

**South Dakota Department of Transportation
EA Reevaluation
Project: SD 100 - Rice to I-90**

Project:

PCN:

Env. Initiation Date:

County:

Prepared By:

Location Description - from C2C

Refer to the "Environmental Assessment and Section 4(f) De Minimis Analysis for the East Side Corridor (SD100) I-90 to South of Madison Street Sioux Falls, South Dakota" dated September 2014 and August 2016 Reevaluation.

Purpose & Need - from C2C

Refer to the "Environmental Assessment and Section 4(f) De Minimis Analysis for the East Side Corridor (SD100) I-90 to South of Madison Street Sioux Falls, South Dakota" dated September 2014 and August 2016 Reevaluation for the project purpose and need.
The project purpose and need has not changed.

This reevaluation reviews newly identified mitigation sites determined necessary to mitigate for impacts identified in the earlier NEPA documents. These mitigation sites are for stream impacts and tree removal impacts. This form is being used solely to document whether the mitigation work will have further impacts that would require a supplemental EA or EIS.

Logical termini and segmentation review

Y N

- Does the project have independent utility?
- Does the project connect logical termini?
- Does the project allow further consideration of alternatives for other reasonably foreseeable transportation improvements?

If 'N' (no) is checked for any of the above questions, the project does not qualify as a CE under the PCE. Consultation between SDDOT and FHWA is required.

Attached maps identify the project location and resources of concern [select all that apply]

- General project location map
- General location of wetlands, jurisdictional streams, channels, rivers
- All Section 4(f) resources located in and near the study area
- The location of historic structures or historic districts directly adjacent to the project or farther if impacted.
- Impacted noise receptor locations and any proposed noise abatement feature locations
- The location of any known Hazardous Materials sites within the environmental study area
- Proposed detour map, when applicable.

A. NEPA Clearance Actions

Federally Threatened and Endangered Species (Section 7) [select all that apply]

- SDDOT review resulted in a "No Effect" determination to listed species.
- USFWS concurred with a "Not Likely to Adversely Affect" determination for listed species.
- USFWS concurred with the biological assessment through individual informal consultation.
- Complies with the national USFWS / FHWA programmatic ESA consultation.
- Project has been appended to the USFWS / FHWA / SDDOT Programmatic Biological Opinion.

Concurrence Date:

USFWS Concurred with "May Affect, Is Likely to Adversely Affect" determination for Federally listed species not discussed in the Biological Opinion.

Concurrence Date:

New Listed Species:	Species:	Effect Determination:

Parks, Recreation Areas, Wildlife & Waterfowl Refuges, & Historic Sites (Section 4(f))
Land and Water Conservation Act Properties (Section 6(f) - 36 CFR 59)

No Section 4(f) or 6(f) properties will be affected.
 CFR 774.13 exception applies to use of Section 4(f) resource(s). FHWA Concurrence Date:

Requires use of these Section 4(f) or 6(f) properties:
23 CFR 774.5 agency coordination with:
23 CFR 774.6 documentation completed for:
Public Coord.: NPS Concur Date: FHWA Appr. Date:

National Historic Preservation Act (Section 106)

SHPO/THPO concurred with finding of: Concurrence Date:
 Conditions are included with the finding. SDDOT will provide documentation to FHWA when satisfied.

Cultural resources will be affected by the project. The NHPA Section 106 process concluded with a signed Memorandum of Agreement. FHWA Approval Date:

Wetlands (E.O. 11990 and Section 404 - Clean Water Act)

Wetland identification method:
Delineated by / Impacts calculated by (name & consultant if appl.):
 Wetlands within the project area will NOT be impacted:
 Statewide Wetland Finding applies. Informal consultation with USACE when 0.5 to 1.0 acres of wetland impacts anticipated.
Wetlands will be mitigated with:

Discussion
An individual Section 404 Permit is being completed for project impacts from the entire Rice to I-90. This Reevaluation includes the stream mitigation site and tree mitigation only. A Section 404 Permit will be obtained prior to project advertisement and will be part of the project record.

