

FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT
for the
US 20 Proposed Dyersville Interchange
Dyersville, Iowa
Delaware and Dubuque Counties
NHSN-020-9(195)—2R-31

The Federal Highway Administration (FHWA) has determined that this project would not have any significant impact on the human and natural environment. The finding of no significant impact is based on the attached Environmental Assessment, which the FHWA has evaluated independently and determined to discuss adequately and accurately the environmental issues and impacts of the proposed project. The Environmental Assessment provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required.

FHWA takes full responsibility for the accuracy, scope, and content of the Environmental Assessment.

5/18/11

Date



For FHWA

Description of the Proposed Action

The Iowa Department of Transportation (Iowa DOT), in coordination with the City of Dyersville, Iowa (the City) and the Federal Highway Administration (FHWA), is proposing to construct an interchange over U.S. Highway 20 (US 20) in Delaware and Dubuque counties, Iowa (the Project). There is currently no grade separation or interchange at this location. The proposed alternative would result in the construction of a new interchange. The configuration would be a standard diamond, which would begin approximately 0.5 mile west of 330th Avenue, connect 330th Avenue to 332nd Avenue, and end about 500 feet west of 7th Street SW.

Environmental Assessment Availability

The Environmental Assessment (EA) was signed on January 6, 2011 and distributed to selected federal, state, and local resource agencies on January 10, 2011 for review and comment. A notice of the public availability of the EA was published in legal section of the Dubuque, Iowa *Telegraph Herald* on February 8, 2011, and the *Dyersville Commercial* on February 9, 2011.

Review and Comment Period

A review and comment period was established for receipt of comments on the EA, with an expiration date of March 21, 2011. A public hearing for the Project was held at the Dyersville City Council Chambers on February 24, 2010. The public hearing used a combined open forum and formal format. A written record of this meeting has been prepared and is available upon request. This Finding of No Significant Impact (FONSI) documents compliance with the National Environmental Policy Act of 1969 (NEPA) and all other applicable environmental laws, Executive Orders, and related requirements.

Agency Comments

Seven agency comments (five letters and two electronic mails) were received and are included in Appendix A. The comments are summarized as follows:

- City of Dyersville – The City forwarded the minutes from a meeting with the Planning & Zoning Commission. Some of the Commission members would have preferred an interchange at 320th Avenue for connectivity and farm to market reasons. The Commission identified three errors in the EA: The study indicates that the City is in the process of rehabbing a bridge between 3rd and 4th street; the street designations are incorrect. In reference to the housing by the new grade school, the EA states that school is on the east side of 7th Street, when it is on the west side. Lastly, the underground storage tank map shows the north/south through street as 8th Street, when it is 7th Street.
- Dubuque County Zoning Local Public Agency, Project Programming Request – “... there is a need for the interchange to improve safety for the residents and highway travelers in the area. . . . [T]he “No Build Alternative would not be the preference of the board. . . . The Zoning Board felt that the Standard Diamond Interchange would be preferable to the Interim Configuration. . . . The Zoning Board supports the DOT,

City of Dyersville and Dubuque and Delaware Counties in their efforts to promote highway safety by building a standard diamond interchange to address access to US Highway 20 on the west side of the City of Dyersville.”

- Iowa Department of Agriculture and Land Stewardship – The department acknowledged receipt of the materials and added that this “acknowledgement is not an indication of support on our part.” The department suggested that a copy of the document be sent to the Delaware and Dubuque County Soil and Water Conservation Districts.
- Iowa Department of Natural Resources – The Department’s comments are “the same as the ones we sent you on March 12, 2010.” (For the letter, see Appendix B, Agency and Tribal Coordination, of the EA.)
- State Historic Preservation Office, State Historical Society of Iowa – The EA did not include discussion of the cultural resources that were found in the project area or the later consultation letters between [Iowa] DOT and the State Historic Preservation Office regarding the submitted reports. This information is usually included in similar documents.
- U.S. Department of Agriculture Natural Resources Conservation Service had “no additional comments for this environmental assessment.”
- U.S. Department of Housing and Urban Development, Iowa State Office – The Department does “not contemplate any detrimental effects on any of our projects in the area under review.”

