



I-29 CORRIDOR STUDY

Exit 73 to Exit 77



Newsletter #4

June 13, 2008

Study Public Meeting Tentatively Set

Mark your calendars, the date for a public meeting to seek input and provide information for the I-29 Corridor Study has been tentatively set for the evening of Thursday, July 17, 2008. Information will be available and displays set up for the potential options developed for the study area including the I-29/I-229 System Interchange, 69th Street crossing and 85th Street crossing / interchange. URS and SDDOT staff will be available to answer questions and receive input. Meeting time and location have not yet been confirmed. Look for more information in the next newsletter. Information will also be available on the I-90/I-229 System Interchange corridor preservation project.

Study Advisory Team News

A Study Advisory Team meeting is anticipated to be held sometime on July 17, 2008, prior to the Public Meeting. Official notification to the study advisory team members will be emailed when the Public Meeting date and MPO meeting times are confirmed.

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STIP Public Meeting

The annual Sioux Falls public meeting to gather public input for the development of the 2009-2013 Statewide Transportation Improvement Plan (STIP) will be held on July 16th at 7:00 pm at the Ramkota Hotel (3200 West Maple Street) in Sioux Falls. The STIP is the list of transportation projects anticipated to be constructed in the next 5 years. Projects within the I-29 Corridor study area that are anticipated to be included within the Tentative 2009-2013 STIP are:

PCN	Location	Treatment	Year	Est. Cost (\$Mil)
01SG	I29 Structures 49 th Street to 60 th Street N.	Epoxy Deck Seals	2009	1.234
01QT	I229 – Solberg Crossing	To Be Determined by I29 Corridor Study	2010	2.247
01SH	I229 Structures Louise Ave. to 10 th Street	Epoxy Deck Seals	2011	1.446
6186	I29, from 57 th Street to S of 26 th Street	Remove & Replace PCCP	2012	11.474
01QT / 01QS	I229/I29 Area	To Be Determined by I29 Corridor Study	2013	33.458

SDDOT Upper Management and staff will be available to listen to public testimony on these and any other transportation projects desired to be included in to the Tentative STIP. The full list of projects within the Tentative 2009-2013 STIP will be available after the June 26th Transportation Commission meeting. Visit the SDDOT webpage http://www.sddot.com/pe/projdev/planning_stip.asp for more information.



The NEPA Process

Under federal law, the National Environmental Policy Act (NEPA) of 1969 applies to any proposed action or transportation project that has a Federal nexus, including but not limited to instances where:

- ◆ Federal funds or assistance will be used at some phase of project development
- ◆ Federal funding or assistance eligibility must be maintained
- ◆ Federal permits are required
- ◆ Federal approval of an action is required

New or revised access to the Interstate system requires FHWA approval and is subject to NEPA.

What Is NEPA?

The National Environmental Policy Act of 1969 established a national policy to promote the protection of the environment in the actions and programs of federal agencies. The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) act as lead Federal agencies, and are responsible for implementing the NEPA process and working with state and local project sponsors during transportation project development. The FHWA and FTA NEPA process is designed to assist transportation officials in making project decisions that balance engineering and transportation needs with the consideration of social, economic and environmental factors. This process requires input from the public, interest groups, resource agencies and local governments. The FHWA and FTA NEPA process is used as an "umbrella" for compliance with over 40 environmental laws, regulations, and executive orders and provides an integrated approach to addressing impacts to the human and natural environment from transportation projects.

What NEPA documentation is required?

A good decision based on an understanding of environmental impacts is the objective of the NEPA process and a thorough analysis of these impacts as presented in the NEPA document is essential in

meeting that objective.

