

Appendix E. Agency and Tribal Coordination

Northshore Drive Realignment

**South Dakota Department of Agriculture and Natural Resources
Coordination Materials**

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Monitoring (/HN52EnvironTrkSys/B

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DANR Response (Readonly)

Responded

Response Entered by: **Baylee Hoff** on: **10/16/2023**

Response

☒ Tanks and Spills

- ☒ The Inspection, Compliance, and Remediation Program (ICRP) maintains a database of registered storage tanks and spills/environmental events, including petroleum and chemical releases in South Dakota. Our records indicate numerous known spills/environmental events and registered storage tank facilities near your project area. For more information about all currently known tanks and spills/environmental events (including pdf copies of case files), please visit: <https://apps.sd.gov/nr42interactivemap>. We also recommend you check the online database as your project progresses, for information about any future spills/environmental events or registered tanks that may be in or near your project area. While we do our best to maintain accurate information about spills/environmental events and registered tanks, in some cases the location information provided to us may have been inaccurate. If contamination is encountered or if a spill occurs during onsite construction activity, that contamination or spill must be reported to DANR at 605-773-3296 (605-773-3231 after hours). Contaminated soil that has been excavated should be segregated from clean soil and sampled to determine disposal requirements. Further, any piping, equipment, or other material to be placed in a location where it will be in contact with contaminated soil or groundwater, should be evaluated to determine if it is compatible with the contaminant. If you have questions, please contact Baylee Hoff at baylee.hoff@state.sd.us or (605) 773-3296. Water

☒ Solid and Hazardous Waste

- ☒ Some solid waste may be generated during this project. Any solid waste generated that will not be reused in some beneficial manner must be disposed or managed at a permitted solid waste facility. Regional landfills able to accept all solid waste generated are listed on our website: <https://apps.sd.gov/NR60SolidWaste/main.html#>. Only Regional landfills are permitted to accept all wastes generated. If you have any questions, please contact Waste Management at 605-773-3153.
- ☒ It is not expected that any hazardous wastes sites will be encountered within the vicinity of your project area. However, if road construction is planned for areas within a city or town, the contractor should contact this Department prior to construction. Should any hazardous waste be generated during the implementation of this project, the generator must abide by all applicable hazardous waste regulations. To determine whether your project may generate hazardous waste, visit: <https://www.epa.gov/hwgenerators/managing-your-hazardous-waste-guide-small-businesses>. If you have any questions please contact Anthony Wagner at 605-773-3153, or anthony.wagner@state.sd.us.
- ☒ Demolition or renovation of a building structure may be subject to the South Dakota asbestos requirements. If demolition or renovation is part of this construction project, or if the scope of the project changes to include demolition or renovation, please contact Anthony Wagner at 605-773-3153, or anthony.wagner@state.sd.us.

☒ Air Quality

- ☒ Based on the information provided, it appears this project will have minor impacts to air quality in South Dakota. This impact would be through source and fugitive emissions. In many cases, an air quality permit is required to operate equipment with point source emissions. A permit application can be obtained from the Air Quality or Minerals and Mining Program. Fugitive emissions, although not covered under State air quality regulations, are a common source of public concern and may be subject to local or county ordinances. Please contact your local officials to discuss requirements regarding fugitive emissions. For further air quality information, please contact Anthony Lueck, Air Quality Program, telephone number 605-773-3151.

☒ Drinking Water

- ☒ Based on the information provided, this project will not have adverse environmental effects to drinking water in this area. Should the parameters of your project change, please reach out to Mark Mayer at 605-773-6039 or Mark.Mayer@state.sd.us.

☒ Surface Water

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✓ The Water Quality Program has reviewed your request for comments letter. Based on the information provided, the program has the following comments: All tributaries, creeks, wetlands, and lakes within the vicinity of this project 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 standards are not violated. This project is in the vicinity of McCook Lake. This waterbody is classified by the South Dakota Surface Water Quality Standards and Uses Assigned to Lakes for the following beneficial uses: (4) Warmwater permanent fish life propagation waters; (7) Immersion recreation waters; (8) Limited contact recreation waters; and (9) Fish and wildlife propagation, recreation, and stock watering waters. Because of these beneficial uses, special construction measures may have to be taken to ensure that the 30-day average total suspended solids criterion of 90 mg/L and the daily maximum total suspended solids criterion of 158 mg/L are not violated. At a minimum, regardless of project size, appropriate erosion and sediment control measures must be installed to control the discharge of pollutants from the construction site. Any construction activity that disturbs an area of one or more acres of land must have authorization under the General Permit for Storm Water Discharges Associated with Construction Activities. A Surface Water Discharge permit may be required if any construction dewatering should occur because of this project. Contact the Department of Agriculture and Natural Resources for additional information or guidance at 1-800-SDSTORM (1-800-737-8676) or <https://danr.sd.gov/OfficeOfWater/SurfaceWaterQuality/default.aspx> The discharge of pollutants from any source, including indiscriminate use of fill material, may not cause destruction or impairment except where authorized under Section 404 of the Federal Water Pollution Control Act. Please contact the United States Army Corps of Engineers for more information 605-224-8531. The project is in the vicinity of Freeman Dam. This waterbody is classified by the South Dakota Surface Water Quality Standards and Uses Assigned to Lakes for the following beneficial uses: (4) Warmwater permanent fish life propagation waters; (7) Immersion recreation waters; (8) Limited contact recreation waters; and (9) Fish and wildlife propagation, recreation, and stock watering waters. Because of these beneficial uses, special construction measures may have to be taken to ensure that the 30-day average total suspended solids criterion of 90 mg/L and the daily maximum total suspended solids criterion of 158 mg/L are not violated. The project work will cross the Bad River. This waterbody is classified by the South Dakota Surface Water Quality Standards and Uses Assigned to Streams for the following beneficial uses: (6) Warmwater marginal fish life propagation waters; (8) Limited contact recreation waters; (9) Fish and wildlife propagation, recreation, and stock watering waters; and (10) Irrigation waters. Because of these beneficial uses, special construction measures may have to be taken to ensure that the daily maximum total suspended solids criterion of 263 mg/L and the 30-day average total suspended solids criterion of 150 mg/L are not violated.

✓ Ground Water

✓ Based on the information provided, this project is unlikely to have adverse effects on ground water quality. Should the parameters of your project change, please reach out to Matt Hicks at 605-773-5337 or Matt.Hicks@state.sd.us.

✓ Water Rights

✓ In South Dakota all water is the property of the people and the right to use of that water is through obtaining a water right. A water right is needed for all uses of water except for domestic uses. If water is needed during construction that is obtained from surface or ground water, a temporary permit for the use of public water will need to be obtained. If water is supplied by a municipality or rural water system for construction purposes, no additional water permitting is required. Please contact Genny McMath at genny.mcmath@state.sd.us or call (605) 773-3352 if you have any questions. Thank you for providing DANR the opportunity to comment on this project. If you have any questions regarding the information provided, please contact me at 605-773-3296.

✓ In addition, if water is needed during construction that is obtained from surface or ground water, a temporary permit for the use of public water will need to be obtained. If water is supplied by a municipality or rural water system for construction purposes, no additional water permitting is required. Please contact Genny McMath at genny.mcmath@state.sd.us or (605) 773-3352 if you have any questions or find form at <https://danr.sd.gov/OfficeOfWater/WaterRights/docs/D2052LDV1-TempApp.pdf>.

✓ Forestry

✓ Resource Conservation & Forestry (RCF) has reviewed your request for comments letter. Based on the information provided, RCF has the following comments: Construction can have detrimental effects to surrounding trees if no protective measures are taken. Special construction measures may have to be taken to preserve and protect tree health by avoiding damage to tree roots, stems, or branches. At a minimum the storage of equipment, machinery, or trucks under or against a tree should be avoided. Barriers or sturdy fencing should be placed around trees that will remain on site following construction. Barriers should be placed a minimum of 1 foot radius from the base of the tree's trunk for every 1 inch in diameter measured 4.5 feet above the ground. This will protect against soil compaction, alteration of the natural soil level under the live canopy and any damage from occurring to the trunk of the tree. Eighty-five to ninety percent of a tree's root system lies within the top 6-12 inches of soil extending out one to one and a half times the height of the tree. Trenching through this critical root zone could severely destabilize a tree and adversely affect its health. Tunneling under or around the root system is much less damaging and encouraged. Trees often do not die immediately following construction damage but can decline over several months/years. A tree that sustains damage meeting or exceeding the following limits must be removed and, if conditions allow, replaced to maintain the canopy and ecosystem benefits of tree cover: a. The top or main stem of the tree is broken. b. The live crown of the tree is reduced below 30 percent. c. More than 1/3 of the circumference of a tree's main root system (a root 4inches in diameter or larger) is injured such that the cambium layer (living tissue) is exposed. d. More than 1/3 of tree's total root system is severed or torn. e. More than 1/3 of the circumference of the trunk's cambium layer exposed. For a list of suitable replacement trees or if you have any questions, please contact Amanda Morrison at Amanda.morrison@state.sd.us or (605) 394-2279.

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Documents

Name	File Ext	Added On	Added By
PCN097K_Scoping_Letter_Attachments_26Sep2...	PDF	09/28/2023	Paula Huizenga
DENR letter to Baylee Hoff - DANR (https://apps....	PDF	09/29/2023	Paula Huizenga
DENR letter to Trish Kindt - DANR (https://apps.s...	PDF	09/29/2023	Paula Huizenga

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Manual Entry

On behalf of:

Macy Jo Peters

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Agency Response Date

10/16/2023

Back to DANR Coordination (/HN52EnvironTrkSys/DENRCoord?coordinationId=495&trackingContainerId=6673&mode=1)

DANR Response (Readonly)

Responded

Response Entered by: **Baylee Hoff** on: **05/22/2024**

Response

☒ Tanks and Spills

Clone

☒ ICRP recommends reviewing case files for all cases. Despite their status, all environmental events may have remaining contamination on site that could impact your project area. Be aware that contamination may remain in subsurface soils or groundwater at some sites after they have been assigned Closed (C) or No Further Action (NFA) status.

Clone

* Custom Response. Click it to edit

Documents

Name	File Ext	Added On	Added By
DENR letter to Baylee Hoff - DANR (https://apps....	PDF	04/23/2024	Paula Huizenga
DENR letter to Trish Kindt - DANR (https://apps.s...	PDF	04/23/2024	Paula Huizenga
DENR letter to Macy Jo Peterson - DANR (https://...	PDF	04/23/2024	Paula Huizenga

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Manual Entry

On behalf of: Macy Jo Petersi

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Agency Response Date 05/22/2024

Submit

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Planning and Engineering
DOT - Local Government Assistance
700 E Broadway
Pierre, SD 57501
O:
dot.sd.gov

April 23, 2024

Baylee Hoff
SD Dept. of Agriculture and Natural Resources
523 E. Capitol Ave
Pierre, SD 57501-3181

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

Dear Ms. Hoff:

Attached is information on the above project. North Sioux City - Northshore Drive Realignment PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE Please comment on any of the following topics that pertain to your agency:

1	Tanks and Spills	6	Ground Water
2	Solid and Hazardous Waste	7	Water Rights
3	Air Quality	8	Forestry
4	Drinking Water	9	Superfund
5	Surface Water		

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paula Huizenga', with a long, sweeping horizontal line extending to the right.

Paula Huizenga, Grant Program Engineer
DOT - Local Government Assistance
605 773-6253
paula.huizenga@state.sd.us

Cc: Macy Jo Peterson, Environmental Scientist

Attachments



Planning and Engineering
DOT - Local Government Assistance
700 E Broadway
Pierre, SD 57501
O:
dot.sd.gov

April 23, 2024

Trish Kindt
SD Dept. of Agriculture and Natural Resources
523 E. Capitol Ave
Pierre, SD 57501-3181

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

Dear Ms. Kindt:

Attached is information on the above project. North Sioux City - Northshore Drive Realignment PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE Please comment on any of the following topics that pertain to your agency:

1	Tanks and Spills	6	Ground Water
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Paula Huizenga, Grant Program Engineer
DOT - Local Government Assistance
605 773-6253
paula.huizenga@state.sd.us

Cc: Macy Jo Peterson, Environmental Scientist

Attachments



Planning and Engineering
DOT - Local Government Assistance
700 E Broadway
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April 23, 2024

Baylee Hoff
SD Dept. of Agriculture and Natural Resources
523 E. Capitol Ave
Pierre, SD 57501-3181

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

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Paula Huizenga, Grant Program Engineer
DOT - Local Government Assistance
605 773-6253
paula.huizenga@state.sd.us

Cc: **Macy Jo Peterson, Environmental Scientist**

Attachments

Northshore Drive Realignment

South Dakota Game Fish and Parks
Coordination Materials

From: Huizenga, Paula <Paula.Huizenga@state.sd.us>
Sent: Friday, September 29, 2023 1:27 PM
To: Chad Huwe <chuwe@stockwellengineers.com>
Subject: FW: SDDOT Environmental Coordination: PCN 097K, EM 8064(32), Union

Chad – I received the response below from Randy Kittle. In pulling up the boundaries of the Adams Homestead and Nature Preserve, I do not believe that this project would impact the preserve. However, the preserve is in the general area. Please forward this email on to FHU.

Thank you,
Paula

From: Kittle, Randy <Randy.Kittle@state.sd.us>
Sent: Friday, September 29, 2023 11:34 AM
To: Huizenga, Paula <Paula.Huizenga@state.sd.us>
Subject: RE: SDDOT Environmental Coordination: PCN 097K, EM 8064(32), Union

Paula,

Thank you for the opportunity to comment on SDDOT project PCN 097K, EM 8064(32), Union County regarding LWCF 6(F) encumbrances. The Adams Homestead and Nature Preserve is encumbered in entirety under LWCF 6(F) encumbrance.

Feel free to contact me if you have additional questions regarding the proposed project and the 6F encumbrance on Adams Homestead and Nature Preserve.

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



From: paula.huizenga@state.sd.us <paula.huizenga@state.sd.us>
Sent: Friday, September 29, 2023 9:54 AM
To: Kittle, Randy <Randy.Kittle@state.sd.us>
Cc: Huizenga, Paula <Paula.Huizenga@state.sd.us>
Subject: SDDOT Environmental Coordination: PCN 097K, EM 8064(32), Union

Dear Mr. Kittle

North Sioux City - Northshore Drive Realignment PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

Project Details are attached for your review and comment. [Click here to respond.](#)

Sincerely,
Paula Huizenga

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Construction (/HN52EnvironTrkSys&

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MoA To-Do (/HN52EnvironTrkSys/A

GF&P Response (Readonly)

Responded

Response Entered by: **Hilary Morey** on: **10/02/2023**

Response

- ☒ Threatened or Endangered Species
- ☒ We have conducted a search of the SD Natural Heritage Database for the referenced project. This database monitors species at risk, specifically those species that are legally designated as threatened, endangered or rare. Please note many places in South Dakota have not been surveyed for rare or protected species and the absence of a species from the database does not preclude its presence from your project area. We found a 2017 record of False Map Turtles (Graptemys pseudogeographica; state threatened species) captured in McCook Lake. False Map Turtles are an aquatic species of turtle that are primarily found in large rivers and oxbow lakes. False map turtles begin to nest along sandy beaches and sandbar habitats in May and June, with eggs hatching approximately two months later. It's unclear if any impacts will occur along the shoreline of McCook Lake as a result of this project. However, we recommend avoiding any work in and immediately around McCook Lake (e.g. along the shoreline) during the nesting season, which typically runs from May through August. Based on the information provided, there is no anticipated significant impact to fish and wildlife resources and would anticipate that to remain if the following suggestions are considered during the planning and construction of the project. 1. Disturbance to riparian and wetland areas should be kept to an absolute minimum. 2. If riparian vegetation is lost it should be quantified and replaced on site. Seeding of indigenous species should be accomplished immediately after construction to reduce sediment and erosion. 3. A site specific sediment and erosion control plan should be part of the project. 4. A post construction erosion control plan should be implemented in order to provide interim control prior to re-establishing permanent vegetative cover on the disturbed site. 5. Avoid any work in and around McCook Lake during May-August to avoid impacts to nesting False Map Turtles.