Project area includes one or more acres of wetland impacts:
Wetlands will be mitigated with:
Est. acres permanent wetland impacts: FHWA Wetland Finding Approval Date:

Discussion

Clean Water Act, Dredge and Fill (Section 404, Section 9, Section 10)

A Section 404 Permit or Section 10 permit is not required from the USACE.
 A Section 9 Permit is not required from the US Coast Guard.
 SDDOT reasonably anticipates a Nationwide Permit will be received from USACE based on past permitting actions.
 An Individual Permit and/or U.S. Coast Guard Permit will be applied for and imposed conditions will be complied with.

Discussion. Describe permit(s) required and incorporated mitigation
See discussion under wetlands section above.

FEMA Floodplain/Floodway

No designated floodplains exist within the project limits.
 Project will not cause greater than 1-foot rise in Base Flood Elevation, any rise in a floodplain that potentially impacts an adjacent structure, or any rise in a floodway.
Review by (last name): Date:

Project will cause greater than 1-foot rise in Base Flood Elevation, a rise in a floodplain that potentially impacts an adjacent structure, or a rise in a floodway. A LOMAR will be provided to FHWA prior to advertising the project.

Right-of-Way (temporary or permanent)

No right-of-way is required.

Minor amounts of right-of-way are required for:

Other - see discussion below

More than minor amounts of right-of-way are required for:

Estimated acres Permanent

Estimated acres Temporary

- Displacement/Relocation is required.
- On average, requires more than 2 acres per linear mile of project.
- Removes major property improvements (e.g. buildings and structures).
- Substantial affects to property functions.
- Acquisition of land for hardship.
- Disposal of excess Right-of-Way

Describe type of property required for ROW and/or potential impacts/displacements.

Right of way is required for stream mitigation area.

DENR Coordination - EPA Coordination if Tribal Lands

Project requires a NPDES storm water permit (ground disturbance is greater than 1 acre) with SWPPP commitment

Coordination Completion Date:

(Commitments included in the Env. Commitments Checklist)

GFP Coordination

Coordination Completion Date: (Commitments included in the Env. Commitments Checklist)

Tribal Consultation

Tribal consultation was initiated with the Tribes checked below:

Initiation Date:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Lower Brule Sioux Tribe* | <input type="checkbox"/> Cheyenne River Sioux Tribe* | <input type="checkbox"/> Chippewa Cree Tribe (Rocky Boy) |
| <input checked="" type="checkbox"/> Sisseton – Wahpeton Oyate* | <input type="checkbox"/> Oglala Sioux Tribe* | <input type="checkbox"/> Iowa Tribe of Oklahoma |
| <input checked="" type="checkbox"/> Standing Rock Sioux Tribe* | <input type="checkbox"/> Crow Creek Sioux Tribe* | <input type="checkbox"/> Northern Arapaho Tribe |
| <input checked="" type="checkbox"/> Yankton Sioux Tribe* | <input checked="" type="checkbox"/> Flandreau Santee Sioux Tribe* | <input checked="" type="checkbox"/> Ponca Tribe of Nebraska |
| <input checked="" type="checkbox"/> Three Affiliated Tribes of ND | <input type="checkbox"/> Rosebud Sioux Tribe* | <input type="checkbox"/> Bureau of Indian Affairs (w/in tribal boundaries) |

Tribal comments were received and letter(s) is attached. * indicates South Dakota Tribes

Discussion

Tribal consultation was completed as a part of the "Environmental Assessment and Section 4(f) De Minimis Analysis for the East Side Corridor (SD100) I-90 to South of Madison Street Sioux Falls, South Dakota". Tribal consultation was completed on the area being used for tree mitigation under NEPA for construction of the Good Earth State Park.

Tribal comments were received and letter(s) is attached.

Public Coordination

List Public Involvement, date, and meeting purpose(s), e.x. STIP, scoping, design, environment, 4(f)

Public involvement efforts were completed as a part of the EA. Public notification was also completed by the USACE in accordance with the Section 404 Permit process. The public notice was advertised by the USACE on February 22, 2017.

