FEDERAL HIGHWAY ADMINISTRATION
RECORD OF DECISION
FHWA-IOWA-EIS-08-01-F

I-29 Sioux City Interstate Study
Woodbury County, Iowa
IM-029-6(168)146--13-97

I. Decision

FHWA, in coordination with Iowa DOT and public input, identified Alternative B as the Selected Alternative for the proposed improvements to I-29, as described in the Final Environmental Impact Statement (EIS). Alternative B was identified as the Selected Alternative after reviewing all the reasonable alternatives under consideration (including the No-Build Alternative) with respect to their ability to meet the project purpose and need. The Selected Alternative is described in Section II of the Record of Decision. Figures 2-1a, 2-1b, and 2-1c in the Final EIS illustrate the Selected Alternative. The reader is also referred to the Final EIS for additional background information pertaining to the Selected Alternative (Alternative B), including potential impacts and mitigation solutions.

The alignment for the Selected Alternative has not been modified from the Draft EIS. No comments received from the public or agencies required the evaluation of additional or different alternatives than what was presented in the Draft EIS. Agency support for the Selected Alternative is discussed in Section 4, *Comments and Coordination* of the Final EIS.

II. Alternatives Considered

No Build Alternative

The no-build alternative is defined as no new major construction along the I-29 corridor. It does not meet the project purpose and need, but was carried forward as a basis for comparison for the build alternatives and is required to be considered by NEPA, as implemented through 40 Code of Federal Regulations (CFR) 1502.14. Improvements implemented with the no-build alternative would be limited to short-term restoration activities (maintenance improvements) needed to ensure continued roadway pavement and the structural integrity of the bridges over the Floyd River and Bacon Creek. The design of the existing roadway, including its location, geometric features, and current capacity constraints, would remain unchanged. Under this alternative, some minor improvements at high volume ramp intersections could occur. Under the no-build alternative, it is assumed that other committed and planned improvements (as detailed in Iowa DOT multi-year programs for the Sioux City Metropolitan Area) would still be undertaken and that safety concerns identified in the Final EIS Section 1 *Purpose and Need*, would still remain.

Alternative A

The Final EIS identified that Alternative A includes the construction of 15 different bridge locations along I-29 and a full access interchange at I-29 and Floyd Boulevard (northbound

exit/entrance and southbound exit/entrance), which separates industrial traffic from downtown commercial traffic. The northbound entrance ramp from Floyd Boulevard and the southbound exit ramp to Floyd Boulevard are braided with ramps to and from downtown because of the short distance between interchanges.

The interchange for downtown provides access to and from Nebraska Street and Pierce Street, similar to the existing downtown interchange. Direct northbound exit access and direct southbound exit and entrance access to downtown are provided. Northbound entrance access from downtown occurs by way of a frontage road and the Wesley Parkway Interchange.

One-way frontage roads parallel I-29 on the north and south sides between Nebraska Street and Wesley Parkway. Access from Gordon Drive to Nebraska Street or Pierce Street occurs by way of connector roadways to the frontage roads. The westbound Gordon Drive connector begins at Virginia Street and merges with the north side frontage road at approximately Jackson Street. The eastbound connector diverges from the south side frontage road at about Jackson Street and crosses under I-29 to rejoin existing Gordon Drive at Virginia Street. Existing Gordon Drive serves as a local circulation street from Jennings Street to Nebraska Street.

Northbound exit and entrance ramps provide direct access to and from Wesley Parkway. Southbound access to Wesley Parkway occurs through the south side frontage road and the Hamilton Boulevard exit ramp. Southbound access from Wesley Parkway occurs through the south side frontage road and the Nebraska/Pierce Street interchange. The existing Wesley Parkway Interchange will be reconstructed as a two-level interchange.

Third Street was extended to Wesley Parkway to provide additional access from Wesley Parkway to downtown.

Alternative A provides for a full access interchange at Hamilton Boulevard. The northbound exit ramp to Hamilton Boulevard and the southbound entrance ramp from Hamilton Boulevard are located on frontage roads between Wesley Parkway and Hamilton Boulevard because of short distance between interchanges.

Alternative B – Selected Alternative

The Final EIS identified that Alternative B includes the construction of 13 different bridge locations along I-29 and is shown in Final EIS Figures 2-3a, b, c, *Alternatives Carried Forward*. The Selected Alternative is also attached as Appendix A. Access to Floyd Boulevard and to downtown is combined in the form of a split-diamond[1] interchange with ramps connecting from I-29 to Floyd Boulevard and Virginia Street. One-way frontage roads on both sides of I-29 provide a connection between Floyd Boulevard and Virginia Street. The south side frontage road originates at Pierce Street and crosses under I-29, providing additional access from downtown. A separate, dedicated northbound exit ramp braided over the northbound Floyd Boulevard entrance ramp provides direct northbound access to downtown at Nebraska Street.

[1] Split diamond interchange ramp pairs connect to separate crossroads a short distance apart.

Full access to and from Wesley Parkway is provided except for southbound access to Wesley Parkway, which occurs by way of a south side frontage road and the Hamilton Boulevard exit ramp. The existing Wesley Parkway Interchange will be reconstructed as a two-level interchange.

Gordon Drive will be shifted to the north in the vicinity of Pearl Street to accommodate the reconstructed I-29 alignment. The one way westbound connection from Gordon Drive to Wesley Parkway will be maintained.

3rd Street extends to Wesley Parkway to provide additional access from Wesley Parkway to downtown, as in Alternative A.

A full access interchange is provided for Hamilton Boulevard. North side and south side frontage roads extend from Wesley Parkway to Hamilton Boulevard and ramps to and from I-29 merge onto and diverge from the frontage roads.