* Custom Response. Click it to edit

Documents

Name	File Ext	Added On	Added By
PCN097K_Scoping_Letter_Attachments_26Sep2...	PDF	09/28/2023	Paula Huizenga
GFP letter to Hilary Morey - GF&P (https://apps.s...	PDF	09/29/2023	Paula Huizenga
GFP letter to Randy Kittle - GF&P (https://apps.sd...	PDF	09/29/2023	Paula Huizenga

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Manual Entry

On behalf of: Hilary Morey

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Agency Response Date 10/02/2023

Back to GFP Coordination (/HN52EnvironTrkSys/GFPCoord?coordinationId=394&trackingContainerId=6673&mode=1)



Planning and Engineering
DOT - Local Government Assistance
700 E Broadway
Pierre, SD 57501
O:
dot.sd.gov

September 29, 2023

Hilary Morey, Senior Biologist
South Dakota Game, Fish, and Parks
523 E. Capitol Ave
Pierre, SD 57501

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

Dear Ms. Morey:

Attached is information on the above project. North Sioux City - Northshore Drive Realignment PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE Please comment on any of the following topics that pertain to your agency:

1	Wetland Locations	5	SDGF&P Recreation Areas
2	Threatened or Endangered Species	6	Parks
3	Refuges	7	Land & Water Conservation Funds
4	SDGF&P Game Production Areas	8	Meandered Lakes

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

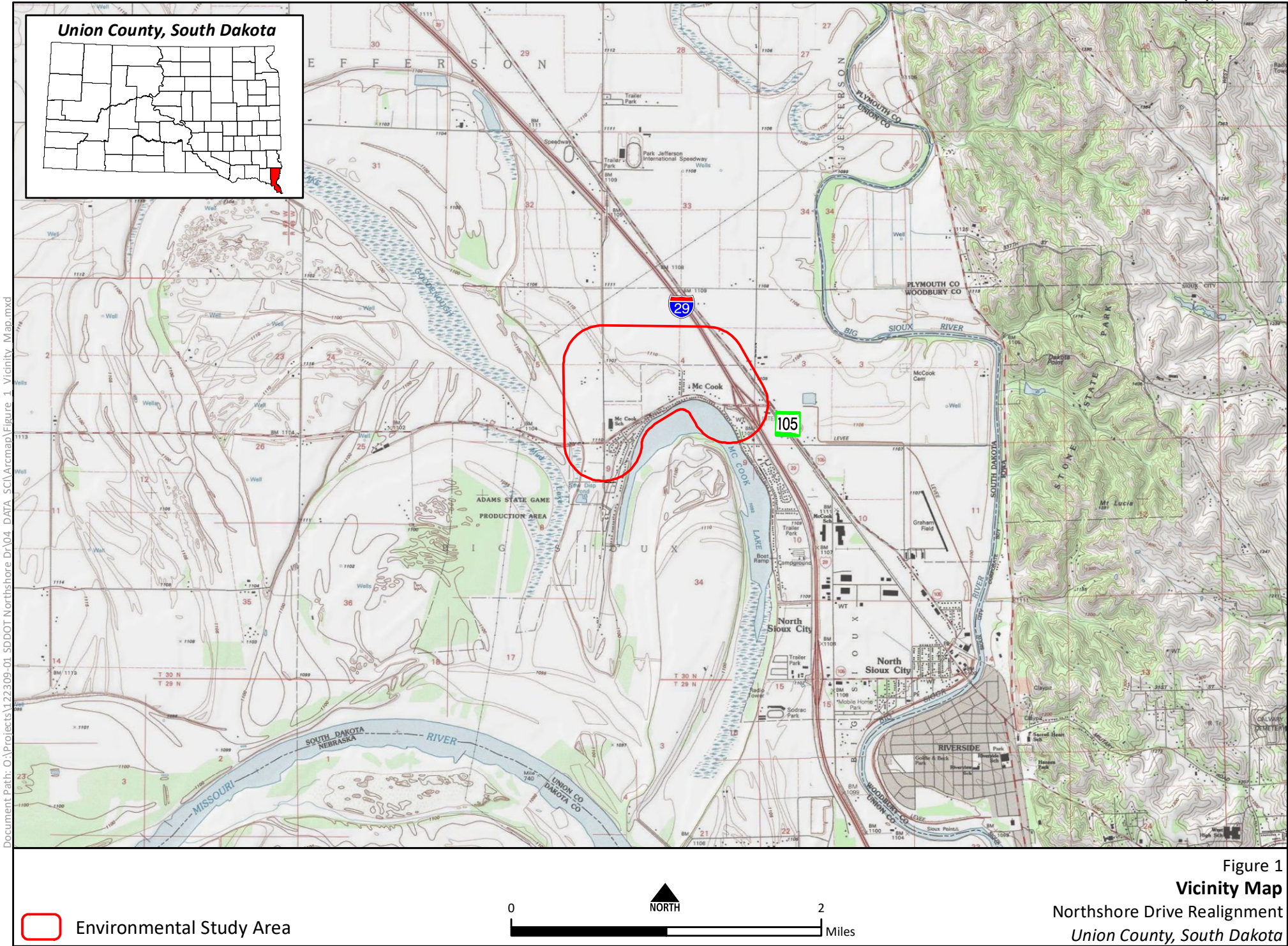
Sincerely,

A handwritten signature in blue ink, appearing to read 'Paula Huizenga', with a long horizontal flourish extending to the right.

Paula Huizenga, Grant Program Engineer
DOT - Local Government Assistance
605 773-6253
paula.huizenga@state.sd.us

Cc: Randy Kittle

Attachments



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Environmental Study Area

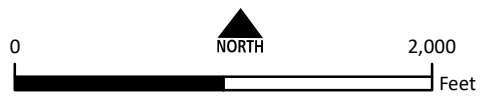


Figure 2
Location Map
Northshore Drive Realignment
Union County, South Dakota

NORTHSHORE DRIVE REALIGNMENT PROJECT EM 8064(32), PCN 097K

UNION COUNTY, CITY OF NORTH SIOUX CITY

PROJECT DESCRIPTION

This project is to construct approximately 1 mile of new road on new alignment, a realigned segment of Northshore Drive to create a connection between Interstate 29 (I-29)/Streeter Drive on the east and Westshore Drive/484th Avenue/County Road I on the west, reconnecting to Northshore Drive/County Road 23 (CR 23). The project is located within the City of North Sioux City, in Union County, South Dakota. The work is being completed in coordination with South Dakota Department of Transportation (SDDOT) and is federally funded.

The proposed improvements for this project consist of grading for an ultimate 4-lane urban divided median section; however, paving for the current project would consist of a 3-lane urban section with curb and gutter. Depending on the design selected, the 3-lane section may include a median or center left-turn lane. Drive lanes are anticipated to have an 11-foot width. Detached boulevard sidewalks will be included on both sides of the corridor. The pedestrian/bicycle trail, sidewalks, crosswalks, and ramps would be constructed according to the Americans with Disabilities Act (ADA) requirements. The sidewalks will be a minimum of 5 feet wide. The sidewalk on the south side of the new alignment (333rd Avenue) is proposed to be 10 feet wide and connect to the existing North Sioux City/McCook Lake Trail on the southeast end of the project. All intersections will comply with ADA requirements for pedestrians. Trails and sidewalks will be located in the boulevard to allow street expansion for additional lanes in the future.

New storm sewer will be included for the length of the corridor to accommodate urban design standards. Water main and sanitary sewer will be installed throughout the project. Street lighting along the corridor is anticipated and all traffic control signing will be posted according to the current Manual on Uniform Traffic Control Devices (MUTCD).

Property rights for the corridor (such as temporary/permanent easements and right of way acquisition) may be necessary to construct the project and are expected. Acquisition of property rights will be completed in compliance with the Uniform Act.

Access to adjacent properties will be maintained during construction but may be limited at times due to phasing requirements. Construction phasing to complete intersection work where the new alignment would tie into the existing roadway system network could include short road closures (less than three days).



Planning and Engineering
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September 29, 2023

Hilary Morey, Senior Biologist
South Dakota Game, Fish, and Parks
523 E. Capitol Ave
Pierre, SD 57501

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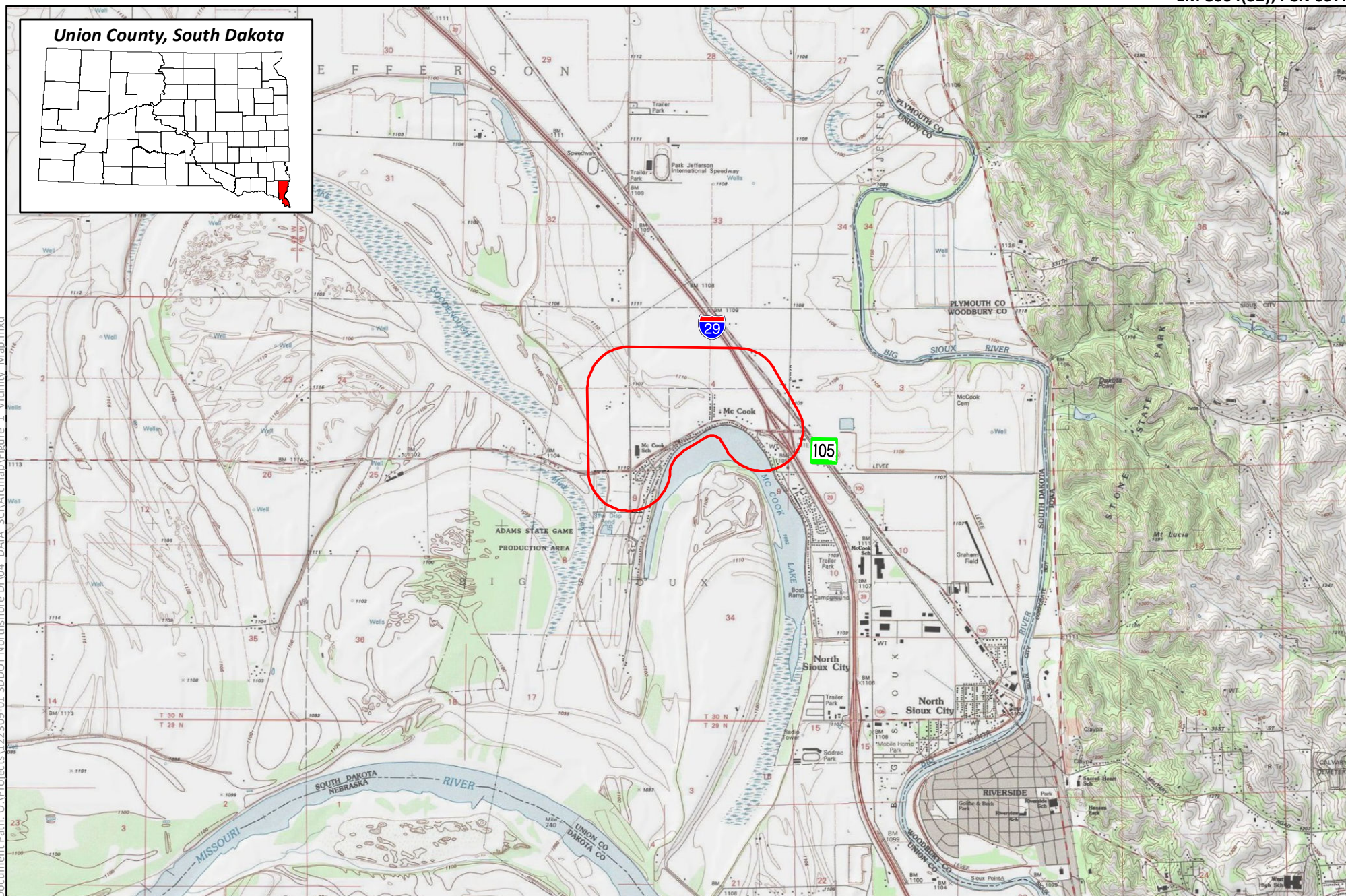
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Paula Huizenga, Grant Program Engineer
DOT - Local Government Assistance
605 773-6253
paula.huizenga@state.sd.us

Cc: **Randy Kittle**

Attachments

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Environmental Study Area



Figure 1
Vicinity Map
Northshore Drive Realignment
Union County, South Dakota

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Environmental Study Area



Figure 2
Location Map
Northshore Drive Realignment
Union County, South Dakota

NORTHSHORE DRIVE REALIGNMENT PROJECT EM 8064(32), PCN 097K

UNION COUNTY, CITY OF NORTH SIOUX CITY

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New storm sewer will be included for the length of the corridor to accommodate urban design standards. Water main and sanitary sewer will be installed throughout the project. Street lighting along the corridor is anticipated and all traffic control signing will be posted according to the current Manual on Uniform Traffic Control Devices (MUTCD).

Property rights for the corridor (such as temporary/permanent easements and right of way acquisition) may be necessary to construct the project and are expected. Acquisition of property rights will be completed in compliance with the Uniform Act.

Access to adjacent properties will be maintained during construction but may be limited at times due to phasing requirements. Construction phasing to complete intersection work where the new alignment would tie into the existing roadway system network could include short road closures (less than three days).

Northshore Drive Realignment

United States Fish and Wildlife Service
Coordination Materials



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

The U.S. Fish and Wildlife Service concurs with your conclusion that this project as described will not adversely affect federally listed or proposed species and/or designated critical habitat(s). If the project changes or new information becomes available, please contact this office again so potential impacts to federally listed species and other trust resources may be reevaluated.

Field Supervisor, South Dakota Ecological Services Date

June 10, 2024

Luke Toso, North Dakota Field Supervisor U.S. Fish & Wildlife Service
3425 Miriam Avenue
Bismarck, ND 58501-7926

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City – Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

Dear Ms. Bass:

Attached is information on the above project for your review and comment.

According to the U.S. Fish & Wildlife Service (FWS) IPaC Information for Planning and Conservation system, the following species are known to occur in Union County:
(Consultation code: 2023-0037510).

