

FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND SECTION 4(F) FINDING

FOR

I-29 Exit 130 (20th Street South) Interchange
EM 0295(45)130, PCN 020V
EM 0295(45)130, PCN 07NY
EM 0295(45)130, PCN 07P0

Brookings County
Brookings, South Dakota

Submitted Pursuant to 42 U.S.C. 4332(2) and 49 U.S.C. 303
by the
US Department of Transportation
Federal Highway Administration
and
South Dakota Department of Transportation

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1.0 INTRODUCTION

The Federal Highway Administration (FHWA) has determined that in accordance with 23 CFR § 771.119 and § 771.121, the Interstate 29 (I-29) at 20th Street South Interchange (the Project) will not have a significant impact on the human or natural environment. This Finding of No Significant Impact (FONSI) for the Proposed Action is based on the Environmental Assessment (EA) signed by FHWA and SDDOT. The EA was made available on October 19, 2020 to stakeholders, agencies, and the public for a 30-day comment period. Due to COVID, a presentation providing a Project update and the EA were placed on the website (<https://www.20thstinterchange.com/>) on October 19, 2020. Printed versions of the EA were also made available at the South Dakota Department of Transportation (SDDOT) Brookings Area Office and Brookings City-County Government Center.

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

Since the close of the 30-day public comment period for the EA, the preliminary design of the preferred alternative has been refined. This FONSI will note revisions or updates to the following discussions that were noted in the EA: Wetlands and Other Waters of the US (OWUS) impacts, the Allyn Frerichs Trail detour, coordination for Section 4(f) and 6(f) Resources, the summary of the impacts due to the preferred alternative, and the summary of measures and commitments. These revisions will be discussed further in Section 4.0 of this FONSI.

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

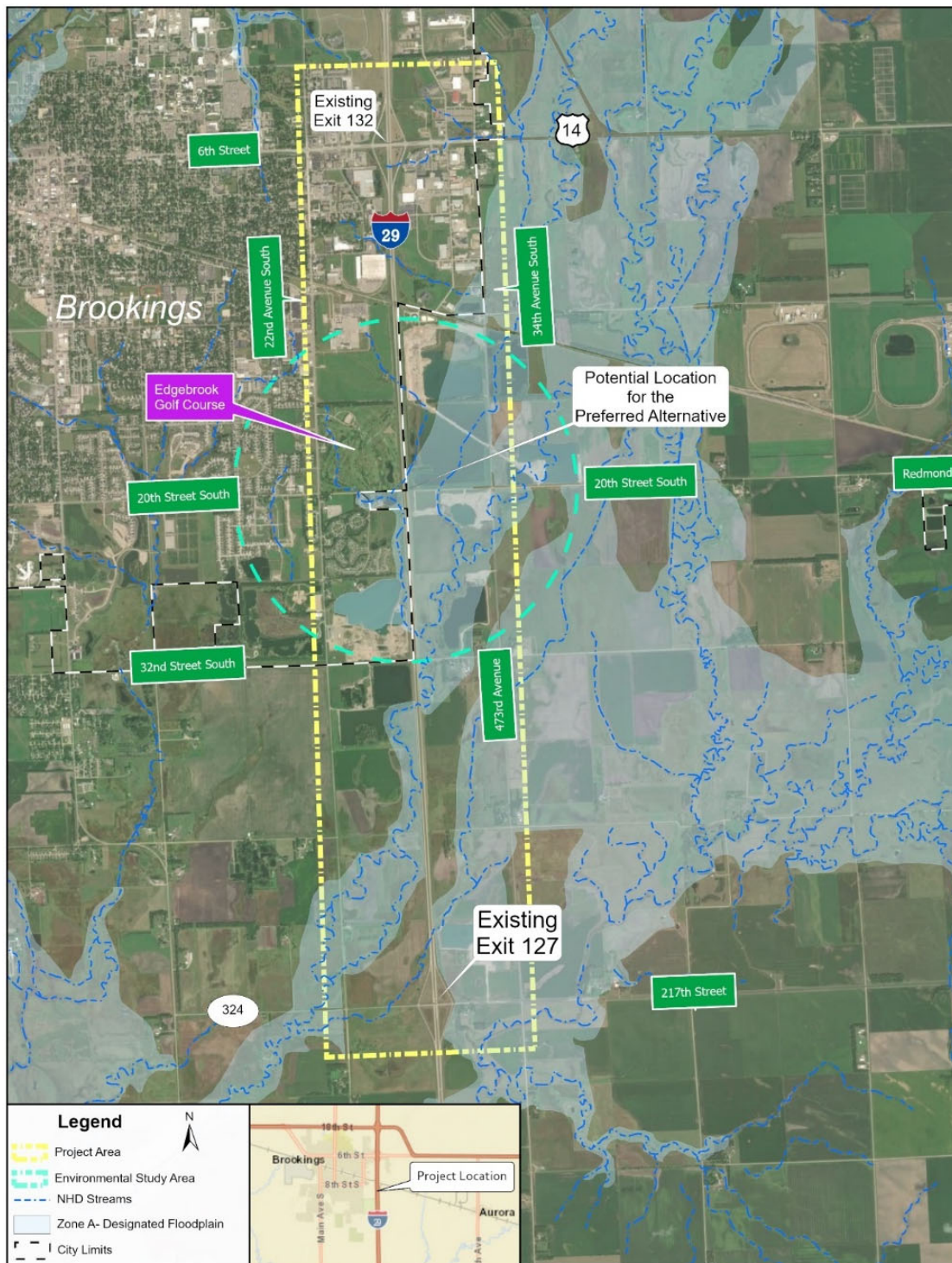
2.0 DESCRIPTION OF THE PROPOSED PROJECT

The Project is located in Brookings in Brookings County, South Dakota. The Project Area is defined early in the NEPA process and is used to consider the current transportation system and future transportation needs that may be impacted by the Proposed Action. The Environmental Study Area is used to evaluate the effects of the reasonable alternatives on resources present within a 1-mile radius of the Project. Please refer to *Figure 1*.

The Project involves evaluating alternatives for an overpass or interchange at 20th Street South. Within the Project Area, there are two interchanges on I-29, one at Exit 127 (South Dakota Highway 324 [SD 324] / 217th Street) and one at Exit 132 (US Highway 14 [US 14] / 6th Street). The major north-south arterials are

22nd Avenue South and 34th Avenue South / 473rd Avenue. 22nd Avenue South is a paved four-lane roadway with turn lanes, and 34th Avenue South was recently improved to a paved two-lane roadway. The major east-west arterial in the Project Area is 6th Street, which is a paved four-lane roadway separated by a median and turn lanes.

Figure 1. Project Location



The ground-disturbing activities to improve the transportation system would be focused near 20th Street South. For this Project, the logical termini west-to-east extents are from 22nd Avenue South to 34th Avenue South, and the south-to-north extents are from 217th Street to 6th Street, including Exits 127 and 132. This Project is a standalone project since the proposed improvements would address the Project needs. The Project would not force needed improvements outside of the logical termini.

2.1 PURPOSE AND NEED FOR THE PROJECT

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

2.1.1 Purpose of the Project

The purpose of the Project is to relieve congestion on major north-south and east-west arterials and to improve transportation connectivity for community access and to facilitate growth of the local economy.

2.1.2 Project Needs

The needs for the Project described in the EA include the following:

- **System Linkage-** The limited connections across I-29 in the existing roadway system cause longer commuting and travel times, which are expected to increase as future development of the southwest portion of Brookings occurs.
- **Traffic Capacity-** Forecasts for traffic growth indicate two locations along existing roadways that would not meet the Level of Service (LOS). At the intersections of 22nd Avenue South and 20th Street South and 6th Street and I-29, traffic would become congested by the planning year of 2045.

2.2 ALTERNATIVES CONSIDERED

Six build alternatives were considered in the EA. In addition, the No Build Alternative has been included to satisfy the NEPA requirements and FHWA guidelines. In all, seven alternatives were considered in the EA:

- **No-Build Alternative:** The No-Build Alternative would leave the existing roadway system in place.
- **Interchange Alternatives (Alternatives 1–5):** The interchange alternatives would involve building an I-29 interchange at 20th Street South.
- **Overpass Alternative (Alternative 6):** The overpass alternative would involve building an I-29 overpass at 20th Street South.

2.2.1 No-Build Alternative

The No-Build Alternative would not construct an overpass or an interchange at 20th Street South. The main arterials in the Project Area—6th Street, 22nd Avenue South, and 34th Avenue South—would continue to be routinely maintained. Routine maintenance would include any activities that do not change the roadway's typical section, such as resurfacing, but would not include additional width added to lanes or shoulders. The No-Build Alternative would not meet the needs of the Project Area, causing congestion and a lack of roadway connectivity in Brookings. The No-Build Alternative would also not facilitate economic growth. The lack of roadway connection and congested main arterials could affect meeting the planned growth rate of Brookings.

Although the No-Build Alternative does not meet the design criteria or the purpose and need for the Project, it will be carried forward as a baseline for comparison of the potential impacts of the build alternatives.

2.2.2 Build Alternative Details

Several details discussed below are the same for all the build alternatives, including the 20th Street South typical section and alignment, 20th Street South intersection improvements, I-29 horizontal and vertical alignment, and utilities.

2.2.2.1 20th Street South Typical Section and Alignment

Development of the roadway typical section was one of the initial considerations in the alternatives development process. Features include the following:

- A 36-foot-wide pavement section from 22nd Avenue South to 34th Avenue South (approximately 1 mile). This generally matches existing 20th Street South to the west of 22nd Avenue South.
- Two through-lanes with a center left-turn lane. Right turning lanes are also provided where warranted.
- A shared use path on the south side of 20th Street South.

The horizontal alignment of 20th Street South will be shifted up to 180 feet south of the section line. The alignment shift does the following:

- Minimizes impacts on Edgebrook Golf Course. A portion of the proposed 20th Street South at the intersection with 22nd Avenue South is anticipated to have temporary construction impacts on the golf course.
- Impacts several mobile homes and a pond along the south side of 20th Street South. All build alternatives would have the same horizontal alignment for 20th Street South.

2.2.2.2 20th Street South Intersection Improvements

The 20th Street South and 22nd Avenue South intersection and the 20th Street South and 34th Avenue South intersection would be improved as part of each build alternative.

To accommodate the traffic at the intersection of 20th Street South and 22nd Avenue South, the following two phases would be completed:

- With Year 2022 construction project, Phase 1 would include a left turn lane onto 20th Street South for northbound traffic on 22nd Avenue South. During peak hours, traffic becomes backed up at this intersection, and drivers use Allyn Frerichs Trail on the east side of 22nd Avenue South to bypass vehicles turning left onto 20th Street South. Allyn Frerichs Trail along 22nd Avenue South would be reconstructed to an 8-foot-wide shared use path including a 2-foot-wide colored concrete boulevard behind the curb for sign placement.
- With a future project prior to Year 2045, Phase 2 would include an additional southbound through-lane and right-turn lane on 22nd Avenue South. A sidewalk would be constructed

on the west side of 22nd Avenue South between Moriarty Drive and 20th Street South. An eastbound right-turn lane on 20th Street South would also be added. These future improvements are included in the Interchange Justification Report (SDDOT 2020).

To accommodate traffic at the intersection of 20th Street South and 34th Avenue South, the following two phases would be completed:

- Phase 1 would include a southbound right-turn lane on 34th Avenue South that would be constructed in 2022. Traffic control (i.e., stop signals) would be added at all intersections.
- Phase 2 would include a northbound through lane and right-turn lane on 34th Avenue South. These future improvements would be constructed as traffic warrants.

2.2.2.3 I-29 Horizontal and Vertical Alignment

The horizontal and vertical alignment of I-29 would remain the same for all build alternatives except Alternative 2, in which I-29 would cross over 20th Street South. No additional lanes or increase in capacity for I-29 is part of this Project.

2.2.2.4 Utilities

Existing private utilities may be impacted by the Project. Coordination with each utility company is ongoing to determine relocation needs. Extensive utility mapping has been completed to determine specific impacts. In addition, the project design has been adjusted, where feasible, to avoid utility impacts.

2.2.3 Alternatives Considered

The following are the proposed build alternatives:

- **Alternative 1: Single Point Interchange (20th Street South over I-29):** This alternative is a single point interchange with 20th Street South going over I-29.
- **Alternative 2: Single Point Interchange (I-29 over 20th Street South):** This alternative is a single point interchange with I-29 going over 20th Street South.
- **Alternative 3: Partial Cloverleaf Interchange:** This alternative is a partial cloverleaf interchange with loops and ramps in the southwest and northeast quadrants of the interchange.
- **Alternative 4: Half Cloverleaf Interchange:** This alternative is a half-cloverleaf interchange with loops and ramps in the southwest and southeast quadrants.
- **Alternative 5: Single Loop Interchange:** This alternative has a loop in the southwest quadrant and a standard diamond interchange layout on the east side.
- **Alternative 6: Overpass Only:** This alternative brings 20th Street South across I-29 as an overpass without any ramp connections to I-29.

2.3 PREFERRED ALTERNATIVE

Based on the evaluation of potential impacts, Alternative 5 is recommended as the preferred alternative. The benefits of Alternative 5 include the following:

- Alternative 5 would meet the needs for the Project, providing connectivity in the roadway system and maintaining an acceptable LOS in the Project Area.
- The estimated construction cost of Alternative 5 is approximately \$18,600,000 and is within the available funding.
- Alternative 5 would avoid the use of Edgebrook Golf Course, a Section 4(f) and 6(f) resource.
- Alternative 5 would avoid the wetland mitigation site present in the northeast quadrant of the proposed interchange.

Although the drawbacks of Alternative 5 include the acquisition of five residences and other private property, these impacts would also occur under the other build alternatives that were considered and screened out from further evaluation.

The No-Build Alternative is not recommended as the preferred alternative because the needs for the Project would not be met.