FHWA, in coordination with Iowa DOT and public input, identified Alternative B as the Selected Alternative for the following reasons:

- Evaluation of the existing and planned transportation network indicated that Alternative B would best meet the project purpose and need.
- Alternative B would satisfy traffic operations criteria at all locations.
- Alternative B would separate Floyd Boulevard traffic from downtown traffic, per stakeholder preference.
- Alternative B would provide more convenient local access during construction compared to the other two alternatives.
- Alternative B received the most support from stakeholders and agencies.
- Alternative B would take less time to construct compared to the other alternatives.
- Alternative B would reduce the number of I-29 entrances and exits by consolidating Floyd Boulevard and downtown access, per agency preference.
- Alternative B would minimize parkland impacts.

Alternative B is also the environmentally preferred alternative. Subsequent to the Draft EIS, FHWA and Iowa DOT (the signatory agencies) further evaluated potential impacts, as discussed in Final EIS Section 3, *Environmental Analysis* and reviewed the comments received on the Draft EIS, as addressed in Final EIS Section 4, *Comments and Coordination*. Based on the updated information obtained in this manner, the signatory agencies decided that the Selected Alternative to implement for the project is Alternative B.

The alignment for the Selected Alternative has not been modified from the Draft EIS. No comments received from the public or agencies required the evaluation of additional or different alternatives than what was presented in the Draft EIS. Agency support for the Selected Alternative is discussed in Final EIS Section 4, *Comments and Coordination*.

Alternative C

The Final EIS identified that Alternative C includes the construction of nine different bridge locations along I-29 and maintains the existing interchange access at Floyd Boulevard and at Hamilton Boulevard. Access provided by the existing interchange at Nebraska Street/Pierce Street in Alternative C is consolidated with the Wesley Parkway interchange, with ramp access to Pearl Street, which extends to cross under I-29.

The Floyd Boulevard interchange was reconfigured as a tight diamond[2] interchange which eliminated existing ramp connections to Dace Avenue. An auxiliary lane was provided on northbound and southbound I-29 between the Floyd Boulevard interchange and the Wesley Parkway/Pearl Street interchange.

The consolidated Wesley Parkway/Pearl Street Interchange was designed as a split diamond interchange along with a rebuilt two-level Wesley Parkway interchange. The Wesley Parkway and Pearl Street interchanges were connected with one-way frontage roads paralleling I-29. Both interchanges shared common I-29 entrance and exit ramps. Because of the tight spacing of the Wesley Parkway and Hamilton Boulevard interchanges, the northbound I-29 entrance ramp was grade separated ("braided") over the I-29 northbound exit ramp to Hamilton Boulevard. The southbound I-29 exit ramp to Wesley Parkway was also "braided" with the Hamilton Boulevard entrance ramp because of tight interchange spacing.

Wesley Parkway existing alignment was maintained and a two-way connection to 3rd Street was added. The Hamilton Boulevard interchange was maintained as a diamond interchange with modified ramp geometry to accommodate the "braided" ramps necessary because of the close spacing of the Hamilton Boulevard and Wesley interchanges.

III. Section 4(f)

On October 22, 2007, the FHWA concurred that the level of documentation needed for the type of impacts from the proposed project on Section 4(f) property was "*de minimis*". The Sioux City Parks and Recreation Department concurred that the impacts to Chris Larsen Park would not impact the activities, features, or attributes of the park in a letter dated January 24, 2008. The impacts from the three build alternatives to the Section 4(f) property was presented at the May 22, 2008 Public Hearing. More information about the May 22, 2008 Public Hearing is included in Final EIS Section 4.0, *Comments and Coordination*. No public comments concerning the impacts to the Section 4(f) property were received during the comment period of the Draft EIS.

IV. Measures to Minimize Harm

A variety of measures have been identified to mitigate social, economic, and environmental impacts associated with the construction of the Selected Alternative. The specific elements of the proposed mitigation plan are detailed in the Final EIS. Commitments typically include components that will be incorporated in the final design of the Selected Alternative and mitigation measures that will be implemented as part of the construction project. This project

[2] Diamond interchange with ramp terminal intersections spaced about 250 to 400 feet apart.

will comply with all federal and state laws and regulations which are applicable at the time of permitting.

All practicable measures to minimize environmental harm have been incorporated into the decision. These measures are noted in "bold" text.

A. Right of Way Acquisition and Business Relocation

The proposed improvements to I-29 in the project study area would use both existing and additional right-of-way throughout the corridor. As a result of new right-of-way acquisition, there would be direct conversions of commercial and industrial property to roadway uses. Given the absence of residential uses in the area, there would be no conversion of residential lands to roadway uses. Approximately 15.0 acres of new roadway right-of-way will be converted to roadway uses for the construction of the Selected Alternative. Of the 15.0 acres, 8.1 acres of the new right-of-way needed will be converted from commercial uses and 6.7 acres will be converted from public and utility uses. Of the 6.7 acres approximately 0.7 acres is owned by the State of Iowa. Approximately 0.2 acre of railroad right-of-way and less than 0.1 acre of industrial use property be converted to public roadway right-of-way.

Business displacements that would occur with right-of-way needed for the Selected Alternative will be concentrated in the downtown commercial area of Sioux City, typically in the Leech Avenue, Dace Avenue, and Gordon Drive areas northeast of the existing I-29 right-of-way. Another area of potential business relocations is the Tri-View Avenue area north of I-29 between the Hamilton Boulevard and Wesley Parkway Interchanges. The Selected Alternative will potentially require the displacement and relocation of one commercial billboard structure, seven businesses, and a total of nine buildings associated with those businesses.

All relocation and right-of-way acquisition will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.

B. Utilities

The Selected Alternative would require the relocation of existing public and private utilities found within the existing I-29 right-of-way as well as those adjacent or in close proximity to the right-of-way. The types of required utility relocations would be typical of projects involving the construction of roadways utilizing both existing and expanded right-of-way. Utility impacts could include fiber optic cable, overhead and underground electric lines, gas mains, telephone cable and cable TV lines, water main, and sanitary and storm sewers.