Species	Status	SDDOT Determination	Comments
Northern Long Eared Bat	E	May Affect, Not Likely to Adversely Affect	Trees with suitable habitat will be removed November 1 st – March 31 st .
Rufa Red Knot	T	No Effect	No suitable habitat in the project area
Topeka Shiner	E	No Effect	No suitable habitat in the project area
Western Prairie Fringed Orchid	T	No Effect	No suitable habitat in the project area
Piping Plover	T	No Effect	No suitable habitat in the project area
Pallid Sturgeon	E	No Effect	No suitable habitat in the project area
Scaleshell Mussel	E	No Effect	No suitable habitat in the project area
Monarch Butterfly	C	No Effect	No suitable habitat in the project area
Tricolored Bat	PE	May Affect, Not Likely to Adversely Affect	Trees with suitable habitat will be removed November 1 st – March 31 st .

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Paula Huizenga", with a long horizontal flourish extending to the right.

Paula Huizenga
Consultant Management Engineer
605.773.6253

Attachments



United States Department of the Interior

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



In Reply Refer To:

05/01/2024 13:51:33 UTC

Project Code: 2023-0037510

Project Name: Northshore Drive Realignment

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

To Whom It May Concern:

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

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

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

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

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

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

<https://www.fws.gov/media/endangered-species-consultation-handbook>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/law/bald-and-golden-eagle-protection-act>, <https://www.fws.gov/media/endangered-species-act-1>, and/or <https://www.fws.gov/law/migratory-bird-treaty-act-1918>.

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

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

Please be aware that bald and golden eagles are protected under the Migratory Bird Treaty Act (16 U.S.C. §§ 703-712, as amended), as well as the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.). Projects affecting these species may benefit from the development of an Eagle Conservation Plan (ECP), see guidance at this website (<https://www.fws.gov/node/266177>). An ECP can assist developers in achieving compliance with regulatory requirements, help avoid "take" of eagles at project sites, and provide biological support for eagle permit applications. Additionally, we recommend wind energy

developments adhere to our Land-based Wind Energy Guidelines for minimizing impacts to migratory birds and bats.

We have recently updated our guidelines for minimizing impacts to migratory birds at projects that have communication towers (including meteorological, cellular, digital television, radio, and emergency broadcast towers). These guidelines can be found at:

<https://www.fws.gov/story/incidental-take-beneficial-practices-communication-towers>
<http://www.towerkill.com>

According to National Wetlands Inventory maps, (available online at <https://www.fws.gov/library/collections/national-wetland-inventory>) wetlands exist adjacent to the proposed construction corridor. If a project may impact wetlands or other important fish and wildlife habitats, the U.S. Fish and Wildlife Service (Service), in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347) and other environmental laws and rules, recommends complete avoidance of these areas, if possible. If this is not possible, attempts should be made to minimize adverse impacts. Finally if adverse impacts are unavoidable, measures should be undertaken to replace the impacted areas. Alternatives should be examined and the least damaging practical alternative selected. If wetland impacts are unavoidable, a mitigation plan addressing the number and types of wetland acres to be impacted, and the methods of replacement should be prepared and submitted to the resource agencies for review.

Please check with your local wetland management district to determine whether Service interest lands exist at the proposed project site, the exact locations of these properties, and any additional restrictions that may apply regarding these sites. The Offices are listed below. If you are not sure which office to contact, we can help you make that decision.

U.S. Fish and Wildlife Service, Huron Wetland Management District, Federal Building, Room 309, 200 4th Street SW, Huron, SD 57350; telephone (605) 352-5894. Counties in the Huron WMD: Beadle, Buffalo, Hand, Hughes, Hyde, Jerauld, Sanborn, Sully.

U.S. Fish and Wildlife Service, Lake Andes Wetland Management District, P O Box 18, Pickstown, South Dakota, 57367; telephone (605) 487-7603. Counties in the Lake Andes WMD: Aurora, Brule, Charles Mix, Davison, Douglas.

U.S. Fish and Wildlife Service, Madison Wetland Management District, P.O. Box 48, Madison, South Dakota, 57042, telephone (605) 256-2974. Counties in the Madison WMD: Bon Homme, Brookings, Clay, Deuel, Hamlin, Hanson, Hutchinson, Kingsbury, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Turner, Union, Yankton.

U.S. Fish and Wildlife Service, Sand Lake Wetland Management District, 39650 Sand Lake Drive, Columbia, South Dakota, 57433; telephone (605) 885-6320. Counties in the Sand Lake WMD: Brown, Campbell, Edmunds, Faulk, McPherson, Potter, Spink, Walworth.

U.S. Fish and Wildlife Service, Waubay Wetland Management District, 44401 134A Street, Waubay, South Dakota, 57273; telephone (605) 947-4521. Counties in the Waubay WMD: Clark, Codington, Day,

Grant, Marshall, Roberts.

You are welcome to visit our website (<https://www.fws.gov/office/southdakota-ecological-services>) or to contact our office/staff at the address or phone number above for more information.

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

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

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

This species list is provided by:

South Dakota Ecological Services Field Office
420 South Garfield Avenue, Suite 400
Pierre, SD 57501-5408
(605) 224-8693

PROJECT SUMMARY

Project Code: 2023-0037510

Project Name: Northshore Drive Realignment

Project Type: Road/Hwy - New Construction

Project Description: This project proposes to improve existing traffic operations and accommodate planned future growth in the vicinity of Northshore Drive, including the potential for new transportation infrastructure. The project may also involve modification to existing roads, intersections, and driveways to improve overall traffic operations in the vicinity of the project and is anticipated to involve modification or construction of a new storm drainage system. The project would also look for opportunities to improve pedestrian and bicyclist continuity with the use of the Americans with Disabilities Act (ADA) compliant sidewalks, crosswalks, ramps, trails, and/or shared use paths that connect to existing trail infrastructure.

Property rights for improvements (such as temporary/permanent easements and right of way acquisition) may be necessary to construct the project and are expected. Acquisition of property rights will be completed in compliance with the Uniform Act.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.550238,-96.51888384347741,14z>



Counties: Union County, South Dakota

ENDANGERED SPECIES ACT SPECIES

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

MAMMALS

NAME	STATUS
<p>Northern Long-eared Bat <i>Myotis septentrionalis</i></p> <p>No critical habitat has been designated for this species.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> This species only needs to be considered if the project includes wind turbine operations. <p>Species profile: https://ecos.fws.gov/ecp/species/9045</p>	Endangered
<p>Tricolored Bat <i>Perimyotis subflavus</i></p> <p>No critical habitat has been designated for this species.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> This species only needs to be considered if the project includes wind turbine operations. <p>Species profile: https://ecos.fws.gov/ecp/species/10515</p>	Proposed Endangered

BIRDS

NAME	STATUS
<p>Piping Plover <i>Charadrius melodus</i></p> <p>Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered.</p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/6039</p>	Threatened
<p>Rufa Red Knot <i>Calidris canutus rufa</i></p> <p>There is proposed critical habitat for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/1864</p>	Threatened

FISHES

NAME	STATUS
<p>Pallid Sturgeon <i>Scaphirhynchus albus</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/7162</p>	Endangered

CLAMS

NAME	STATUS
<p>Scaleshell Mussel <i>Leptodea leptodon</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/5881</p>	Endangered

INSECTS

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

FLOWERING PLANTS

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

CRITICAL HABITATS

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

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Oct 15 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

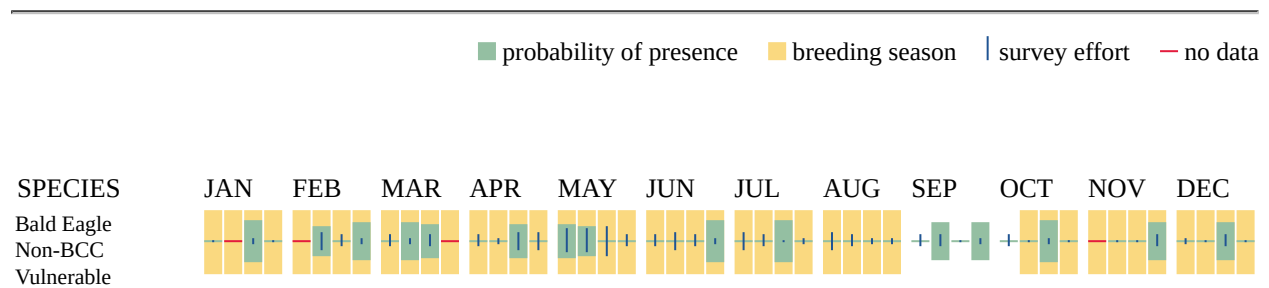
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>

- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Oct 15 to Aug 31
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10678	Breeds May 1 to Aug 20

NAME	BREEDING SEASON
Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8329	Breeds Jun 1 to Aug 20
Hudsonian Godwit <i>Limosa haemastica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9482	Breeds elsewhere
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

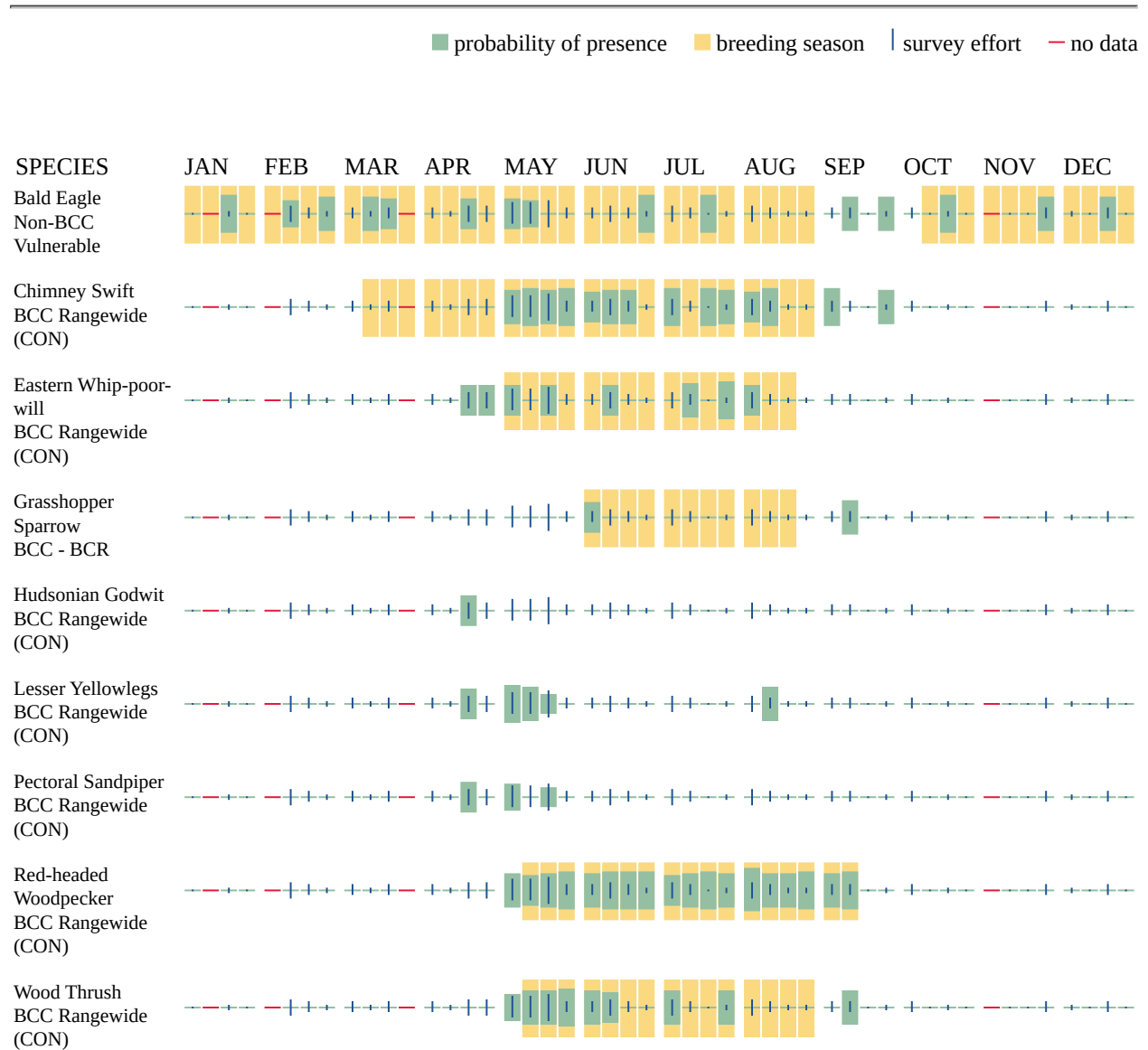
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- PEM1/ABF
- PEM1Cx
- PEM1C

LAKE

- L2ABG

FRESHWATER POND

- PAB/EM1F

IPAC USER CONTACT INFORMATION

Agency: North Sioux City city
Name: Kody Unstad
Address: 11422 Miracle Hills Drive
Address Line 2: Suite 115
City: Omaha
State: NE
Zip: 68154
Email: kody.unstad@fhueng.com
Phone: 4024454405

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration



United States Department of the Interior

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



In Reply Refer To:
Project code: 2023-0037510
Project Name: Northshore Drive Realignment

05/01/2024 13:47:34 UTC

Federal Nexus: yes
Federal Action Agency (if applicable): Federal Highway Administration

Subject: Technical assistance for 'Northshore Drive Realignment'

Dear Kody Unstad:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on May 01, 2024, for 'Northshore Drive Realignment' (here forward, Project). This project has been assigned Project Code 2023-0037510 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements are not complete.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project is not reasonably certain to cause incidental take of the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate
- Pallid Sturgeon *Scaphirhynchus albus* Endangered
- Piping Plover *Charadrius melodus* Threatened
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Scaleshell Mussel *Leptodea leptodon* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Western Prairie Fringed Orchid *Platanthera praeclara* Threatened

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species listed above. Note that if a new species is listed that may be affected by the identified action before it is complete, additional review is recommended to ensure compliance with the Endangered Species Act.

Next Step

Consultation with the Service is necessary. The project has a federal nexus (e.g., Federal funds, permit, etc.), but you are not the federal action agency or its designated (in writing) non-federal representative. Therefore, the ESA consultation status is incomplete and no project activities should occur until consultation between the Service and the Federal action agency (or designated non-federal representative), is completed.

As the federal agency or designated non-federal representative deems appropriate, they should submit their determination of effects to the Service by doing the following.

1. Log into IPaC using an agency email account and click on My Projects, click "Search by record locator" to find this Project using **147-142597708**. (Alternatively, the originator of the project in IPaC can add the agency representative to the project by using the Add Member button on the project home page.)
2. Review the answers to the Northern Long-eared Bat Range-wide Determination Key to ensure that they are accurate.
3. Click on Review/Finalize to convert the 'not likely to adversely affect' consistency letter to a concurrence letter. Download the concurrence letter for your files if needed.

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the

Service should take place before project implements any changes which are final or commits additional resources.