Different types of transportation projects will have varying degrees of complexity and potential to affect the environment. Under NEPA, the required environmental document depends on the degree of impact. FHWA and FTA, in coordination with the project sponsor, prepare one or more of the following documents for a proposed project:

- ◆ Notice of Intent (NOI) - a notice that an environmental impact statement (EIS) will be prepared and considered.
- ◆ Categorical Exclusions (CE) - apply to projects that do not have a significant impact on the human and natural environment.
- ◆ Environmental Assessments (EA) - prepared for projects where it is not clearly known if there will or will not be significant environmental impacts. If the analysis in the EA indicates the proposed project will have significant environmental impacts, an EIS will then need to be prepared.
- ◆ Finding of No Significant Impact (FONSI) - If there is not a significant impact, this conclusion is documented in a separate decision document, the FONSI.
- ◆ Environmental Impact Statements (EIS) - prepared for projects that have a significant impact on the human and natural environment. Draft EIS (DEIS) and Final EIS (FEIS) documents, with input from the public, provide a full description of the proposed project, the existing environment, and the analysis of the beneficial and adverse impacts of all reasonable alternatives.
- ◆ Record of Decision (ROD) - presents the selected transportation decision analyzed in an EIS, the basis for that decision, and the environmental commitments, if any, to

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The NEPA Process (cont. from page 2)

mitigate for project impacts to the human and natural environment.

Regardless of the type of NEPA document prepared, final selection or approval of a proposed project alternative by FHWA and FTA allows the project to be eligible for federal funding of subsequent project activities such as final design, right-of-way acquisition, and construction.

Processing Options

Environmental Impact Statement

When the proposed action will have a significant impact on the environment, an EIS is required.

As soon as a decision has been reached to prepare an EIS, the FHWA division office prepares a Notice of Intent. This notice is published in the Federal Register and is a brief announcement that FHWA will be preparing an EIS.

Scoping is a formal coordination process which determines the scope of issues to be addressed and identifies the significant issues related to the proposed action. It can be done by letter, phone or formal meeting. It should be assured that scoping occurs early, involves both affected agencies and interested public, and is well-documented. The scoping and Notice of Intent requirements reflect the concern for early coordination and faster and better processing.

Technical Advisory T6640.8A provides guidance on what should be in the EIS. It provides the required format and the type of information that should be developed in the EIS. A brief summary of the major EIS sections follows:

Project Purpose and Need is one of the most important elements of project and needs to be well-documented in the EIS. This discussion should be clear and specific, and support the need for the project. Some of the common "needs" seen in EISs include: transportation demand, safety, legislative direction, urban transportation plan consistency, modal interrelationships, system linkage, and the

condition of existing facility. Graphics and tables are particularly helpful in clarifying the discussion.

The Alternatives section describes the reasonable alternatives to achieve the project's purpose and need, how they were selected, and provides a clear basis for choice among the options. In developing alternatives, they must comply with the requirements of 23 CFR 771.111(f), which states that projects must connect logical termini, have independent utility, and not restrict consideration of future transportation alternatives. Also, some alternatives may have been examined early in the process but found to be not reasonable for further consideration. The Alternatives section should briefly explain why these alternatives were rejected from further study.

In the draft EIS stage, all reasonable alternatives should be discussed at a comparable level of detail. There is no requirement at this stage to have a "preferred" alternative; however, if an official position has been taken on one of the alternatives, this should be so stated in the document. Of course, at this stage in the process, no final decision can be made.

The "no-build" alternative must always be included. In addition to fulfilling a requirement, discussion of this alternative can serve two purposes. First, it may be a reasonable alternative, especially where the impacts are high and the need is relatively minor. More often, the no-build serves as a benchmark against which the impacts of the other alternatives can be compared. As part of this alternative, short-term minor reconstruction, such as safety upgrading and maintenance projects, can be considered.

Transportation System Management must be included as an alternative or design option where applicable. This can include high-occupancy vehicle lanes, ridesharing, signal synchronization, and other actions. Also, where appropriate, mass transit options should be considered.

Graphics should show the location of the alternatives in relation to each other and the project area. Alternative termini points and design features, such as the number of lanes and location of interchanges,

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The NEPA Process (cont. from page 3)

should also be shown.

The Affected Environment section is one area in EISs where there has been a tendency to include too much information. These documents are for decision purposes and, as such, descriptions should be no longer than needed to understand the area and the impacts of the alternatives. The affected environment section should discuss, commensurate with the importance of the impact, the existing social, economic, and environmental setting. Also, it should identify environmentally sensitive features. The use of graphics and/or photographs for this purpose is especially effective.