Regarding the comment by the City of Dyersville, corrections to the EA are noted in the errata section near the end of the FONSI.

The early coordination letter received from Iowa Department of Natural Resources (Iowa DNR) dated March 12, 2010 indicated that impacts to wetlands should be avoided or minimized [which was accounted for in the design process], and that there appear to be no contaminated sites in the Study Area. The provided map of underground storage tank locations was reviewed, and no sites would be impacted by the proposed project.

With respect to the comment from the State Historic Preservation Office (SHPO), State Historical Society of Iowa, Iowa SHPO concurred in 2010 that there were no historic properties affected by the Project. Although the EA did not address cultural resources in the main body of the text, cultural resources were addressed in Streamlined Resources Summary (Appendix A of the EA) which indicates that no historic sites or districts, archaeological sites, or cemeteries are located in the area investigated for the Project (the Study Area). The two concurrence letters, signed by the SHPO historian and the SHPO archaeologist, are included in Appendix B of this FONSI.

Public Hearing

A public hearing was held on February 24, 2011, at the Dyersville City Council Chambers, Memorial Building, 340 1st Avenue E. in Dyersville from 4 to 6 PM. The purpose of the hearing was to update the public on the progress of the project, present the completed EA, and gather feedback from the public about the Project and EA. The hearing was conducted

utilizing a combined open forum and formal format. The public was invited to attend an informal session any time between 4 and 5 PM. A formal presentation, which was also open to the public, began at 5 p.m. followed by a question-and-answer session. The public hearing was advertised on February 8, 2011, in the Dubuque *Telegraph Herald*, and on February 9, 2011 in the *Dyersville Commercial*, and notice was also included on the Iowa DOT website at www.iowadot.gov/pim.

Sixty five people registered their attendance at the public hearing. The public had the opportunity to comment verbally or in writing during the hearing, or by sending comments to the City after the meeting. No attendees provided comments during the formal hearing.

Three comment forms and one letter were submitted to Iowa DOT requesting a response; Iowa DOT has provided a response to all commenters (a transcript is available upon request). A summary of these comments and responses (shown in italics) follows:

- A local landowner that would be directly affected by the Project is concerned on the impact to her family and neighborhood. *Iowa DOT indicated that any required relocations would follow all federal requirements regarding the purchase of property and relocation expenses for right of way purposes.*
- A local landowner that would be directly affected by the Project disagreed with the proposed location of the interchange, recommending either putting the interchange at 320th Avenue or not building the interchange. Regarding the interchange, it does not appear justified by the small increase in population in Dyersville based on 2000 and 2010 Census estimates. To address the safety issue without an interchange, close 3rd Street and move turning lane further north near the end of 3rd Street. Another option would be to add a stop light at US 20 and 7th Street. *The 320th Avenue location was considered for a potential interchange but the long frontage roads, out of distance travel, and closure of all access between 320th Street and Highway 136 eliminated this location from further evaluation. Although the population has not increased much, the projected traffic increases were based on origin and destination traffic, as well as through traffic.*
- A local landowner recommended alternative connections rather than a diamond interchange because the latter option displaces farmland, farmsteads, and residences. *Iowa DOT reviewed and eliminated many configurations and alignment options, considering accepted design standards from the American Association of State and Highway Transportation Officials (AASHTO). The standard diamond interchange was selected in this location as the preferred alternative due to its safety, geographic fit, reliability and functional operation.*
- A Dyersville resident in favor of the project asked what would be needed for consideration of the Project in a future Transportation Improvement Program, and when would be an estimated timeframe for the Project? *Iowa DOT indicated that funding decisions are made by the DOT commission on an annual basis. If the Project is not included in the Statewide Transportation Improvement Plan, Iowa DOT has no way to estimate a timeframe for the Project. Members of the public may contact the DOT commission concerning the project for its future consideration.*

New Information

Since publication of the EA and the public hearing, there have been no changes in the design. However, the status of some projects identified in Table 5-1 of the EA has changed, as noted in the following text; because the changes are minor, the findings described for potential cumulative impacts remain unchanged. The first phase of the residential development is nearly 90 percent complete, and a second phase of development is being planned. The City of Dyersville is working with the school system to plan soccer fields adjacent to the elementary schools. The first phase of construction of 20 West Industrial Center is complete, and another tenant facility is planned for fall of 2011. A local company is also planning on further expansion in 2011. The 1st Avenue bridge rehabilitation project should be completed in spring of 2011. Contracts are being prepared for construction of the west half of 12th Avenue SW for completion in fall of 2011.

