

Finding of No Significant Impact (FONSI) and Section 4(f) Finding

For

SD44 / Platte-Winner Bridge
Gregory and Charles Mix Counties, South Dakota

Project Number: P 0044(207)290, PCN: 05X0
Project Number: P 0044(228)290, PCN: 08PP

Submitted Pursuant to 42 U.S.C. 4332(2) and 49 U.S.C. 303

by the
US Department of Transportation
Federal Highway Administration
And
South Dakota Department of Transportation

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1.0 INTRODUCTION

The Federal Highway Administration (FHWA) has determined that in accordance with 23 CFR §771.119 and §771.121, the SD44 Platte-Winner Bridge project will not have a significant impact on the human and natural environment. This Finding of No Significant Impact (FONSI) for the Proposed Action is based on the May 2023 Environmental Assessment (EA) signed by the FHWA on May 25, 2023. The EA and was made available to stakeholders, agencies, and the public for a 30-day comment period on the website <https://sd44bridge.com/>. Printed versions of the EA were made available at the South Dakota Department of Transportation (SDDOT) Winner Area Office and at the Platte City Hall. Public meetings were held on June 20, 2023 at the Holiday Inn Express in Winner, SD and June 21, 2023 at the Platte Area Community Center in Platte, SD. The public meetings were held to discuss the EA and provide the public an opportunity to comment on the project.

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

Since the closure of the EA public comment period, the characterization of potential impact to the Section 4(f) archeological resources has changed and requires modification of information documented in the EA. Section 2.3 of this FONSI describes the new information and provides revised impact documentation.

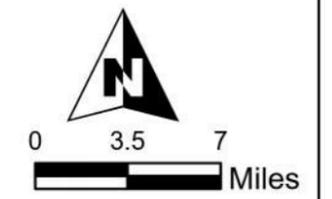
The project was developed in accordance with the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality's (CEQ's) Regulations for Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] § 1500-1508) and the corresponding regulations and guidelines of the U.S. Department of Transportation (USDOT) and FHWA.



Figure 1 Project Location and Missouri River Crossings
 SD44/Platte-Winner Bridge
 FONSI
 Gregory and Charles Mix Counties

Legend

- SD44
- Highways
- Arterial Roads
- Collector Roads
- Existing Bridge
- Cities
- Parks and Recreation Areas
- Bodies of Water
- Charles Mix County
- Gregory County



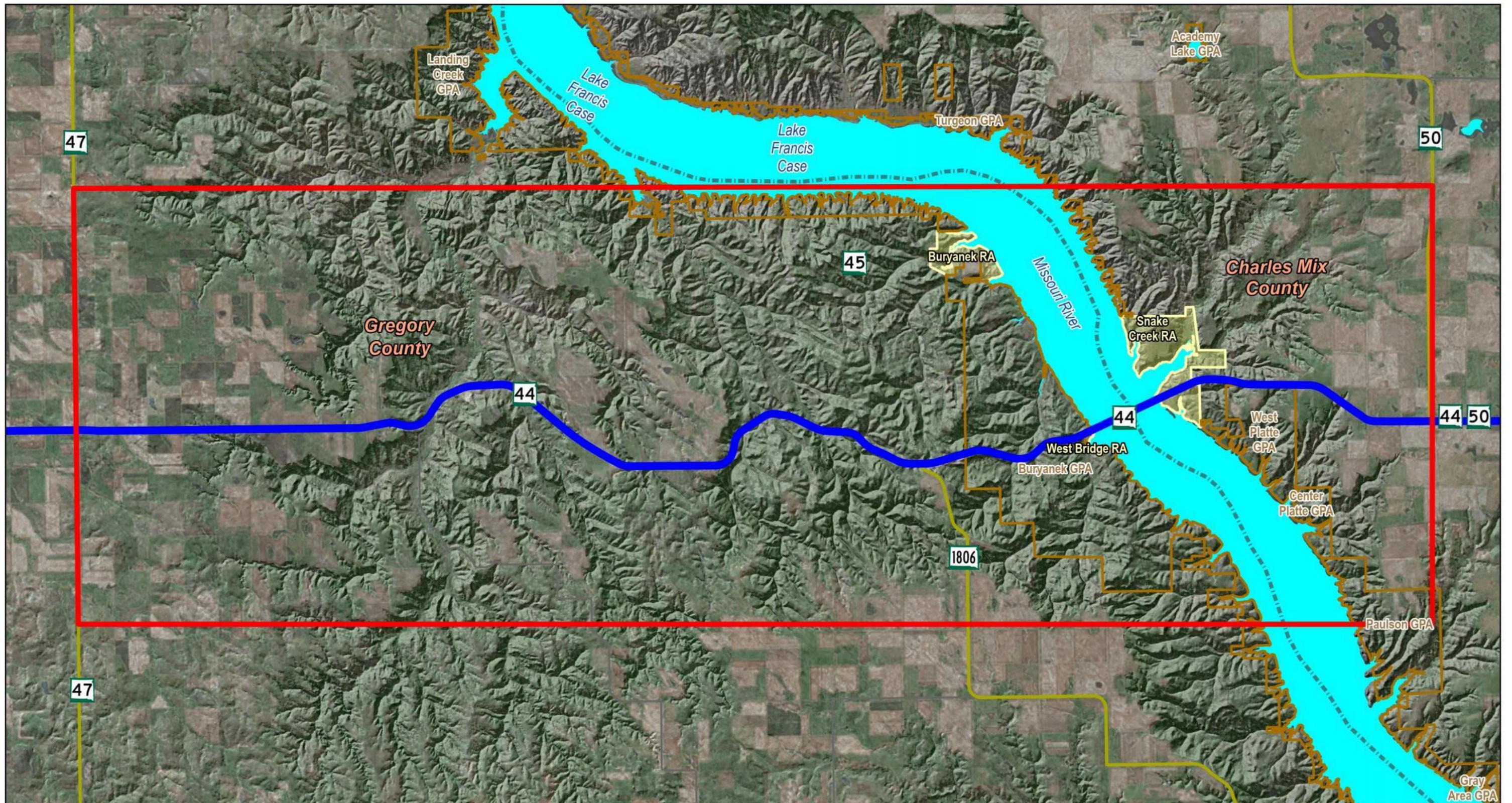
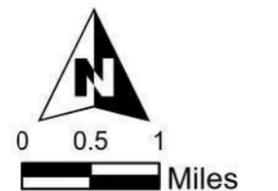


Figure 2 Project Corridor
 SD44/Platte-Winner Bridge
 FONSI
 Gregory and Charles Mix Counties

Legend

- ▬ Project Corridor
- ▬ SD44
- ▬ Bodies of Water
- ▬ Parks and Recreation Areas
- ▬ Game Production Areas