B. Additional Considerations

N Y

- Other Federal Actions** - Action will use or lease real property owned by a Federal agency.
- Utilities** - Federal funds will be used to relocate utilities or the project contractor will be responsible for relocation of utilities.
- Farmland** - Prime or unique farmland will be affected (60+ points in Part VI of NRCS-CPA-106 Form
- Trails, walkways, bikepaths** - There will be construction of new trails on ROW not previously designed for trails
- Wild and Scenic/National Recreational Rivers** - Project will cross or be adjacent to Wild and Scenic portion of the Missouri River. Agency with Jurisdiction considers action an impact.
- Navigable Waters** - Project will require work in waters identified by the USCG for interstate commerce (Section 9 of the Rivers & Harbors Act)
- Migratory Bird Treaty Act** - Project will not comply with the MBTA
- Hazardous Materials** - The action will result in disturbance of hazardous material site such as a Superfund site, Lead Based Paint, and Asbestos.
- Traffic Noise** - The project is a "Type I project" per 23 CFR 772.5
- Increased Capacity** - The action will result in addition of through-lane capacity
- Environmental Justice** - There is potential for disproportionately high & adverse impacts to minority or low income populations exist
- Air Quality** - The action will increase capacity in exceedance of 100,000 vehicles per day in the 20th year following construction; will result in a high potential for Mobile Source Air Toxics (MSAT Level III) effects or; is considered Regionally Significant within a designated non-attainment area.
- Traffic:** The action will result in permanent traffic pattern changes or disruptions
- The action will result in closure of business access during operational hours
- The action will result in temporary or permanent interference with local special events or festivals
- The action will result in access restrictions to emergency service facilities or providers
- Detours:** Temporary roads, detours, or ramp closures will substantially change the environmental consequences identified for project construction activities.
- Results in adverse travel (out-of direction). 5+ miles in urban / 25+ miles in rural
- Results in temporary or permanent adverse effects to through-traffic dependent business'
- Access** Results in closures to businesses or residences.
- Access modifications will result in changes to the functionality of adjacent properties
- The action will results in permanent or temporary control of access breaks on Interstate
- Unresolved controversy:** There is unresolved controversy (environment, design, ROW, access, etc...).
- Cumulative Impacts:** Cumulative impacts are anticipated.

Discuss each of the items noted above, impacts & coordination conducted with officials/agencies including FHWA. Include resulting mitigation for each of the items identified above. Attach map of traffic detour if one is required for the project.

C. Attachment Summary

List and discuss:

1) Project Location Figure 2) Agency Coordination

D. REEVALUATION - Environmental Project Certification and Approval

Project record includes all support documents necessary to support the statements above.

This EA Reevaluation has been prepared in accordance with provisions and requirements of 23 CFR 771.129© relating to the implementation of the National Environmental Policy Act of 1969 and 23 CFR 774 relating to Section 4(f) of the U.S. Department of Transportation Act of 1966.

No significant environmental impacts were identified with the addition of mitigation sites and associated work therefore the FONSI determination for this project continues to remain valid.

Certify and recommend for approval:



SDDOT Environmental Project Coordinator

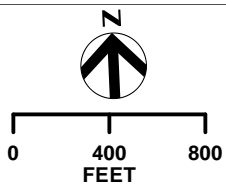
07/11/2017

Date

Approval:

FHWA Environmental Engineer

Date



478 AVE

Sec. 1
T102N
R49W

Slip-up Creek

Proposed Easement

Sec. 2
T102N
R49W

Sec. 6
T102N
R48W

257 ST

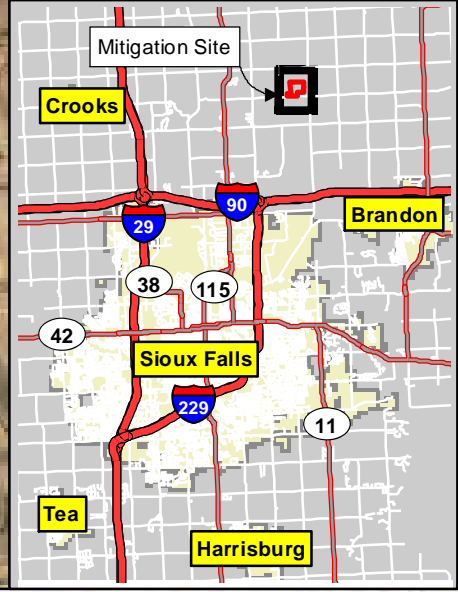
Sec. 11
T102N
R49W

Sec. 12
T102N
R49W

PATH: H:\GIS\2012_PROJECTS\SDDOT\02194_SD100\MAP_DCS\MURC_180\PERMIT_APP\FIGURE1_PROJECT_LOCATION_MITIGATION\PLAN\MXD - USER: JRUST - DATE: 5/30/2017