The preferred alternative avoided or minimized impacts to environmental resources to the extent practicable. For those unavoidable impacts, mitigation measures and environmental commitments were proposed in the EA. With consideration of the Purpose and Need factors, potential impacts, and public input, Alternative 5 was identified as the preferred alternative. Please refer to *Figure 2*.

Figure 2: Preferred Alternative (Alternative 5)



2.3.1 Summary of Impacts

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

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

No-Build Alternative	Preferred Alternative
Land Use	
The No-Build Alternative is inconsistent with land use plans. The lack of connectivity in the roadway system in Brookings could inhibit the planned development in the Project Area. This could cause increased growth in unplanned areas or a reduction in the growth rate in Brookings, resulting in a moderate, adverse effect on land use.	The preferred alternative is consistent with land use plans. Improved connectivity in the roadway system would facilitate the planned development in the Project Area, allowing Brookings to continue to grow, resulting in a moderate, beneficial effect on land use.
Social	
The No-Build Alternative would lead to increased traffic congestion and reduced response times for emergency services. Travel delays would continue to be approximately 2 million person-hours in the next 30 years with the current roadway system. The No-Build Alternative would have a moderate, adverse effect on the social environment.	Under the preferred alternative, traffic congestion would be reduced, and emergency service response times would be maintained or improve. Rural areas would experience a minor, adverse effect due to conversion of property to urban areas. Traffic delays for residents to their places of employment would be reduced by at least approximately 2,000 miles and 100 hours for a one-way trip to work, resulting in an overall moderate, beneficial effect on the social environment.
Economic Resources	
The No-Build Alternative would result in increased costs to drivers due to traffic congestion. The growth of Brookings may be hindered, which would reduce the tax base. The No-Build Alternative would have a moderate, adverse effect on economic resources.	The preferred alternative would provide connectivity in the transportation system, allowing planned development to proceed. The development is anticipated to create 300 new jobs, nearly \$6 million in new earnings, and \$1 million in new state and local taxes. The preferred alternative would have a moderate, beneficial effect on the local economy.
Acquisitions and Relocations	
No acquisitions or relocations are required under the No-Build Alternative.	The preferred alternative would require the acquisition of five single-family residences .
Pedestrians and Bicyclists	
Currently during peak hours, drivers illegally use Allyn Frerichs Trail to go around vehicles turning left onto 20th Street South. Under the No-Build Alternative, vehicles would continue to use the trail, and safety for trail users would continue to be a concern. Therefore, the No-Build Alternative would have a minor, adverse effect on pedestrians and bicyclists.	A segment of Allyn Frerichs Trail from the intersection of 20th Street South and 22nd Avenue South would be shifted to the east. This would provide a northbound left turn-lane on 22nd Avenue South. Currently during peak hours, drivers illegally use the trail to go around vehicles turning left onto 20th Street South. The safety for trail users would be improved. Therefore, the preferred alternative would have a moderate, beneficial effect on pedestrians and bicyclists. For the unavoidable temporary closure of this trail during construction, a feasible and safe detour route will be provided.

No-Build Alternative	Preferred Alternative
Air Quality	
The No-Build Alternative would result in deterioration of air quality due to increased traffic congestion. However, it is not likely that air quality standards would be violated in the foreseeable future. Therefore, the No-Build Alternative would have a negligible effect on air quality.	The preferred alternative would result in a temporary increase in air emissions during construction. Following construction, a decrease in traffic congestion would lead to a decrease in emissions. Therefore, the preferred alternative would have a negligible effect on air quality.
Noise	
Currently, four receptors are over the acceptable noise levels. These receptors are located near the eastern boundary of Edgebrook Golf Course and on portions of Allyn Frerichs Trail. The No-Build Alternative would have no effects on existing noise in the Project Area.	Six noise-related impacts are predicted because of the preferred alternative. Potential traffic noise abatement measures were determined to be not feasible. The preferred alternative is anticipated to have a minor, adverse effect on noise levels at six receptors along the eastern boundary of Edgebrook Golf Course and on portions of Allyn Frerichs Trail.
Wetlands and OWUS	
The No-Build Alternative would have no effects on existing wetlands or OWUS.	Approximately 4.10 total acres of aquatic resources would be permanently impacted. Of this total acreage, approximately 0.12 acre of wetland is considered jurisdictional under the Clean Water Act and 0.33 acre of wetland in addition to the jurisdictional wetland area is protected under EO 11990. The remaining 3.65 acres have been determined to either be non-jurisdictional features or excluded features not subject to USACE jurisdiction. The preferred alternative is anticipated to be permitted under a Section 404 nationwide permit. Approximately 0.12 acre of impact would be mitigated under Clean Water Act Section 404 requirements, and approximately 0.33 acre of wetlands protected under EO 11990 would be mitigated. Overall, the preferred alternative would have a minor, adverse effect to wetlands and OWUS.
Water Quality	
The No-Build Alternative would have no effects on water quality.	The preferred alternative would result in a minor increase in runoff from impervious surfaces due to the additional roadway. Therefore, the preferred alternative would have a minor, adverse effect on water quality.
Vegetation, Fish, and Wildlife	
The No-Build Alternative would have no effects on vegetation, fish, and wildlife.	The preferred alternative would have a negligible effect on the vegetation, fish, and wildlife populations in the Project Area. Habitat in the area is disturbed, and similar areas are available throughout the Project Area.
Floodplain	
The No-Build Alternative would have no effects on the floodplain.	The rise of the floodplain caused by the preferred alternative would be less than 1 foot. Therefore, it is anticipated that the preferred alternative would have a minor, direct, adverse impact on the floodplain.
Threatened and Endangered Species	
The No-Build Alternative would have no effects on threatened or endangered species.	The preferred alternative would have no effect to threatened and endangered species.

No-Build Alternative	Preferred Alternative
Cultural Resources	
The No-Build Alternative would have no effects on cultural resources.	The preferred alternative would have no effect to cultural resources.
Regulated Materials	
The No-Build Alternative would have no effects on regulated materials.	Regulated material sites would not be affected by, nor would they affect , the preferred alternative.
Visual Impacts and Aesthetics	
The No-Build Alternative would have no effects on the visual landscape or aesthetics.	The preferred alternative would have a minor, adverse effect on the viewshed from Edgebrook Golf Course.
Environmental Justice	
The No-Build Alternative would have a minor, adverse effect on environmental justice populations because of traffic delays and additional drive time due to connectivity in the transportation system.	The preferred alternative would benefit all populations in the Project Area by reducing travel times and distances. The effect would be minor, beneficial effect on environmental justice populations due to improvement of traffic delays and decreased drive time due to connectivity in the transportation system.
Section 4(f) and Section 6(f) Resources	
The No-Build Alternative would have no effects on Section 4(f) and Section 6(f) resources.	SDGFP concurred with the proposed work within the golf course as part of the preferred alternative be considered a temporary non-conforming use under Section 6(f). A concurrence from the City was received for the temporary occupancy exemption for the Edgebrook Golf Course and the de minimis use of the Allyn Frerichs Trail.
Utilities	
The No-Build Alternative would have no effects on utilities.	The preferred alternative would require relocation of utilities, but impacts would be minor temporary adverse impacts. To minimize impacts, coordination has occurred with utility companies and the City. This coordination would continue prior to construction.

3.0 COORDINATION AND PUBLIC INVOLVEMENT

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

3.1 PUBLIC INVOLVEMENT

Public involvement has been carried out throughout the Project. Public involvement occurred primarily online due to COVID-19 limiting the ability for in-person meetings. Materials were posted online and made available to the public to relay the key milestones of the Project. Public input was requested at each milestone.

3.1.1 Public Information Release #1

A postcard notification was mailed to 584 property owners or tenants within approximately a 1-mile radius of the Project, advising them of the proposed construction of a new interchange. The postcard directed

interested individuals to the Project website. Notification of the Project was published in the Brookings Register on April 9 and 16. On April 20, 2020, the Project's website (<https://www.20thstinterchange.com/>) released an online presentation and opportunity for comment to the purpose and need and the alternatives. Section 4(f) and 6(f) properties were identified within the Study Area and included the Edgebrook Golf Course and the Allyn Frerichs Trail. Potential impacts to these properties were incorporated. Comments submitted on the website were made available for public review, however, commenter's names, addresses, email address, or specific property information was omitted. Comments regarding the Project's purpose and need and alternatives were posted to the website and can be found in *Appendix F* of the EA.

Many of the comments submitted via the website were in support of the project, citing increased safety and travel improvements (distance, time, and efficiency) for commuters, and future development opportunities as positive outcomes. The main concern raised in many of the comments was the impact to the golf course, with the suggestion of total avoidance of impacts to the golf course being a common statement. Additional noise due to traffic was also a concern, as well as the quality of the noise projections of the future. Two comments stated that the interchange was in the wrong location and should be located at 32nd Avenue to accommodate the future growth of the City. One commenter stated that the City and Brookings County funds should go to existing roadways instead of the 20th Street South interchange.

Notification letters and individual meetings were held with six landowners immediately adjacent to the project whose property would potentially be impacted by the project. The meetings were held on April 20 and 21, 2020.

3.1.2 Public Information Release #2

A postcard notification was mailed to 580 property owners or tenants within approximately a 1-mile radius of the Project. The postcard directed interested individuals to the Project website. Notifications were published in the Brookings Register on October 8 and 15. On October 19, 2020, the EA was made available for public comment on the Project's website (<https://www.20thstinterchange.com/>). The public comment period ended on November 20, 2020. Section 4(f) and 6(f) properties were identified within the Study Area of the Project and included the Edgebrook Golf Course and the Allyn Frerichs Trail. Potential impacts to these properties were incorporated. Comments submitted on the website were made available for public review, however, commenter's names, addresses, email address, or specific property information was omitted.

Ten comments received were written in support of the Project and raised no additional concerns or issues. Five comments were in support of the Project but raised concerns with the closure of the Allen Frerichs Trail during Project construction. Due to comments received, the commitment noted in the EA was revised to note reasonable detours would be provided for both the north and south of 20th Street trail segments. Several comments brought forth multiple issues including drainage at the 34th Avenue and 20th Street intersection, sight lines along 20th Street at the I-29 ramp locations, speed limit zones, the turn radius needed for large trucks at the 22nd Avenue and 20th Street South intersection, and the proper joining of 22nd Avenue and 20th Street South at the intersection.

All correspondence received on the EA from the public was logged and, if requested, was responded to accordingly. Responses to comments are posted on the website and can be found in *Appendix A* of this FONSI. The changes to the EA are further discussed under *Section 4.0* of this FONSI.

Notification letters and individual meetings were held with eight landowners immediately adjacent to the Project whose property would potentially be impacted by the Project. The meetings were held on November 3 and 4, 2020.

3.2 AGENCY COORDINATION

Federal, State, and local agencies that were consulted regarding the Project include:

- United States Army Corps of Engineers
- United States Fish and Wildlife Service
- South Dakota State Historic Preservation Office
- South Dakota Department of Environment and Natural Resources
- South Dakota Department of Game, Fish and Parks
- Federal Emergency Management Agency
- Community Floodplain Administrators from the City of Brookings and Brookings County
- City of Brookings Parks, Recreation, and Forestry Department

Appendix A of the EA summarizes the agency and local government coordination relevant to the Project.

3.3 TRIBAL COORDINATION

Section 106 of the National Historic Preservation Act of 1966 guides federal agencies to consult tribes that are federally recognized and may have a cultural or religious association to historic resources affected by federal actions.

For this Project, SDDOT sent coordination letters on March 25, 2020, to the following seven tribes that may have an interest in the highway projects in Brookings County:

- Chippewa Cree Tribe
- Flandreau Santee Sioux Tribe
- Lower Brule Sioux Tribe
- Sisseton Wahpeton Oyate
- Standing Rock Sioux Tribe
- Three Affiliated Tribe
- Yankton Sioux Tribe

One response was received on March 26, 2020; the Lower Brule Sioux Tribe noted that it has no comment on the Project. This written response from Lower Brule Sioux Tribe is provided in *Appendix A* of the EA.

4.0 ENVIRONMENTAL CONSEQUENCES AND SUMMARY OF COMMITMENTS

Chapter 3 of the EA discussed the existing environment and the effects of the alternatives carried forward, the No-Build Alternative and Alternative 5. This section notes a revision to Wetlands and OWUS of the US, Allyn Frerichs Trail, coordination for Section 4(f) and 6(f) Resources, summary of the impacts due to the preferred alternative, and summary of mitigation measures and commitments. These commitments can be found in an updated Section A, Environmental Commitments, document found in *Appendix B*. The mitigation measures and environmental commitments for the preferred alternative are summarized in *Table 2* and will be implemented as part of this Project. In addition, a summary of anticipated permits that will be required prior to construction activities are listed in *Table 3*.

4.1 WETLANDS AND OTHER WATERS OF THE US

The preliminary design of the preferred alternative has been refined and an additional access has been added since the Draft EA, so permanent and temporary impact acreage calculations were updated. *Tables 2* and *3* show the updates to wetland and OWUS impacts due to the preferred alternative. It is still anticipated that impacts can be permitted under a USACE Nationwide Permit. An approved jurisdictional determination was received on January 5, 2021 from the USACE. One change in jurisdictional status has been documented in *Table 2*. Wetland 10, a permittee responsible mitigation site not affiliated with the Project, was defined as likely non-jurisdictional in the EA and was determined by the USACE to be jurisdictional.

The functional capacity unit (FCU) that will be utilized to purchase mitigation credits was calculated for wetlands and OWUS that were permanently impacted. The FCUs were determined utilizing Hydrogeomorphic (HGM) Analysis. For the HGM analysis, Wetland 6 and Stream 1 were considered one aquatic feature to more accurately determine the FCUs.