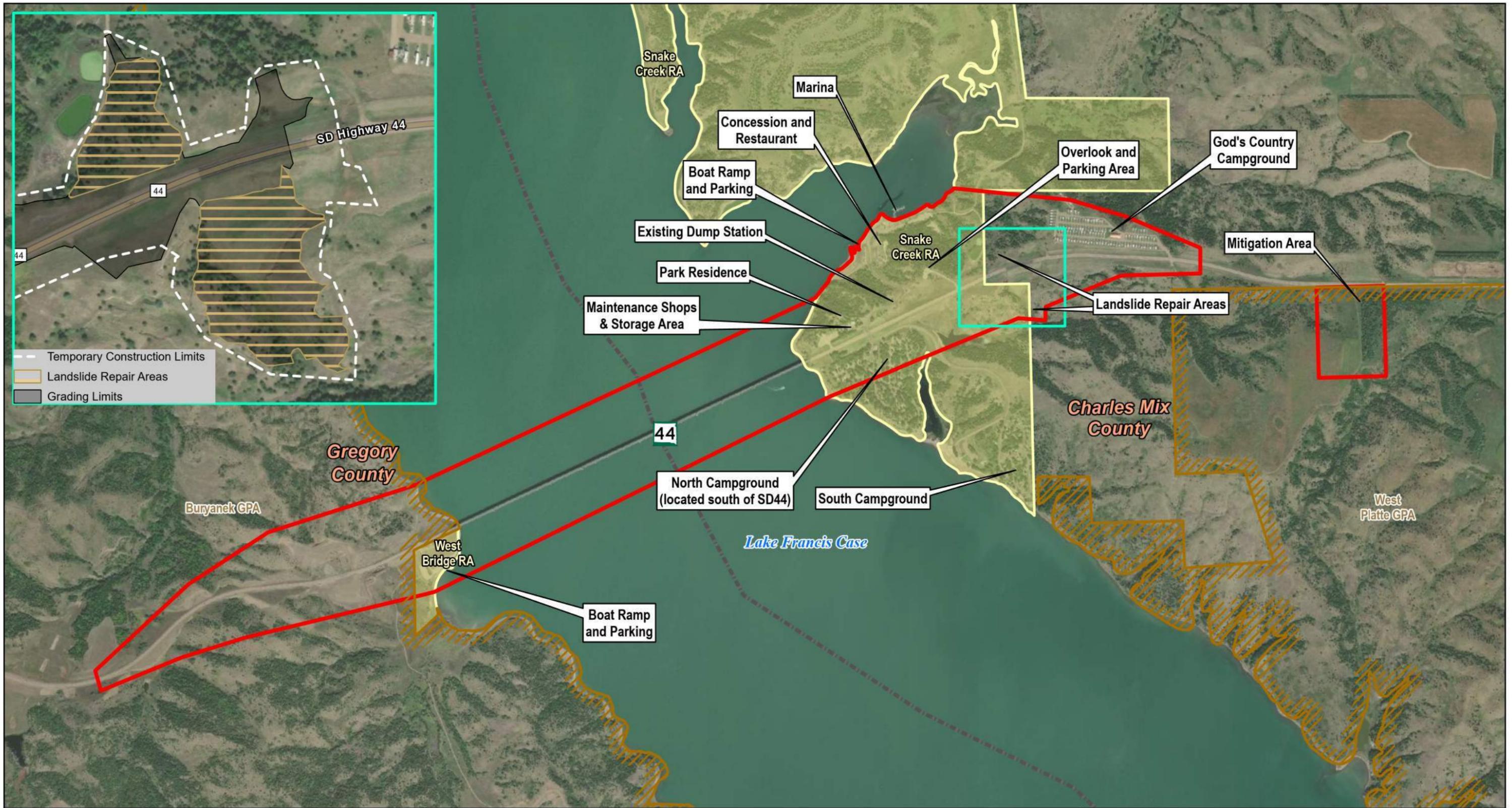
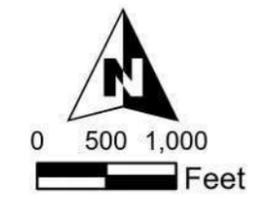


Figure 3 Project Study Area
 SD44/Platte-Winner Bridge
 FONSI
 Gregory and Charles Mix Counties

- Legend**
- Study Area
 - Parks and Recreation Areas
 - Game Production Areas



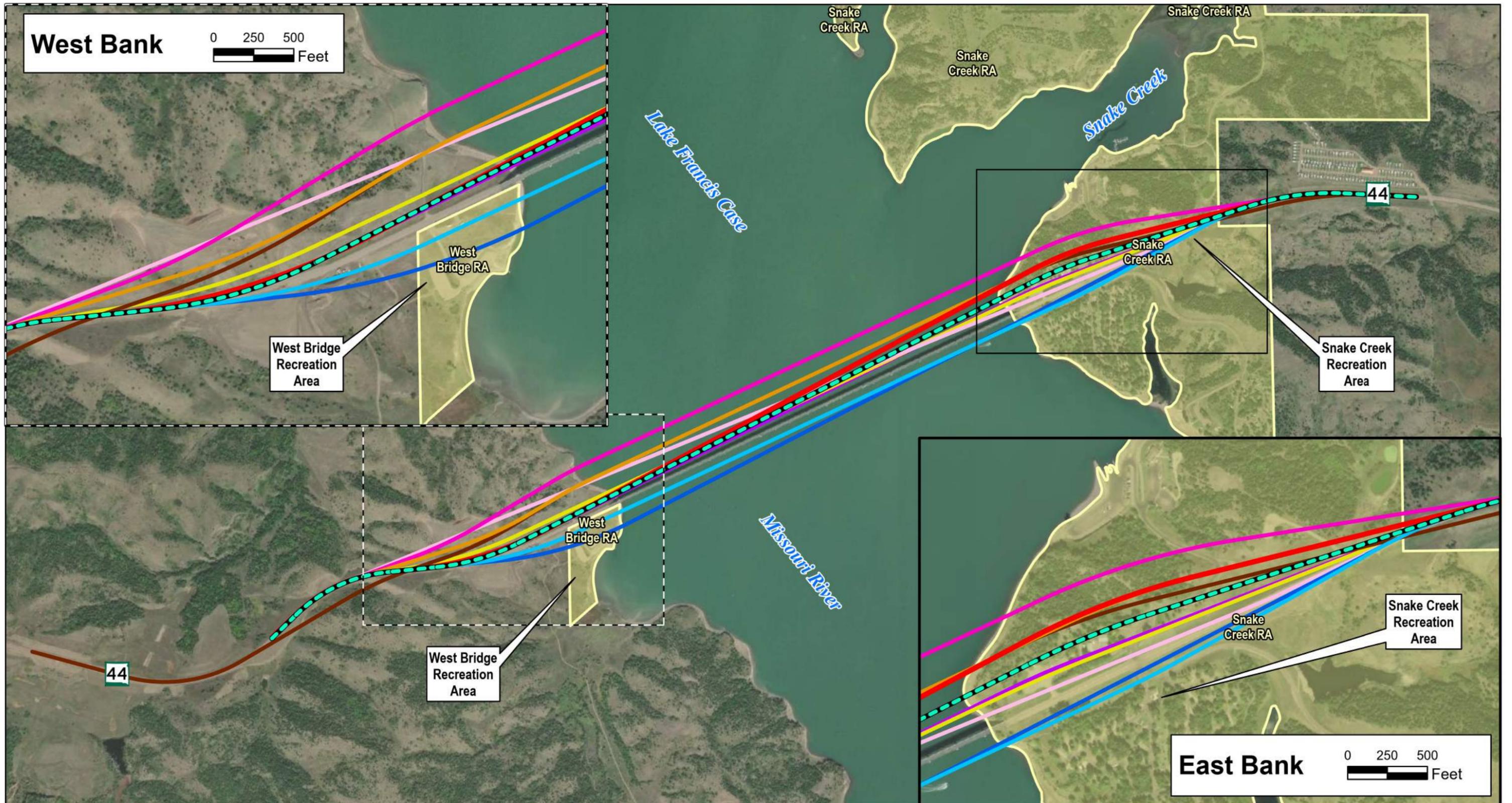


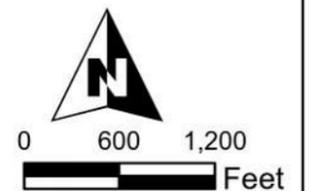
Figure 4 Range of Alternatives Considered

