you be available on Monday (March 4) after lunch for a quick meeting to discuss? Anytime 1-3:30 PM. Thanks



**Chad Babcock**

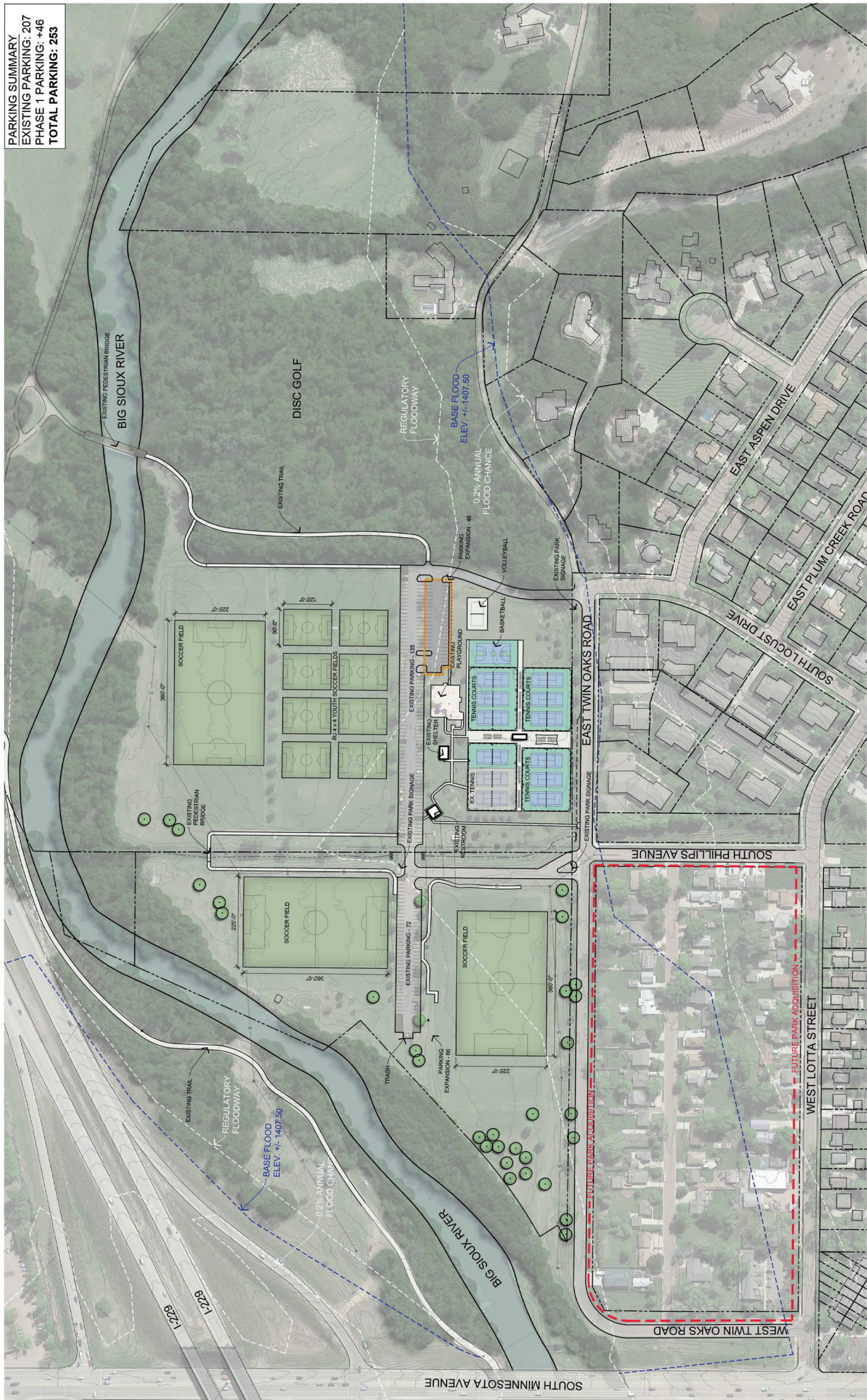
**Environmental Manager | South Dakota Department of Transportation**