If you have any questions regarding this letter or need further assistance, please contact the South Dakota Ecological Services Field Office and reference Project Code 2023-0037510 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Northshore Drive Realignment

2. Description

The following description was provided for the project 'Northshore Drive Realignment':

This project proposes to improve existing traffic operations and accommodate planned future growth in the vicinity of Northshore Drive, including the potential for new transportation infrastructure. The project may also involve modification to existing roads, intersections, and driveways to improve overall traffic operations in the vicinity of the project and is anticipated to involve modification or construction of a new storm drainage system. The project would also look for opportunities to improve pedestrian and bicyclist continuity with the use of the Americans with Disabilities Act (ADA) compliant sidewalks, crosswalks, ramps, trails, and/or shared use paths that connect to existing trail infrastructure.

Property rights for improvements (such as temporary/permanent easements and right of way acquisition) may be necessary to construct the project and are expected. Acquisition of property rights will be completed in compliance with the Uniform Act.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.550238,-96.51888384347741,14z>



DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

Yes

6. FHWA, FRA, and FTA have completed a range-wide programmatic consultation for transportation- related actions within the range of the Indiana bat and northern long-eared bat.

Does your proposed action fall within the scope of this programmatic consultation?

Note: If you have **previously consulted** on your proposed action with the Service under the NLEB 4dRule, answer 'no' to this question and proceed with using this key. If you have **not yet consulted** with the Service on your proposed action and are unsure whether your proposed action falls within the scope of the FHWA, FRA, FTA range-wide programmatic consultation, please select "Yes" and use the FHWA, FRA, FTA Assisted Determination Key in IPaC to determine if the programmatic consultation is applicable to your action. Return to this key and answer 'no' to this question if it is not.

No

7. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

8. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

9. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

No

10. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

11. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

12. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

13. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

No

14. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?
(If unsure, answer "Yes.")

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

15. Will the action cause effects to a bridge?

No

16. Will the action result in effects to a culvert or tunnel?

No

17. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

18. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

19. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

Yes

20. Will any new road go through any area of contiguous forest that is greater than or equal to 10 acres in total extent?

Note: "Contiguous forest" of 10 acres or more may include areas where multiple forest patches are separated by less than 1,000 feet of non-forest if the forested patches, added together, comprise at least 10 acres.

No

21. Will any new road pass between two patches of contiguous forest that are each greater than or equal to 10 acres in extent and are separated by less than 1,000 feet? Northern long-eared bats may cross a road by flying between forest patches that are up to 1,000 feet apart.

Note: "Contiguous forest" of 10 acres or more may include areas where multiple forest patches are separated by less than 1,000 feet of non-forested area if the forested patches, added together, comprise at least 10 acres.

No

22. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

23. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

24. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

25. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

26. Will the action include drilling or blasting?

No

27. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

28. Will the proposed action involve the use of herbicide or other pesticides (e.g., fungicides, insecticides, or rodenticides)?

No

29. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at:

<https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

30. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at:

<https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

31. Will the action use only downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting) when installing new or replacing existing permanent lights? Or for those transportation agencies using the Backlight, Uplight, Glare (BUG) system developed by the Illuminating Engineering Society, will all three ratings (backlight, uplight, and glare) be as close to zero as is possible, with a priority of "uplight" of 0?

No

32. Will the proposed action result in the cutting or other means of knocking down, bringing down, or trimming of any trees suitable for northern long-eared bat roosting?

Note: Suitable northern long-eared bat roost trees are live trees and/or snags ≥ 3 inches dbh that have exfoliating bark, cracks, crevices, and/or cavities.

Yes

PROJECT QUESTIONNAIRE

Enter the extent of the action area (in acres) from which trees will be removed - round up to the nearest tenth of an acre. For this question, include the entire area where tree removal will take place, even if some live or dead trees will be left standing.

.5

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the inactive (hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

.5

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the active (non-hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

0

Will all potential northern long-eared bat (NLEB) roost trees (trees ≥ 3 inches diameter at breast height, dbh) be cut, knocked, or brought down from any portion of the action area greater than or equal to 0.1 acre? If all NLEB roost trees will be removed from multiple areas, select 'Yes' if the cumulative extent of those areas meets or exceeds 0.1 acre.

No

Enter the extent of the action area (in acres) from which all potential NLEB roost trees will be removed. If all NLEB roost trees will be removed from multiple areas, entire the total extent of those areas. Round up to the nearest tenth of an acre.

0.05

For the area from which all potential northern long-eared bat (NLEB) roost trees will be removed, on how many acres (round to the nearest tenth of an acre) will trees be allowed to regrow? Enter '0' if the entire area from which all potential NLEB roost trees are removed will be developed or otherwise converted to non-forest for the foreseeable future.

0

Will any snags (standing dead trees) ≥ 3 inches dbh be left standing in the area(s) in which all northern long-eared bat roost trees will be cut, knocked down, or otherwise brought down?

Yes

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: North Sioux City city
Name: Kody Unstad
Address: 11422 Miracle Hills Drive
Address Line 2: Suite 115
City: Omaha
State: NE
Zip: 68154
Email: kody.unstad@fhueng.com
Phone: 4024454405

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

Northshore Drive Realignment

South Dakota State Historic Preservation Office
Coordination Materials



December 11, 2024

Paula Huizenga
SDDOT
700 East Broadway
Pierre, SD 57501

SECTION 106 PROJECT CONSULTATION

Project: 241203006F – EM 8064(32) PCN 097K

Location: Union

FHWA - Federal Highway Administration

Dear Paula,

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

On December 3, 2024, SHPO received your letter, a report titled "Level III Cultural Resources Investigation of the Proposed Northshore Drive Realignment Project, McCook Lake, Union County, South Dakota (Archaeological Contract Series 352)" prepared by Austin A. Buhta of the Augustana University Archaeological Laboratory, and a map showing the Area of Potential Effects (APE). Included in this report were efforts to identify cultural resources, maps showing the Area of Potential Effects (APE).

Based upon the information provided, [the proposed undertaking is for the realignment of Northshore Drive. This will include PCC surfacing, grading, storm sewer, curb and gutter, lighting, water main, sanitary systems, Right-of-Way (ROW), and PE. Site 39UN0038 was identified as being adjacent to the original project design. During the investigation for this proposed undertaking, this site's boundary was expanded. Subsequent work plans indicate that this site will be avoided. As such, no Historic Properties were identified within the APE. Therefore, SHPO concurs with your determination of "No Historic Properties Affected" for the proposed undertaking, provided that site 39UN0038 is avoided by all project activities.

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

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

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



C.F.R. § 800.13.

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

Sincerely,
Garry Guan
State Historic Preservation Officer

A handwritten signature in black ink that reads "Jozef Lamfers". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Jozef Lamfers
Review & Compliance Archaeologist

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





January 24, 2025

Paula Huizenga
SDDOT
700 East Broadway
Pierre, SD 57501

SECTION 106 PROJECT CONSULTATION

Project: 241203006F – EM 8064(32) PCN 097K

Location: Union

FHWA - Federal Highway Administration

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On December 3, 2024, SHPO received your letter, a report titled "Level III Cultural Resources Investigation of the Proposed Northshore Drive Realignment Project, McCook Lake, Union County, South Dakota (Archaeological Contract Series 352)" prepared by Austin A. Buhta of the Augustana University Archaeological Laboratory, and a map showing the Area of Potential Effects (APE). Included in this report were efforts to identify cultural resources, maps showing the Area of Potential Effects (APE). After reviewing the submission, SHPO concurred with your determination of "No Historic Properties Affected" on December 11, 2024.

On January 24, 2025, an additional cover letter, a letter titled "A Letter Concerning Revisions to a Segment of Corridor Alternative 1 of the Proposed Northshore Drive Bypass and Potential Impacts to Cultural Resources" prepared by Austin A. Buhta of the Augustana University Archaeology Laboratory, and maps showing the APE were received. The updated information indicated that since previous consultation, the project design had shifted outside of the previously-consulted APE. The letter from Austin A. Buhta indicated that the portion of site 39UN0038 within the APE lacks integrity and recommended this segment as non-contributing to the overall eligibility of the site.

Based upon the information provided, the proposed undertaking is for the realignment of Northshore Drive. This will include PCC surfacing, grading, storm sewer, curb and gutter, lighting, water main, sanitary systems, Right-of-Way (ROW), and PE. Site 39UN0038 was identified as being adjacent to the original project design. During the investigation for this proposed undertaking, this site's boundary was expanded. Previously, work plans indicate that this site will be avoided. However, with the amended scope, a non-contributing portion is located within the APE. Therefore, SHPO continues to concur with your determination of "No Historic Properties Affected" for the proposed undertaking, provided that the contributing portion of site 39UN0038 is avoided by all project activities.

Changes in the location and/or nature of activities from those identified in your request will require the submission of additional documentation pertaining to the identification of historic properties, as described



in 36 C.F.R. § 800.4, and/or the undertaking's effects on historic properties, as described in 36 C.F.R. § 800.11.

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

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

Sincerely,
Garry Guan
State Historic Preservation Officer

A handwritten signature in black ink that reads "Jozef Lamfers".

Jozef Lamfers
Review & Compliance Archaeologist

CC:
Lynn Griffin - Archaeological Research Center
Megan Ostrenga Fabricius - Archaeological Research Center

Northshore Drive Realignment

Tribal Coordination Materials



Planning and Engineering
DOT - Local Government Assistance
700 E Broadway
Pierre, SD 57501
O:
dot.sd.gov

September 28, 2023

Jonathan Windy Boy, THPO
Chippewa Cree Tribe
9740 Upper Box Elder Rd
Box Elder, MT 59521-9104

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

Dear Mr. Windy Boy:

Attached is a map detailing the location of the above referenced project. North Sioux City - Northshore Drive Realignment PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE The project will comply with all federal and state environmental regulations.

Pursuant to Section 106 of the National Historic Preservation Act (36 CFR Part 800), the South Dakota Department of Transportation, on behalf of the Federal Highway Administration - SD Division, is soliciting comments on specified project(s) from tribes that have expressed an interest in highway projects in Union County. Please provide your comments by October 30, 2023, so that the project can move toward a timely letting and construction.

If you have any questions, please feel free to contact me at the phone number or email address below, or you may contact Tom Lehmkuhl, FHWA Environmental Engineer, at (605) 776-1012.

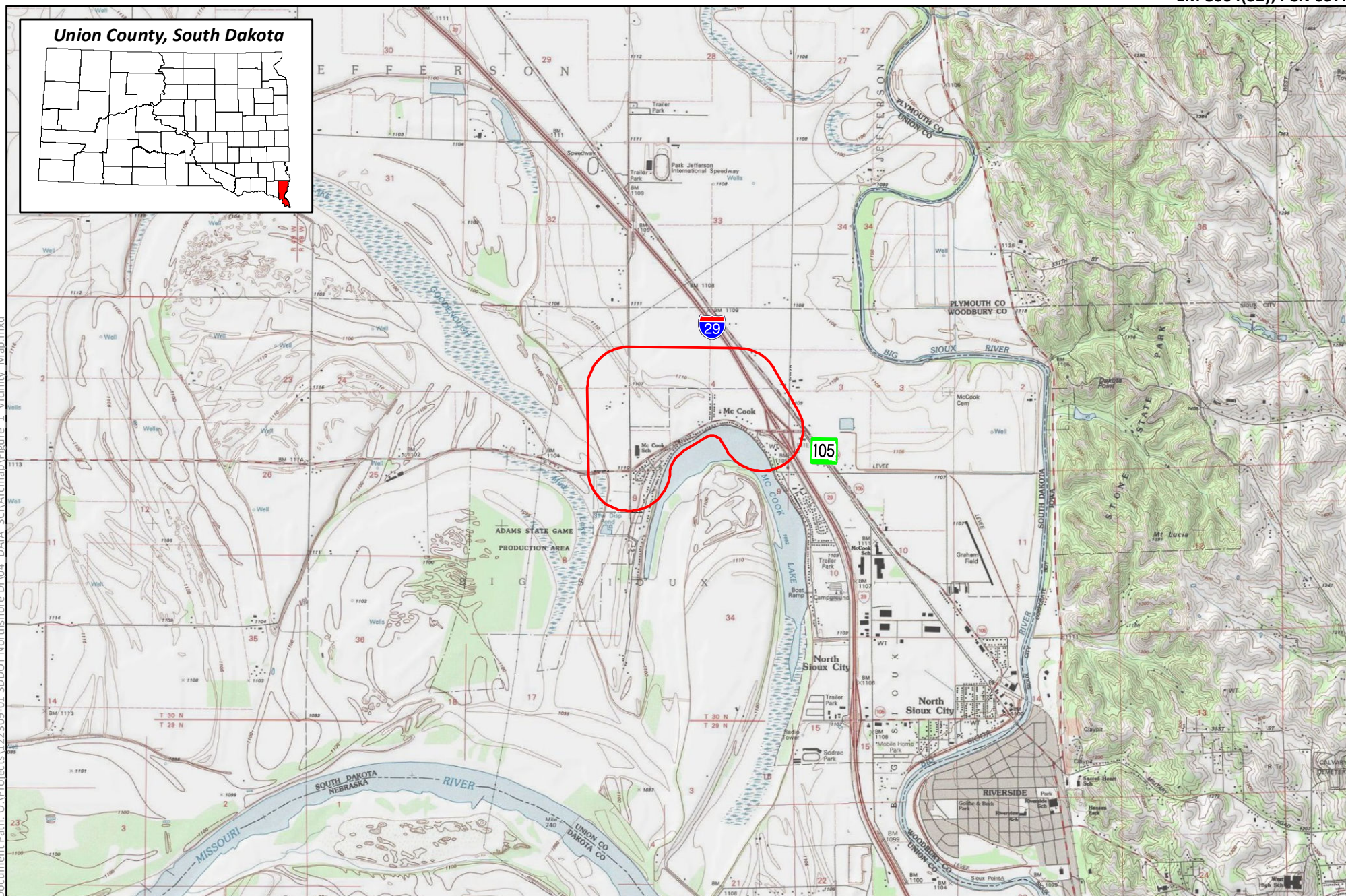
Sincerely,

A handwritten signature in blue ink, appearing to read 'Paula Huizenga', with a long horizontal flourish extending to the right.

Paula Huizenga, Grant Program Engineer
DOT - Local Government Assistance
605 773-6253
paula.huizenga@state.sd.us

Attachments

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Environmental Study Area



Figure 1
Vicinity Map
Northshore Drive Realignment
Union County, South Dakota

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Environmental Study Area



Figure 2
Location Map
Northshore Drive Realignment
Union County, South Dakota

NORTHSHORE DRIVE REALIGNMENT PROJECT EM 8064(32), PCN 097K

UNION COUNTY, CITY OF NORTH SIOUX CITY

PROJECT DESCRIPTION

This project is to construct approximately 1 mile of new road on new alignment, a realigned segment of Northshore Drive to create a connection between Interstate 29 (I-29)/Streeter Drive on the east and Westshore Drive/484th Avenue/County Road I on the west, reconnecting to Northshore Drive/County Road 23 (CR 23). The project is located within the City of North Sioux City, in Union County, South Dakota. The work is being completed in coordination with South Dakota Department of Transportation (SDDOT) and is federally funded.