The Environmental Consequences section describes the impacts of the alternatives to the affected environment and documents the methodologies used in the evaluation. This information will be used to form a basis for the comparison of alternatives. One problem seen in this section is the use of generic statements like, "all highway construction in this area will cause erosion which adds to sediment loading in streams." That may be true enough, but it does not help differentiate between the alternatives or show the relative severity of the alternatives. Here again, context and intensity should be considered. This section of the document should discuss both impacts and mitigation measures. It should be remembered that mitigation must be considered for all impacts, regardless of significance. Additional consideration should be given to using enhancement measures to help better fit the project into the environment.

A second area for consideration is that of secondary and cumulative impacts. Secondary impacts are those effects that are expected to be "caused" by the proposed action but are later in time or are removed in distance, but are still reasonably foreseeable. Cumulative impacts are those which result from the incremental consequences of an action when added to other past and reasonably foreseeable future actions.

The EIS also has a Comments and Coordination section where the scoping process, including the

results of any meetings which may have been held and any comments received during preliminary coordination, should be summarized.

Another section, the List of Preparers, includes those primarily responsible for preparing the EIS or background papers. This includes SHA personnel involved and may include other State offices, consultants, and local people. The FHWA division office representative should also be included. This list should include the individual's name and qualifications including his/her expertise, experience, and professional discipline.

Between the draft and final EIS, the SHA and FHWA division office consider and prepare responses to all substantive comments received on the draft EIS, including those from the public hearing. The final EIS must identify and describe the preferred alternative and the basis for the decision, demonstrate compliance to the extent possible with all applicable environmental laws and Executive Orders, provide reasonable assurance that the requirements can be met, include copies of comments received and responses (if comments are voluminous they may be summarized), note where the EIS was changed in response to comments, (this change should be referenced in the response), and any other changes or corrections.

The final EIS is usually approved at the Regional Office level; however, prior concurrence by the Washington Headquarters Office is required on certain types of projects and under certain conditions (see 23 CFR 771.125(c)).

A ROD must be issued before any project approvals (e.g. for design, right-of way acquisition, construction) can be given on the selected course of action. The ROD may not be issued sooner than 30 days after the approved final EIS is distributed, nor 90 days after the Draft EIS is circulated. It should: (1) state the basis for the decision, (2) identify all the alternatives considered and specify the "environmentally preferable alternative," and (3) state whether all practicable means to avoid or minimize environmental

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The NEPA Process (cont. from page 4)

harm from the alternative selected have been adopted and, if not, why they were not.

Categorical Exclusions

Actions that do not individually or cumulatively have a significant social, economic, or environmental effect are excluded from the requirement to prepare an EA or EIS. These actions are processed as CEs. A specific list of CEs normally not requiring NEPA documentation is set forth in 23 CFR 771.117(c). Other projects, pursuant to 23 CFR 771.117(d), may also qualify as CEs if appropriately documented. There are various approaches to documenting CE determinations where required. For minor activities, programmatic approaches can reduce the amount of paper generated while still assuring adequate program control. More complex projects require more information in a formal submission from the State so that the FHWA division office can conclude that the project will not cause a significant environmental impact.

Environmental Assessment

An EA is prepared when there is uncertainty as to the significance of the impacts of the project.

It should discuss in detail only those areas where there is potential for a significant impact. Although there is no specific format requirement, the FHWA Technical Advisory 6640.8A provides a suggested format to be used for an EA. Briefly, the subject areas to be addressed are: project description, need, alternatives considered, impacts, and comments and coordination.

The EA is subject to FHWA approval before it is made available to the public as an FHWA document. The document itself need not be circulated, but must be made available for public inspection and comment. A notice of availability must be sent to State and area wide clearinghouses and should be published locally. Depending on FHWA-approved State procedures, a public hearing may or may not be required. The availability period for an EA is usually 30 days.

If, after completing the process, it is determined that there are no significant impacts associated with the project, a FONSI (the agency's statement of no significant impact) is prepared. The FONSI includes the EA modified to reflect all applicable comments and responses to those comments. No formal circulation is required, however, the State clearinghouse must be notified of the availability of the FONSI, and FHWA recommends that the public be notified in local publications. A sample of the language used for a FONSI can be found in Technical Advisory T6640.8A (page 9).