Legend

- Slip-Up Creek Mitigation Area
- City of Sioux Falls Parcel
- PLSS Sections



PROJECT LOCATION
 HWY 100 - RICE TO I-90
 PCN 00X8 & 00WN

Brisbois, Jessica

From: Lehmkuhl, Tom <Tom.Lehmkuhl@state.sd.us>
Sent: Wednesday, April 12, 2017 7:50 AM
To: Miller, John (DENR); Murphy, Leslie; Nathan Morey (USACE); Olson, Paige; Terry Quesinberry; Dowd Stukel, Eileen
Cc: Marion.Barber@dot.gov; 'Gomer@WAPA.GOV'; Brisbois, Jessica; Rust, Jill; Hight, Joanne
Subject: Hwy 100 - Reevaluation of Environmental Assessment
Attachments: Figure1_Hwy100.pdf

Follow Up Flag: Reply
Due By: Thursday, May 11, 2017 7:00 AM
Flag Status: Flagged

Greetings, everyone.

The purpose of this email is to inform the Agencies that a Reevaluation of the Environmental Assessment (EA) is being completed for the Northern Segment of Hwy 100 (I-90 to south of Madison Street). The purpose of the Reevaluation of the EA is to incorporate a stream mitigation area that will mitigate for stream impacts for the segment of the project from Rice Street to I-90, which is required for the Section 404 Permit. The proposed incorporation of this property into the project is being presented to solicit comments.

*Please provide comments by replying back to this email by EOD on **May 12, 2017**.*

Agency coordination has occurred throughout the development of the EA and completion of the Finding of No Significant Impact (FONSI). FHWA determined that Alternative 4a, the Preferred Alternative, will not have a significant impact on the human or natural environment. Since the FONSI, final design of the Preferred Alternative has been ongoing, including permitting for impacts to Waters of the U.S. The design is split into four PCNs: 1) south of Madison Street to Maple Street, referred to as PCN 00KB, 2) Maple Street to Rice Street, referred to as PCN 01V5, and 3) I-90 to Rice Street, referred to as PCN 00X8, and 4) I-90 Interchange, referred to as PCN 00WN. A Reevaluation of the EA [http://www.sddot.com/business/environmental/assessments/docs/20160823_Hwy100_Reevaluation_Final.pdf] was completed in August 2016 to incorporate design changes, and the FONSI determination remained valid.