Additional information about the relocation of the public utilities was included in Final EIS Section 3.2, *Updates to the Environmental Analysis*. Approximately 3,000 linear feet of existing water main is planned to be relocated or abandoned. Water main currently

located under the existing I-29 pavement must be abandoned and water main located within proposed new right-of-way that conflicts with the Selected Alternative must be relocated. In addition, approximately 18,000 linear feet of existing sanitary sewer is planned to be relocated or abandoned because of conflicts with the proposed pavement location of the proposed Selected Alternative.

The majority of the properties located in the project study area are considered recognized environmental conditions (REC) sites. The level of risk associated with these sites are described in Final EIS Section 3.12, *Regulated Materials,* section and are shown in Figures 3-5a, b, and c, *Regulated Materials*, of the Draft EIS document. It is likely that the relocation of the water and sewer mains would come into contact with contaminated soil. The relocation of the water main would impact low risk REC sites. The relocation of the sanitary sewer main would impact two low risk REC sites and possibly one high risk REC site, depending on which option is selected near the Floyd River Lift Station. **Special provisions will be written into the construction documents that address both the materials needed for pipe being placed into the ground and the methods of constructing in areas where contamination may be present. Some containment methods may be determined to include lower cost solutions as appropriate and feasible, such as capping or plugs to prevent contaminant migration.**

C. Environmental Justice

The Selected Alternative will not have disproportionately high and adverse human health or environmental effects to any minority population or low income populations.

D. Property Taxes

A short-term property tax revenue loss would occur in the City of Sioux City resulting from the conversion of taxable land into non-taxable transportation right-of-way use with construction of the Selected Alternative.

Approximately $2 million dollars of taxable property value would be eliminated due to the conversion of land and structures to public right-of-way as a result of construction of the Selected Alternative. This taxable value represents 0.09 percent of the total taxable value in the City of Sioux City and would result in the loss of approximately $90,200 in annual property tax revenues. **The immediate loss of taxable property value is expected to be offset over time with redevelopment projects that will occur consistent with the City of Sioux City's land use and redevelopment planning. There has been redevelopment occurring near the project area and the anticipated improvements represent continued investment into the core area of Sioux City. As such, the project improvements will complement other public works and private sector activities to improve access to new businesses and also serve to facilitate and attract new businesses near the project area.**

E. Surface Water

The Selected Alternative is located adjacent to the Missouri River. Most of the corridor area drains into the Missouri River either directly or via tributaries. The existing I-29 corridor in Woodbury County crosses the Floyd River, Perry Creek, and Bacon Creek.

An impact analysis was conducted to approximate the effect of the Selected Alternative impact to stormwater peak flows in the project study area. The amount of pervious area to be covered by additional pavement (beyond the existing pavement footprint) was calculated. The Selected Alternative would result in less than one percent increase in runoff and a negligible change in peak flows. The Selected Alternative would increase the amount of pavement in the project study area by approximately 30 percent. This would increase the amount of deicing chemicals used during inclement winter weather by approximately 30 percent. Therefore, it is expected that the concentration of pollutants found in stormwater runoff would be higher under the Selected Alternative than under existing conditions especially in the spring when the snow melts.

As required in Iowa DOT's *Construction Manual,* construction in or near the Floyd River, Bacon Creek, and Missouri River will require compliance with all federal and state laws, local ordinances, and regulations that affect the conduct of the work. This includes meeting the requirements of the National Pollutant Discharge Elimination Permitting (NPDES)[3] for construction affecting areas greater than one acre. Implementation of erosion control measures known as Best Management Practices (BMPs) and other construction techniques would minimize erosion and sedimentation to the extent practicable. The application of these construction practices would reduce the effects of turbidity and sedimentation in the Floyd River, Bacon Creek, and Missouri River. The proposed Selected Alternative would be designed to meet the NPDES stormwater runoff management requirements to minimize impacts to water quality.

F. Wetlands and Waters of the U.S.

The Selected Alternative would result in a 0.1 acre impact to the wetland near Floyd Boulevard which would be considered a minimal impact under the U.S. Army Corps of Engineers (USACE) Section 404 Nationwide Permit process. Complete avoidance of wetland impacts was not possible due to the need to balance avoidance of other impacts, such as property acquisition, while satisfying the transportation need with a cost-effective project. There is no practicable alternative to the proposed construction in wetlands, and the Selected Alternative includes all practicable measures to minimize harm to wetlands which may result from such use.

[3] The NPDES is a federal program implemented by the EPA through the Iowa Department of Natural Resources intended to regulate stormwater discharges associated with construction activity.

G. Floodplains

The Selected Alternative crosses the Floyd River, Perry Creek, and Bacon Creek. These tributaries of the Missouri River have been mapped as part of Sioux City's participation in the National Flood Insurance Study Program (NFIP). Bacon Creek has a 100 year floodplain but no floodway. Perry Creek and the Floyd River have a 100 year floodplain and a floodway.

Hydrologic modeling showed that the overall impact of the Selected Alternative would be negligible because of the large size of the floodplain in comparison to the limited width of floodplain encroachment. More information about impacts to floodplains is included in Final EIS Section 3.2, *Updates to the Environmental Analysis*.

More detailed design investigations have determined that the bearing capacity of the Perry Creek conduit's timber pile foundation would not support the additional loads of the proposed widened I-29 cross section. This affects the viability of reconstructing the I-29 section on-grade as an alternative for crossing the conduit. Three other alternatives for the I-29 crossing of Perry Creek, with varying I-29 profile impacts, were under consideration. These alternatives include:

- Alternative 1: I-29 bridges over an unmodified Perry Creek conduit.
- Alternative 2: I-29 bridges over a modified Perry Creek conduit.
- Alternative 3: Reconstruction of the Perry Creek conduit beneath I-29.

Each of these alternatives was evaluated in the Final EIS to determine potential Perry Creek floodplain impacts. There are no anticipated ramifications for the existing Perry Creek conduit's size and capacity associated with the construction of the bridges. As a result, no floodplain impacts would occur to the Perry Creek floodplain. Perry Creek Crossing Alternative 1 was chosen by the project's management team as the recommended crossing with the least potential impact to the creek and the fewest roadway profile impacts.

