

APPENDIX B: AGENCY COORDINATION

2025 SEA Tribal and Agency Coordination

SDDANR Coordination



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

November 4, 2024

Macy Jo Peterson
SD Dept. of Agriculture & Natural Resources
523 E. Capitol Ave
Pierre, SD 57501-3181

RE: Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at 20th Street South and 22nd Avenue South

Dear Ms. Peterson:

We have previously coordinated with your agency for the completion of the 2020 Environmental Assessment (EA) for this project. The original project was the construction of a new interchange at Exit 130 within the City of Brookings and expansion of one mile of existing 20th Street South from a dead-end gravel road to a three-lane urban roadway with an adjacent shared use path. The project was construction in 2022 and 2023 and opened to traffic on July 29, 2023. Attached Figure 1 provides the area of the overall interchange project.

Due to timeframe, existing utilities, and Section 6(f) property constraints, the east-side corners of the 20th Street South/22nd Avenue South intersection were constructed to a substandard design that limited large truck movements. As a follow-up to the interchange project, SDDOT and the City of Brookings proposed to expand the intersection corners to better accommodate large trucks. A funding source has been identified for this follow-up project and construction is anticipated for the summer of 2025. This will involve acquisition of permanent right-of-way (ROW) for roadway purposes and temporary construction easement on the southwest corner of Edgebrook Golf course. The expanded intersection would require reconstruction of a portion of the Allyn Frerichs Trail. Future widening (by year 2045) of 20th Street South and 22nd Avenue South are also part of this environmental analysis. Figure 2 illustrates the specific area for which we request your review and comments at this time.

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		

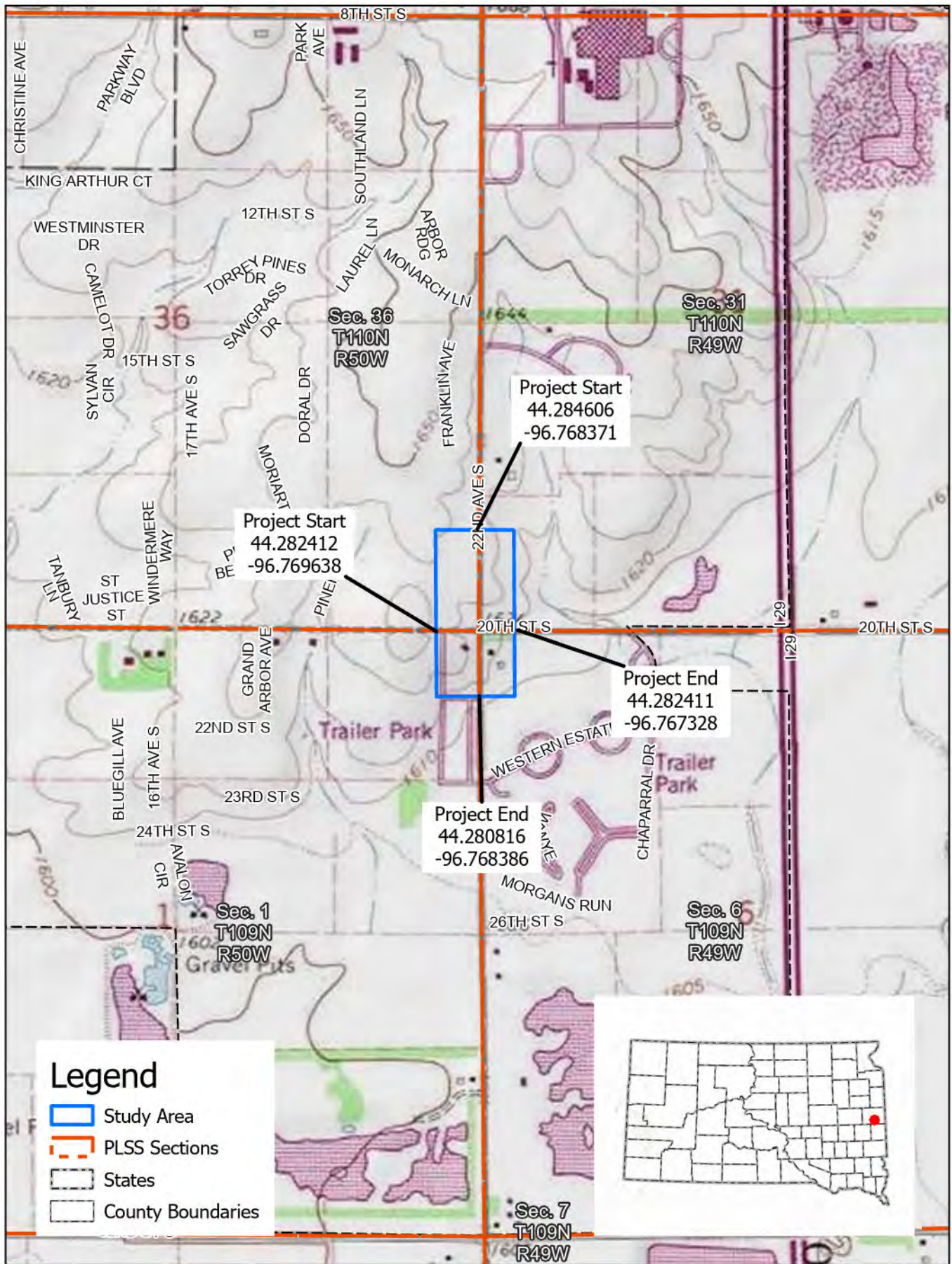
Please submit your comments as soon as possible, so that the project's environmental documentation can be completed, and the project can be let and constructed in a timely manner.

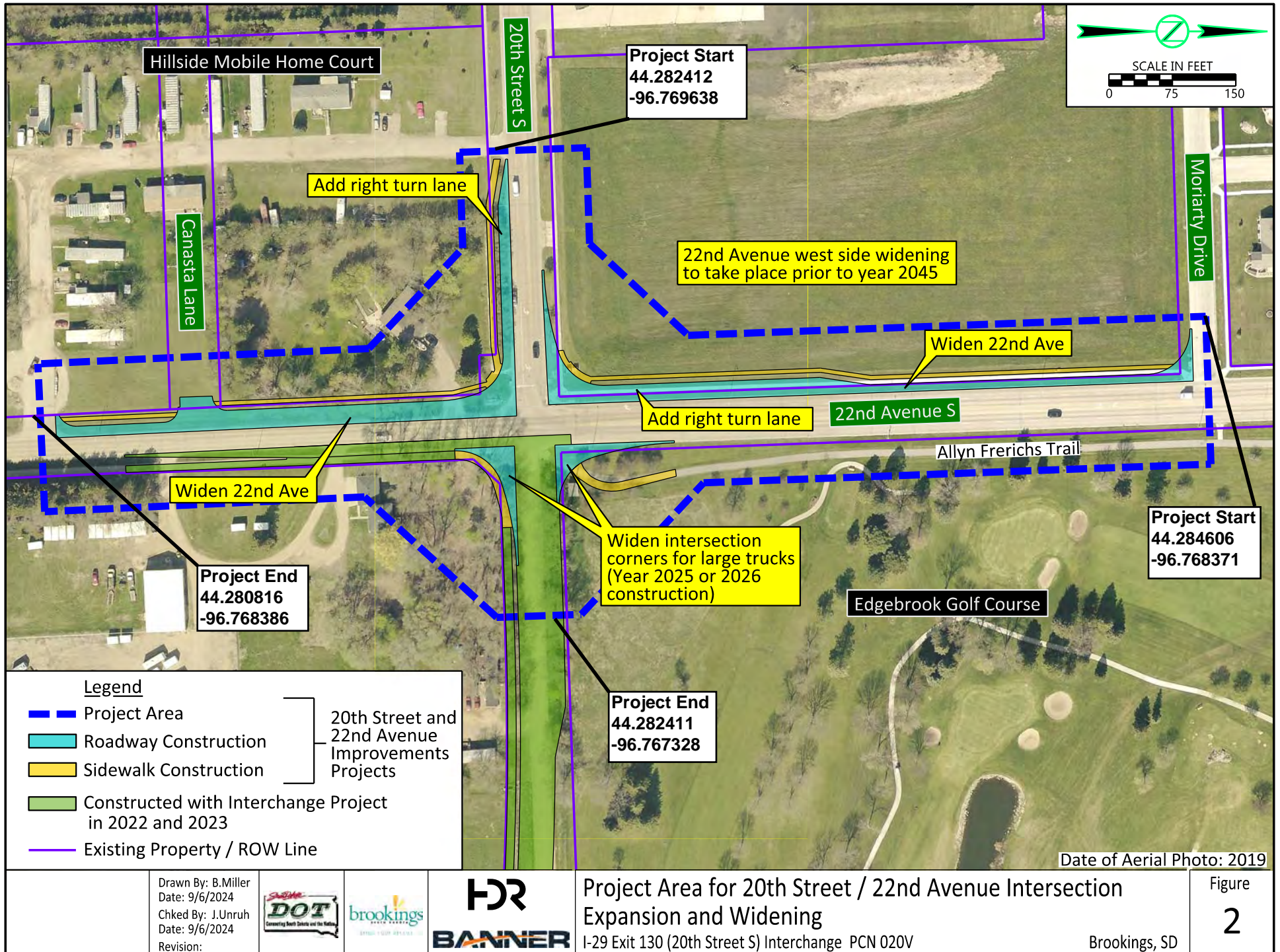
Sincerely,

A handwritten signature in blue ink, appearing to read "Chad Babcock".

Chad Babcock
Environmental Manager
605.773.3721

Attachment





Drawn By: B.Miller
Date: 9/6/2024
Chkd By: J.Unruh
Date: 9/6/2024
Revision:



Project Area for 20th Street / 22nd Avenue Intersection Expansion and Widening
I-29 Exit 130 (20th Street S) Interchange PCN 020V

Brookings, SD



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

November 20, 2024

Jill Rust
HDR
South Dakota Citizens Portal
Record Request Number: PUBRECREQ0002908

Subject: Environmental Review – EM0295(45) 130, PCN 020V, Brookings County.

Dear Ms. Rust:

The South Dakota Department of Agriculture and Natural Resources (DANR) has reviewed the above-referenced project for potential impacts to natural resources. Based on the information submitted, DANR has the following comments and permitting requirements.

Air Quality

This project is unlikely to have adverse impacts to air quality in the area. Should the parameters of the project change, please reach out to Tanner Turk at Tanner.Turk@state.sd.us or (605) 773-3151.

Drinking Water

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 Eric Fuehrer at (605) 773-6039 or Eric.Fuehrer@state.sd.us.

Forestry

Based on the information provided Resource Conservation & Forestry has determined this project will have no significant impact on the woodland/forestry resources of the area. Should changes or adjustments be made to the location of this project, please reach out to Amanda Morrison at Amanda.morrison@state.sd.us or (605) 394-2279.

Groundwater

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. If this project impacts tribal lands, DANR recommends you also consult the tribe's environmental coordinator for any additional conditions.

Solid and Hazardous Waste

It appears, based on the information provided, this project will have little or no impact on solid waste management in the area. If you have any questions, please contact Waste Management at (605) 773-3153.

It is not expected that any hazardous waste 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.

Surface Water

All surface waters are considered waters of the State and are protected under ARSD 74:51:01. This includes all rivers, streams, lakes, and wetlands regardless of federal waters of the United States jurisdictional status. Any project proposing to impact, alter, use, or discharge any substance including fill materials must contact the Department of Agriculture and Natural Resources prior to engaging in the proposed activity.

If this project impacts tribal lands, EPA Region 8 may require a NPDES permit for stormwater discharges from construction activities (1 acre or larger) or if any construction dewatering should occur; contact EPA Region 8 NPDES Staff. DANR recommends you contact the proper tribal authorities for any additional conditions.

At a minimum and 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 Water Quality Program has several interactive maps on our website to search for locations of interest to check for any active or terminated surface water discharge permits. If the location in question does have a permit, the related documents can be found in a table under our interactive maps. If you are unable to find the information you are searching for, please contact the WQP at (605) 773-3351. The following links are to the various WQP search maps:

Individual Surface Water Discharge Permit (NPDES) Search:

<https://danr.sd.gov/OfficeOfWater/SurfaceWaterQuality/swdpermitting/wwDBSearch.aspx>.

For additional questions, please reach out to SWDPermits@state.sd.us.

Stormwater Permit (Industrial, Construction, and Contractor Authorization) Search:

<https://danr.sd.gov/OfficeOfWater/SurfaceWaterQuality/stormwater/StormWaterDBSearch.aspx>.

For additional questions, please reach out to stormwater@state.sd.us.

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. For 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.

Water Rights

The proposed project may require water or dewatering during construction. If a water supply or dewatering is needed during construction of any project that is pumped from surface or ground water, a temporary permit for the use of public water shall be obtained. If water is supplied by a municipality or rural water system for construction purposes, no additional water permitting is required. For more information on water rights permitting, please contact Amanda Dewell at Amanda.Dewell@state.sd.us or (605) 773-3352 if you have any questions.

If this project impacts property subject to tribal jurisdiction, state records may be incomplete. DANR recommends that you contact the proper tribal authorities for additional information. 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 Trish.Kindt@state.sd.us or (605) 773-3296.

Sincerely,



Trish Kindt
Scientist Manager
SD DANR
Phone: (605) 773-3296
Email: Trish.Kindt@state.sd.us

USFWS Coordination



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

December 13, 2024

Christopher Swanson, Field Supervisor
U.S. Fish & Wildlife Service
420 Garfield - Suite 400
Pierre, SD 57501-5408

RE: EM 0295(45)130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at 20th Street South and 22nd Avenue South

Dear Mr. Swanson:

The South Dakota Department of Transportation (SDDOT) is proposing improvements to the intersection of 20th Street South and 22nd Avenue South. This area is associated with I-29 Exit 130. An initial Environmental Assessment (EA) was previously developed and coordination with your agency was completed in 2020. The SDDOT is in the process of developing a supplemental EA for this project to evaluate the reconstruction of the 20th Street and 22nd Avenue intersection to improve the turning radius. This project is anticipated to be constructed in summer of 2025. This will involve permanent right-of-way (ROW) for roadway purposes and temporary construction easements. Future widening (by year 2045) of 20th St South and 22nd Ave South are also part of this environmental analysis.

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 Brookings County:
(Consultation code: 2025-0023938).

Species	Status	SDDOT Determination	Comments
Northern Long-eared Bat	Endangered	No Effect	Species prefers forested areas for summer maternity and roosting activities. Due to study area's location near existing roadways and high traffic areas, suitable habitat is limited, and it is unlikely the species would be located within the study area.
Rufa Red Knot	Threatened	No Effect	Species prefers habitats along large open bodies of water, such as river sandbars and salt marshes. Suitable habitat is not present within the study area.
Topeka Shiner	Endangered	No Effect	Species lives in streams within the Big Sioux River watershed. No streams are present within study area.

Dakota Skipper	Threatened	No Effect	Species prefers high-quality mixed and tallgrass prairie habitats. The study area consists primarily of highly manicured lawn grass within and adjacent to a street intersection, and therefore we conclude that it is unlikely that habitat for the Dakota Skipper would be impacted by the project.
Monarch Butterfly	Proposed Threatened	No Effect	Species prefers habitats that include native vegetation and often require the presence of milkweed species. The study area primarily consists of highly manicured lawns within and adjacent to the roadway, and therefore it is unlikely that habitat for the Monarch Butterfly would be impacted by the project.
Western Regal Fritillary	Proposed Threatened	No Effect	Species prefers undisturbed tallgrass prairie. The project primarily consists of highly manicured lawns within and adjacent to the roadway.
Western Prairie Fringed Orchid	Threatened	No Effect	Species requires moist prairies with little disturbance. Suitable habitat is not present within study area.

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

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.

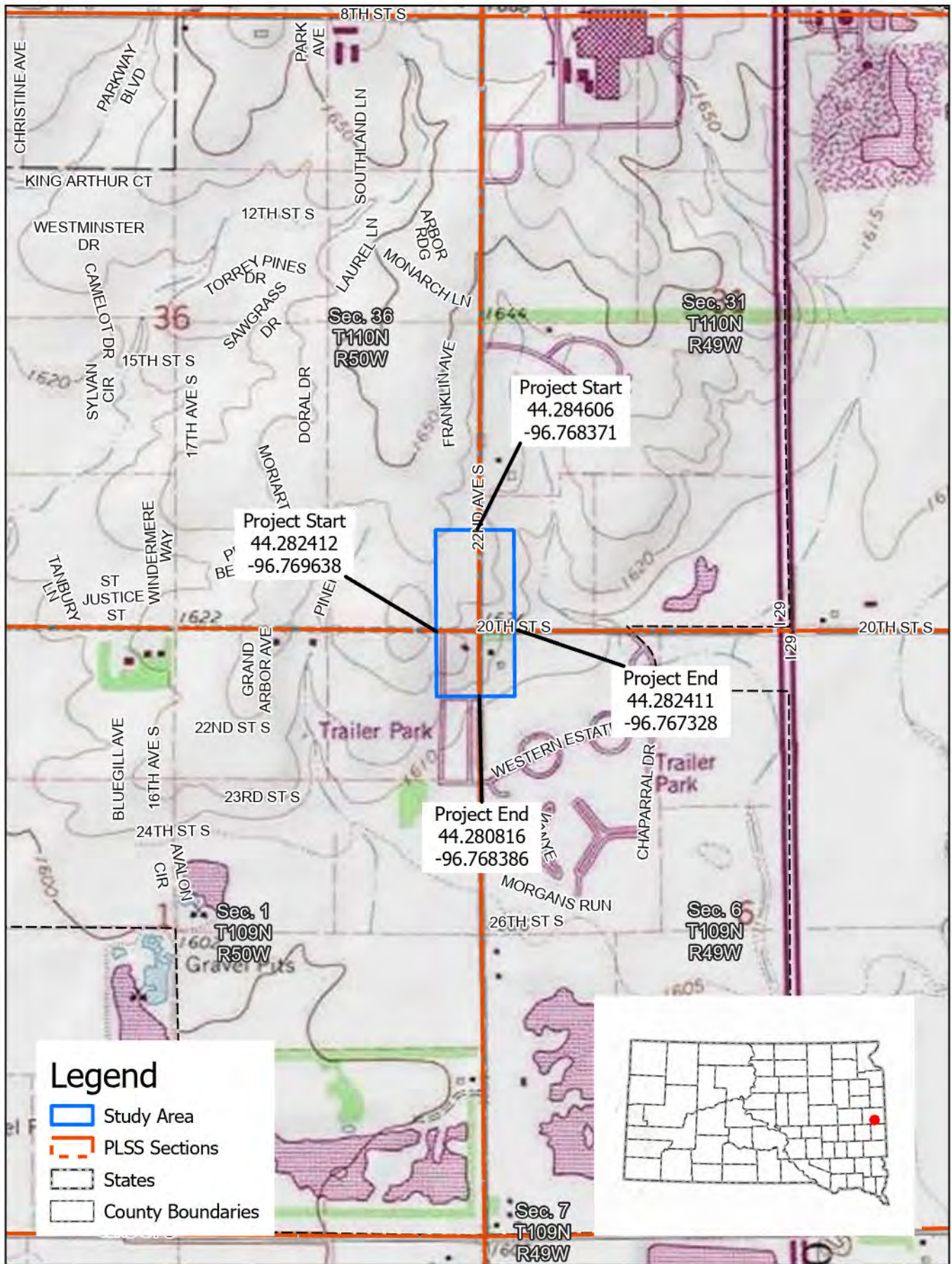
Sincerely,



Andrea Bierle
Environmental Engineer II
605.773.3180

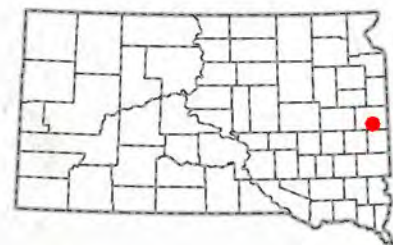
Attachments

- Project Location Map
- IPaC Species List
- NLEB Consistency Letter



Legend

- Study Area
- PLSS Sections
- States
- County Boundaries



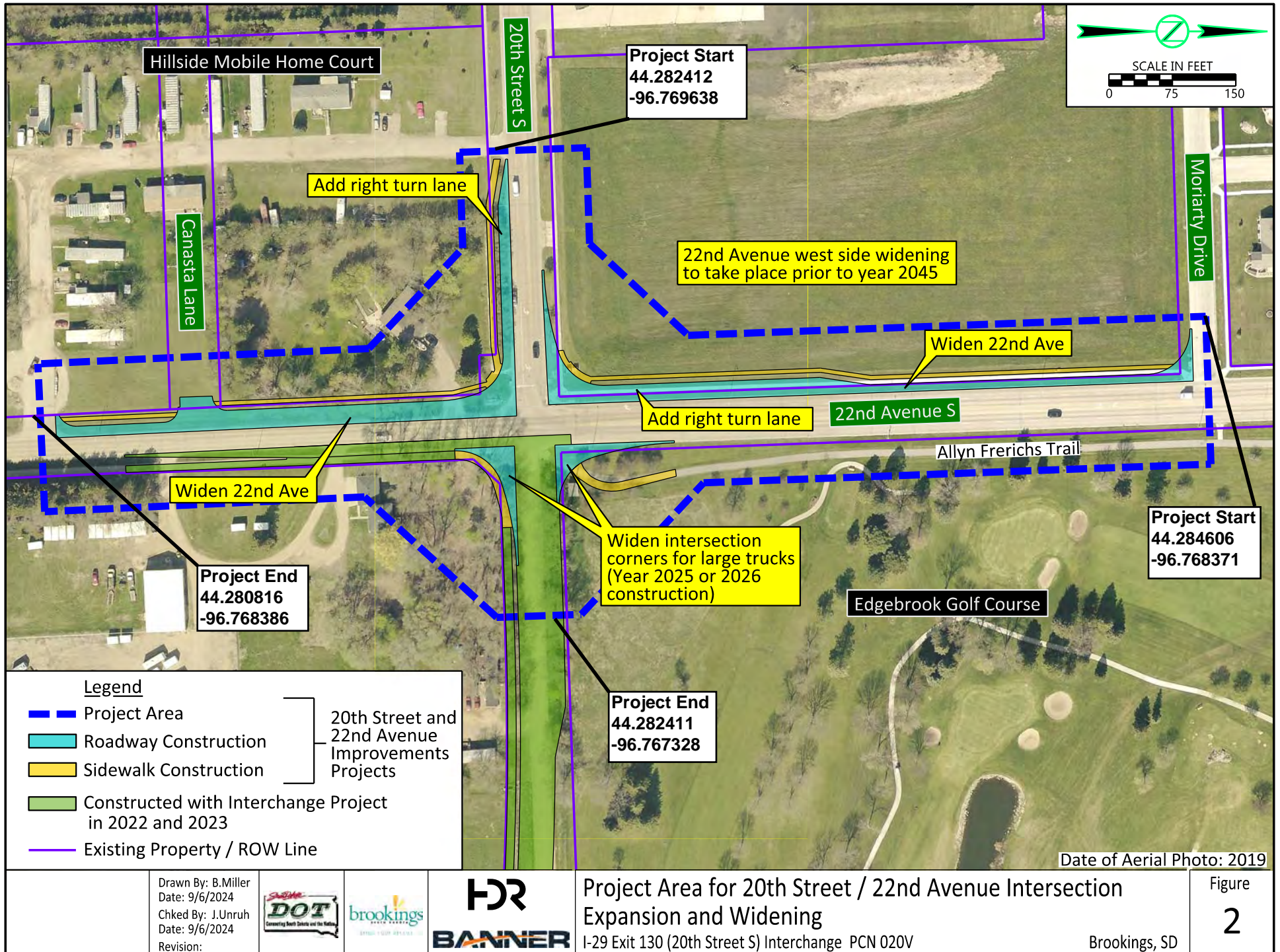
0 800 US Feet



PROJECT LOCATION MAP

EM 0295(45) 130, PCN 020V, Brookings County

FIGURE 1



Drawn By: B.Miller
Date: 9/6/2024
Chkd By: J.Unruh
Date: 9/6/2024
Revision:



Project Area for 20th Street / 22nd Avenue Intersection Expansion and Widening
I-29 Exit 130 (20th Street S) Interchange PCN 020V

Brookings, SD



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:

12/10/2024 19:04:27 UTC

Project code: 2025-0023938

Project Name: I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County

Subject: Consistency letter for the 'I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County' project under the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (NLEB).

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated December 10, 2024 to verify that the **I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County** (Proposed Action) may rely on the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) 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 shown below), you have determined that the Proposed Action will have no effect on the endangered Indiana bat (*Myotis sodalis*) or the endangered northern long-eared bat (*Myotis septentrionalis*). If the Proposed Action is not modified, **no consultation is required for these two species**. 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.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:

If your initial bridge/culvert or structure assessment failed to detect Indiana bats and/or NLEBs use or occupancy, yet later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of the incident. In these instances, potential incidental take of Indiana bats and/or NLEBs may be exempted provided that the take is reported to the Service.



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:

11/25/2024 17:03:07 UTC

Project Code: 2025-0023938

Project Name: I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County

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: 2025-0023938

Project Name: I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County

Project Type: Road/Hwy - Maintenance/Modification

Project Description: The South Dakota Department of Transportation is proposing improvements to the intersection of 20th Street and 22nd Avenue, this area is associated with I-29 Exit 130. In an initial EA was previously developed, the SDDOT is in the process of developing a supplemental EA for this project. This Supplemental EA is to evaluate the reconstruction of the 20th Street and 22nd Avenue intersection to improve the turning radius.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.282718200000005,-96.76842621311076,14z>



Counties: Brookings County, South Dakota

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 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.

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
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

BIRDS

NAME	STATUS
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

FISHES

NAME	STATUS
Topeka Shiner <i>Notropis topeka</i> (=tristis) Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4122	Endangered

INSECTS

NAME	STATUS
Dakota Skipper <i>Hesperia dacotae</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1028	Threatened
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Western Regal Fritillary <i>Argynnis idalia occidentalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/12017	Proposed Threatened

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 Dec 1 to Aug 31

NAME	BREEDING SEASON
Golden Eagle <i>Aquila chrysaetos</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/1680	Breeds Jan 1 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 (■)

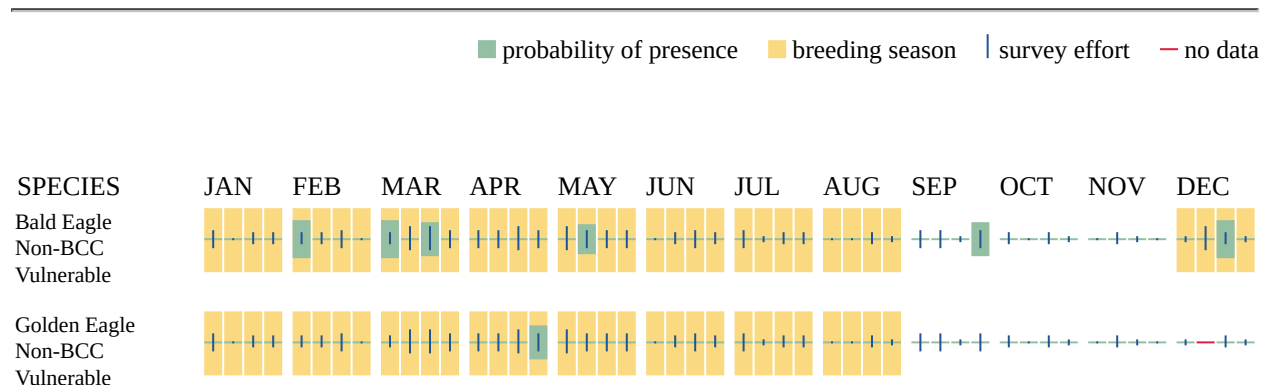
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

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>

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
American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10561	Breeds elsewhere
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 Dec 1 to Aug 31
Black Tern <i>Chlidonias niger surinamenis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	Breeds May 15 to Aug 20

NAME	BREEDING SEASON
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
California Gull <i>Larus californicus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10955	Breeds Mar 1 to Jul 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
Franklin's Gull <i>Leucophaeus pipixcan</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10567	Breeds May 1 to Jul 31
Golden Eagle <i>Aquila chrysaetos</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/1680	Breeds Jan 1 to Aug 31
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
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
Le Conte's Sparrow <i>Ammospiza leconteii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9469	Breeds Jun 1 to Aug 15

NAME	BREEDING SEASON
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
Long-eared Owl <i>asio otus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3631	Breeds Mar 1 to Jul 15
Marbled Godwit <i>Limosa fedoa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9481	Breeds May 1 to Jul 31
Northern Harrier <i>Circus hudsonius</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/8350	Breeds Apr 1 to Sep 15
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
Willet <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10669	Breeds Apr 20 to Aug 5

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.

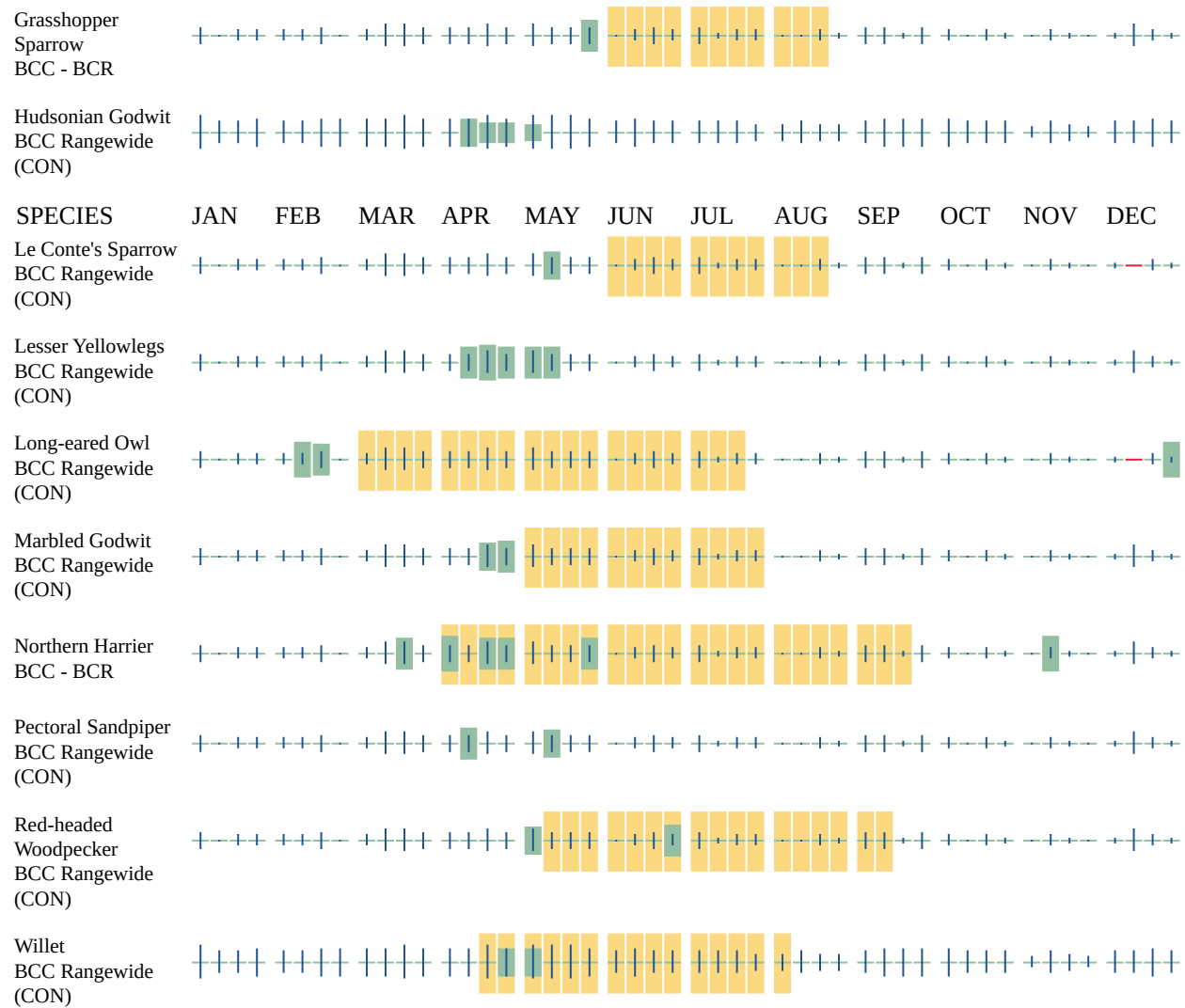
Survey Effort (|)

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.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: South Dakota Department of Transportation

Name: Emma Koeckeritz

Address: 51 North Broadway Suite 550

City: Fargo

State: ND

Zip: 58102

Email: ekoeckeritz@hdrinc.com

Phone: 7015529946

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration



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

December 13, 2024

Christopher Swanson, Field Supervisor
U.S. Fish & Wildlife Service
420 Garfield - Suite 400
Pierre, SD 57501-5408

There is no requirement under the implementing regulations of the Endangered Species Act (50 CFR Part 402) for federal agencies to receive U.S. Fish and Wildlife Service concurrence with "no effect" determinations; therefore, responsibility for "no effect" determinations remains with each federal agency. Accordingly, we recommend the action agency retain the documentation for these listed resources in the decisional record for this federal action.

South Dakota Ecological Services

Date

RE: EM 0295(45)130, PCN 020V, Brookings County

I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at 20th Street South and 22nd Avenue South

Dear Mr. Swanson:

The South Dakota Department of Transportation (SDDOT) is proposing improvements to the intersection of 20th Street South and 22nd Avenue South. This area is associated with I-29 Exit 130. An initial Environmental Assessment (EA) was previously developed and coordination with your agency was completed in 2020. The SDDOT is in the process of developing a supplemental EA for this project to evaluate the reconstruction of the 20th Street and 22nd Avenue intersection to improve the turning radius. This project is anticipated to be constructed in summer of 2025. This will involve permanent right-of-way (ROW) for roadway purposes and temporary construction easements. Future widening (by year 2045) of 20th St South and 22nd Ave South are also part of this environmental analysis.

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 Brookings County:
(Consultation code: 2025-0023938).

Species	Status	SDDOT Determination	Comments
Northern Long-eared Bat	Endangered	No Effect	Species prefers forested areas for summer maternity and roosting activities. Due to study area's location near existing roadways and high traffic areas, suitable habitat is limited, and it is unlikely the species would be located within the study area.
Rufa Red Knot	Threatened	No Effect	Species prefers habitats along large open bodies of water, such as river sandbars and salt marshes. Suitable habitat is not present within the study area.
Topeka Shiner	Endangered	No Effect	Species lives in streams within the Big Sioux River watershed. No streams are present within study area.

Dakota Skipper	Threatened	No Effect	Species prefers high-quality mixed and tallgrass prairie habitats. The study area consists primarily of highly manicured lawn grass within and adjacent to a street intersection, and therefore we conclude that it is unlikely that habitat for the Dakota Skipper would be impacted by the project.
Monarch Butterfly	Proposed Threatened	No Effect	Species prefers habitats that include native vegetation and often require the presence of milkweed species. The study area primarily consists of highly manicured lawns within and adjacent to the roadway, and therefore it is unlikely that habitat for the Monarch Butterfly would be impacted by the project.
Western Regal Fritillary	Proposed Threatened	No Effect	Species prefers undisturbed tallgrass prairie. The project primarily consists of highly manicured lawns within and adjacent to the roadway.
Western Prairie Fringed Orchid	Threatened	No Effect	Species requires moist prairies with little disturbance. Suitable habitat is not present within study area.

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

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.