The proposed improvements for this project consist of grading for an ultimate 4-lane urban divided median section; however, paving for the current project would consist of a 3-lane urban section with curb and gutter. Depending on the design selected, the 3-lane section may include a median or center left-turn lane. Drive lanes are anticipated to have an 11-foot width. Detached boulevard sidewalks will be included on both sides of the corridor. The pedestrian/bicycle trail, sidewalks, crosswalks, and ramps would be constructed according to the Americans with Disabilities Act (ADA) requirements. The sidewalks will be a minimum of 5 feet wide. The sidewalk on the south side of the new alignment (333rd Avenue) is proposed to be 10 feet wide and connect to the existing North Sioux City/McCook Lake Trail on the southeast end of the project. All intersections will comply with ADA requirements for pedestrians. Trails and sidewalks will be located in the boulevard to allow street expansion for additional lanes in the future.

New storm sewer will be included for the length of the corridor to accommodate urban design standards. Water main and sanitary sewer will be installed throughout the project. Street lighting along the corridor is anticipated and all traffic control signing will be posted according to the current Manual on Uniform Traffic Control Devices (MUTCD).

Property rights for the corridor (such as temporary/permanent easements and right of way acquisition) may be necessary to construct the project and are expected. Acquisition of property rights will be completed in compliance with the Uniform Act.

Access to adjacent properties will be maintained during construction but may be limited at times due to phasing requirements. Construction phasing to complete intersection work where the new alignment would tie into the existing roadway system network could include short road closures (less than three days).



Planning and Engineering
DOT - Local Government Assistance
700 E Broadway
Pierre, SD 57501
O:
dot.sd.gov

September 28, 2023

Merle Marks, THPO
Crow Creek Sioux Tribe
PO Box 50
Ft. Thompson, SD 57339

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

Dear Mr. Marks:

Attached is a map detailing the location of the above referenced project. North Sioux City - Northshore Drive Realignment PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE The project will comply with all federal and state environmental regulations.

Pursuant to Section 106 of the National Historic Preservation Act (36 CFR Part 800), the South Dakota Department of Transportation, on behalf of the Federal Highway Administration - SD Division, is soliciting comments on specified project(s) from tribes that have expressed an interest in highway projects in Union County. Please provide your comments by October 30, 2023, so that the project can move toward a timely letting and construction.

If you have any questions, please feel free to contact me at the phone number or email address below, or you may contact Tom Lehmkuhl, FHWA Environmental Engineer, at (605) 776-1012.

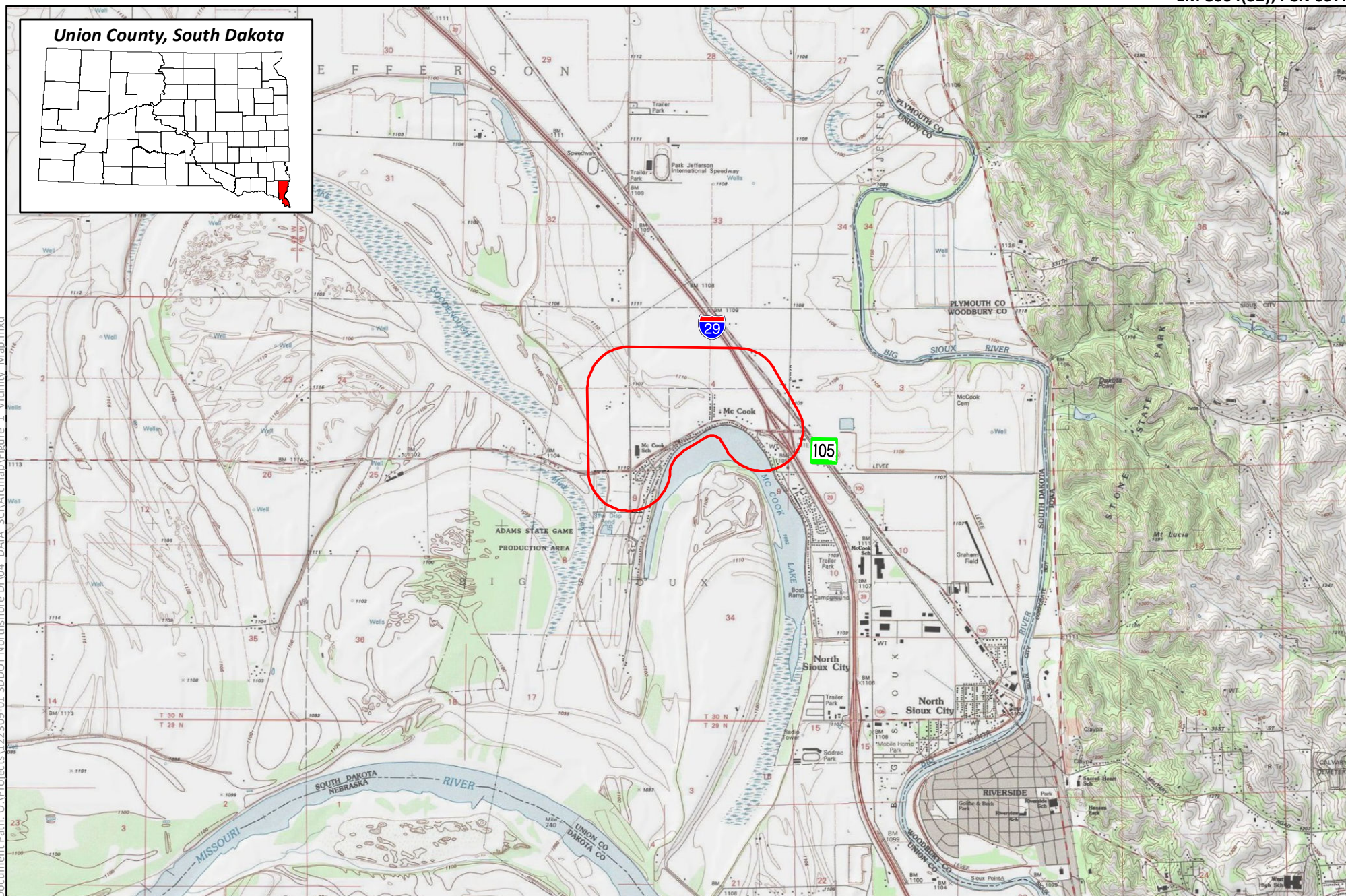
Sincerely,

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Paula Huizenga, Grant Program Engineer
DOT - Local Government Assistance
605 773-6253
paula.huizenga@state.sd.us

Attachments

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Environmental Study Area



Figure 1
Vicinity Map
Northshore Drive Realignment
Union County, South Dakota

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Environmental Study Area



Figure 2
Location Map
Northshore Drive Realignment
Union County, South Dakota

NORTHSHORE DRIVE REALIGNMENT PROJECT EM 8064(32), PCN 097K

UNION COUNTY, CITY OF NORTH SIOUX CITY

PROJECT DESCRIPTION

This project is to construct approximately 1 mile of new road on new alignment, a realigned segment of Northshore Drive to create a connection between Interstate 29 (I-29)/Streeter Drive on the east and Westshore Drive/484th Avenue/County Road I on the west, reconnecting to Northshore Drive/County Road 23 (CR 23). The project is located within the City of North Sioux City, in Union County, South Dakota. The work is being completed in coordination with South Dakota Department of Transportation (SDDOT) and is federally funded.

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Planning and Engineering
DOT - Local Government Assistance
700 E Broadway
Pierre, SD 57501
O:
dot.sd.gov

September 28, 2023

Historic Preservation Office
Iowa Tribe of Oklahoma
335588 E. 750 Road
Perkins, OK 74059

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

Dear Historic Preservation Office:

Attached is a map detailing the location of the above referenced project. North Sioux City - Northshore Drive Realignment PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE The project will comply with all federal and state environmental regulations.

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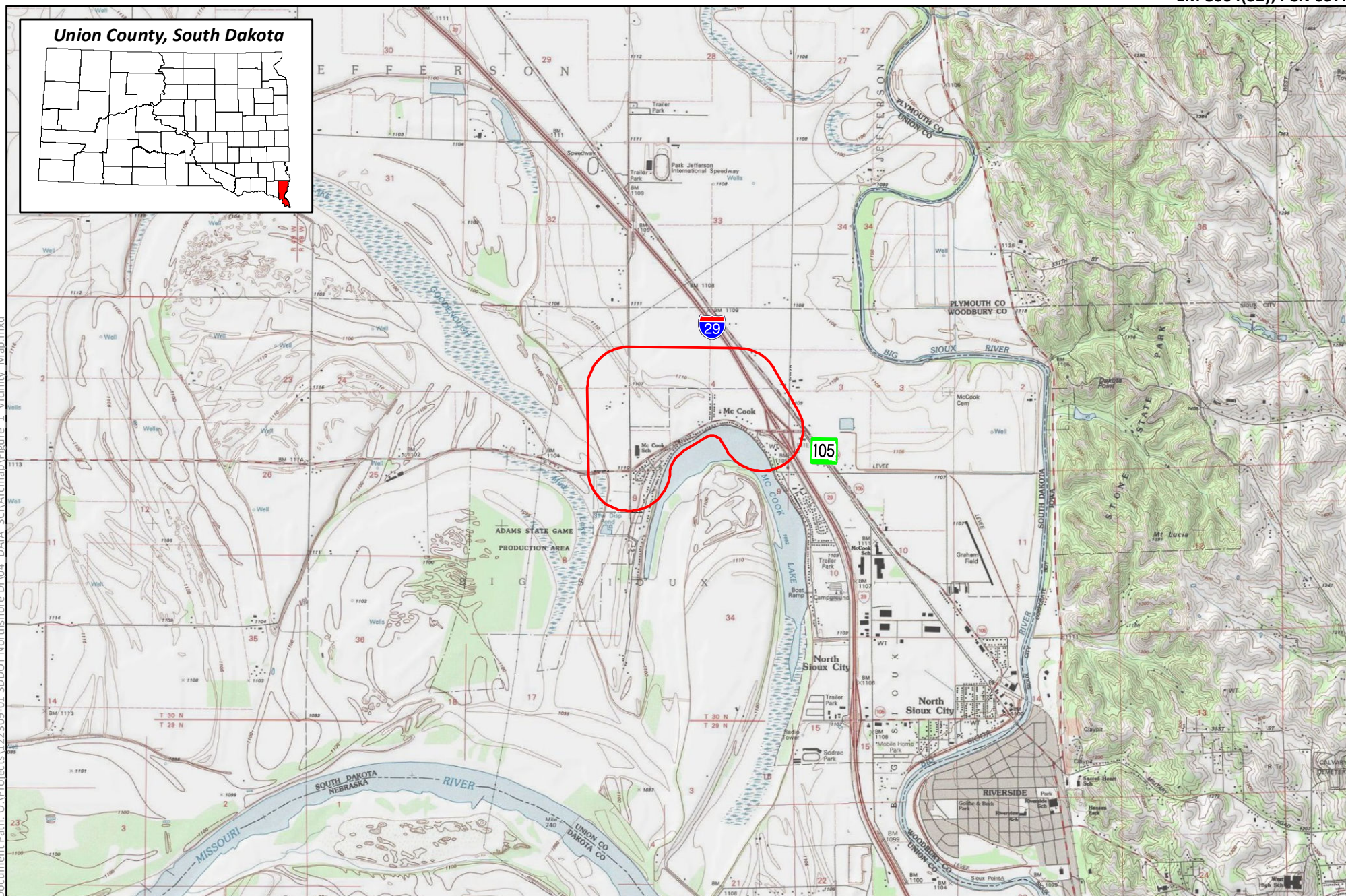
Sincerely,

A handwritten signature in blue ink, appearing to read 'Paula Huizenga'.

Paula Huizenga, Grant Program Engineer
DOT - Local Government Assistance
605 773-6253
paula.huizenga@state.sd.us

Attachments

Document Path: O:\Projects\122309-01 SDDOT Northshore Dr\04 DATA_SCI\Arcmap\Figure 1_Vicinity_Map.mxd



Environmental Study Area



Figure 1
Vicinity Map
Northshore Drive Realignment
Union County, South Dakota

Document Path: O:\Projects\122309-01 SDDOT Northshore Dr\04 DATA_SCI\Arcmap\Figure 2 Location Map.mxd



Environmental Study Area

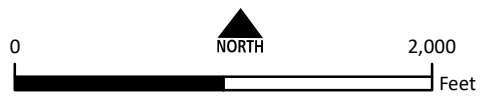


Figure 2
Location Map
Northshore Drive Realignment
Union County, South Dakota

NORTHSHORE DRIVE REALIGNMENT PROJECT EM 8064(32), PCN 097K

UNION COUNTY, CITY OF NORTH SIOUX CITY

PROJECT DESCRIPTION

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Planning and Engineering
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700 E Broadway
Pierre, SD 57501
O:
dot.sd.gov

September 28, 2023

Boyd Gourneau, Cultural Resources Director
Lower Brule Sioux Tribe
PO Box 187
Lower Brule, SD 57548

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

Dear Mr. Gourneau:

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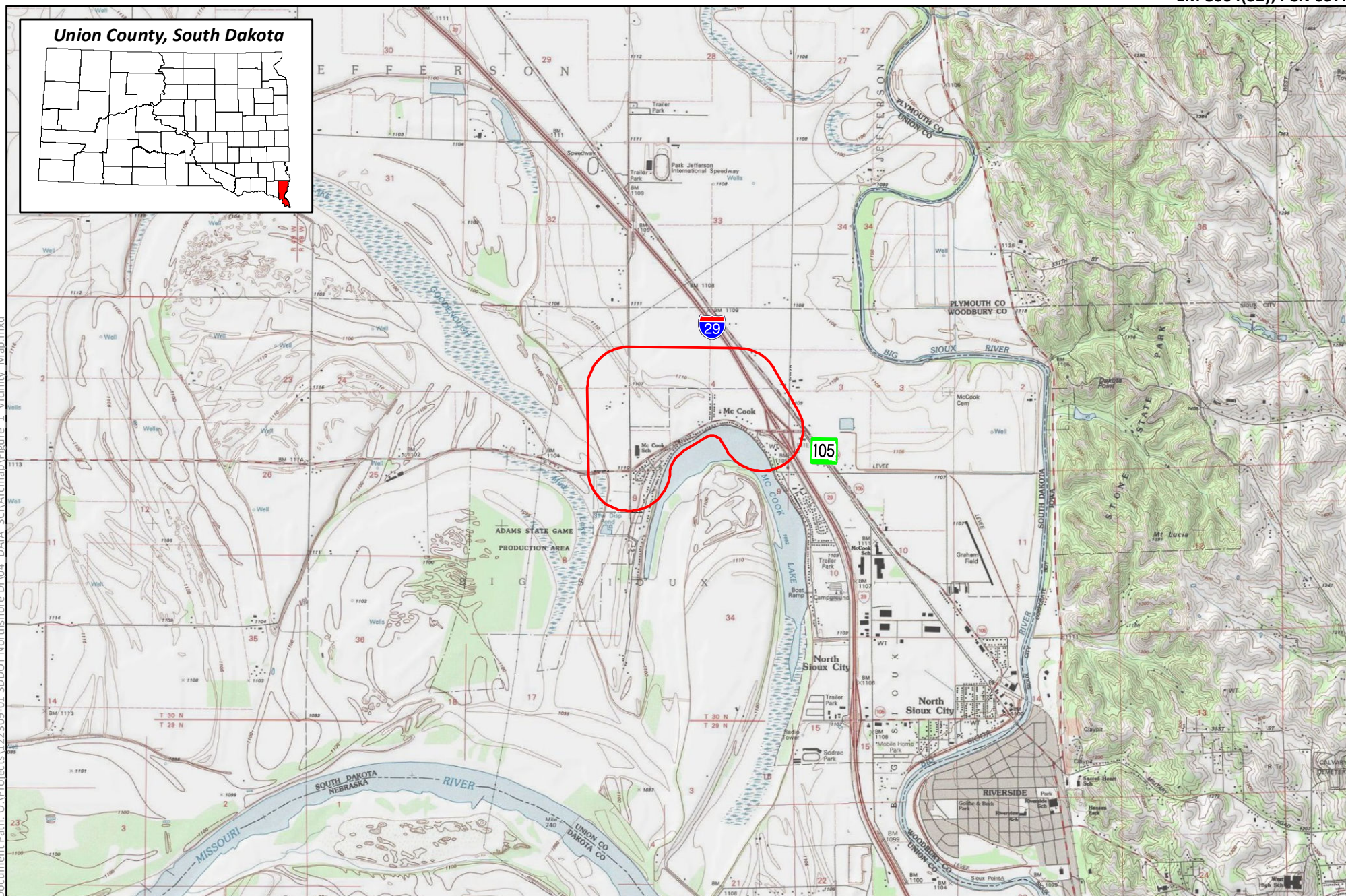
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Paula Huizenga, Grant Program Engineer
DOT - Local Government Assistance
605 773-6253
paula.huizenga@state.sd.us