The USACE will review the I-29 improvement project's preliminary plans for construction activity in the vicinity of the Perry Creek Flood Damage Reduction Project. USACE has requested that the design of I-29 improvements make provisions for floods in excess of the capacity of Perry Creek to ensure that flows in excess of the channel and natural conduit capacity will not impede the natural flow path into the Missouri River. The Iowa DOT's project design team will submit Preliminary Plans to the attention of the USACE Readiness Branch for review and will continue to coordinate with the USACE regarding the Perry Creek floodplain and Perry Creek Flood Damage Reduction Project.

In addition, the Iowa DOT will observe and evaluate an erosion control weir within the channel and downstream of the existing I-29 Floyd River bridge crossing. The Iowa DOT will assess the possibility of increased scour risk to a proposed new structure at the Floyd River, which will be constructed in association with the

Selected Alternative. If the Iowa DOT observance and evaluation of the weir is determined to present an increased scour risk for the new bridge, then the Iowa DOT will request the owner's attention to the issue.

H. Cultural Resources

The Selected Alternative would impact approximately 0.7 acres of a parking lot associated with the Municipal Auditorium/Tyson Events Center, which is currently in the process of being listed on the NRHP. Despite the impacts to the parking lot no impacts would occur to the Municipal Auditorium building. On October 22, 2007, the FHWA concurred that no use of the Municipal Auditorium building would occur by constructing the Selected Alternative**.** In a letter dated June 6, 2008, the U.S. Department of Interior agreed with FHWA "that properties identified as eligible for Section 4(f) consideration would not be adversely affected by the project." This letter is included in Section 4, *Comments and Coordination* of the Final EIS.

I. Park and Recreation Areas

The Selected Alternative would require the acquisition of approximately 4.1 acres of Chris Larsen Park, or approximately 3.6 percent of the park area. Of the 4.1 acres, the State of Iowa owns approximately 0.7 acres and the City of Sioux City owns 3.4 acres. Existing park property that would be needed for incorporation in roadway right-of-way is located adjacent to the existing right-of-way and is not actively used other than for passive-use open space. Some minor amounts of paved ground would also be incorporated into new roadway right-of-way. Temporary construction impacts to three trails (Lewis & Clark Trail, Perry Creek Trail, and Floyd River Trail) are likely to occur during construction and may require the temporary closure of the trail. **With the completion of construction, short-term trail closure will be reopened and the trail system will no longer be impacted.** Additional information concerning impacts to trails is included in Final EIS Section 3.2, *Updates to Environmental Analysis*.

J. Regulated Materials

The Selected Alternative would impact 2.0 acres (3.56 percent) of potentially contaminated properties in the project corridor. The recognized environmental conditions (REC) sites with the most potential impact under the Selected Alternative include 1100 Tri-View Ave (I L L Inc.), 205 S. Court (Mid-American Dairymen), 301 S. Floyd (Nguyen Liquors, INC), 514 S. Floyd (Nutra-Flo Company), 1005 Gordon Drive (Holiday Station), 1200 Bluff Road (John Morrell & Co.), and 1101 Tri-View Ave (Sioux City Wastewater Treatment Plant). In addition, contaminated soil was recently encountered during completion of a geotechnical soil boring just north of the existing mainline and east of the Perry Creek conduit. These sites have potential soil and groundwater contamination or they generate regulated material waste on-site.

Further consideration of contaminated sites and regulated materials in the vicinity of the Selected Alternative may be necessary to prevent any future migration of existing subsurface contaminants, and address potential liability associated with

purchase of those parcels. A Phase II subsurface assessment may become necessary during the design phases of the project if it appears that the potential to disturb regulated sites is unavoidable. Any structures acquired for the project will be tested for asbestos-containing materials before demolition.

K. Visual Impacts

In general, the viewshed in the project study area would be similar to what currently exists if the Selected Alternative was constructed. I-29 would be wider, with six travel lanes instead of four, and some of the entrance and exit ramps would be slightly relocated. The overall visual impact to the corridor would be negligible since the aesthetic appeal would remain relatively unchanged.

The Iowa DOT will continue to partner with the City of Sioux City on appropriate aesthetic treatments associated with the Selected Alternative to integrate design features of the proposed project with planned visual and aesthetic themes chosen by the community for public corridors. Several conceptual designs were prepared in 2008 to provide an opportunity for public comment on potential themes and treatments to visually integrate the Selected Alternative into the urban fabric. As the project progresses through the design development phases, aesthetic concepts are expected to change and evolve. The level of aesthetic enhancements identified in the design plans and implemented in the final project will be dependent on the amount of local contributions provided for these items. The Iowa DOT cannot fund all of the enhancements through basic project funds and therefore will continue to partner with the City of Sioux City for needed local financial support to incorporate many of the design ideas identified.

V. Monitoring or Enforcement Program

The proposed project is subject to further review by federal and state agencies and local units of government during final design. Several permits will be required prior to the commencement of construction. The review and permit process will be implemented in cooperation with the appropriate regulatory agencies.

VI. Comments on the Final EIS

Written comments on the I-29 improvement project's Final EIS were accepted until April 2, 2009. Three written comments (including letters and emails) were received during the public comment period, including correspondence from regulatory agencies, local governments, interest groups, elected officials, and private citizens. Appendix B includes Final EIS comments.

The substantive comments specific to the adequacy of the Final EIS content or process are summarized and responses provided below. No response is provided for statements of preference, statements of fact, general opinions, or comments agreeing with the project information. Many of the comments received addressed similar aspects of the Final EIS content

or process. These have been summarized below and are responded to in common. Where appropriate, responses have been provided to specific, substantive comments.

United States Army Corps of Engineers (USACE), March 17, 2009:

Comment: The USACE requested that a Section 404 permit application, wetland delineation and a wetland mitigation plan should be submitted if more than $1/10^{th}$ of an acre (0.1 acres) of wetlands will be impacted. USACE also asked that in addition to wetlands, that impacts to Waters of the U.S. also be considered.