Table 2: Delineated Wetlands and OWUS in the Wetland Delineation Study Area

Feature	Cowardin Classification ^(b)	Wetland Type ^(c)	Jurisdictional Status or Identification of Preamble Status ^(d)	Permanent Impacts (Acres)	Temporary Impacts (Acres)
WL-01a	R4SBC	Slope	Non-Jurisdictional	0.00	0.00
WL-01b	R4SBCx	Slope	Non-Jurisdictional	0.00	0.08
WL-01c	PEMAx	Slope	Non-Jurisdictional	0.00	0.23
WL-02	PUB1x	Depressional	Non-Jurisdictional	3.27	0.02
WL-03	PEMA _d	Slope	Non-Jurisdictional	0.29	0.18
WL-04	PEMA _d	Slope	Non-Jurisdictional	0.04	0.11
WL-05	PEMA _d	Depressional	Non-Jurisdictional	0.00	0.00
WL-06/Stream1	RP1EM	Riverine	Jurisdictional	0.12	0.04
WL-07a	PEMAx	Slope	Jurisdictional	0.00	0.00
WL-07b	PEMAx	Slope	Jurisdictional	0.00	0.00
WL-08a	PEMAx	N/A (Ditch)	Excluded Water	0.03	0.01
WL-08b	PEMAx	N/A (Ditch)	Excluded Water	0.04	0.00

Feature	Cowardin Classification ^(b)	Wetland Type ^(c)	Jurisdictional Status or Identification of Preamble Status ^(d)	Permanent Impacts (Acres)	Temporary Impacts (Acres)
WL-08c	PEMAx	N/A (Ditch)	Excluded Water	0.02	0.00
WL-08d	PEMAx	N/A (Ditch)	Excluded Water	0.16	0.00
WL-08e	PEMAx	N/A (Ditch)	Excluded Water	0.06	0.00
WL-08f	PEMAx	N/A (Ditch)	Excluded Water	0.02	0.00
WL-09a	PEMAx	N/A (Ditch)	Excluded Water	0.01	0.11
WL-09b	PEMAx	N/A (Ditch)	Excluded Water	0.00	0.11
WL-09c	PEMAx	N/A (Ditch)	Excluded Water	0.00	0.11
WL-09d	PEMAx	N/A (Ditch)	Excluded Water	0.04	0.09
WL-10	PUBHx	Depressional	Jurisdictional	0.00	0.00
WL-11	PUBHx	Depressional	Excluded Water	0.00	0.00
WL-12	PUBHx	Depressional	Excluded Water	0.00	0.00
L-01	L1UBx	N/A	Jurisdictional	0.00	0.07
Acres				4.10	1.16

a Area delineated within the defined wetland delineation survey area for the Project.

b R4SBC- Riverine, Intermittent, Streambed, Seasonally Flooded; R4SBCx- Riverine, Streambed, Seasonally Flooded, Excavated; PEMAx- Palustrine, Emergent, Temporarily Flooded, Excavated; PUB1x- Palustrine, Unconsolidated Bottom, Cobble-Gravel, Excavated; PEMAd- Palustrine, Emergent, Temporarily Flooded, Partly Drained/Ditched; RP1EM- Riverine, Emergent; PUBHx- Palustrine, Unconsolidated Bottom, Permanently Flooded, Excavated L1UBx – Lacustrine Limnetic Unconsolidated Bottom Excavated

c Wetland type refers to the HGM classification: depressional, riverine, or slope wetlands.

d Jurisdictional status assists SDDOT with determining whether or not the feature is under the authority of USACE.

The EA for public availability noted 4.38 acres of permanent impact to aquatic resources, in comparison to the updated calculation of 4.10 acres in this FONSI. Of the total 4.10 acres of permanent wetland impacts, 3.60 acres are non-jurisdictional or likely non-jurisdictional under Section 404. Two likely non-jurisdictional wetlands protected under EO 11990, Wetlands 3 and 4, will have 0.33 acres of permanent impact. One likely jurisdictional wetland, Wetland 6, has 0.12 acre of permanent impact. An estimated 0.38 acre of permanent impact occurs in ditch wetland features that are artificial features and are likely preamble.

Table 3 shows the impacted total temporary and permanent impacts, and mitigation needed. The total acreage of permanent impact that required mitigation in the EA was 0.60 acres. For the updated calculation, a total of 0.45 acre of permanent impact requires mitigation, 0.15 acre less than noted in the EA. For Section 404 of the Clean Water Act administered by the USACE, approximately 0.12 acre of permanent impact to Wetland 6 will required 0.35 FCU for mitigation. Under EO 11990, 0.33 acre of permanent impact to Wetlands 3 and 4 will require 0.50 FCU of mitigation.

Table 3: Summary of Wetland and OWUS Impacts for Preferred Alternative

	Total Temporary Impacts (acres)	Total Permanent Impacts (acres)	USACE Jurisdiction Impacts (acres)	EO 11990 Impacts (acres)	Preamble Wetland Impacts (acres)	Mitigation Needed (acre)	Mitigation Needed (FCU)
Wetlands and OWUSs	0.84	4.10	0.12	0.33	3.66	0.45	0.85
Total	0.84	4.10				0.45	0.85

4.2 ALLYN FRERICHS TRAIL

To address public comment, the commitment regarding the Allyn Frerichs Trail was revised to provide a reasonable trail detour for both the north and south of 20th Street trail segments. In the EA, this commitment was noted in Section 3.5.2- Pedestrians and Bicyclists, Section 3.17.1.1- Section 4(f) and 6(f) Resources, and Section 4.3- Environmental Commitments and Permitting. The commitment noted in *Table 2* has been revised to reflect this change and includes reasonable detour routes for both the north and south of 20th Street segments of the trail. The detour routes and any associated NEPA clearances will be provided by the Project contractor.

4.3 SECTION 4(F) AND 6(F) RESOURCES

The use of and impact to the Section 4(f) and 6(f) properties by the preferred alternative are discussed in the following sections. Written concurrence by the City of Brookings Parks, Recreation, & Forestry of the use and impact was received on December 7, 2020 and can be viewed in *Appendix C*. On January 8, 2021, FHWA made a Section 4(f) *de minimis* impact finding to the Section 4(f) resource, the Allyn Frerichs Trail, and concurred that the work associated with the Edgebrook Golf Course met the criteria set forth in 23 CFR 774.13(d) and is exempt from Section 4(f) regulations. The following discusses the use and impact to Section 4(f) and 6(f) resources due to the preferred alternative.

Edgebrook Golf Course

The preferred alternative has a temporary non-conforming use under Section 6(f) and a temporary occupancy exemption under Section 4(f) for the Edgebrook Golf Course. The preferred alternative would avoid the need to acquire golf course property. Temporary construction easements would be required near the intersection of 20th Street South and 22nd Avenue South for minimal contouring in this area. A temporary easement would need to be obtained from the City for the golf course property to allow for the realignment of the Allen Frerichs Trail north of 20th Street. For Section 4(f), the activities proposed under the preferred alternative, such as regrading of slopes, are often considered a temporary occupancy exception.

Allyn Frerichs Trail

The preferred alternative has a *de minimis* impact under Section 4(f) and Section 6(f) does not apply for the Allyn Frerichs Trail. Reasonable trail detours will be provided for both the north and south of 20th Street trail segments and signage will be provided to direct users around the construction. The route for the trail detour and associated environmental regulation clearances will be contractor provided. Once construction is complete, the overall condition of the trail in these locations will be the same or better than current conditions.

4.4 MITIGATION MEASURES AND COMMITMENTS

The mitigation measures and environmental commitments for the preferred alternative are summarized in *Table 4* and will be implemented as part of this Project. *Table 4* notes the phase of the Project the commitment will be completed and the responsible party. The project phases included design, ROW acquisition, permitting, prior to bid letting, preconstruction, construction, and post construction. In addition, a summary of anticipated permits that will be required prior to construction activities are listed in *Table 5*. The commitments that will be completed during construction can be found in an updated Section A, Environmental Commitments, document found in *Appendix B*.

Table 4: Mitigation Measures and Commitments

Environmental Commitment	Mitigation Measures	Project Phase	Responsible Entity
Land Use	The City and Brookings County would need to coordinate transportation and land use plans to allow for expansion of the roadway system to accommodate future development.	Design, ROW Acquisition	City, Brookings County
Social	The City and Brookings County will need to coordinate transportation and land use plans to allow for expansion of the City. During these plans, efforts to include the public are encouraged to allow for input into these plans.	Design, ROW Acquisition	City, Brookings County
Economic Resources	Access would be maintained to businesses from a public street during construction. Access signs indicating individual businesses by name would be included in construction signage. Construction would be phased to minimize traffic congestion impacts and overall time of construction in the Project Area.	Design	City, SDDOT, Project Design/Engineer
Acquisitions and Relocations	Acquisitions and relocations would be conducted in conformance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended by the Surface Transportation Assistance Act of 1987 and 49 CFR, Part 24, effective April 1989. Relocation assistance would be made available to all affected persons without discrimination.	ROW Acquisition	City, SDDOT, Project Design/Engineer
Pedestrians and Bicyclists	A temporary detour of Allyn Frerichs Trail would be necessary under the preferred alternative. A reasonable trail detour will be provided for both the north and south of 20 th Street trail segments. Signage would be provided to direct users around the construction. For the Brookings Marathon, if construction is occurring at that time, an alternative route will be determined and coordinated.	Design, Pre-Construction, Construction	City, SDDOT Project Design/Engineer
Air Quality	Construction equipment with point source emissions in many cases is required to have an air quality permit to operate. As applicable, permit applications would be obtained from the SDDENR Air Quality Program or Minerals and Mining Program. During construction, fugitive emissions would be monitored and mitigated (such as watering to suppress dust) as needed.	Pre-Construction, Construction	Project Contractor
Noise	SDDOT will not be responsible for providing highway traffic noise abatement for undeveloped lands permitted after the Date of Public Knowledge. During construction, contractors would be required to comply with sound control requirements identified in the SDDOT Standard Specifications for Roads and Bridges (SDDOT 2015). Construction noise abatement would be reviewed and specifically applied for this Project.	Pre-Construction, Construction, Post-Construction	SDDOT, Project Design/Engineer, Project Contractor
Wetlands and OWUSs	Final plan sheets for the Project would include SDDOT Standard Commitment A (Wetlands) and Commitment N (404 Permit). For wetlands found not to be under USACE jurisdiction, FHWA regulations (23 CFR 777.9) would apply and mitigation for permanent impacts on these wetlands would be required. Updated wetland impact calculations have been included in this FONSI. The SDDOT and City would acquire credits (0.85 FCU) from the North Central Wetland Mitigation Bank site to mitigate permanent jurisdictional and non-jurisdictional impacts.	Design, Permitting, Pre-Construction, Construction	City, SDDOT

Environmental Commitment	Mitigation Measures	Project Phase	Responsible Entity
Water Quality	<p>Waters of the state are located in the Project Area and are protected under Administrative Rules of South Dakota Chapter 74:51 (SDDENR 2020). Special construction measures may have to be taken to ensure that water quality is not impacted.</p> <p>Project specific sediment, erosion control, and spill prevention measures will be developed during final design and included within the plans and specifications. The Stormwater Pollution Prevention Plan (SWPPP) would incorporate SDDOT and the City's standard BMPs for velocity dissipation, revegetation, stabilization, etc. that the contractor would comply with.</p> <p>SDDOT Standard Commitment E (Stormwater) will be incorporated into the plans and will require a stormwater permit, which requires revegetation of disturbed areas. Removal of vegetation shall be confined to those areas necessary for construction. A site-specific sediment erosion control plan will be implemented to provide interim control prior to re-establishing permanent vegetation cover on the disturbed site. If riparian vegetation is lost, it will be quantified and replaced on site. Seeding of indigenous species should occur immediately after construction to reduce sediment and erosion.</p> <p>All material identified in the stormwater permit application as removed waste material, material stockpiles, and dredged or excavated material shall be placed for either temporary or permanent disposal in an upland site that is not a wetland, and measures shall be taken to ensure that the material cannot enter the watercourse through erosion or any other means.</p> <p>Methods shall be implemented to minimize the spillage of petroleum, oils, and lubricants used in vehicles during construction activities. If a discharge does occur, suitable containment procedures such as banking or diking shall be used to prevent entry of these materials into a waterway. All newly created and disturbed areas above the ordinary high-water mark that are not riprapped shall be seeded or otherwise revegetated to protect against erosion.</p> <p>If construction dewatering is required, the Contractor shall obtain the General Permit for Temporary Discharge Activities from the SDDENR Surface Water Program. The Contractor shall provide a copy of the approved permit to the Project Engineer.</p> <p>Any groundwater wells would be confirmed during physical survey and, if impacted, would be properly capped and sealed. Any impacted wells and connections would be replaced for properties that were not fully acquired. It is anticipated that Alternative 5 would not impact the water resources in the area due to the incorporation of BMPs into final design and construction.</p>	Design, Permitting, Pre-Construction, Construction, Post-Construction	City, SDDOT, Project Design/Engineer, Project Contractor

Environmental Commitment	Mitigation Measures	Project Phase	Responsible Entity
Water Quality	The SDDOT Standard Commitment D1 (Surface Water Quality), D2 (Surface Water Discharge) and G (Dewatering and Sediment Collection) will be incorporated into the final plans. Disturbance of riparian and wetland areas should be kept to an absolute minimum.		
Vegetation, Fish, and Wildlife	Seeding of disturbed areas to re-establish vegetation would be completed to minimize impacts after the construction of the preferred alternative.	Construction, Post-Construction	City, SDDOT, Project Design/Engineer, Project Contractor
Floodplain	<p>During final design, a Floodplain Development Permit would be acquired and coordinated through the City and Brookings County.</p> <p>The City and Brookings County Floodplain Administrators do have the authority to require a Letter of Map Revision (LOMR) within six months of Project completion.</p>	Design, Permitting, Construction, Post-Construction	City, Brookings County, Project Design/Engineer
Threatened and Endangered Species	SDDOT Commitment B5: Northern Long-eared Bat will be incorporated into the project plans. Project activities that include tree removal, structure work, and/or work within 150 feet of a potential maternity roost tree for the northern long-eared bat should not occur between November 1st and March 31st.	Design, Permitting, Pre-Construction, Construction	SDDOT, Project Design/Engineer, Project Contractor,
Section 4(f) and 6(f) Resources	<p>SDDOT Standard Commitments M1 and M2 will be incorporated for Section 4(f) and 6(f) resources. As a commitment to both 4(f) and 6(f) resources, temporary construction fencing shall be installed along proposed construction limits near the Allyn Frerichs Trail and Edgebrook Golf Course prior to the start of construction activities to protect the existing 4(f) and 6(f) properties and the public.</p> <p>The Allen Frerichs Trail would close for approximately one month; however, a reasonable trail detour will be provided for both the north and south of 20th Street trail segments. Appropriate signage shall be installed to alert users of Allyn Frerichs Trail of construction activities, access restrictions or closures, and to direct users to secondary access points.</p> <p>Access or use of Edgebrook Golf course would not be impacted. A temporary easement will be acquired from the City for the golf course property to allow for the realignment of the trail north of 20th Street. There will be no interference with the protected activities, features or attributes of the trail during construction.</p> <p>During final design, verification of ROW limits will occur to ensure no permanent ROW take occurs at the Edgebrook Golf Course.</p> <p>The staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of the 4(f) and 6(f) properties.</p>	Design, Pre-Construction, Construction, Post-Construction	City, SDDOT, Project Design/Engineer, Project Contractor