Attachments

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Environmental Study Area



Figure 1
Vicinity Map
Northshore Drive Realignment
Union County, South Dakota

Document Path: O:\Projects\122309-01 SDDOT Northshore Dr\04 DATA_SCI\Arcmap\Figure 2 Location Map.mxd



Environmental Study Area

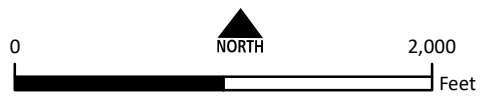


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Northshore Drive Realignment
Union County, South Dakota

NORTHSHORE DRIVE REALIGNMENT PROJECT EM 8064(32), PCN 097K

UNION COUNTY, CITY OF NORTH SIOUX CITY

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September 28, 2023

Richard Wright, Interim THPO/Cultural Director
Ponca Tribe of Nebraska
PO Box 288
Niobrara, NE 68760

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

Dear Mr. Wright:

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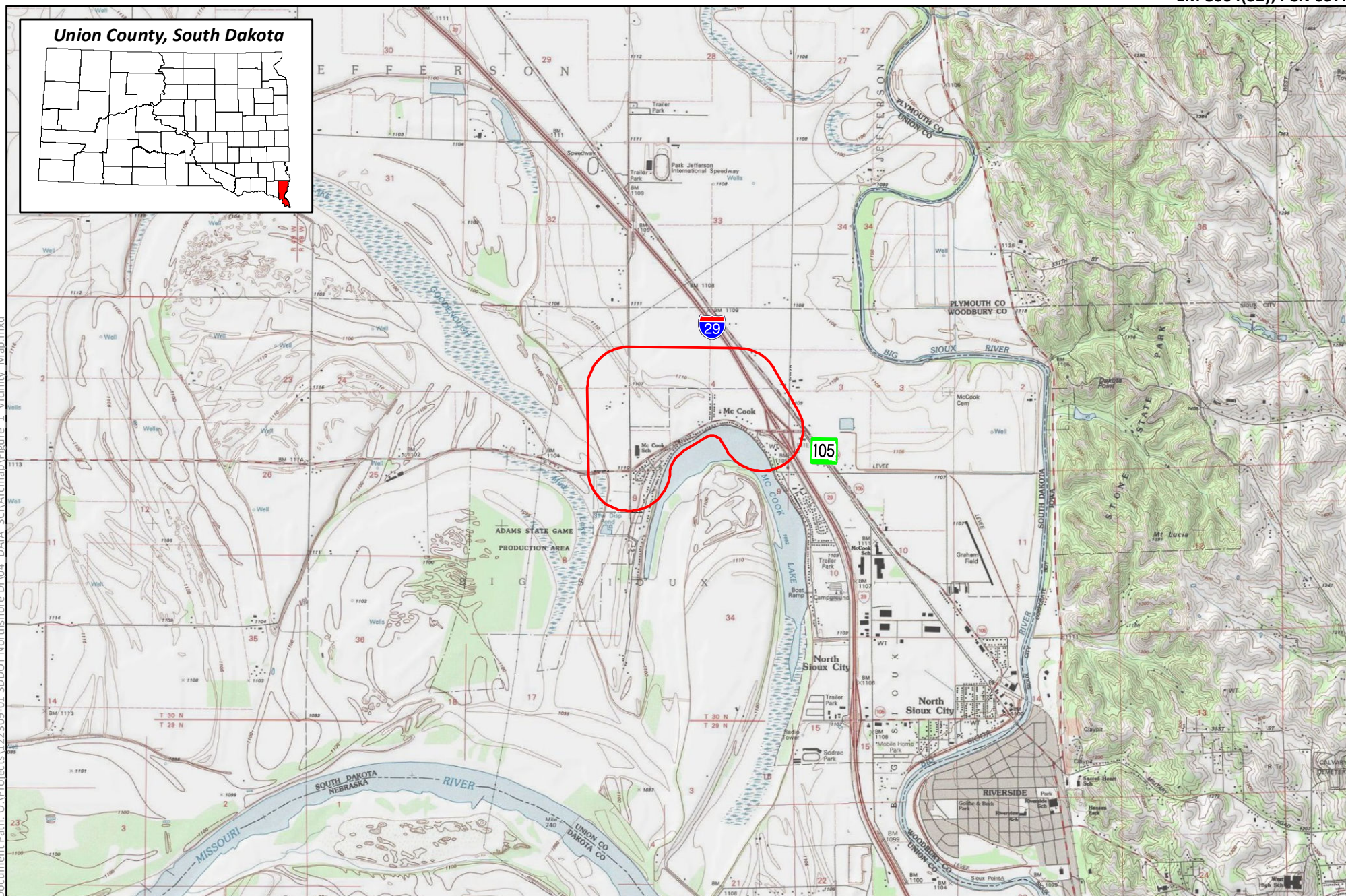
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Paula Huizenga, Grant Program Engineer
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605 773-6253
paula.huizenga@state.sd.us

Attachments

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Environmental Study Area



Figure 1
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Northshore Drive Realignment
Union County, South Dakota

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Environmental Study Area



Figure 2
Location Map
Northshore Drive Realignment
Union County, South Dakota

NORTHSHORE DRIVE REALIGNMENT PROJECT EM 8064(32), PCN 097K

UNION COUNTY, CITY OF NORTH SIOUX CITY

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September 28, 2023

Ione Quigley, THPO
Rosebud Sioux Tribe
PO Box 809
Rosebud, SD 57570-0658

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

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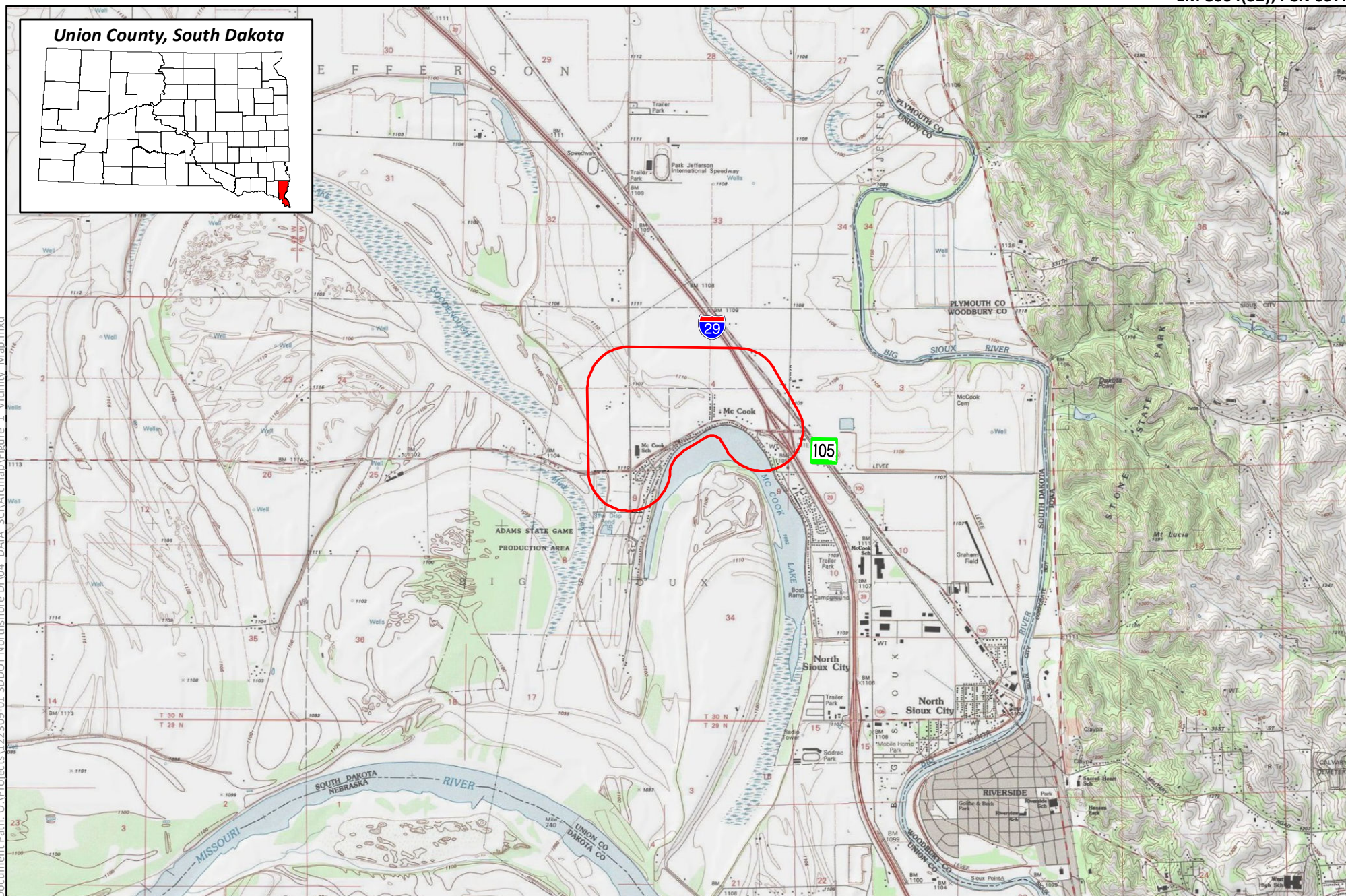
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Paula Huizenga, Grant Program Engineer
DOT - Local Government Assistance
605 773-6253
paula.huizenga@state.sd.us

Cc: Benjamin Young

Attachments

Document Path: O:\Projects\122309-01 SDDOT Northshore Dr\04 DATA_SCI\Arcmap\Figure 1 Vicinity Map.mxd



Environmental Study Area



Figure 1
Vicinity Map
Northshore Drive Realignment
Union County, South Dakota

Document Path: O:\Projects\122309-01 SDDOT Northshore Dr\04 DATA_SCI\Arcmap\Figure 2 Location Map.mxd



Environmental Study Area



Figure 2
Location Map
Northshore Drive Realignment
Union County, South Dakota

NORTHSHORE DRIVE REALIGNMENT PROJECT EM 8064(32), PCN 097K

UNION COUNTY, CITY OF NORTH SIOUX CITY

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September 28, 2023

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Paula Huizenga, Grant Program Engineer
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paula.huizenga@state.sd.us

Cc: **Benjamin Young**

Attachments

Document Path: O:\Projects\122309-01 SDDOT Northshore Dr\04 DATA_SCI\Arcmap\Figure 1 Vicinity Map.mxd

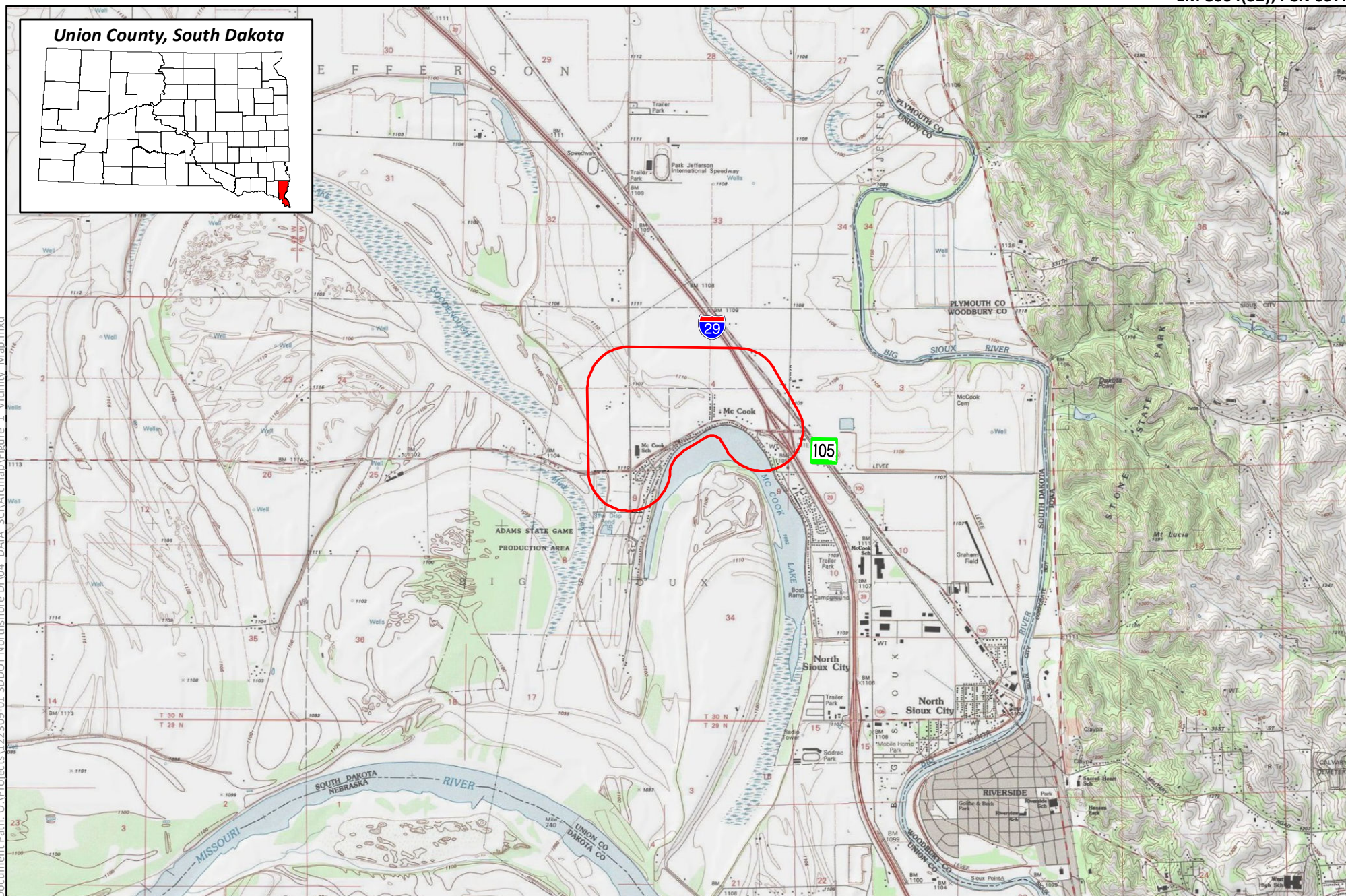


Figure 1
Vicinity Map
 Northshore Drive Realignment
 Union County, South Dakota

0 2 Miles

Environmental Study Area

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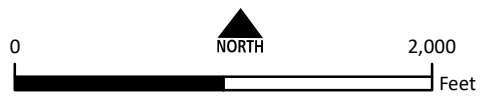