Response: The Selected Alternative will impact $1/10^{th}$ (0.1 acre) of wetland and therefore a Section 404 permit will not be necessary. The Iowa DOT will monitor potential wetland impacts during final design and if plans indicate the Selected Alternative will unavoidably impact more than $1/10^{th}$(0.1 acre), a Section 404 permit application, wetland delineation, and wetland mitigation plan will be submitted to the USACE.

Iowa Department of Natural Resources (IDNR), April 3, 2009:

Comment: The IDNR requested that the following permits and construction impact mitigation activities be considered as applicable based on proposed construction activities:

1. Sovereign Lands Construction Permit – for work to be conducted within Chris Larson City Park
2. IDNR Stormwater Discharge Permit – for construction activity greater than or equal to one acre of grading, clearing, or excavation.
3. All persons should take reasonable responsibility for the control of fugitive dust potentially emitted beyond the construction limits in accordance with IAW Iowa Administrative Code 567-23.3(2)"c".

Response: It is likely given the project's anticipated construction limits and planned activities that the aforementioned permits may become necessary. The Iowa DOT currently owns land that will be disturbed by construction activities in Chris Larsen Park. The planned construction area is not expected to affect sovereign lands under the jurisdiction of the Iowa Natural Resource Commission. The Iowa DOT will therefore apply for the IDNR Sovereign Lands Construction Permit and IDNR Stormwater Discharge Permit if it appears that unavoidable impacts to sovereign lands managed by the Iowa Natural Resource Commission will occur or greater than or equal to one acre of grading, clearing, or excavation will occur. Construction work that has the potential to emit fugitive dust beyond construction limits will be controlled by standard provisions written into Iowa DOT plans and specifications. Contractors will be advised to observe precautions to control fugitive dust based on weather conditions and sensitive land uses in the vicinity of the project in accordance with IAW Iowa Administrative Code 567-23.3(2)"c".

United States Environmental Protection Agency (EPA), Undated and Received by Iowa DOT – Office of Location and Environment on May 6, 2009:

Comment: In its DEIS comment letter, dated June 6, 2008, the EPA recommended including an analysis of potential environmental impacts related to the relocation of approximately 9,000 feet of sanitary sewer as described in paragraph 3.1.6 Utilities. In addition, the EPA recommended that the areas for relocation should be identified to avoid all "regulated materials" sites to prevent further contamination and suggested developing a strategy to handle any hazardous substances that may be encountered during construction. While section 3.2 of the FEIS did include an updated utilities section, the EPA noted there is an additional 3000 linear feet of existing water main included in the FEIS that was not mentioned in Section 3.1.6 Utilities of the DEIS. Also included as an update under the Utilities section in the FEIS is an additional 3,400 linear feet, for a new total of 12,400 linear feet of sanitary sewer lines that are to be relocated or abandoned. The FEIS states that the relocation or abandonment is due to "conflicts with the proposed pavement location of the Preferred Alternative." The EPA chose to highlight this difference in order to improve coordination of the additional increment of sewerage among all parties associated with this project.

Response: Comments are noted and recommendation will be further considered during the project's preliminary design.

Comment: The EPA noted that Section 3.2 of the FEIS states that "it is likely that the relocation of the water and sewer mains would come into contact with contaminated soil," some of which have the potential to impact high risk recognized environmental conditions (REC) sites. While mitigation measures are included, the EPA again recommends that if possible, the relocation areas should make the best attempt to avoid any regulated materials or REC sites. If this is not feasible, the smallest possible area and/or the lowest risk area should be considered.

Response: Comments are noted and recommendations will be further considered during the project's preliminary design.

Comment: The EPA noted that FEIS Table 3.3 Relocation of Sanitary Sewer provides three options (A, B, and C) for possible relocation but does not identify the preferred option of the three.

Response: The preferred option for the relocation of the sanitary sewer will be determined during the project's preliminary design, when interrelated design details will become known and be further evaluated. The most appropriate solution will be determined at that time, including consideration of potential consequences for the selection.