Environmental Commitment	Mitigation Measures	Project Phase	Responsible Entity
Section 4(f) and 6(f) Resources	The Contractor shall be required to closely coordinate the construction schedule with SDDOT and City of Brookings prior to the start of construction activities. The revegetation and landscaping within the temporary grading area will occur within the Edgebrook Golf Course.		
Utilities	Coordination would continue to occur with the utility companies and the City during final design, and any needed commitments would be developed during the design process.	Design, Pre-Construction, Construction, Post-Construction	City, SDDOT, Project Contractor

Table 5: Summary of Anticipated Permits

Permit Name/Type	Permit Description	Issuing Agency	Permit Requirements
Section 404 of the Clean Water Act (Wetlands and OWUSs)	Regulates discharge of dredged or fill material into Waters of the United States	USACE	A permit application would be submitted to USACE prior to commencement of construction activities for the Project. Wetland mitigation will occur through purchase of credits through an approved USACE mitigation bank.
Clean Water Act NPDES General Permit for Stormwater Discharges Associated with Construction Activities	Regulates discharges of pollutants from nonpoint sources, construction sites greater than 1 acre, and temporary water use permits	SDDENR	BMPs would be implemented to minimize impacts to wetlands and OWUS in the Project area. All material identified in the stormwater permit application as removed waste material, material stockpiles, and dredged or excavated material shall be placed for either temporary or permanent disposal in an upland site that is not a wetland.
Floodplain Development Permit	Regulates construction within floodplains	Brookings County	Submit permits for Project construction within the FEMA effective Zone A SFHA floodplain.

5.0 FHWA DECISION

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

Based upon the review and consideration of the analysis and evaluation contained in the EA; and after careful consideration of all social, economic and environmental factors and mitigation of construction impacts; and considering input from the public involvement process and agency coordination; FHWA hereby approves the issuance of a Finding of No Significant Impact (FONSI) for the I-29 Exit 130 (20th Street South) Interchange Project. FHWA further approves Alternative 5 as the preferred alternative for the Project. The preferred alternative will best fulfill the purpose and need for the project, meet the goals identified for the Project.

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

APPENDIX A: PUBLIC COMMENTS AND RESPONSES

#	Date	Comment	Response
1	10/21/20	"We are excited to see continued progress on this project. It will be a great addition to Brookings and will improve traffic flow and safety in many areas for years to come. I greatly appreciate your highlighting the addition of the left turning lane on 22nd ave as traffic flows north and tries to turn left (west) onto 20th Street S. That area can be a problem today with no turning lane and traffic backing up or cars trying to drive around the turning car and possibly crossing over onto the bike trail. That will be a big safety improvement thanks to this project. Thank you for providing the updated presentation and information on the alternatives. "	No formal response is required.
2	10/21/20	"Thank you for taking Edgebrook into consideration for the new interchange. I am curious how Western Estates will be affected with the new 20th St. being angled through it."	As noted in the Environmental Assessment, 3 mobile home units will be relocated within the Western Estates development to allow for 20th Street construction.
3	10/22/20	"Am in agreement with the proposed plan for the I-29 interchange and 22nd Ave/20th St. S intersection. Regarding the upcoming closure of the trail along the east side of 22nd Ave, south of 20th St., I am wondering if some sort of temporary, perhaps gravel trail, is possible along the west side of 22nd Ave. We live across from Edgebrook golf course and see children walking home from school and adults walking from south of 20th St. S. every day - perhaps walking to the HyVee store and shopping areas - who would have to end up walking on the west side of 22nd Ave. Maybe there is not enough room on the west side, but I do want to point out that there will be pedestrians effected who live south of 20th St. S., not just those using the trail for fitness reasons."	We can specify that the work along 22nd Avenue take place in the summer when school is not in session. A feasible and safe detour for pedestrians will be provided during the temporary closure of the trail. Several options are being considered by the City.
4	10/26/20	"It looks great. Very pleased that it will have little impact on the golf course. What a great gateway to the city of Brookings. Thanks for your hard work."	No formal response is required.
5	11/2/20	"I believe the group has done a very thorough analysis. I agree that alternative #5 is the best option and should be the one presented for final approval."	No formal response is required.
6	11/4/20	"Has the annual Brookings Marathon route been considered in the scheduling of the temporary closure of the south bound trail on 22nd Street? The route travels south on the trail from Edgebrook Golf Course to the Southbrook Softball Complex. Thank you for the EA presentation, it was very informative.	The Brookings Marathon is typically in mid-May. Either work on the trail could be delayed until after the marathon, or the marathon route could be on 22nd Avenue for a short segment rather than on the trail.
7	11/4/20	"As long as the trail closure is only a month or so, that would be reasonable. The trail gets a fair amount of use currently. "	The timeframe of the trail closure should not be extensive, likely not more than one month with favorable weather conditions. A feasible and safe detour for pedestrians will be provided during the temporary closure of the trail. Several options are being considered by the City.

#	Date	Comment	Response
8	11/9/20	Larry Jensen, Brookings County Commissioner and myself have concerns with semi truck traffic being able to navigate the radius at 22nd Avenue to the north or south we both do not feel that trucks will just take this exit once and not take it again there is going to be drivers that continually take this route when and if this is built and it should be addressed prior. I have also voiced my concern in prior meetings in regards to the intersection of 34th Avenue to the east, is there an alternative to not include curb and gutter between the interstate and 34th Avenue, the way it is designed right now you have the water draining towards 34th Avenue from 20th Street and to me this makes no sense as where does the water go from there during a heavy rain event. "	<u>22nd/20th intersection corner</u> The northeast corner radius at the 22nd Avenue/20th Street intersection cannot be made larger without acquiring property from the golf course. The process to make this property conversion would likely take over a year and therefore would not fit within the timeframe of the grant funding. Delivery trucks (30' long) will be able to make the corner without infringing on adjacent lanes. Drivers of larger trucks could make the corner by infringing on adjacent lanes as occurs at many intersections in urban settings. It is reasonable to expect some drivers of large semis will prefer to take 6th Street. This was carefully reviewed and concurred with by the project team at the Preliminary Design Inspection meeting. <u>34th/20th drainage</u> Regarding drainage at the 34th Avenue/20th Street intersection, this was discussed and explained during a previous conference call. No additional stormwater will be draining to the intersection. Storm drain inlets along 20th Street will capture roadway runoff before it gets to 34th Avenue. The ditches along the north and south sides of 20th Street drain to the west like they do now.
9	11/11/20	"The Brookings Area Chamber of Commerce couldn't be more excited for this addition to Brookings. The opportunities it will provide for current business owners and aspiring entrepreneurs is wonderful. If the Brookings Area Chamber can be of any assistance in this effort, please reach out. "	No formal response is required.
10	11/12/20	"Thank you for sharing the most up-to-date information via this website. Interchange Alternative 5 looks like a great solution to improving traffic flow in, out, and across Brookings while at the same time protecting Edgebrook golf course from significant changes. Additionally, the intersection improvements at 20th St S & 22nd Ave S are also definitely needed and welcomed for the reasons cited in the video presentation. As for temporary disruption to the bike path, perhaps bike path traffic could be routed down the new north south street located to the west of the 20th St S & 22nd Ave S intersection and ultimately tied into the bike path again on the north side of the softball complex. I strongly support Alternative 5 and thank you for moving this much needed project forward. "	A feasible and safe detour for pedestrians will be provided during the temporary closure of the trail. Several options are being considered by the City.
11	11/13/20	"I'm very supportive of this project. It is a project that has been discussed for decades and our dreams to move traffic efficiently from east to west and vice versa through Brookings has finally come to fruition. The alternative selected in the Draft EA provides minimal impact from an environmental perspective. "	No formal response is required.
12	11/13/20	"I have viewed the presentation and would agree that Alternative 5 would be the best option for this project. My concern with this project is the rebuilding of the intersection of 22nd Ave and 20th St South. for the future. In the future, the City has plans to widen 22nd Ave. and it is my concern that these 2 projected be properly joined together. If you wonder why I might be concerned, driver further north on 22nd Ave. At the intersection of 22nd Ave and Minnesota Dr. I think you will see why, there was a poor job of joining 2 separate projects done at that intersection. I consider what happened there to be unacceptable and want to avoid that in my neighborhood. Thanks, Jeff"	We did look closely at the future improvements on 22nd Avenue north and south of 20th Street (to year 2045). That is documented in the web site and EA graphic on intersection phasing. As follow-up, the City intends on amending the 22nd Avenue corridor study to officially incorporate the long-range plan for 22nd Avenue. Your feedback will be helpful in the corridor study amendment.

#	Date	Comment	Response
13	11/14/20	"As 3M plant manager, I continue to support this project and the #5 proposed alternative. I personally believe this project will be a benefit to the Brookings community, its residents, and operations at 3M. Thank you for the in depth review of alternatives considered. "	No formal response is required.
14	11/15/20	"This note is to express my strong approval for and support of the proposed project. I have carefully followed the application process and "put my money where my mouth is" by committing considerable private funds to make the concept viable. Without going on and on, I am certain this overpass is a transformative development for the Brookings region: new business and residential areas will become available; existing locations (Eg., 3M) will become more efficient and viable; school buses, fire trucks and other public services will function better; and the better proposals are possible without any infringement on the golf course. I have only two suggestions, and I'm sure they've already been discussed: (1) the corner of 22nd Ave and 20th St. needs to to be designed to take advantage of the new traffic; and (2) the sight lines over I-29 need to be developed to maximize safety. Thank you for your time and consideration. "	<u>22nd/20th intersection</u> The traffic needs for this intersection have been carefully analyzed with the expectation of much-increased vehicular traffic. This is documented in the project Interchange Justification Report (now available on the web site). We have provided information on the short and long term design on the web site via the intersection phasing graphics. Installing the traffic signal at this intersection with the year 2022 project is the main way to minimize traffic congestion at the intersection. The intersection would have actually operated fairly efficiently for many years with a stop sign controlled intersection. <u>Sight lines</u> We have been very aware of the need to provide safe and adequate sight lines along 20th Street, especially at the I-29 interchange ramps. The design for 20th Street and the ramps exceeds SD Department of Transportation and federal standards. We are also aware of the challenges drivers have faced over the years because of sight line limitations at the I-29 / 217th Street interchange just a few of miles south of 20th Street.
15	11/15/20	I and very interested in the construction of the proposed interchange. Currently, the main one into Brookings leads to too much congestion and can be dangerous. The growth of Brookings has been pushing south for several decades. The 20th St interchange leads to minimal impact and enhances the flow of traffic immensely	No formal response is required.
16	11/16/20	"I am very supportive of this project. This project will ease traffic flow and address safety concerns with traffic currently routed through 6th St and 22nd Ave. I appreciate the work that has gone into this project that will greatly benefit Brookings and surrounding communities."	No formal response is required.
17	11/16/20	"The Brookings City Council is very supportive of this project. The Council understands the financial support by the Council is an investment in the future of Brookings and the surrounding area. This project will ensure the positive and safe growth of Brookings and the surrounding area."	No formal response is required.

#	Date	Comment	Response
18	11/17/20	"Exciting opportunity for the Brookings community. This project will help set the stage for continued strong economic development, housing and workforce growth for years to come. Thank you for your support and assistance to this vital project to our community."	No formal response is required.
19	11/18/20	"On behalf of the Brookings County Commission, I would like to express our support for the proposed ramp layout. It is a creative design which successfully deals with the geographic constraints of the interchange project. The Commission requests that additional review of the drainage issue regarding water being moved onto 34th Avenue be completed to insure the design does not cause water to flow onto this roadway which was recently completed and will be an important part of the flow of traffic off the new interchange. We also have concerns about the sight line issue as drivers come off the ramp from the north and understand that issue will be handled by Federal Highway guidelines regarding the speed limit over the interchange. Has the speed limit been determined and will it extend from 22nd Avenue over the interchange to 34th Avenue so it is a uniform speed through this area? The final issue the Commission discussed is the turn radius problem for trucks at the 22nd Avenue and 20th Street intersection. This however is an issue for the City of Brookings."	<p><u>34th/20th Drainage</u> Regarding drainage at the 34th Avenue/20th Street intersection, this was discussed and explained during a previous conference call. No additional stormwater will be draining to the intersection. Storm drain inlets along 20th Street will capture roadway runoff before it gets to 34th Avenue. The ditches along the north and south sides of 20th Street drain to the west like they do now</p> <p><u>Sight Lines</u> We have been very aware of the need to provide safe and adequate sight lines along 20th Street, especially at the I-29 interchange ramps. The design for 20th Street and the ramps exceeds SD Department of Transportation and federal standards. We are also aware of the challenges drivers have faced over the years because of sight line limitations at the I-29 / 217th Street interchange just a few of miles south of 20th Street.</p> <p><u>Speeds</u> The design speed for 20th Street from 22nd Avenue to 34th Avenue is 40 miles per hour (mph) and the posted speed limit will be 35 mph. The posted speed limit on 22nd Avenue 35 mph. The posted speed limit on 34th Avenue is 45 mph at 20th Street and then 35 mph further north. As development occurs, the speed limit on 34th Avenue may be lowered in the future. We agree that a consistent speed limit on new 20th Street is desirable. The posted speed limit on 6th Street at I-29 is also 35 mph.</p> <p><u>22nd/20th intersection corner</u> The northeast corner radius at the 22nd Avenue/20th Street intersection cannot be made larger without acquiring property from the golf course. The process to make this property conversion would likely take over a year and therefore would not fit within the timeframe of the grant funding. Delivery trucks (30' long) will be able to make the corner without infringing on adjacent lanes. Drivers of larger trucks could make the corner by infringing on adjacent lanes as occurs at many intersections in urban settings. It is reasonable to expect drivers of large semis will prefer to take 6th Street. This was carefully reviewed and concurred with by the project team at the Preliminary Design Inspection meeting.</p>
20	11/18/20	"The design and minimal contact the the fewest property owners is appreciated, especially the golf course. The thorough documentation, presentation and materials explain the impact to all effectively. I would like to see the trail open but believe with proper signage use can be routed west. Preferably a link on the west side of 20th would be beneficial. The completion of this project will increase safety and provide community opportunities."	A feasible and safe detour for pedestrians will be provided during the temporary closure of the trail. Several options are being considered by the City.