If, at any time, a significant impact is identified, an EIS must be prepared.

Mitigation and Enhancement

It has been FHWA's policy that measures necessary to mitigate adverse impacts (both significant and non-significant) be incorporated into the proposed action (23 CFR 771.105(d)). The regulations describe (40 CFR 1508.20) some of the methods for mitigating impacts. They include: avoidance, minimizing impacts by limiting the scope of the action, rehabilitating or restoring the affected environment, and compensating for the impact by replacing or providing substitute resources. Such measures would be eligible for Federal funding if: (1) the impact for which the mitigation was proposed actually resulted from the project and (2) the proposed mitigation represented a reasonable public expenditure, considering, among other things, the extent to which the proposed measures would assist in complying with a Federal statute, Executive Order, or other Administration regulation or policy.

The Environmental Policy Statement (the EPS was first issued in 1990 and revised in 1994) called for an expanded interpretation of these requirements, and specifically itemized full and objective consideration to avoidance, innovative designs to minimize harm, and identification of opportunities to contribute to a healthier, more attractive environment through improved mitigation and enhancement. The only restrictions that the EPS placed on funding

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The NEPA Process (cont. from page 5)

environmental enhancement activities were that such activities represent a reasonable public expenditure, be in the best overall public interest, and be reasonable related to an eligible highway project.

It is the responsibility of FHWA and the implementing agency to assure that the mitigation and enhancement measures committed to in the environmental document, as well as those contained in permits, are carried out. We encourage that a summary of mitigation/enhancement commitments be included in the FONSI or ROD and made available to appropriate project personnel.

Reevaluation


The FHWA must assure that the environmental documentation for the proposed action (CE, EA/FONSI, EIS/ROD) is still valid, prior to proceeding with major project approvals or authorizations. This is accomplished through a reevaluation, which is an assessment of any changes which may have occurred in either the project's concept or the affected environment, and a determination of what effects these changes might have on the validity of the environmental documentation. Informal consultation between FHWA and the State DOT may be acceptable, with appropriate.

In addition to this requirement for all levels of environmental documentation, there is a 3- year validity period for EISs. If after circulation of a Draft EIS, and an acceptable Final EIS is not submitted to FHWA within 3 years from the date of the draft EIS circulation, a written reevaluation of the Draft EIS shall be prepared prior to submission of the Final EIS. This evaluation must demonstrate that the information presented in the Draft EIS is an accurate analysis of the anticipated project impacts. For projects with an approved Final EIS, a written reevaluation is required before further approvals are given if activities to advance the action, e.g., design, right-of-way, or construction, have not occurred within any 3-year time period.

Supplemental EIS

If the reevaluation process described above reveals that there have been changes which result in significant adverse impacts not identified in the approved document, a new EIS or a Supplemental EIS (SEIS) must be prepared and circulated.

If changes are made to the proposed actions and it is uncertain if a Supplemental EIS is required, appropriate environmental studies or, if necessary, an EA to assess the impacts of such changes must be developed.

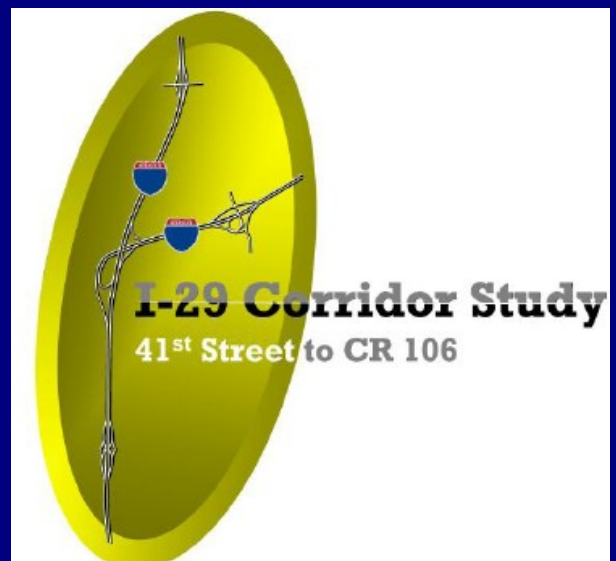
There is no required format for a SEIS, but it must contain the reason for preparing a Supplement and an evaluation of the changes and new impacts. Portions of the original EIS which remain valid may be summarized. The SEIS is processed in the same way as the original document, except that there is no requirement for formal scoping. 