Better Lives Through Better Transportation

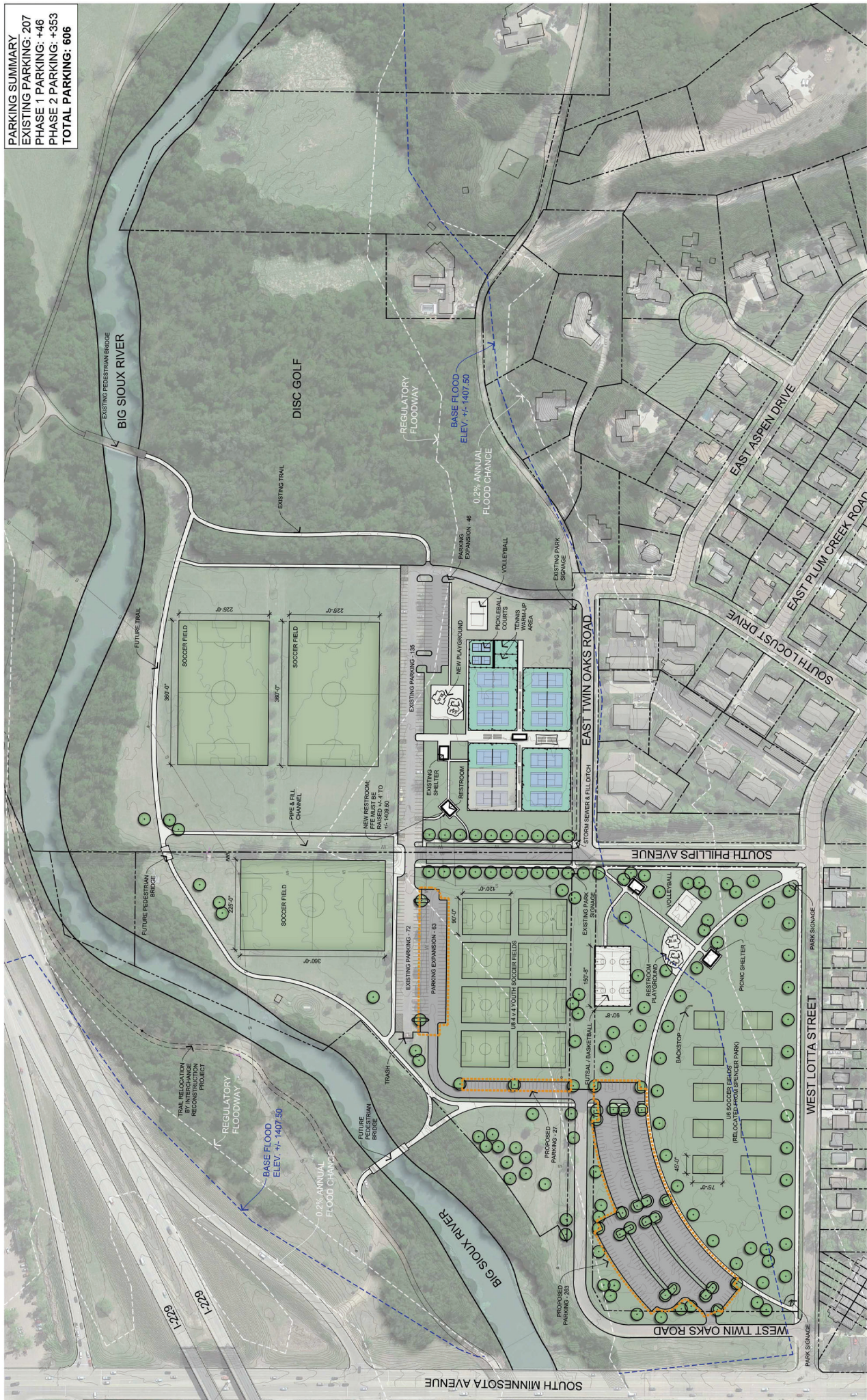
700 E. Broadway Ave, Pierre SD 57501

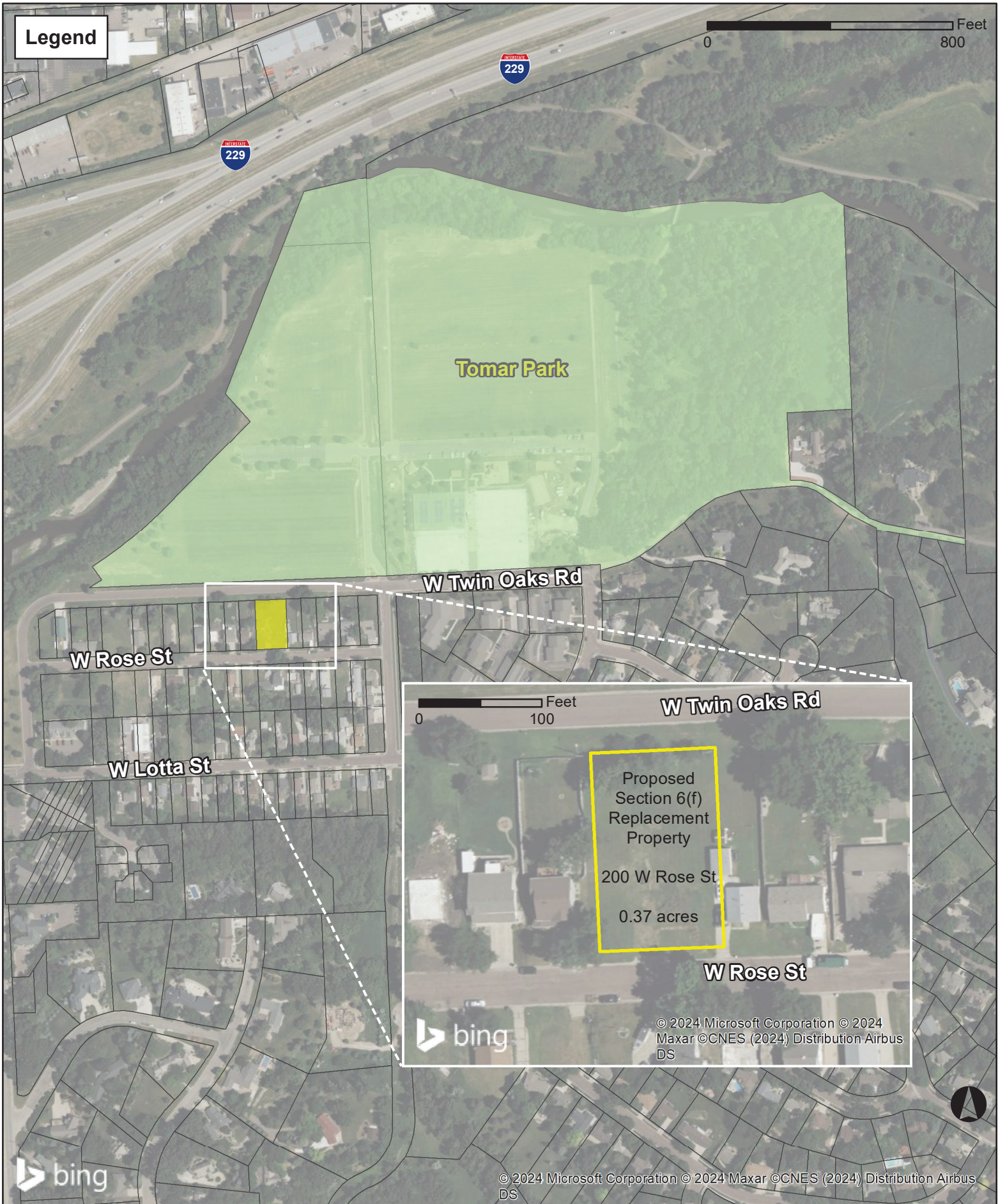
O: 605.773.3721 | C: 605.280.6035 | [dot.sd.gov](http://dot.sd.gov)