APPENDIX B: SECTION A

ENVIRONMENTAL COMMITMENTS

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

Additional guidance on SDDOT's Environmental Commitments can be accessed through the Environmental Procedures Manual found at: <https://dot.sd.gov/doing-business/environmental/about-environmental>

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

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

COMMITMENT A: WETLANDS

All efforts to avoid and minimize wetland impacts from the project have resulted in approximately 5.26 acres of wetland impacts (includes temporary and permanent). Refer to Section B – Grading plans/plan sheets for location and boundaries of the impacted wetlands.

Table of Impacted Wetlands

Wetland No.	Station	Perm. Impact Left (Acres)	Perm. Impact Right (Acres)	Temp. Impact Left (Acres)	Temp. Impact Right (Acres)	Total Impact (Acres)
1a	19+00 to 22+00 L	0.00	0.00	0.00	0.00	0.00
1b	22+00 to 25+00 L	0.00	0.00	0.08	0.00	0.08
1c	23+50 to 33+00 L	0.00	0.00	0.23	0.00	0.23
2	28+00 to 34+00 R	0.00	3.27	0.00	0.02	3.29
3	310+00 to 333+00 L	0.29	0.00	0.18	0.00	0.47
4	319+00 to 322+00 L	0.04	0.00	0.11	0.00	0.15
5	208+00 to 212+00 R	0.00	0.00	0.00	0.00	0.00

Wetland No.	Station	Perm. Impact Left (Acres)	Perm. Impact Right (Acres)	Temp. Impact Left (Acres)	Temp. Impact Right (Acres)	Total Impact (Acres)
6a/ Stream 1	47+00 to 48+00 R	0.00	0.12	0.00	0.04	0.16
7a	519+00 L	0.00	0.00	0.00	0.00	0.00
7b	519+00 to 520+00 R	0.00	0.00	0.00	0.00	0.00
8a	62+50 to 63+50 L	0.03	0.00	0.01	0.00	0.04
8b	61+00 to 63+00 R	0.00	0.04	0.00	0.00	0.04
8c	56+00 to 57+00 R	0.00	0.02	0.00	0.00	0.02
8d	50+00 to 57+00 L	0.16	0.00	0.00	0.00	0.16
8e	52+00 to 55+00 R	0.00	0.06	0.00	0.00	0.06
8f	49+00 to 51+00 R	0.00	0.02	0.00	0.00	0.02
9a	39+00 to 40+00 L	0.01	0.00	0.11	0.00	0.12
9b	40+00 to 42+00 L	0.00	0.00	0.11	0.00	0.11
9c	42+00 to 44+00 L	0.00	0.00	0.11	0.00	0.11
9d	39+00 to 46+00 R	0.00	0.04	0.00	0.09	0.13
10	424+00 to 450+00 R	0.00	0.00	0.00	0.00	0.00
11	418+00 to 425+00 L	0.00	0.00	0.00	0.00	0.00
12	26+00 to 31+00 L	0.00	0.00	0.00	0.00	0.00
L-01	40+00 to 61+50 L	0.00	0.00	0.07	0.00	0.07
Total						5.26

Action Taken/Required:

SDDOT will acquire 0.85 FCU from the North Central Wetland Mitigation Bank Upper Big Sioux Site to mitigate permanent impacts.

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

Engineer in accordance with Section 7.21 D of the SDDOT Standard Specifications for Roads and Bridges.

The Contractor will notify the Project Engineer if additional easement is needed to complete work adjacent to any wetland. The Project Engineer will obtain an appropriate course of action from the Environmental Office before proceeding with construction activities that affect any wetlands beyond the work limits and easements shown in the plans.

COMMITMENT B: FEDERALLY THREATENED, ENDANGERED, AND PROTECTED SPECIES

COMMITMENT B5: NORTHERN LONG-EARED BAT

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

Action Taken/Required:

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

Station	NLEB Seasonal Work Restriction (No Tree Removal)
10+00 to 15+00 L/R	April 1 to October 31
27+50 to 34+50 L/R	April 1 to October 31
310+00 to 323+00 L	April 1 to October 31
408+00 to 415+00 L/R	April 1 to October 31

Tree removal will occur between November 1st and March 31st.

COMMITMENT C: WATER SOURCE

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

The Contractor will not withdraw water directly from streams of the James, Big Sioux, and Vermillion watersheds without prior approval from the SDDOT Environmental Office.

Action Taken/Required:

The Contractor will obtain the necessary permits from the regulatory agencies such as the South Dakota Department of Environment and Natural Resources

(DENR) and the United States Army Corps of Engineers (USACE) prior to water extraction activities.

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

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

COMMITMENT D: WATER QUALITY STANDARDS

COMMITMENT D1: SURFACE WATER QUALITY

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

Action Taken/Required:

The Contractor is advised that the South Dakota Surface Water Quality Standards, administered by the South Dakota Department of Environment and Natural Resources (DENR), apply to this project. Special construction measures will be taken to ensure the above standard(s) of the surface waters are maintained and protected.

COMMITMENT D2: SURFACE WATER DISCHARGE

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

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

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

Action Taken/Required:

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

<http://denr.sd.gov/des/sw/eforms/AddTempInfoFillable.pdf>

The Contractor will provide a copy of the approved permit or the submitted dewatering information to the Project Engineer prior to proceeding with any

dewatering activities. The approved permit or submitted dewatering information must be kept on-site and as part of the project records.

Effluent monitoring, as a result of dewatering activities, will be summarized for each month and recorded on a separate Discharge Monitoring Report (DMR) and submitted to DENR monthly. Additional information can be found at <http://denr.sd.gov/des/sw/WhatisaDMR.aspx>

COMMITMENT E: STORM WATER

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

Action Taken/Required:

The DENR General Permit for Stormwater Discharges Associated with Construction Activities is required for construction activity disturbing one or more acres of earth and work in a waterway. The SDDOT is the owner of this permit and will submit the NOI to DENR 15 days prior to project start in order to obtain coverage under the General Permit. Work can begin once the DENR letter of approval is received.

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

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

The form can be found at:
<https://denr.sd.gov/des/sw/eforms/CGPAppendixCCA2018Fillable.pdf>

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

Storm Water Pollution Prevention Plan

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

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

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

All material identified in the stormwater permit application as removed waste material, material stockpiles, and dredged or excavated material shall be

placed for either temporary or permanent disposal in an upland site that is not a wetland, and measures shall be taken to ensure that the material cannot enter the watercourse through erosion or any other means.

Methods shall be implemented to minimize the spillage of petroleum, oils, and lubricants used in vehicles during construction activities. If a discharge does occur, suitable containment procedures such as banking or diking shall be used to prevent entry of these materials into a waterway.

All newly created and disturbed areas above the ordinary high-water mark that are not ripped shall be seeded or otherwise revegetated to protect against erosion.

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

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

DENR: <http://denr.sd.gov/des/sw/stormwater.aspx>

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

COMMITMENT G: DEWATERING AND SEDIMENT COLLECTION

The purpose of a dewatering and sediment collection system is to collect turbid stormwater on the project, treat it with flocculants as needed, and capture the sediment that falls out of suspension before the water is discharged into “Waters of the US” or “Waters of the State”. Refer to Commitment D1: Surface Water Quality for stream classification.

Action Taken/Required:

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

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

COMMITMENT H: WASTE DISPOSAL SITE

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

Action Taken/Required:

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

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

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

COMMITMENT H: WASTE DISPOSAL SITE (CONTINUED)

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

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

2. Concrete and asphalt concrete debris may be stockpiled within view of the ROW for a period not to exceed the duration of the project. Prior to project completion, the waste shall be removed from view of the ROW or buried, and the waste disposal site reclaimed as noted above.

The above requirements will not apply to waste disposal sites that are covered by an individual solid waste permit as specified in SDCL 34A-6-58, SDCL 34A-6-1.13, and ARSD 74:27:10:06.

Failure to comply with the requirements stated above may result in civil penalties in accordance with South Dakota Solid Waste Law, SDCL 34A-6-1.31.

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

COMMITMENT I: HISTORIC PRESERVATION OFFICE CLEARANCES

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

Action Taken/Required:

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

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

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

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

In the event of an inadvertent discovery of human remains, funerary objects, or if evidence of cultural resources is identified during project construction activities, then such activities within 100 feet of the inadvertent discovery will immediately cease and the Project Engineer will be immediately notified. The Project Engineer will contact the SDDOT Environmental Office, who will contact the appropriate SHPO/THPO within 48 hours of the discovery to determine an appropriate course of action.

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

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

COMMITMENT M1: SECTION 4(f) PROPERTY

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

Station	Section 4(f) Property
501+00 to 507+00 R	Allyn Frerichs Trail
10+00 to 37+00 L	Edgebrook Golf Course

Action Taken/Required:

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

A reasonable trail detour will be provided for both the north and south of 20th Street trail segments. Appropriate signage will be installed to alert users of the Allyn Frerichs Trail of construction activities, access restrictions or closures, and to direct users to secondary access points.

Temporary construction fencing will be installed along the proposed construction limits near the Allyn Frerichs Trail and the Edgebrook Golf Course prior to the start of construction activities.

The Contractor is not permitted to stage equipment or materials within the Allyn Frerichs Trail or the Edgebrook Golf Course.

The land being used will be fully restored and returned to a condition which is at least as good as that which existed prior to the project. Revegetation and landscaping within the temporary grading areas will occur.

The Contractor shall coordinate the construction schedule with SDDOT and City of Brookings prior to the start of construction activities.

The Contractor will notify the Project Engineer if additional easement is needed to complete the work adjacent to any Section 4(f) property. The Project Engineer will obtain an appropriate course of action from the Environmental Office before proceeding with construction activities that affect any Section 4(f) property.

COMMITMENT M2: SECTION 6(f) PROPERTY

South Dakota Department of Game, Fish and Parks concurrence has been obtained for project impacts to the following resource acquired and developed through a Land and Water Conservation Fund grant.

Station	Section 6(f) Property
0+00 to 36+00	Edgebrook Golf Course

Action Taken/Required:

Minimal grading activities will be needed along the south edge of the golf course for 20th Street construction. This will not result in a constructive use of the property as the project will not result in an impairment of the property’s activities, features, or attributes. The disturbed areas will be fully restored.

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

Temporary construction fencing will be installed along the proposed construction limits near the Edgebrook Golf Course prior to the start of construction activities.

The Contractor is not permitted to stage equipment or materials within the Edgebrook Golf Course.

The land being used will be fully restored and returned to a condition which is at least as good as that which existed prior to the project. Revegetation and landscaping within the temporary grading areas will occur.

The Contractor will notify the Project Engineer if additional easement is needed to complete the work adjacent to any Section 6(f) property. The Project Engineer will obtain an appropriate course of action from the Environmental Office before proceeding with construction activities that affect any Section 6(f) property.

COMMITMENT N: SECTION 404 PERMIT

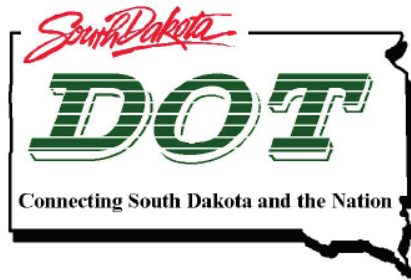
The SDDOT has obtained a Section 404 Permit from the USACE for the permanent actions associated with this project.

Action Taken/Required:

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

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

APPENDIX C: SECTION 4(F) CONCURRENCE LETTER



**Department of Transportation
Environmental Office
700 E Broadway Avenue
Pierre, South Dakota 57501-2586
605/773-4336**

December 28, 2020

Mr. Tom Lehmkuhl
Environmental Protection Specialist
Federal Highway Administration-South Dakota Division
116 East Dakota Avenue, Suite A
Pierre, SD 57501

Subject: Section 4(f) *De Minimis* Finding and Temporary Occupancy for Allyn Frerichs Trail and Edgebrook Golf Course

RE: Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange
Interchange Justification Study, Environmental Study, Right-of-Way & Design

Dear Mr. Lehmkuhl:

In association with the proposed interchange construction project, this letter requests FHWA approval of Section 4(f) *de minimis* findings for parks and recreation areas and concurrence that the conditions of the temporary occupancy exception have been satisfied for Section 4(f). In addition, this letter includes a discussion of a non-conforming temporary use for a Section 6(f) property. The Project's compliance with the National Environmental Policy Act (NEPA) will be documented as an Environmental Assessment (EA).