Figure 2
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Union County, South Dakota

NORTHSHORE DRIVE REALIGNMENT PROJECT EM 8064(32), PCN 097K

UNION COUNTY, CITY OF NORTH SIOUX CITY

PROJECT DESCRIPTION

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700 E Broadway
Pierre, SD 57501
O:
dot.sd.gov

September 28, 2023

Dianne Desrosiers, THPO
Sisseton-Wahpeton Oyate
PO Box 907
Sisseton, SD 57262

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

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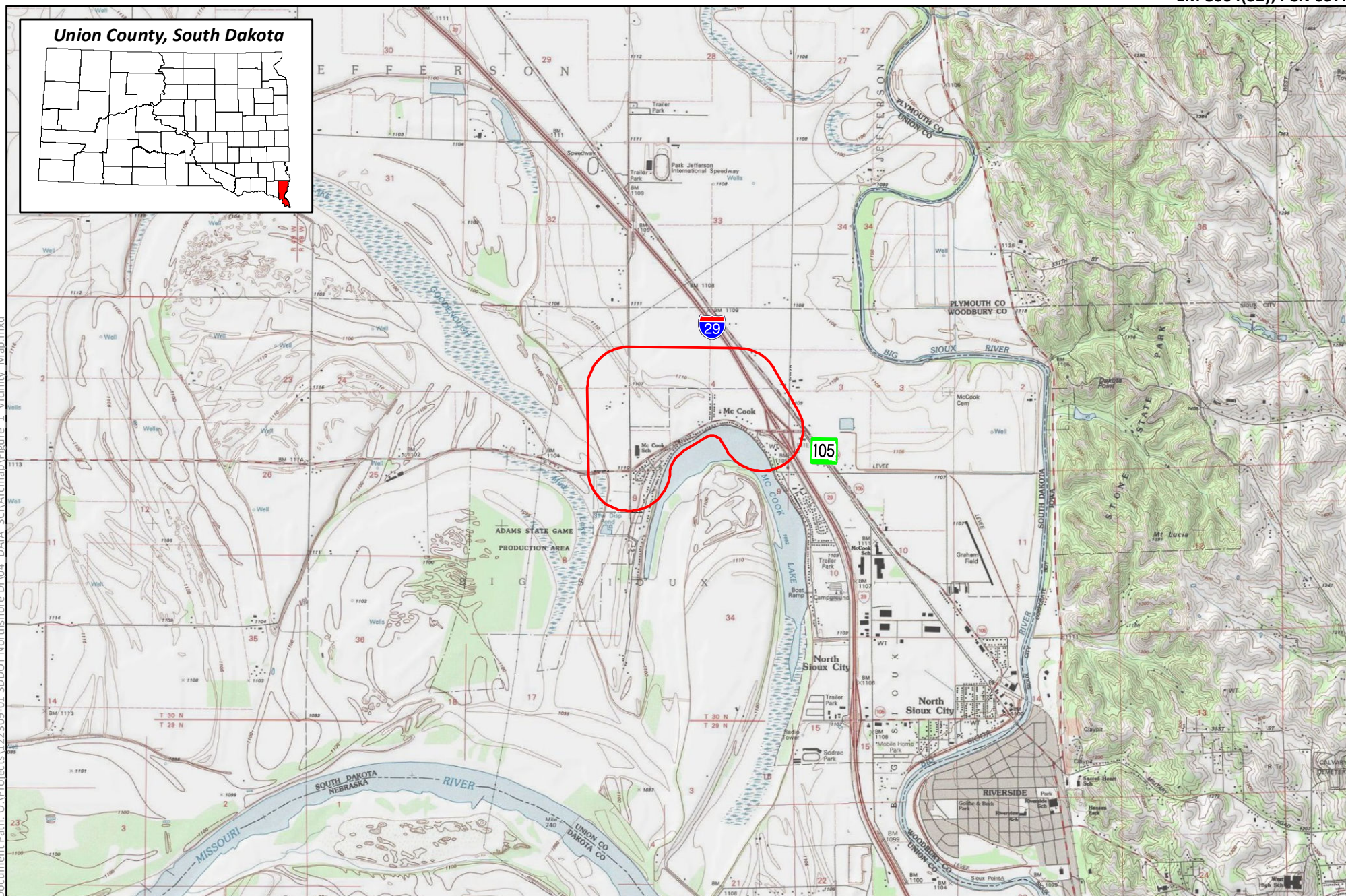
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Paula Huizenga, Grant Program Engineer
DOT - Local Government Assistance
605 773-6253
paula.huizenga@state.sd.us

Cc: Wayne Cloud, Section 106 Assistant

Attachments

Document Path: O:\Projects\122309-01 SDDOT Northshore Dr\04 DATA_SCI\Arcmap\Figure 1_Vicinity_Map.mxd



Environmental Study Area



Figure 1
Vicinity Map
 Northshore Drive Realignment
 Union County, South Dakota

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Environmental Study Area



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September 28, 2023

Dianne Desrosiers, THPO
Sisseton-Wahpeton Oyate
PO Box 907
Sisseton, SD 57262

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PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

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Attached is a map detailing the location of the above referenced project. North Sioux City - Northshore Drive Realignment PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE The project will comply with all federal and state environmental regulations.

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If you have any questions, please feel free to contact me at the phone number or email address below, or you may contact Tom Lehmkuhl, FHWA Environmental Engineer, at (605) 776-1012.

Sincerely,

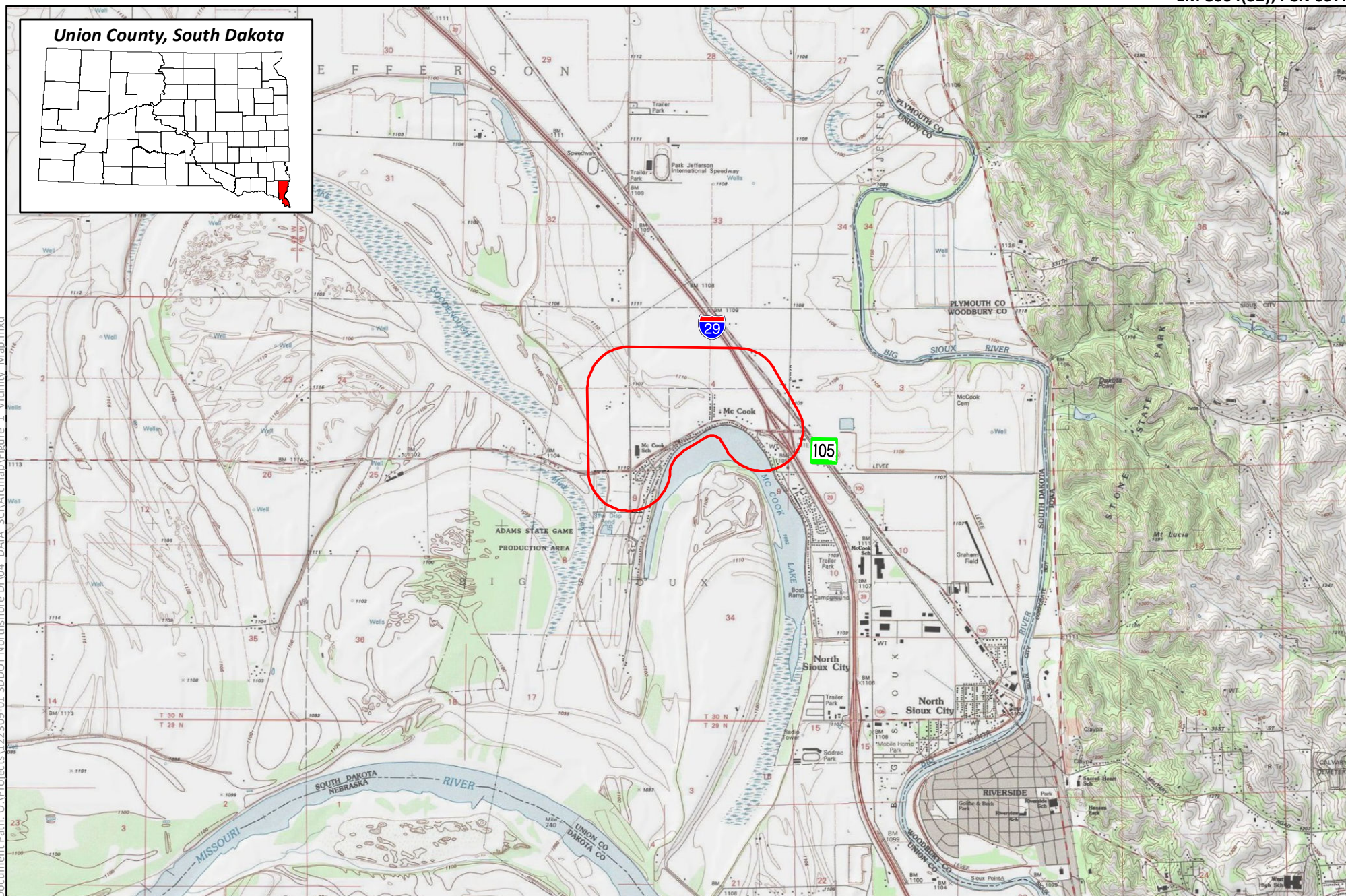
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Paula Huizenga, Grant Program Engineer
DOT - Local Government Assistance
605 773-6253
paula.huizenga@state.sd.us

Cc: **Wayne Cloud, Section 106 Assistant**

Attachments

Document Path: O:\Projects\122309-01 SDDOT Northshore Dr\04 DATA_SCI\Arcmap\Figure 1_Vicinity_Map.mxd



Environmental Study Area



Figure 1
Vicinity Map
Northshore Drive Realignment
Union County, South Dakota

Document Path: O:\Projects\122309-01 SDDOT Northshore Dr\04 DATA_SCI\Arcmap\Figure 2 Location Map.mxd



Environmental Study Area



Figure 2
Location Map
Northshore Drive Realignment
Union County, South Dakota

NORTHSHORE DRIVE REALIGNMENT PROJECT EM 8064(32), PCN 097K

UNION COUNTY, CITY OF NORTH SIOUX CITY

PROJECT DESCRIPTION

This project is to construct approximately 1 mile of new road on new alignment, a realigned segment of Northshore Drive to create a connection between Interstate 29 (I-29)/Streeter Drive on the east and Westshore Drive/484th Avenue/County Road I on the west, reconnecting to Northshore Drive/County Road 23 (CR 23). The project is located within the City of North Sioux City, in Union County, South Dakota. The work is being completed in coordination with South Dakota Department of Transportation (SDDOT) and is federally funded.

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Planning and Engineering
DOT - Local Government Assistance
700 E Broadway
Pierre, SD 57501
O:
dot.sd.gov

September 28, 2023

Joe Myrick, THPO
Three Affiliated Tribes (Mandan Hidatsa Arikara Nation)
404 Frontage Rd
New Town, ND 58763-9404

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

Dear Mr. Myrick:

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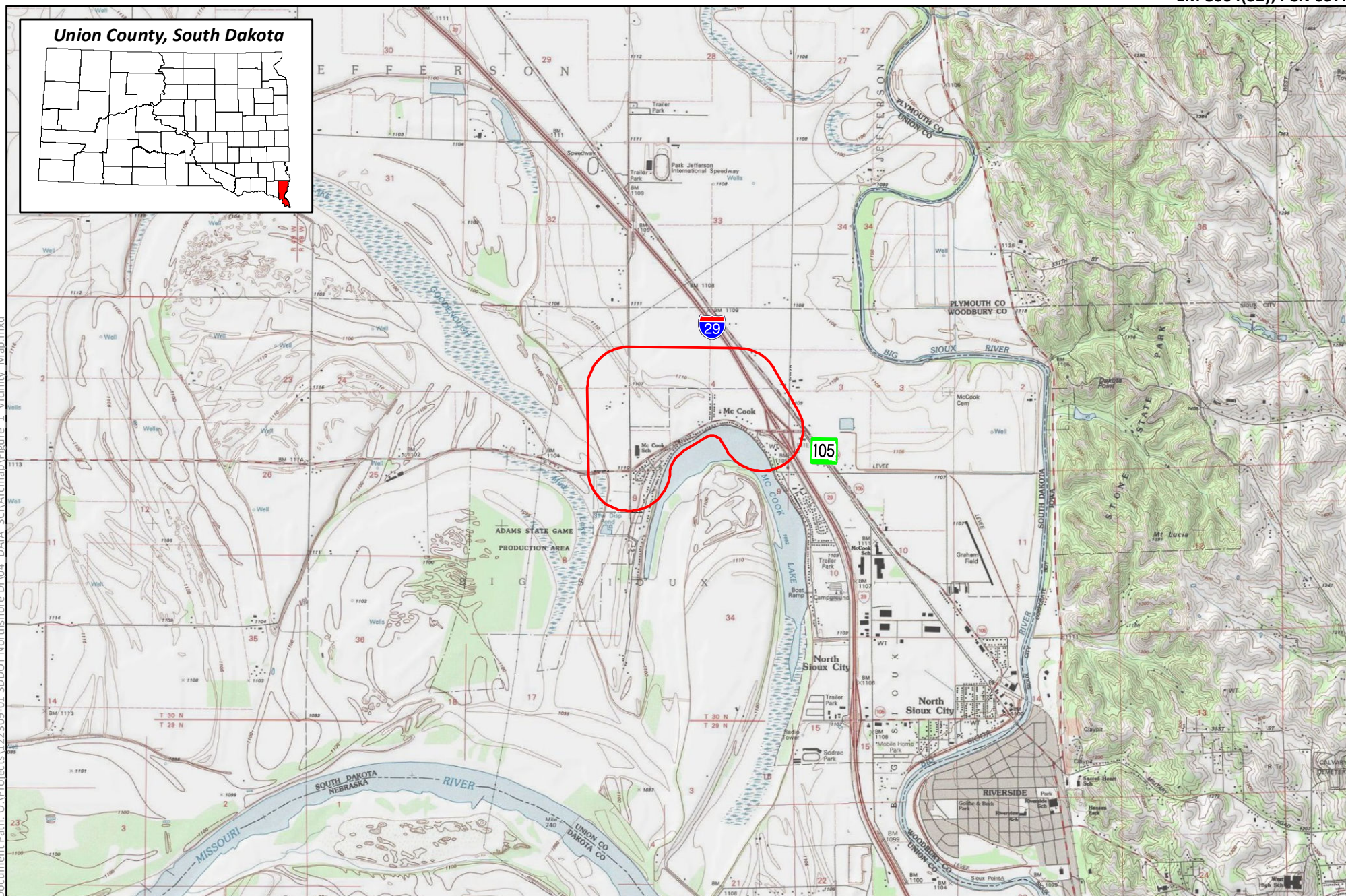
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paula.huizenga@state.sd.us