**PARKING SUMMARY**  
 EXISTING PARKING: 207  
 PHASE 1 PARKING: +46  
 TOTAL PARKING: 253



**PARKING SUMMARY**  
 EXISTING PARKING: 207  
 PHASE 1 PARKING: +46  
 PHASE 2 PARKING: +353  
**TOTAL PARKING: 606**





**Legend**

0 800 Feet



**Tomar Park**

**W Twin Oaks Rd**

**W Rose St**

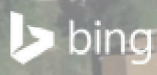
**W Lotta St**

**W Twin Oaks Rd**

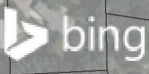
0 100 Feet

Proposed  
Section 6(f)  
Replacement  
Property  
200 W Rose St  
0.37 acres

**W Rose St**



© 2024 Microsoft Corporation © 2024  
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DS



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DS

	<p>401 East 8th Street Suite 309 Sioux Falls, SD 57103 (605) 330-7000</p>	<p>Source: Bing Maps, Map by: mfaik Projection: State Plane South Dakota S</p>	<p align="center"><b>Proposed Section 6(f) Replacement Property</b> <i>I-229 Exit 4 (Cliff Avenue) Interchange</i> <i>Minnehaha County, SD</i></p>
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# **Appendix D – Section 6(f) Mitigation Property Agency Coordination**

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## **List of Attachments**

Section 106 Project Consultation Letter, South Dakota State Historical  
Society

USFWS Letter of No Impact Concurrence

SDDOT Project Scope Amendment Documentation Addressing  
Proposed Section 6(f) Mitigation Site

USFWS Letter with List of Threatened and Endangered Species

SDDOT Phase I Sumer Habitat Assessments – Northern Long-Eared  
Bat Habitat Assessment Data Sheets



September 11, 2024

Chad Babcock  
SDDOT  
700 E Broadway  
Pierre, SD 57501

### **SECTION 106 PROJECT CONSULTATION**

Project: 230908003F – IM 2292(101), PCN 05HN, Minnehaha County & Sioux Falls CIP #11100, Sioux Falls (#7 2023 Bike Plan) , Minnehaha County; I229 Exit 4 Interchange  
Location: Minnehaha  
FHWA - Federal Highway Administration

Dear Chad,

Thank you for the opportunity to comment on the above referenced project pursuant to 54 U.S.C. 306108, also known as Section 106 of the National Historic Preservation Act of 1966 (as amended). The South Dakota Office of the State Historic Preservation Officer (SHPO) concurs with your determination regarding the effect of the proposed undertaking on the non-renewable cultural resources of South Dakota.

On June 17, 2024, SHPO received your letter, maps showing the APE, and project plans. This project has been previously consulted on under SHPO# 190424003F and SHPO #230908003F. The information received on June 17, 2024 indicated that this proposed undertaking is composed of separate federal actions and that project updates required additional consultation. Additional information was received on August 30, 2024. This included an updated letter and a report titled "A Class III Intensive Cultural Resources Survey for Proposed Replacement Property Associated with SDDOT Project IM-B-CR 2292(101)3, PCN 05HN, Minnehaha County, South Dakota. Contract Investigations Series No. 4363." prepared by Fidel Martinez-Greer and Cassie Vogt of the Archaeological Research Center."

Based upon the information provided, the proposed undertaking is for improvements to be made to the I229 Exit 4 Interchange, Cliff Avenue Improvements, bike path construction (#7 2023 Bike Plan), and the Louise Interchange borrow site. This resubmission indicates that work will remain within the same APE as previously consulted on. Previous consultation concurred with a determination of "No Adverse Effect" for potential effects to the National Register Eligible rail grade 39MH2000. SDDOT Project #IM 2292(101), PCN 05HN, The City of Sioux Falls improvements to Cliff Avenue (CIP #11100), bike path construction (#7 2023 Sioux Falls Bike Plan) and the Louise Interchange borrow site represent one federal action. The additional information received on August 30, 2024 indicated that a Section 6(f) conversion of use property has been proposed for the I229 Exit 4 Interchange project. After reviewing the updated information, SHPO continues to concur with the determination of "No Adverse Effect" for the proposed undertaking, provided that the work remains within the area surveyed.

Changes in the location and/or nature of activities from those identified in your request will require the submission of additional documentation pertaining to the identification of historic properties, as described in 36 C.F.R. § 800.4, and/or the undertaking's effects on historic properties, as described in 36 C.F.R. § 800.11.







Concurrence of the SHPO does not relieve the federal agency official from consulting with other appropriate parties, as described in 36 C.F.R. § 800.2(c).

If historic properties are discovered or unanticipated effects on historic properties are found after the agency official has completed the Section 106 process, the agency official shall avoid, minimize or mitigate the adverse effects to such properties and notify the SHPO and Indian tribes that might attach religious and cultural significance to the affected property within 48 hours of the discovery, pursuant to 36 C.F.R. § 800.13.

Should you require any additional information, please contact Jozef Lamfers at [Jozef.Lamfers@state.sd.us](mailto:Jozef.Lamfers@state.sd.us) or at 605-773-6004. Your concern for the non-renewable cultural heritage of our state is appreciated.