SD44/Platte-Winner Bridge
FONSI

Gregory and Charles Mix Counties

Legend

- - - Recommended Alternative
- South 100' (125')
- South Skew (300'-50')
- North 400'
- North 600'
- North 400' Modified West
- North Skew (400'-50')
- North 100 (125')
- North Skew (50'-200')
- Parks and Recreation Areas



2.0 DESCRIPTION OF PROPOSED PROJECT

The SD44 Platte-Winner Bridge project (“project”) includes replacing South Dakota’s longest bridge (Project Number P0044(207)290, PCN: 05X0) and a package of improvements at and around the Snake Creek Recreation Area (SCRA), including relocation of the park residence and maintenance shops and the construction of a sanitary dump/ water station (Project Number P 0044(228)290, PCN 08PP). The SD44 Bridge (Bridge No. 12-085-080), also known as the Lake Francis Case Memorial Bridge is one mile long and connects Gregory and Charles Mix Counties over the Missouri River. The nearest cities to the bridge along SD44 are Winner, approximately 40 miles west, and Platte, approximately 15 miles east. Figure 1 shows the location of the project and other Missouri River crossings. Figure 2 shows the Project Corridor. Figure 3 shows the study area for the EA.

The proposed project meets logical termini and independent utility requirements per 23 CFR 777.111(f). The proposed project is a standalone project, meaning it can be constructed and function on its own without depending on the construction of other projects. The beginning and ending points of the proposed project allow enough room to tie the proposed improvements back into the existing roadway alignment allowing for logical connection points. The new bridge and roadway alignment are slightly shifted to the north of the existing bridge so construction on the new infrastructure can take place while the existing bridge remains in service during the construction phase of the project.

2.1 Purpose and Need for the Project

The purpose and need statement were developed through coordination and consideration of input from the public, agencies, and tribes. In addition, meetings were held with key stakeholders to develop the project’s purpose, need, and goals. Coordination with agencies, tribes, the South Dakota Game Fish and Parks (SDGFP), and the public will continue throughout the project.

Purpose of the Project

The purpose of the project is to replace the existing SD44 Platte-Winner Bridge over the Missouri River to maintain the regional connectivity along SD44 in South Dakota.

Project Needs

The project is needed to address several critical issues associated with the existing bridge that was constructed in 1966. The SDDOT’s *Major Bridge Investment Study* and the *SD44 Platte-Winner Bridge Corridor Study*, identified the following issues with the existing bridge that when combined, threatened the long-term viability of the bridge. These concerns have led the SDDOT to program the Platte-Winner Bridge for replacement in 2024 as part of SDDOT major bridge replacement program.

- Overall aging infrastructure of the bridge and long-term maintenance costs
- Narrow bridge width that does not meet current geometric design standards

Overall Age of Infrastructure & Long-Term Maintenance Costs

The bridge was constructed in 1966 and is currently 57 years old. This bridge is reaching the end of its lifespan, as the average lifespan of this type of bridge is approximately 50 years. The bridge is inspected routinely and determined safe for travel without restrictions. However, the need for maintenance is increasing as the infrastructure ages. The increased costs to maintain the bridge would lead to future restrictions being placed on the bridge, such as weight or size limitations to maintain the structural integrity of the existing bridge.

Narrow Bridge Width

The existing bridge has a 28-foot-wide deck that includes two 12-foot-wide driving lanes and two 2-foot paved shoulders. The 28-foot-wide existing bridge can be problematic for motorists attempting to drive large trucks or carry oversized machinery, including farm equipment, across the river. The narrow bridge width is also a safety concern for vehicles that need to make emergency stops on the bridge or for emergency service vehicles to have a place to pull over out of the travel lanes while on the bridge. Current SDDOT bridge width standards indicate that the bridge should have a total width of 36 feet, an additional 8 feet wider than the existing bridge. This additional space results in the capacity for two 12-foot-wide driving lanes and two 6-foot paved shoulders. Anything less than this dimension will not meet project purpose and need.

Project Goals

In addition to the project needs, the location of the replacement bridge needs to consider the following goals:

- Respecting the sensitive environmental resources located along the SD44 corridor and along the Missouri River
- Maintaining regional connectivity and community cohesion between the communities of Platte and Winner, South Dakota
- Addressing known geotechnical concerns in the study area, which includes lands along the Highway 44 corridor as well as subsurface conditions under the Missouri River, where bridge foundations will be placed. There are landslide areas occurring in the project study area adjacent to SD44, just east of the SCRA, that require repairs and mitigation measures to maintain a stable environment for infrastructure.

Sensitive Environmental Resources

The environmental resources that are a concern in the area include recreational areas and cultural resources. There are three different recreational facilities adjacent to the SD44 Platte-Winner Bridge. West of the river is the Buryanek Game Production Area (GPA) and West Bridge Recreation Area (RA). On the east side of the river is SCRA that is divided by SD44. These recreational resources are protected under Section 4(f) of the U.S. Transportation Act of 1966. In addition, the SCRA is protected under Section 6(f) of the Land and Water Conservation Fund (LWCF) of 1965 because it received funds from this federal funding source. From the cultural resources perspective, historic records indicate buried archeological resources may exist along the banks of the Missouri River. In addition, the bridge itself has been determined to be eligible for listing on the National Register of Historic Places (NRHP) through an evaluation completed in 2019 (Appendix H). The cultural and historic aspects of the bridge and surrounding area demands review through a consultation process governed by Section 106 of the National Historic Preservation Act of 1966 (Section 106).

Regional Connectivity and Community Cohesion

The Platte-Winner Bridge is one of five crossings of the Missouri River in South Dakota that were built to facilitate vehicle transportation. All five crossings are vital to the regional connectivity and transportation system in South Dakota. The SD44 route is a key east/west route through the state using the Platte-Winner Bridge. According to the 2017 traffic counts, the Platte-Winner Bridge sees approximately 835 vehicles per day. Approximately 22 percent of the vehicles crossing this bridge are classified as trucks, which is a relatively high portion of vehicles using the corridor compared to other roadways in the state.

Should this bridge be closed for some reason, the economic ramifications of detouring traffic are a concern. The nearest river crossing to the north of the Platte-Winner Bridge is the I-90 crossing, which is approximately 47 road miles if traveling on the east side of the river and 66 road miles if traveling on the west side of the river. The nearest crossing to the south is the US 18/ US 281 crossing near Pickstown, SD

which is approximately 54 miles south if traveling on the east side of the river and 67 miles if traveling on the west side of the river. The out of distance travel equates to additional transportation costs including fuel and wear and tear on other roads that may not be designed to handle additional detoured traffic. For example, when the damaged bridge piers were repaired in the summer of 1997 it caused the bridge to be closed to traffic for about four months and required some motorists on SD44 to use a detour that was more than 70 miles out of the way.