More information regarding the NEPA process can be found at the following websites:

http://ceq.eh.doe.gov/nepa/Citizens_Guide_Dec07.pdf

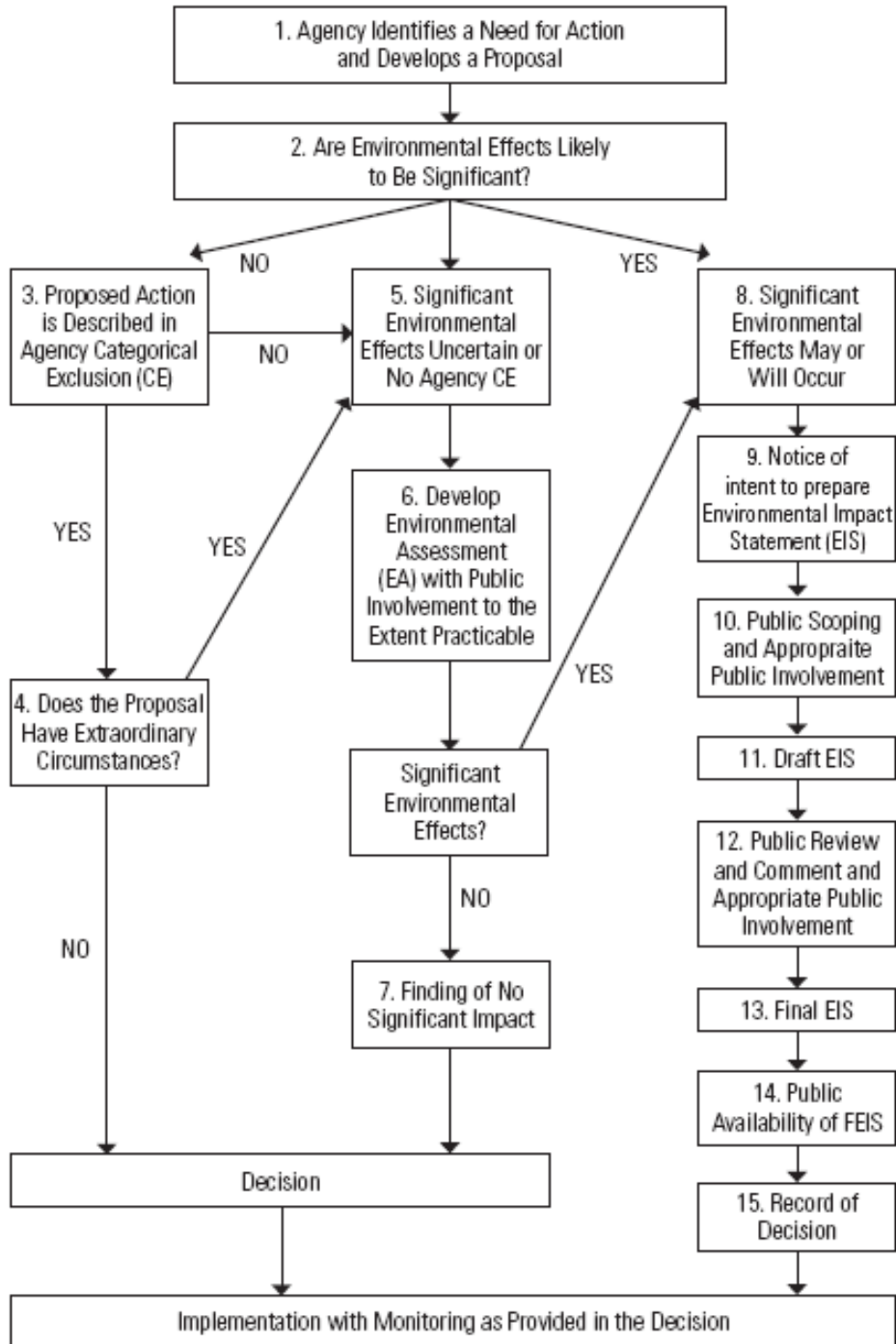
<http://www.environment.fhwa.dot.gov/>

<http://nepa.fhwa.dot.gov>



NEPA Workflow Chart


The NEPA Process



**Significant new circumstances or information relevant to environmental concerns or substantial changes in the proposed action that are relevant to environmental concerns may necessitate preparation of a supplemental EIS following either the draft or final EIS or the Record of Decision (CEQ NEPA Regulations, 40 C.F.R. § 1502.9(c)).*