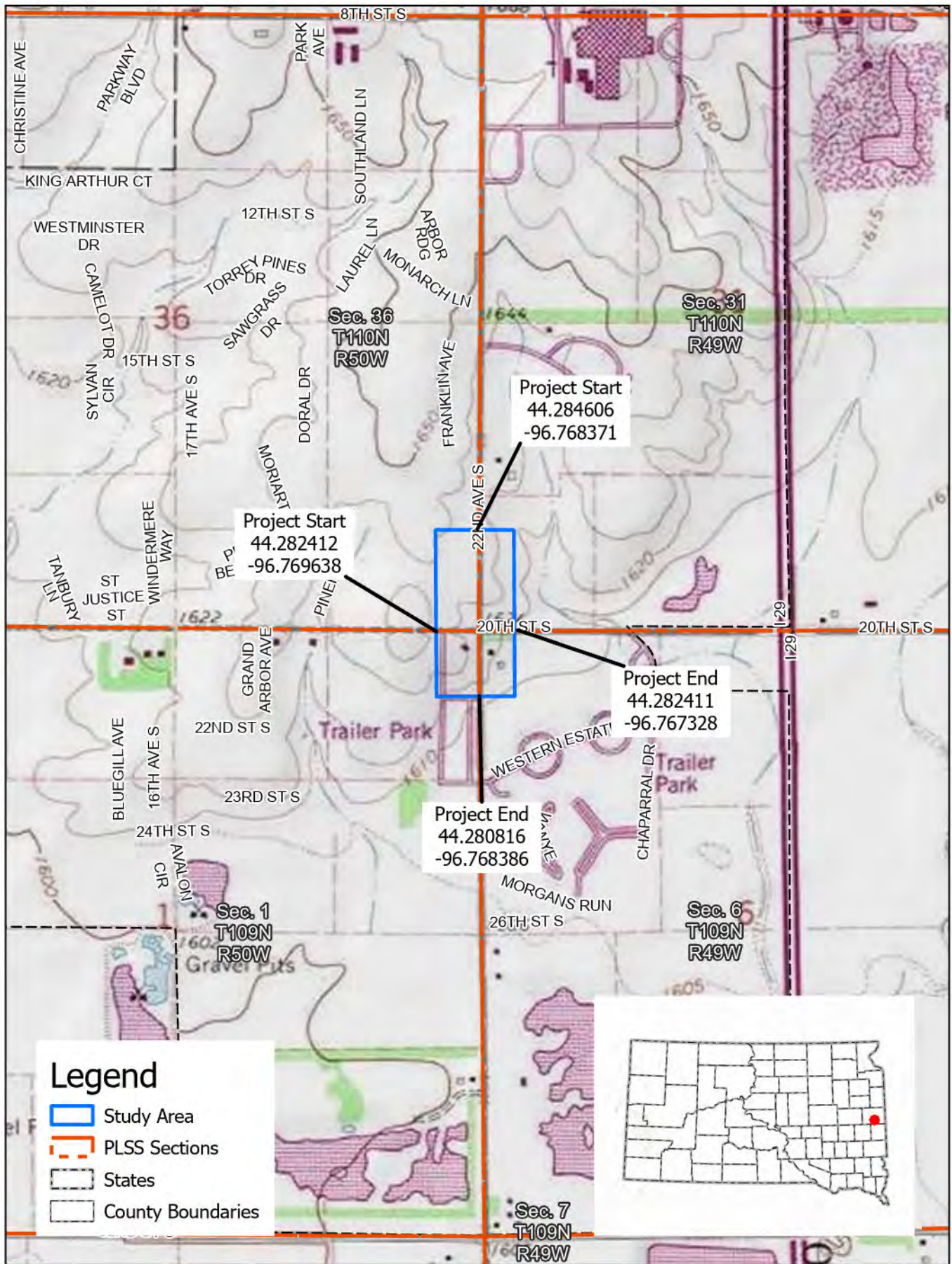
Sincerely,



Andrea Bierle
Environmental Engineer II
605.773.3180

Attachments

- Project Location Map
- IPaC Species List
- NLEB Consistency Letter



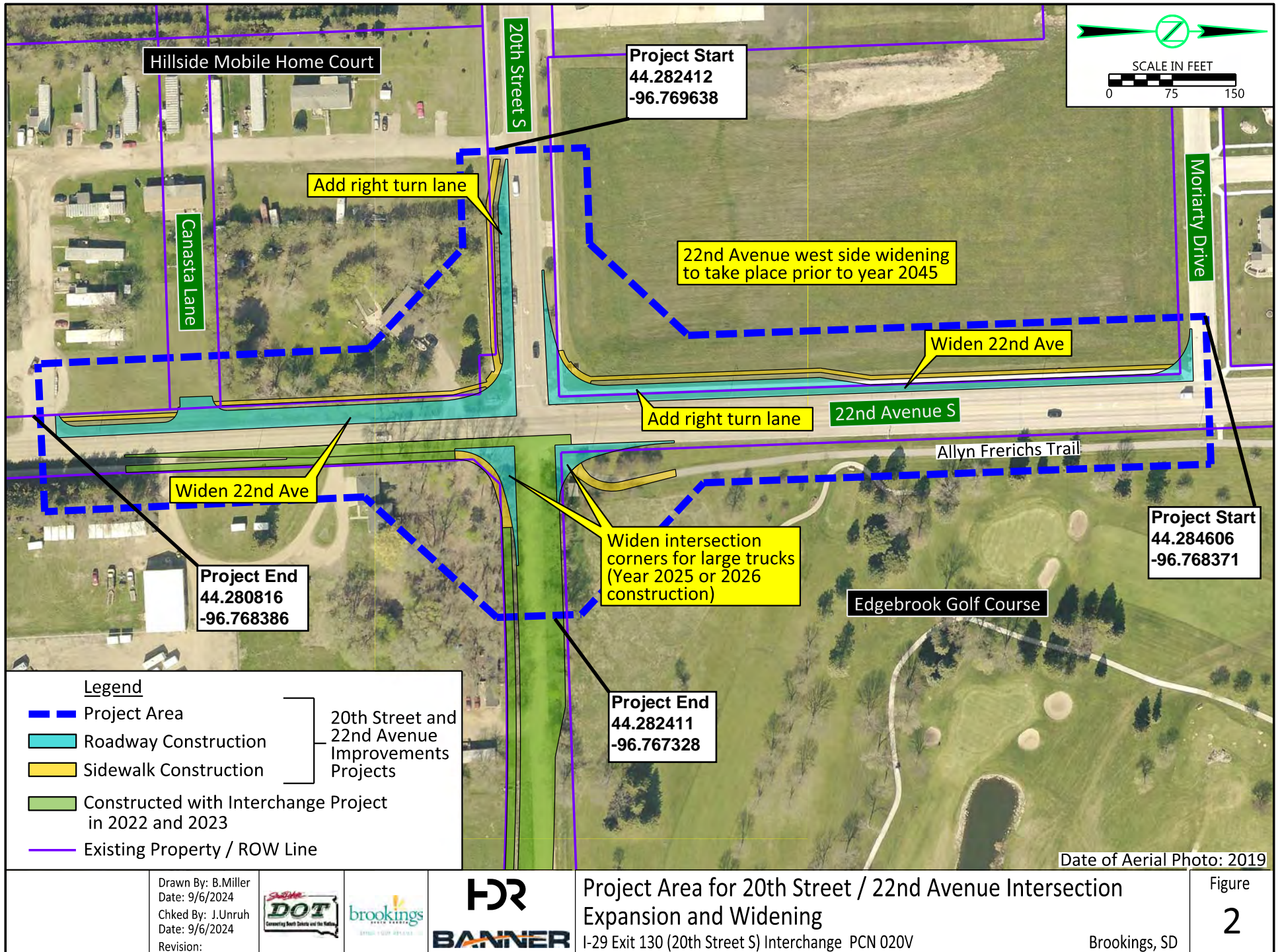
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PROJECT LOCATION MAP

EM 0295(45) 130, PCN 020V, Brookings County

FIGURE 1



Drawn By: B.Miller
Date: 9/6/2024
Chkd By: J.Unruh
Date: 9/6/2024
Revision:



Project Area for 20th Street / 22nd Avenue Intersection Expansion and Widening
I-29 Exit 130 (20th Street S) Interchange PCN 020V

Brookings, SD



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:

12/10/2024 19:04:27 UTC

Project code: 2025-0023938

Project Name: I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County

Subject: Consistency letter for the 'I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County' project under the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (NLEB).

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated December 10, 2024 to verify that the **I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County** (Proposed Action) may rely on the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) 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 shown below), you have determined that the Proposed Action will have no effect on the endangered Indiana bat (*Myotis sodalis*) or the endangered northern long-eared bat (*Myotis septentrionalis*). If the Proposed Action is not modified, **no consultation is required for these two species**. 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.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:

If your initial bridge/culvert or structure assessment failed to detect Indiana bats and/or NLEBs use or occupancy, yet later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of the incident. In these instances, potential incidental take of Indiana bats and/or NLEBs may be exempted provided that the take is reported to the Service.



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:

11/25/2024 17:03:07 UTC

Project Code: 2025-0023938

Project Name: I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County

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: 2025-0023938

Project Name: I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County

Project Type: Road/Hwy - Maintenance/Modification

Project Description: The South Dakota Department of Transportation is proposing improvements to the intersection of 20th Street and 22nd Avenue, this area is associated with I-29 Exit 130. In an initial EA was previously developed, the SDDOT is in the process of developing a supplemental EA for this project. This Supplemental EA is to evaluate the reconstruction of the 20th Street and 22nd Avenue intersection to improve the turning radius.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.282718200000005,-96.76842621311076,14z>



Counties: Brookings County, South Dakota

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 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.

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
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

BIRDS

NAME	STATUS
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

FISHES

NAME	STATUS
Topeka Shiner <i>Notropis topeka</i> (=tristis) Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4122	Endangered

INSECTS

NAME	STATUS
Dakota Skipper <i>Hesperia dacotae</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1028	Threatened
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Western Regal Fritillary <i>Argynnis idalia occidentalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/12017	Proposed Threatened

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 Dec 1 to Aug 31

NAME	BREEDING SEASON
Golden Eagle <i>Aquila chrysaetos</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/1680	Breeds Jan 1 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 (■)

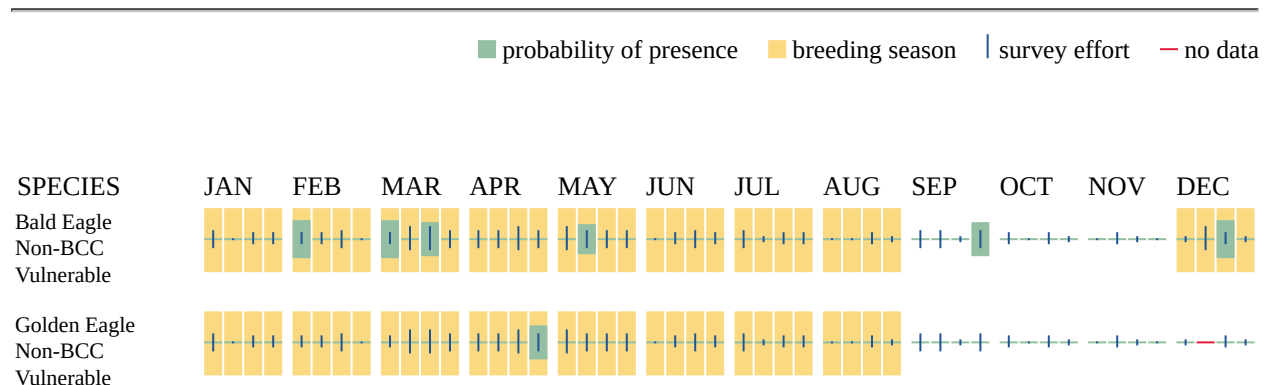
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

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
American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10561	Breeds elsewhere
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 Dec 1 to Aug 31
Black Tern <i>Chlidonias niger surinamenis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	Breeds May 15 to Aug 20

NAME	BREEDING SEASON
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
California Gull <i>Larus californicus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10955	Breeds Mar 1 to Jul 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
Franklin's Gull <i>Leucophaeus pipixcan</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10567	Breeds May 1 to Jul 31
Golden Eagle <i>Aquila chrysaetos</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/1680	Breeds Jan 1 to Aug 31
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
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
Le Conte's Sparrow <i>Ammodramus leconteii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9469	Breeds Jun 1 to Aug 15

NAME	BREEDING SEASON
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
Long-eared Owl <i>asio otus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3631	Breeds Mar 1 to Jul 15
Marbled Godwit <i>Limosa fedoa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9481	Breeds May 1 to Jul 31
Northern Harrier <i>Circus hudsonius</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/8350	Breeds Apr 1 to Sep 15
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
Willet <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10669	Breeds Apr 20 to Aug 5

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.

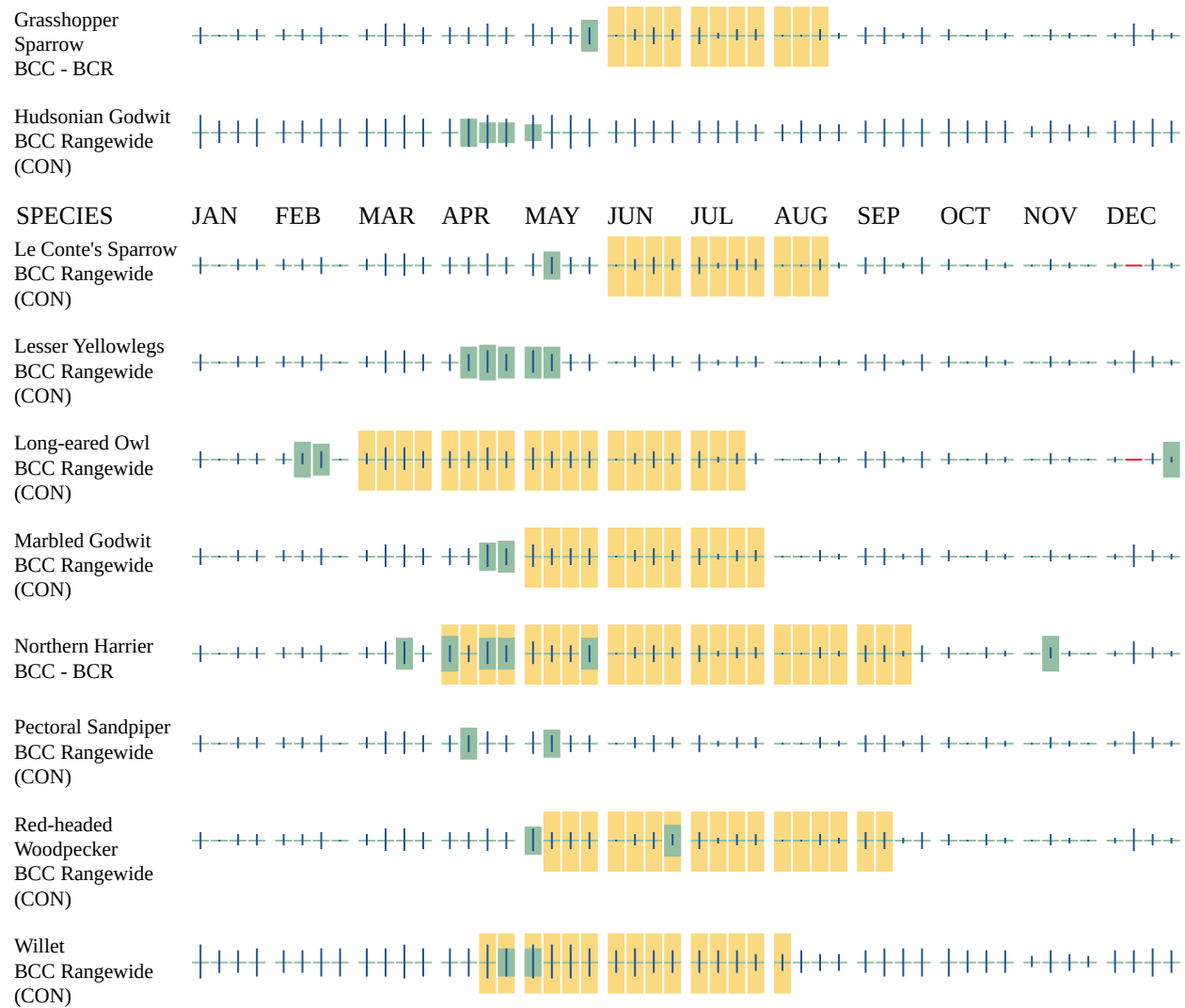
Survey Effort (|)

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>

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.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: South Dakota Department of Transportation

Name: Emma Koeckeritz

Address: 51 North Broadway Suite 550

City: Fargo

State: ND

Zip: 58102

Email: ekoeckeritz@hdrinc.com

Phone: 7015529946

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration



Phase I Summer Habitat Assessments

Northern Long-Eared Bat Habitat Assessment Data Sheet

South Dakota Department of Transportation
Office of Administration-Environmental
Becker-Hansen Building
700 E. Broadway Ave.
Pierre, SD 57501-2586

Date: 12 / 10 / 24

Surveyor: Emma Koeckeritz

Phone (605) 773-5679

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

General Project Information

Project/PCN EM 0295(45)130, PCN 020V

County Brookings

Station #

Multiple Sample Sites? ☐ Yes, See Comments

MRM #

☒ No

Structure #

Brief Project Description

The Project includes the intersection of 20th Street and 22nd Avenue, which is directly adjacent to the Edgebrook Golf Course.

Project Area

	Total acres	Forest acres	Open acres
Project (Acres of site being surveyed)	7.61	0	0
	Completely Cleared	Partially Cleared (Leave Some trees)	Preserve acres (no clearing)
Proposed tree removal (acres) <input type="checkbox"/> No Removal	0.30		

Vegetation cover types

Pre-project	Other Deciduous	Other Coniferous	Ponderosa Pine	-	-
-	-	-	-	-	-

Post-project

Vegetation will be similar post project. Disturbed areas will be re-vegetated post-construction.

Landscape within 5-Mile Radius

Flight corridors to other forested areas? (If yes, Describe. e.g. shelterbelt, forested, forested creek bottom, forested river bottom)

☐ Yes

☒ No

Describe adjacent properties (e.g., forested, grassland, commercial or residential development, water sources).

Residential

Commercial

-

Proximity to public land (15 Mile Radius)

What is the distance in miles from the project area to forested public lands (e.g., national or state forests, national or state parks, conservation areas or wildlife management areas)?

The City of Brookings property to the north of the Edgebrook Golf Course is a trail exercise course managed by the Parks and Recreation Department. A shelter belt exists on the property and is the nearest forested public land, located approximately 0.50 miles north of the Project Area.

Northern Long-Eared Bat Habitat Assessment Data Sheet (continued)

Additional information about discreet habitat types at multiple sites

Use additional sheets to assess discrete habitat types at multiple sites in a project area. Include a map depicting sample sites in project area. A single sheet can be used for multiple sample sites if the habitat is the same.

Sample Site Description (Station # / MRM#)

Sample site no. 1

Sample site no.

Water Resources at Sample Site

Stream type (# and length in FT)	<u>Ephemeral</u> <u>Intermittent</u> <u>Perennial</u>	Describe existing condition of water sources
Pools/ponds (# and size in acres)	<u>Open and accessible to bats?</u> N/A	<input type="radio"/> _____ provides potential summer water source.
Wetlands (Approx. acres)	<u>Permanent</u> <u>Seasonal</u>	<input checked="" type="radio"/> No Water Source

Forest Resources at Sample Site

Closure/density (Use 1-6 from far right table)	<u>Canopy (>50')</u>	<u>Midstory (20-50')</u>	<u>Understory (<20')</u>	1=1-10%, 2=11-20%, 3=21-40%, 4=41-60%, 5=61-80%, 6=81-100%
Dominant species of mature trees	-	-	Other Deciduous	
% of trees with exfoliating bark			0	
Size composition of live trees (%)	<u>Small (3-8 in.)</u>	<u>Med. (9-15 in.)</u>	<u>Large (>15 in.)</u>	
	100			
Total # of suitable snags	0			<input checked="" type="checkbox"/> No Forest Resources

(Suitable snags are standing dead trees with exfoliating bark, cracks, crevices or hollows.)

Conclusion

IS THE HABITAT SUITABLE FOR NORTHERN LONG-EARED BATS? No

Additional comments:

Northern long-eared bat habitat is presumed to not be present due to the area having limited amount of suitable trees and being near a high traffic area. No exfoliating bark or snags were present.

Representative photos for Sample Site 1 are included below.

Attach aerial map of project site with all forested areas labeled and a general description of the habitat.

Photographic documentation should include: habitat shots at edge and interior from multiple locations; canopy, midstory, understory; examples of potential suitable snags and live trees; and water resources.

Northern Long-Eared Bat Habitat Assessment Data Sheet (continued)

Additional information about discreet habitat types at multiple sites

Use additional sheets to assess discrete habitat types at multiple sites in a project area. Include a map depicting sample sites in project area. A single sheet can be used for multiple sample sites if the habitat is the same.

Sample Site Description (Station # / MRM#)

Sample site no. 2

Sample site no.

Water Resources at Sample Site

Stream type (# and length in FT)	<u>Ephemeral</u> <u>Intermittent</u> <u>Perennial</u>	Describe existing condition of water sources
Pools/ponds (# and size in acres)	<u>Open and accessible to bats?</u> N/A	<input type="radio"/> _____ provides potential summer water source.
Wetlands (Approx. acres)	<u>Permanent</u> <u>Seasonal</u>	<input checked="" type="radio"/> No Water Source

Forest Resources at Sample Site

Closure/density (Use 1-6 from far right table)	<u>Canopy (>50')</u>	<u>Midstory (20-50')</u>	<u>Understory (<20')</u>	1=1-10%, 2=11-20%, 3=21-40%, 4=41-60%, 5=61-80%, 6=81-100%
Dominant species of mature trees	-	Ponderosa Pine	-	
% of trees with exfoliating bark		0		
Size composition of live trees (%)	<u>Small (3-8 in.)</u> 50	<u>Med. (9-15 in.)</u> 50	<u>Large (>15 in.)</u>	
Total # of suitable snags	0			<input checked="" type="checkbox"/> No Forest Resources

(Suitable snags are standing dead trees with exfoliating bark, cracks, crevices or hollows.)

Conclusion

IS THE HABITAT SUITABLE FOR NORTHERN LONG-EARED BATS? No

Additional comments:

Northern long-eared bat habitat is presumed to not be present due to the area having limited amount of suitable trees and being near a high traffic area. No exfoliating bark or snags were present.

Representative photos for Sample Site 2 are included below.

Attach aerial map of project site with all forested areas labeled and a general description of the habitat.

Photographic documentation should include: habitat shots at edge and interior from multiple locations; canopy, midstory, understory; examples of potential suitable snags and live trees; and water resources.

Northern Long-Eared Bat Habitat Assessment Data Sheet (continued)

Additional information about discreet habitat types at multiple sites

Use additional sheets to assess discrete habitat types at multiple sites in a project area. Include a map depicting sample sites in project area. A single sheet can be used for multiple sample sites if the habitat is the same.

Sample Site Description (Station # / MRM#)

Sample site no. 3

Sample site no.

Water Resources at Sample Site

Stream type (# and length in FT)	<u>Ephemeral</u> <u>Intermittent</u> <u>Perennial</u>	Describe existing condition of water sources
Pools/ponds (# and size in acres)	<u>Open and accessible to bats?</u> N/A	<input type="radio"/> _____ provides potential summer water source.
Wetlands (Approx. acres)	<u>Permanent</u> <u>Seasonal</u>	<input checked="" type="radio"/> No Water Source

Forest Resources at Sample Site

Closure/density (Use 1-6 from far right table)	<u>Canopy (>50')</u>	<u>Midstory (20-50')</u>	<u>Understory (<20')</u>	1=1-10%, 2=11-20%, 3=21-40%, 4=41-60%, 5=61-80%, 6=81-100%
Dominant species of mature trees	-	-	Other Deciduous	
% of trees with exfoliating bark			0	
Size composition of live trees (%)	<u>Small (3-8 in.)</u>	<u>Med. (9-15 in.)</u>	<u>Large (>15 in.)</u>	
	100			
Total # of suitable snags	0			<input checked="" type="checkbox"/> No Forest Resources

(Suitable snags are standing dead trees with exfoliating bark, cracks, crevices or hollows.)

Conclusion

IS THE HABITAT SUITABLE FOR NORTHERN LONG-EARED BATS? No

Additional comments:

Northern long-eared bat habitat is presumed to not be present due to the area having limited amount of suitable trees and being near a high traffic area. No exfoliating bark or snags were present.

Representative photos for Sample Site 3 are included below.

Attach aerial map of project site with all forested areas labeled and a general description of the habitat.

Photographic documentation should include: habitat shots at edge and interior from multiple locations; canopy, midstory, understory; examples of potential suitable snags and live trees; and water resources.

Northern Long-Eared Bat Habitat Assessment Data Sheet (continued)

Additional information about discreet habitat types at multiple sites

Use additional sheets to assess discrete habitat types at multiple sites in a project area. Include a map depicting sample sites in project area. A single sheet can be used for multiple sample sites if the habitat is the same.

Sample Site Description (Station # / MRM#)

Sample site no. 4

Sample site no.

Water Resources at Sample Site

Stream type (# and length in FT)	<u>Ephemeral</u> <u>Intermittent</u> <u>Perennial</u>	Describe existing condition of water sources
Pools/ponds (# and size in acres)	<u>Open and accessible to bats?</u> N/A	<input type="radio"/> _____ provides potential summer water source.
Wetlands (Approx. acres)	<u>Permanent</u> <u>Seasonal</u>	<input checked="" type="radio"/> No Water Source

Forest Resources at Sample Site

Closure/density (Use 1-6 from far right table)	<u>Canopy (>50')</u>	<u>Midstory (20-50')</u>	<u>Understory (<20')</u>	1=1-10%, 2=11-20%, 3=21-40%, 4=41-60%, 5=61-80%, 6=81-100%
Dominant species of mature trees	-	-	Other Deciduous	
% of trees with exfoliating bark				
Size composition of live trees (%)	<u>Small (3-8 in.)</u>	<u>Med. (9-15 in.)</u>	<u>Large (>15 in.)</u>	
Total # of suitable snags	0			<input checked="" type="checkbox"/> No Forest Resources

(Suitable snags are standing dead trees with exfoliating bark, cracks, crevices or hollows.)

Conclusion

IS THE HABITAT SUITABLE FOR NORTHERN LONG-EARED BATS? No

Additional comments:

Northern long-eared bat habitat is presumed to not be present due to the area having limited amount of suitable trees and being near a high traffic area. No exfoliating bark or snags were present.

Representative photos for Sample Site 4 are included below.

Attach aerial map of project site with all forested areas labeled and a general description of the habitat.

Photographic documentation should include: habitat shots at edge and interior from multiple locations; canopy, midstory, understory; examples of potential suitable snags and live trees; and water resources.

Representative Photos for Sample Site #1, located East of 22nd Avenue South Along Allyn Frerichs Trail and north of 20th Street South.





Representative Photos for Sample Site #2, located East of 22nd Avenue South Along Allyn Frerichs Trail.





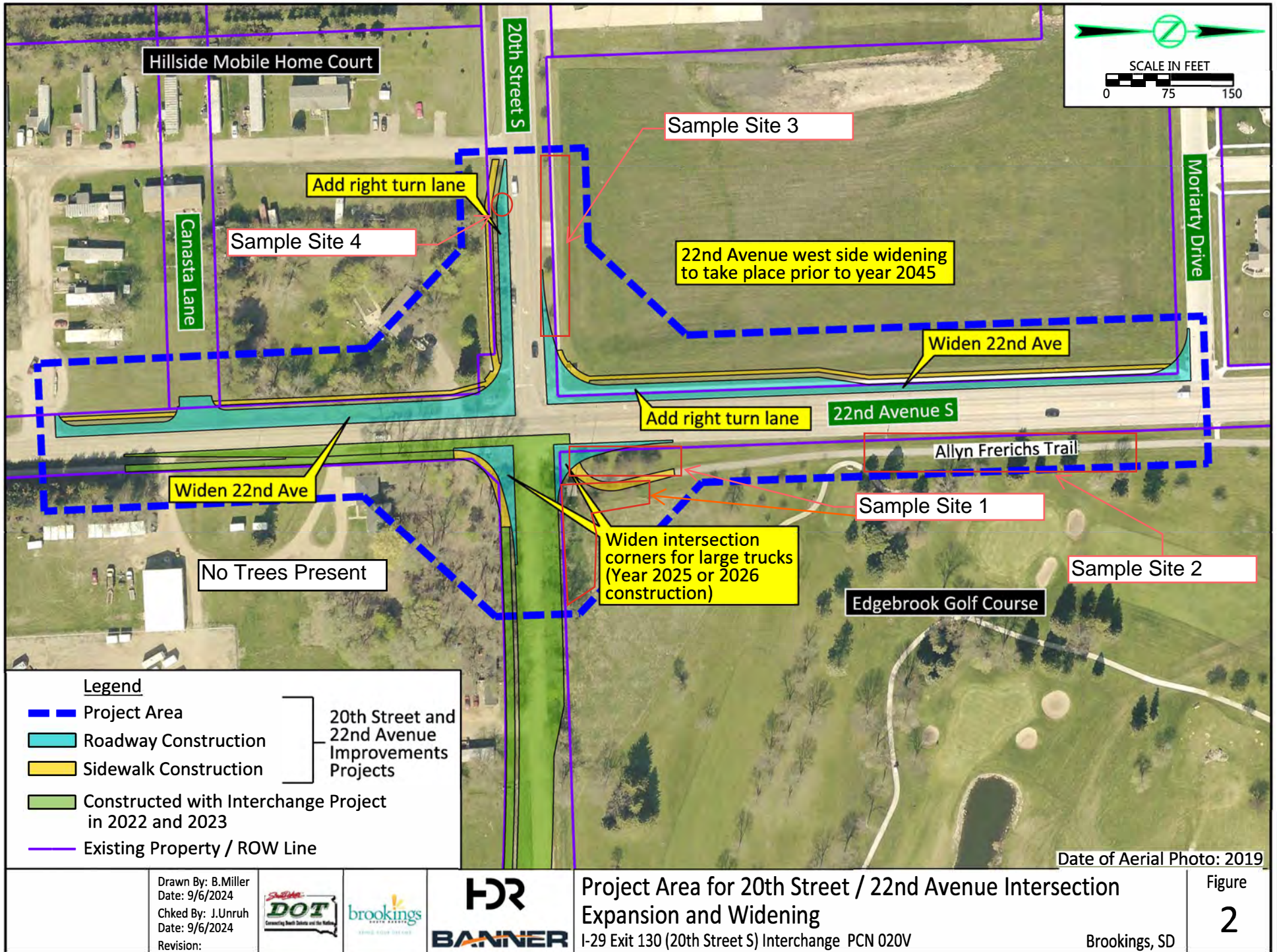
Representative Photos for Sample Site #3, located North of 20th Street South.





Representative for Sample Site #4, located south of 20th Street South.







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:

12/10/2024 19:04:27 UTC

Project code: 2025-0023938

Project Name: I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County

Subject: Consistency letter for the 'I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County' project under the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (NLEB).

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated December 10, 2024 to verify that the **I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County** (Proposed Action) may rely on the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) 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 shown below), you have determined that the Proposed Action will have no effect on the endangered Indiana bat (*Myotis sodalis*) or the endangered northern long-eared bat (*Myotis septentrionalis*). If the Proposed Action is not modified, **no consultation is required for these two species**. 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.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:

If your initial bridge/culvert or structure assessment failed to detect Indiana bats and/or NLEBs use or occupancy, yet later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of the incident. In these instances, potential incidental take of Indiana bats and/or NLEBs may be exempted provided that the take is reported to the Service.

If the Proposed Action may affect any other federally-listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency accordingly.

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

- Dakota Skipper *Hesperia dacotae* Threatened
- Monarch Butterfly *Danaus plexippus* Candidate
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Topeka Shiner *Notropis topeka* (=tristis) Endangered
- Western Prairie Fringed Orchid *Platanthera praeclara* Threatened
- Western Regal Fritillary *Argynnis idalia occidentalis* Proposed Threatened

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

I-29 Exit 130 Interchange (20th St./22nd Ave)-Brookings County

DESCRIPTION

The South Dakota Department of Transportation is proposing improvements to the intersection of 20th Street and 22nd Avenue, this area is associated with I-29 Exit 130. In an initial EA was previously developed, the SDDOT is in the process of developing a supplemental EA for this project. This Supplemental EA is to evaluate the reconstruction of the 20th Street and 22nd Avenue intersection to improve the turning radius.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.282718200000005,-96.76842621311076,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the endangered Indiana bat and/or the endangered northern long-eared bat.

Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for these two species.

QUALIFICATION INTERVIEW

1. Is the project within the range of the Indiana bat^[1]?

[1] See [Indiana bat species profile](#)

Automatically answered

No

2. Is the project within the range of the northern long-eared bat^[1]?

[1] See [northern long-eared bat species profile](#)

Automatically answered

Yes

3. Which Federal Agency is the lead for the action?

A) *Federal Highway Administration (FHWA)*

4. Are *all* project activities limited to non-construction^[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces^[1]?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum^[1]?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

7. Is the project located **within** a karst area?

No

8. Is there *any* suitable^[1] summer habitat for Indiana Bat or NLEB **within** the project action area^[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat](#).

No

9. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

No

10. Does the project include slash pile burning?

No

11. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

No

12. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

Yes

13. Is there *any* suitable habitat^[1] for Indiana bat or NLEB **within** 1,000 feet of the structure? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.

No

14. Will the project involve the use of **temporary** lighting *during* the active season?

No

15. Will the project install new or replace existing **permanent** lighting?

Yes

16. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting will be installed or replaced?

No

17. Does the project include percussives or other activities (**not including tree removal/trimming or bridge/structure work**) that will increase noise levels above existing traffic/background levels?

Yes

18. Will the activities that use percussives (**not including tree removal/trimming or bridge/structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the active season^[1]?

[1] Coordinate with the local Service Field Office for appropriate dates.

Yes

19. Will *any* activities that use percussives (**not including tree removal/trimming or bridge/structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the inactive season^[1]?

[1] Coordinate with the local Service Field Office for appropriate dates.

Yes

20. Are *all* project activities that are **not associated with** habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?

Examples: lining roadways, unlighted signage , rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

21. Will the project raise the road profile **above the tree canopy**?

No

22. Is the location of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the project action area is not within suitable Indiana bat and/or NLEB summer habitat and is outside of 0.5 miles of a hibernaculum.

23. Is the structure removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the structure is more than 1,000 feet from the nearest suitable habitat and is therefore considered unsuitable for use by bats

24. Is the permanent lighting portion of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the lighting will be more than 1,000 feet from the nearest suitable habitat

DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING NLEB OR INDIANA BAT

This key was last updated in IPaC on November 04, 2024. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the endangered **northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion \(dated March 23, 2023\) for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

IPAC USER CONTACT INFORMATION

Agency: South Dakota Department of Transportation

Name: Emma Koeckeritz

Address: 51 North Broadway Suite 550

City: Fargo

State: ND

Zip: 58102

Email: ekoeckeritz@hdrinc.com

Phone: 7015529946

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

Name: Chad Babcock

Email: Chad.Babcock@state.sd.us

Phone: 6057733721

SDGFP Coordination



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

November 4, 2024

John Kanta, Administrator
SD Dept. of Game, Fish & Parks
4130 Adventure Trail
Rapid City, SD 57702

RE: Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at 20th Street South and 22nd Avenue South

Dear Mr. Kanta:

We have previously coordinated with your agency for the completion of the 2020 Environmental Assessment (EA) for this project. The original project was the construction of a new interchange at Exit 130 within the City of Brookings and expansion of one mile of existing 20th Street South from a dead-end gravel road to a three-lane urban roadway with an adjacent shared use path. The project was construction in 2022 and 2023 and opened to traffic on July 29, 2023. Attached Figure 1 provides the area of the overall interchange project.

Due to timeframe, existing utilities, and Section 6(f) property constraints, the east-side corners of the 20th Street South/22nd Avenue South intersection were constructed to a substandard design that limited large truck movements. As a follow-up to the interchange project, SDDOT and the City of Brookings proposed to expand the intersection corners to better accommodate large trucks. A funding source has been identified for this follow-up project and construction is anticipated for the summer of 2025. This will involve acquisition of permanent right-of-way (ROW) for roadway purposes and temporary construction easement on the southwest corner of Edgebrook Golf course. The expanded intersection would require reconstruction of a portion of the Allyn Frerichs Trail. Future widening (by year 2045) of 20th Street South and 22nd Avenue South are also part of this environmental analysis. Figure 2 illustrates the specific area for which we request your review and comments at this time.

Attached is information on the above project. 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. Aquatic Invasive Species

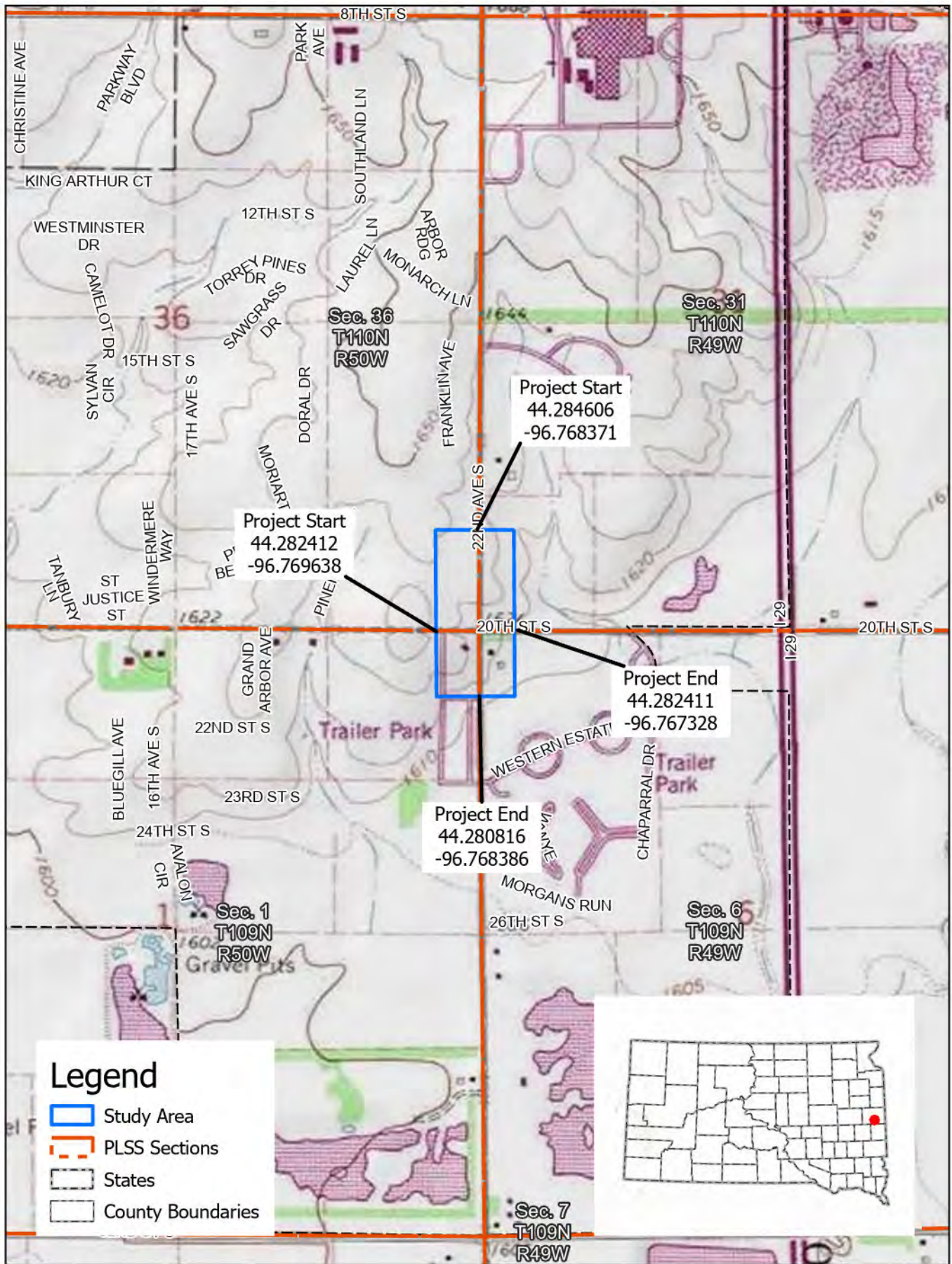
Please submit your comments as soon as possible, so that the project's environmental documentation can be completed, and the project can be let and constructed in a timely manner.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chad Babcock'.