The SD44 Platte-Winner Bridge serves as a critical connection for the rural communities in the region. The communities of Winner, Colome, Dallas, Gregory, and Burke are located on the west side of the Missouri River. Economically, these communities depend on each other for products and services especially in regards to the agricultural industry. Businesses such as agricultural equipment dealers and service providers, livestock auctions, grocery stores, other services and jobs are located east of the river in Platte. All of the communities work together and rely on each other to sustain the region economically, which would not be possible without the connection that the SD44 Platte-Winner Bridge provides.

Geotechnical Conditions and Repairing Landslide Areas

The soils in the area and within the Missouri River Valley are known to be unstable. The hilly terrain, unstable soils, and erosion are causing landslides near SD44 on both sides of the Missouri River. In 2022 the SDDOT completed landslide repair work located near the west end of the existing Platte-Winner Bridge. This work was completed as an independent project to stabilize the soils to stop potential erosion from undercutting the SD44 roadbed. Similarly, two additional locations where erosion and landslides are occurring have been identified on the east end of the bridge just east of the SCRA boundary. Both repair areas are directly adjacent to SD44, one on the north side of SD44 and one on the south side of SD44. Figure 3 shows the location the landslide repair areas. The repair work to stabilize and regrade the soils in these two areas would take place during the grading of the proposed roadway realignment needed for the new bridge replacement approach. This risk for landslides in the study area is notable as well for its importance in considering new highway alignment options. Alignments that have greater divergence from the existing corridor pose higher risks for causing new landslide issues by way of the disruptions caused by construction and changes to the surrounding environment.

As described in the 2019 *Corridor Study*, there are geotechnical risks in the Missouri River related to placement of foundations for a new bridge structure. Construction methods used for the existing bridge created areas around the existing foundations that are higher risk for obstructions for new foundations. The *Corridor Study* provided recommendations for areas of greatest risk to avoid with a new alignment. Those conditions generally favored alignments that are located away from the current bridge. However, the above-river geotechnical conditions tend to favor bridge alignments that are closer to the current bridge. This is because the original bridge alignment takes advantage of a prominent bedrock formation that helps minimize the bridge length and provides a stable location for transition of the highway from a road on land to the bridge over water.

2.2 Alternatives Considered

No Build Alternative

Under the No Build Alternative, the existing bridge would not be replaced. The SDDOT would continue routine maintenance on the existing bridge. Given the age and condition of the existing bridge, this alternative did not meet the purpose and need of the project. The No Build Alternative served as a basis of comparison with the build alternatives.

Build Alternatives

The build alignment alternatives were identified and developed as the project progressed utilizing input from the SDDOT, the Study Advisory Team (SAT), key stakeholders from both communities of Platte, SD and Winner, SD, and general public input. The September 2019 *SD44 Platte-Winner Bridge Corridor Study* describes the alternative development process. Nine initial build alignment alternatives, each of which meet the core elements of project purpose and need, were developed and shown in Figure 4.

Each alternative is named for its proposed location in relationship to the existing bridge. The “N” or “S” designates the location of proposed alignment being either north (upstream) or south (downstream) of the existing bridge. The number after the “N” or “S” indicates the approximate distance, in feet, the alignment is located away from the existing bridge. The alignments named “skew” represent those alignments that are not parallel to the existing bridge. The numbering associated with the skew alternatives is given in a two number sequence, where the first number references the distance, in feet, from the western bridge abutment, and the second number represents the distance, in feet, from the eastern bridge abutment.

In addition to the bridge alignment alternatives, different types or styles of bridges were evaluated. There were six different bridge types that were considered including the Girder/Slab, Segmental, Arch, Truss, Cable Stay, and Suspension. All six of the different bridge types could be used for any of the initial build alignment alternatives, and therefore are also consistent with the project purpose and need.

Preferred / Recommended Alternative

Based on the review of alternatives as described above and in more detail in the *SD44 Platte-Winner Bridge Corridor Study*, the Refined North Skew alignment meets the project purpose and needs, and is the best option for addressing all identified project goals. Of the six bridge types evaluated, the Girder/Slab type bridge was recommended to carry forward for further consideration. The Refined North Skew Alternative is the Recommended Alternative which is shown in Figure 4.

2.3 New Information

Since publication of the EA, new information regarding how the proposed improvements could impact identified Section 4(f) archeological cultural resources was received. The proposed project has the potential to impact two cultural resource sites located within the SCRA, due to construction of the bridge abutment and associated structural elements.

As such, the project represents a “use” of the Section 4(f) archeological cultural resource. However, the use has a *de minimis* impact on the Section 4(f) resources. The State Historic Preservation Office (SHPO) is the official with jurisdiction over the archeological cultural resources site located with the SCRA. On August 14, 2023, SHPO indicated that there is no objection to the FHWA’s intent to make a *de minimis* finding for this Section 4(f) resource. The FHWA concurred with the *de minimis* finding on the Section 4(f) archaeological cultural resource on August 24, 2023.

Text in Section 3.16.2 of the EA and Table 10 of EA are impacted by this change. This change has been reflected in Section 2.4, Table 1 Summary of Impacts and in Table 6 Summary of Section 4(f) Uses and Approvals in this FONSI.

2.4 Summary of Impacts

Table 1 summarizes the social, economic, and environmental impacts associated with the project as evaluated in the EA.

Table 1. Summary of SD44 Platte-Winner Bridge Environmental Resource Impacts

Resource	Impact Summary
Land Use	<p>The proposed project will impact SDGFP maintenance facilities, the park’s residence, and a sanitary dump/water station. These impacts will be mitigated under P 0044(228)290, PCN 08PP. The SD44 roadway right of way will be shifted to the north, with the existing SD44 right of way becoming recreational and SCRA facility land use. No permanent access changes will occur as a result of the proposed project.</p> <p>Approximately one acre of the West Platte GPA will be paved and converted to the new sanitary dump/water station and parking lot which is consistent with the recreational land use of the West Platte GPA.</p>
Bicyclists and Pedestrians	No impacts to bicycle or pedestrian facilities would occur since no bicycle or pedestrian facilities are located in the project study area.
Visual Impacts and Aesthetics	A traveler on SD44 will have generally the same view of the river as they do currently. From the boater’s perspective the general view of the shore and bridge will be the same as the current view except that there will be less piers in the water.
Socioeconomic	There is an indirect and temporary benefit to low-income populations in the area with the implementation of the proposed project due to construction related services in the area.
Environmental Justice	The proposed project would provide indirect benefits to the disadvantaged populations in the area during construction. Mitigation measures for the proposed project would minimize short-term temporary construction impacts to the local community including minority and low-income populations.
Environmental Sustainability and Quality of Life	The proposed project includes a design that integrates disaster preparedness and resiliency into the structure. The proposed pier foundations will be designed to withstand ice loads as required by and included in current design standards. The wider bridge deck will allow SD44 to remain a relevant and viable route for farmers and agricultural services to get to products to markets safely and efficiently. The proposed project provides undisturbed and consistent emergency services with consistent access routes and predictable travel times.
Farmland, Soils, and Topography	No impacts to prime farmland or farmland of statewide importance would occur as a result of the proposed project since these resources are not present in the study area.
Noise	The proposed project will not result in adverse effects from noise to receptors in the project area. The proposed roadway will be higher and farther away from campsites providing noise attenuation. Additionally, the park residence will be moved farther from traffic noise. A temporary increase in noise within the study area would occur during construction which is expected to take place during the daylight hours.
Wetland and Waters of the United States	The proposed project will not impact wetlands. Wetlands exist in the study area but fall outside of the proposed construction limits and will not be impacted.
Water Quality and Stormwater Management	The proposed project will have temporary impacts to water quality. These will be mitigated by construction best management practices being implemented as part of the Stormwater Pollution Prevention Plan, required for General Permit for Stormwater Discharges Associated with Construction Activities from SDDANR, required for the project. Overall, temporary and minor impacts to water quality in Lake Francis Case would result from the proposed project.
Air Quality	The proposed project would result in temporary air quality impacts during the three years of construction.