The Project is located in the City of Brookings (City), Brookings County, as shown in *Figure 1* in the Attachment A. The EA identified Alternative 5, Single Loop Interchange, as the preferred alternative for a new interchange on Interstate 29 (I-29), Exit 130. Based on the preliminary layout for the preferred alternative, grading and temporary easements will be required at the Allyn Frerichs Trail and Edgebrook Golf Course, which are managed by the City. Attachment A includes *Figures 2* and *3* that show the work area and the affected Section 4(f) properties, the Allyn Frerichs Trail and Edgebrook Golf Course.

Public Involvement

Public involvement has been carried out throughout the Project. Due to COVID-19 limiting the ability for in-person meetings, materials were posted online and made available to the public to relay the key milestones of the Project. Key milestones included the public information release and comment period on the purpose and need and the alternatives considered, which occurred in April of 2020, and the public information release and comment period for the EA, which occurred in October of 2020.

Public Information Release and Comment Period – Purpose and Need and Alternatives Considered

A postcard notification was mailed to 584 property owners or tenants within approximately a 1-mile radius of the Project, advising them of the proposed construction of a new interchange. The postcard directed interested individuals to the project website (<https://www.20thstinterchange.com/>).

Notifications were published in the Brookings Register on April 9 and 16, and on April 20, 2020, the Project's website released an online presentation and opportunity for comment to the purpose and need and the alternatives. The main concern raised in many of the comments was the impact to the golf course, with the suggestion of total avoidance of impacts to the golf course being a common statement.

Public Information Release and Comment Period- Public Availability of EA

A postcard notification was mailed to 580 property owners or tenants within approximately a 1-mile radius of the project. The postcard directed interested individuals to the project website (<https://www.20thinterchange.com/>). On October 19, 2020, the EA was made available for public comment on the Project's website. The public comment period ended on November 20, 2020. Comments submitted on the website were made available for public review, however, commenter's names, addresses, email address, or specific property information was omitted.

Ten comments received were written in support of the Project and raised no additional concerns or issues. Five comments were in support of the Project but raised concerns with the closure of the Allyn Frerichs Trail south of 20th Street South during Project construction. The EA noted the access to the Allyn Frerichs Trail being restricted for a period of time south of 20th Street during construction, please refer to Section 3.17.1 of the EA. To address the comments, this FONSI includes a commitment to provide reasonable trail detours on both the north and south side of 20th Street. Removing the trail access restriction during construction.

Section 4(f) and 6(f) Properties Identified

Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303), declares that it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.

Section 6(f) of the Land and Water Conservation Fund (LWCF) Act of 1965 requires approval from the National Park Service for converting lands that have been paid for in part or in entirely by LWCF grants to non-park or non-recreation uses. The approval will be granted only if the action complies with state recreation plan and if an area fair market value and usefulness is substituted for land being removed from park and/or recreation use.

The following Section 4(f) and 6(f) properties were identified within the Study Area of the Project and are owned and under the jurisdiction of the City of Brookings Parks and Recreation Department.

Allyn Frerichs Trail

The Allyn Frerichs Trail (trail) is an existing shared use trail designated and functioning primarily for recreation and is considered a recreation area meeting the definition of a 4(f) resource as defined in 23 CFR 774.17. The trail did not receive LCWF funds, therefore is not considered a Section 6(f) property. The City Parks and Recreation Department maintains and manages the trail and has confirmed the significance of this trail as part of its recreation system. The trail begins north of Exit 132, continues on the east side of I-29, crosses at the railroad, and continues north on the west side of Edgebrook Golf Course, east of 22nd Avenue South within the Study Area. The trail continues west through portions of the City's residential areas. It connects to several park trail systems and is part of a planned 2025 loop trail. The loop when complete will provide connections to a larger system of existing and planned shared use paths that have been identified in the Brookings Area Master Transportation Plan. The trail is also under consideration as a potential US Bicycle Route 55 Alignment.

As part of the I-29/20th Street project, intersection improvements at 22nd Avenue and 20th Street would be constructed as shown in attached Figure 2. Just north of 20th Street and east of 22nd Avenue, the trail will be slightly re-aligned to tie in adequately with the new intersection and provide appropriate geometrics for a shared-use trail at a signalized intersection. The re-alignment of the trail will not impact golf course operations and activities.

South of 22nd Avenue, a left turn lane would be constructed for north-bound traffic on 22nd Avenue. Consequently, the road in this location will be widened to the east, requiring a minor shift in the shared-use trail on the east side of the road (see attached Figure 2).

During construction, reasonable trail detours will be provided for both the north and south of 20th Street trail segments. The estimated timeframe for trail closure would be one month. Once construction is complete, the overall condition of the trail in these locations will be the same or better than the current condition. Signage would be provided to direct users around the construction.

A temporary easement would be needed from the Edgebrook Golf Course property to realign the trail north of 20th Street. There would be no interference with the protected activities, features or attributes of the trail during construction.

Consistent with Section 4(f) requirements, an opportunity for the public to comment on the proposed *de minimis* findings was provided as part of the environmental process. In accordance with 23 CFR 774, the Project will have a *de minimis* impact upon Allyn Frerichs Trail based upon the following assessment:

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

Edgebrook Golf Course

Edgebrook Golf Course is considered a recreation area that meets the definition of a 4(f) resource as defined in 23 CFR 774.17. Edgebrook Golf Course also meets the criteria of Section 6(f) of the 1965 LWCF Act of 1965, codified in federal law in Title 16 U.S.C Section 4601-4 et seq., which applies to the property boundary at the time the LWCF grant funds were utilized (Projects 46-00166 and 46-01035; SD Game Fish and Parks, 2020¹). Edgebrook Golf Course is a regulation public 18-hole facility with a nine-hole junior/short course located at 1415 22nd Avenue South. It is owned and operated by the City of Brookings. Fees are reviewed and set annually by Brookings Parks & Recreation Advisory Board and include single rounds of golf and seasonal passes.

Minimal grading would be needed along the south edge of the golf course for 20th Street construction as shown in *Figures 2 and 3* in Attachment B. The alignment of proposed 20th Street has been shifted to the south specifically to avoid impacts to the golf course. Near 22nd Avenue, the 20th Street fill slope would extend onto the golf course as shown in the Section A-A view of *Figure 2*. This allows 20th Street to line up across 22nd Avenue. No permanent right-of-way is needed for the 20th Street construction and no operations of the golf course would be impacted. A temporary easement would be needed to complete the work along the south edge of the golf course near 20th Street. The area will be re-graded and reseeded to a similar or better condition once construction of the area is complete.

¹ SD GFP. March 26, 2020 Email to HDR and SDDOT regarding 6f Properties within Study Area.

For Section 4(f), the proximity of impacts of the project to Edgebrook Golf Course will not result in a constructive use as the project will not result in an impairment of the property's activities, features, or attributes. Noise levels near the golf course will increase, however, these will not cause a substantial increase in noise levels that would reduce or remove the sub purpose or significance of the 4(f) property².

In accordance with 23 CFR 774.13(d), the **temporary occupancy** of land associated with Edgebrook Golf Course will not constitute a "use", based on the following assessment:

1. Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;
2. Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
3. There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
4. The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and
5. There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

For Section 6(f), the preferred alternative avoids acquisition of ROW from Edgebrook Golf Course. A temporary easement will be required for minor grading. Therefore, the preferred alternative will have a **temporary non-conforming use** of the Edgebrook Golf Course.

Concurrence of OWJ for Section 4(f) and State Liaison Officer for Section 6(f)

On December 7, 2020, after the conclusion of the public coordination period, SDDOT received OWJ concurrence that the preferred alternative will have a *de minimis* impact to Allyn Frerichs Trail and temporary occupancy of Edgebrook Golf Course. Please refer to Attachment B.

On September 11, 2020, SDDOT received concurrence from the State Liaison Officer administering the Land and Water Conservation Fund. The State Liaison Officer concurred that the I-29 Exit 130 (20th Street South) Interchange project will not adversely affect the activities, features, and attributes that qualify Edgebrook Golf Course for protection under Section 6(f) and that the activities fall under a temporary, non-conforming use. Please refer to Attachment B.

Preferred Alternative Analysis

After the identification of Section 4(f) and 6(f) properties adjacent to the Project, the SDDOT analyzed the preferred alternative carried forward for further consideration for the Project. Section 4(f) specifies that the Secretary of Transportation may only approve the use of Section 4(f) property, only if:

- (a) The Administration, for this Project would be the Federal Highway Administration (FHWA), determines:
 - a. There is no feasible and prudent avoidance alternative to the use of land from the property; and

² HDR. 2020. Noise Study Technical Report: I-29 Exit 130 (20th Street South) Interchange. Completed as part of SDDOT Project EM 0295(45)130 PCN 020V.

- b. The FHWA determines that the use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures), will have a de minimis impact on the property.

There is no formal permit process for Section 6(f) approval. Project proponents must identify lands funded through Land and Water Conservation Funds (LWCF). If LWCF land is identified and proposed to be converted to a non-recreational use, a request is made to the National Park Service for the conversion. The Project will require a temporary occupancy of land associated with Edgebrook Golf Course, but this will not constitute a use. No coordination with the National Park Service was required.

Due to the location of Section 4(f) and 6(f) properties adjacent to the Project, the build alternatives included the No-Build Alternative and the preferred alternative. The No-Build Alternative does not meet the purpose and need of the project. The preferred alternative would meet the purpose and need, requiring permanent, but beneficial modifications to the Section 4(f) property (Allyn Frerichs Trail) and non-conforming, temporary impacts to the Section 4(f) and 6(f) property (Edgebrook Golf Course). Please refer to Attachment B for concurrence letters. The preferred alternative would avoid permanent impacts to the recreational features of the properties through the implementation of a reasonable trail detour during Project construction and the restoration of the area utilized as a temporary construction easement on Edgebrook Golf Course.

Avoidance, Minimization, and Mitigation

The following measures to minimize harm to Section 4(f) resources will be incorporated into the plans as plan notes and as environmental commitments in the environmental document:

- A temporary detour of Allyn Frerichs Trail will be implemented. A reasonable trail detour will be provided for both the north and south of 20th Street trail segments. The closure of the main trail route is anticipated to be approximately 1 month.
- Appropriate signage shall be installed to alert users of Allyn Frerichs Trail of construction activities, access restrictions or closures, and to direct users to secondary access points.
- Access or use of Edgebrook Golf course would not be impacted. A temporary easement will be acquired from the City for the golf course property to allow for the realignment of the trail north of 20th Street. There will be no interference with the protected activities, features or attributes of the trail during construction
- Temporary construction fencing shall be installed along proposed construction limits near the Allyn Frerichs Trail and Edgebrook Golf Course prior to the start of construction activities to protect the existing 4(f) properties and the public.
- The staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of the 4(f) properties.
- The Contractor shall be required to closely coordinate the construction schedule with SDDOT and City of Brookings prior to the start of construction activities.
- Coordination with the City will occur for the revegetation and landscaping requirements within the temporary grading area of the Edgebrook Golf Course.

There were no additional avoidance, minimization, or mitigation measures or commitments that were identified when securing the temporary, non-conforming use under Section 6(f).

Conclusion

Public comments regarding the Section 4(f) and 6(f) properties in the Project Area have been received during the public comment periods. The SDDOT is requesting concurrence from FHWA on the Section 4(f) and 6(f) uses for the Project. Permanent impacts to the Section 6(f) property, Edgebrook Golf Course, present in the Project Area will not occur. The Project would have a non-conforming temporary use of the Section 6(f) property. For Section 4(f), a *de minimis* impact finding for the Allyn Frerichs Trail, and concurrence that an exception to the requirements for Section 4(f) apply to the Edgebrook Golf Course under 23 CFR 774.13(d). The project will not adversely affect the activities, features, or attributes that make the properties eligible for Section 4(f) protection.

If there are any questions, please contact me at 605.773.3721.

Sincerely,



Joanne Hight
Environmental Engineer Manager
605.773.3721
Joanne.Hight@state.sd.us

Attachments

The SD Division - FHWA makes Section 4(f) *de minimis* impact findings to the Section 4(f) resource, the Allyn Frerichs Trail, and concurs that the work associated with the Edgebrook Golf Course as meeting the criteria set forth in 23 CFR 774.13(d), and therefore is exempt from Section 4(f) regulations, for Project EM 0295(45)130, PCN 020V as described in this document.