Sincerely,  
Benjamin F. Jones, PhD  
Interim State Historic Preservation Officer

A handwritten signature in black ink that reads "Jozef Lamfers". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Jozef Lamfers  
Review & Compliance Archaeologist

CC:

Cassie Vogt - Archaeological Research Center  
Lynn Griffin - Archaeological Research Center  
Megan Ostrenga Fabricius - Archaeological Research Center





Planning and Engineering  
 DOT Environmental Office  
 700 E Broadway  
 Pierre, SD 57501  
 O: 605-773-4336  
 dot.sd.gov

July 15, 2024

Christopher Swanson, Field Supervisor  
 U.S. Fish & Wildlife Service  
 420 Garfield Ave  
 Suite 400  
 Pierre, SD 57501-5408

LUKE TOSO  
Digitally signed by LUKE TOSO  
 Date: 2024.08.28 10:25:06 -05'00'

RE: Project IM-B-CR 2292(101)3, PCN 05HN, Minnehaha County  
 I229 - Exit 4 (Cliff Ave) in Sioux Falls  
 Grading, PCC Surfacing, Curb & Gutter, Storm Sewer, Signals, Lighting

Dear Christopher Swanson:

The above referenced project includes SDDOT Project #IM 2292(101), PCN 05HN, the proposed borrow site at the I299 Louise Ave Interchange, The City of Sioux Falls improvements to Cliff Avenue (CIP #11100) and bike path construction (#7 2023 Sioux Falls Bike Plan). This project was coordinated with USFWS on May 16, 2024.

Since initial coordination took place for this project, a replacement property for impacts to Section 6(f) resources was identified for use with this project. The replacement property is located at 200 W Rose St, on the south end of Tomar Park, in Sioux Falls. This site falls outside the initial study area for the project, and maps of the site is also attached. There are currently two trees located on the 200 W Rose St parcel which are presumed to be suitable NLEB roosting habitat. The project plans will include a seasonal restriction for removal of these trees.

According to the U.S. Fish & Wildlife Service (FWS) IPaC Information for Planning and Conservation system, the following species are known to occur in Minnehaha County:  
 (Consultation code: 2024-0116090).

Species	Status	SDDOT Determination	Comment
Rufa Red Knot	T	No Effect	
Northern Long-eared Bat	E	May affect, not likely to adversely affect	Seasonal restriction for tree removal will be included.
Western Prairie Fringed Orchid	T	No Effect	No critical habitat identified
Monarch Butterfly	C	No Effect	Candidate species

The project will be reviewed for wetland impacts. The project will comply with all federal and state environmental regulations.

I am requesting FWS concurrence with the above determinations. Please provide your acknowledgment of this request at your earliest convenience.

Project IM-B-CR 2292(101)3 PCN 05HN Minnehaha

Please submit your response so that the project's environmental documentation can be completed, and the project can be let and constructed in a timely manner.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chad Babcock".

Chad Babcock, Environmental Manager  
DOT Environmental Office  
605.773.3721  
chad.babcock@state.sd.us

CC: Dylan Turner, USFWS

Attachments

# Scope Amendment

For project(s): 05HN

Approved Date: <No Date>

---

Summary:

Scope updates.

---

Description:

This amendment is for informational purposes only and was not sent out for review/approval. The changes included in this scope amendment have been discussed and agreed upon with the appropriate Stakeholders. (01/08/2021 - SLD)

The following scope updates resulted from the Scoping Meeting on PCN 000S held on 12/30/2020:

The work needed for traffic control on the Minnesota Ave interchange project, PCN 000S, will now be added this project. This work was originally to be completed with PCN 07CX; 07CX will be cancelled and all advance work to accommodate managing traffic for 000S will be completed with 05HN. The work may include installing temporary ramp crossovers, possible widening needed at the existing mainline median crossovers to maintain 2 lanes of traffic during construction, and constructing a temporary road which may include installing the temporary structure, hauling berm material, etc.

This project will now have a 2-year construction which will be in fiscal years 2025 and 2026. This will allow more time for completing the interchange work at Cliff Ave, removing the temporary structure needed for traffic control on the Cliff Ave interchange project, and completing the temporary traffic control work needed for the Minnesota Ave interchange project.

# Scope Amendment

For project(s): 05HN

Approved Date: <No Date>

---

Summary:

Detector loops.

---

Description:

This amendment is for informational purposes only and was not sent out for review/approval. The changes included in this scope amendment have been discussed and agreed upon with the appropriate Stakeholders. (05/26/2021 - SLD)

Install preformed detector loops for traffic counters on I229 NB between the EB on-ramp and the end project limits and on I229 SB from between the WB off-ramp and the end project limits. The designer will contact the Office of Transportation Inventory Management to identify the locations of the preformed detector loops. The detector loops will be added to Section L in the plans.

# Scope Amendment

For project(s): 05HN

Approved Date: <No Date>

---

## Summary:

Auxiliary lanes between Exit 3 and Exit 4.

---

## Description:

This amendment is for informational purposes only and was not sent out for review/approval. The changes included in this scope amendment have been discussed and agreed upon with the appropriate Stakeholders. (04/28/2022 - SLD)

Auxiliary lanes should be installed on I229 between Exit 3 and Exit 4, due to the end of the tapers for the off-ramps and on-ramps being only 28' apart on southbound I229 and overlapping on northbound I229. A layout showing the tapers for the off-ramps and on-ramps can be found in the Appendix tab.

# Scope Amendment

For project(s): 05HN

Approved Date: <No Date>

---

## Summary:

Install median cable barrier.

---

## Description:

This amendment is for informational purposes only and was not sent out for review/approval. The changes included in this scope amendment have been discussed and agreed upon with the appropriate Stakeholders. (04/23/2024 - SLD)

High-tension median cable barrier should be installed on this project through the project limits on I229 as part of a safety corridor using the new design guidance developed by the SDDOT Standards Engineer per Chapter 10 in the SDDOT Road Design Manual.

The Safety SIT was updated in the Proposed Project Information tab.