Resource	Impact Summary
Floodplains	The proposed project would include a net increase of 7,064 cubic yards of fill to be placed within the floodplain. As part of the final design process SDDOT may be required to complete a floodplain analysis and issuance of a “no-rise” certification that will be sent to the Federal Emergency Management Agency and the appropriate Gregory and Charles Mix Counties floodplain permit departments, if necessary.
Vegetation, Fish, and Wildlife	<p>The proposed project will impact vegetation, fish, and wildlife through land and vegetation clearing activities, as well as work in the river. Despite temporary impacts during construction, wildlife is expected to remain abundant in the study area during and after construction.</p> <p>Approximately one acre of land wildlife habitat will be impacted at the West Platte GPA as part of the mitigation of the sanitary dump/ water station. The dump/water site was selected as the most conducive area for the least amount of ground disturbance, relatively low existing habitat value, and convenience for SCRA using the sanitary dump/water station.</p>
Threatened and Endangered Species, Migratory Birds, and Eagles	<p>The USFWS made the determination in their April 5, 2023 letter that the proposed project “may affect, not likely to adversely affect” the northern long-eared bat and whooping crane. The SDGFP responded in a May 2, 2023 letter stating False Map Turtles, a state threatened species, were captured north of the SCRA and downstream of the project location. SDGFP should be contacted if false map turtles or other state-listed species are identified in the study area during site development or construction. The letters are included in Appendix M of the EA. The “no effect” determination was made for the red knot, piping plover, and pallid sturgeon.</p> <p>A qualified biologist will conduct preconstruction migratory bird surveys in suitable areas that have not been mowed or cleared prior to April 1st to determine if there are current nests and to determine offsetting measures to compensate for impacts to migratory birds. A survey will be conducted annually for each year of construction. Work will be restricted in specific locations if nesting birds are identified.</p>
Historic and Archaeological	<p>The proposed project results in a Section 106 finding of Adverse Effect since the existing bridge is eligible for listing on the NRHP and will be removed at the end of the project. In addition, SHPO determined sufficient evidence exists to classify the area surrounding the existing east abutment of the bridge as worthy of considered as eligible for listing on the NRHP.</p> <p>The March 22, 2022 Memorandum of Agreement (MOA) between United States Army Corps of Engineers (USACE), SDDOT, SDGFP, SHPO, Yankton Sioux Tribe, and Rosebud Sioux Tribe includes 12 stipulations / environmental commitments for preconstruction, construction, and post construction. The MOA is subject to change. A more updated version of the MOA may be available upon request. The current MOA is included in Appendix D. An amendment to the MOA was in progress during the EA public availability comment period and at the time of writing this FONSI. The amendment commemorates addition of the sanitary dump/ water station to the project study area for ongoing MOA commitments. The MOA amendment does not change the determinations described in the EA. Separate from the amendment process, documentation of MOA Stipulation IV being fulfilled is in the June 26, 2023 letter from SHPO that is included in Appendix E.</p>

Resource	Impact Summary
Section 4(f) / 6(f)	<p>The proposed project impacts Section 4(f) resources. This list below describes the Section 4(f) and 6(f) approvals used for each resource. Section 6(f) only applies to SCRA as LWCF were used to improve resources at this facility.</p> <ul style="list-style-type: none"> • Platte Winner Bridge – Historic Bridge Programmatic • Archaeology Site – <i>De Minimis</i> • West Bridge RA – <i>De Minimis</i> • Buryanek RA – <i>De Minimis</i> • West Platte GPA – Exception (g) • Snake Creek RA – <i>De Minimis</i> and No Section 6(f) use and no temporary nonconforming use of the SCRA property would result from the proposed project.
Regulated Materials	The proposed project will require proper relocation or decommissioning of petroleum aboveground storage tanks.
Construction	Construction impacts would be temporary and limited to the time of construction which is anticipated to be five years from Jan 2024 – Dec 2028.
Cumulative Impacts	Impacts from past, present, and reasonably foreseeable future actions are, or will be, minimized or mitigated as a result of planning, coordination, and permitting that limits the impacts to the resources.

3.0 COORDINATION AND PUBLIC INVOLVEMENT

Throughout the EA process, the FHWA and SDDOT coordinated with agencies, tribes, and the public. Coordination with agencies, tribes, and the public occurred early in the project and these entities were re-engaged as more information was known or as changes occurred to the project. Agency and public comments assisted in understanding the environmental concerns for the project and helped determine appropriate environmental commitments for project impacts.

3.1 Public Involvement

Public engagement was completed throughout the EA development process. Public meetings were conducted in person and online. Public input was requested at key milestones through the EA process.

Public Open House #1: May 22-23, 2017

The first public open house meeting was held on two different days in two different communities. On May 22, 2017, the public meeting was held in Winner where 61 people signed in as attendees of the meeting. On May 23, 2017, the same information was presented to the public in Platte where 96 people signed in as attendees of the meeting. A presentation was given at the meeting covering the elements of the study, the environmental process and environmental concerns identified to date, traffic data for the corridor, various bridge types and locations to be considered, the project schedule, and the role of the community in the process.

Comments were solicited and received from the community that included:

- Concern about closure of the bridge and the desire to avoid bridge closure due to the extensive detour,
- Support for a wider roadway on the bridge; large vehicles cross the bridge and risk conflict with oncoming vehicles,
- Questions about whether a causeway (similar to what is on I-90 at Chamberlain) may be part of a new bridge solution,
- Sightlines for vehicles approaching the bridge can be difficult as they take the curve going down the hill toward the river.

Public Open House #2: December 12-13, 2017

The second public open house meeting was held on two different days in two different communities. On December 12, 2017, the public meeting was held in Winner where 19 people signed in as attendees of the meeting. On December 13, 2017, the same information was presented to the public in Platte where 39 people signed in as attendees of the meeting. A presentation was given at the meeting covering the elements of the study, confirming the need for the project along with SDDOT's intention to avoid or limit any closure of the SD44 river crossing as part of this project. Environmental constraints were described to attendees, including geotechnical concerns in the river bottom that limit how close the new bridge may be positioned relative to the existing bridge.

Comments were solicited and received from the community including interest in what will happen with the existing bridge; to what extent it may be left in place versus removed. Some commenters noted the potential recreation fishing benefits of retaining the piers above water level. Interest was expressed in understanding the timeframe for construction and what economic impact the construction activity may have on the area.

Public Open House #3: June 20-21, 2023

The EA was made available to the public on May 31, 2023, prior to the public meetings. Notice of the availability of the EA was published in the following newspapers and printed copies were available for public review at the following locations. Reprints of the published advertisements are included in Appendix A.