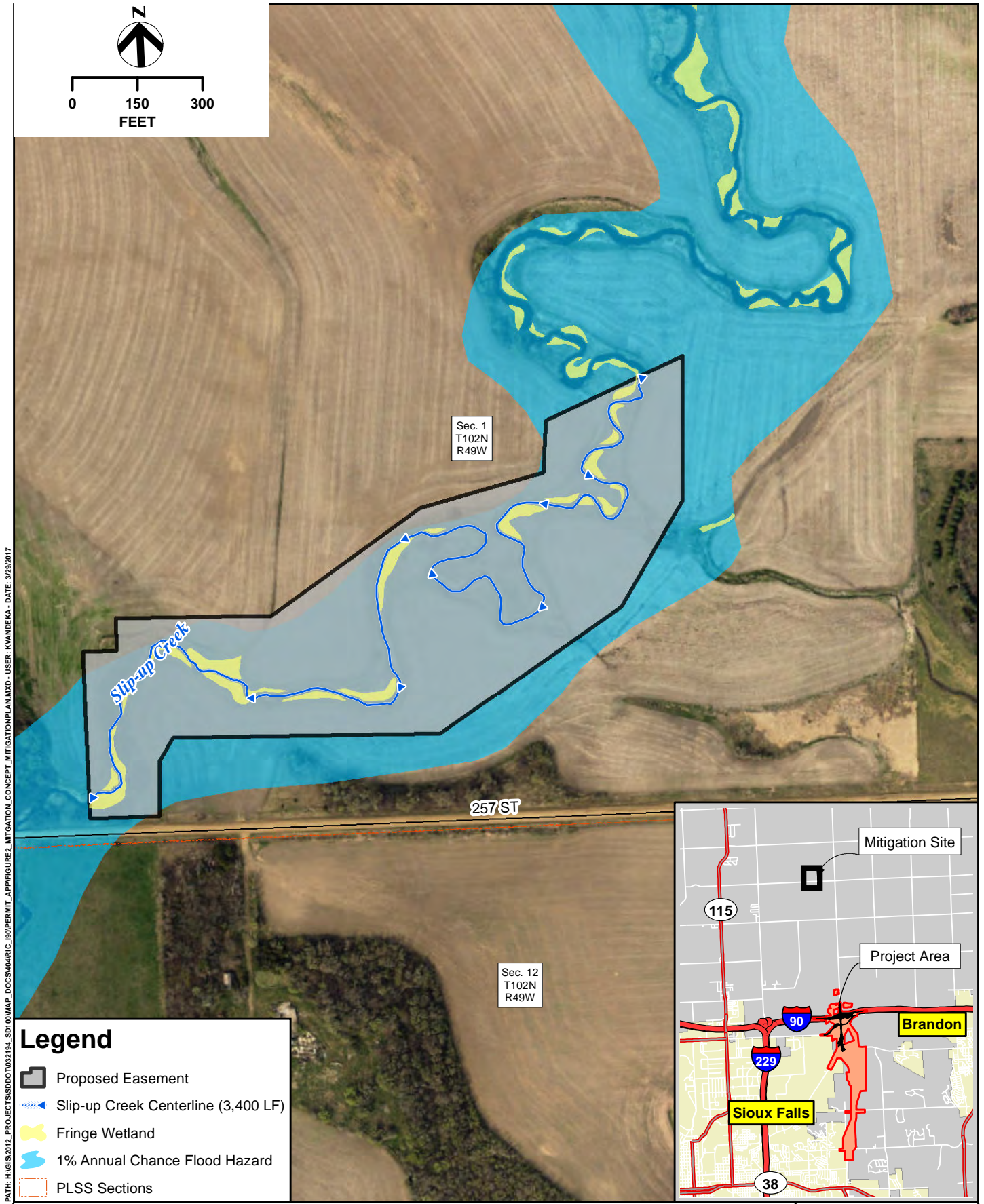
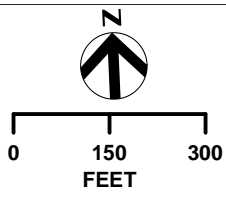
The following outlines the items to be incorporated into this Reevaluation of the EA:

- Stream Mitigation Site- As a part of the Section 404 Permit, an off-site mitigation area is needed for impacts to a stream in the Rice Street to I-90 segment of the Project. The site is located north of the Project, approximately 4 miles (see **Figure 1**, attached).
- Tree Mitigation- Trees impacted by the project along the Big Sioux River corridor will be mitigated as coordinated with USFWS for the EA. It has been determined that approximately 1.5 acres of trees will be impacted, and 3 acres of trees will be planted to mitigate for these impacts. The trees will be planted in 2018 at Good Earth State Park.

We request your prompt consideration and response for these proposed areas incorporated into the Project in order to keep the design of Hwy 100 moving forward. If you have questions or comments on the Reevaluation of the EA, you can give me a call at 605.773.3721 or reply to this email. Thank you for your consideration.