Chad Babcock
Environmental Manager
605.773.3721

Attachment



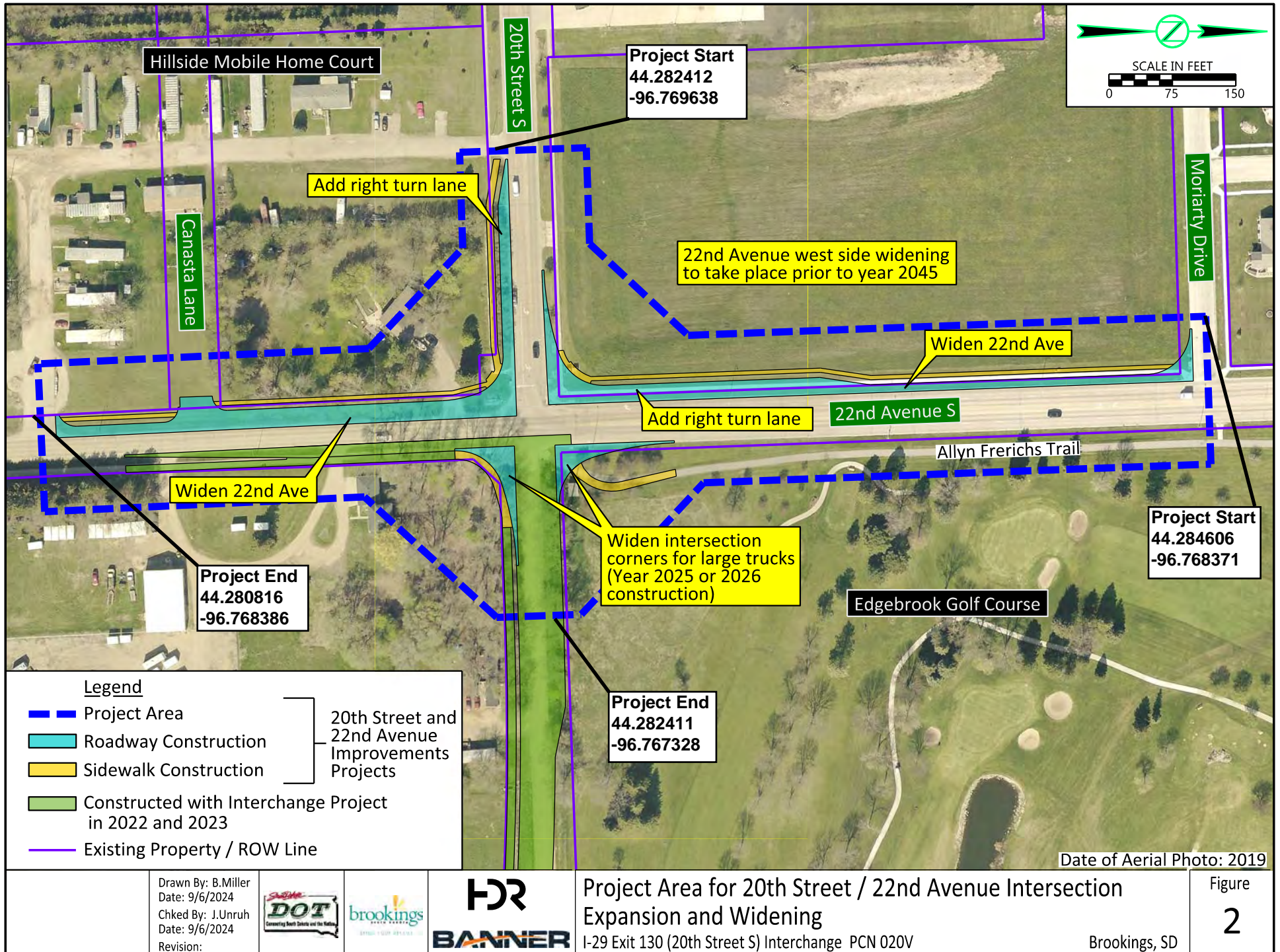
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PROJECT LOCATION MAP

EM 0295(45) 130, PCN 020V, Brookings County

FIGURE 1





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

November 4, 2024

Adam Kulesa, Planning/Development Administrator
SD Dept. of Game, Fish & Parks
523 E Capitol
Pierre, SD 57501

RE: Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at 20th Street South and 22nd Avenue South

Dear Mr. Kulesa:

We have previously coordinated with your agency for the completion of the 2020 Environmental Assessment (EA) for this project. The original project was the construction of a new interchange at Exit 130 within the City of Brookings and expansion of one mile of existing 20th Street South from a dead-end gravel road to a three-lane urban roadway with an adjacent shared use path. The project was construction in 2022 and 2023 and opened to traffic on July 29, 2023. Attached Figure 1 provides the area of the overall interchange project.

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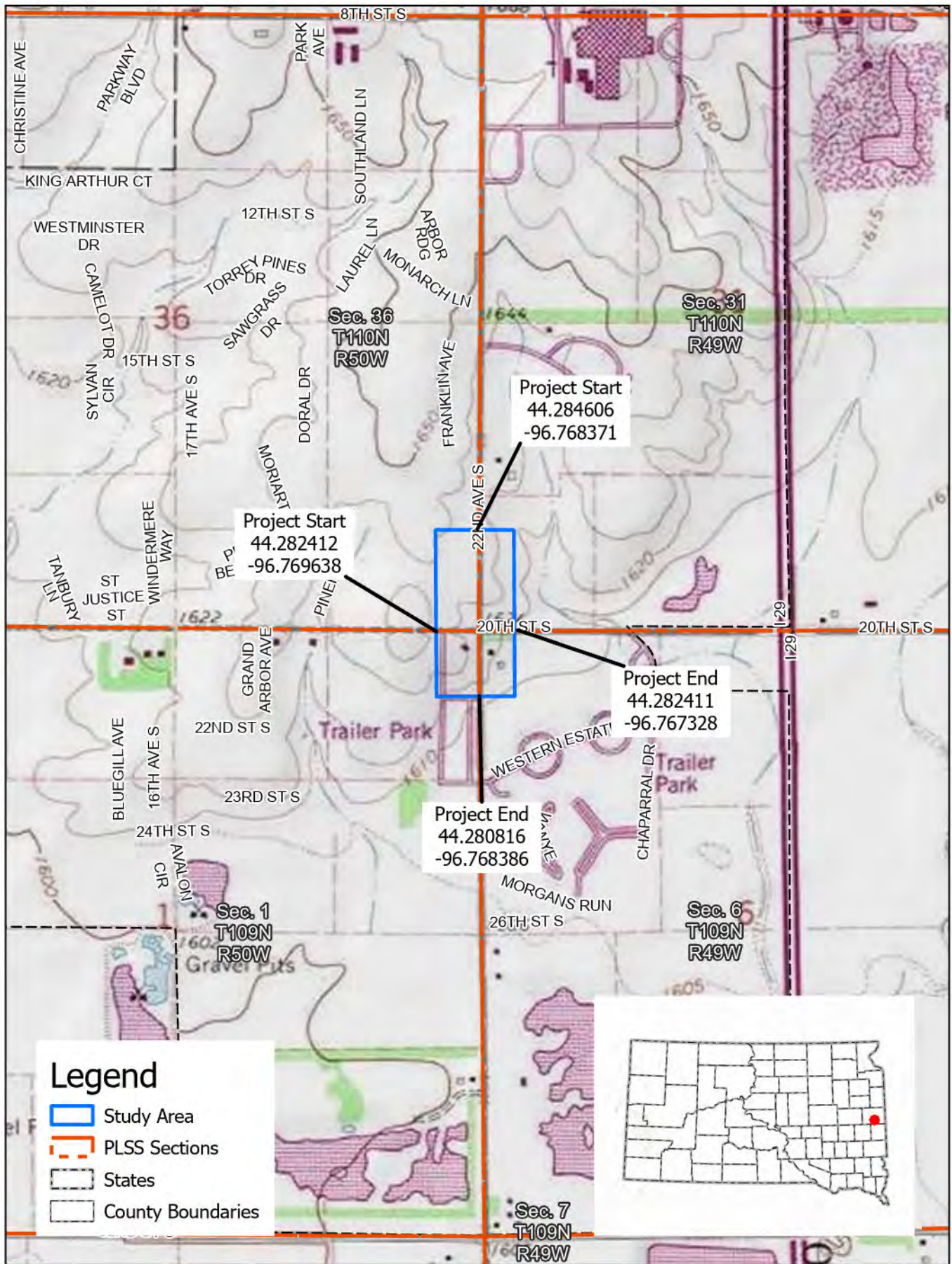
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Chad Babcock
Environmental Manager
605.773.3721

Attachment



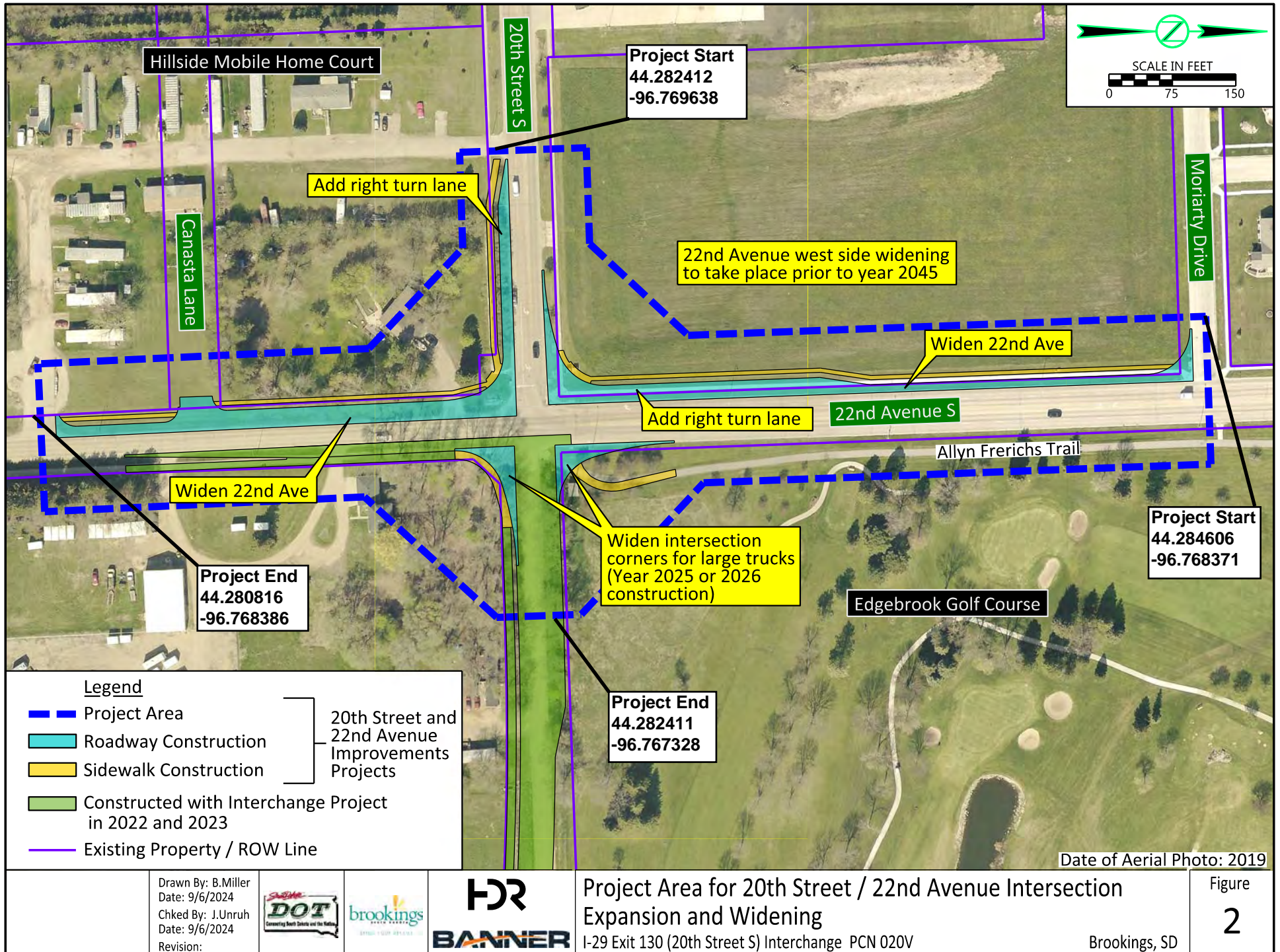
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PROJECT LOCATION MAP

EM 0295(45) 130, PCN 020V, Brookings County

FIGURE 1





Environmental Review Report

Project Information

Report Generation Date: 12/23/2024 11:23:26 AM
Project ID: 2024-12-23-1886
Project Title: I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)

User Project Number(s):
Project Type: Transportation, Roads/Bridges/Trails
Project Activities: Curb and Gutter
Lighting
Paving
Resurfacing
Sidewalk
Trails

County(s): Brookings
Township/Range/Section(s): 109N049W6; 109N050W1; 110N049W31; 110N050W36
Watershed(s) HUC8: None
Latitude/Longitude: 44.282631 / -96.768457

Contact Information

Organization: HDR
Contact Name: Michaela Carlson
Contact Phone: 6057828101
Contact Email: michaela.carlson@hdrinc.com
Contact Address: 101 S. Phillips Ave. Suite 401 Sioux Falls SD 57104
Submitted On Behalf Of:

Project Description

We have previously coordinated with your agency for the completion of the 2020 Environmental Assessment (EA) for this project. The original project was the construction of a new interchange at Exit 130 within the City of Brookings and expansion of one mile of existing 20th Street South from a dead-end gravel road to a three-lane urban roadway with an adjacent shared use path. The project was construction in 2022 and 2023 and opened to traffic on July 29, 2023. Due to timeframe, existing utilities, and Section 6(f) property constraints, the east-side corners of the 20th Street South/22nd Avenue South intersection were constructed to a substandard design that limited large truck movements. As a follow-up to the interchange project, SDDOT and the City of Brookings proposed to expand the intersection corners to better accommodate large trucks. A funding source has been identified for this follow-up project and construction is anticipated for the summer of 2025. This will involve acquisition of permanent right-of-way (ROW) for roadway purposes and temporary construction easement on the southwest corner of Edgebrook Golf course. The expanded intersection would require reconstruction of a portion of the Allyn Frerichs Trail. Future widening (by year 2045) of 20th Street South and 22nd Avenue South are also part of this environmental analysis.



Introduction

The vision of South Dakota Department of Game, Fish and Parks (SDGFP) is to conserve our state's outdoor heritage to enhance the quality of life for current and future generations. SDGFP has a state-wide mission to serve and connect people and families to the outdoors through effective management of our state's parks, fisheries and wildlife resources. SDGFP strives to prevent or minimize unnecessary damage to species and their habitats by offering possible mitigation measures.

Disclaimer

The information provided in this report can only be used as a site clearance letter if no conflicts with sensitive wildlife resources were detected. This information provides an indication of whether or not public or protected lands and sensitive resources are known or likely to be located near the proposed project's location. **The information generated in this report does not replace Endangered Species Act consultation obligations with the U.S. Fish and Wildlife Service (USFWS) for federal listed species.**

A majority of the sensitive species records in the report originate from the South Dakota Natural Heritage Database (SDNHD). The SDNHD tracks species at risk and certain unique habitats. These species may be monitored because they are rare, indicative of a vulnerable habitat type, or are legally designated as state or federal threatened or endangered species. Rare species are those that are declining and restricted to limited habitat, peripheral to a jurisdiction, isolated or disjunct due to geographic or climatic factors or classified as such due to lack of survey data. A list of monitored species can be found at <https://gfp.sd.gov/natural-heritage-program/>. Many places in South Dakota have not been surveyed for rare or protected species and habitats and the absence of a species from a proposed project area does not preclude its presence. **Accuracy of species lists, report information and project recommendations should be verified after 90 days.**

No environmental conflicts were detected by South Dakota Game, Fish and Parks for your proposed project. This report is considered final, and can serve as documentation for environmental clearance from South Dakota Game, Fish and Parks. This report does not replace coordination with the US Fish and Wildlife Service for Endangered Species Act compliance.



Project Type Recommendations

Due to the potential occurrence of federally endangered Northern Long-eared Bats (*Myotis septentrionalis*) in South Dakota, a survey should be conducted at bridge locations to confirm presence/absence of bats prior to any maintenance or replacement activities. If bats or bat activity is observed, please coordinate further with Game, Fish and Parks and the U.S. Fish and Wildlife Service.

In-Stream Activities

Any activities impacting streambeds should not be completed during fish spawning periods that take place from April through June outside of the Black Hills or from October through June within the Black Hills to avoid conflicts with spawning fish. Please contact Game, Fish and Parks if you wish to conduct work within the spawning period. Stream bottoms impacted by construction activities should be restored to pre-project elevations.

Revegetation

- Disturbance to native vegetation should be kept to a minimum.
- Any disturbed area should be revegetated using native seed sources.
 - The Natural Resources Conservation Service Plant Materials Center in Bismarck, ND may serve as a good source of information on which native plantings may be best suited to specific needs: <https://www.nrcs.usda.gov/plant-materials/cp/releases>
- Develop a long-term plan for preventing the introduction or establishment of non-native/invasive plants within the project area

Wetland and Riparian Area Disturbance

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.

If wetland areas are encountered by the project we first recommend avoidance, followed by minimization of impacts followed by mitigation (replacement of lost acres).



Legal Obligations

South Dakota Endangered and Threatened Species Law

This state law (Chapter 34A-8) defines nongame, threatened and endangered species and wildlife and describes the relevant authorities of the Game, Fish and Parks Secretary and Commission. The SDGFP Commission may list, delist or change the status of state threatened or endangered species. Take of state threatened or endangered species is prohibited except for certain, authorized purposes or to protect life or property. This state law also prohibits the reintroduction of a species on the federal list of threatened or endangered species that is considered extirpated from the state, unless authorized by the South Dakota Legislature. More information about obtaining a state endangered take authorization is available here: <https://gfp.sd.gov/forms/endangeredspecies/>

Aquatic Invasive Species

South Dakota Administrative Rule 41:10:04:02 forbids the possession and transport of aquatic invasive species (AIS). Any construction vehicles, vessels, or equipment that will come into contact with surface waters in South Dakota that have previously been used outside of the state or in and AIS positive water within South Dakota must be thoroughly power washed with hot water (>140°F) and completely dried for a minimum of 7 days prior to use. All attached dirt, mud debris and vegetation must be removed and all compartments and tanks capable of holding standing water shall be drained and dry. This applies, but is not limited to, all equipment, pumps, lines, hoses and holding tanks. The list of AIS positive waters is available at <https://sdleastwanted.sd.gov/> or by calling 605-223-7706.

Federal Laws

The following federal laws contribute to the conservation and management of fish and wildlife resources in the United States: Endangered Species Act, Bald and Golden Eagle Protection Act, Migratory Bird Treaty Act, Clean Water Act, and the Fish and Wildlife Coordination Act. The National Environmental Policy Act (NEPA) requires compliance with these statutes and regulations.

Contact Information

U.S. Fish and Wildlife Service, Ecological Services Field Office

420 S. Garfield Ave, Suite 400
Pierre, South Dakota 57501
605-224-8693

U.S. Army Corp of Engineers, South Dakota Regulatory Office



28563 Powerhouse Road
Pierre, South Dakota 57501
605-224-8531

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d) provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*). Under this federal act, “take of eagles, their parts, nests or eggs is prohibited unless a permit is issued for certain purposes and under certain circumstances as long as the authorized take is compatible with the preservation of eagles. Disturbance resulting in injury, decreased productivity, or nest abandonment by substantially interfering with normal breeding, feeding or sheltering behavior is also considered take. Eagle nests are protected under this law, whether active or inactive. **This report does not replace consultation with the USFWS regarding the protection of bald and golden eagles.**

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (16 U.S. C. 703-712) provides international protection to migratory bird species included in treaties among the United States, Great Britain, Mexico and Japan. This federal act prohibits the taking, killing, possession and transportation (among other actions) of migratory birds, their eggs, parts, and nests, unless specifically permitted by regulations. This act has no provisions for allowing unauthorized take. Work closely with the USFWS to identify protective measures to avoid migratory bird take. A list of migratory bird species protected under this act can be found at 50 CFR 10.13. Introduced bird species are not protected under this Act. **This report does not replace consultation with the USFWS regarding the protection of migratory bird species.**

Endangered Species Act

The Endangered Species Act (16 U.S.C. 1531–1544) provides protections for native plant and animal species that are in danger of becoming extinct. Under Section 9, it is unlawful for the “take” of a listed species. This is defined as “... to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct”. However, a permit may be issued for take that is the result of an otherwise legal activity. Please contact the USFWS to determine if a permit is needed.

The USFWS is in charge of the protection of listed species and their critical habitat. Similarly, other federal agencies are also directed to conserve listed species and ensure their actions do not jeopardize a listed species existence or destroy or adversely modify critical habitat. As such, under Section 7, federal agencies should consult with the USFWS to ensure compliance with this Act. **This report does not replace consultation with the USFWS regarding listed species.**



Clean Water Act

The intent of the Clean Water Act (33 U.S.C. 1251 et seq.) is “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters”. We recommend that proper planning take place to first and foremost avoid impacts to wetlands, streams, and associated riparian corridors. If dredge or fill materials will be placed into waterways or wetlands, the U.S. Army Corps of Engineers Regulatory Office should be contacted to determine if a 404 permit is needed.

Fish and Wildlife Coordination Act

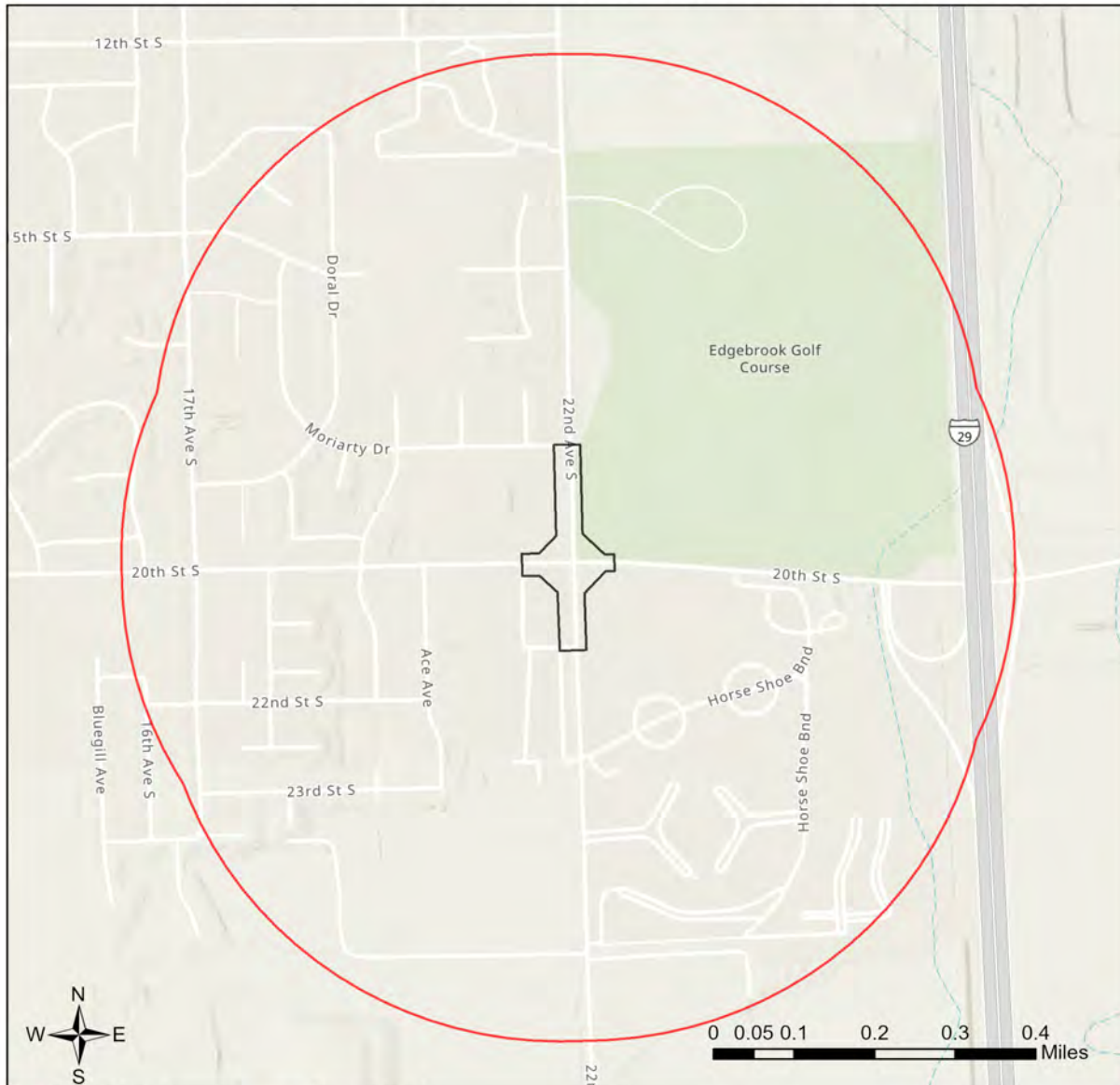
The Fish and Wildlife Coordination Act (15 U.S.C. 661-667e) provides habitat protection by requiring a federal agency to consult with the USFWS and SDGFP (i.e. the state fish and wildlife agency) whenever an agency is proposing to control or modify a stream or other body of water. The intent of this consultation is to conserve wildlife resources by preventing habitat loss or damage.

No Special Status Species were documented within the project vicinity.

No Protected Lands were detected within the project vicinity.



9 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (f Topo Basemap with Land Ownership, Tribal Lands, and Locator Map



- | | |
|------------------------------|---------------------------|
| Buffered Project Boundary | Bureau of Land Management |
| Project Boundary | Bureau of Reclamation |
| Game Production Areas | Corps of Engineers |
| SD Parks and Rec Areas | National Fish Hatchery |
| School and Public Lands | National Park Service |
| The Nature Conservancy Lands | USFWS Wildlife Refuge |
| National Forest | Waterfowl Production Area |
| National Grassland | |

Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS
Esri, NASA, NGA, USGS, FEMA
South Dakota Game, Fish and Parks



SHPO Concurrence



December 18, 2024

Andrea Bierle
South Dakota Department of Transportation
700 E Broadway Ave
Pierre, SD 57501

SECTION 106 PROJECT CONSULTATION

Project: 241213005F – Project EM 0295(45) 130, PCN 020V, Brookings County I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA) Improvements at Intersection of 20th Street South and 22nd Avenue South

Location: Brookings

FHWA - Federal Highway Administration

Dear Andrea,

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 13, 2024, SHPO received your letter, SHPO project letter #200909001F, and a report titled "A Letter Report Addressing the Level III Cultural Resources Investigation for Proposed Supplemental EA for the I-29, Exit 130 Interchange in Brookings, South Dakota" prepared by Austin Buhta and Shae R. Pfenning of the Augustana University Archaeology Laboratory. Included in this report were efforts to identify cultural resources, maps showing the Area of Potential Effects (APE), and photographic overviews of the project area.

Based upon the information provided, the proposed undertaking is for improvements at the intersection of 20th Street South and 22nd Avenue South at the Interstate 29 Exit 130 in Brookings, South Dakota. This proposed undertaking was previously consulted on under SHPO project #200909001F. After reviewing the information provided against our records, no Historic Properties were identified within the APE. Therefore, SHPO concurs with your determination of "No Historic Properties Affected" for the proposed undertaking.

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



Tribal Coordination



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

November 4, 2024

Sebastian Lebeau, Archaeologist
Bureau of Indian Affairs
115 Fourth Ave SE, Suite 400, MC 208
Aberdeen, SD 57401-4384

RE: Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at Intersection of 20th Street South and 22nd Avenue South

Dear Mr. Lebeau:

We have previously coordinated with your agency for the completion of the 2020 Environmental Assessment (EA) for this project. The original project was the construction of a new interchange at Exit 130 within the City of Brookings and expansion of one mile of existing 20th Street South from a dead-end gravel road to a three-lane urban roadway with an adjacent shared use path. The project was construction in 2022 and 2023 and opened to traffic on July 29, 2023. Attached Figure 1 provides the area of the overall interchange project.

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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 this project from tribes that have expressed an interest in highway projects in Brookings County. Please provide your comments by November 30, 2024, so that the project can move toward a timely letting and construction.

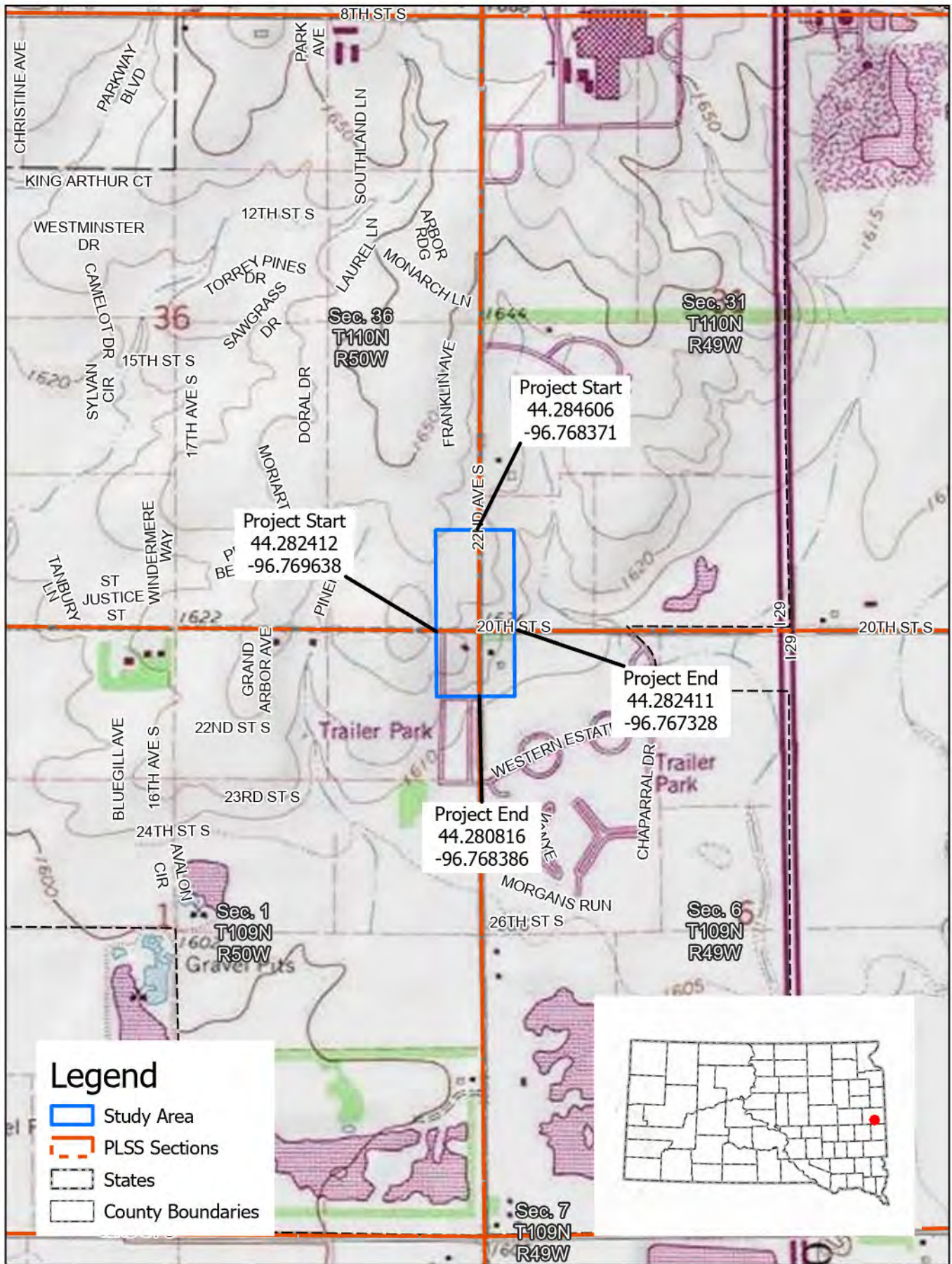
If you have any questions, please feel free to contact me at the phone number or email address below, or you may contact Tom Lehmkuhl, FHWA Environmental Engineer, at (605) 776-1012.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chad Babcock'.

Chad Babcock
Environmental Manager
605.773.3721

Attachment



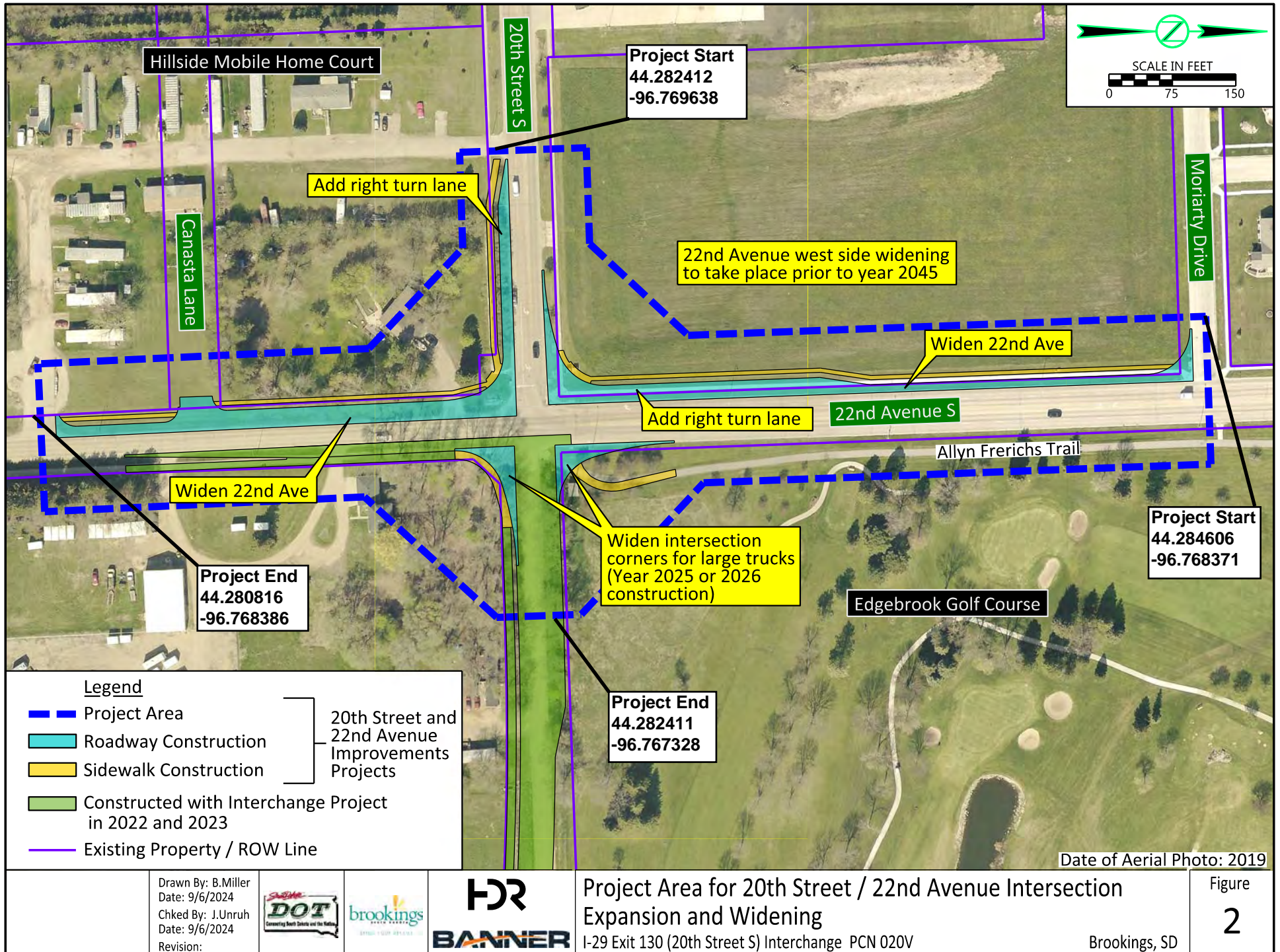
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PROJECT LOCATION MAP

EM 0295(45) 130, PCN 020V, Brookings County

FIGURE 1





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

November 4, 2024

Merle Marks, Tribal Historic Preservation Officer
Crow Creek Sioux Tribe
PO Box 50
Ft. Thompson, SD 57339

RE: Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at Intersection of 20th Street South and 22nd Avenue South

Dear Mr. Marks:

We have previously coordinated with your agency for the completion of the 2020 Environmental Assessment (EA) for this project. The original project was the construction of a new interchange at Exit 130 within the City of Brookings and expansion of one mile of existing 20th Street South from a dead-end gravel road to a three-lane urban roadway with an adjacent shared use path. The project was construction in 2022 and 2023 and opened to traffic on July 29, 2023. Attached Figure 1 provides the area of the overall interchange project.