In the streamlining process, a review of contaminated and regulated material sites determined that no sites of low, moderate or high risk according to Iowa DOT criteria were within the Study Area for the project. Iowa DOT recognizes that regulated materials such as asbestos, lead-based paint, and mercury (within thermostats) could potentially occur within the farmsteads and residences within the proposed right of way for the Project. Should regulated material issues be encountered during project development or construction, appropriate action will be taken to comply with all applicable federal and state rules and regulations for proper handling and disposal of these materials.

Basis for Finding of No Significant Impact

Several human and natural environmental resources were not present in the Study Area, and others required only a summary review to confirm that there would be no significant impacts. The following resources were evaluated in detail in the EA for effects they may incur as a result of the Project:

- Land use
- Economic
- Right-of-Way
- Relocation Potential
- Construction and Emergency Routes
- Transportation
- Surface Waters and Water Quality
- Farmlands
- Noise
- Visual
- Utilities

This FONSI documents compliance with NEPA and all other applicable environmental laws, Executive Orders, and related requirements.

Special Conditions for Location Approval

Several conditions, noted below, were identified for approval and will be implemented during the design process prior to construction.

- Relocations would be conducted in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and Iowa Code 316, the “Relocation Assistance Law.”
- In accordance with 14 CFR 77 (FAA, November 24, 2010), during final design, coordination with FAA would occur through the notification process to determine if the interchange would have any effects on flight operations.
- A National Pollutant Discharge Elimination System (NPDES) General Storm Water Discharge Permit for Construction will need to be obtained from Iowa DNR.
- As design advances, construction activities will be coordinated with public utilities to avoid potential conflicts and to minimize planned interruptions of service.

Environmental Assessment Errata

- The first full sentence on page 5-13 of the EA indicated that a residential development is under construction on the east side of 7th Street SW. As shown on Figure 5-2, the residential development is on the west side of 7th Street SW.
- Table 5-1 indicated that the 1st Avenue bridge rehabilitation project was occurring between 3rd and 4th streets. The project actually is being constructed between 1st Street SW and 2nd Street NE/SE.
- The map referred to in the City comments as having an incorrect label of 8th Street rather than 7th Street was provided by Iowa DNR, and was included in Appendix B as an attachment to the EA. Figures in the main body of the EA have the correct label for 7th Street SW.

APPENDIX A
AGENCY COMMENT CORRESPONDENCE

- USDA NRCS January 14, 2011 letter to Iowa DOT
- Iowa Department of Agriculture and Land Stewardship January 14, 2011 letter to Iowa DOT
- Iowa State Historical Society SHPO January 25, 2011 e-mail to Iowa DOT
- HUD January 26, 2011 letter to Iowa DOT
- Iowa DNR January 27, 2011 e-mail to Iowa DOT
- City of Dyersville March 2, 2011 letter to Iowa DOT
- Dubuque County Zoning March 11, 2011 letter to Iowa DOT



IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Bill Northey, Secretary of Agriculture

RECEIVED

JAN 19 2011

Office of Location & Environment

January 14, 2011

Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Dear Ms. DeeAnn Newell

This letter is to acknowledge receipt of your January 10, 2011, correspondence relative to proposed plans for US 20 Dyersville Interchange, Delaware and Dubuque Counties.

We have not given this proposal thorough review, but do acknowledge having received materials and being given the opportunity to review and comment if we so choose. This acknowledgment is not an indication of approval on our part.

If you have not already done so, I suggest that a copy of your proposal also be mailed to:

Delaware SWCD
200 S 12th St
Manchester, IA 52057

Dubuque SWCD
210 Bierman
Epworth, IA 52045-9529

We appreciate the consideration you have given us in this matter.