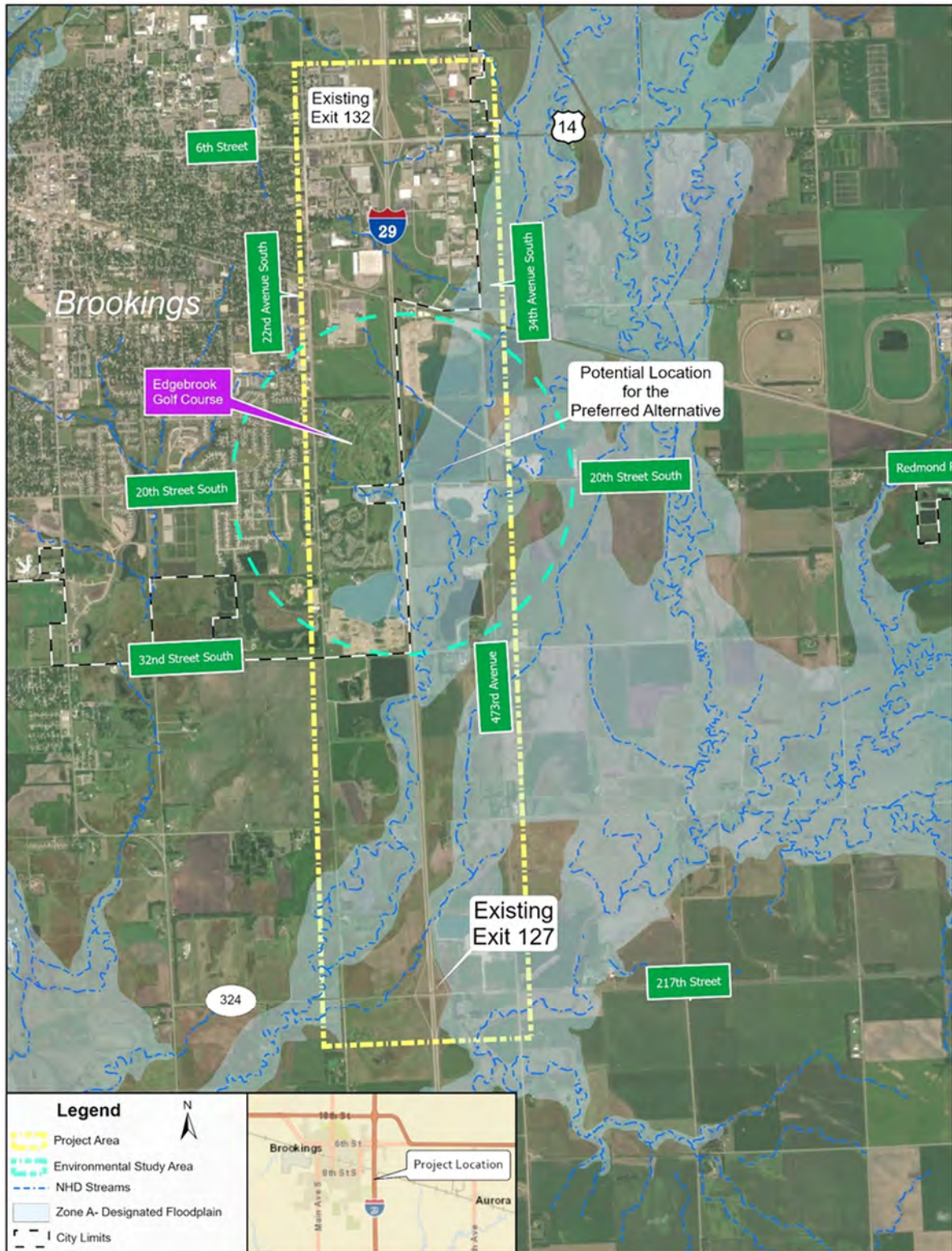
Tom Lehmkuhl
2021.01.08 17:32:09 -06'00'

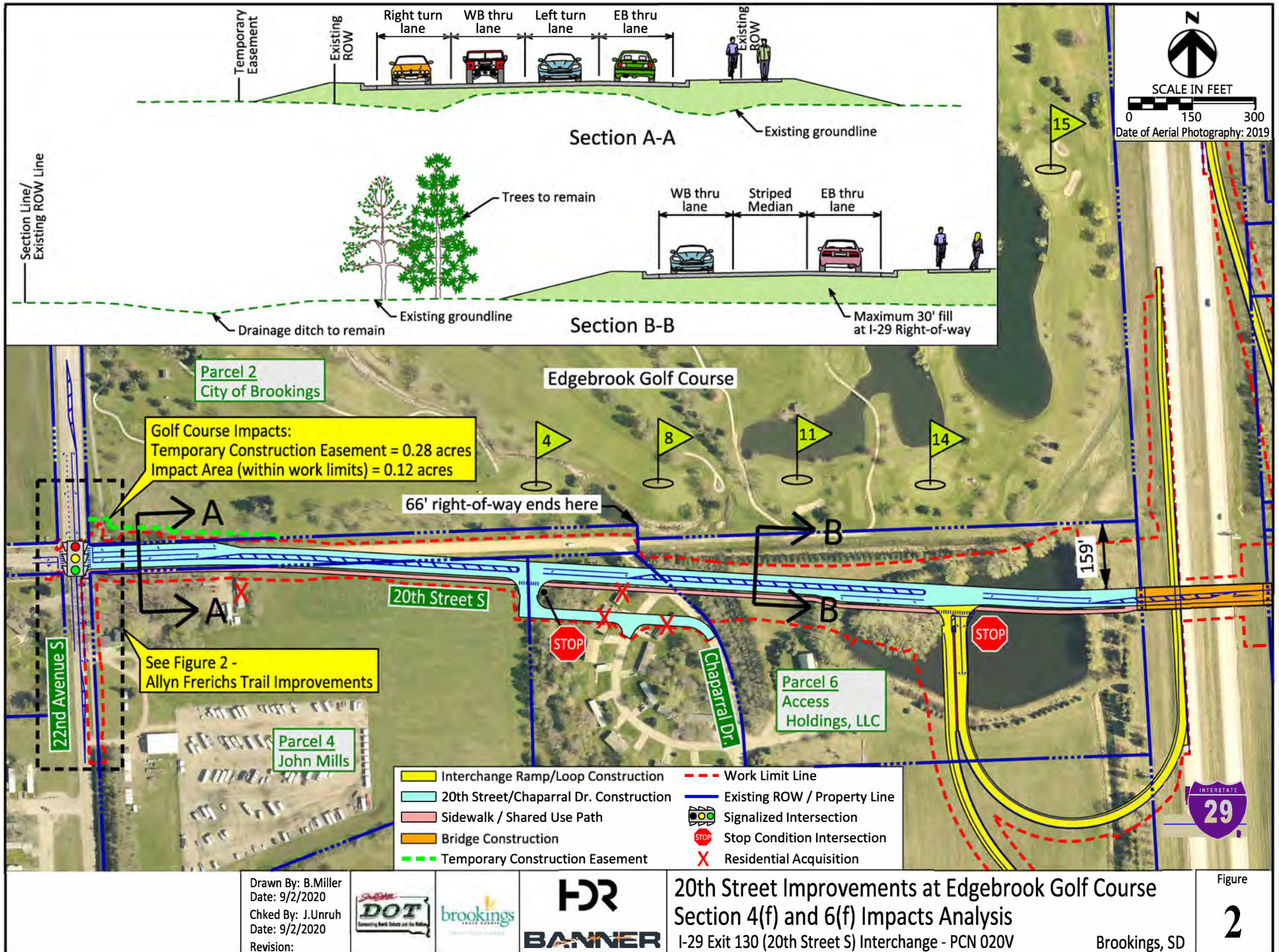
Tom Lehmkuhl
South Dakota Division
Federal Highway Administration

01/08/2021
Date

Attachment A

Figure 1. Project Location





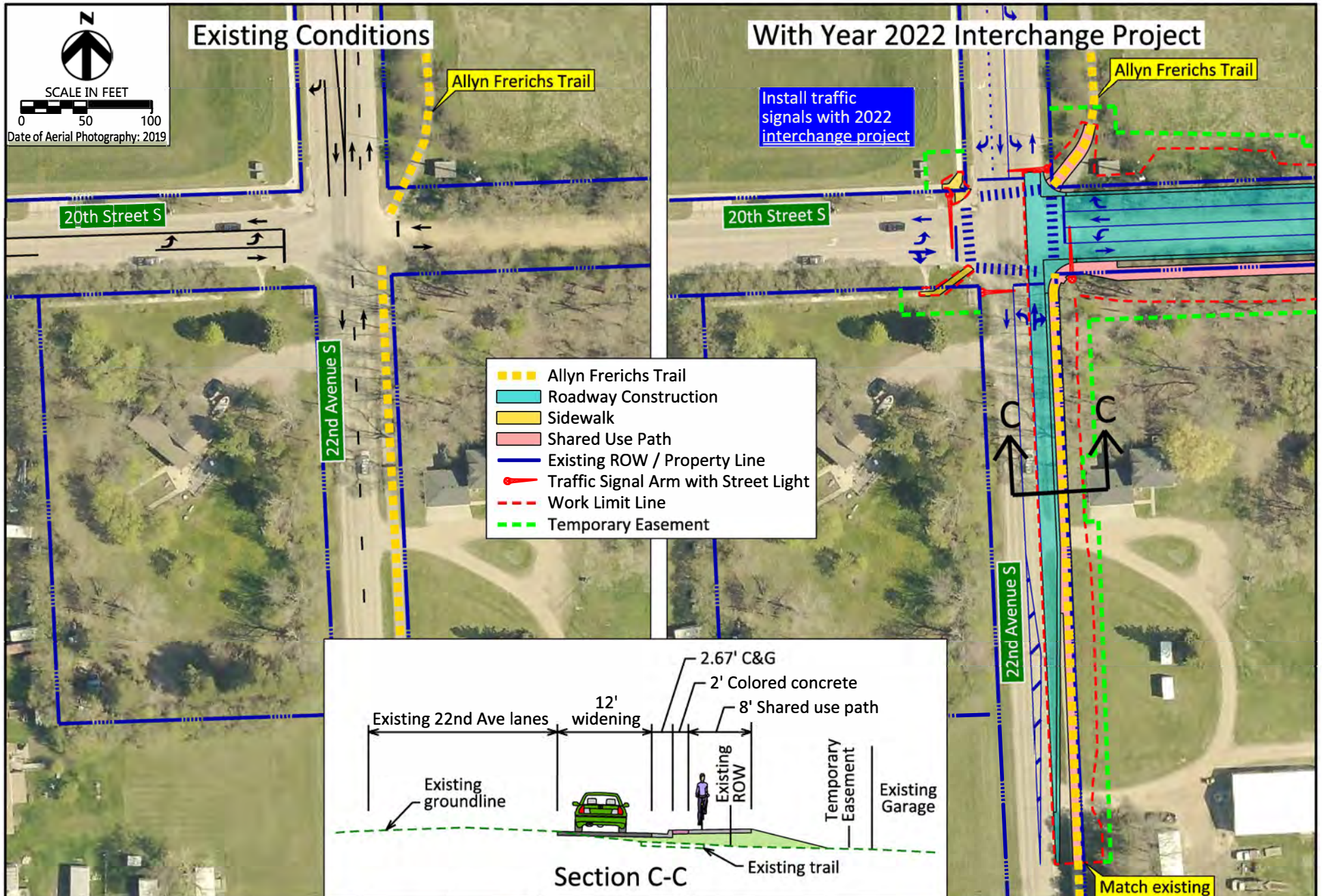
Drawn By: B.Miller
Date: 9/2/2020
Chkd By: J.Unruh
Date: 9/2/2020
Revision:



20th Street Improvements at Edgebrook Golf Course
Section 4(f) and 6(f) Impacts Analysis
I-29 Exit 130 (20th Street S) Interchange - PCN 020V

Brookings, SD

Figure
2



Drawn By: B. Miller
 Date: 9/2/2020
 Chkd By: J. Unruh
 Date: 9/2/2020
 Revision:



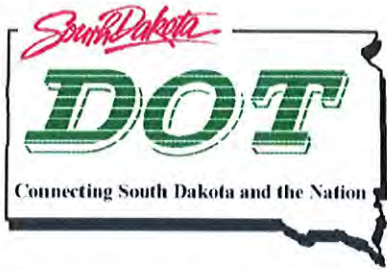
Allyn Frerichs Trail Improvements
Section 4(f) and 6(f) Impacts Analysis
 I-29 Exit 130 (20th Street S) Interchange - PCN 020V

Brookings, SD

Figure

3

Attachment B



Department of Transportation Environmental Office

700 E Broadway Avenue
Pierre, South Dakota 57501-2586
605/773-4336

September 10, 2020

Randy Kittle
South Dakota Game, Fish, and Parks
Joe Foss Building, 523 East Capitol Avenue
Pierre, SD 57501

RE: **Section 6(f) Impact Considerations**

Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange
Interchange Justification Study, Environmental Study, Right-of-Way & Design

Dear Mr. Kittle:

The City of Brookings, South Dakota Department of Transportation (SDDOT), and Federal Highway Administration (FHWA) have continued development of this project and identified the preferred alternative for a new interchange on Interstate 29 (I-29) at 20th Street South within Brookings, SD. Attached is a map showing the location of the above project (Figure 1).

Edgebrook Golf Course is a regulation public 18-hole facility with a nine-hole junior/short course located at 1415 22nd Avenue South. It is owned and operated by the City of Brookings. Fees are reviewed and set annually by Brookings Parks & Recreation Advisory Board and include single rounds of golf and seasonal passes. The clubhouse offers golf carts and equipment for rent as well as pro shop. Edgebrook also provides professional golf lessons by appointment. Three Land and Water Conservation Fund (LWCF) grants (46-00166, 46-00304, and 46-01035) were obtained to develop the Edgebrook golf course. Therefore, the entire golf course is protected under Section 6(f) for public outdoor recreation.

No permanent right-of-way is needed for the 20th Street construction and no operations of the golf course would be impacted. A temporary easement would be needed to complete the work along the south edge of the golf course near 20th Street. A total of 0.12 acres within the golf course property will be temporarily impacted and 0.28 acres of temporary easement would be required for construction (See Figure 2). The area will be re-graded and reseeded to a similar or better condition once construction of the area is complete.

Minimal grading would be needed along the south edge of the golf course for 20th Street construction as shown in attached Figure 1. The alignment of proposed 20th Street has been shifted to the south specifically to avoid impacts to the golf course. Near 22nd Avenue, the 20th Street fill slope would extend onto the City-owned golf course property as shown in the Section A-A view of Figure 1. This allows 20th Street to line up across 22nd Avenue. Construction within this area will take less than 6 months and no operations of the golf course will be impacted.

Mr. Randy Kittle
September 10, 2020
Page 2

I am requesting your concurrence that the work being conducted will be considered a temporary non-conforming use 6(f) impact. If you concur, please indicate as such by providing your signature in the space provided below at your earliest convenience so the project's environmental documentation can be completed. Thank you for your time and cooperation on this matter. If you have questions and/or concerns, please feel free to contact me.