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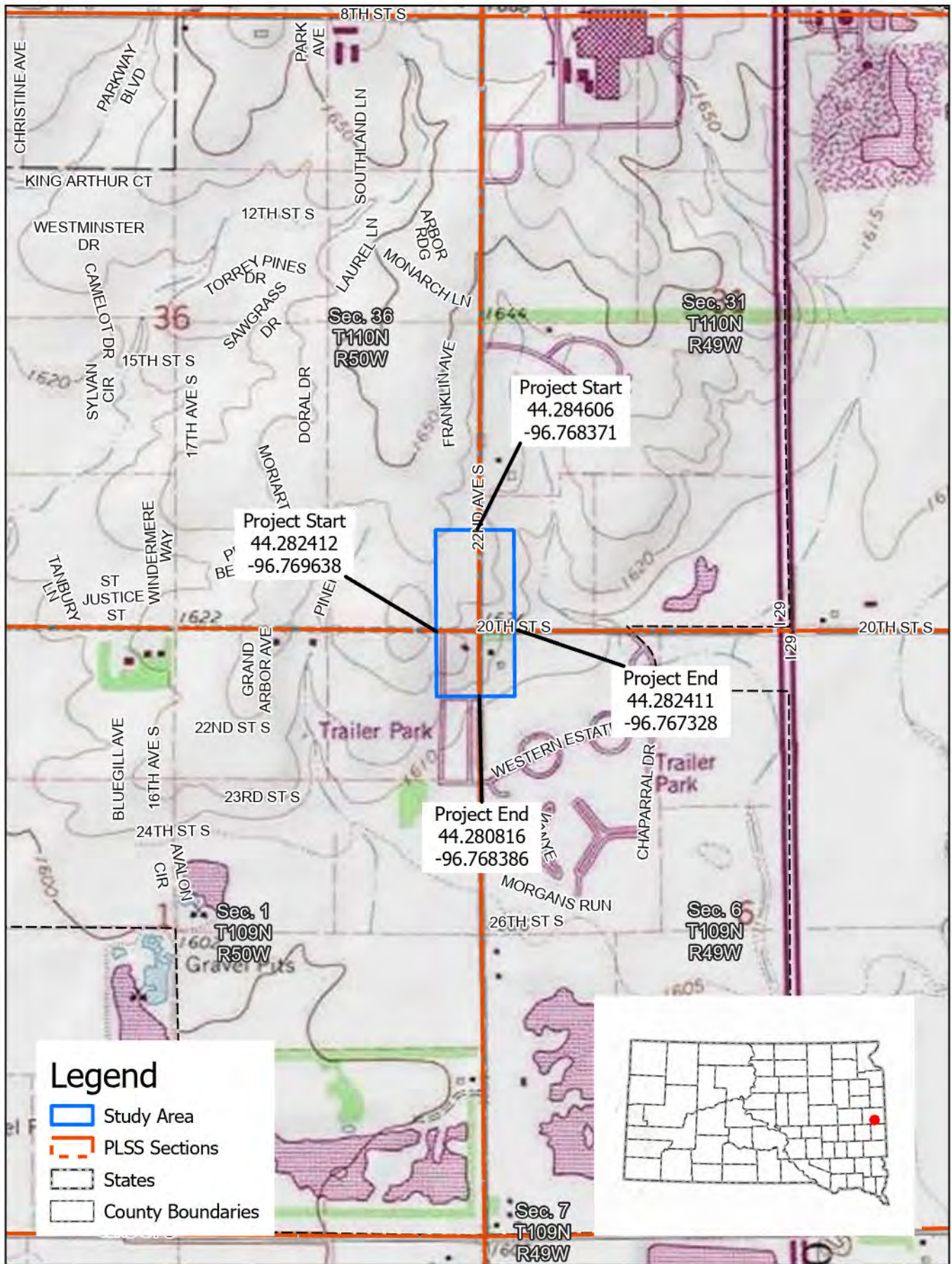
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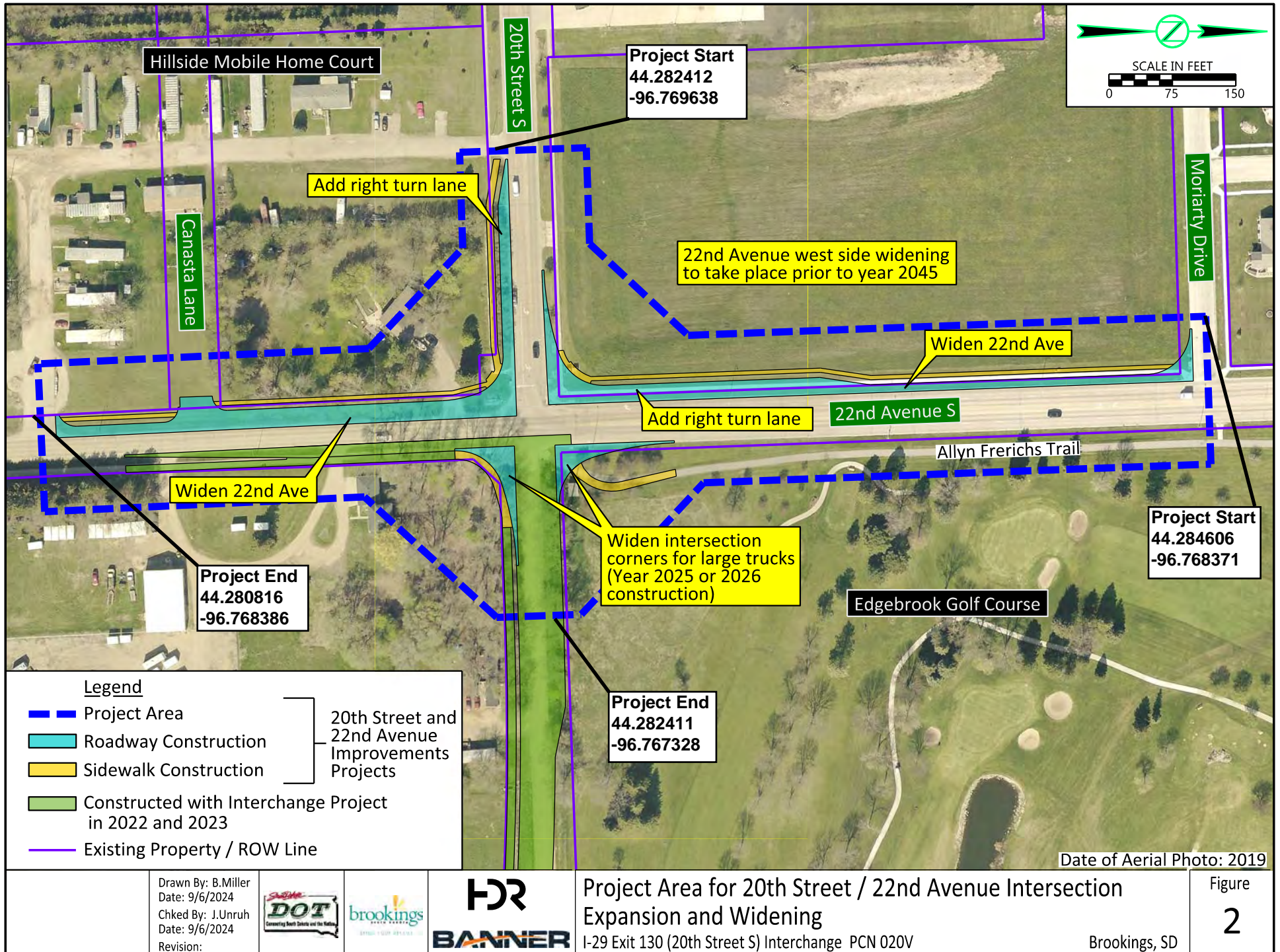
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Chad Babcock
Environmental Manager
605.773.3721

Attachment







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

November 4, 2024

Garrie Kills-a-hundred, Tribal Historic Preservation Officer
Flandreau Santee Sioux Tribe
PO Box 283
Flandreau, SD 57028

RE: Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at Intersection of 20th Street South and 22nd Avenue South

Dear Mr. Kills-a-hundred:

We have previously coordinated with your agency for the completion of the 2020 Environmental Assessment (EA) for this project. The original project was the construction of a new interchange at Exit 130 within the City of Brookings and expansion of one mile of existing 20th Street South from a dead-end gravel road to a three-lane urban roadway with an adjacent shared use path. The project was construction in 2022 and 2023 and opened to traffic on July 29, 2023. Attached Figure 1 provides the area of the overall interchange project.

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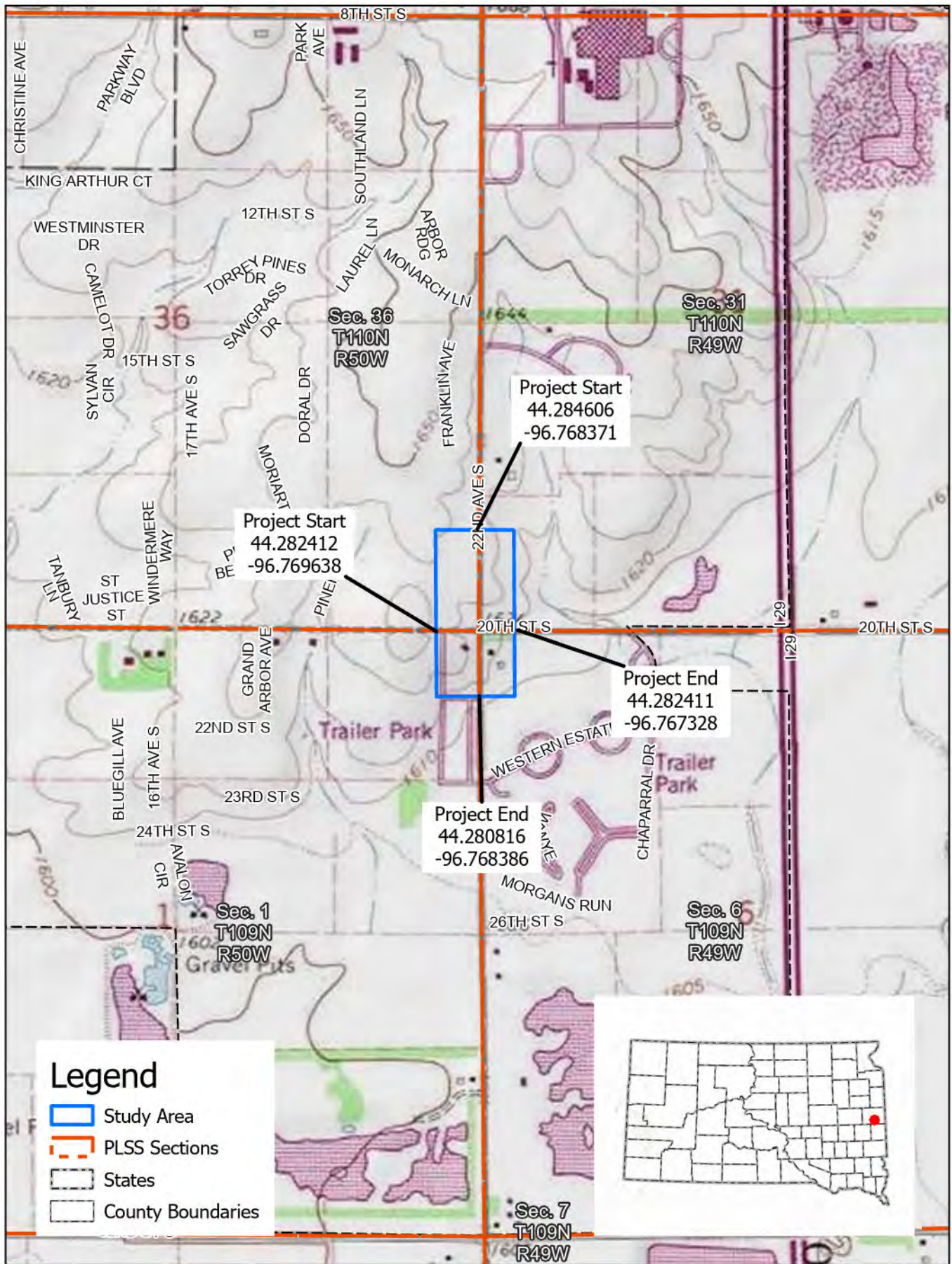
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Chad Babcock
Environmental Manager
605.773.3721

Attachment



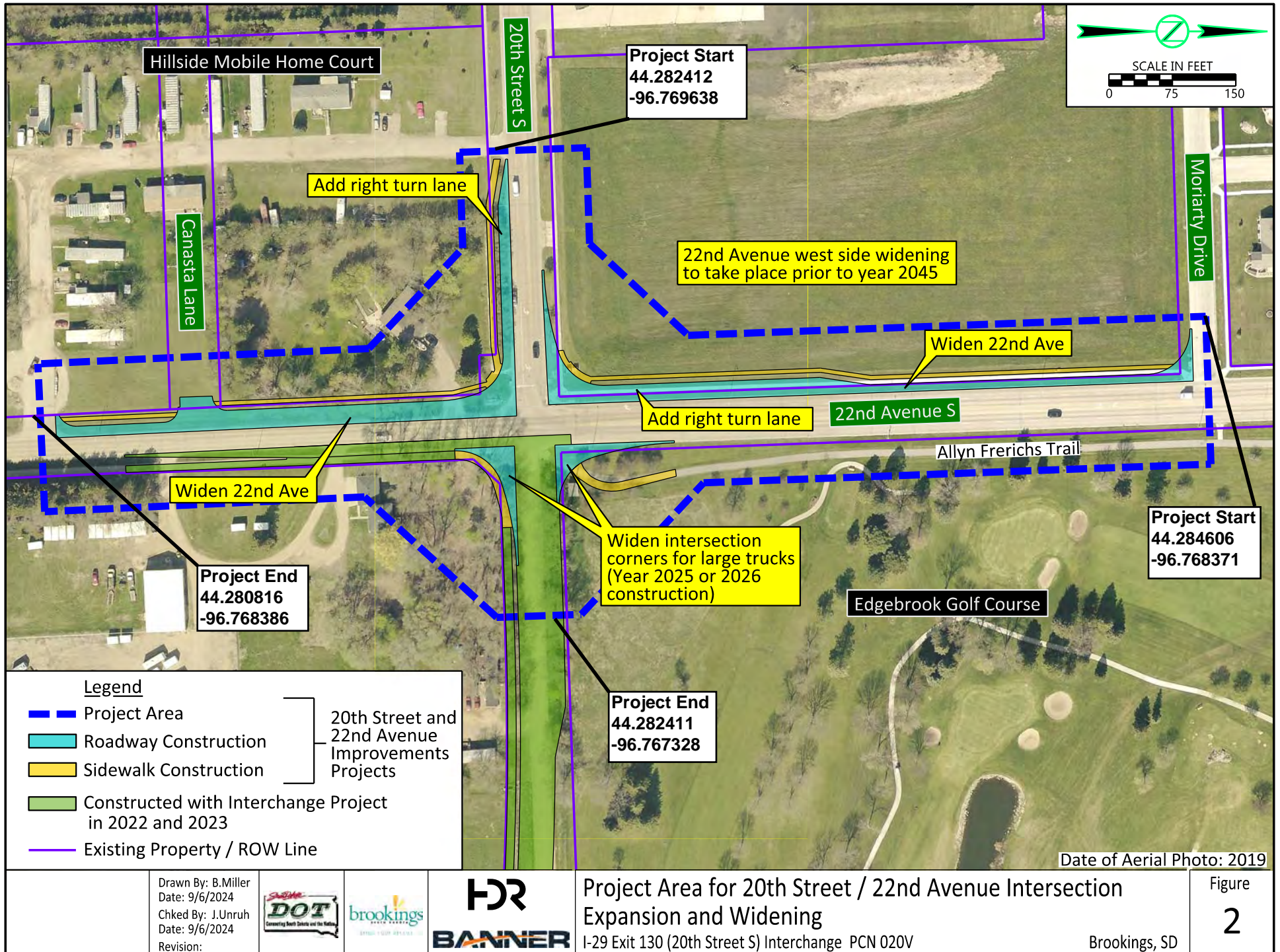
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PROJECT LOCATION MAP

EM 0295(45) 130, PCN 020V, Brookings County

FIGURE 1





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dot.sd.gov

November 4, 2024

Brian Molyneaux, Tribal Archaeologist
Lower Brule Sioux Tribe
PO Box 187
Lower Brule, SD 57548

CC: Mary Jane Gourneau
Lower Brule Sioux Tribe
PO Box 187
Lower Brule, SD 57548

RE: Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at Intersection of 20th Street South and 22nd Avenue South

Dear Mr. Molyneaux:

We have previously coordinated with your agency for the completion of the 2020 Environmental Assessment (EA) for this project. The original project was the construction of a new interchange at Exit 130 within the City of Brookings and expansion of one mile of existing 20th Street South from a dead-end gravel road to a three-lane urban roadway with an adjacent shared use path. The project was construction in 2022 and 2023 and opened to traffic on July 29, 2023. Attached Figure 1 provides the area of the overall interchange project.

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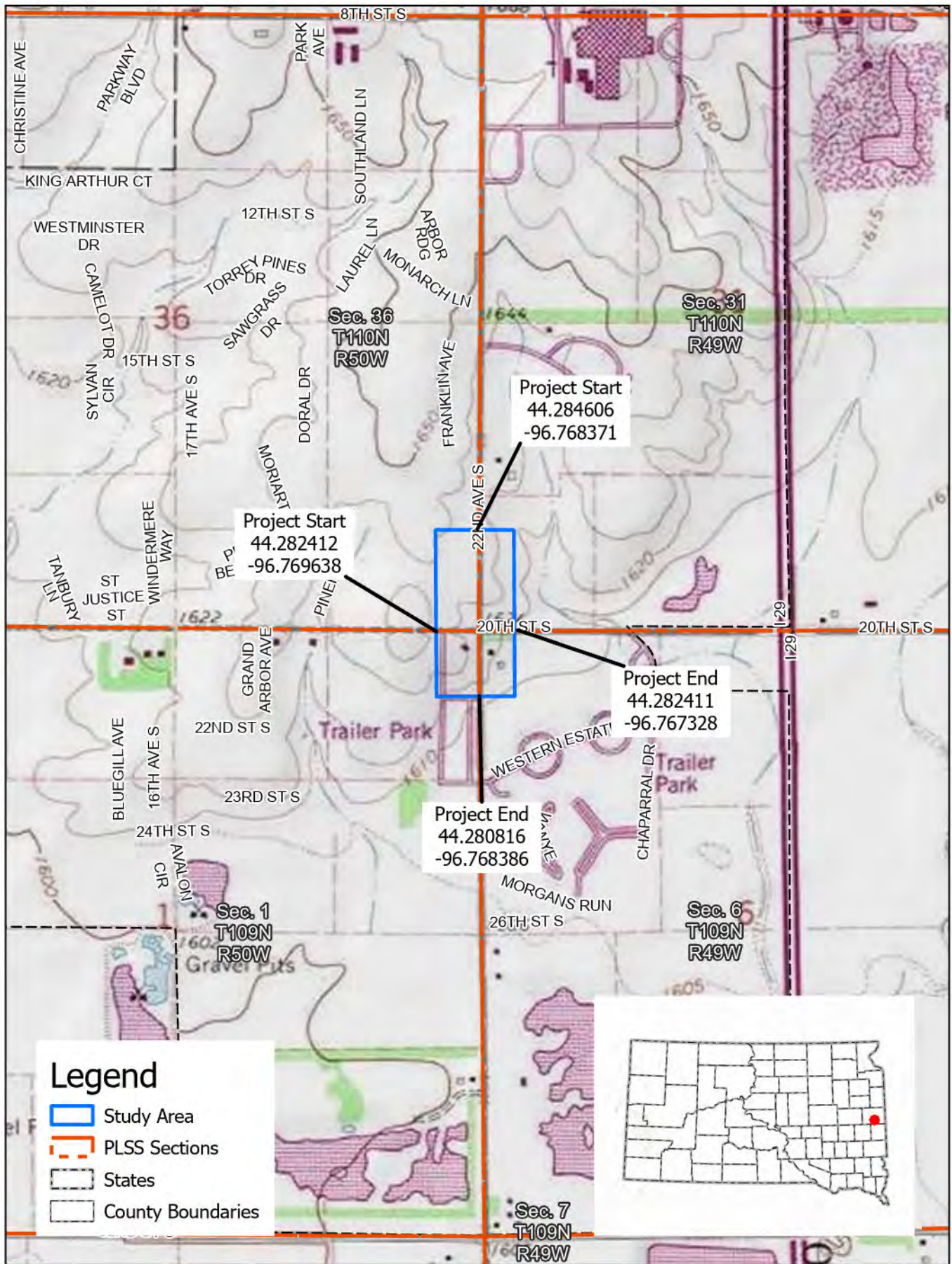
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Chad Babcock
Environmental Manager
605.773.3721

Attachment



Legend

- Study Area
- PLSS Sections
- States
- County Boundaries



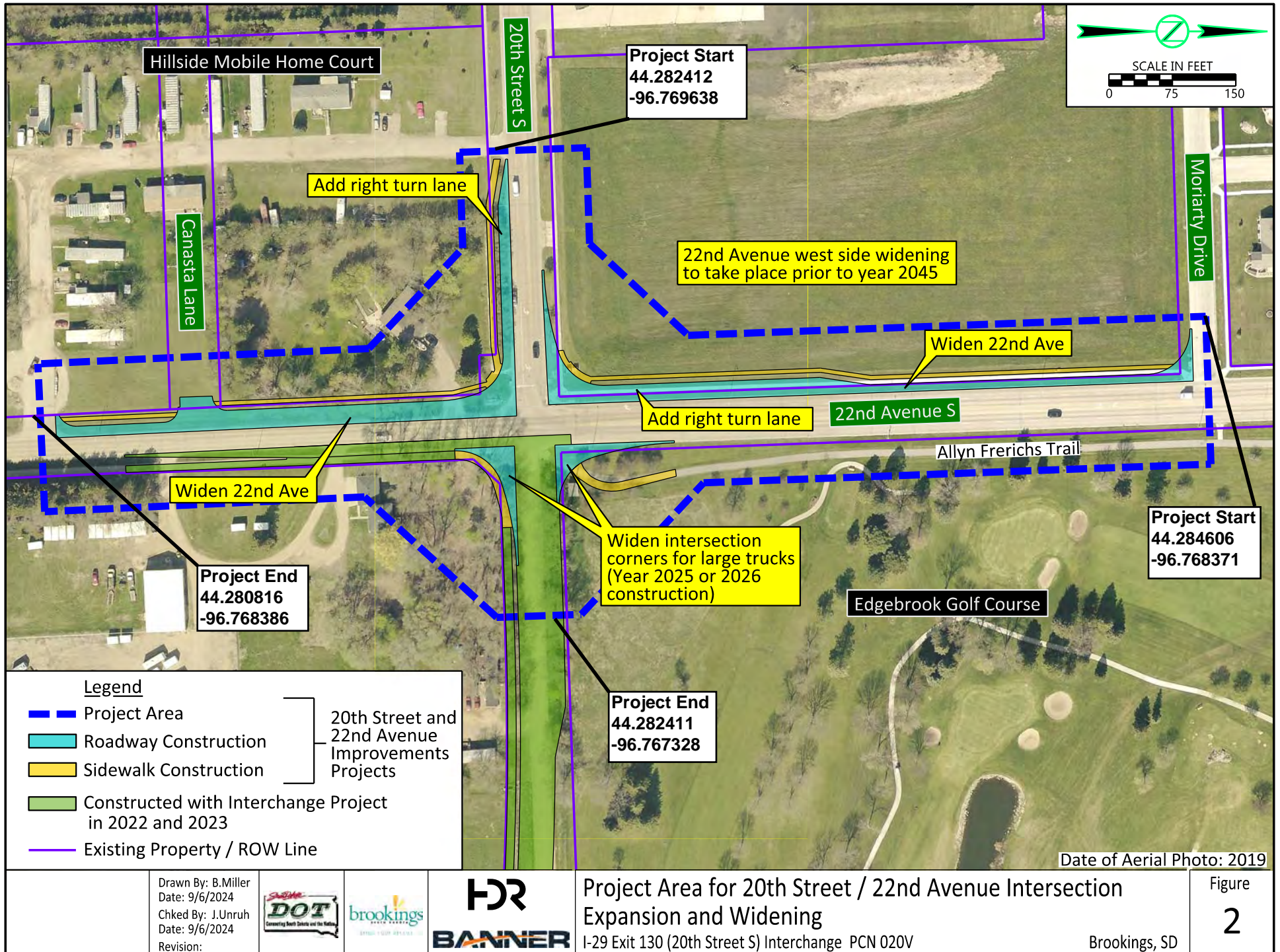
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PROJECT LOCATION MAP

EM 0295(45) 130, PCN 020V, Brookings County

FIGURE 1





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Pierre, SD 57501-2586
O: 605.773.4336
dot.sd.gov

November 4, 2024

Ione Quigley, Tribal Historic Preservation Officer
Rosebud Sioux Tribe
PO Box 750
Rosebud, SD 57570-0658

RE: Project EM 0295(45) 130, PCN 020V, Brookings County

I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at Intersection of 20th Street South and 22nd Avenue South

Dear Ms. Quigley:

We have previously coordinated with your agency for the completion of the 2020 Environmental Assessment (EA) for this project. The original project was the construction of a new interchange at Exit 130 within the City of Brookings and expansion of one mile of existing 20th Street South from a dead-end gravel road to a three-lane urban roadway with an adjacent shared use path. The project was construction in 2022 and 2023 and opened to traffic on July 29, 2023. Attached Figure 1 provides the area of the overall interchange project.

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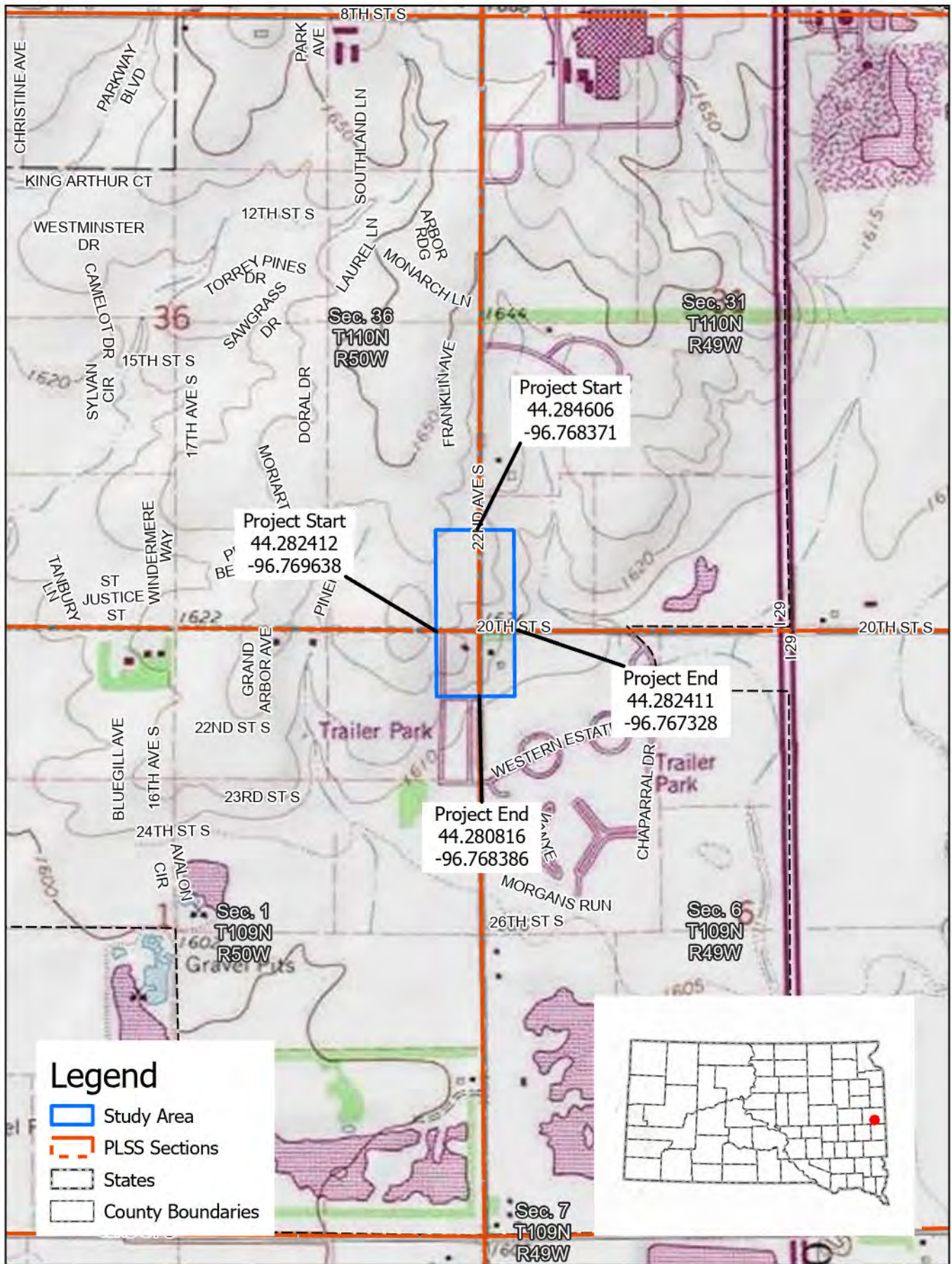
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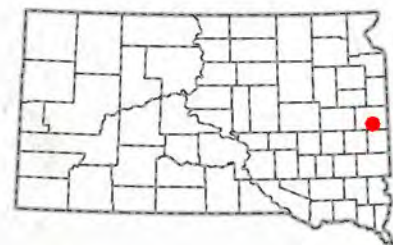
Chad Babcock
Environmental Manager
605.773.3721

Attachment



Legend

- Study Area
- PLSS Sections
- States
- County Boundaries



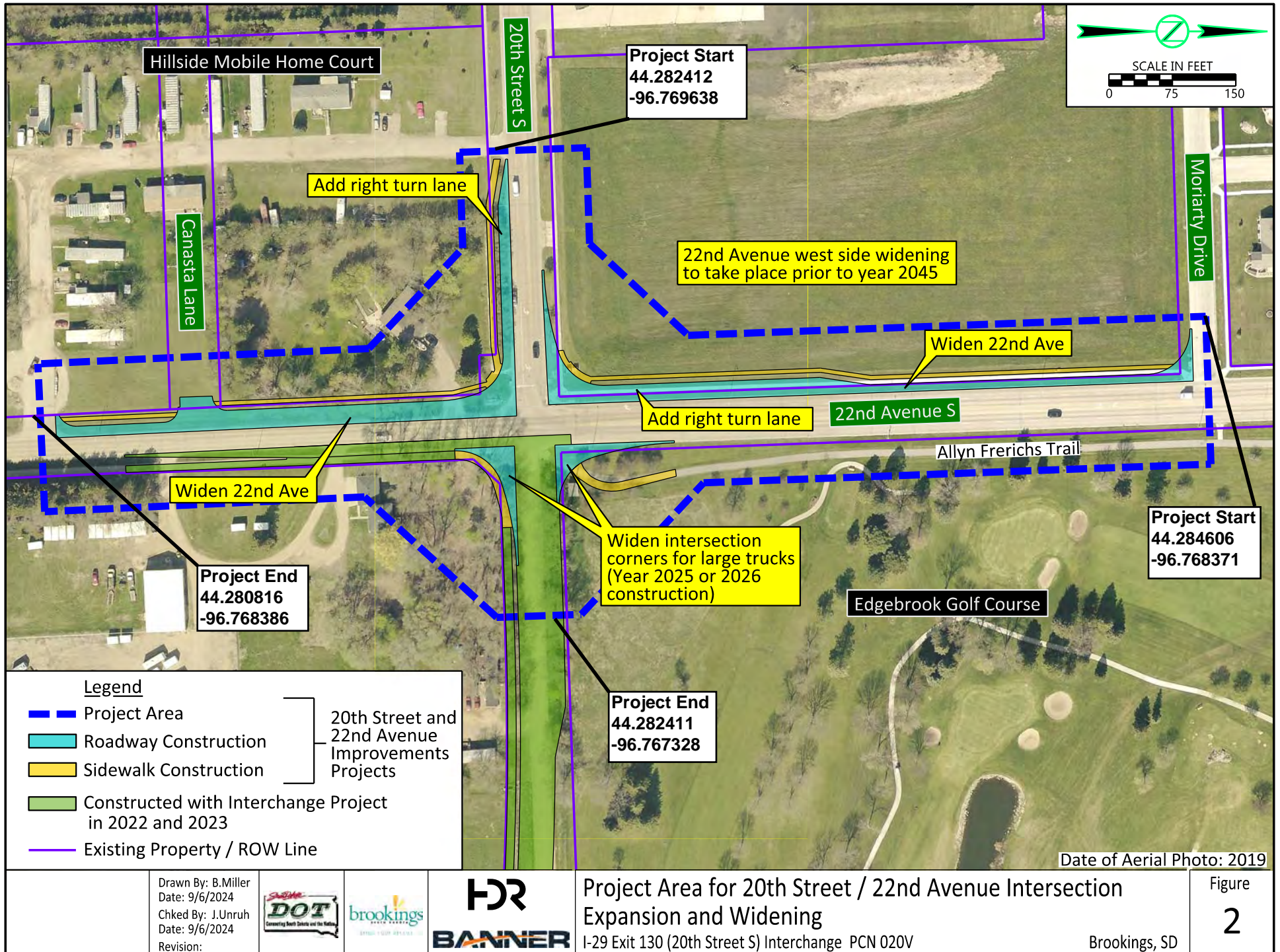
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PROJECT LOCATION MAP

EM 0295(45) 130, PCN 020V, Brookings County

FIGURE 1





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

April 23, 2025

Jonathan Windy Boy
Chippewa Cree Tribe
PO Box 230
Box Elder, MT 59521

RE: Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at Intersection of 20th Street South and 22nd Avenue South

Dear Mr. Windy Boy:

We have previously coordinated with your agency for the completion of the 2020 Environmental Assessment (EA) for this project. The original project was the construction of a new interchange at Exit 130 within the City of Brookings and expansion of one mile of existing 20th Street South from a dead-end gravel road to a three-lane urban roadway with an adjacent shared use path. The project was construction in 2022 and 2023 and opened to traffic on July 29, 2023. Attached Figure 1 provides the area of the overall interchange project.

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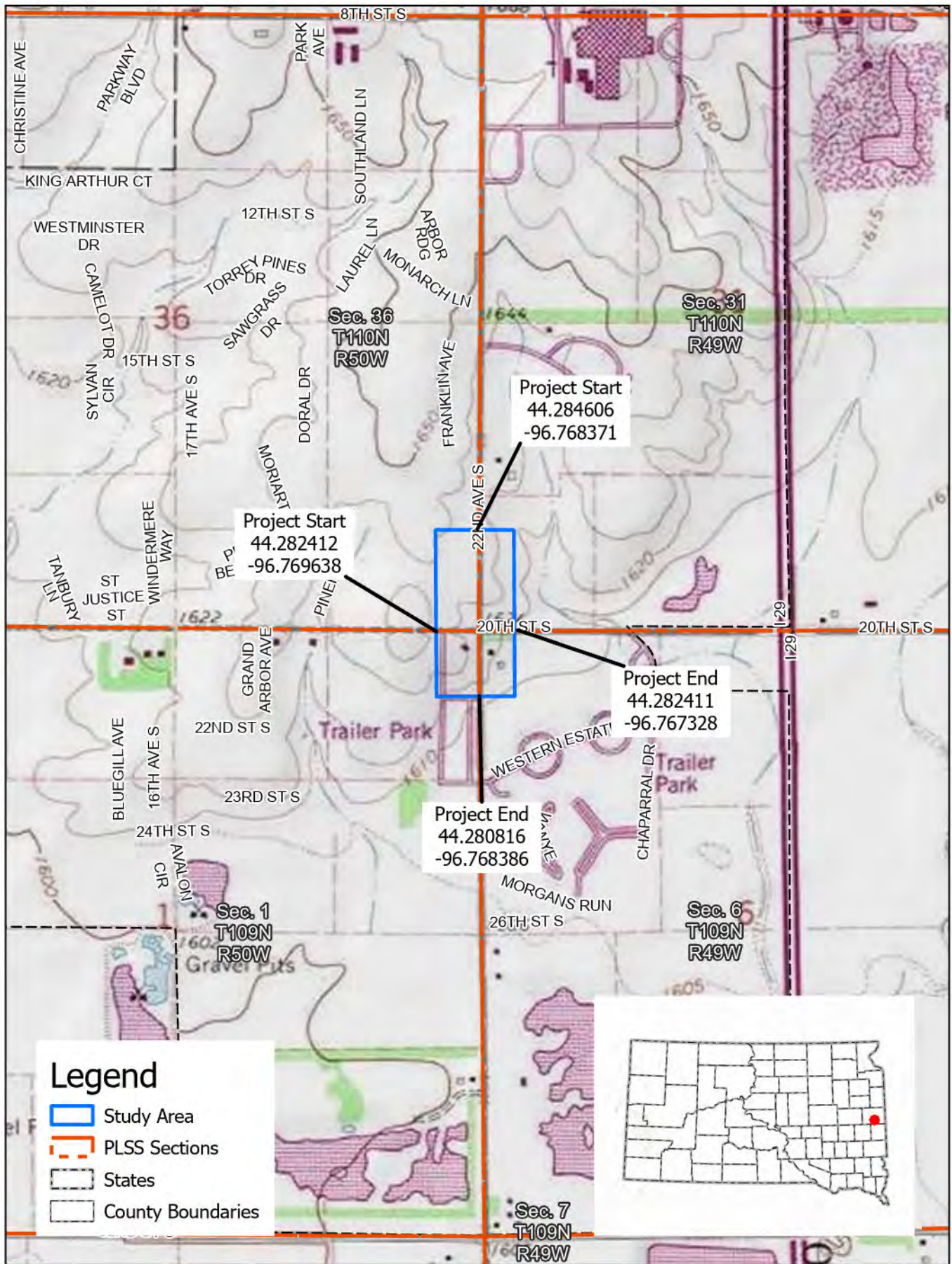
If you have any questions, please feel free to contact me at the phone number or email address below, or you may contact Tom Lehmkuhl, FHWA Environmental Engineer, at (605) 776-1012.

Sincerely,

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Chad Babcock
Environmental Manager
605.773.3721

Attachment



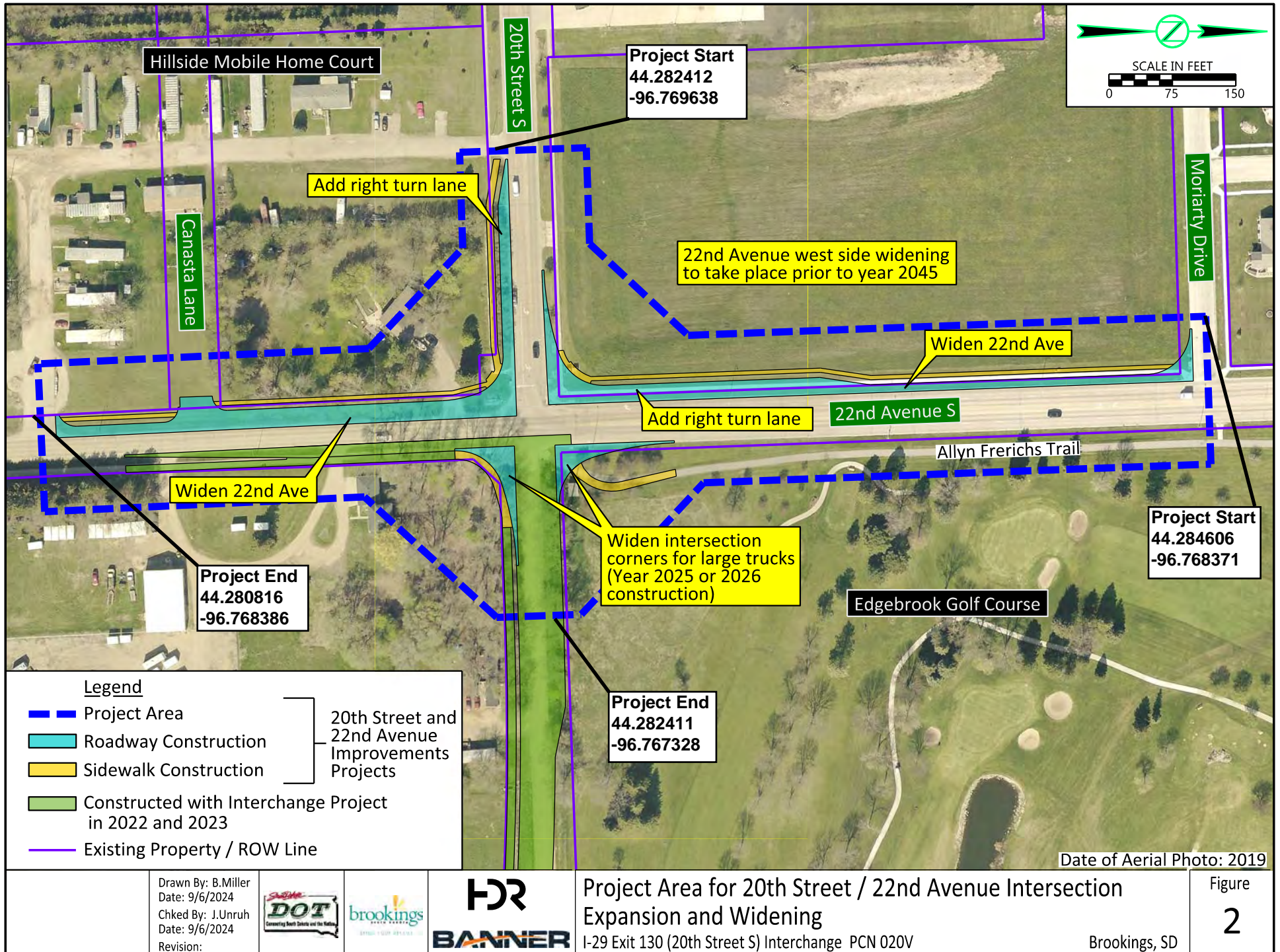
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PROJECT LOCATION MAP

EM 0295(45) 130, PCN 020V, Brookings County

FIGURE 1





Planning and Engineering

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

April 23, 2025

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

RE: Project EM 0295(45) 130, PCN 020V, Brookings County

I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at Intersection of 20th Street South and 22nd Avenue South

Dear Ms. Desrosiers:

We have previously coordinated with your agency for the completion of the 2020 Environmental Assessment (EA) for this project. The original project was the construction of a new interchange at Exit 130 within the City of Brookings and expansion of one mile of existing 20th Street South from a dead-end gravel road to a three-lane urban roadway with an adjacent shared use path. The project was construction in 2022 and 2023 and opened to traffic on July 29, 2023. Attached Figure 1 provides the area of the overall interchange project.