Sincerely,

A handwritten signature in black ink that reads "Chuck Gipp".

Chuck Gipp, Director
Division of Soil Conservation
Ph: 515-281-5851

CRG:klf

From: Jones, Doug [DCA]
Sent: Tuesday, January 25, 2011 2:50 PM
To: Newell, Deeann [DOT]
Cc: Jones, Doug [DCA]; Christian, Ralph [DCA]
Subject: 100231070 NHSN-20-9-(195)--2R-31 US 20 Dyersville interchange Project EA

Deeann,

I have a quick question for you. We just received the above referenced submittal. We have taken a quick perusal of this document and noticed that there was no discussion of the cultural resources that were found in the project area and that the later consultation letters between IDOT and our office on the submitted reports were not included in the document. Why was this information not included? Usually it is in the past documents we have seen.

Douglas W. Jones, Archaeologist and Review and Compliance Program Manager
State Historic Preservation Office
State Historical Society of Iowa
(515) 281-4358



U.S. Department of Housing and Urban Development
Iowa State Office
Federal Building
210 Walnut Street, Room 239
Des Moines, Iowa 50309-2155

RECEIVED

JAN 27 2011

Office of Location & Environment

January 26, 2011

DeeAnn L. Newell
NEPA Project Manager
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Subject: US 20 Proposed Dyersville Interchange Environmental Assessment
Delaware and Dubuque Counties, Iowa
NHSN-020-9(195)--2R-31

Dear Ms. Newell:

We have received your inquiry to the subject location for Environmental Assessment Documentation and have reviewed such.

We do not contemplate any detrimental effects on any of our projects in the area under review.

Sincerely,

A handwritten signature in black ink that reads "James P. Ryan".

James P. Ryan, Director
Des Moines Multifamily
Program Center

Newell, Deeann [DOT]

From: Schwake, Christine [DNR]
Sent: Thursday, January 27, 2011 9:36 AM
To: Newell, Deeann [DOT]
Subject: EA for US 20 Dyersville Exchange

Hi DeeAnn,

I just wanted to let you know that I received the EA and my comments are the same as the ones we sent you on March 12, 2010.

Have a great weekend! Chris

City of
Dyersville

340 1st Avenue East, Dyersville, Iowa 52040 • Phone: 563-875-7724 • Fax: 563-875-8238

www.cityofdyersville.com

RECEIVED

MAR 04 2011

Office of Location & Environment

March 2, 2011

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

Dear James:

The US 20 Proposed Dyersville Interchange Environmental Assessment for Delaware and Dubuque Counties was presented to our Planning & Zoning Commission on February 28th. The Commission had some discussion regarding the report and approved a motion to receive and file your correspondence. Attached are the minutes from this meeting.

If you have any questions or need further information, please call me at 563-875-7724 or via email to Lpanton@cityofdyersville.com.

Regards,



Lori Panton
Deputy Clerk/P & Z Recording Secretary

PLANNING & ZONING COMMISSION MEETING

CITY OF DYERSVILLE

February 28, 2011

Meeting called to order by Chairman Olberding at 6:30 P.M.

Roll Call: Present: Commission Members: Roger Gibbs, Pat Graham, Dave Kronlage, Bob Meinert, Mike Murphy, Dan Olberding, Bec Willenborg, Jim Willenbring

Absent:

1st Item: Approve Minutes of the December 13, 2010 meeting.

Chairman Olberding asked for comments or changes and there were none.

Willenborg made a motion to approve the minutes of the December 13, 2010 meeting. Motion seconded by Willenbring.

Roll Call Vote: **Ayes:** Graham, Gibbs, Kronlage, Meinert, Murphy, Olberding, Willenborg, Willenbring

Nays:

Motion Carried

2nd Item: Rezone of Property from Lots 271, 320, 320A and 377 in the City of Dyersville, Dubuque County, Iowa from A-1 to C-2.

Chairman Olberding advised this item has been removed from the agenda.

3rd Item: Correspondence from IDOT regarding US 20 Proposed Dyersville Interchange Environmental Assessment Delaware and Dubuque Counties, Iowa.