- Newspapers:
 - Gregory Times, Published on May 31, 2023, and June 5, 2023
 - Winner Advocate, Published on May 31, 2023, and June 7, 2023
- Locations of EA:
 - South Dakota DOT Winner Area Office
 - Platte City Hall

The third public open house was held on two different days in two different communities from 5:30 PM to 7:00 PM. On June 20, 2023, the public meeting was held at the Holiday Inn Express in Winner where 18 people signed in as attendees of the meeting. On June 21, 2023, the same information was presented to the public at the Platte Area Community Center in Platte where 33 people signed in as attendees of the meeting. A 20-minute presentation was given at 6:00 PM at both meetings. The presentation included the project background, history, purpose and need, alternatives considered, preferred alternative, environmental impacts, project costs, and construction staging.

No written comments were received at the end of the public meetings. The public comment period closed on July 7, 2023. Four written comments were received via website and email and are included in Appendix A. Verbal comments received and verbal responses provided during the open house portion of the meeting are included in Table 2. Table 3 includes the written comments received and the impact to the EA and the *De Minimis* finding. Appendix A includes a summary of Public Meeting #3.

Table 2. Verbal Comments Received during Public Meeting #3

Verbal Comment	Verbal Response
Where will construction workers live? Currently, housing inventory in Platte is in short supply. There may not be housing available for construction workers who are moving to the area for the duration of the construction.	There are several campgrounds that might work for temporary housing of construction workers. Ultimately the contractor selected to build the project will determine key aspects of when and where workers are needed.
How many people will the project employ altogether? Will all these people be coming to town all at once for the duration of the project?	No one knows how many construction jobs this project will create. Not all of the construction workers will be working on the bridge all at the same time. The project will be constructed in pieces so when one portion of the construction is complete those employees will likely leave, and another set of skilled employees will come to town to complete their portion of the project.
How many contractors are qualified to do this type of bridge work? Where will these people be relocating from?	Not sure but would guess the prime contractor will be from out of state with some local contractors helping with portions of the construction.
When will construction begin?	The relocation of the park maintenance shops, residence, and construction of the new dump station will begin as soon as this fall 2023. Bridge construction could begin in 2024, with major components of the work likely beginning in 2025.
Will the existing bridge remain open?	Yes, the new roadway and bridge will be constructed before the existing bridge is demolished.

Verbal Comment	Verbal Response
How far down do the existing bridge piers be removed?	According to information from the USACE, the existing piers will need to be removed as far down as the “muck”. These piers will not be visible during low water events.
How will the new bridge be constructed?	This is up to the contractor to decide and will work with SDDOT and the SDGFP to determine best methods that are acceptable to all parties.

Table 3. Summary of Written Public Comments

Comment	Impact to EA and <i>De Minimis</i> Finding
Interested in offering construction crews lodging at RV campground in Winner, SD.	None. Not a substantive comment. Comment is about housing for construction crews which is not a relevant comment to the <i>de minimis</i> finding or to findings of the EA.
Encourages project team to consider an overpass, grade separated crossing, for SCRA users to use instead of crossing the SD44 roadway.	None. Not a substantive comment. Comment is about wanting a grade separated overpass between the SCRA facilities, so patrons do not have to cross SD44. Completing an overpass or interchange within the SCRA would result in greater impact to Section 4(f) facilities than what is proposed and does not meet the purpose and need of the project. While comment talks about SCRA, it is not a relevant comment to the <i>de minimis</i> finding or findings of the EA.
Interested in finding a way to reuse the existing bridge piers as new fish habitat in the river and offering handicapped fishing piers off the bridge.	None. Not a substantive comment. Comments are about existing bridge piers and creating fish habitat and are not relevant to the <i>de minimis</i> finding or findings of the EA.
Concerned with boat launch ramps becoming crowded due to permanent RV parks in area. Wants to see the West Bridge boat launch enhanced with project construction.	None. Not a substantive comment. Comments are about wanting more boat ramp space at West Bridge Recreation Area after project is complete. Construction methods are up to the Contractor and project impacts will be evaluated at that time. Therefore, not a relevant comment to the <i>de minimis</i> finding or findings of the EA.

3.2 Agency Coordination

Agency coordination took place throughout the SD44 Platte-Winner Bridge study with several State, Federal, and local agencies. On March 23, 2017, project information was sent to the agencies listed in the bullets below. The information included a one-page summary, map showing the location of the project, and a cover letter. The information that was sent to agencies is included in Appendix M of the EA. Agency responses are described in Table 4 and included in Appendix M of the EA.

- South Dakota Department of Agriculture and Natural Resources
- South Dakota Department of Game, Fish and Parks
- South Dakota Archeological Research Center
- South Dakota State Historical Society

The FHWA, as the lead Federal agency, sent an invitation on March 28, 2017 to three other federal agencies inviting them to be Cooperating Agencies for the proposed project. The invitation was sent to the USACE, U.S. Coast Guard (USCG), and USFWS. All three agencies responded. The USACE and USCG requested

being cooperating agencies for the EA. The USFWS declined. In addition, on June 30, 2017, the USACE accepted full responsibility as the lead federal agency for the Section 106 process. Both the USACE and USCG were cooperating agencies throughout the EA process but will not be adopting this FONSI as they will develop their own FONSI documentation to complete their agencies' NEPA process. The responses are described in Table 4 and correspondence is included in Appendix M of the EA.

Additional agency correspondence from the South Dakota State Historical Society, U.S. Fish and Wildlife Service, and South Dakota Game, Fish and Parks is described in Table 4.

Table 4. Agency Correspondence

Date	Agency	Response
4/17/17	U.S. Coast Guard	Agrees to serve as a Cooperating Agency for the project from a navigation standpoint. Wants to review the environmental document before it is finalized.
4/25/17	South Dakota Department of Agriculture and Natural Resources	Expressed concerns maintaining continuous traffic flow across the existing bridge during construction and the effects roadway realignment would have on wildlife, natural resources, cultural/historical properties, and public access. Requests to be involved in the scoping, planning, and design process of the re-route of SD44 and bridge over Missouri River. Searched the Natural Heritage Database and found no known threatened, endangered, or rare species in the study area.
5/25/17	U.S. Fish and Wildlife Service	Declines the offer to becoming a Cooperating Agency. Their role in project is relative to the resource concerns as the consulting agency for potential Endangered Species Act impacts.
5/25/17	U.S. Army Corps of Engineers	Accepts being a Cooperating Agency due to potential affects to the Missouri River, Fort Randall Project, Waters of the U.S., and wetlands. Interested in a document that will inform permitting actions and the Section 408 decision.
12/4/20	South Dakota State Historical Society	Concurrence with the determination of "Adverse Effect" for the removal of the bridge and an unevaluated site. Continued coordination with the project will occur through Memorandum of Agreement.
4/5/23	U.S. Fish and Wildlife Service	In accordance with Section 7 of the Endangered Species, concurrence with SDDOT effect determination of "may affect, not likely to adversely affect" Northern Long-Eared Bat and Whooping Crane and "no effect" to Monarch Butterfly, Pallid Sturgeon, Piping Plover, and Rufa Red Knot.
4/13/23	South Dakota State Historical Society	Continued concurrence with the determination of "Adverse Effect" for the removal of the bridge and an archeological site evaluated through a Level III Cultural Resources Investigation and Geoarcheological Evaluation completed for the project.
5/2/23	South Dakota Game, Fish and Parks	Review of the South Dakota Natural Heritage Database included a 2012 record of False Map Turtles, a state threatened species, north of SCRA and south of the project area. The letter included recommendations to minimize impacts to False Map Turtles including minimizing rip-rap, completing visual surveys, and removal of False Map Turtles prior to staging construction materials along sandy habitats to avoid nest impacts.
5/16/23	South Dakota Game, Fish and Parks	Email concurrence that there is no Land and Water Conservation Fund 6(f) Conversion of Use at SCRA as long as the bridge project does not expand to take more square footage of park than is currently included in right-of-way.