VII. Conclusion

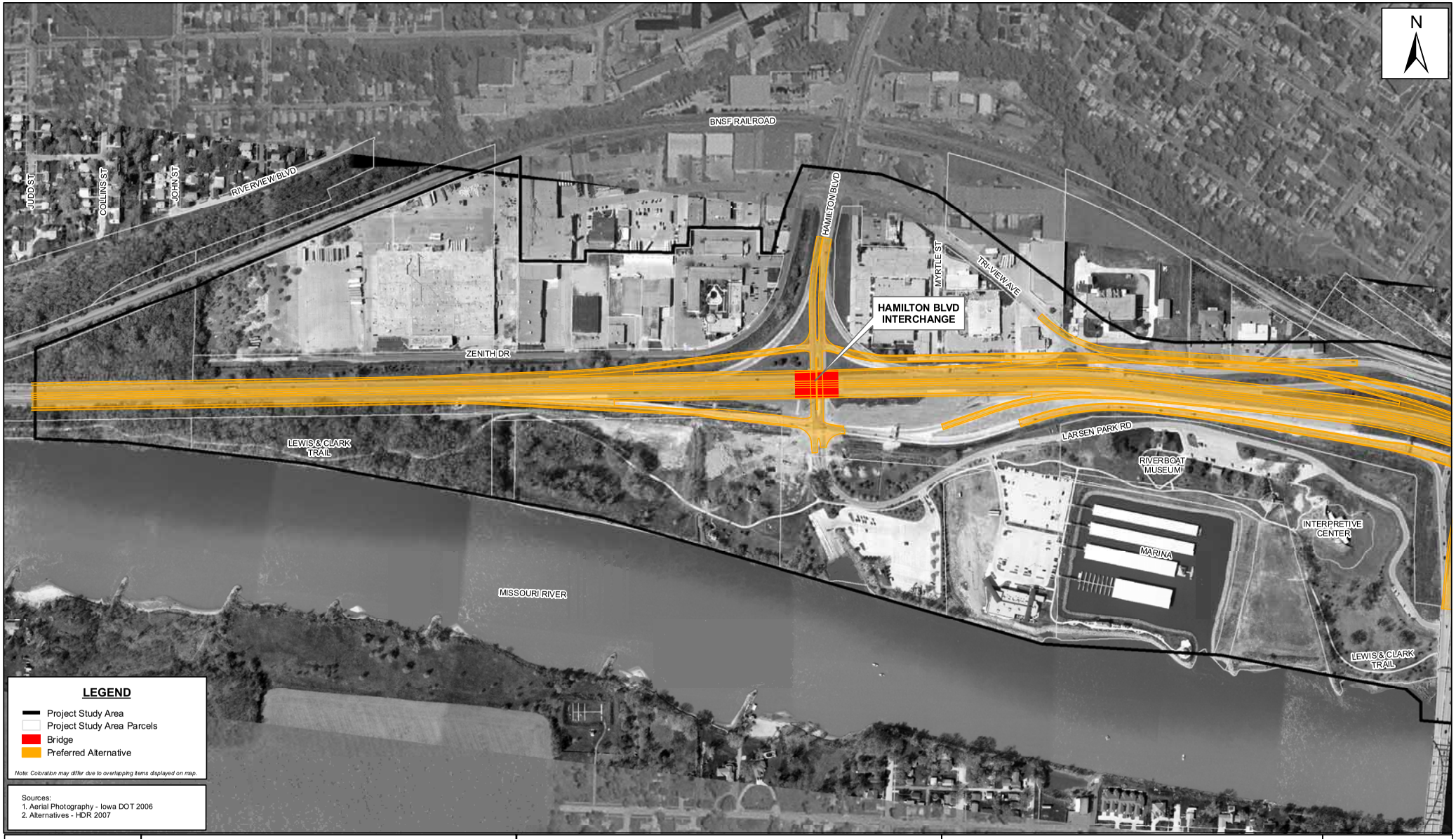
The selection of Build Alternative B to improve approximately 3.5 miles of I-29 in Sioux City, Iowa -- including reconfiguration of four interchanges to increase safety, enhance connections to the local roadway system, add one lane in each direction, and improve or eliminate some of the traffic merging issues that occur in this corridor – was made after careful consideration of all social, economic, and environmental factors, with input from the Iowa DOT, Siouxland Interstate Metropolitan Planning Council (SIMPCO) and city of Sioux City, other local, state, and Federal agencies, and the public.

Lubin Quinones
Division Administrator
Federal Highway Administration

8 Jul 09
Date

APPENDIX A

SELECTED ALTERNATIVE



Iowa Department of Transportation

HORIZONTAL 0 200 400 Feet

Howard R. Green Company

I-29 Sioux City Interstate Study Environmental Impact Statement

Sioux City, Iowa

PREFERRED ALTERNATIVE (Western Section of Corridor)

Date DEC 2008

Figure 2-1a

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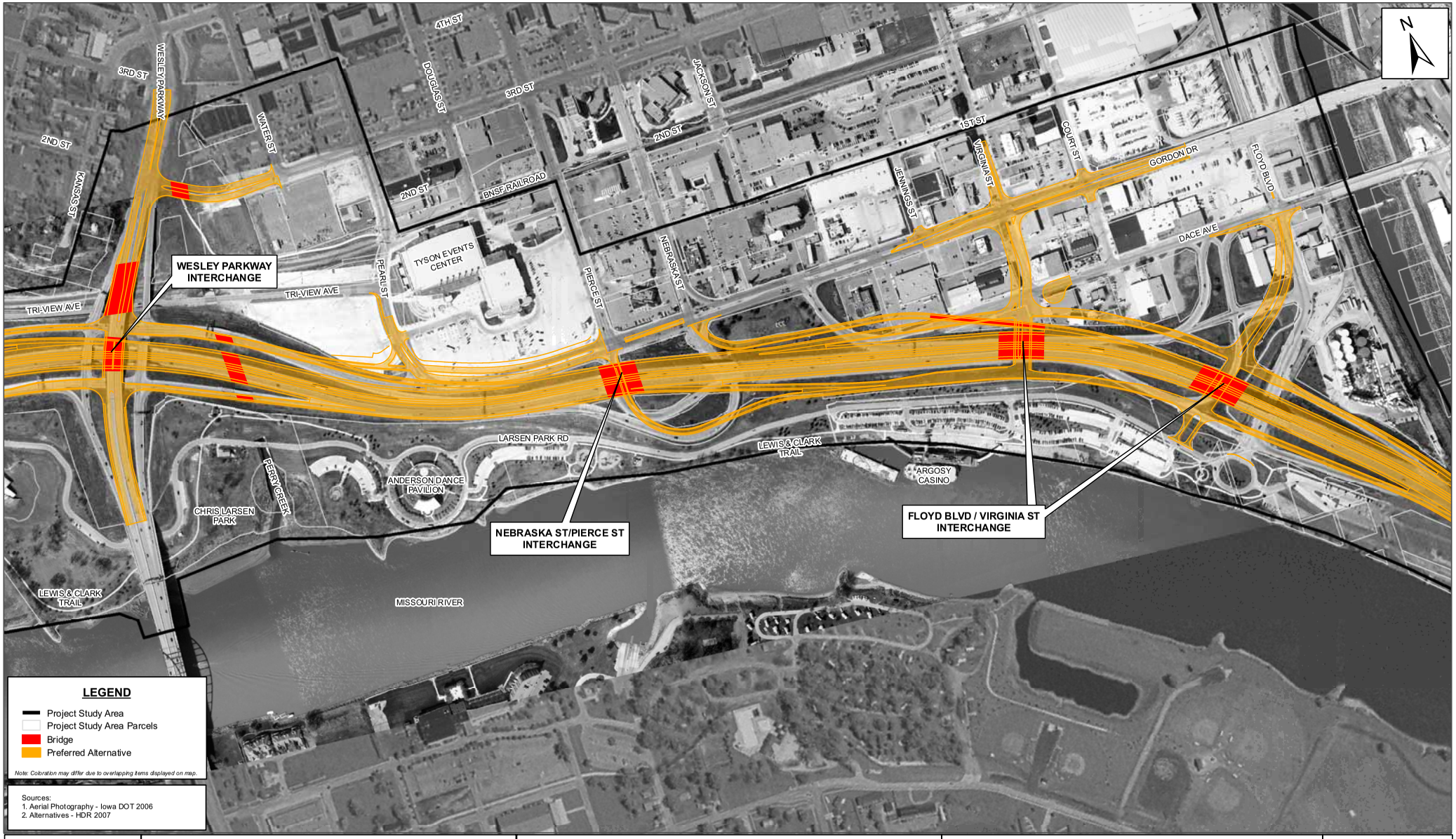