Additional I-29/I-229 System Interchange Options

As promised in Newsletter #3, additional options for the I-29/I-229 System Interchange have been developed. One thing to note on these I-29/I-229 System Interchange options is that 69th Street is a crossing only. There is no access to either I-29 or I-229 from 69th Street in these options developed. Detailed information on these and the previous options developed can be found in the technical memorandums available on the study website. 

Option 7: Complete Reconstruction #1 Option



Option 8: Complete Reconstruction #2 Option



SCHEDULE OF UPCOMING EVENTS

85TH STREET OPTIONS

ANTICIPATED COMPLETION: MID JUNE, 2008

NO BUILD FUTURE TRAFFIC VOLUMES

ANTICIPATED COMPLETION: MID JUNE, 2008

ADDITIONAL I-29/I-229 SYSTEM INTERCHANGE OPTIONS

ANTICIPATED COMPLETION: LATE JUNE, 2008

STUDY ADVISORY TEAM MEETING #3

TENTATIVELY SCHEDULED FOR JULY 17, 2008

PUBLIC MEETING #1

TENTATIVELY SCHEDULED FOR JULY 17, 2008

SDDOT CONTACT INFORMATION

The I-29 Corridor Study is being administered by Mr. Steven Gramm, P.E., from SDDOT's Project Development Office located in Pierre, SD. Steve can be reached via email at steve.gramm@state.sd.us or by phone at 605-773-6641.

URS CONTACT INFORMATION

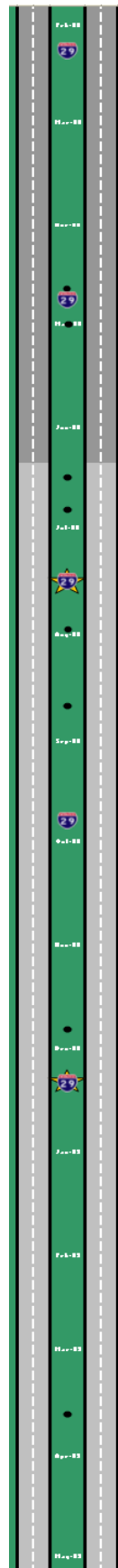
The I-29 Corridor Study is being coordinated by Mr. Bill Troe, AICP, from the Surface Transportation Group of the URS Division located in the Omaha, NE office. Bill can be reached via email at Bill_Troe@URSCorp.com or by phone at 1-866-671-5309.

STUDY WEBSITE

http://www.sddot.com/pe/projdev/planning_ss_i29.asp

STUDY NEWSLETTER

Requests to be added to the newsletter mailing list can be made with an email to steve.gramm@state.sd.us. Past newsletters can be downloaded from the study website.



Study Advisory Team Meeting #1
Held February 8, 2008

69th Street Options: April 24, 2008
Study Advisory Team Meeting #2
Held April 25, 2008
I-29/I-229 Options: May 1, 2008

No Build Future Traffic Operations: Mid June, 2008
85th Street Options: Mid June, 2008
Additional I-29/I-229 Options: Late June, 2008

Study Advisory Team Meeting #3
Tentatively Scheduled July 17, 2008
Public Meeting #1
Tentatively Scheduled July 17, 2008

Build Future Traffic Operations: Late July, 2008

Draft IJR: Late August, 2008

Study Advisory Team Meeting #4
Tentatively Scheduled Late September, 2008

Draft EA: Late November, 2008

Study Advisory Team Meeting #5
Public Meeting #2
Tentatively Scheduled Mid December, 2008

Final IJR: Mid March, 2009