# Approved Scope

For project(s): 05HN

Approved Date: 05/23/2024

---

## Executive Summary:

Four scope amendments have been completed for this project. Details included in the scope amendments can be found on the Amendment tab.

The 1st scope amendment provides information regarding traffic control and construction years. The 2nd scope amendment added detector loops for traffic counters. The 3rd Scope Amendment added auxiliary lanes between Exit 3 and Exit 4 on I229. The 4th Scope Amendment added median cable barrier through the project limits on I229.

The purpose of this 4R project is to replace the I229 interchange at Exit 4 (Cliff Avenue - structures 50-210-230 and 50-211-230) to improve mobility and safety within the interchange and along the Cliff Ave corridor for all users. The 2010 Decennial Interstate Corridor Study and the I229 Major Investment Study identified the need to improve the Cliff Ave interchange, due to substandard ramp shoulder widths, control of access lengths to the ramp terminals, pavement conditions on Cliff Ave, structure design life, existing and future traffic demands, lack of multi-modal facilities along Cliff Ave, and safety of the traveling public within the interchange. This project will include grading, PCC surfacing, structures, curb & gutter, sidewalk, storm sewer, traffic signals, lighting, and pavement markings. The project is expected to be a 12 (See Amendment 1) year construction project.

An Interchange Modification Justification Report (IMJR) will be completed by SEH Engineering Inc (SEH) that aided in the identification of a recommended interchange location, design, and typical section. The recommended interchange alternative is a single point interchange configuration with Cliff Ave underneath the I229 structures. Information in the Study and Environmental Scan Reports can be found in the following links: <file:/U:\pd\Studies\I229-Exits3-4\IMJRs\Exit4\Final\IMJR%20I-229%20Exit%204%20wAppendix%2010282020.pdf>, <file:/U:\pd\Studies\I229-Exits3-4\Environmental\ESR\Exit4\1stDraft\Exit%204%20ESR%2006292020%20-%20Draft.pdf>. A layout of the recommended alternative for the Exit 4 (Cliff Ave) interchange can be found in the Appendix tab. The layout should not be considered the ultimate design, but gives a general overview for overall layout, lane configurations, and proposed turn lane locations.

Structure 50-210-230 is on I229S over Cliff Ave and is a 3 span prestressed concrete bridge 183.2' in length that was built in 1959 and reconstructed in 1985. Structure 50-211-230 is on I229N over Cliff Ave and is a 3 span prestressed concrete bridge 183.2' in length that was built in 1959 and reconstructed in 1985.

## Additional Proposed Improvements:

I229 N&S Mainline Subgrade Width between the Median Crossovers West and East of Exit 4 - The typical section will be 3 - 12' lanes with 10' inside and outside shoulders.

41st Street - Realign 41st Street to obtain a 340' control of access spacing from the new Cliff Ave single point interchange and install a new traffic signal.

Cliff Ave from Park Road to the Lincoln High School Entrance north of Pam Road - Reconstruct Cliff Ave within the impacted interchange area shown in the layout in the Appendix tab. The lane widths on Cliff Ave will be 12' wide based on the City of Sioux Falls design standards and the IMJR's traffic analysis. A 6' sidewalk will be installed on the west side of Cliff Ave and a 10' shared-use path will be installed on the east side of Cliff Ave.

The City of Sioux Falls has the option to install 2 pedestrian underpasses for the shared-use path at their expense, but has decided not to move forward with that option at the time this project was scoped.

The Sioux Falls School District would like to have the ROW that is on their side of the current ROW fence in the



NE quadrant and prefer to have the first opportunity at all ROW no longer needed in the NE quadrant after the project.

The IMJR also recommended installing a traffic signal at the intersection of Cliff Ave & 38th Street to provide an acceptable LOS, and turn lane capacity improvements, storage lane extensions, and signal timing/coordination improvements along Cliff Ave outside the interchange area. These improvements will not be included in this project and will be responsibility of the City of Sioux Falls with a future project, as necessary.

ROW will be needed at the new interchange. The old grading plans indicate an existing 150' wide ROW from the center of the median throughout the entire project limits. Final ROW impacts will be determined during design. Based on the layout in the Appendix tab, there are several relocations needed for the preferred alternative. There will be impacts to commercial and industrial business as well as residences. Additional time will be required for relocation entitlements, valuations, and negotiating right of way.

A mainline crossover project PCN 07CY is currently programmed in 2024 for the Exit 4 (Cliff Ave) interchange reconstruction project.

An aerial map is available for reference in the Appendix tab.

More detail of the work above can be found in the Proposed Project Information tab.