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Union County, South Dakota

Document Path: O:\Projects\122309-01 SDDOT Northshore Dr\04 DATA_SCI\Arcmap\Figure 2 Location Map.mxd



Environmental Study Area



Figure 2
Location Map
Northshore Drive Realignment
Union County, South Dakota

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UNION COUNTY, CITY OF NORTH SIOUX CITY

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Pierre, SD 57501
O:
dot.sd.gov

September 28, 2023

Colton Archambeau, THPO
Yankton Sioux Tribe
PO Box 1153
Wagner, SD 57380-1153

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

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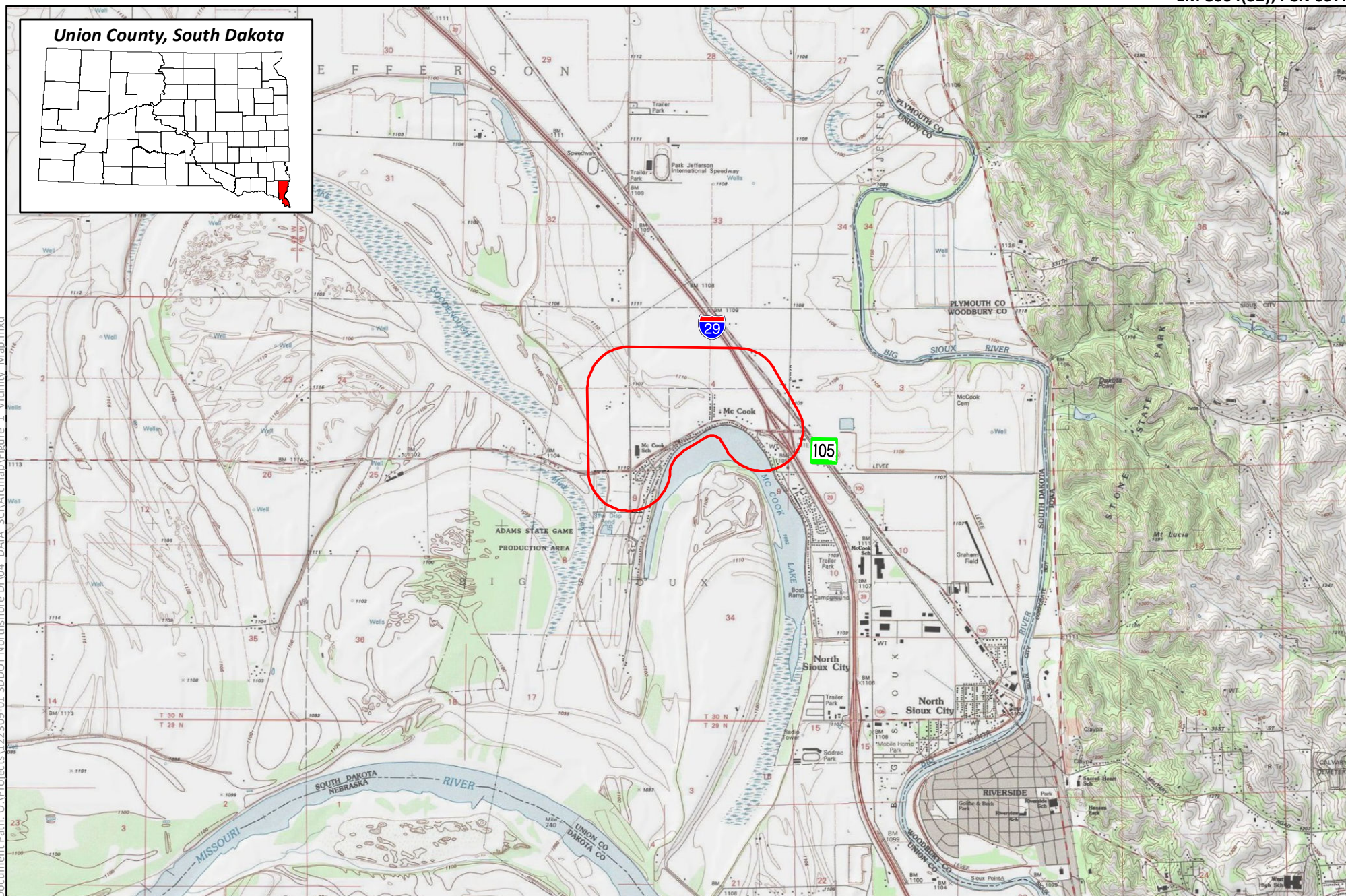
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DOT - Local Government Assistance
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Cc: Desiree Bruguier, THPO Secretary

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Environmental Study Area



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Union County, South Dakota

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Environmental Study Area



Figure 2
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Northshore Drive Realignment
Union County, South Dakota

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September 28, 2023

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Yankton Sioux Tribe
PO Box 1153
Wagner, SD 57380-1153

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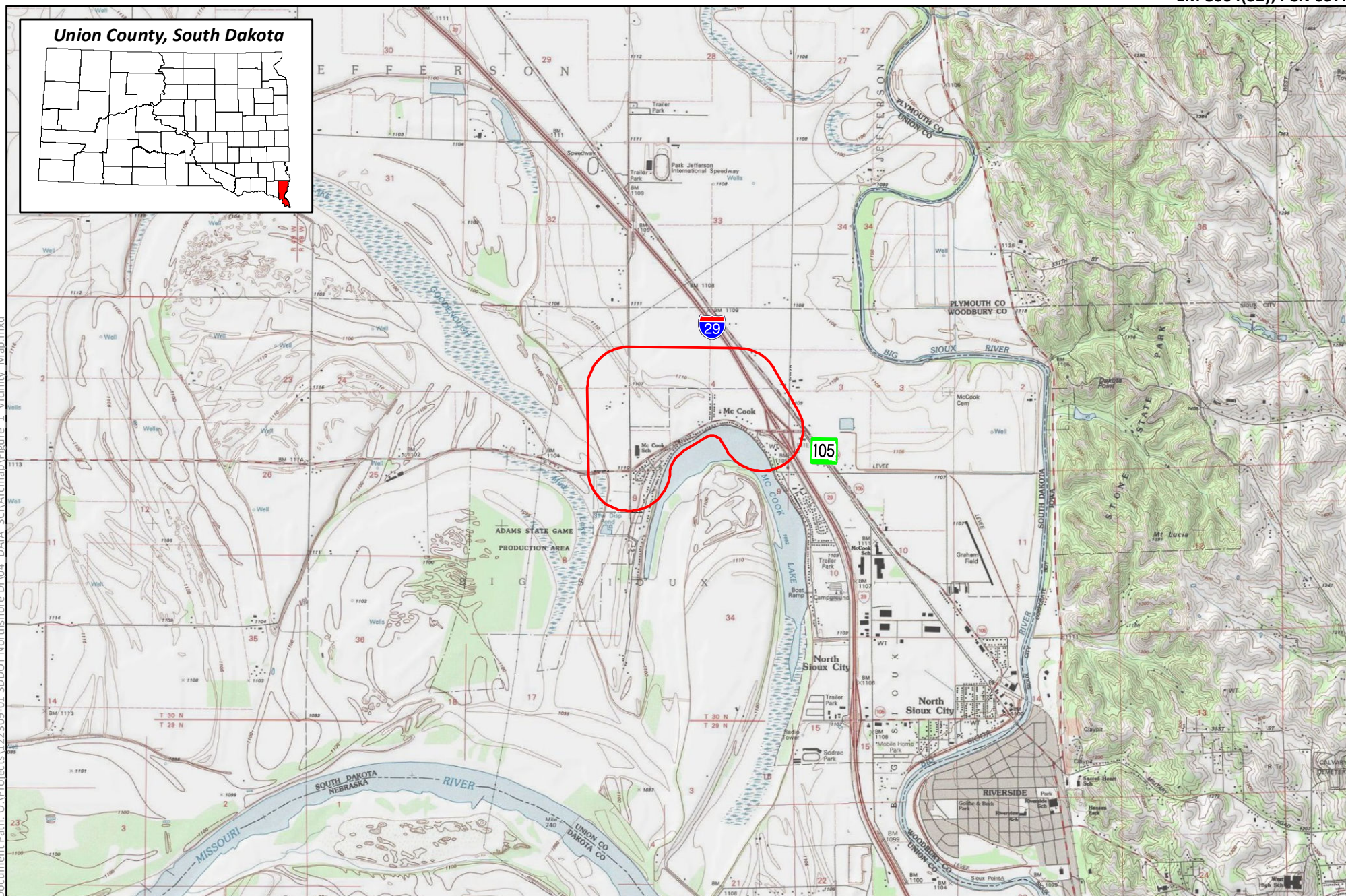
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Paula Huizenga, Grant Program Engineer
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Cc: **Desiree Bruguier, THPO Secretary**

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Union County, South Dakota

Document Path: O:\Projects\122309-01 SDDOT Northshore Dr\04 DATA_SCI\Arcmap\Figure 2 Location Map.mxd



Environmental Study Area



Figure 2
Location Map
Northshore Drive Realignment
Union County, South Dakota

NORTHSHORE DRIVE REALIGNMENT PROJECT EM 8064(32), PCN 097K

UNION COUNTY, CITY OF NORTH SIOUX CITY

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700 E Broadway
Pierre, SD 57501
O:
dot.sd.gov

September 28, 2023

Jonathan Windy Boy, THPO
Chippewa Cree Tribe
9740 Upper Box Elder Rd
Box Elder, MT 59521-9104

RE: Project EM 8064(32), PCN 097K, Union County
North Sioux City - Northshore Drive Realignment
PCC Surfacing, Grading, Storm Sewer, Curb & Gutter, Lighting, Water Main, Sanitary, ROW, PE

Dear Mr. Windy Boy:

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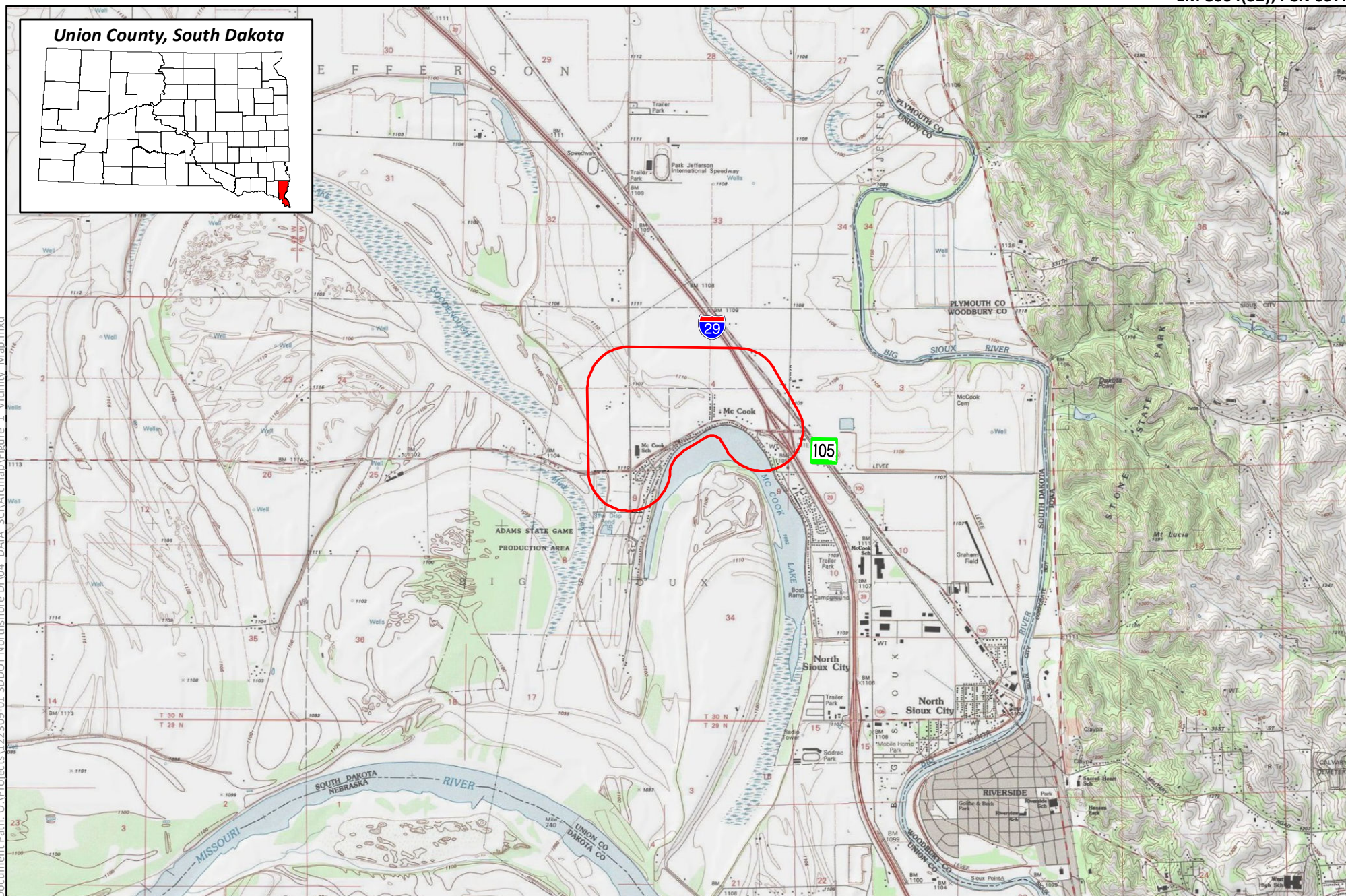
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Attachments

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Environmental Study Area



Figure 1
Vicinity Map
Northshore Drive Realignment
Union County, South Dakota

Document Path: O:\Projects\122309-01 SDDOT Northshore Dr\04 DATA_SCI\Arcmap\Figure 2 Location Map.mxd



Environmental Study Area



Figure 2
Location Map
Northshore Drive Realignment
Union County, South Dakota

NORTHSHORE DRIVE REALIGNMENT PROJECT EM 8064(32), PCN 097K

UNION COUNTY, CITY OF NORTH SIOUX CITY

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