3.3 Tribal Coordination

Tribal coordination letters were sent to the following tribes on March 23, 2017. The information was submitted to the Tribes listed in the bullets below by the SDDOT. One response letter was received and is described in Table 5 and included in Appendix M of the EA.

- Cheyenne River Sioux Tribe
- Lower Brule Sioux Tribe
- Oglala Sioux Tribe
- Rosebud Sioux Tribe
- Sisseton-Wahpeton Oyate
- Standing Rock Sioux Tribe
- Yankton Sioux Tribe
- Three Affiliated Tribes
- Ponca Tribe of Nebraska
- Chippewa Cree Tribe

Table 5. Tribal Correspondence

Date	Tribe	Response
3/29/17	Yankton Sioux Tribe	The Yankton Sioux Tribe of South Dakota has religious and culturally significant ties to the historic property that may be affected by the proposed area of construction. They would like to have a tribal cultural property surveying as well as monitoring on this project.

4.0 SECTION 4(F) AND 6(F)

The proposed project impacts Section 4(f) resources. Table 6 summarized the Section 4(f) and Section 6(f) uses and approvals completed as part of the EA and Section 4(f) processes.

Table 6. Summary of Section 4(f) and Section 6(f) Uses and Approvals

Resource	Type of Resource	Section 4(f) Use	Section 4(f) and Section 6(f) Approval
Platte Winner Bridge	Section 4(f)	Permanent-Removal of bridge	Historic Bridge Programmatic
Archaeology Site	Section 4(f)	Permanent-construction of bridge abutment has potential to impact resource	<i>De Minimis</i> (Note: the Section 106 MOA established measures to manage and avoid potential impacts during construction)
West Bridge RA	Section 4(f)	Temporary	<i>De Minimis</i>
Buryanek RA	Section 4(f)	Temporary	<i>De Minimis</i>
West Platte GPA	Section 4(f)	Permanent - One acre	Exception (g)
Snake Creek RA	Section 4(f) and Section 6(f)	Permanent-Land incorporated to roadway use	<i>De Minimis</i> and SDGFP provided concurrence on May 16, 2023 regarding no Section 6(f) use

Extensive coordination occurred between the SDDOT, FHWA, and SDGFP to develop and evaluate project alternatives, along with the development of strategies to avoid, minimize, and mitigate impacts to the park system in the study area. The SDGFP, USACE, and SHPO were informed of the FHWA's intent to:

- Implement all measures to avoid, minimize, and mitigate impacts as well as enhance SDGFP park and recreational features; and
- Based on the measures to minimize harm, the FHWA made a *de minimis* impact finding on the West Bridge RA, Buryanek GPA, and the SCRA property; and
- Separately, based on the expected impacts to the existing Platte-Winner Bridge (removal of the bridge), FHWA is using a Programmatic Section 4(f) Evaluation specific to this use of this historic bridge.

Coordination also occurred with the SDGFP Grants Coordinator regarding Section 6(f) properties within the study area. The SDGFP determined that no use and no temporary non-conforming use of the Section 6(f) property would result from the implementation of the proposed improvements in their May 16, 2023 email communication to the project team. This document is included in Appendix M of the EA.

For Section 4(f), the SDDOT informed the SDGFP of their intent to pursue a Section 4(f) *de minimis* finding for impacts to the Buryanek GPA, West Bridge RA, and SCRA by email on May 18, 2023. On May 19, 2023 the FHWA provided their intention to make a *de minimis* impact determination conditioned on results of public notice, comment period, and owner with jurisdiction concurrence. The official with jurisdiction over the Section 4(f) property, the SDGFP, has indicated in their July 27, 2023 response that the proposed project would not adversely affect the activities, features, or attributes that make the properties eligible for Section 4(f) protection. The FHWA concurred with the Section 4(f) *de minimis* finding on August 7, 2023. These pieces of correspondence are included in Appendix C.

The State Historic Preservation Office (SHPO) is the official with jurisdiction of the archaeological resources found within the SDGFP recreational areas that they own, operate, and manage. According to

2018 *Level III Cultural Resources Investigation and Geoarchaeological Evaluation of South Dakota Department of Transportation's Proposed SD Highway 44 Platte-Winner Bridge Corridor Study and Environmental Assessment, Charles Mix and Gregory Counties, South Dakota*, archaeological sites are present within the project study area. Environmentally sensitive site (ESS) #1 has the potential to be impacted by the proposed project. Construction of the bridge abutment could impact ESS #1. ESS#1 is considered a Section 4(f) resource, was considered eligible for the National Register of Historic Places (NHRP), and SHPO concurred with the determination on May 20, 2020.

The SDDOT coordinated the proposed project impacts with SHPO, and they were informed of the intent to make a de minimis impact finding on 8/11/2023. On 8/14/2023, SHPO indicated that they did not object to SDDOT's plan to pursue a Section 4(f) *De Minimis* Finding. The FHWA determined that the impacts to the Section 4(f) archeological resource, ESS #1 were De Minimis on August 23, 2023. These pieces of correspondence are included in Appendix C.

5.0 MITIGATION MEASURES AND COMMITMENTS

Mitigation measures and environmental commitments for the project are summarized in in this section as a post-environmental document tool. This tool is used to track the requirements that would be included in preconstruction, construction, and post construction for easy review and incorporation into final design activities, construction plans, and post construction activities as applicable. Table 7 summarizes the environmental commitments and permits required prior to construction. Table 8 summarizes the environmental commitments to be implemented during and after construction. Appendix B includes the SDDOT Section A Environmental Commitments that would be included within the construction plan set for each phase of the project.

A re-evaluation of the EA is anticipated when more details about the construction and demolition methods are known. These details will become known after a contractor is selected for the project. The selected contractor will work with the SDDOT and FHWA to make sure construction methods, staging locations, placement of materials, and access to Lake Francis Case are permissible within the sensitive environmental area. The re-evaluation could require several months up to a year to complete. The construction timeline needs to include the NEPA re-evaluation and required permits prior to construction occurring.