City Administrator Mick Michel advised this correspondence is a part of the E.A. requirements to submit this to the local Planning & Zoning commission. The deadline for input back to the IDOT is March 11th.

Chairman Olberding mentioned that he attended the public hearing on Thursday (Feb. 24, 2011). He mentioned there were a lot of people present but there were not a lot that spoke. He thought the interchange would be further west.

The committee asked how many properties would be bought out and it seems at this time there will be 3 farms and 2 homes.

There was discussion regarding the differences between Figure 4-2 and 4-1. Michel advised that 4-1 is a diamond interchange and is the one being looked at. Figure 4-2 is an alternate option.

Michel and part of the commission would have preferred 320th Avenue to have an overpass for connectivity and farm to market reasons.

The commission brought up 3 errors in the study. The study indicates the city is in the process of rehabbing a bridge between 3rd and 4th street. The street designations are incorrect. Also, in reference to the housing by the new grade school it stated the school is on the east side of 7th Street when it is on the west side. And on the underground storage map the north/south through street is listed as 8th Street when it is 7th Street. Michel advised this has been corrected. This map was pulled from a database that had incorrect data.

The commission liked the idea of the study being done and being put on the long range plan.

Willenborg made a motion to receive and file the correspondence from the IDOT regarding US 20 Proposed Dyersville Interchange Environmental Assessment Delaware and Dubuque Counties. Motion seconded by Willenbring.

Roll Call Vote: **Ayes:** Graham, Gibbs, Kronlage, Meinert, Murphy, Olberding, Willenborg, Willenbring

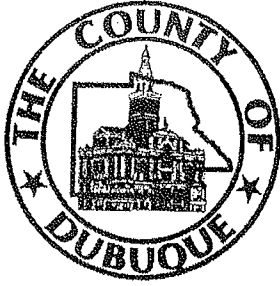
Nays:

Motion Carried

The meeting adjourned at 6:46 P.M. on a motion by Kronlage, seconded by Murphy.


Lori A. Pantan – Recording Secretary

2/28/11
Date



DUBUQUE COUNTY ZONING

13047 CITY VIEW DRIVE, DUBUQUE, IOWA 52002-9660

(563) 589-7827

FAX: (563) 589-7868

E-MAIL: zoningadmin@dbqco.org

ANNA M. O'SHEA
Administrator

March 11, 2011

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

RE: US 20 Proposed Dyersville Interchange Environmental Assessment
Delaware and Dubuque Counties
NHSN-020-9(195)—2R-31

Dear Mr. Rost:

The Dubuque County Zoning Board reviewed the Environmental Assessment for the improvement of US 20 with the Proposed Dyersville Interchange in Delaware and Dubuque counties, Iowa. The Board discussed the need for the interchange because of the high number of traffic fatalities and the amount of new development taking place in and around the City of Dyersville.

There appears to be only a small portion of Dubuque County being affected by the proposed interchange and most, if not all, of that property is in the City of Dyersville. The Zoning Board feels there is a need for the interchange to improve safety for the residents and highway travelers in the area. The new school, residential subdivision and industrial park will make the area even more heavily traveled. Therefore, the No Build Alternative would not be the preference of the board.

The Zoning Board also reviewed the two interchange alternatives considered by the DOT. The Zoning Board felt that the Standard Diamond Interchange would be preferable to the Interim Configuration. Access onto and off of the Standard Diamond Interchange appeared to be safer and more direct than the Interim Configuration. The Zoning Board supports the DOT, City of Dyersville and Dubuque and Delaware Counties in their efforts to promote highway safety by building a Standard Diamond Interchange to address access to US Highway 20 on the west side of the City of Dyersville.

Thank you for allowing us to comment.