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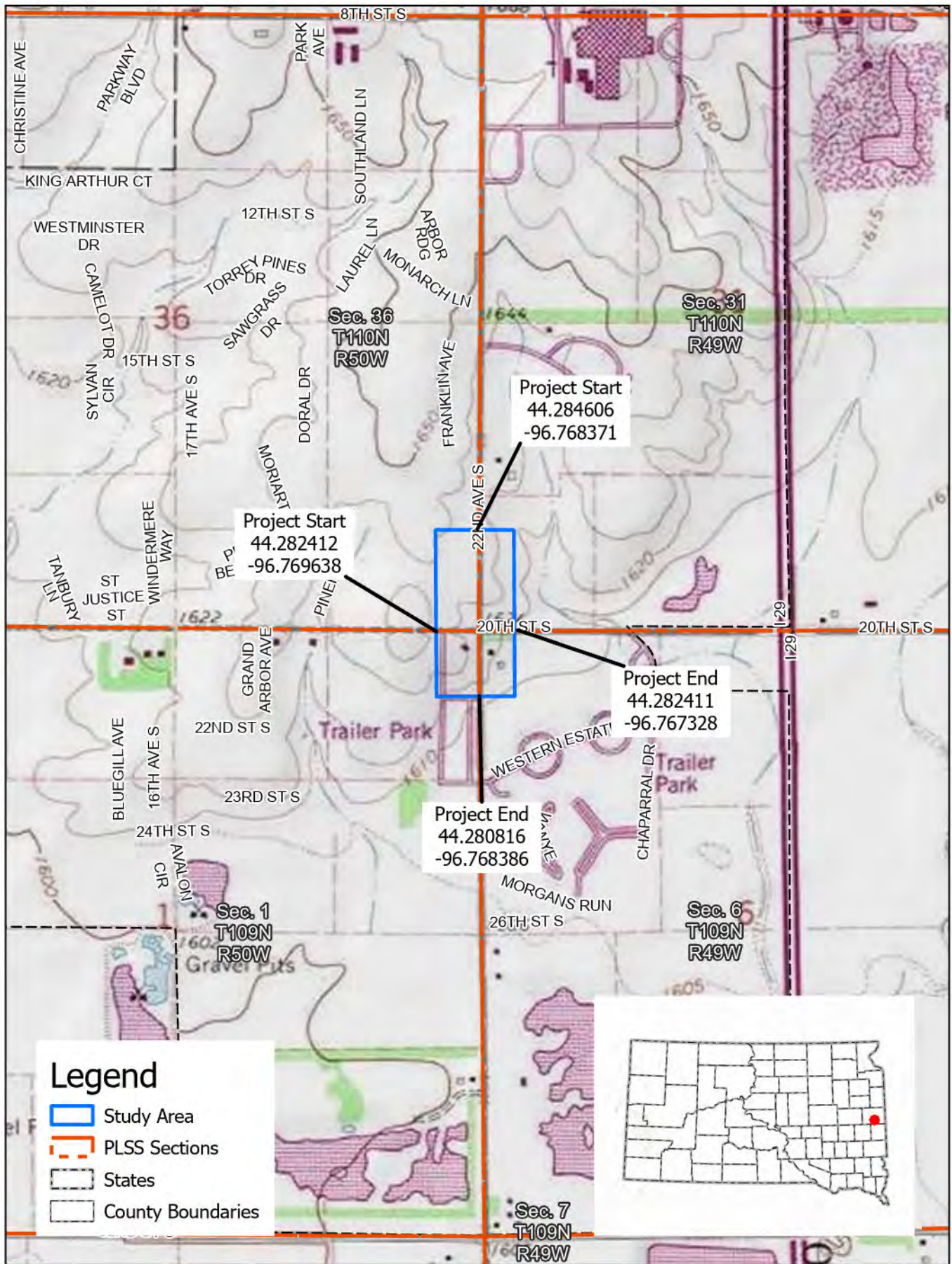
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Environmental Manager
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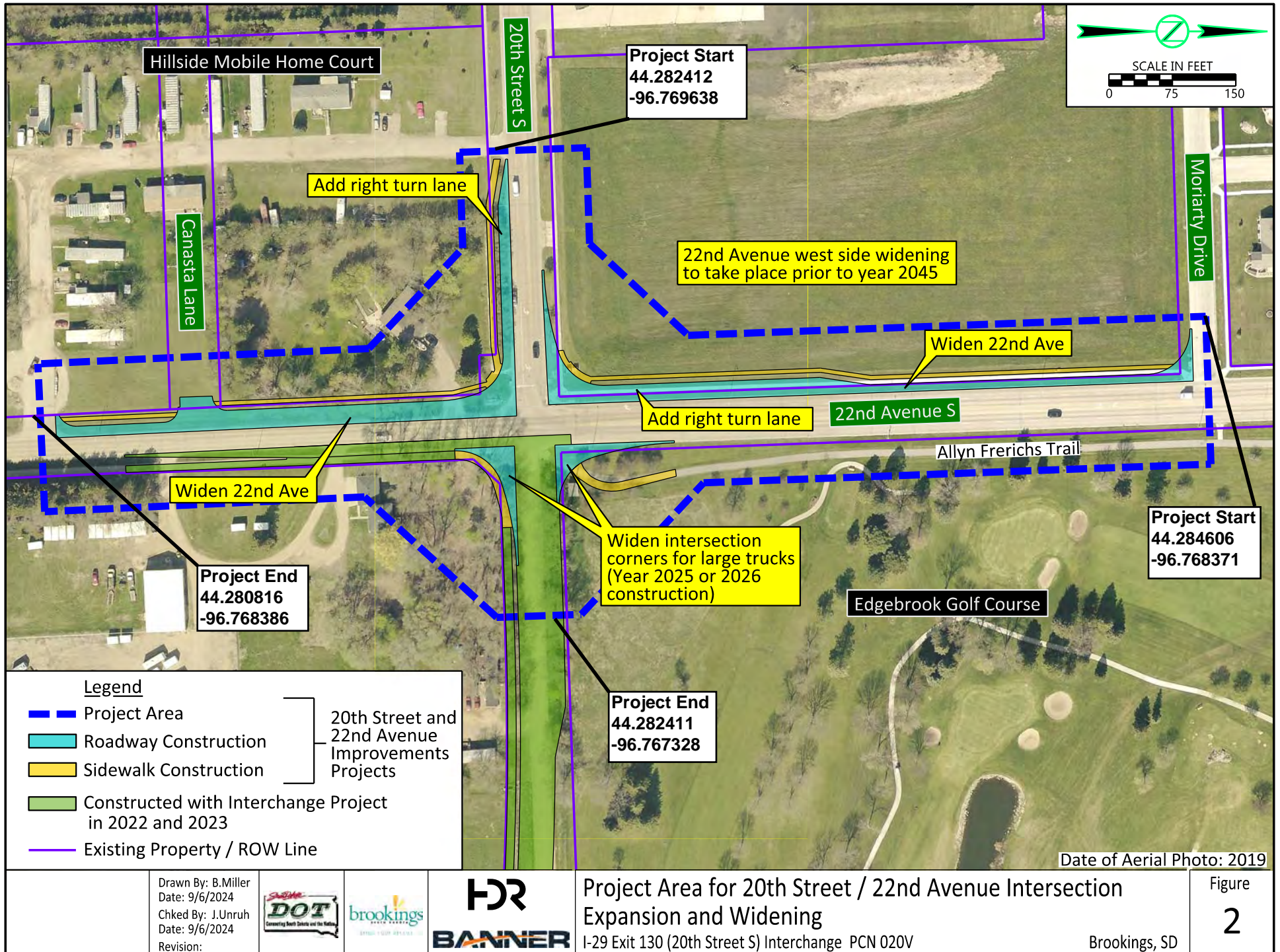
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PROJECT LOCATION MAP

EM 0295(45) 130, PCN 020V, Brookings County

FIGURE 1





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

April 23, 2025

Allan Demaray, THPO Director
Three Affiliated Tribes (Mandan Hidatsa Arikara Nation)
307 5th Avenue
New Town, ND 58763

RE: Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange Supplemental Environmental Assessment (EA)
Improvements at Intersection of 20th Street South and 22nd Avenue South

Dear Mr. Demaray:

We have previously coordinated with your agency for the completion of the 2020 Environmental Assessment (EA) for this project. The original project was the construction of a new interchange at Exit 130 within the City of Brookings and expansion of one mile of existing 20th Street South from a dead-end gravel road to a three-lane urban roadway with an adjacent shared use path. The project was construction in 2022 and 2023 and opened to traffic on July 29, 2023. Attached Figure 1 provides the area of the overall interchange project.

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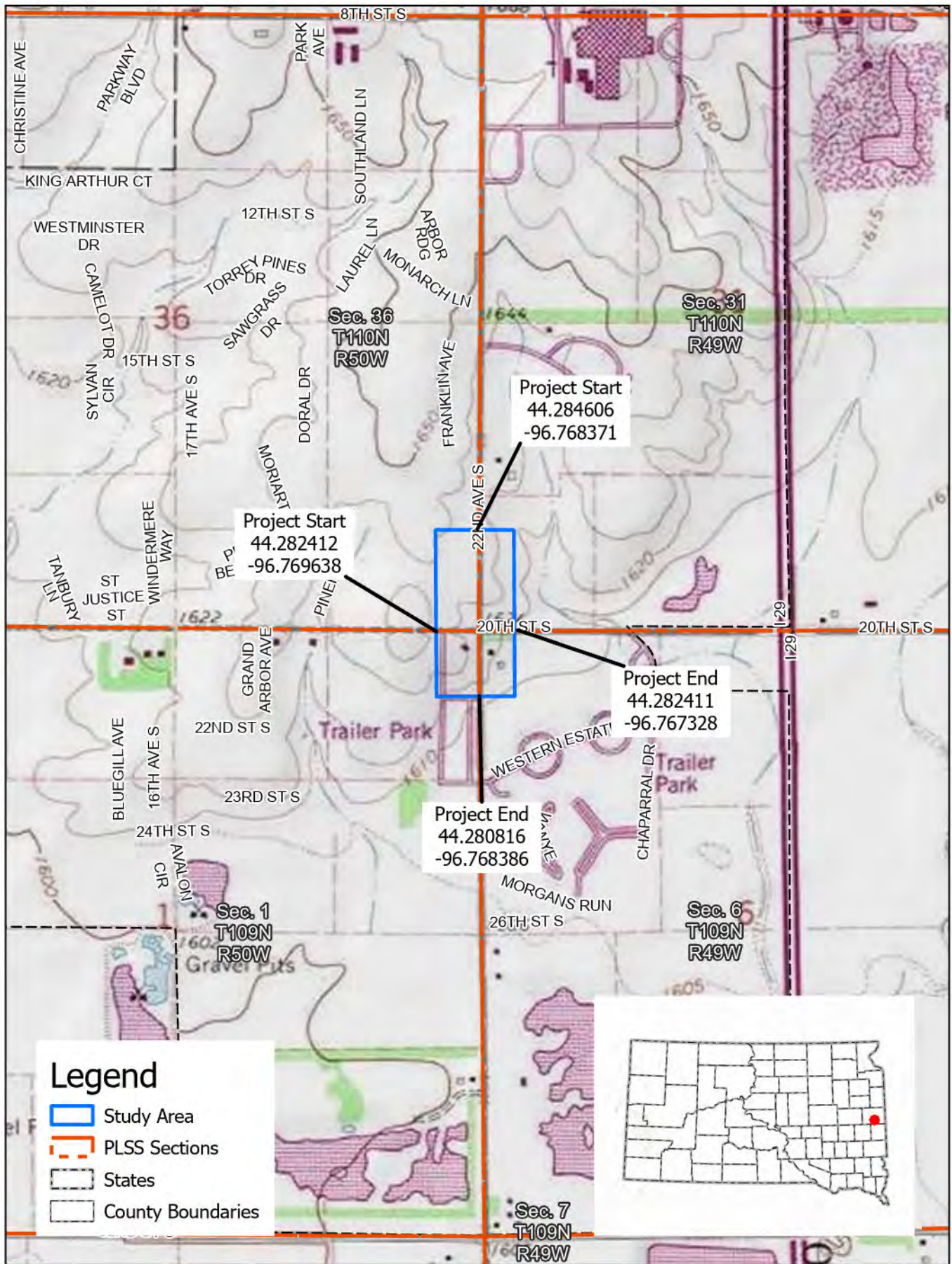
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Chad Babcock
Environmental Manager
605.773.3721

Attachment



Legend

- Study Area
- PLSS Sections
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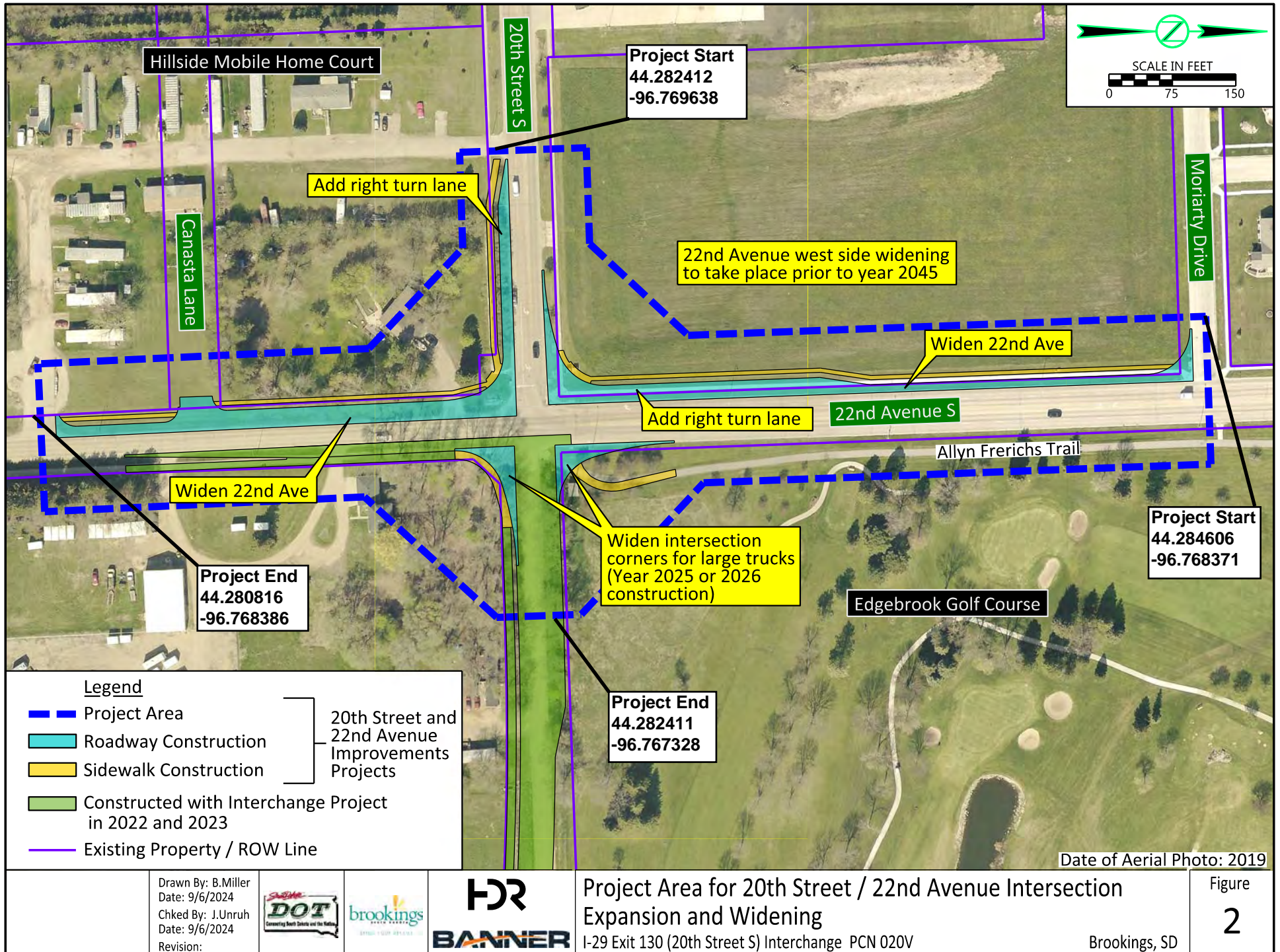
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PROJECT LOCATION MAP

EM 0295(45) 130, PCN 020V, Brookings County

FIGURE 1



SDGFP Section 6(f) Coordination

Technical Memo

Date: June 28, 2024

Project: I-29 Exit 130 (20th Street South) Interchange (PCN 020V)

To: Randy Kittle South Dakota Game, Fish, and Parks (SDGFP)

From: HDR

Subject: **Proposed Section 6(f) – (Edgebrook Golf Course) Impact Mitigation**

1. Purpose

The purpose of this memo is to document a proposed mitigation plan for permanent impacts to and associated conversion of Section 6(f) property. Specifically, we propose to impact 8,400 square feet of Edgebrook Golf Course property at the 20th Street/22nd Avenue intersection (southwest corner of the golf course) and replace it with 23,629 square feet along the south edge of the golf course.

2. Golf Course Impact Avoidance

As part of the I-29/20th Street interchange project, permanent impact and associated conversion of Section 6(f) property was avoided by:

- Realignment of 20th Street to the south and onto private property along Edgebrook Golf Course.
- Implementation of a sub-standard intersection corner design at the 20th Street/22nd Avenue intersection.

3. 20th Street/22nd Avenue Intersection Design

The decision about the sub-standard intersection corner design was made at the August 19, 2020, Preliminary Design Inspection (PDI) meeting. The screen clips below are from the PDI meeting summary letter.

Meeting attendees were:

Attendees: Matt Brey, Joel Gengler, Brook White, Scott Rabern, Brad Richards, Kelly VanDeWiele, Mark Peterson (SDDOT); Kirk Van Roekel, Brett Hestdalen (FHWA); Jackie Lanning, Thad Drietz, Bret Henning (City of Brookings); Larry Jensen (Brookings County); Waylon Blasius, Rich Uckert (Banner); Brenda Miller, Ron Ceroll, Lee Kaffar, Troy Borchard, Lance McQueen, James Unruh (HDR)

This was the key meeting discussion related to the intersection design:

- **22nd Avenue Design**
 - *With this project, we are unable to provide large enough corner radii for WB-67 trucks without impacting the golf course (Section 6f property) and thereby jeopardizing the grant funding timeframe.*
 - *Widening and realigning 22nd Avenue is not feasible with this project because it was not part of the grant award, and it has not been budgeted for the City of Brookings to pay for the improvement at this time.*
 - *The City will amend the 22nd Avenue corridor study to include the 20th Street intersection and then look at intersection improvements to alleviate the inadequate corners.*
 - *For the immediate timeframe, large trucks will have trouble making right turns at the 22nd Avenue/20th Street intersection.*

This screen clip from a PDI meeting graphic illustrated the intersection and truck turning constraints:



4. Environmental Assessment (EA) and Finding of No Significant Impact (FONSI)

The EA was released for public comment on October 19, 2020. Included in the EA was the September 11, 2020, SDGFP concurrence with no adverse impact to Section 6(f) property (see [Attachment A](#)).

The FONSI was signed by SDDOT and FHWA on January 22, 2021. This allowed the design and right-of-way acquisition to proceed. The “Project Ready” date was met which allowed the use of the BUILD Grant funds for the project construction. A condition of the grant was meeting the challenging timeframe.

5. Construction

Bid letting was on November 17, 2021, and construction began in 2022 and was completed in 2023. All roadways were open to traffic by July 31, 2023. Golf course operations were not impacted during project construction.

[Attachment B](#) and [Attachment C](#) Figure 39a provide photos of the completed project at the 20th Street/22nd Avenue intersection.

6. Operational Complaints

Complaints from truck drivers (and others with trucks and trailers) began soon after the intersection was open to traffic because of the turning limitations and associated operation issues. The project team (City of Brookings, SDDOT, HDR) then took these steps:

- An interim pavement marking plan was developed that reduced the number of lanes at the intersection but provided more room for turning (see [Attachment C](#), Figure 39a left side). This plan is intended for implementation in 2024.

- The corridor study design for 22nd Avenue was extended to 20th Street and included an expansion of the intersection corners to accommodate trucks (See **Attachment C**, Figure 39b right side). Expansion of the 20th Street intersection corners on the east side of 22nd Avenue is tentatively planned for 2025 or 2026 construction. According to FHWA, remaining BUILD grant funding may be used for this construction if completed by June 30, 2025. Additional sources of funding may need to be secured.

7. Section 6(f) (Edgebrook Golf Course) Impacts

Expansion of the 20th Street/22nd Avenue intersection will impact 8,400 square feet of the southwest corner of Edgebrook Golf Course. This area is needed to:

- Expand the intersection pavement to facilitate truck turning movements,
- Provide space for traffic and pedestrian signals,
- Rebuild the trail to meet ADA slope requirements,
- Provide a sight triangle for vehicles,
- Allow space for relocation of the ITC building.

The 8,400 square feet will become roadway right-of-way.

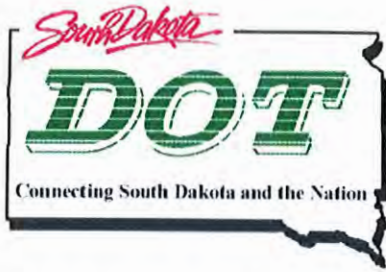
8. Mitigation Proposal

During the ROW acquisition process, it was discovered that the golf cart path between the 11th hole green and the 12th hole tee had been built on the adjacent private property.

To build the interchange, SDDOT acquired approximately 10 acres from the property owner on the south side of 20th Street. The acquisition documentation was split into two tracts and two separate plats. One of the tracts was 20 feet wide and approximately 1,181 feet long and includes the cart path. The intent is to utilize this 23,629 square foot parcel as mitigation for the impacted area in the southwest corner of the golf course. See **Attachment D** for the right of way plan and plats. As part of the Section 6(f) mitigation process, the plat will be deeded to Edgebrook Golf Course/City of Brookings Parks, Recreation & Forestry Department.

9. Follow-up

- HDR intends on preparing an Environmental Assessment Supplement for the proposed improvement actions.
- Randy will initiate discussions on this issue with the National Park Service.
- Randy will verify that yellow-book appraisals and review appraisals will be required by National Park Service for this proposed conversion and mitigation process. HDR does have an appraisal firm available to conduct the appraisals; HDR staff will conduct the review appraisals.
- Randy will provide HDR with direction on necessary documentation.
- HDR to meet with City parks staff on this proposed work.



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

September 10, 2020

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

RE: **Section 6(f) Impact Considerations**
Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange
Interchange Justification Study, Environmental Study, Right-of-Way & Design

Dear Mr. Kittle:

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

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

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

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

Mr. Randy Kittle
September 10, 2020
Page 2

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

Sincerely,



Joanne Hight
Environmental Engineer Manager
605.773.3721

Attachment

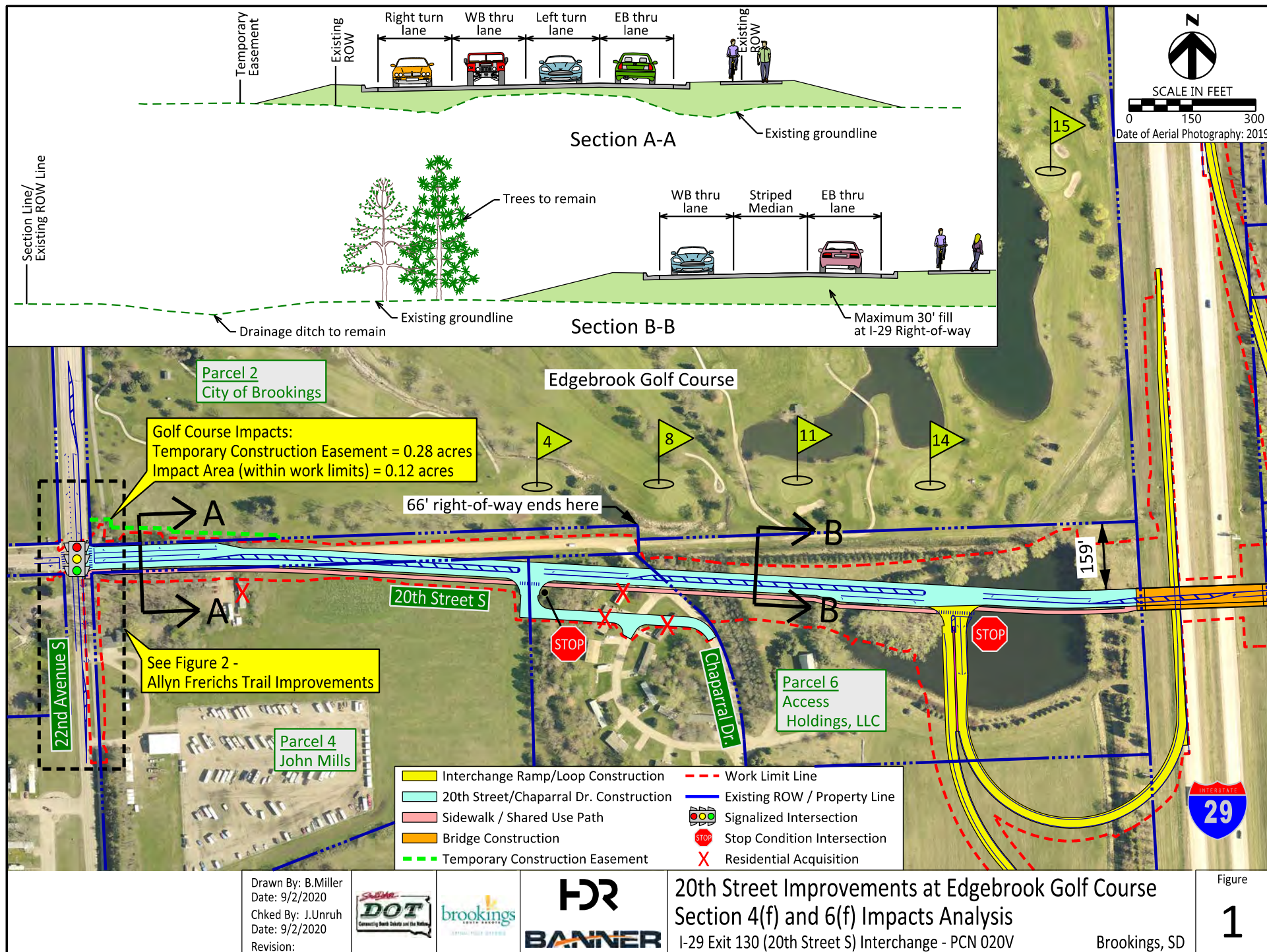
Concurrence: As the designated alternate State Liason Officer who administers LWCF Program funds, I hereby concur that the use and impacts of the I-29 Exit 130 (20th Street South) Interchange project combined with identified avoidance, minimization, and mitigation measures, will not adversely affect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

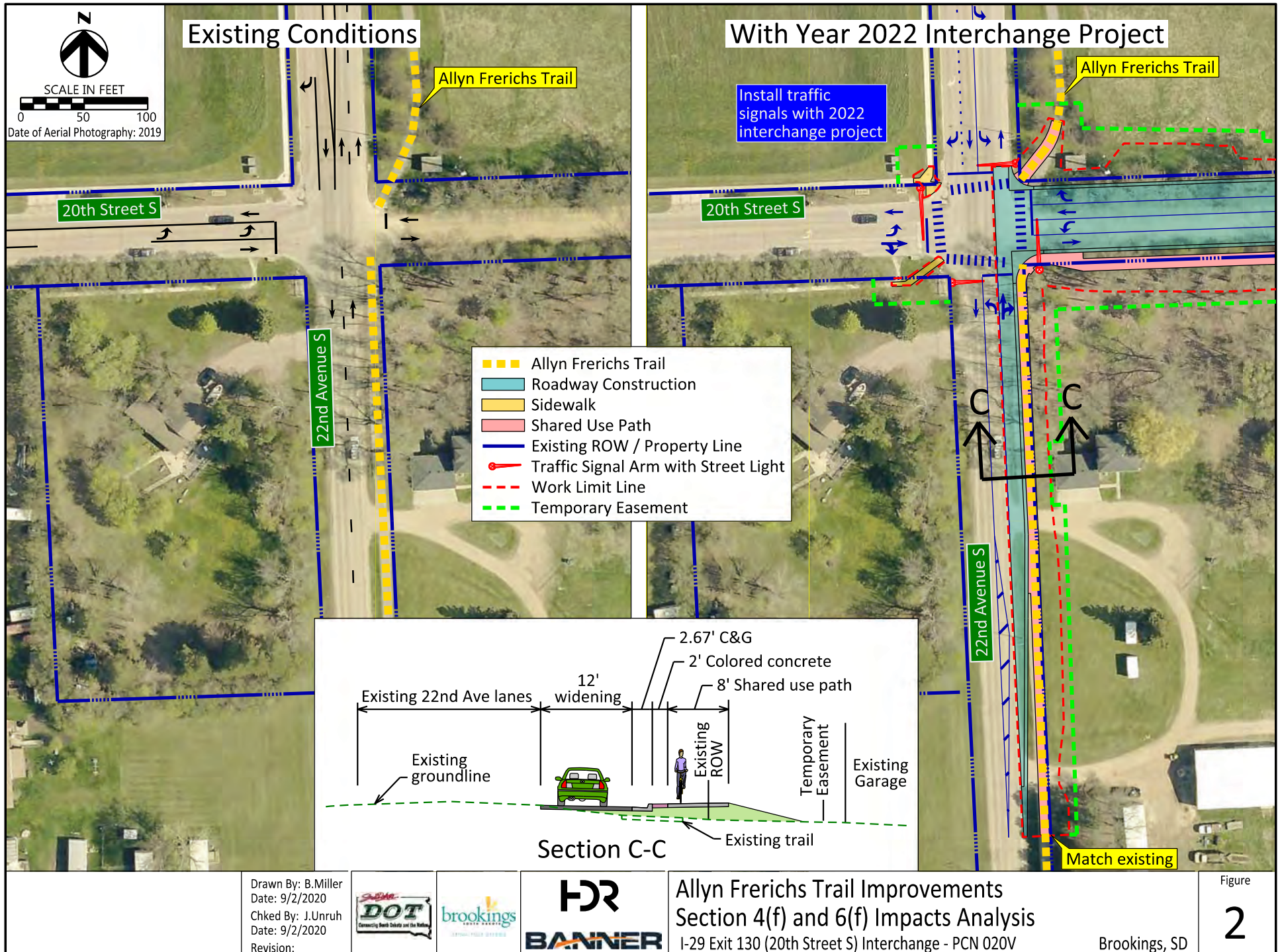


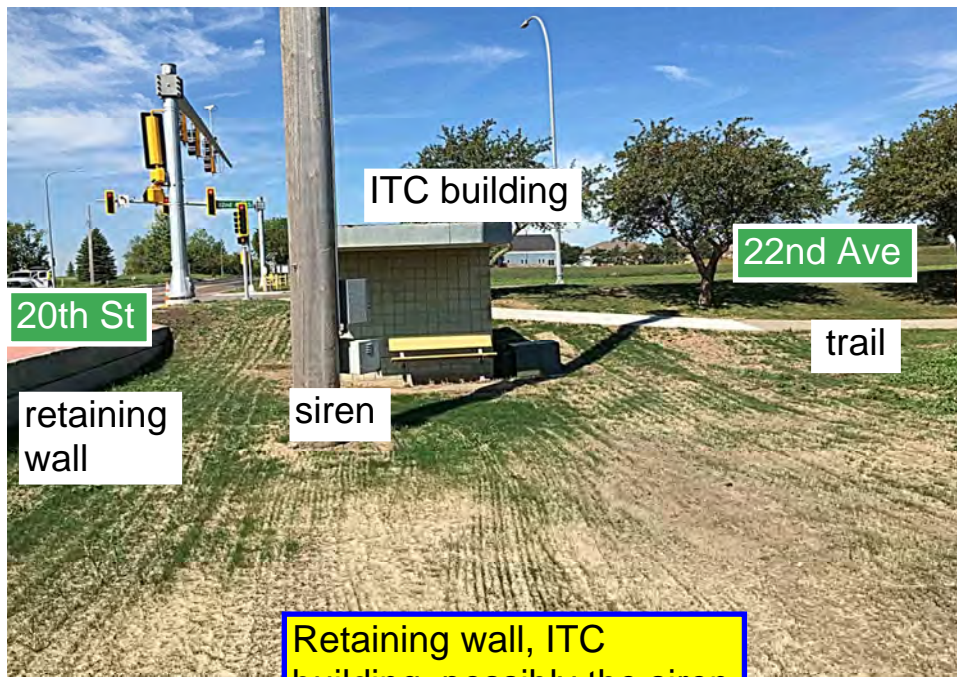
Randy Kittle

Date:

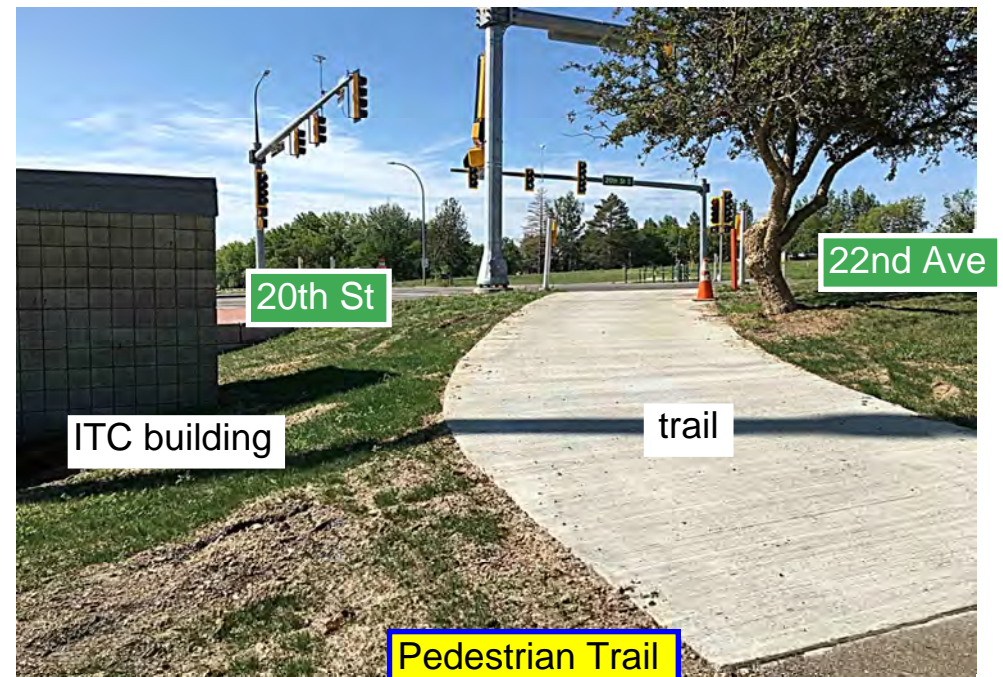
South Dakota Game, Fish, and Parks



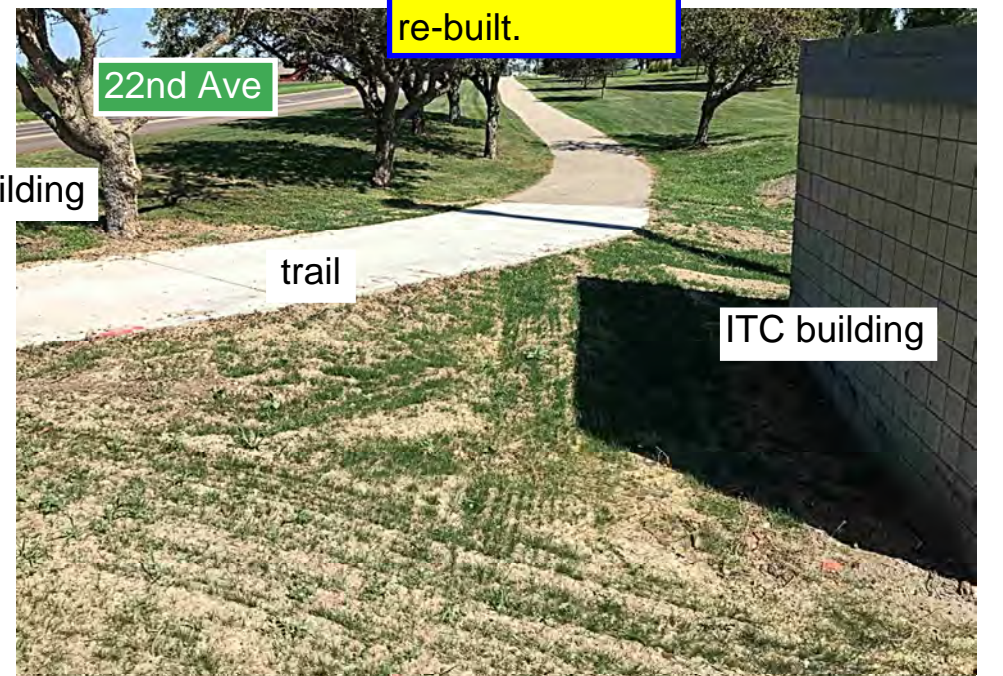




Retaining wall, ITC building, possibly the siren pole will be impacted.