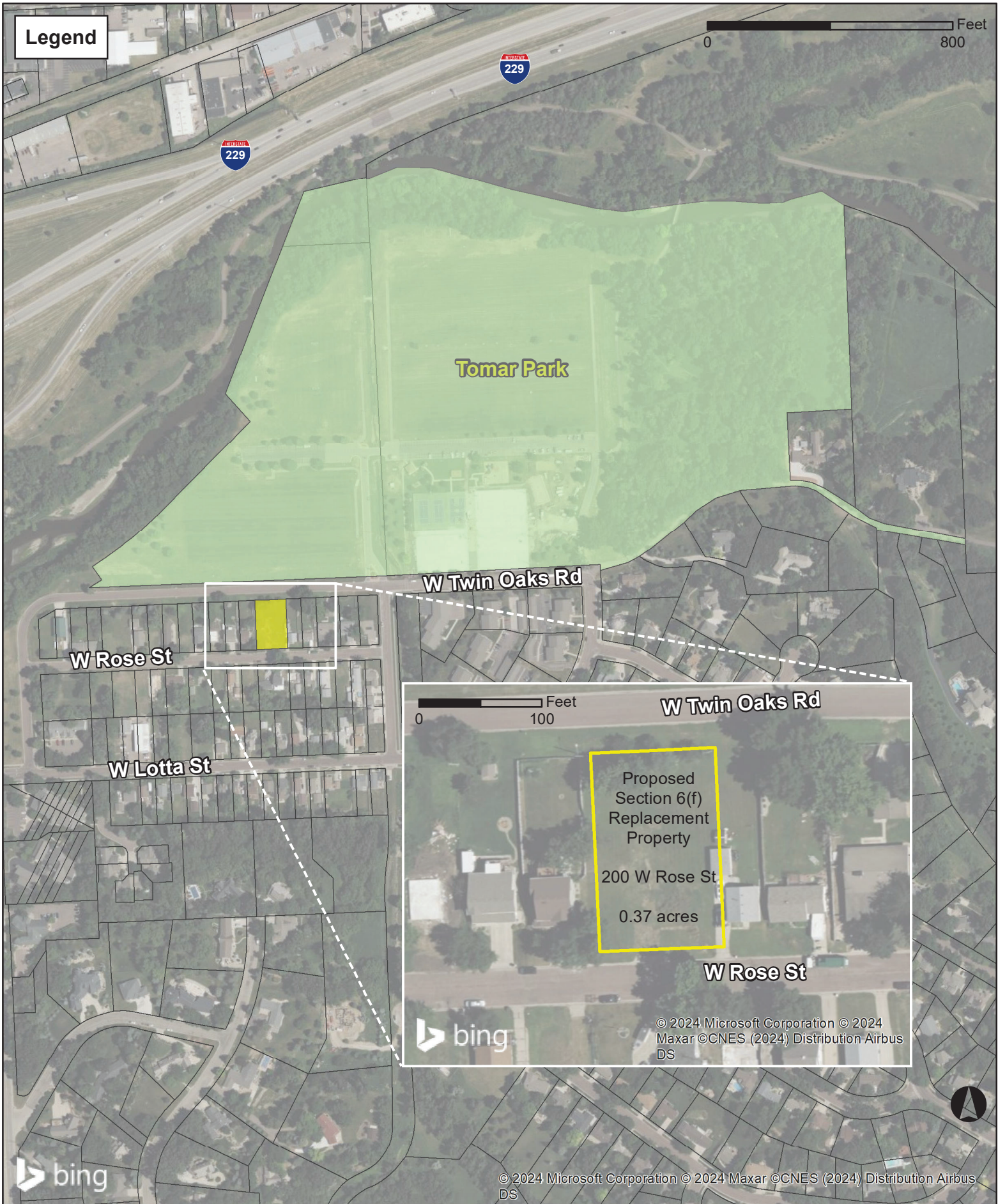
The Responsible Manager for this project is the Consultant Manager Pete Longman in the SDDOT Office of Road Design.

It is the responsibility of the Designer to ensure the project meets or exceeds the current minimum SDDOT design standards and policies. The Consultant Manager shall coordinate any improvements not included in the scope of work involving grading, ROW needs, inslope flattening, and/or pipe/drainage work with the Environmental Office and assigned Planning Engineer for any additional environmental clearances that may be required. The Consultant Manager shall verify with the Pavement Engineer that the surfacing recommendation provided in the Approved Scope is the most current recommendation before proceeding with the project design.

---

#### Improvement Types Quick Reference

Type	Included
Grading	Yes
Hydraulic	Yes
Maintenance	No
Rest Area/Building Sites	No
Research	No
Resurfacing/Surfacing	Yes
Right of Way	Yes
Railroad	No
Roadside Development	Yes
Safety	Yes
Structure	Yes
Traffic	Yes
ADA	No



**Legend**

0 800 Feet



**Tomar Park**

**W Twin Oaks Rd**

**W Rose St**

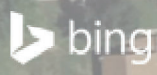
**W Lotta St**

**W Twin Oaks Rd**

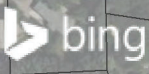
0 100 Feet

Proposed  
Section 6(f)  
Replacement  
Property  
200 W Rose St  
0.37 acres


**W Rose St**



© 2024 Microsoft Corporation © 2024 Maxar ©CNES (2024) Distribution Airbus DS



© 2024 Microsoft Corporation © 2024 Maxar ©CNES (2024) Distribution Airbus DS

	401 East 8th Street Suite 309 Sioux Falls, SD 57103 (605) 330-7000	Print Date: 6/19/2024 Source: Bing Maps,	<b>Proposed Section 6(f) Replacement Property</b> <i>I-229 Exit 4 (Cliff Avenue) Interchange</i> <i>Minnehaha County, SD</i>
		Map by: m/falk Projection: State Plane South Dakota S	



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
South Dakota Ecological Services Field Office  
420 South Garfield Avenue, Suite 400  
Pierre, SD 57501-5408  
Phone: (605) 224-8693 Fax: (605) 224-1416

In Reply Refer To:

07/15/2024 15:53:17 UTC

Project Code: 2024-0116090

Project Name: IM 2292(101), PCN 05HN, Minnehaha County

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see [Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service \(fws.gov\)](#).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**South Dakota Ecological Services Field Office**

420 South Garfield Avenue, Suite 400

Pierre, SD 57501-5408

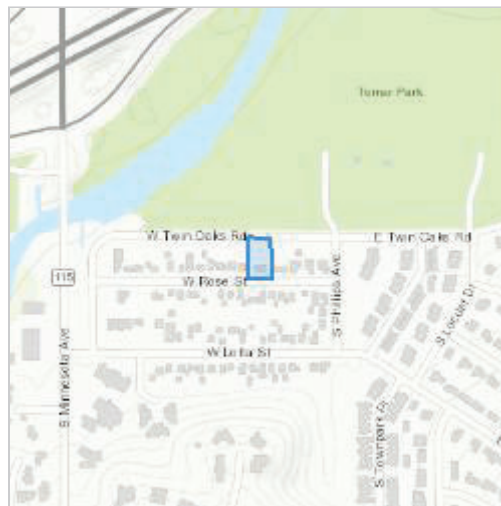
(605) 224-8693

## PROJECT SUMMARY

**Project Code:** 2024-0116090  
**Project Name:** IM 2292(101), PCN 05HN, Minnehaha County  
**Project Type:** Road/Hwy - Maintenance/Modification  
**Project Description:** The above referenced project is the I229 Exit 4 Interchange Project which includes: SDDOT Project #IM 2292(101), PCN 05HN, The City of Sioux Falls improvements to Cliff Avenue (CIP #11100) and bike path construction (#7 2023 Sioux Falls Bike Plan). This project was coordinated with the USFWS Pierre office on April 19, 2024. This coordination will update the project to include the 200 W Rose St parcel to the project as it is proposed to be used for Section 6(f) Conversion of Use replacement property.

### Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.5074264,-96.72760964979585,14z>



Counties: Minnehaha County, South Dakota

## ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

**MAMMALS**

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>This species only needs to be considered if the project includes wind turbine operations.</li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered

**BIRDS**

NAME	STATUS
Rufa Red Knot <i>Calidris canutus rufa</i> There is <b>proposed</b> critical habitat for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a>	Threatened

**INSECTS**

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

**FLOWERING PLANTS**

NAME	STATUS
Western Prairie Fringed Orchid <i>Platanthera praeclara</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1669">https://ecos.fws.gov/ecp/species/1669</a>	Threatened

**CRITICAL HABITATS**

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.



## **IPAC USER CONTACT INFORMATION**

Agency: South Dakota Department of Transportation  
Name: Chad Babcock  
Address: Becker-Hansen Building  
Address Line 2: 700 E Broadway  
City: Pierre  
State: SD  
Zip: 57501  
Email: chad.babcock@state.sd.us  
Phone: 6057733721



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
South Dakota Ecological Services Field Office  
420 South Garfield Avenue, Suite 400  
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In Reply Refer To:

07/15/2024 16:13:03 UTC

Project code: 2024-0116090

Project Name: IM 2292(101), PCN 05HN, Minnehaha County

Subject: Concurrence verification letter for the 'IM 2292(101), PCN 05HN, Minnehaha County' project under the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (NLEB).

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated July 15, 2024 to verify that the **IM 2292(101), PCN 05HN, Minnehaha County** (Proposed Action) may rely on the concurrence provided in the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures. **At least one of the qualification interview questions indicated an activity or portion of your project is consistent with a not likely to adversely affect determination therefore, the overall determination for your project is, may affect, and is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the endangered northern long-eared bat (*Myotis septentrionalis*).** Consultation with the Service pursuant to section 7(a)(2) of ESA (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required.

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances,

Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

**For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:** If your initial bridge/culvert or structure assessment documented signs of bat use or occupancy, or an assessment failed to detect Indiana bats and/or NLEBs, yet are later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of any potential take. In these instances, potential incidental take of Indiana bats and/or NLEBs is covered under the Incidental Take Statement in the 2018 FHWA, FRA, FTA PBO (provided that the take is reported to the Service).

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required.

**For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:**

If your initial bridge/culvert or structure assessments failed to detect Indiana bats and/or NLEB use or occupancy, yet bats are later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of the incident. In these instances, potential incidental take of Indiana bats and/or NLEBs may be exempted provided that the take is reported to the Service.

If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

The following species may occur in your project area and **are not** covered by this determination:

- Monarch Butterfly *Danaus plexippus* Candidate
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Western Prairie Fringed Orchid *Platanthera praeclara* Threatened

## **PROJECT DESCRIPTION**

The following project name and description was collected in IPaC as part of the endangered species review process.

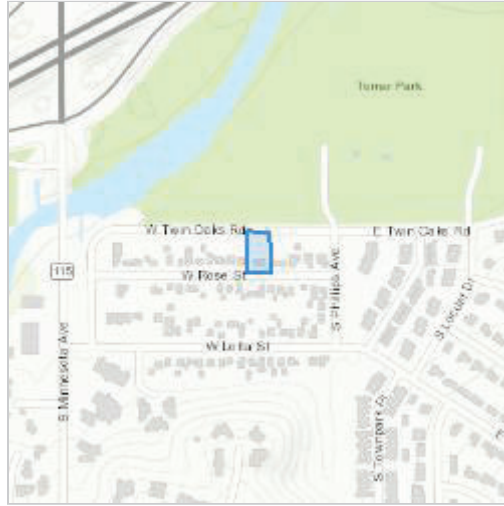
### **NAME**

IM 2292(101), PCN 05HN, Minnehaha County

### **DESCRIPTION**

The above referenced project is the I229 Exit 4 Interchange Project which includes: SDDOT Project #IM 2292(101), PCN 05HN, The City of Sioux Falls improvements to Cliff Avenue (CIP #11100) and bike path construction (#7 2023 Sioux Falls Bike Plan). This project was coordinated with the USFWS Pierre office on April 19, 2024. This coordination will update the project to include the 200 W Rose St parcel to the project as it is proposed to be used for Section 6(f) Conversion of Use replacement property.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.5074264,-96.72760964979585,14z>



## DETERMINATION KEY RESULT

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the endangered northern long-eared bat, therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

## QUALIFICATION INTERVIEW

1. Is the project within the range of the Indiana bat<sup>[1]</sup>?

[1] See [Indiana bat species profile](#)

**Automatically answered**

No

2. Is the project within the range of the northern long-eared bat<sup>[1]</sup>?

[1] See [northern long-eared bat species profile](#)

**Automatically answered**

Yes

3. Which Federal Agency is the lead for the action?

A) *Federal Highway Administration (FHWA)*

4. Are *all* project activities limited to non-construction<sup>[1]</sup> activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces<sup>[1]</sup>?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum<sup>[1]</sup>?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

7. Is the project located **within** a karst area?

*No*

8. Is there *any* suitable<sup>[1]</sup> summer habitat for Indiana Bat or NLEB **within** the project action area<sup>[2]</sup>? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat](#).