Sincerely,

Anna M. O'Shea
Dubuque County Zoning Administrator
Secretary, Dubuque County Zoning Board

APPENDIX B
IOWA SHPO CONCURRENCE LETTERS

FEB 18 2010



Iowa Department of Transportation

800 Lincoln Way, Ames, Iowa 50010

515-239-1035
515-239-1726 FAX

February 16, 2010

Ref. No: NHSN-20-9(195)- -2R-31
Dubuque / Delaware
Primary

Mr. Ralph Christian
Review and Compliance
Bureau of Historic Preservation
State Historical Society of Iowa
600 East Locust
Des Moines, IA 50319-0290

100231070
R&C: 10231070-

Dear Ralph:

**RE: Intensive Level Historical & Architectural Resource Survey & Evaluation
Road Improvements along U.S. 20: Dubuque and Delaware Counties, Iowa.
No Historic Properties Affected**

Enclosed for your review and concurrence is the Intensive Level Historical & Architectural Resources Survey and Evaluation of the above-mentioned federal funded project. This project proposes a series of road improvements along U.S. 20 near Dyersville, Iowa.

The area of potential impact for this project measures approximately 3.75 miles in length with a variable project width.

This intensive level historical & architectural survey was conducted using an extensive archival / records search, along with site visits to each property. Iowa Site Inventory Forms were completed for the properties investigated, along with photographic documentation.

During this survey, four historic farmsteads were identified and investigated. Each property included architectural resources that were more than 50 years old, however, none of the farmsteads were determined to be eligible for the National Register and no further work was recommended for them.

Based on the findings of this historical and architectural survey, the determination for this project in regarding to historic / architectural resources is **No Historic Properties Affected**. If you concur, please sign the concurrence line below, add your comments, and return this letter. If you have any questions, please feel free to contact me.

Sincerely,

Matthew J.F. Donovan, RPA
Office of Location and Environment
Matt.Donovan@dot.iowa.gov

MJFD
Enclosure

cc: Dee Ann Newell, NEPA / OLE

Tony Lazarowicz, District 3 Engineer

Alexa McDowell, Principal Investigator / AKAY Consulting.

Concur:

SHPO Historian

Date:

2/23/10

MAR 03 2010



Iowa Department of Transportation

800 Lincoln Way, Ames, Iowa 50010

515-239-1097
515-239-1726 FAX

March 2, 2010

Ref. No: NHSN-20-9(195)- -2R-31
Dubuque / Delaware
Primary

Mr. Doug Jones
Review and Compliance
Bureau of Historic Preservation
State Historical Society of Iowa
600 East Locust
Des Moines, IA 50319-0290

R&C:100231070

Dear Doug:

RE: Phase I Intensive Archaeological Survey
Road Improvements along U.S. 20: Dubuque and Delaware Counties, Iowa.
Sections 1, 2, and 3, T88N-R2W / Section 35 /36, T89N-R3W / Sec 31, T89-R2W
No Historic Properties Affected

Enclosed for your review and concurrence is the Phase I Intensive Archaeological Survey for the above-mentioned federal funded project. This project proposes a series of road improvements along U.S. 20 near Dyersville, Iowa.

The area of potential impact for this project measures approximately 3.75 miles in length with a variable project width. An area of 573 acres was surveyed for this project.

This archaeological survey was conducted using an extensive archival / records search, along a pedestrian survey of the project area. Subsurface testing was conducted using auger testing. During the field investigation, four previously unrecorded archaeological sites were identified: Sites 13DW113, 13DW114, 13DW115, and 13DW116.

Sites 13DW113, 13DW115 and 13DW116 represent historic scatters. Site 13DW114 represents the location of a demolished farmstead. All four of these historic sites were determined not eligible for the National Register and no further work was recommended for them.

Based on the findings of this archaeological survey, the determination for this project in regarding to archaeological resources is **No Historic Properties Affected**. If you concur, please sign the concurrence line below, add your comments, and return this letter. If you have any questions, please feel free to contact me.

Sincerely,

Handwritten signature of Matthew J.F. Donovan in cursive.

Matthew J.F. Donovan, RPA
Office of Location and Environment
Matt.Donovan@dot.iowa.gov

MJFD
Enclosure

cc: Dee Ann Newell, NEPA / OLE
Tony Lazarowicz, District 3 Engineer

Mike Finn- Principal Investigator / Waspi Valley Archaeology

Concur: Douglas W. Jones Date: 3/9/2010
SHPO Archaeologist