Pedestrian Trail will need to be re-built.



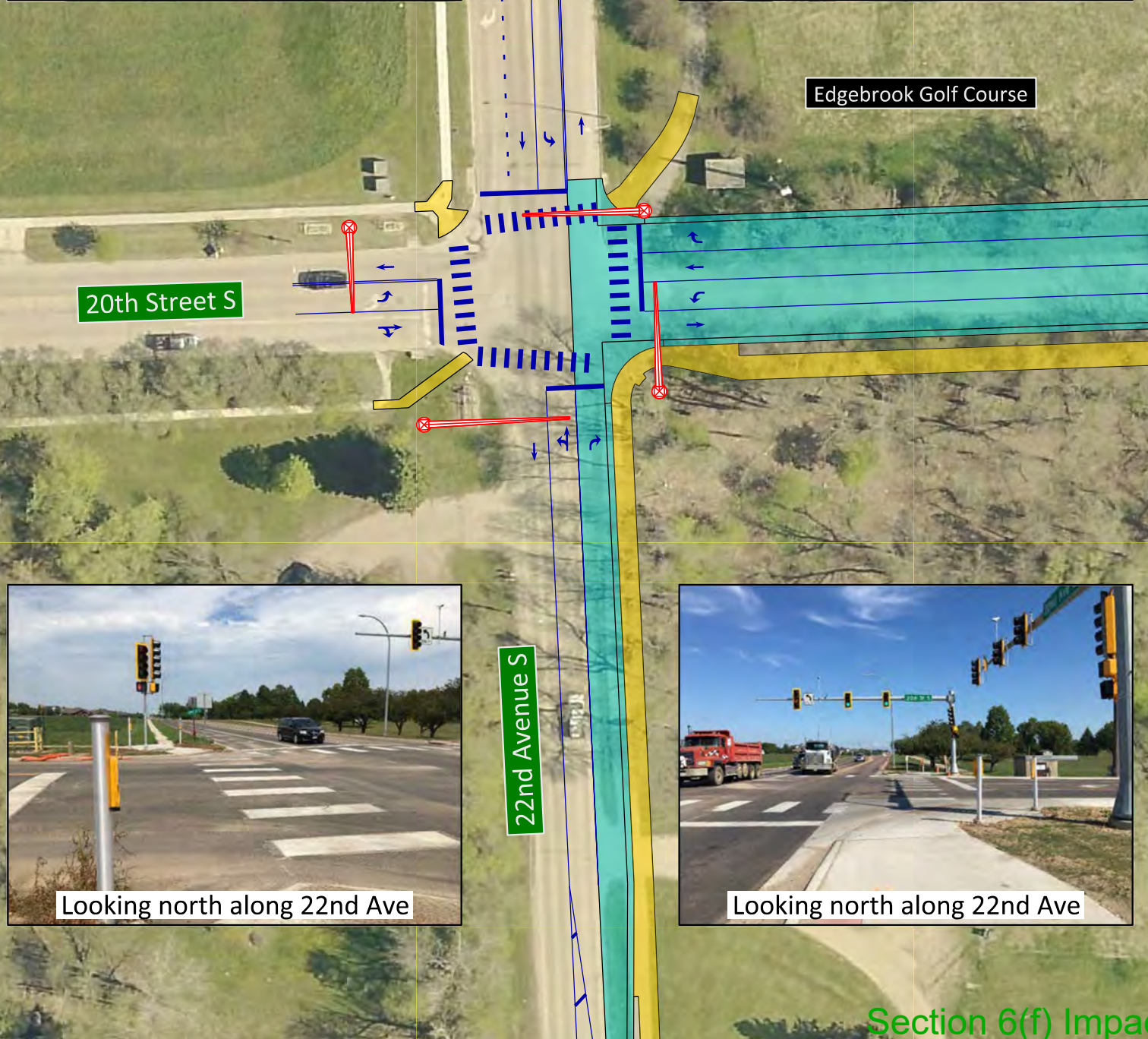
7/29/2023 Open to Traffic Condition



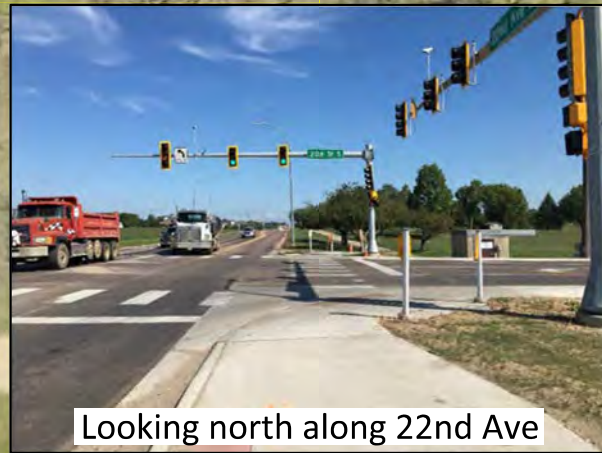
Looking south along 22nd Ave



Looking west along 20th Street



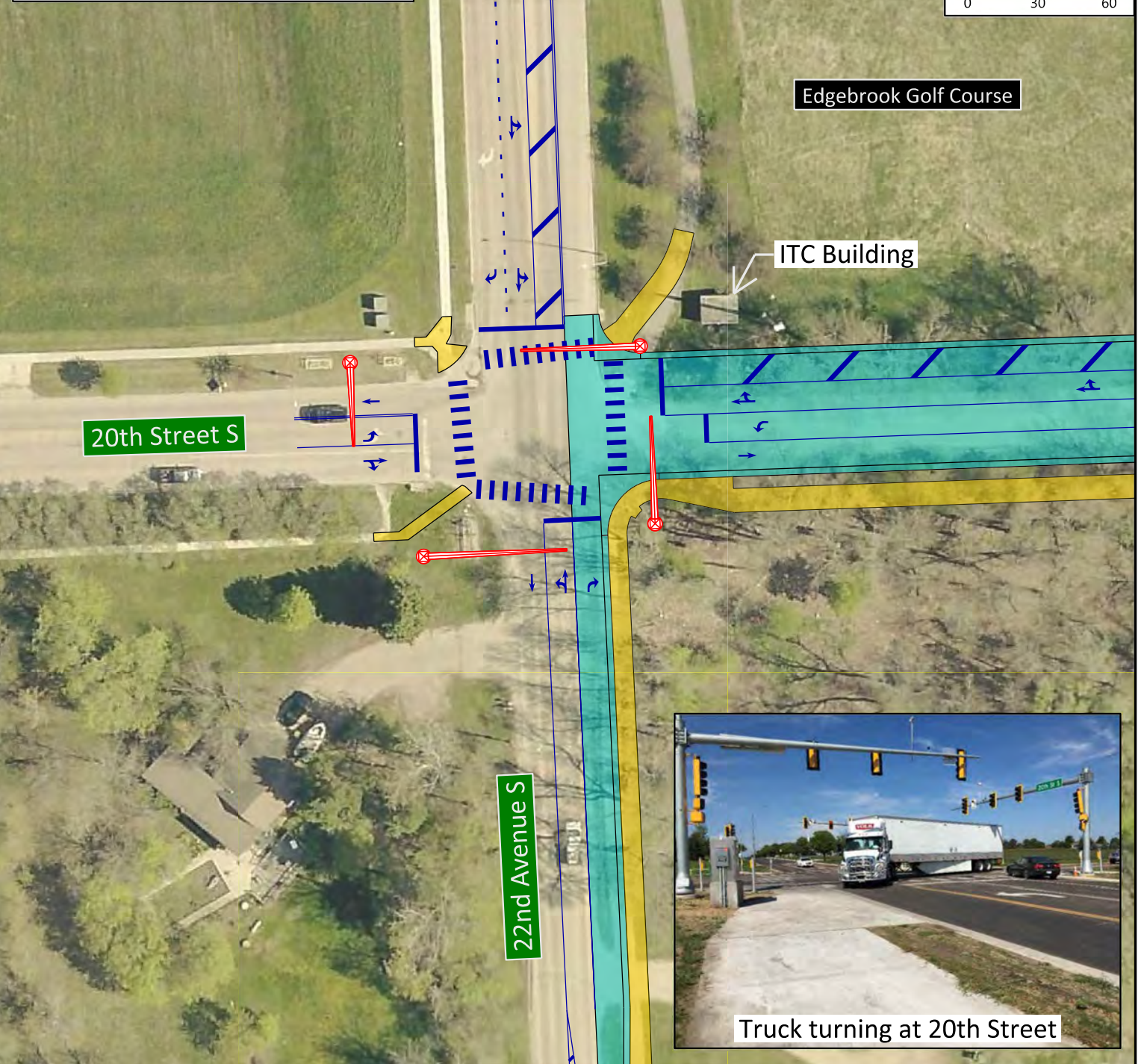
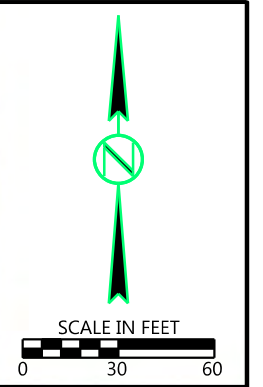
Looking north along 22nd Ave



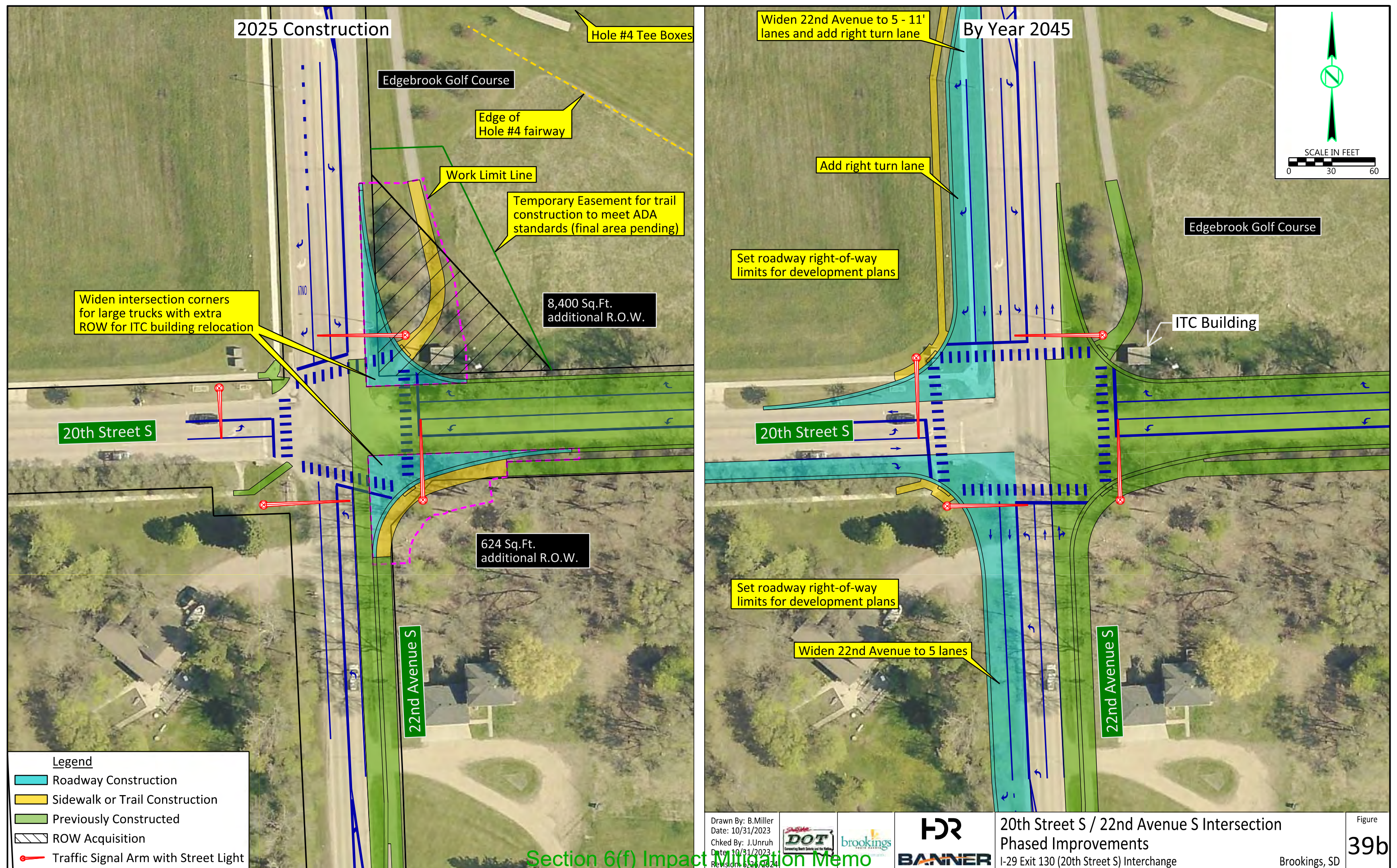
Looking north along 22nd Ave

2024 Re-striping to Reduce Large Truck Conflicts

- Legend**
- Roadway Construction
 - Sidewalk or Trail Construction
 - Previously Constructed
 - ROW Acquisition
 - Traffic Signal Arm with Street Light



Truck turning at 20th Street



Sec. 31 - T110N - R49W

City of Brookings

Parcel A3

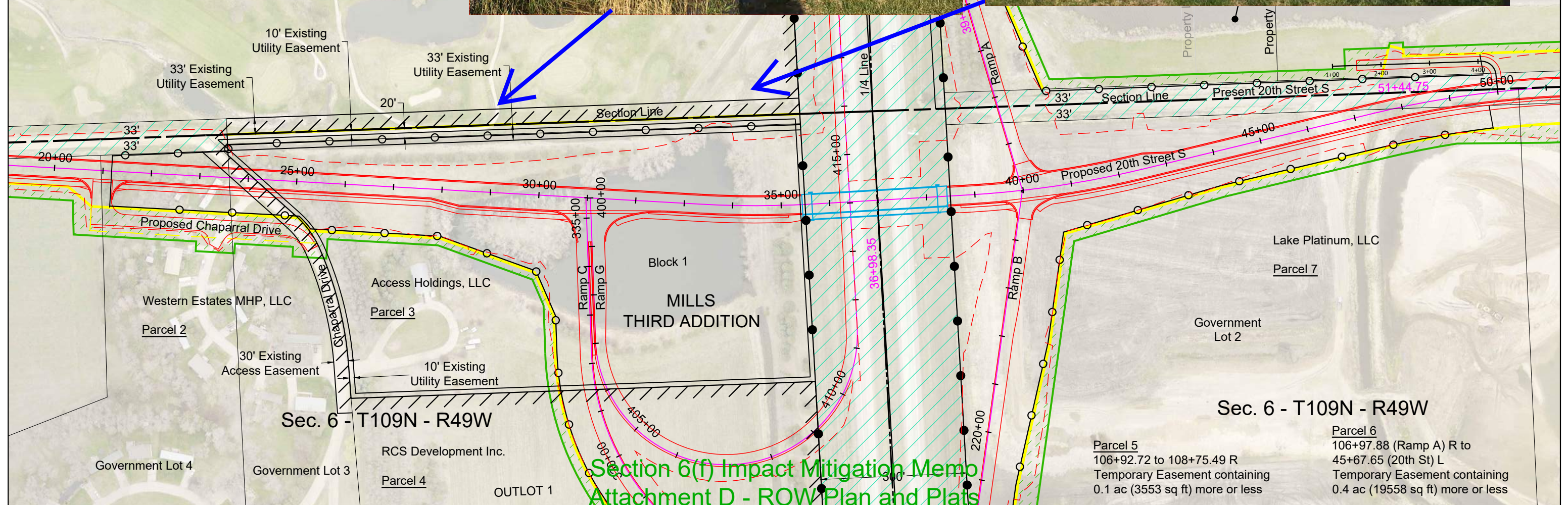
SW1/4

WETLAND EASEMENT
LG EVERIST ADDITION

Tract A

Sec. 31 - T110N - R49W

LG Everist Inc.

SE1/4 of Section 31 - Township 110 North - Range
49 West of the 5th P.M., Exc. the West 837 Feet of
the South 520.43 Feet thereof, Exc. Tract A and Tract

PLAT OF LOT H2


in Block One (1), Mills Third Addition in Government Lots 3 and 4 of the Northwest Quarter (NW1/4) of Section Six (6), Township One Hundred Nine (109) North, Range Forty-nine (49) West of the 5th P.M.,

BROOKINGS COUNTY, SOUTH DAKOTA

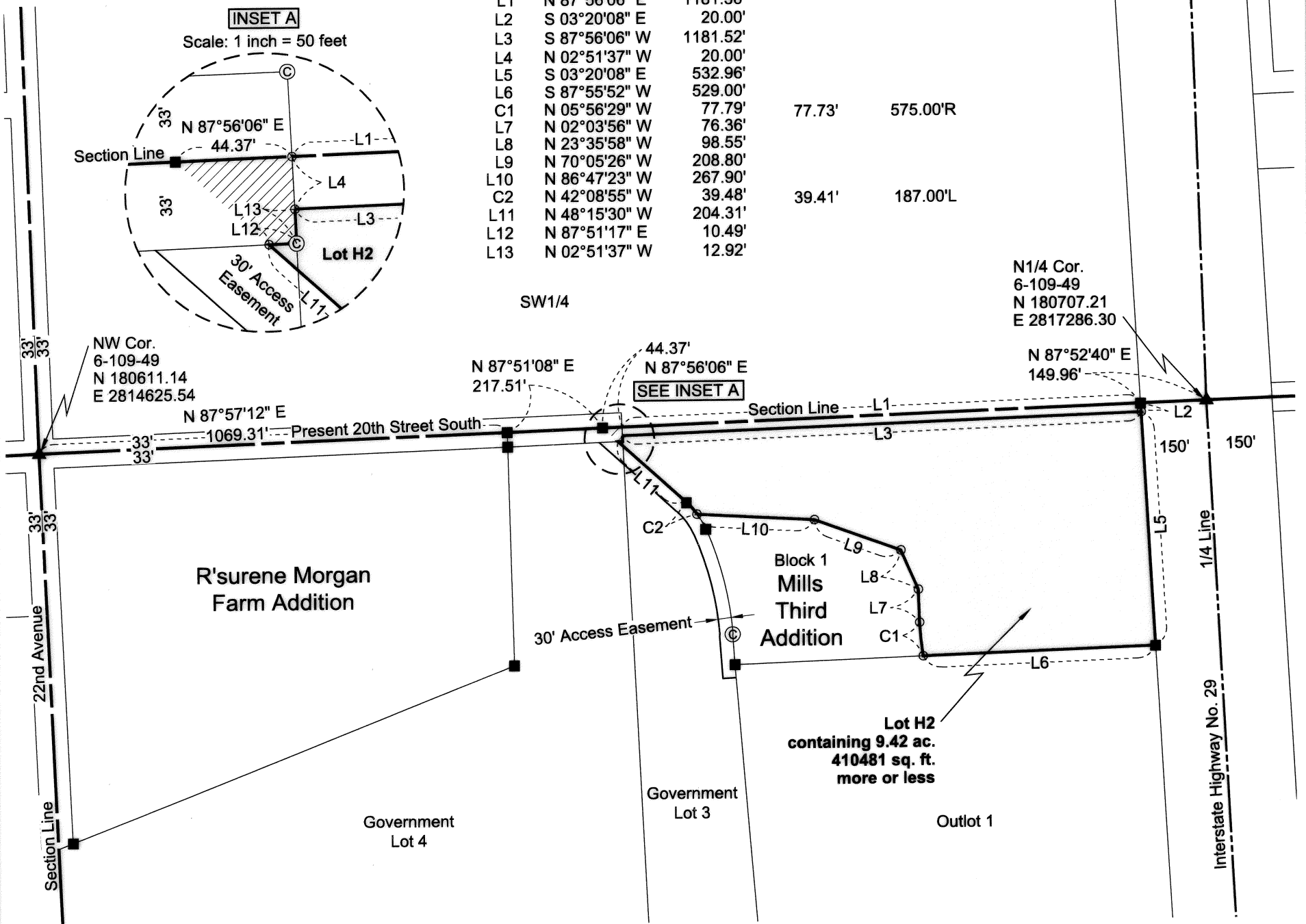
Showing a parcel of land to be acquired for highway purposes for construction Project EM 0295(45)130

Scale: 1 inch = 300 feet

LEGEND

-  = existing right of way
 ● = found R.O.W. corner
 ○ = set R.O.W. corner
 ▲ = found P.L.S.S. corner
 △ = set P.L.S.S. corner
 © = calculated corner
 ■ = found property corner
 □ = set property corner
 (n) = not used for boundary location

Existing R.O.W.
containing 0.02 ac.
903 sq ft,
more or less



Note 1: The coordinates, bearings, distances and areas shown on this plat are based on the South Dakota State Plane Coordinate System Grid North - North Zone NAD 83/2011 epoch 2010.00 Geoid 18 SF 0.9999557940

Note 2: All monumentation will be set upon project completion.

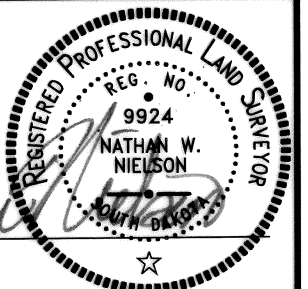
Drawn By: JLU Date: 01/19/2021
Checked By: NWN Date: 05/13/2021

SURVEYOR'S CERTIFICATE

I, NATHAN W. NIELSON, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as ordered by the South Dakota Department of Transportation the parcel of land as shown on this plat has been surveyed at my direction and under my control, and such parcel of land shall be hereafter known by the lot number designated herein. The location and dimensions of the parcel are shown on this plat.

In witness whereof, I have hereunto set my hand and seal this 13th day of MAY, 2021.

Registered Land Surveyor
Registration No. 9924



OFFICE OF REGISTER OF DEEDS

State of South Dakota

County of _____ SS

Filed for record the _____ day of _____, A.D., 20____ at _____ M., and recorded in Book of Plats _____ on Page _____ therein.

020V

Section 6(f) Impact Mitigation Memo

Attachment D - ROW Plan and Plats

Deputy

023p

PLAT OF LOT H1

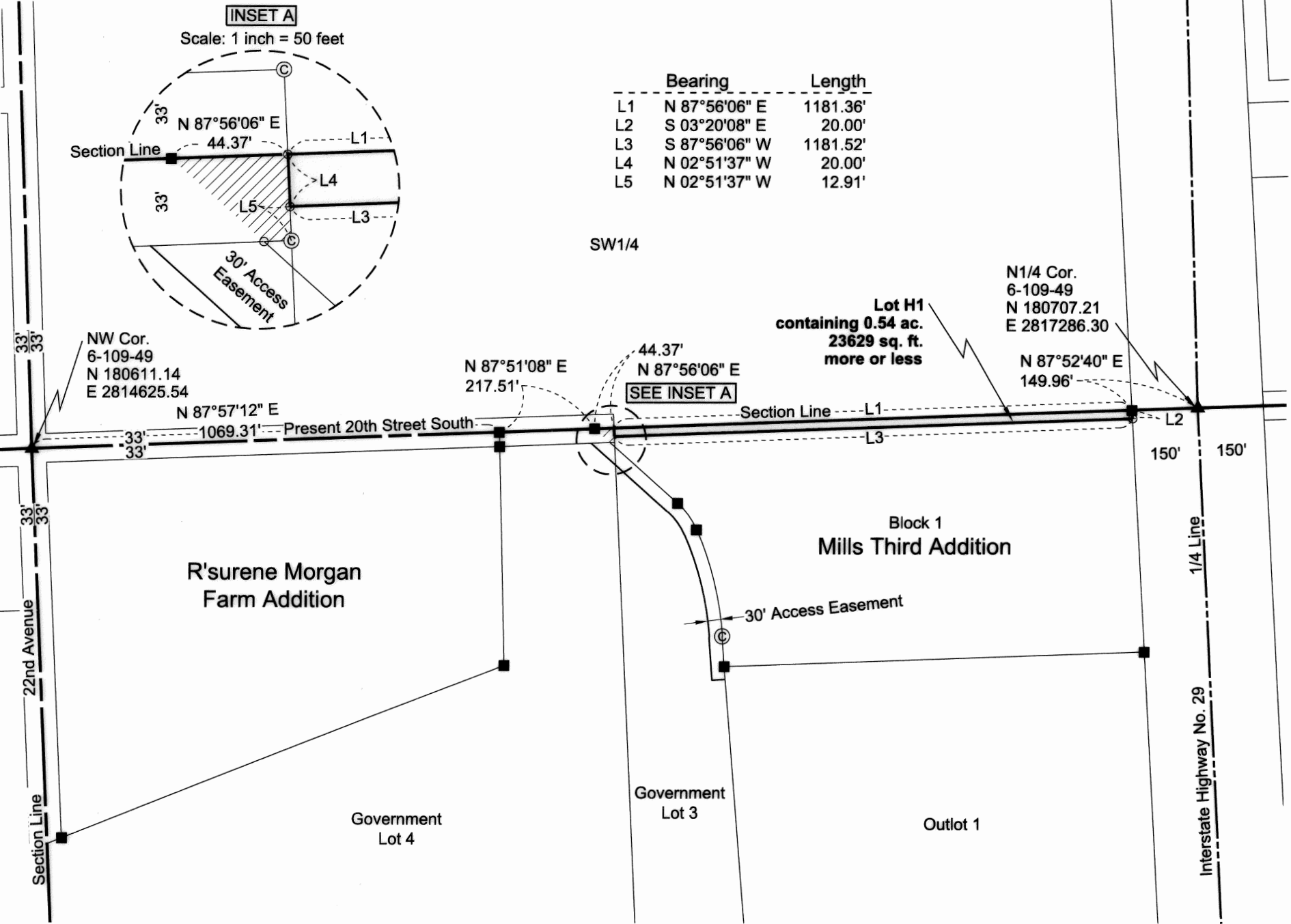
in Block One (1), Mills Third Addition in Government Lots 3 and 4 of the Northwest Quarter (NW1/4) of Section Six (6),
Township One Hundred Nine (109) North, Range Forty-nine (49) West of the 5th P.M.,

BROOKINGS COUNTY, SOUTH DAKOTA
Showing a parcel of land to be acquired for highway
purposes for construction Project EM 0295(45)130

Scale: 1 inch = 300 feet

- LEGEND
- ▨ = existing right of way
 - = found R.O.W. corner
 - = set R.O.W. corner
 - ▲ = found P.L.S.S. corner
 - △ = set P.L.S.S. corner
 - ⊙ = calculated corner
 - = found property corner
 - = set property corner
 - (n) = not used for boundary location

Existing R.O.W.
containing 0.02 ac.
903 sq ft,
more or less



Note 1: The coordinates, bearings, distances and areas shown on this plat are based on the South Dakota State Plane Coordinate System Grid North - North Zone NAD 83/2011 epoch 2010.00 Geoid 18 SF 0.9999557940

Note 2: All monumentation will be set upon project completion.

Drawn By: JLU Date: 01/19/2021
Checked By: NWN Date: 05/13/2021

SURVEYOR'S CERTIFICATE

I, NATHAN W. NIELSON, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as ordered by the South Dakota Department of Transportation the parcel of land as shown on this plat has been surveyed at my direction and under my control, and such parcel of land shall be hereafter known by the lot number designated herein. The location and dimensions of the parcel are shown on this plat.

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Registered Land Surveyor
Registration No. 9924



OFFICE OF REGISTER OF DEEDS

State of South Dakota
County of _____ SS
Filed for record the _____ day of _____, A.D., 20 _____ at _____ M., and recorded in Book of Plats _____ on Page _____ therein.

*2020 EA Agency Coordination Relevant
to Section 6(f) Mitigation Area*



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

March 25, 2020

Hilary Meyer
SD Dept. of Game, Fish & Parks
523 E. Capitol Ave
Pierre, SD 57501

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

Dear Ms. Meyer:

The City of Brookings (the City), in conjunction with South Dakota Department of Transportation (SDDOT) and Federal Highway Administration (FHWA) are initiating a study to evaluate alternatives for a new interchange on Interstate 29 (I-29) at 20th Street South (20th St S). See attached for a figure of the project location. Please comment on any of the following topics that pertain to your agency:

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

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,

Joanne Hight
Environmental Engineer Manager
605.773.3721

Attachment

Cc: Randy Kittle





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

March 25, 2020

Patrick Snyder
SD Dept. of Environment & Natural Resources
Joe Foss Building
Pierre, SD 57501-3181

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

Dear Mr. Snyder:

The City of Brookings (the City), in conjunction with South Dakota Department of Transportation (SDDOT) and Federal Highway Administration (FHWA) are initiating a study to evaluate alternatives for a new interchange on Interstate 29 (I-29) at 20th Street South (20th St S). See attached for a figure of the project location. Please comment on any of the following topics that pertain to your agency:

1. Water Quality Standards
2. Air Quality
3. Hazardous Waste
4. Underground Storage Tanks
5. Contaminated Soils

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,

Joanne Hight
Environmental Engineer Manager
605.773.3721

Attachment

Cc: Shannon Minerich, DENR
Nicole Stasch, DENR
Terry Florentz, DENR





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

August 24, 2020

Scott Larson, Field Supervisor
U.S. Fish & Wildlife Service
420 Garfield - Suite 400
Pierre, SD 57501-5408

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

Dear Mr. Larson:

Attached is information on the above project for your review and comment. The City of Brookings, in conjunction with the South Dakota Department of Transportation and the Federal Highway Administration, are initiating a study to evaluate alternatives for a new interchange on Interstate 29 at 20th Street South. The project location figure, a figure showing probable impacted tree removal areas in the project area, and the Northern Long-eared Bat Habitat Assessment Data Sheet are attached for your review.

According to the U.S. Fish & Wildlife Service Information for Planning and Consultation (IPAC) database (Consultation code: 06E14000-2020-SLI-0642), the following species are known to occur in the Project Area in Brookings County:

Species	Status	SDDOT Determination	Comments
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Threatened	May Affect, Not Likely to Adversely Affect	Suitable habitat is present; tree removal will occur outside the active season
Red Knot (<i>Calidris canutus rufa</i>)	Threatened	No Effect	No suitable habitat present
Dakota Skipper (<i>Hesperia dacotae</i>)	Threatened	No Effect	No suitable habitat present
Poweshiek Skipperling (<i>Oarisma poweshiek</i>)	Endangered	No Effect	No suitable habitat present
Western Prairie Fringed Orchid (<i>Platanthera praeclara</i>)	Threatened	No Effect	No suitable habitat present

A consistency letter through IPAC was not able to be generated due to project activities occurring greater than 300 feet from existing road surfaces. Currently, 20th Street South ends approximately 0.25-mile west of Interstate 29 (I-29) and resumes immediately east of I-29. An improved roadway from I-29 to 0.25-mile west of I-29, south of the Edgebrook Golf Course, does not exist. The project would extend 20th Street South across I-29 and create a new interchange at Exit 130, providing a much-needed point of access for the City of Brookings.

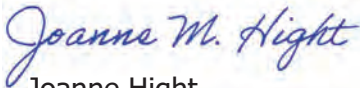
Tree removal will be required for the anticipated construction of the project and will occur in a timeframe from November 1st to April 14th, outside the active maternity and pup-rearing season of the NLEB. Suitable NLEB habitat areas where removal will likely be required for project

construction are identified on the attached figure. Trees required to be removed will be clearly marked in the field. Due to tree removal activities occurring outside the active season of the NLEB, the SDDOT has made the preliminary effect determination of *may affect, not likely to adversely affect* for the NLEB.

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

Please submit your comments as soon as possible, so that the project's environmental documentation can be completed.

Sincerely,



Joanne Hight
Environmental Engineer Manager
605.773.3721
Attachments

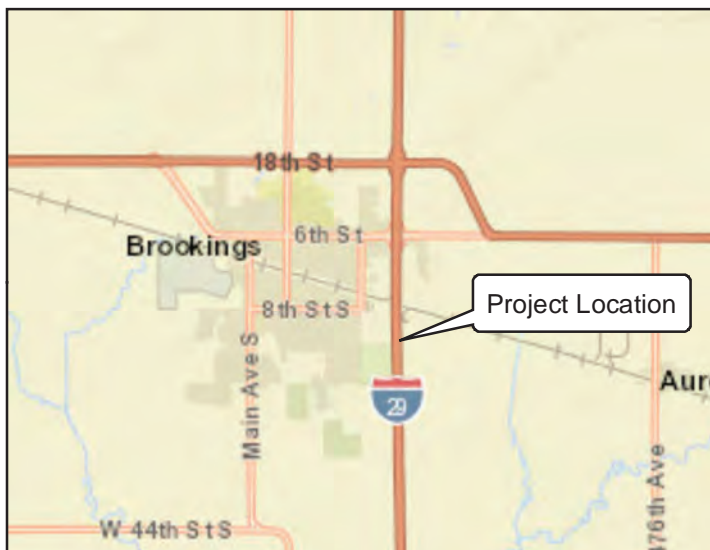


Figure 1. Project Location
 I-29 Exit 130 (20th Street South) Interchange Study,
 Environmental Study, Right-of-Way, Acquisition & Design
 EM 0295(45) 130, PCN 020V
 Brookings, South Dakota

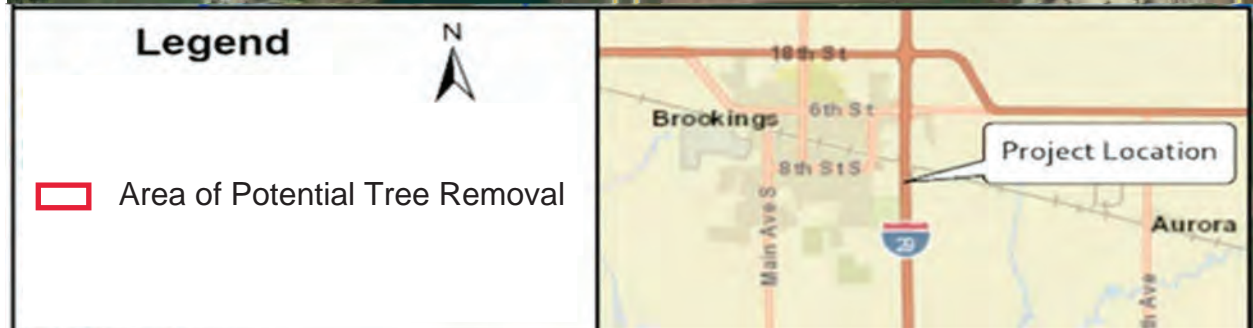
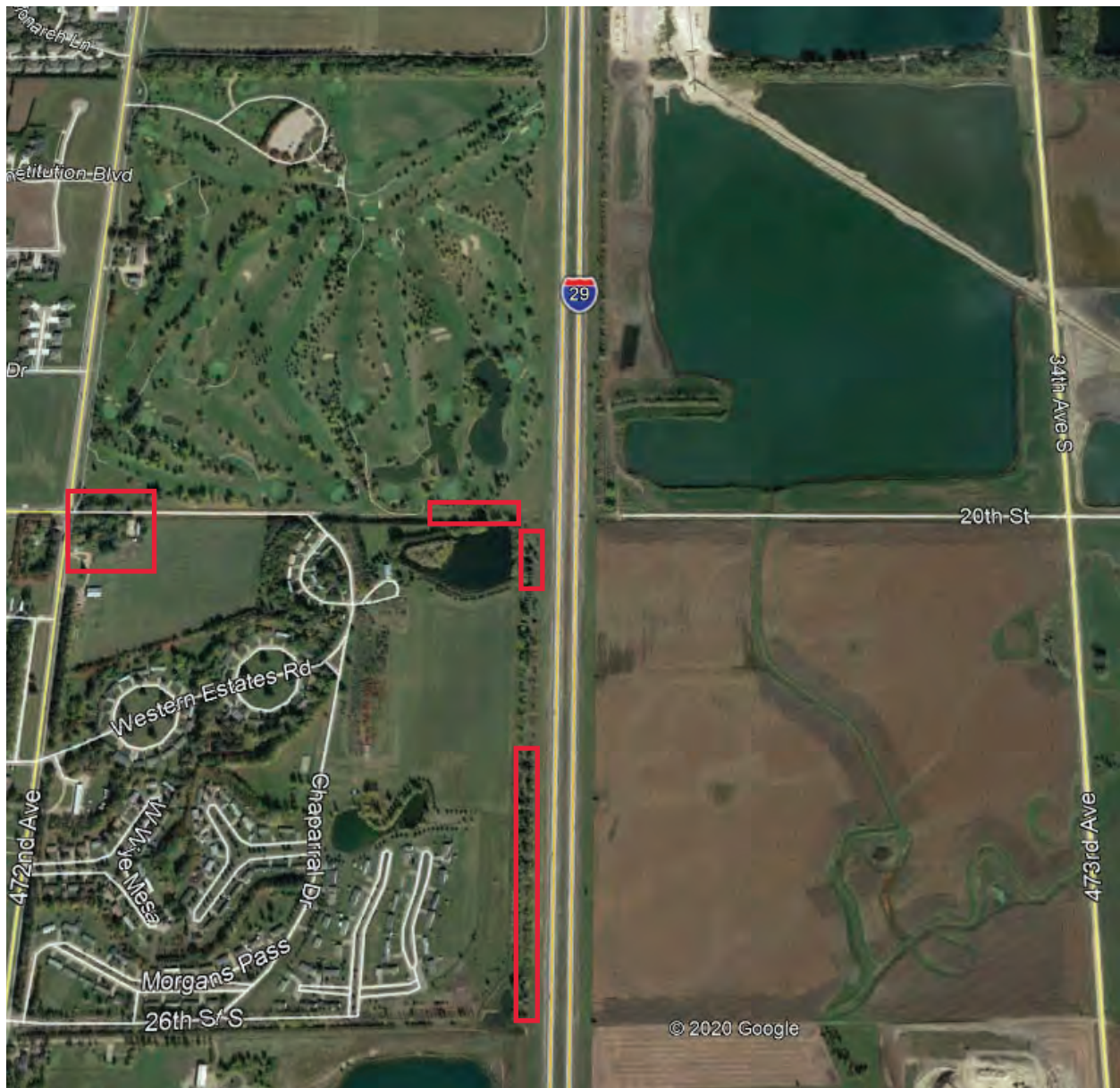
Legend

- Study Area
- City Limits
- NHD Streams
- Zone A- Designated Floodplain

0 0.275 0.55 1.1 1.65
 Miles

brookings
 SOUTH DAKOTA





Project EM 0295(45)130 PCN020V
Brookings County – I-29 Exit 130 (20th Street South) Interchange
Tree Removal Locations



Phase I Summer Habitat Assessments

Northern Long-Eared Bat Habitat Assessment Data Sheet

South Dakota Department of Transportation
Office of Project Development-Environmental
Becker-Hansen Building
700 E. Broadway Ave.
Pierre, SD 57501-2586

Date: 5 / 12 / 20

Surveyor: Kendall Vande Kamp & Caiti Murphy

Phone (605) 773-3721

<http://www.sddot.com/business/environmental/Default.aspx>

General Project Information

Project/PCN 020V

County Brookings

Station #

Multiple Sample Sites? ☐ Yes, See Comments

MRM #

☒ No

Structure #

Habitat (trees) within 1000' of bridge? ☐ Yes

☒ No
Survey Complete

Brief Project Description

The project would consist of constructing a new I29 interchange at 20th Street South in Brookings South Dakota. Approach grading to the interchange from 22nd Avenue South and 34th Avenue South would also be needed.