Sincerely,



Joanne Hight
Environmental Engineer Manager
605.773.3721

Attachment

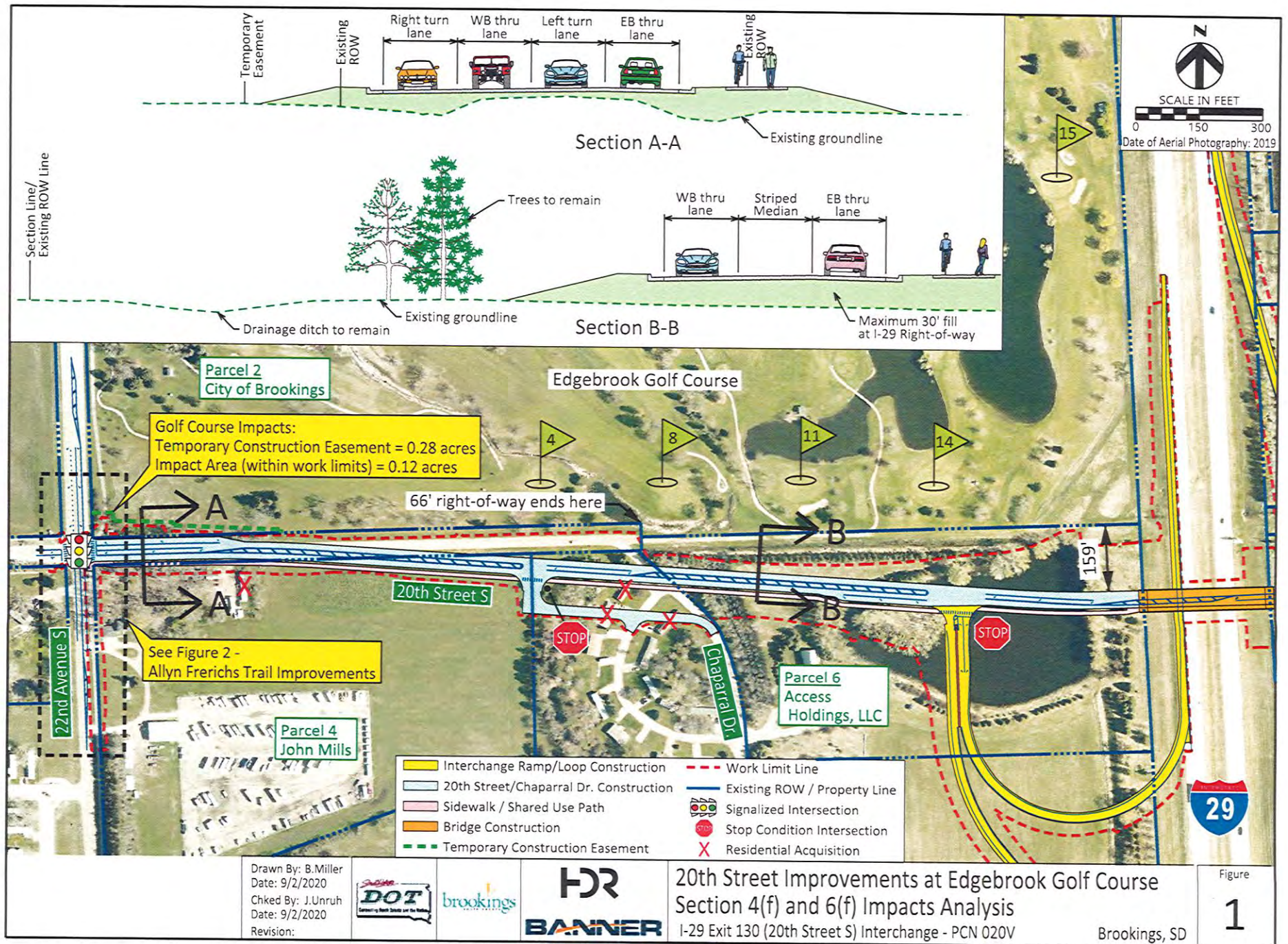
Concurrence: As the designated alternate State Liason Officer who administers LWCF Program funds, I hereby concur that the use and impacts of the I-29 Exit 130 (20th Street South) Interchange project combined with identified avoidance, minimization, and mitigation measures, will not adversely affect the activities, features, and attributes that qualify Edgebrook Golf Course for protection under Section 6(f) and that the activities fall under a temporary, non-conforming use...

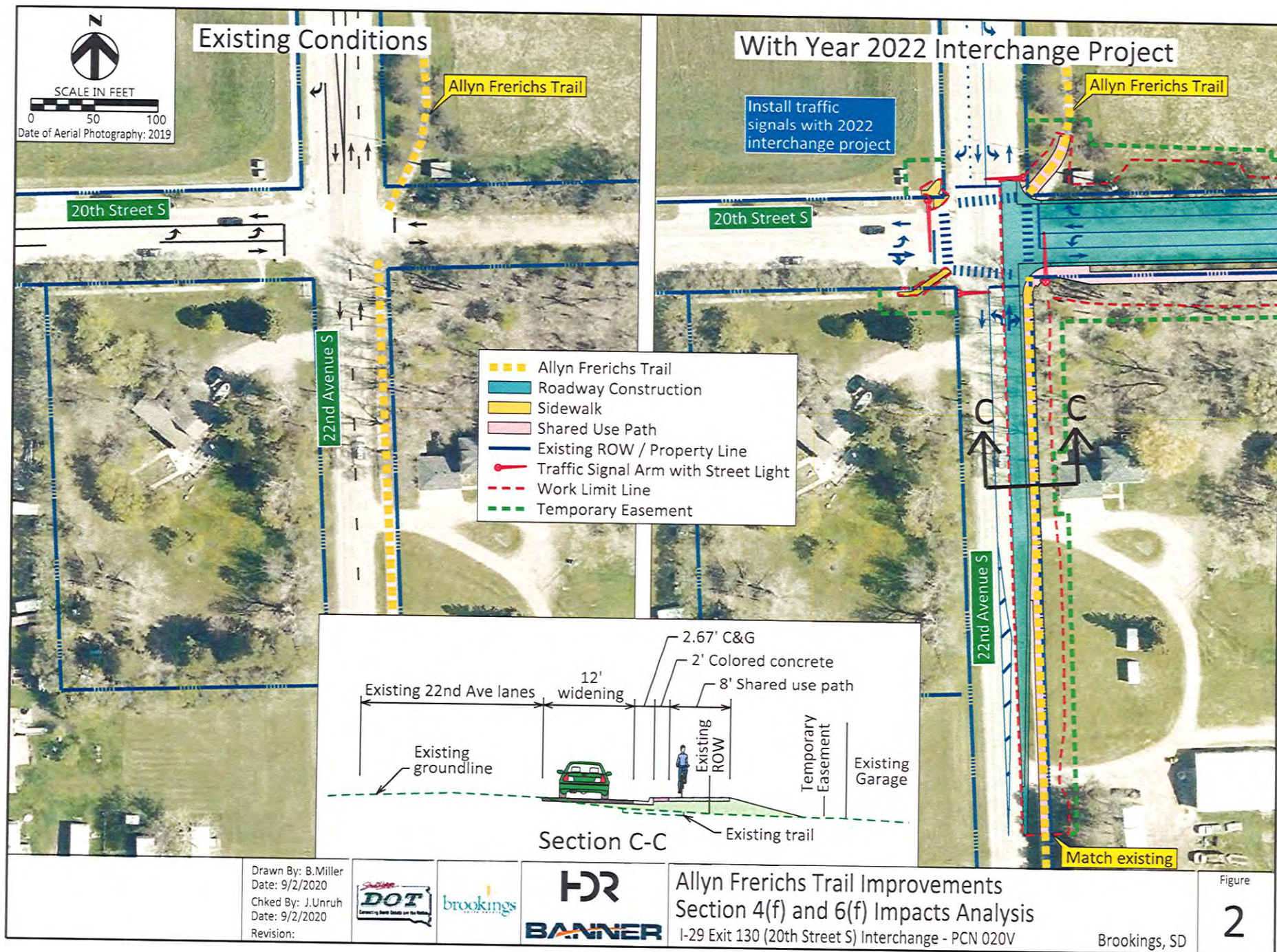


Randy Kittle

Date:

South Dakota Game, Fish, and Parks







Department of Transportation
Environmental Office
700 E Broadway Avenue
Pierre, South Dakota 57501-2586
605/773-4336

December 3, 2020

Dusty Rodiek
City of Brookings Parks, Recreation & Forestry
520 3rd Street, Suite 130
Brookings, SD 57006

Subject: Official with Jurisdiction (OWJ) Concurrence for Section 4(f) *De Minimis* Finding and Temporary Occupancy for Allyn Frerichs Trail and Edgebrook Golf Course

RE: Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange
Interchange Justification Study, Environmental Study, Right-of-Way & Design

Dear Mr. Rodiek:

Attached are figures detailing the location of the above referenced project. The project will identify a preferred alternative for a new interchange on Interstate 29 (I-29). Based on the preliminary layout for the recommended preferred alternative, grading and temporary easements will be required at the Allyn Frerichs Trail and Edgebrook Golf Course, which are managed by the City of Brookings. I have attached a map showing the work area and the affected Section 4(f) properties, the Allyn Frerichs Trail and Edgebrook Golf Course.

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

A 'Use' of Section 4(f) property occurs when:

1. Land is permanently incorporated into a transportation facility;
2. There is a temporary occupancy of land that is adverse in terms of the Section 4(f) statute's preservationist purposes; or
3. There is a constructive use of a Section 4(f) property.

Allyn Frerichs Trail

The Allyn Frerichs Trail is an existing shared use trail designated and functioning primarily for recreation. The City Parks and Recreation Department maintains and manages the trail and has confirmed the significance of this trail as part of its recreation system. The trail begins north of Exit 132, then continues on the east side of I-29, crosses at the railroad, then continues north and on the west side of Edgebrook Golf Course, on the east side of 22nd Avenue South within the Study Area. The trail

continues west through portions of the City's residential areas. It connects to several park trail systems and is part of a planned 2025 loop trail. The loop when complete will provide connections to a larger system of existing and planned shared use paths that have been identified in the Brookings Area Master Transportation Plan. The trail is also under consideration as a potential US Bicycle Route 55 Alignment.

As part of the I-29/20th Street project, intersection improvements at 22nd Avenue and 20th Street would be constructed as shown in attached Figure 2. Just north of the 20th Street and east of 22nd Avenue, the trail will be slightly re-aligned to tie in adequately with the new intersection and provide appropriate geometrics for a shared-use trail at a signalized intersection. The re-alignment of the trail will not impact golf course operations and activities.

South of 22nd Avenue, a left turn lane would be constructed for north-bound traffic on 22nd Avenue. Consequently, the road in this location will be widened to the east, requiring a minor shift in the shared-use trail on the east side of the road (see attached Figure 2).

During construction, reasonable trail detours will be provided for both the north and south of 20th Street trail segments. The estimated timeframe for trail closure would be one month. Once construction is complete, the overall condition of the trail in these locations will be the same or better than the current condition. Signage would be provided to direct users around the construction.

A temporary easement would be needed from City/golf course property to realign the trail north of 20th Street. There would be no interference with the protected activities, features or attributes of the trail during construction.

Consistent with Section 4(f) requirements, an opportunity for the public to comment on the proposed *de minimis* findings will be provided as part of the environmental process.

In accordance with 23 CFR 774, the proposed project will have a *de minimis* impact upon Allyn Frerichs Trail based upon the following assessment:

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

Edgebrook Golf Course

Edgebrook Golf Course is a regulation public 18-hole facility with a nine-hole junior/short course located at 1415 22nd Avenue South. It is owned and operated by the City of Brookings. Fees are reviewed and set annually by Brookings Parks & Recreation Advisory Board and include single rounds of golf and seasonal passes. Section 6(f) of the 1965 LWCF Act of 1965, codified in federal law in Title 16 U.S.C Section 4601-4 et seq. also applies to the property boundary at the time the LWCF grant funds were utilized (Projects 46-00166 and 46-01035; SD Game Fish and Parks, 2020¹).

Minimal grading would be needed along the south edge of the golf course for 20th Street construction as shown in attached Figure 1. The alignment of proposed 20th Street has been shifted to the south

¹ SD GFP. March 26, 2020 Email to HDR and SDDOT regarding 6f Properties within Study Area.

specifically to avoid impacts to the golf course. Near 22nd Avenue, the 20th Street fill slope would extend onto the golf course as shown in the Section A-A view of Figure 1. This allows 20th Street to line up across 22nd Avenue.

No permanent right-of-way is needed for the 20th Street construction and no operations of the golf course would be impacted. A temporary easement would be needed to complete the work along the south edge of the golf course near 20th Street. The area will be re-graded and reseeded to a similar or better condition once construction of the area is complete.

The proximity of impacts of the project to Edgebrook Golf Course will not result in a constructive use as the project will not result in a impairment of the property's activities, features, or attributes. Noise levels near the golf course will increase, however, these will not cause a substantial increase in noise levels that would reduce or remove the sub purpose or significance of the 4(f) property².

In accordance with 23 CFR 774.13(d), the **temporary occupancy** of land associated with Edgebrook Golf Course will not constitute a "use", based on the following assessment:

1. Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;
2. Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
3. There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
4. The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and
5. There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

The following measures to minimize harm will be incorporated into the plans as plan notes and as environmental commitments in the environmental document:

- Access to Allyn Frerichs Trail will be restricted for a period of time that is anticipated to be less than the time needed for construction. Detours will be provided where feasible and safe. Access or use of Edgebrook Golf course will not be impacted.
- Temporary construction fencing shall be installed along proposed construction limits near the Allyn Frerichs Trail and Edgebrook Golf Course prior to the start of construction activities to protect the existing 4(f) property and the public.
- Appropriate signage shall be installed to alert users of Allyn Frerichs Trail of construction activities, access restrictions or closures, and to direct users to secondary access points.
- The staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of the 4(f) property.
- The Contractor shall be required to closely coordinate the construction schedule with SDDOT and City of Brookings prior to the start of construction activities.

² HDR. 2020. Noise Study Technical Report: I-29 Exit 130 (20th Street South) Interchange. Completed as part of SDDOT Project EM 0295(45)130 PCN 020V.

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

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

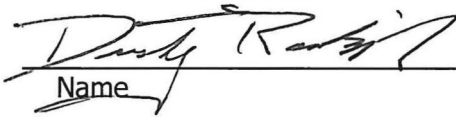
Sincerely,



Joanne Hight
Environmental Engineer Manager
605.773.3721
Joanne.hight@state.sd.us

Attachments

OWJ Concurrence:


Name

12-7-20
Date