Tom Lehmkuhl

Environmental Engineer Manager
SDDOT – Environmental Office
Ph: (605) 773-3721
Cell: (605) 295-1150



PATH: H:\GIS\2012_PROJECTS\SD00702194_SDI\00\MAP_DOCS\40\ARIC_BROPERMIT_APP\FIGURE2_MITIGATION_CONCEPT_MITIGATIONPLAN.MXD - USER: KVANDEKA - DATE: 3/29/2017

Legend

- Proposed Easement
- Slip-up Creek Centerline (3,400 LF)
- Fringe Wetland
- 1% Annual Chance Flood Hazard
- PLSS Sections

MITIGATION CONCEPTUAL LAYOUT
 HWY 100 - RICE TO I-90
 PCN 00X8 & 00WN

FIGURE 1

Brisbois, Jessica

From: Lehmkuhl, Tom <Tom.Lehmkuhl@state.sd.us>
Sent: Monday, May 15, 2017 10:04 PM
To: Brisbois, Jessica; Rust, Jill
Subject: Fwd: Hwy 100 - Reevaluation of Environmental Assessment

Response from GFP.

Tom Lehmkuhl
Environmental Engineer Manager
SDDOT - Environmental Office
Ph: (605) 773-3721
Cell: (605) 295-1150

Begin forwarded message:

From: "Dowd Stukel, Eileen" <Eileen.DowdStukel@state.sd.us>
Date: May 15, 2017 at 4:11:42 PM CDT
To: "Lehmkuhl, Tom" <Tom.Lehmkuhl@state.sd.us>
Cc: "Murphy, Leslie" <Leslie.Murphy@state.sd.us>
Subject: RE: Hwy 100 - Reevaluation of Environmental Assessment

Tom, I have no specific comments to offer.

Eileen

From: Lehmkuhl, Tom
Sent: Wednesday, April 12, 2017 8:50 AM
To: Miller, John (DENR); Murphy, Leslie; Nathan Morey (USACE); Olson, Paige; Terry Quesinberry; Dowd Stukel, Eileen
Cc: Marion.Barber@dot.gov; Gomer@WAPA.GOV; Jessica Brisbois (HDR); Jill Rust (HDR); Hight, Joanne
Subject: Hwy 100 - Reevaluation of Environmental Assessment

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*Please provide comments by replying back to this email by EOD on **May 12, 2017**.*

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Tom Lehmkuhl

Environmental Engineer Manager
SDDOT – Environmental Office
Ph: (605) 773-3721
Cell: (605) 295-1150

Brisbois, Jessica

From: Lehmkuhl, Tom <Tom.Lehmkuhl@state.sd.us>
Sent: Monday, May 1, 2017 1:45 PM
To: Brisbois, Jessica; Rust, Jill
Subject: FW: Hwy 100 - Reevaluation of Environmental Assessment

GFP's comments

Tom Lehmkuhl

Environmental Engineer Manager
SDDOT – Environmental Office
Ph: (605) 773-3721
Cell: (605) 295-1150

From: Murphy, Leslie
Sent: Monday, May 01, 2017 12:48 PM
To: Lehmkuhl, Tom
Subject: RE: Hwy 100 - Reevaluation of Environmental Assessment

Tom.

I am fine with the incorporation of the stream mitigation area into the SD100 project. We surveyed Slip-Up Creek last year for Topeka shiners, and did find them, so a nice mitigation area along Slip-Up will be great. I am also fine with the proposed tree mitigation ratios and locations.

Leslie Murphy | *Environmental Review Coordinator*

South Dakota Game, Fish and Parks
523 East Capitol Avenue | Pierre, SD 57501
605.773.6208 | Leslie.Murphy@state.sd.us



From: Lehmkuhl, Tom
Sent: Wednesday, April 12, 2017 8:50 AM
To: Miller, John (DENR); Murphy, Leslie; Nathan Morey (USACE); Olson, Paige; Terry Quesinberry; Dowd Stukel, Eileen
Cc: Marion.Barber@dot.gov; 'Gomer@WAPA.GOV'; Jessica Brisbois (HDR); Jill Rust (HDR); Hight, Joanne
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Tom Lehmkuhl

Environmental Engineer Manager
SDDOT – Environmental Office
Ph: (605) 773-3721
Cell: (605) 295-1150



May 15, 2017

Jessica Brisbois, Environmental Scientist
HDR
1720 Carey Ave., Ste. 612
Cheyenne, WY 82001

RE: Environmental Review for:
Mitigation area
Hwy 100 (SD 100) Project

Dear Ms. Brisbois:

Thank you for the opportunity to provide Farmland Protection Policy Act (FPPA) review of this project. The addition of the mitigation area into this project will not change previous findings that the project will have **no effect** on prime or important farmland.