Project Area

	Total acres	Forest acres	Open acres
Project (Acres of site being surveyed)	200	50	150
	Completely Cleared	Partially Cleared (Leave Some trees)	Preserve acres (no clearing)

Proposed tree removal 3.13
(acres) ☐ No Removal

Vegetation cover types

Pre-project	Other Coniferous	Other Deciduous	-	-	-
-	-	-	-	-	-

Post-project

Overall, the vegetation structure throughout the majority of the project area would remain the same. Portions of the project area

Landscape within 5-Mile Radius

Flight corridors to other forested areas? (If yes, Describe. e.g. shelterbelt, forested, forested creek bottom, forested river bottom)

☒ Yes The Big Sioux River - forested river bottom & shelterbelts ☐ No

Describe adjacent properties (e.g., forested, grassland, commercial or residential development, water sources).

Shelterbelt

Residential

Commercial

Proximity to public land (15 Mile Radius)

What is the distance in miles from the project area to forested public lands (e.g., national or state forests, national or state parks, conservation areas or wildlife management areas)?

Oakwood Lake State Park is approximately 15 miles to the northwest and is the closest public land might be classified as "forested". Oak Lake Field Station is located approximately 19 miles to the north east. Hole in the Mountain County Park is located in Lake Benton approximately 20 miles to the east.

Although it might not meet the definition of "forested". The nearest public land that contains trees is the Dakota Nature Park just under a mile to the southwest.

Northern Long-Eared Bat Habitat Assessment Data Sheet (continued)

Additional information about discreet habitat types at multiple sites

Use additional sheets to assess discrete habitat types at multiple sites in a project area. Include a map depicting sample sites in project area. A single sheet can be used for multiple sample sites if the habitat is the same.

Sample Site Description (Station # / MRM#)

Sample site no. 20th Street Interchange Project Area.

Sample site no.

Water Resources at Sample Site

Stream type (# and length in FT)	<u>Ephemeral</u>	<u>Intermittent</u>	<u>Perennial</u>	Describe existing condition of water sources
	340			
Pools/ponds (# and size in acres)	<u>Open and accessible to bats?</u>			<input checked="" type="radio"/> <u>Excavated borrow pits and associated drains</u> provides potential summer water source.
	140	Yes		
Wetlands (Approx. acres)	<u>Permanent</u>	<u>Seasonal</u>		<input type="radio"/> No Water Source
	8.0	10.0		

Forest Resources at Sample Site

Closure/density (Use 1-6 from far right table)	<u>Canopy (>50')</u>	<u>Midstory (20-50')</u>	<u>Understory (<20')</u>	1=1-10%, 2=11-20%, 3=21-40%, 4=41-60%, 5=61-80%, 6=81-100%
	1	1	1	
Dominant species of mature trees	Other Deciduous	Other Deciduous	Other Deciduous	
% of trees with exfoliating bark	5	2	1	
Size composition of live trees (%)	<u>Small (3-8 in.)</u>	<u>Med. (9-15 in.)</u>	<u>Large (>15 in.)</u>	
	40	50	10	
Total # of suitable snags	10			

☐ No Forest Resources

(Suitable snags are standing dead trees with exfoliating bark, cracks, crevices or hollows.)

Conclusion

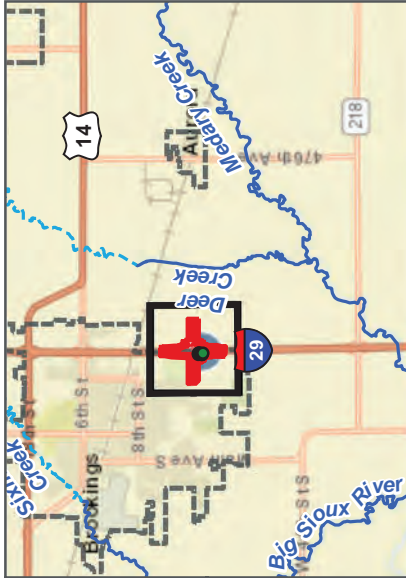
IS THE HABITAT SUITABLE FOR NORTHERN LONG-EARED BATS? Yes

Additional comments:

This data form characterizes the forest resources throughout the project area as a whole. Attached is a map that maps dichotomous "forested" areas at a smaller spatial scale with regards to whether they provide suitable NLEB habitat, cover description, and type (coniferous, deciduous, or mixed). Also attached are representative photos of forested areas within the project area.

Attach aerial map of project site with all forested areas labeled and a general description of the habitat.

Photographic documentation should include: habitat shots at edge and interior from multiple locations; canopy, midstory, understory; examples of potential suitable snags and live trees; and water resources.



NLEB Habitat Potential

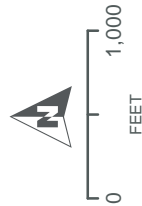
Habitat (yes / no), Cover, Type (coniferous / deciduous)

-  No, Dense Shelterbelt, Coniferous
-  No, Lacustrine Fringe, Deciduous
-  No, Low density - manicured landscape, Mixed
-  No, Windbreak, Coniferous
-  Yes, Dense Shelterbelt, Deciduous
-  Yes, Shelterbelt, Mixed
-  Yes, Windbreak & Lacustrine fringe, Deciduous
-  Yes, Windbreak & Lacustrine fringe, Mixed
-  Working Limits

FIGURE 1

NLEB POTENTIAL HABITAT

I-29 EXIT 130 (20TH STREET SOUTH) INTERCHANGE
 EM 0295(45)130, PCN 020V
 BROOKINGS COUNTY, SOUTH DAKOTA



FCR

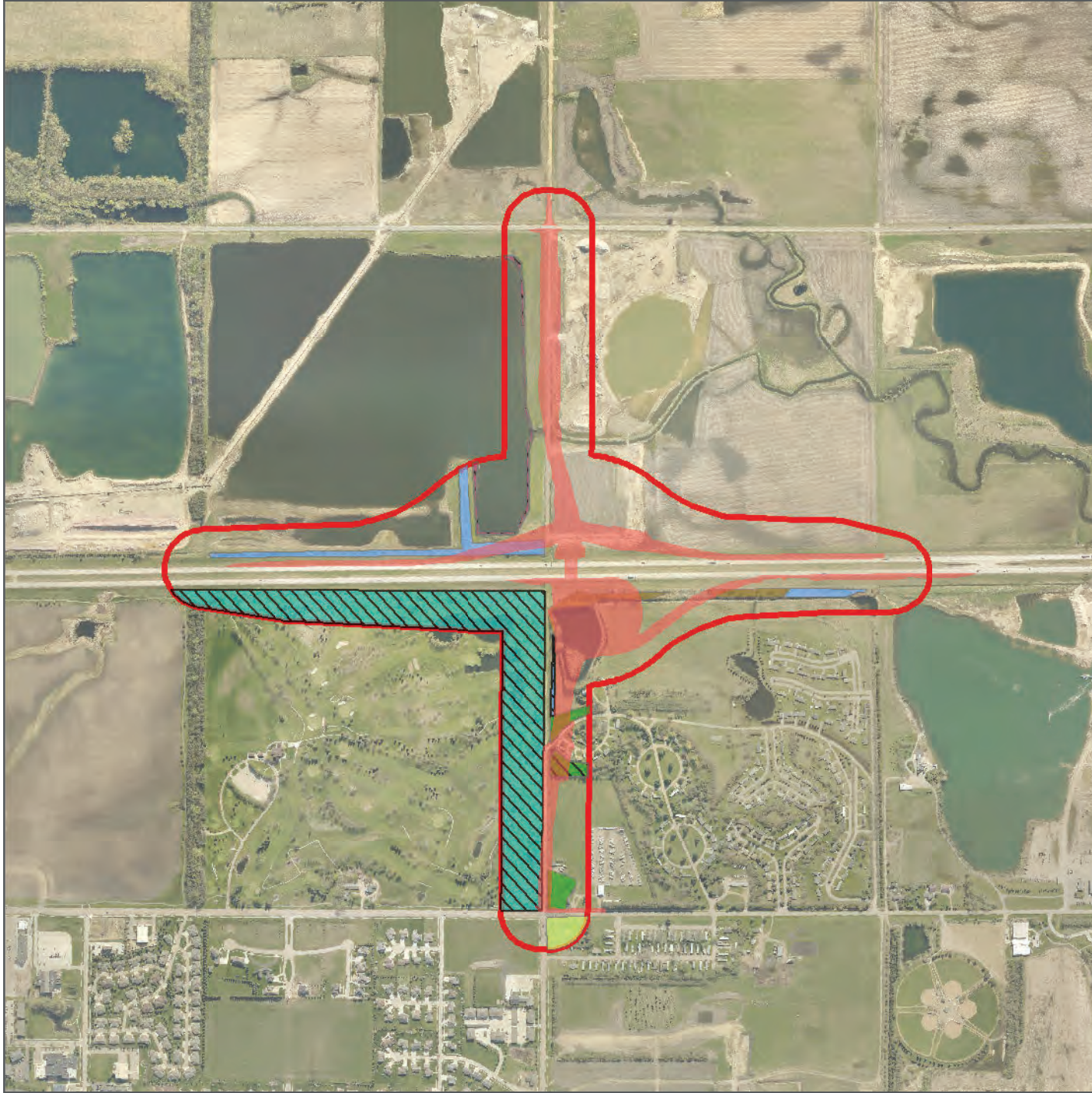




Photo 1: Facing south towards windbreak west of I29.



Photo 2: Representative mixed forest just west of I29 southbound.

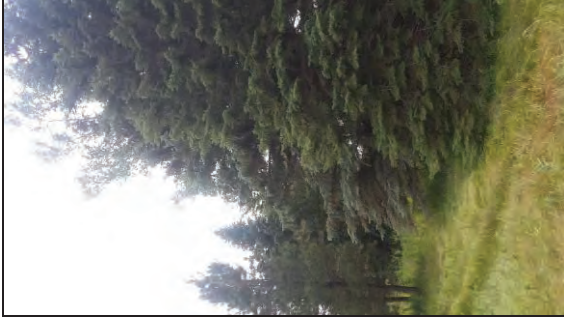


Photo 3: Representative coniferous tree just west of I29 southbound.



Photo 4: Larger tree just west of I29 south bound.



Photo 5: Larger tree just west of I29 south bound.



Photo 6: Representative midstory windbreak trees west of I29 south



Photo 7: Representative crevice in tree west of I29 south bound.



Photo 8: Representative crevice in tree west of I29 south bound.



Photo 9: Representative large green ash west of I29 south bound.



Photo 11: Open water pond west of I29 south bound.



Photo 10: Open water pond west of I29 south bound.



Photo 12: Facing coniferous windbreak. South of golf course.



Photo 13: Tributary east of I29.



Photo 14: Facing west down 20th Street. South of golf course.



Photo 15: Facing west down 20th Street. South of golf course.



Photo 16: Facing south down drainage ditch west of I29.



Photo 17: Facing west toward dense shelterbelt at 20th St S. and 22nd Ave S. intersection.



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
<http://www.fws.gov/southdakotafieldoffice/>



In Reply Refer To:

April 17, 2020

Consultation Code: 06E14000-2020-SLI-0642

Event Code: 06E14000-2020-E-01681

Project Name: I29 Exit 130 (20th Street South) Interchange

Subject: List of threatened and endangered species that may occur in your proposed project location, and/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 ECOS-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 ECOS-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:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

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 (http://www.fws.gov/windenergy/eagle_guidance.html). 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 (<http://www.fws.gov/windenergy/>) 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:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>
<http://www.towerkill.com>

According to National Wetlands Inventory maps, (available online at <http://wetlands.fws.gov/>) 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, 38672 291st Street, Lake Andes, South Dakota; telephone (605) 487-7603. Counties in the Lake Andes WMD: Aurora, Bon Homme, Brule, Charles Mix, Clay, Davison, Douglas, Hanson, Hutchinson, Lincoln, Turner, Union, Yankton.

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: Brookings, Deuel, Hamlin, Kingsbury, Lake, McCook, Miner, Minnehaha, Moody.

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.

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 Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

You are welcome to contact our office at the address or phone number above for more information.

Thank you.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - 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

Consultation Code: 06E14000-2020-SLI-0642

Event Code: 06E14000-2020-E-01681

Project Name: I29 Exit 130 (20th Street South) Interchange

Project Type: TRANSPORTATION

Project Description: The project would construct an interchange on Interstate 29 (I-29) at 20th Street South in the City of Brookings, South Dakota.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/44.2824778479752N96.75829216485886W>



Counties: Brookings, SD

Endangered Species Act Species

There is a total of 5 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.

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
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

Insects

NAME	STATUS
Dakota Skipper <i>Hesperia dacotae</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1028	Threatened
Poweshiek Skipperling <i>Oarisma poweshiek</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9161	Endangered

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.

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.

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 habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
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)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

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

NAME	BREEDING SEASON
American Bittern <i>Botaurus lentiginosus</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/6582	Breeds Apr 1 to Aug 31
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 Dec 1 to Aug 31

NAME	BREEDING SEASON
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
Dunlin <i>Calidris alpina arctica</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Franklin's Gull <i>Leucophaeus pipixcan</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Golden Eagle <i>Aquila chrysaetos</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/1680	Breeds Jan 1 to Aug 31
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
Long-eared Owl <i>asio otus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3631	Breeds Mar 1 to Jul 15
Marbled Godwit <i>Limosa fedoa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9481	Breeds May 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Semipalmated Sandpiper <i>Calidris pusilla</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere

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 and understand the

FAQ “Proper Interpretation and Use of Your Migratory Bird Report” before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

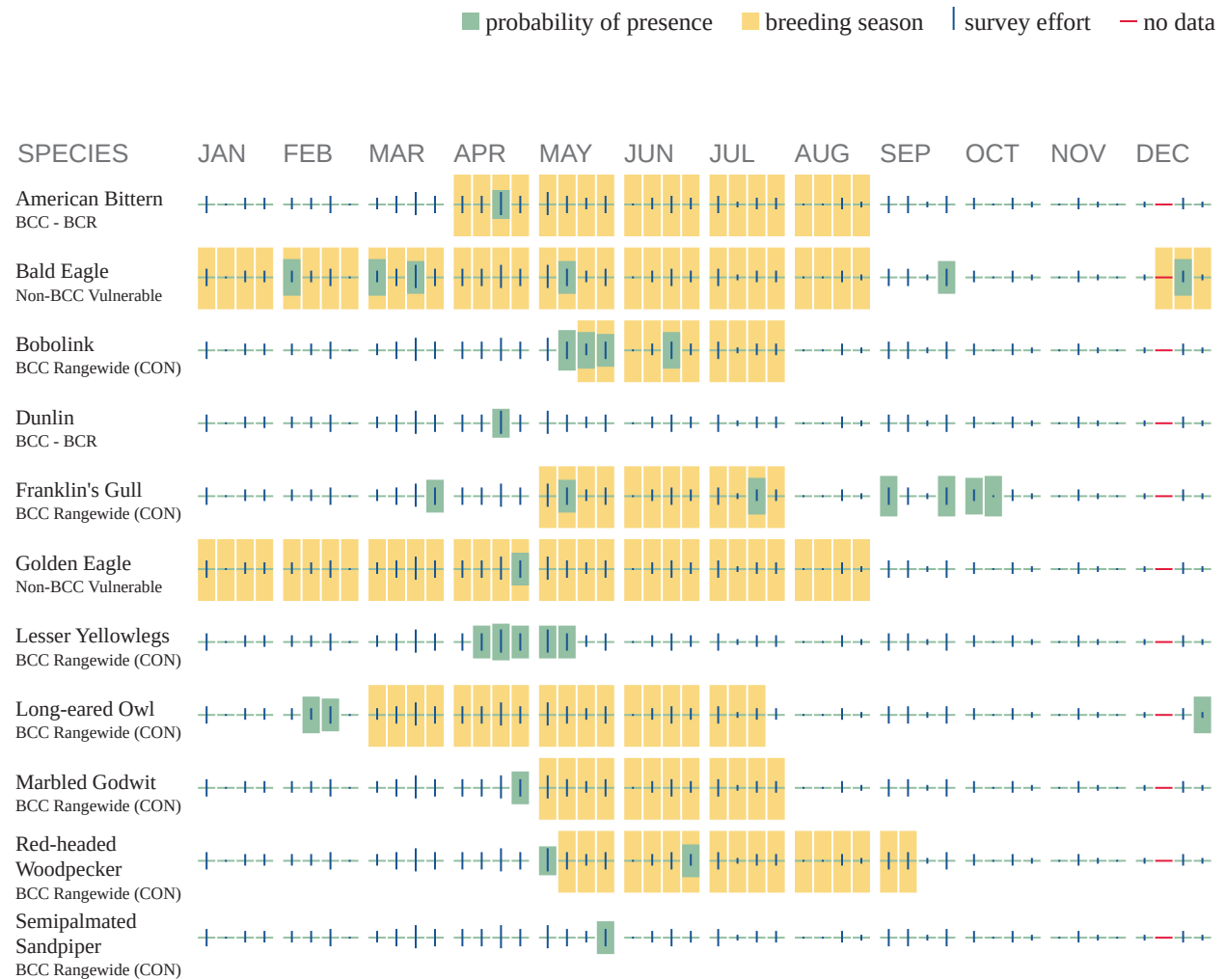
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (—)

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

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your

project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that

overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the “no data” indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ “Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds” at the bottom of your migratory bird trust resources page.

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 POND

- [Palustrine](#)

RIVERINE

- [Riverine](#)
-



Banner Associates, Inc.
2307 W 57th St, Ste 102
Sioux Falls, SD 57108
Tel 605.692.6342
Toll Free 855.323.6342
www.bannerassociates.com

April 23, 2020

Staci Bungard, Floodplain Administrator
City of Brookings Planning & Zoning
520 3rd Street, Suite 230
Brookings, SD 57006

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

Dear Ms. Bungard:

This letter is to introduce the above-mentioned project and to initiate coordination with your office. The City of Brookings, South Dakota Department of Transportation (SDDOT), and Federal Highway Administration (FHWA) have initiated this project to study alternatives and identify the preferred alternative for a new interchange on Interstate 29 (I-29) at 20th Street South within Brookings, SD. Attached is a map showing the location of the above project. The project will comply with all federal and state regulations.

The project is located within City of Brookings and Brookings County limits. We are also sending a coordination letter to the floodplain administrator for Brookings County. Preliminary alternatives were identified during the previously completed studies. Currently these alternatives are being refined and the resources within the study area are being identified. We have also identified the presence of designated floodplain, Zone A, in the study area. After the alternatives are refined, potential impacts to the resources, including floodplain, will be determined. We will continue to coordinate with your office after the potential impacts are identified for the alternatives.

As the project proceeds, we will continue to coordinate with your department as information becomes available on any effects to any recreational resources. If you have any comments or questions, please feel free to contact me or provide comments to beckyb@bannerassociates.com.

Sincerely,

Becky Baker
Environmental Department Head
605.690.2190

Attachments



Drawn By: B.Miller
Date: 3/25/2020
Chkd By: J.Unruh
Date: 3/25/2020
Revision:



Project Location and Study Area

I-29 Exit 130 (20th Street S) Interchange
Environmental Study - PCN 020V

Brookings, SD

Figure

1



Banner Associates, Inc.
2307 W 57th St, Ste 102
Sioux Falls, SD 57108
Tel 605.692.6342
Toll Free 855.323.6342
www.bannerassociates.com

April 23, 2020

Robert Hill
Brookings County, Floodplain Administrator
520 3rd Street, Suite 200
Brookings, SD 57006

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

Dear Mr. Hill:

This letter is to introduce the above-mentioned project and to initiate coordination with your office. The City of Brookings, South Dakota Department of Transportation (SDDOT), and Federal Highway Administration (FHWA) have initiated this project to study alternatives and identify the preferred alternative for a new interchange on Interstate 29 (I-29) at 20th Street South within Brookings, SD. Attached is a map showing the location of the above project. The project will comply with all federal and state regulations.

The project is located within City of Brookings and Brookings County limits. We are also sending a coordination letter to the floodplain administrator for the City of Brookings. Preliminary alternatives were identified during the previously completed studies. Currently the alternatives are being refined and the resources within the study area are being identified. We have also identified the presence of designated floodplain, Zone A, in the study area. After the alternatives are refined, potential impacts to the resources, including floodplain, will be determined. We will continue to coordinate with your office after the potential impacts are identified for the alternatives.

As the project proceeds, we will continue to coordinate with your department as information becomes available on any effects to any recreational resources. If you have any comments or questions, please feel free to contact me or provide comments to beckyb@bannerassociates.com.

Sincerely,

Becky Baker
Environmental Department Head
605.690.2190

Attachments



Drawn By: B.Miller
Date: 3/25/2020
Chkd By: J.Unruh
Date: 3/25/2020
Revision:



Project Location and Study Area

I-29 Exit 130 (20th Street S) Interchange
Environmental Study - PCN 020V

Brookings, SD

Figure

1



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Sioux Falls, SD 57108
Tel 605.692.6342
Toll Free 855.323.6342
www.bannerassociates.com

April 23, 2020

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

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

Dear Mr. Rodiek:

This letter is to introduce the above-mentioned project and to initiate coordination with your office. The City of Brookings, South Dakota Department of Transportation (SDDOT), and Federal Highway Administration (FHWA) have initiated this project to study alternatives and identify the preferred alternative for a new interchange on Interstate 29 (I-29) at 20th Street South within Brookings, SD. Attached is a map showing the location of the above project. The project will comply with all federal and state regulations.

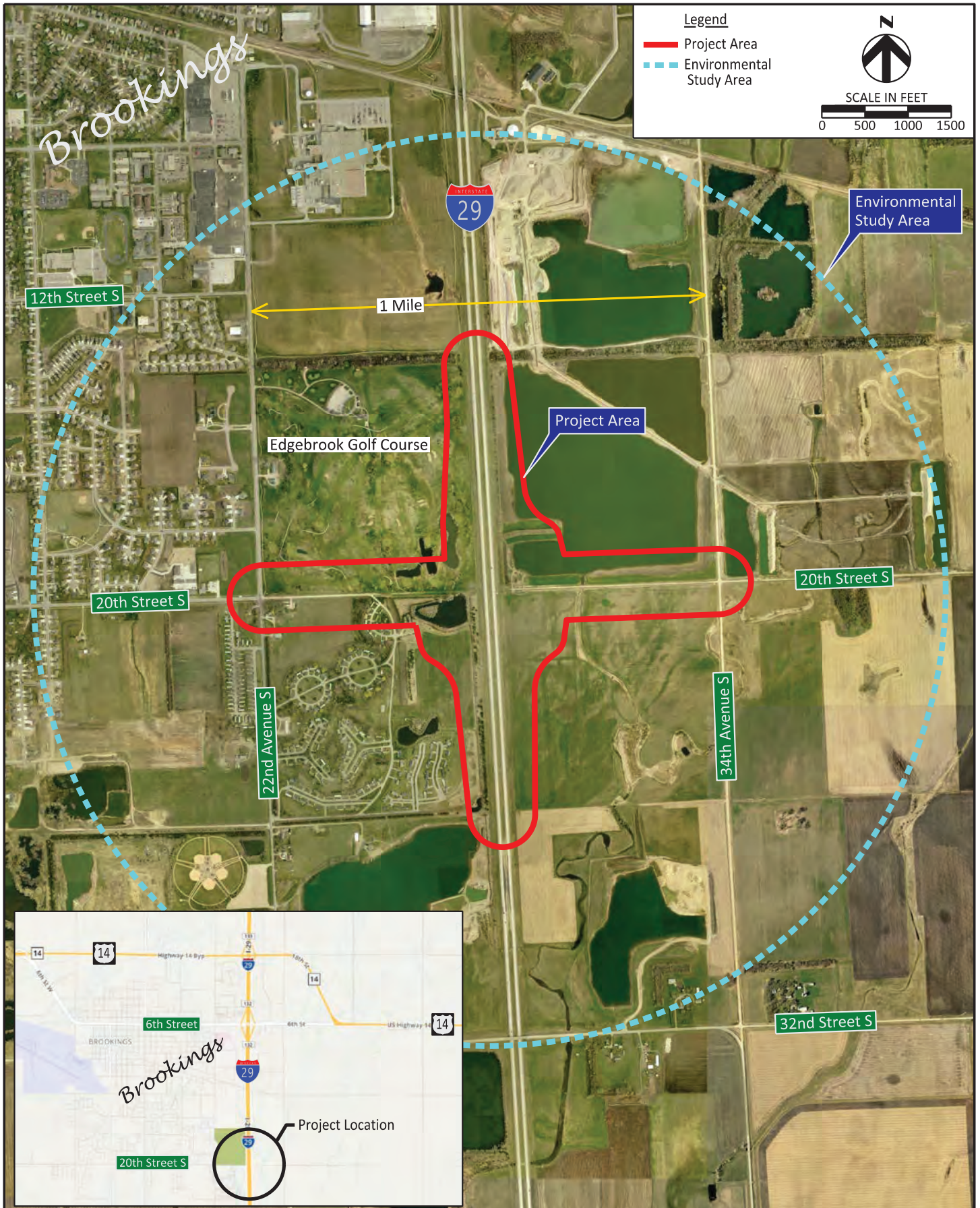
Preliminary alternatives were identified during the previously completed studies. Currently, these alternatives are being refined and the resources within the study area are being identified. Initially, the recreational resources identified include the Edgebrook Golf Course and a recreational multi-use trail. We would appreciate your department's confirmation that these are the only recreational resources present under your jurisdiction. In addition, we request any documentation available regarding the grant funds received through the Land and Water Conservation Fund program for either resource.

As the project proceeds, we will continue to coordinate with your department as information becomes available on any effects to any recreational resources. If you have any comments or questions, please feel free to contact me or provide comments to beckyb@bannerassociates.com.

Sincerely,

Becky Baker
Environmental Department Head
605.690.2190

Attachments



Drawn By: B.Miller
Date: 3/25/2020
Chkd By: J.Unruh
Date: 3/25/2020
Revision:



Project Location and Study Area

I-29 Exit 130 (20th Street S) Interchange
Environmental Study - PCN 020V

Brookings, SD

Figure

1



Banner Associates, Inc.
2307 W 57th St, Ste 102
Sioux Falls, SD 57108
Tel 605.692.6342
Toll Free 855.323.6342
www.bannerassociates.com

April 27, 2020

Steve Naylor,
US Army Corp of Engineers- SD Regulatory Office
28563 Powerhouse Road
Pierre, SD 57501-5408

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

Dear Mr. Naylor:

This letter is to introduce the above-mentioned project and to initiate coordination with your office. The City of Brookings, South Dakota Department of Transportation (SDDOT), and Federal Highway Administration (FHWA) have initiated this project to study alternatives and identify the preferred alternative for a new interchange on Interstate 29 (I-29) at 20th Street South within Brookings, SD. Attached is a map showing the location of the above project. The project will comply with all federal and state regulations.

Preliminary alternatives were identified during the previously completed studies. Currently the alternatives are being refined and the resources within the study area are being identified. A wetland delineation will be completed for the project area noted in the attached figure. We were provided a jurisdictional determination from the landowner that USACE assigned the file number: NWO-2018-1398-PIE. We would like to request a jurisdictional determination for other areas noted in the attached figure (Locations A – E) that are assumed to contain wetland. As the project progresses, we will delineate the regulated wetland boundaries and complete an alternative analysis in compliance with the Clean Water Act.

To ensure continuous coordination, we would like to request a pre-consultation meeting to discuss the project. Due to the recent COVID outbreak, this meeting would be held as a video conference call with the project consultants, HDR and Banner Associates. Please provide dates and times that would be the preference of your office. If you have any comments or questions, please feel free to contact me or provide comments to beckyb@bannerassociates.com.

Sincerely,

Becky Baker
Environmental Department Head
605.690.2190

Attachments



Drawn By: B.Miller
Date: 3/25/2020
Chkd By: J.Unruh
Date: 3/25/2020
Revision:



Project Location and Study Area

I-29 Exit 130 (20th Street S) Interchange
Environmental Study - PCN 020V

Brookings, SD

Figure

1

REQUEST FOR CORPS JURISDICTIONAL DETERMINATION (JD)

U.S. ARMY CORPS OF ENGINEERS, OMAHA DISTRICT

The information that you provide will be used in evaluating your request to determine whether there are any aquatic resources within the project area subject to federal jurisdiction under the regulatory authorities referenced below. **Note:** Submission of requested information is voluntary; however, if information is not provided, the request for an AJD cannot be evaluated nor can an AJD be issued.

CORPS USE ONLY:

DATE RECEIVED:

PROJECT NO.:

1. PROPERTY LOCATION:

Street Address:

City/Township/Parish:

County: State:

Acreage of Parcel/Review Area for JD:

Section: Township: Range:

Latitude: Longitude:

(For linear projects, please include the center point of the proposed alignment.)

2. REQUESTOR CONTACT INFORMATION:

Typed or printed name:

Company name:

Street Address:

City: State: Zip:

Daytime phone no.:

Email address:

3. MAP: Please attach a survey/plat map and vicinity map identifying location and review area for the JD.

see Project Area attached and @ https://www.20thstinterchange.com/documents/ProjectLocation_Apr2020.pdf

4. REASON FOR REQUEST (check as many as applicable):

- ☒ I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps, and the JD would be used to avoid and minimize impacts to jurisdictional aquatic resources and as an initial step in a future permitting process.
- ☐ I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps; this request is accompanied by my permit application and the JD is to be used in the permitting process.
- ☐ I intend to construct/develop a project or perform activities in a navigable water of the U.S. which is included on the district Section 10 list and/or is subject to the ebb and flow of the tide.
- ☐ A Corps JD is required in order to obtain my local/state authorization.
- ☐ I intend to contest jurisdiction over a particular aquatic resource and request the Corps confirm that jurisdiction does/does not exist over the aquatic resource on the parcel.
- ☐ I believe that the site may be comprised entirely of dry land/upland.
- ☐ Other:

5. TYPE OF DETERMINATION BEING REQUESTED:

- ☒ I am requesting an approved JD
- ☐ I am requesting a preliminary JD
- ☐ I am requesting a "no permit required" letter as I believe my proposed activity is not regulated.
- ☐ I am unclear as to which JD I would like to request and require additional information.

6. OWNERSHIP DETAILS:

- ☐ I currently own this property.
- ☐ I plan to purchase this property.
- ☐ I am an agent/consultant acting on behalf of the requestor.
- ☒ Other (please explain):

***Authorities:** Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Program of the U.S. Army Corps of Engineers; Final Rule for 33 CFR Parts 320-332. **Uses:** This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public, and may be made available as part of a public notice as required by federal law. Your name and property location where federal jurisdiction is to be determined will be included in the approved jurisdictional determination (AJD), which will be made available to the public on the District's website and on the Headquarters USACE website.

By signing below, you are indicating that you have the authority, or are acting as the duly authorized agent of a person or entity with such authority, to and do hereby grant Corps personnel right of entry to legally access the site if needed to perform the JD. Your signature shall be an affirmation that you possess the requisite property rights to request a JD on the subject property.

Signature:

Digitally signed by Joanne Hight
Date: 2020.04.24 08:36:03 -05'00'

Date:



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

March 25, 2020

Jonathan Windy Boy, THPO
Chippewa Cree Tribe
PO Box 230
Box Elder, MT 59521

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

Dear Mr. Windy Boy:

Attached is a map showing the location of the above project. This project will study alternatives for a new interchange on Interstate 29 (I-29) at 20th Street South (20th St S). 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 this project from tribes that have expressed an interest in highway projects in Brookings County. Please provide your comments by May 25, 2020 so the project can move toward a timely letting and construction (scheduled to begin in late 2021 or early 2022).

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) 224-8033.

Sincerely,

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

Attachment





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

March 25, 2020

Garrie KILLSAHUNDRED, THPO
Flandreau Santee Sioux Tribe
PO Box 283
Flandreau, SD 57028-0283

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

Dear Mr. Killshundred:

Attached is a map showing the location of the above project. This project will study alternatives for a new interchange on Interstate 29 (I-29) at 20th Street South (20th St S). 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 this project from tribes that have expressed an interest in highway projects in Brookings County. Please provide your comments by May 25, 2020 so the project can move toward a timely letting and construction (scheduled to begin in late 2021 or early 2022).

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) 224-8033.

Sincerely,

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

Attachment





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

March 25, 2020

Clair Green, Section 106 Coordinator
Lower Brule Sioux Tribe
PO Box 187
Lower Brule, SD 57548-0187

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

Dear Ms. Green:

Attached is a map showing the location of the above project. This project will study alternatives for a new interchange on Interstate 29 (I-29) at 20th Street South (20th St S). The project will comply with all federal and state environmental regulations.

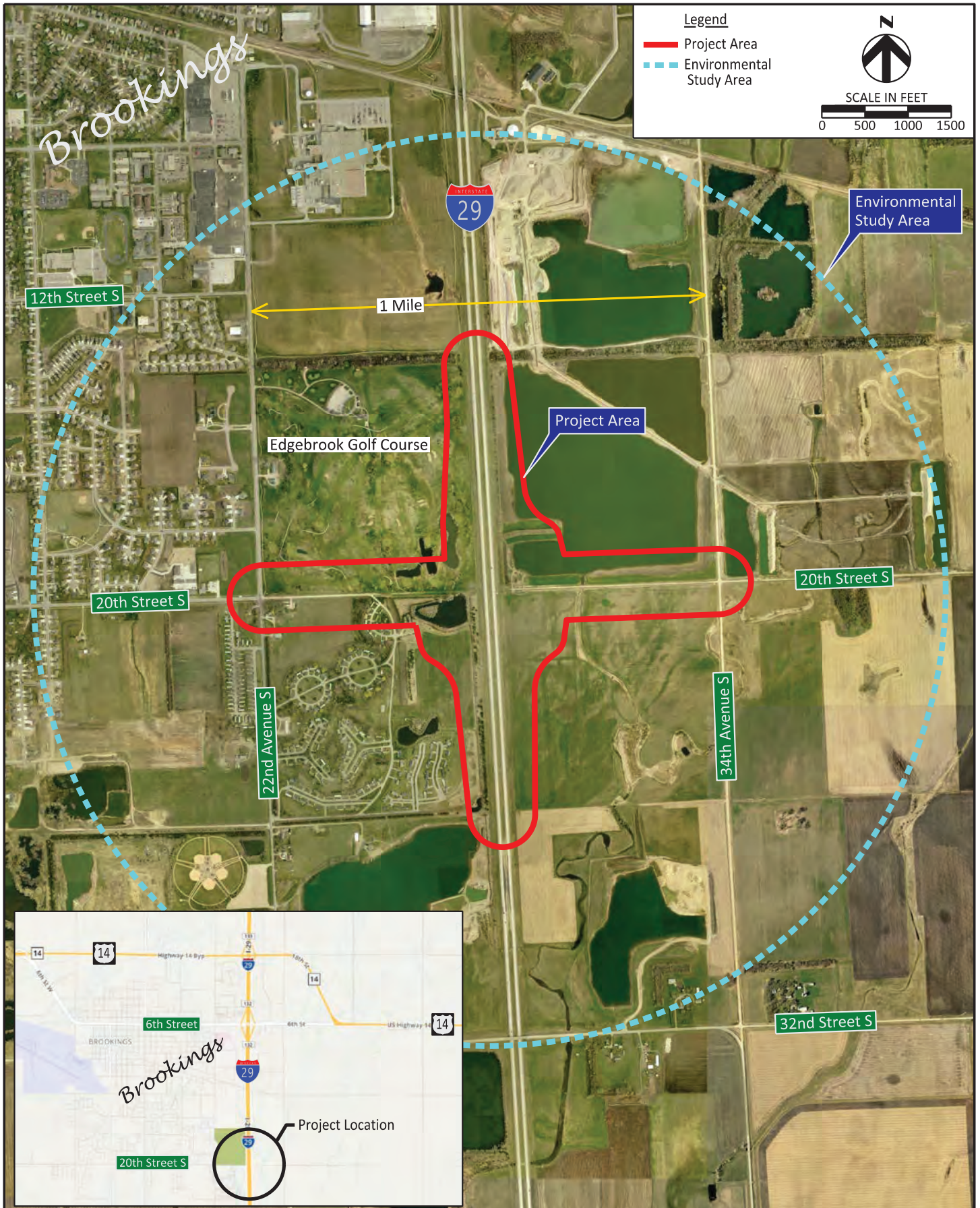
Pursuant to Section 106 of the National Historic Preservation Act (36 CFR Part 800), the South Dakota Department of Transportation, on behalf of the Federal Highway Administration – SD Division, is soliciting comments on this project from tribes that have expressed an interest in highway projects in Brookings County. Please provide your comments by May 25, 2020 so the project can move toward a timely letting and construction (scheduled to begin in late 2021 or early 2022).

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) 224-8033.

Sincerely,

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

Attachment



Drawn By: B.Miller
Date: 3/25/2020
Chkd By: J.Unruh
Date: 3/25/2020
Revision:



Project Location and Study Area

I-29 Exit 130 (20th Street S) Interchange
Environmental Study - PCN 020V

Brookings, SD

Figure

1



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

March 25, 2020

Dianne Desrosiers, THPO
Sisseton-Wahpeton Oyate
PO Box 907
Agency Village, SD 57262-0907

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

Dear Ms. Desrosiers:

Attached is a map showing the location of the above project. This project will study alternatives for a new interchange on Interstate 29 (I-29) at 20th Street South (20th St S). 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 this project from tribes that have expressed an interest in highway projects in Brookings County. Please provide your comments by May 25, 2020 so the project can move toward a timely letting and construction (scheduled to begin in late 2021 or early 2022).

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) 224-8033.