*Yes*

9. Will the project remove *any* suitable summer habitat<sup>[1]</sup> and/or remove/trim any existing trees **within** suitable summer habitat?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

*Yes*

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

*No*

11. Have presence/probable absence (P/A) summer surveys<sup>[1][2]</sup> been conducted<sup>[3][4]</sup> **within** the suitable habitat located within your project action area?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

[4] Negative presence/probable absence survey results obtained using the [summer survey guidance](#) are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

*No*

12. Does the project include activities **within documented NLEB habitat**<sup>[1][2]</sup>?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

13. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

Yes

14. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?

*B) During the inactive season*

15. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?

Yes

16. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

No

17. Are *all* trees that are being removed clearly demarcated?

Yes

18. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?

No

19. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

No

20. Does the project include slash pile burning?

No

21. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

Yes

22. Is there *any* suitable habitat<sup>[1]</sup> for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.

Yes



23. Has a bridge assessment<sup>[1]</sup> been conducted **within** the last 24 months<sup>[2]</sup> to determine if the bridge is being used by bats?

[1] See [User Guide Appendix D](#) for bridge/structure assessment guidance

[2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

Yes

#### **SUBMITTED DOCUMENTS**

- *Minn05HN NLEB Habitat Survey.pdf* <https://ipac.ecosphere.fws.gov/project/NRKNPQNAIBAARPLHE4VFJ3OGXE/projectDocuments/146309020>
- *Minn05HN\_ NLEB Habitat Survey Trees.pdf* <https://ipac.ecosphere.fws.gov/project/NRKNPQNAIBAARPLHE4VFJ3OGXE/projectDocuments/146309023>

24. Did the bridge assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/under the bridge (bats, guano, etc.)<sup>[1]</sup>?

[1] If bridge assessment detects signs of *any* species of bats, coordination with the local FWS office is needed to identify potential threatened or endangered bat species. Additional studies may be undertaken to try to identify which bat species may be utilizing the bridge prior to allowing *any* work to proceed.

Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

No

25. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

Yes

26. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

No

27. Will the project involve the use of **temporary** lighting *during* the active season?

No

28. Will the project install *any* new or replace any existing **permanent** lighting in addition to the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities?

No

29. Does the project include percussives or other activities (**not including tree removal/trimming or bridge/structure work**) that will increase noise levels above existing traffic/background levels?

Yes

30. Will the activities that use percussives (**not including tree removal/trimming or bridge/structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the active season<sup>[1]</sup>?

[1] Coordinate with the local Service Field Office for appropriate dates.

No

31. Are *all* project activities that are **not associated with** habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?

Examples: lining roadways, unlighted signage , rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

32. Will the project raise the road profile **above the tree canopy**?

No

33. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) and/or increase noise levels above existing traffic/background levels consistent with a No Effect determination in this key?

**Automatically answered**

*Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the inactive season*

34. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

**Automatically answered**

*Yes, because the tree removal/trimming that occurs outside of the NLEB's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.*

35. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

**Automatically answered**

*Yes, because the bridge has been assessed using the criteria documented in the BA and no signs of bats were detected*

**36. General AMM 1**

Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

Yes

**37. Tree Removal AMM 1**

Can *all* phases/aspects of the project (e.g., temporary work areas, alignments) be modified, to the extent practicable, to avoid tree removal<sup>[1]</sup> in excess of what is required to implement the project safely?

Note: Tree Removal AMM 1 is a minimization measure, the full implementation of which may not always be practicable. Projects may still be NLAA as long as Tree Removal AMMs 2, 3, and 4 are implemented and LAA as long as Tree Removal AMMs 3, 5, 6, and 7 are implemented.

[1] The word “trees” as used in the AMMs refers to trees that are suitable habitat for each species within their range. See the USFWS’ current summer survey guidance for our latest definitions of suitable habitat.

Yes

**38. Tree Removal AMM 3**

Can tree removal be limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits)?

Yes

**39. Tree Removal AMM 4**

Can the project avoid cutting down/removal of *all* (1) **documented**<sup>[1]</sup> Indiana bat or NLEB roosts<sup>[2]</sup> (that are still suitable for roosting), (2) trees **within** 0.25 miles of roosts, and (3) documented foraging habitat any time of year?

[1] The word documented means habitat where bats have actually been captured and/or tracked.

[2] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

Yes

## PROJECT QUESTIONNAIRE

1. Please describe the proposed bridge work:

*The project will include the removal and replacement of two I229 bridges over Cliff Ave in Sioux Falls. A habitat survey was completed in April 2024 which did not identify suitable habitat on the bridge structures.*

2. Please state the timing of all proposed bridge work:

*Spring, summer, and fall of 2025*

3. Please enter the date of the bridge assessment:

*April 10, 2024*

4. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?

*Yes*

5. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?

*No*

6. How many acres<sup>[1]</sup> of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

*0.36*

## **AVOIDANCE AND MINIMIZATION MEASURES (AMMS)**

This determination key result includes the commitment to implement the following Avoidance and Minimization Measures (AMMs):

### **TREE REMOVAL AMM 1**

Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal.

### **TREE REMOVAL AMM 2**

Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed.

### **TREE REMOVAL AMM 3**

Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).

### **TREE REMOVAL AMM 4**

Do not remove **documented** Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or **documented** foraging habitat any time of year.

### **GENERAL AMM 1**

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

## **DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING NLEB OR INDIANA BAT**

This key was last updated in IPaC on October 30, 2023. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the endangered **northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion \(dated March 23, 2023\) for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

## **IPAC USER CONTACT INFORMATION**

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