Iowa Department of Transportation

HORIZONTAL 0 200 400 Feet

Howard R. Green Company

I-29 Sioux City Interstate Study
Environmental Impact Statement
Sioux City, Iowa

PREFERRED ALTERNATIVE
(Central Section of Corridor)

Date
DEC 2008

Figure
2-1b

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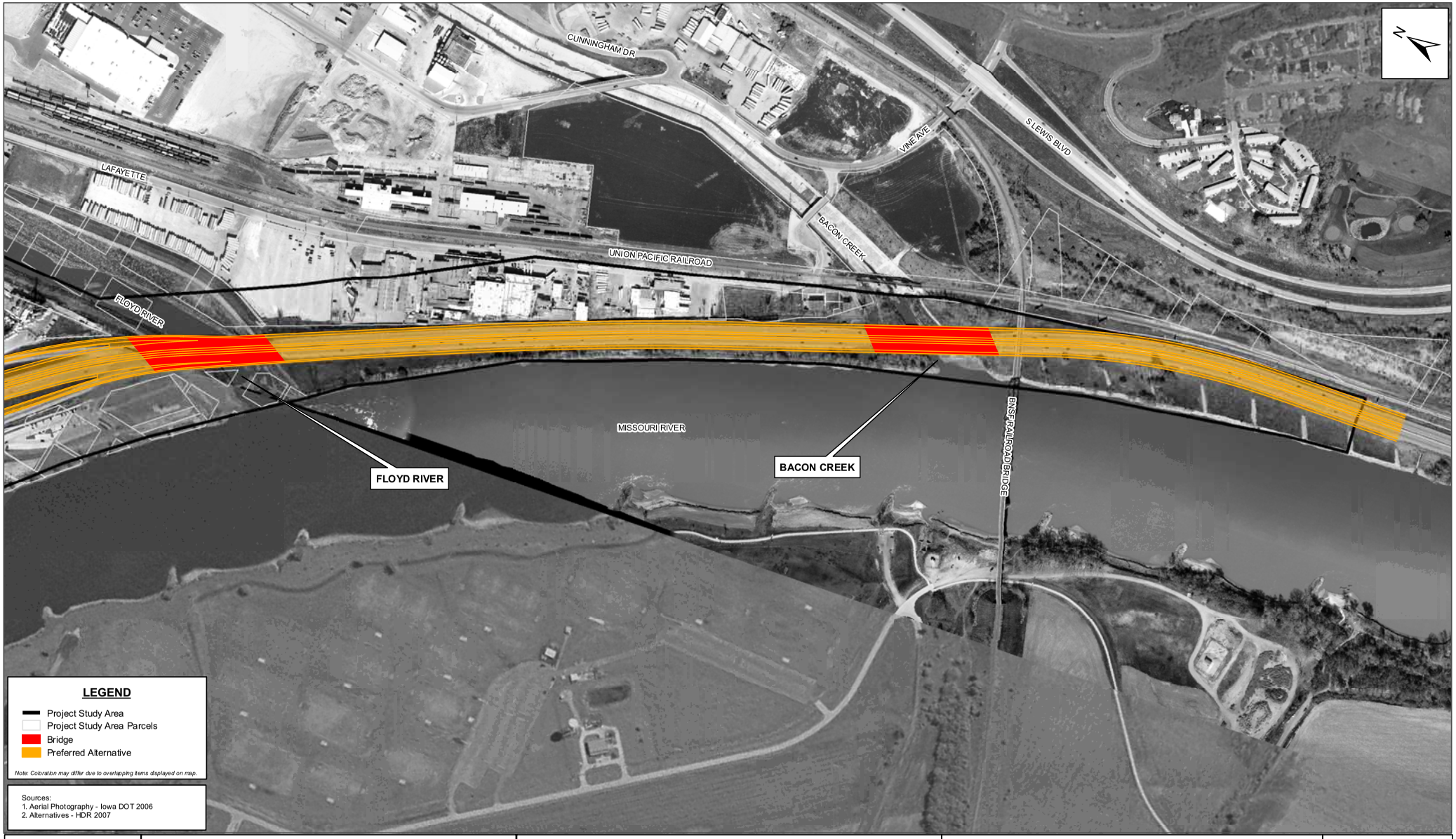

Iowa Department of Transportation

HORIZONTAL 0 200 400 Feet

Howard R. Green Company

I-29 Sioux City Interstate Study
Environmental Impact Statement
Sioux City, Iowa

PREFERRED ALTERNATIVE
(Southern Section of Corridor)

Date
DEC 2008

Figure
2-1c

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APPENDIX B

FINAL EIS CORRESPONDNECE

DEPARTMENT OF THE ARMY
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS
CLOCK TOWER BUILDING - P.O. BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

REPLY TO
ATTENTION OF

http://www.mvr.usace.army.mil

March 17, 2009

Operations Division

SUBJECT: RE: I-29 Sioux City Interstate Study Final EIS

Mr. Jim Rost
Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

Dear Mr. Rost:

We received the final EIS for the I-29 Sioux City Interstate Study on March 11, 2009. To initiate processing, we will need a 404 application, wetland delineation and an wetland mitigation plan if more than $1/10^{th}$ of an acre of wetlands will be impacted. In addition to wetlands, please consider the impacts to Waters of the U.S. also.