Sincerely,

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

Attachment



Drawn By: B.Miller
Date: 3/25/2020
Chkd By: J.Unruh
Date: 3/25/2020
Revision:



Project Location and Study Area

I-29 Exit 130 (20th Street S) Interchange
Environmental Study - PCN 020V

Brookings, SD

Figure

1



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

March 25, 2020

Jon Eagle, THPO
Standing Rock Sioux Tribe
PO Box D
Ft Yates, ND 58538-0522

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

Dear Mr. Eagle:

Attached is a map showing the location of the above project. This project will study alternatives for a new interchange on Interstate 29 (I-29) at 20th Street South (20th St S). 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 this project from tribes that have expressed an interest in highway projects in Brookings County. Please provide your comments by May 25, 2020 so the project can move toward a timely letting and construction (scheduled to begin in late 2021 or early 2022).

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) 224-8033.

Sincerely,

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

Attachment



Drawn By: B.Miller
Date: 3/25/2020
Chkd By: J.Unruh
Date: 3/25/2020
Revision:



Project Location and Study Area

I-29 Exit 130 (20th Street S) Interchange
Environmental Study - PCN 020V

Brookings, SD

Figure

1



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

March 25, 2020

Pete Coffey
Tribal Historic Preservation Office
Three Affiliated Tribes
404 Frontage Rd.
New Town, ND 58763-9404

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

Dear Mr. Coffey:

Attached is a map showing the location of the above project. This project will study alternatives for a new interchange on Interstate 29 (I-29) at 20th Street South (20th St S). The project will comply with all federal and state environmental regulations.

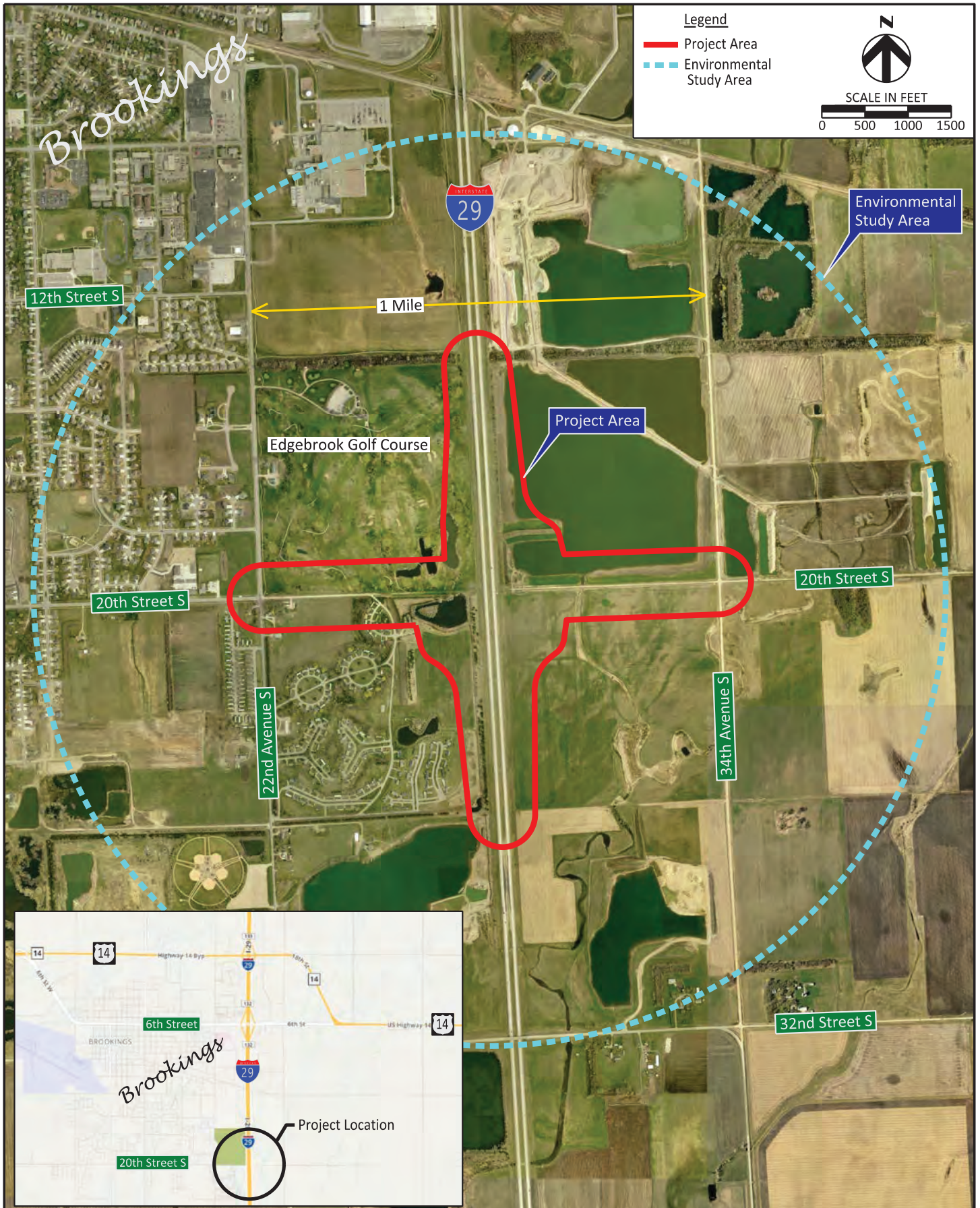
Pursuant to Section 106 of the National Historic Preservation Act (36 CFR Part 800), the South Dakota Department of Transportation, on behalf of the Federal Highway Administration – SD Division, is soliciting comments on this project from tribes that have expressed an interest in highway projects in Brookings County. Please provide your comments by May 25, 2020 so the project can move toward a timely letting and construction (scheduled to begin in late 2021 or early 2022).

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) 224-8033.

Sincerely,

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

Attachment



Drawn By: B.Miller
Date: 3/25/2020
Chkd By: J.Unruh
Date: 3/25/2020
Revision:



Project Location and Study Area

I-29 Exit 130 (20th Street S) Interchange
Environmental Study - PCN 020V

Brookings, SD

Figure

1



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

March 25, 2020

Kip Spotted Eagle, THPO
Yankton Sioux Tribe
PO Box 1153
Wagner, SD 57380-1153

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

Dear Mr. Spotted Eagle:

Attached is a map showing the location of the above project. This project will study alternatives for a new interchange on Interstate 29 (I-29) at 20th Street South (20th St S). 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 this project from tribes that have expressed an interest in highway projects in Brookings County. Please provide your comments by May 25, 2020 so the project can move toward a timely letting and construction (scheduled to begin in late 2021 or early 2022).

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) 224-8033.

Sincerely,

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

Attachment



Drawn By: B.Miller
Date: 3/25/2020
Chkd By: J.Unruh
Date: 3/25/2020
Revision:



Project Location and Study Area

I-29 Exit 130 (20th Street S) Interchange
Environmental Study - PCN 020V

Brookings, SD

Figure

1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

April 7, 2020

Joanne Hight
Department of Transportation
700 East Broadway Avenue
Pierre, South Dakota 57501

RE: SD DOT Project
EM 0295(45)130
PCN 020V
Brookings County

Dear Ms. Hight:

The South Dakota Department of Environment and Natural Resources (DENR), Division of Environmental Regulation, has reviewed the above referenced project.

This office has no objections to this project, which should not result in any violations of applicable statutes or regulations provided the Department of Transportation and/or its contractor(s) comply with the following requirements.

SURFACE WATER QUALITY

1. All fill material shall be free of substances in quantities, concentrations, or combinations which are toxic to aquatic life.
2. Removal of vegetation shall be confined to those areas absolutely necessary to construction.
3. At a minimum and 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. Contact the Department of Environment and Natural Resources for additional information or guidance at 1-800-SDSTORM (800-737-8676) or <http://denr.sd.gov/des/sw/stormwater.aspx>.
4. All material identified in the application as removed waste material, material stockpiles, dredged or excavated material shall be placed for either temporary or permanent disposal in an upland site that is not a wetland, and measures taken to ensure that the material cannot enter the watercourse through erosion or any other means.
5. Methods shall be implemented to minimize the spillage of petroleum, oils and lubricants used in vehicles during construction activities. If a discharge does occur, suitable containment procedures such as banking or diking shall be used to prevent entry of these materials into a waterway.

6. All newly created and disturbed area above the ordinary high-water mark which are not ripped shall be seeded or otherwise revegetated to protect against erosion.
7. This project may be in the vicinity of multiple streams and wetlands. These waters are considered waters of the state and are protected under Administrative Rules of South Dakota Chapter 74:51. Special construction measures may have to be taken to ensure that water quality standards are not violated.

HAZARDOUS and SOLID WASTES

1. Should any hazardous waste be generated during the implementation of this project, the generator must abide by all applicable hazardous waste regulations found in ARSD 74:28 and 40 CFR Part 262.
2. If any contamination is encountered during construction activities, the contractor, owner, or party responsible for the release must report the contamination to the department at 605-773-3296. Any contaminated soil encountered must be temporarily stockpiled and sampled to determine disposal requirements.
3. It is not expected that any hazardous wastes sites will be encountered during road construction in any rural area. However, if road construction is planned for areas within a city or town, the DOT or contractor should contact this Department prior to construction.
4. 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.
5. Regional landfills able to accept all solid waste generated are listed on our website available here: <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.
6. Demolition or renovation of a building structure may be subject to asbestos abatement requirements. If demolition is part of the construction projects please contact our Asbestos Coordinator at 605-773-3153.

AIR QUALITY

1. It appears that Department of Transportation projects may have only a minor impact on the air quality in South Dakota. This impact would be through point source and fugitive emissions.
2. Equipment with point source emissions in many cases are required to have an air quality permit to operate. Permit applications can be obtained from the Air Quality or Minerals and Mining Programs.
3. 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. Fugitive emissions add to the deterioration of the ambient air quality and should be controlled to protect the health of communities within the construction areas.
4. For further air quality information, please contact Anthony Lueck, Air Quality Program, telephone number 605-773-3151.

This office requests the opportunity to review and comment on any significant changes that may be proposed before the project is completed. Thank you for the opportunity to comment on the proposed project. If you have any questions, please contact me at Shannon.Minerich@state.sd.us.

Sincerely,

A handwritten signature in cursive script that reads "Shannon Minerich". The ink is dark and the signature is fluid.

Shannon Minerich
Environmental Scientist
Surface Water Quality Program

Cc: Becky Baker, Banner & Associates



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

April 02, 2020

Joanne Hight
South Dakota Department of Transportation
700 E Broadway
Pierre, SD 57501

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

Dear Ms. Hight:

The South Dakota Department of Environment and Natural Resources' (DENR) Ground Water Quality Program has reviewed the above-referenced project for potential impacts to ground water quality. Based on the information submitted in your letter, dated March 25, 2020, DENR does not anticipate adverse impacts to ground water quality by this project.

If construction for this project disturbs one or more acre(s) of soil, a storm water permit may be required. For more information or to obtain a storm water permit, please contact the Department at 1-800-SD-Storm or visit: <http://denr.sd.gov/des/sw/StormWaterandConstruction.aspx>.

Additionally, if construction for this project disturbs a major stream or surface water body please make sure you contacted the DENR's Surface Water Quality Program and the United States Army Corps of Engineers. DENR's Surface Water Quality Program can be reached at (605) 773-3351.

There have been numerous petroleum and other chemical releases throughout the state. Of the releases reported to DENR, we have not identified any release cases in the vicinity of your project. However, the locational information provided to us regarding releases is sometimes inaccurate or incomplete. If you would like to do more research, additional information on reported releases in South Dakota may be obtained at the following website: <https://apps.sd.gov/denr/spillviewer/>

In the event that contamination is encountered during construction activities or is caused by the construction activity, South Dakota Department of Transportation, or its designated representative,

must report the contamination to DENR at 605-773-3296. Any contaminated soil encountered or caused by the construction must be temporarily stockpiled and sampled to determine disposal requirements.

Thank you for providing DENR the opportunity to comment on this project. If you have any questions regarding the information provided, please contact me at 605-773-3296.

Sincerely,



Andrew Fox
Environmental Scientist I
Ground Water Quality Program

Enclosure

c: Robert Hill, Brookings County Emergency Manager, Brookings, SD

Becky Baker

From: Clair Green <clairgreenoffice@gmail.com>
Sent: Thursday, March 26, 2020 8:43 AM
To: Becky Baker
Subject: Re: PCN 020V- I-29 Exit 130 (20th Street South) Interchange

the Lower Brule Tribe has no comment

On Thu, Mar 26, 2020 at 7:27 AM Becky Baker <beckyb@bannerassociates.com> wrote:

Ms. Green,

Please see the attached letter. 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 this project from tribes that have expressed an interest in highway projects in Brookings County. Please provide your comments by May 25, 2020 so the project can move toward a timely letting and construction (scheduled to begin in late 2021 or early 2022).

Thanks!

Becky Baker | Environmental Department Head



Banner Associates, Inc.

2307 West 57th Street, Suite 102

Sioux Falls, South Dakota 57108

Toll Free | 1.855.323.6342

www.bannerassociates.com

Becky Baker

From: Kittle, Randy <Randy.Kittle@state.sd.us>
Sent: Thursday, March 26, 2020 8:31 AM
To: Becky Baker; Morey, Hilary
Cc: Hight, Joanne
Subject: RE: PCN 020V- I-29 Exit 130 (20th Street South) Interchange

Becky,

Thank you for the opportunity to comment on project PCN 020V – I-29 Exit 130 (20th Street South) Interchange with regard to Land & Water Conservation Fund (LWCF) Section 6(F)(3) encumbrances. The City of Brookings has been the recipient of multiple LWCF grants throughout the life of the program, some of which have been used at Edgebrook Golf Course. The Edgebrook Golf Course is encumbered under LWCF Section 6(F)(3) for public outdoor recreation.

If a portion of the golf course property needs to be converted from public outdoor recreation use, a Conversion of Use will need to be processed for that property.

Feel free to contact me if you have additional questions regarding this site. We are currently working remotely so I do not have easy access to all of the old project files.

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: Becky Baker <beckyb@bannerassociates.com>
Sent: Thursday, March 26, 2020 8:23 AM
To: Morey, Hilary <Hilary.Morey@state.sd.us>; Kittle, Randy <Randy.Kittle@state.sd.us>
Cc: Hight, Joanne <Joanne.Hight@state.sd.us>
Subject: [EXT] PCN 020V- I-29 Exit 130 (20th Street South) Interchange

Good morning,

Please see the attached agency coordination letter requesting your input for the I-29 Exit 130 (20th Street South) Interchange.

Thanks!
Becky Baker | Environmental Department Head



Banner Associates, Inc.
2307 West 57th Street, Suite 102
Sioux Falls, South Dakota 57108



SOUTH DAKOTA DEPARTMENT OF GAME, FISH AND PARKS

523 EAST CAPITOL AVENUE | PIERRE, SD 57501

April 24, 2020

Joanne Hight
SD Department of Transportation
700 E. Broadway Avenue
Pierre, SD 57501

RE: Project EM 0295(45) 130 PCN 020V Brookings County
I-29 Exit 130 (20th Street South) Interchange
Interchange justification study, environmental study, right-of-way and design

Dear Joanne,

The Department of Game, Fish and Parks has reviewed the above project involving the study of a new interchange in Brookings, South Dakota.

We have conducted a search of the SD Natural Heritage Database for the above referenced project. This database monitors species at risk, specifically those species that are legally designated as threatened, endangered or rare. We did not find any occurrences of endangered, rare or threatened species in the immediate project area. Please note that many places in South Dakota have not been surveyed for rare and endangered species. 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.

If you have any questions, please feel free to contact me at 605-773-6208.

Sincerely,

Hilary Morey
Environmental Review Senior Biologist
523 East Capitol Avenue
Pierre, SD 57501
hilary.morey@state.sd.us

Becky Baker

From: Dusty Rodiek <DRodiek@cityofbrookings.org>
Sent: Monday, April 27, 2020 10:07 AM
To: Becky Baker
Subject: RE: I-29 (20th Street South) Interchange

Becky,

I received your letter and wanted to confirm that the trail and golf course are the only recreational amenities within the project area.

Attached are the Land and Water Conservation funded projects related to the golf course. (As far as I can tell)

I have not been able to locate the original project files for these. SDGFP Grants Division should have additional information based on the project numbers if you need it.

It appears that the original land purchase and initial course development was funded by LWCF.

Thank you and let me know if you need additional information.

Dusty Rodiek

Director of Parks, Rec. and Forestry

Office: 605.697.8332

Cell: 605.691.3313

drodiek@cityofbrookings.org



www.cityofbrookings.org

Project Title and Number: BROOKINGS ACQU
Project Contact: CITY OF BROOKING
Address: 221 Main Avenue, Br
Project Location: SE corner of city.
Project Fund Amount: \$25,750.00
Project Scope:
Acquire 150 acres for future development.

Project Title and Number: BROOKINGS GOLF CC
4600166
Project Contact: CITY OF BROOKINGS
Address: 221 Main Avenue, Brook
Project Location: City golf course - SE of c
Project Fund Amount: \$100,613.22 Pro
Project Scope:
9-hole golf course including grass greens, irrigation sy
storage spaces, parking lot & tree planting.

From: Becky Baker <beckyb@bannerassociates.com>
Sent: Thursday, April 23, 2020 10:20 PM
To: Dusty Rodiek <DRodiek@cityofbrookings.org>
Cc: Jacqueline Lanning <JLanning@cityofbrookings.org>; Rust, Jill <jill.rust@hdrinc.com>
Subject: I-29 (20th Street South) Interchange

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dusty,

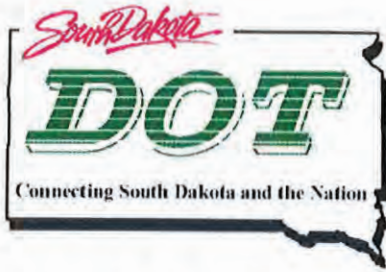
Please see the attached letter. HDR Engineering and Banner Associates have been hired to complete the environmental assessment for this project. Please feel free to let us know if you have any questions.

Thanks!

Becky Baker | Environmental Department Head



Banner Associates, Inc.
2307 West 57th Street, Suite 102
Sioux Falls, South Dakota 57108
Toll Free | 1.855.323.6342
www.bannerassociates.com



Department of Transportation Environmental Office

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

September 10, 2020

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

RE: **Section 6(f) Impact Considerations**
Project EM 0295(45) 130, PCN 020V, Brookings County
I-29 Exit 130 (20th Street South) Interchange
Interchange Justification Study, Environmental Study, Right-of-Way & Design

Dear Mr. Kittle:

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

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

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

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

Mr. Randy Kittle
September 10, 2020
Page 2

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



Sincerely,



Joanne Hight
Environmental Engineer Manager
605.773.3721

Attachment

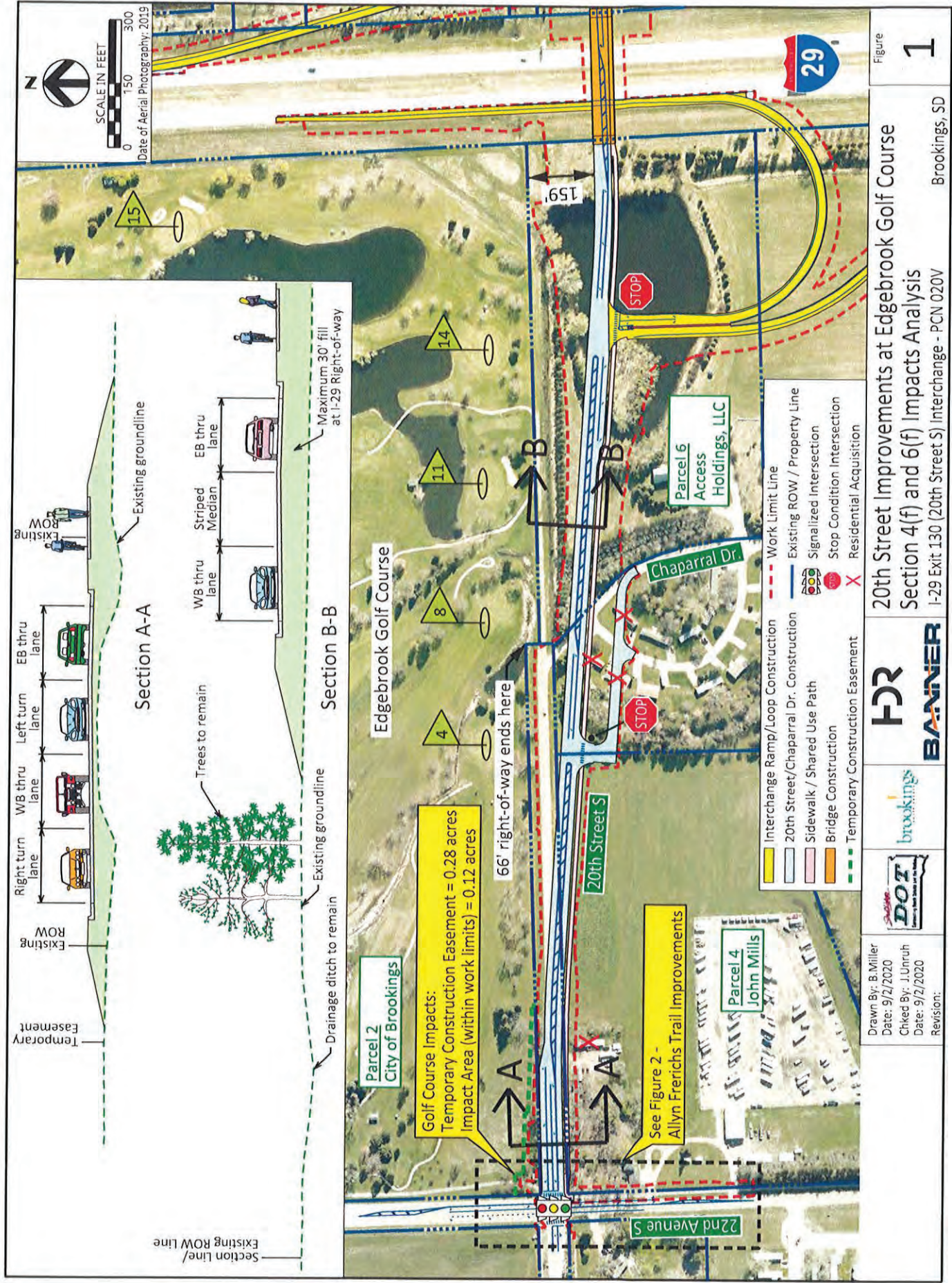
Concurrence: As the designated alternate State Liason Officer who administers LWCF Program funds, I hereby concur that the use and impacts of the I-29 Exit 130 (20th Street South) Interchange project combined with identified avoidance, minimization, and mitigation measures, will not adversely affect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

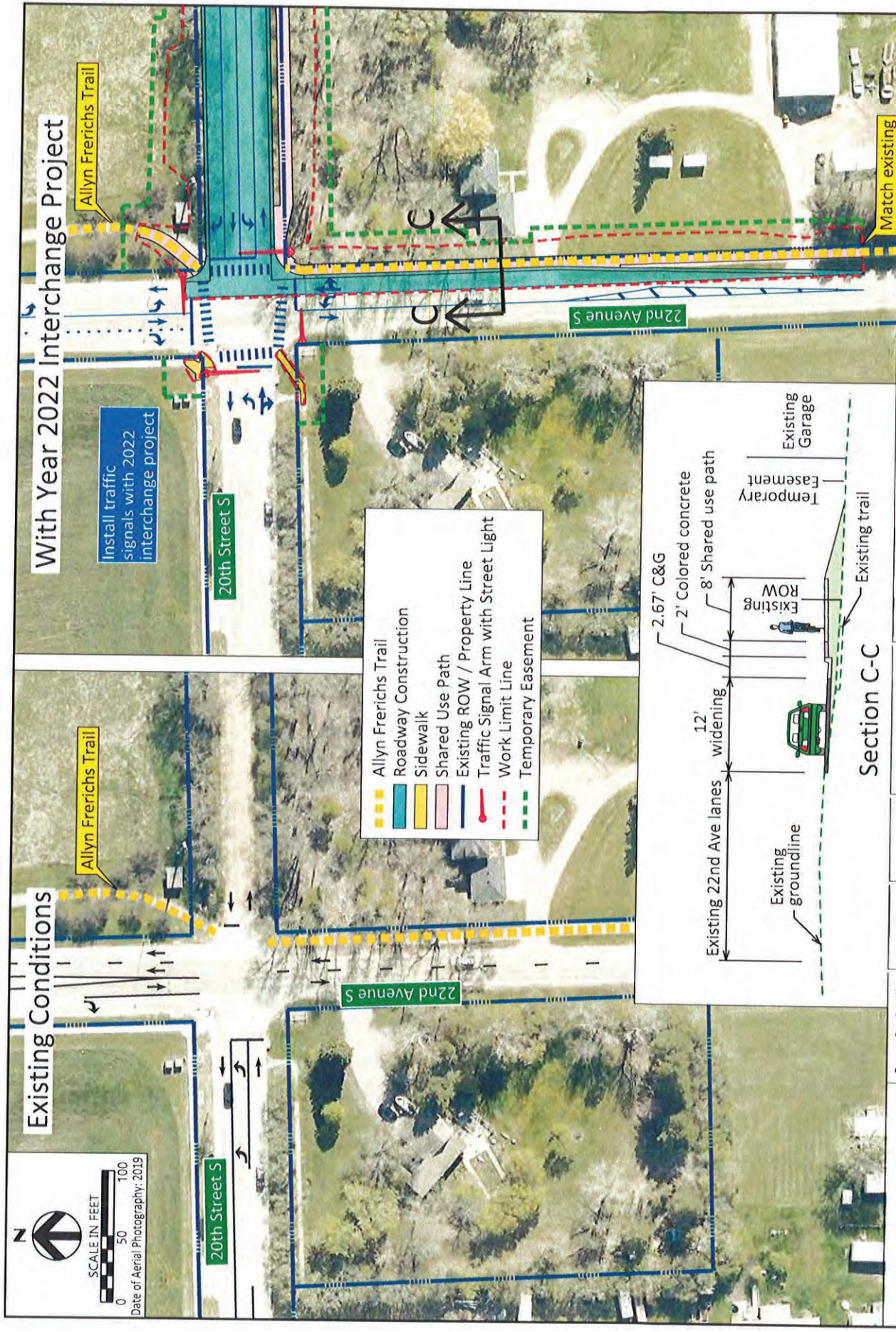


Randy Kittle

Date:

South Dakota Game, Fish, and Parks





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

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

Figure
2
 Brookings, SD



Banner Associates, Inc.
2307 W 57th St, Ste 102
Sioux Falls, SD 57108
Tel 605.692.6342
Toll Free 855.323.6342
www.bannerassociates.com

MEETING MINUTES

DATE	June 10, 2020	
PROJECT	I-29 Exit 130 (Brookings) Interchange	BAI No.23192.00
SUBJECT	Floodplain Analysis	
LOCATION	Zoom Meeting	
ATTENDEES	Jackie Lanning, Brookings City Engineer	
	Robert Hill, Brookings County Floodplain Administrator	
	Richard Haugen, Brookings County	
	Staci Bungard, City of Brookings Floodplain Administrator	
	Tom Birney, Federal Emergency Management Agency (FEMA)	
	Tracie Harrison, FEMA	
	Kent Johnson, Banner Associates	
	Rich Uckert, Banner Associates	
	Becky Baker, Banner Associates	

1. INTRODUCTION OF THE PROJECT
 - A. BRIEF DISCUSSION OF PURPOSE AND NEED
 - B. OVERVIEW OF ALTERNATIVES
 - C. OVERVIEW OF PROJECT SCHEDULE
2. FLOODPLAIN ANALYSIS
 - A. DESIGNATED FLOODPLAIN
 - I. CURRENT
 - II. PROPOSED
 - B. DECISION TO BE MADE:
 - I. REGULATE TO EFFECTIVE FIRM USING 1D HEC-RAS MODEL IMPACT
 - II. REGULATE TO EFFECTIVE FIRM USING PROPOSED FEMA BLE (2D HEC-RAS MODEL)
 - III. REGULATE TO PROPOSED FEMA BLE
 - IV. FLOODPLAIN DEVELOPMENT PERMIT



DISCUSSION:

- A portion of the proposed interchange site is located within a FEMA "Zone A" Special Flood Hazard Area (SPFA) as identified on FEMA's *effective* Flood Insurance Rate Map (FIRM). The local communities (City and County) regulate using the effective map; however, CFR and local ordinances allow use of "best available information" which includes BLE data. Since the effective FEMA map is more restrictive than the BLE map, we are required to regulate to the effective map. If the BLE map was more restrictive (more inundation area than the effective map), we could use it and the elevations from the BLE information. The effective Zone A areas were not created through detailed engineering methods and do not have Base Flood Elevations (BFEs) tied to it.
- The future BLE mapping show the interchange site is not located within its inundation area.
- The BLE information will be updated and eventually become the effective map in the future, unknown timeline due to COVID and funding. Best guess is two to four years when it will become effective.
- Current effective floodplain is Zone A, which allows up to 1 foot of rise. Zone A encroachment does not require modeling of impacts in the Floodplain Development Permit. Initial conservative 1D HEC-RAS modeling shows the alternatives for the project having a rise of 0.65 feet. To mitigate, the incorporation of a 50-foot-wide culvert would cause a rise of 0.50 feet.
- A Floodplain Development Permit is required because the project area is within a Zone A SFHA. A LOMR may or may not be required, coordination would occur with Floodplain Administrators to determine if required after completion of project. Definition of completion is not clear, likely during completion of construction. Timing of approval of new floodplain map may avoid the LOMR, the elevations could be provided to FEMA for incorporation in the new designated floodplain.
- A CLOMR is not required by FEMA for rise in a Zone A designated floodplain. A CLOMR could be requested by the community, but it is not likely for this area for a number of factors: it is in a Zone A SFHA, the impacted area is currently not developed, FEMA will be updating the map, and the conservative increase due to the project is less than 1-foot.
- A 50-foot-wide culvert is not required for mitigation and would cause concerns for drainage downstream. A culvert sized by drainage design standards should be incorporated at the drainage on the east side of the interstate. Brookings County would like their highway superintendent to review.

PREPARED BY Becky Baker and Kent Johnson

JUNE 11, 2020 - FURTHER CLARIFICATION FOLLOWING MEETING BETWEEN KENT JOHNSON AND TOM BIRNEY, FEMA REGION 8.

Following was noted by Kent Johnson. After yesterdays discussion with Tom Birney, he said that within a Zone A area, there is no defined allowable increase in floodwater. I think we generally "think" it is a 1-foot allowable because that is what is stated in the Zone AE and more restrictive regulations/ordinances and is standard floodplain managment practice. The 1-foot increase is used in SDDOT design guidelines for sizing structures (culverts/bridges) as the max allowable.

The allowable increase is not defined within a Zone A because the boudary was determined from an approximate study without any BFEs being established.

Here's my drainage law comment and Tom B also mentioned this - A landowner impacted by increased flood heights due to the project could potentially file a complaint.

MEETING MINUTES

DATE	06-23-2020	
PROJECT	I-29 EXIT 130 BROOKINGS INTERCHANGE- FLOODPLAIN	BAI No. 23192.00
SUBJECT	ROAD DESIGN / DRAINAGE MANUAL DESIGN HEADWATER	
LOCATION	Remote Teams Meeting	
ATTENDEES	Bob Hill, Richard Haugen – Brookings County Planning and Zoning	
	Jackie Lanning, Staci Bungard, Thad Drietz – City of Brookings	
	Kent Johnson – Banner Associates, Inc.	

1. Discuss floodplain administrator duties for interchange project.
 - a. Ordinances were reviewed very briefly which identify administrator duties for floodplain areas in the community. Need to determine impact of project within floodplain.
 - b. Project is within a Zone A (approximate floodplain study without BFEs).
 - i. A preliminary 1D HEC-RAS model was constructed; it showed a 0.7' rise due to the project.
 - c. To further analyze impact, ordinances and Federal Regulations allow the use of best available information.
 - i. Use FEMA 2D BLE model as recommended by Tom Birney from FEMA Region 8.
 - ii. *Preliminary FEMA maps developed by FEMA do not show the project within the future refined floodplain.*
2. FEMA 2D model adjustments and results/impact of interchange project
 - a. FEMA BLE HEC-RAS 2D model was used as best available information to show impact due to the project.
 - i. FEMA has started a map update process for Brookings county using the BLE 2D model, but it is in the beginning stages and will not become effective until 2-4 years depending on many factors such as funding and covid19.
 - ii. **Existing Conditions Model:** The BLE model was updated with culvert information surveyed with this project. ground survey of the project area also replaced lidar terrain in the existing model.
 - iii. **Proposed Conditions Model:** A future preliminary roadway embankment was added to the east side of the interstate to 34th Avenue. The existing culverts sizes were not changed in the proposed model.
 - b. There is no impact due to the project using the BLE 2D model. Water surface elevations do not change between the existing and proposed conditions model.
3. Floodplain Development Permit
 - a. A floodplain development permit will be submitted to the City and County which will document the impact of the project.



- b. A follow-up LOMR may be necessary. FEMA will be consulted with to determine course of action since project was shown not to have an impact.
- 4. Downstream drainage concerns
 - a. Downstream of the project area are sensitive properties of which there is an active drainage lawsuit.
 - b. Goal should be to maintain existing drainage patterns, so we do not cause another drainage issue and potentially another drainage lawsuit.
 - c. Golf Course area has some local drainage which does not seem correct in the BLE 2D Model. Additional breaklines were not included which may make the model perform closer to what the City has known to experience in past flooding events. **The FEMA BLE 2D HEC-RAS model will be updated and rerun to more closely model the flow through the future loops and existing drainage channels.**
 - d. After leaving the golf course, drainage pattern is east in a ditch along the north side of 20th Street South and then into a pond owned by Mills. Then it is within a drainage channel (not the Interstate 29 road side ditch) until it gets to the Bowes area and eventually through a box culvert under I-29.
 - e. **It is not favorable to drain golf course area drainage to the east side of the interstate. It is preferable to maintain drainage patterns through the loops.**
- 5. Setting the road gradeline of 20th Street South interchange.
 - a. We reviewed the City of Brookings Design Guidelines which use the 5-year and 100-year as the minor and major storm events.
 - b. Thad Drietz said 20th Street South will be a Minor Arterial street classification.
 - c. See Attachment 1 for Table 14 - Allowable Maximum Culvert Overtopping requirements from the City of Brookings Drainage Design and Technical Criteria Manual.
 - d. A previous conversation between Kent Johnson and Kevin Marton, SDDOT, confirmed design guidelines followed by SDDOT. See Attachment 2.
 - i. These requirements differ from City of Brookings requirements.
 - ii. The allowable design headwater elevation (25-year water surface elevation) should not exceed 1-ft below the low subgrade shoulder at the lowest point of the roadway within the drainage basin.
 - e. **After discussion, Jackie Lanning said they want to follow the SDDOT design guidance for a local collector even though the City's street classification is a Minor Arterial.**

PREPARED BY Kent R. Johnson, PE



Department of Transportation Environmental Office

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

SEP 09 2020
South Dakota
SHPO

September 8, 2020

Jenna Dietmeier, Review & Compliance Archaeologist
State Historic Preservation Office
Cultural Heritage Center
900 Governors Drive
Pierre, SD 57501-2217

Pursuant to 36 CFR Part 800.10, 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

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

Dear Ms. Dietmeier:

Attached for your review are two cultural resources survey reports, entitled, *A Level I Literature Review of the Proposed Interstate Exchange Project Area in Brookings, Brookings County, South Dakota*, by Troy Kogel and *A Level III Cultural Resources Survey of the Proposed Interstate 29 Interchange at 20th Street South, Brookings, Brookings County, South Dakota*, by Troy Kogel. Structure BK00000575 and two other structures within SW ¼ of the SD ¼ of Section 31, Township 110N, and Range 49W were not relocated; they were likely torn down when the property became an aggregate quarry. Structures BK 00002371, BK00002372, and BK 00002373 were identified and were recommended not eligible for inclusion on the National Register of Historic Places (NRHP). Seven mobile homes were also identified. The mobile homes were not eligible for inclusion on the NRHP.

The report recommends that a Section 106 finding of *No Historic Properties Affected* be granted for this project. The SDDOT concurs and requests SHPO concurrence in a Section 106 determination of *No Historic Properties Affected* for this project.

Should any evidence of buried cultural resources be encountered during the project construction activities, such activities will cease and the SHPO in Pierre or the ARC in Rapid City will be notified immediately in order to determine an appropriate course of action.

Sincerely,

Joanne M. Hight

Joanne Hight
Environmental Engineer Manager
605.773.3721

Attachment

SECTION 106 DETERMINATION

Based upon the information provided to the South Dakota State Historic Preservation Office on 9/9/2020, we concur with your agency's determination of "No Historic Properties Affected" for this undertaking.

Gary D. Vogt
State Historic Preservation Officer (SHPO)
By: *Heather Nelson*
9/17/2020 200909001F
Date SHPO Project #

SECTION 106 CONSULTATION

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



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Ecological Services

South Dakota Field Office

420 South Garfield Avenue, Suite 400

Pierre, South Dakota 57501-5408

In Reply Refer to:
EM 0295(45)130, PCN 020V

September 17, 2020

Ms. Joanne Hight
Environmental Engineer Manager
South Dakota Department of Transportation
700 East Broadway Avenue
Pierre, South Dakota. 57501

Dear Ms. Hight

This letter is in response to your request received August 25, 2020, for environmental comments regarding the above referenced project involving the interchange justification study, environmental study, right-of-way, and design for the I-29 exit 130 interchange. This project is located in Brookings County, South Dakota.

According to the National Wetlands Inventory, (available online at www.fws.gov/wetlands/) wetlands exist within the project boundary. 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, then minimization of any adverse impacts, and finally replacement of any lost acres, in that order. 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.

The U.S. Fish and Wildlife Service concurs with your conclusions that the described project will not adversely affect listed species. Contact this office if changes are made or new information becomes available.

INTERIOR REGION 5 MISSOURI BASIN

KANSAS, MONTANA*, NEBRASKA, NORTH DAKOTA,
SOUTH DAKOTA

*PARTIAL

INTERIOR REGION 7 UPPER COLORADO RIVER BASIN

COLORADO, NEW MEXICO, UTAH, WYOMING

Ms. Joanne Hight

2

The Service appreciates the opportunity to provide comments. If you have any questions on these comments, please contact Dylan Turner of this office at (605) 224-8693, Extension 233.

Sincerely,

Scott Larson
Field Supervisor
South Dakota Field Office