If you have any questions, please contact me at (605) 348-2889 ext. 104.

Sincerely,

A handwritten signature in black ink that reads "Tim Nordquist". The signature is written in a cursive, flowing style.

TIMOTHY NORDQUIST
NRCS Conservation Agronomist



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) 224-9974
<http://www.fws.gov/southdakotafieldoffice/>

In Reply Refer To:

May 02, 2017

Consultation code: 06E14000-2017-I-0228

Event Code: 06E14000-2017-E-00640

Project Name: Highway 100

Subject: Concurrence verification letter for the 'Highway 100' project under the December 15, 2016 FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated to verify that the **Highway 100** (Proposed Action) may rely on the concurrence provided in the December 15, 2016, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*). Based on the information you provided (Project Description repeated below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, and is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*).

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, or any designated critical

habitat, additional consultation is required. In either of these circumstances, please contact this Office.

The following species may occur in your project area and **are not** covered by this determination:

- Red Knot, (*Calidris canutus rufa*) (Threatened)
 - Topeka Shiner, (*Notropis topeka (=tristis)*) (Endangered)
 - Western Prairie Fringed Orchid, (*Platanthera praeclara*) (Threatened)
-



Department of Transportation

Environmental Section

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

June 20, 2017

JUN 23 2017
South Dakota
SHPO

Jenna Carlson Dietmeier
Review & Compliance Archaeologist
Cultural Heritage Center
900 Governors Drive
Pierre, SD 57501-2217

SECTION 106 DETERMINATION
Based upon the information provided to the South Dakota
State Historic Preservation Office on 06-23-2017
we concur with your agency's determination of "No Historic
Properties Affected" for this undertaking.
Jay D. Vogt
State Historic Preservation Officer (SHPO)
By: Jenna Carlson Dietmeier
06-23-2017 170623001F
Date SHPO Project #

RE: Class III Survey of the Slip-Up Creek Wetland Mitigation Site

Dear Ms. Dietmeier:

Project Information

Project Name: Slip-Up Creek Wetland Mitigation Site

Project No: NH-PS 0100(104)420 **PCN:** 00X8 **County:** Minnehaha

Project Location: North of Sioux Falls, approximately 3.5 miles north of I-90 and ¼ mile east of County Highway 121 (478th Ave). The site is north of 257th St.

Description: Class III Archaeological Survey

Identification of Historic Properties

A Level III pedestrian survey within the project area was conducted. No cultural materials were encountered during the survey.

One previous cultural resource investigation was conducted within the area of potential effect (APE) for a water system addition (AMH-0118). One investigation previously identified archaeological site (39MH0026) and two previously inventoried bridges (MH00001631 and MH00001632). The two bridges are eligible for listing on the NRHP and the archaeological site, a Native American village, is currently unevaluated for listing. All three historic properties are outside of the current APE footprint.

Ms. Jenna Carlson Dietmeier
June 20, 2017

Determination of Effect

Based on no cultural materials or historic structures located within or adjacent to the project area, a determination of No Historic Properties Affected (36 CFR 800.4) is recommended for this Project. SDDOT requests SHPO's concurrence of this affect determination.

Please call me at 605-773-3721 if further information is needed.

Sincerely,



Tom Lehmkuhl
Environmental Engineer Manager
605-773-3721

Attachments

cc: HDR Level III Archaeological Survey Report, dated June 2017

Pursuant to 36 CFR part 800.13, if historic properties are discovered or unanticipated effects on historic properties 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/THPO, and Indian tribes that might attach religious and cultural significance to the affected property within 48 hours of the discovery.

SECTION 106 CONSULTATION

Concurrence of the State Historic Preservation Office does not relieve the federal agency official from consulting with other appropriate parties, as described in 36 CFR Part 800.2(c).