Should you have any questions, please contact Mr. Albert Frohlich in our Regulatory Branch by letter or telephone at 309/794-5859.

Sincerely,

Donna M. Jones, P.E.
Chief, Enforcement Section
Regulatory Branch

Enclosure

Fields of Opportunities

STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
RICHARD A. LEOPOLD, DIRECTOR

April 3, 2009

James Rost
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

RE: Environmental Review for Natural Resources
I-29 Improvements in Sioux City, FEIS
IM-029-6(168)146—13-97
Woodbury County
Section 1, Township 88N, Range 48W
Section 29, 30, 33, 34, Township 89N, Range 47W

Dear Mr. Rost:

Thank you for inviting our comments on the impact of the above referenced project. Chris Larson City Park in Section 29 and 32, Township 89N, Range 47W, is owned by the Iowa Department of Natural Resources (IDNR) and managed by the City of Sioux City. Work that will impact Chris Larson City Park must secure a Sovereign Lands Construction Permit prior to construction. The Joint Application Form is available on the IDNR website at http://www.iowadnr.gov/other/files/jointpermit.pdf.

The IDNR reviewed this project on November 30, 2004, and June 9, 2008. Comments from that letter of review led to a butterfly survey conducted in 2005 for the state special concern species Ottoe Skipper (*Hesperia ottoe*) and Olympia Marble (*Euchloe olympia*).

The IDOT conducted an extensive plant survey of a borrow site located in the Loess Hills landform after the Draft EIS was signed. The IDOT and IDNR entered into a Memorandum of Agreement (MOA) in November 2008 regarding transportation land use within the Loess Hills. The IDNR concurred with the finding of that survey and also acknowledged that the terms of the MOA were met which concluded the MOA process.

This letter is a record of review for protected species, rare natural communities, state lands and waters in the project area, including review by personnel representing state parks, preserves, recreation areas, fisheries and wildlife but does not include any potential comment from the Environmental Services Division of this Department. This letter does not constitute a permit and before proceeding with this project, permits may be needed from this Department or from other state or federal agencies.

Any construction activity that bares the soil of an area greater than or equal to 1 acre including clearing, grading or excavation may require a storm water discharge permit from the Department. Construction activities may include the temporary or permanent storage of dredge material. For more information regarding this matter, please contact Ruth Rosdail at (515) 281-6782.

The Department administers regulations that pertain to fugitive dust IAW Iowa Administrative Code 567-23.3(2)"c". All persons shall take reasonable precautions to prevent the discharge of visible emissions of fugitive dusts beyond the lot line of property during construction, alteration, repairing or demolishing of buildings, bridges or other vertical structures or haul roads. All questions regarding fugitive dust regulations should be addressed to Jim McGraw at (515) 242-5167.

If you have questions about this letter or require further information, please contact me at (515) 281-6341.

Sincerely,

Diane Ford-Shivvers

Diane Ford-Shivvers
Deputy Division Administrator
Conservation and Recreation Division

FILE COPY: Inga Foster
Tracking Number: 2447

CC: Chris Schwake, Iowa DNR (email)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

04 MAY 2009

RECEIVED

MAY 06 2009

OFFICE OF LOCATION & ENVIRONMENT

James Rost
Office of Location and Environment
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Dear Mr. Rost:

RE: Review of Final Environmental Impact Statement for the I-29 Sioux City Interstate Study, Woodbury County, Iowa

The U.S. Environmental Protection Agency has reviewed the Final Environmental Impact Statement for the I-29 Sioux City Interstate Study. Our review is provided pursuant to the National Environmental Policy Act 42 U.S.C. 4231, Council on Environmental Quality regulations 40 C.F.R. Parts 1500-1508, and Section 309 of the Clean Air Act. The FEIS was assigned the CEQ number 20090093.

We offer the following comments to address and minimize potential environmental impacts of the project:

Sewer Relocation & Regulated Materials

In our DEIS comment letter, dated June 6, 2008, we recommended including an analysis of potential environmental impacts related to the relocation of approximately 9000 feet of sanitary sewer as described in paragraph 3.1.6 Utilities. In addition, we recommended that the areas for relocation should be identified to avoid all "regulated materials" sites to prevent further contamination and suggested developing a strategy to handle any hazardous substances that may be encountered during construction.

While section 3.2 of the FEIS did include an updated utilities section, there are an additional 3000 linear feet of existing water main included in the FEIS that was not mentioned in section 3.1.6 Utilities of the DEIS. Also included as an update under the Utilities section in the FEIS is an additional 3400 linear feet, for a new total of 12,400 linear feet of sanitary sewer lines that are to be relocated or abandoned. The FEIS states that the relocation or abandonment is due to "conflicts with the proposed pavement location of the Preferred Alternative." We are merely highlighting this difference in order to improve coordination of this additional increment of sewerage among all parties associated with this project.

Section 3.2 states that "it is likely that the relocation of the water and sewer mains would come into contact with contaminated soil," some of which have the potential to impact high risk recognized environmental conditions (REC) sites. While mitigation measures are included, we would again recommend that if possible, the relocation areas should make the best attempt to avoid any regulated materials or REC sites. If this is not feasible, the smallest possible area and/or the lowest risk area should be considered.

Lastly, Table 3.3 Relocation of Sanitary Sewer provides three options (A, B, & C) for possible relocation but does not identify the preferred option of the three.

Thank you for addressing our comments from the previous correspondence. We appreciate the opportunity to provide comments regarding this project and your FEIS. If you have any questions or concerns, please contact me at 913-551-7565 or via email at tucker.amber@epa.gov or you may contact Joe Cothern, NEPA Team Leader, at 913-551-7148 or via email at cothern.joe@epa.gov.

Sincerely,

Amber Tucker

Amber Tucker
NEPA Reviewer
Environmental Services Division