Table 7. Summary of Environmental Commitments and Mitigation Measures, Prior to Construction

Resource	Environmental Commitment	Responsible Entity	PCN 05X0 ¹	PCN 08PP ²
Land Use	No new changes in land use will be implemented. SCRA facilities including the maintenance area, park residence, and dump station will be relocated and reconstructed within the project area. Coordination around construction methods will be necessary to maintain access to the lands	SDDOT and SDGFP	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Bicyclists and Pedestrians	The shoulders on the bridge will be wider than the existing shoulders to better accommodate cyclists.	SDDOT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Visual Impacts and Aesthetics	The maintenance facility will be moved from prominent view from SD44 and other areas within SCRA. The proposed bridge will be designed to span Lake Francis Case and preserve vistas looking from the bridge.	SDDOT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Wetlands & Waters of the United States	The Missouri River and Lake Francis Case are Traditional Navigable Waters and Waters of the United States. Both water bodies are considered Jurisdictional Waterways under Section 10 of the Rivers and Harbors Act and will require a Section 10 Department of the Army Permit for work in the water and a Section 404 permit for fill from new piers and from fill or disturbance associated with deconstruction work. In addition, a Section 408 permit from the USACE and a Section 9 permit from the U.S. Coast Guard will be needed. No wetlands will be impacted but stream mitigation may be required for permanent adverse stream impacts over 0.03 acres and the project will fill approximately 0.37 acres below the ordinary high-water mark of Lake Francis Case. Stream mitigation details	SDDOT	<input checked="" type="checkbox"/>	<input type="checkbox"/>

¹ Project Number P 0044(207)290, PCN 05X0

² Project Number P 0044(228)290, PCN 08PP

Resource	Environmental Commitment	Responsible Entity	PCN 05X0 ¹	PCN 08PP ²
	<p>will be finalized as part of the Section 10 and 404 permits.</p> <p>Potential impacts to wetlands should be evaluated if the construction footprint changes during final design. Wetlands NW-1 and NW-2 are outside of, but nearest to the Recommended Alternative construction limits.</p>			
Floodplains	The SDDOT will be required to obtain a “no-rise” certification from FEMA Region 8, the appropriate Gregory and Charles Mix Counties floodplain permit departments, and, if necessary, the Executive Order 11988.	SDDOT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Threatened & Endangered Species, Migratory Birds, and Eagles	<p>Federally-Listed Species - Further coordination with USFWS may be required for potential habitat for the northern long-eared bat; shorebirds red knot, piping plover; and the pallid sturgeon as the project advances through final design and Endangered Species Act coordination is completed.</p> <p>State-Listed Species - SDGFP should be contacted if false map turtles or other state-listed species are identified in the study area during site development or construction.</p> <ul style="list-style-type: none"> • Use the minimum amount of rip-rap necessary for bank stabilization structure protection <p>Migratory Birds - Construction activities occurring within the general bird nesting season from March through August could impact nesting migratory birds known to use the study area. Construction areas should be surveyed during the nesting period, and when occupied, avoided until the young have fledged. Coordination with USFWS is needed to determine impacts and potential mitigation measures prior to construction. A qualified biologist will conduct preconstruction migratory bird surveys in suitable areas that have not been mowed or cleared prior to April 1st to determine if there are current nests and to determine offsetting measures to compensate for impacts to migratory birds. A survey will be conducted annually for each year of construction. Work will be restricted in specific locations if nesting birds are identified.</p> <p>Eagles - To avoid potential disturbance to bald eagles, the National Bald Eagle Management Guidelines should be reviewed for recommendations that will likely avoid harm or disturbance to eagles if eagles are present.</p>	SDDOT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Historic & Archeological	As a signatory to the MOA, SDDOT will be responsible for monitoring proposed construction activities that have the potential for conflicting with stipulations of the MOA. Proposed construction areas and ancillary resource areas such as fill sources and disposal areas will be reviewed for historic and archaeologic resource impacts. Stipulations identified in the MOA include:	SDDOT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Resource	Environmental Commitment	Responsible Entity	PCN 05X0 ¹	PCN 08PP ²
	<ul style="list-style-type: none"> • Photographic Documentation of existing bridge – Completed June 26, 2023 • Existing Record Search – Completed June 26, 2023 • Existing Record Reproduction – Completed June 26, 2023 • Historic Bridge Digital Content – Completed June 26, 2023 • Dispute Resolution – Preconstruction through Post Construction • Amendments – Preconstruction through Post Construction • Termination – Preconstruction through Post Construction <p>Coordination with MOA agencies during preparation for construction will occur as part of ongoing reporting commitments. As commitments identified in the MOA are achieved, they will be ratified through a notification process with the SHPO. FHWA will be notified of all MOA stipulation achievements.</p>			
Sections 4(f) / 6(f)	<p>The sanitary dump/water station location transfer will occur within the West Platte GPA as mitigation for transportation impacts to SCRA.</p> <p>Plans for managing access to SCRA and other Section 4(f) resources during construction will be coordinated with SDGFP during final design of the project.</p> <p>Access to the West Bridge RA boat launch will remain open during construction.</p> <p>Plans for converting 4.2 acres of existing roadway and right of way to recreation use will be coordinated with SDGFP.</p> <p>Prior to the pre-construction meeting, the Contractor will contact ARC to be present at the meeting for the purposes of coordinating the monitoring schedule of ESS #1. Work within vicinity of the site(s) will not begin until monitors are present at the site(s).</p>	SDDOT and SDGFP	☒	☒
Cumulative Impacts	<p>The impacts from the past, present, and reasonably foreseeable future actions prior to construction of the project are, or will be minimized or mitigated as a result of planning, coordination, and permitting limits the impacts to the resources described in these Environmental Commitments. Any permitting actions undertaken with SDDOT or SDGFP involvement prior to construction of the project that potentially impact the project area will be documented and shared with the agencies attached to this project (SDDOT, FHWA, SDGFP, USACE, and USCG).</p>	SDDOT and SDGFP	☒	☒

Table 8. Summary of Environmental Commitments and Mitigation Measures, During Construction and Post Construction

Resource	Environmental Commitment	Responsible Entity	PCN 05X0 ³	PCN 08PP ⁴
Wetlands & Waters of the United States	Permit conditions included in the Section 10, Section 404, and Section 408 Department of the Army Permits and Section 9 Permit from the U.S. Coast Guard will be required, when received. General and specific permit conditions from these permits will be included in the final construction commitments.	SDDOT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stormwater	Construction BMPs will be implemented as part of the SWPPP required for the General Permit for Stormwater Discharges Associated with Construction Activities from SDDANR required for the project.	SDDOT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Vegetation, Fish & Wildlife	To the extent possible, construction within the Missouri River and Lake Francis Case will avoid game fish spawning periods from April 1 to June 10 unless prior approval is obtained from the Environmental Office. Areas stripped of vegetation during construction will be stabilized and replanted. Wildlife will continue to have the ability to move under the Platte-Winner Bridge on the east and west sides of the bridge. Native vegetation would be planted along areas disturbed by the selected alternative to minimize the establishment of invasive plant species. The ROW will be maintained to prevent the spread of invasive species (e.g., spraying and mowing of invasive species). Additionally, equipment used in Lake Francis Case will be washed, free of seeds and vegetation, and dried for a minimum of seven days to prevent spread of aquatic invasive species.	SDDOT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Threatened & Endangered Species, Migratory Birds, and Eagles	Federally-Listed Species - Further coordination with USFWS may be required for potential habitat for the northern long-eared bat; shorebirds red knot, piping plover; and the pallid sturgeon as the project advances through final design and Endangered Species Act coordination is completed. If bridge structure removal or tree clearing is necessary between April 1 st and October 31 st further coordination with USFWS including a presence/absence bat survey will occur prior to northern long-eared bat habitat removal. If a Whooping Crane is sighted in the vicinity of the project, borrow pits, or staging areas associated with the project, construction activities in the affected area	SDDOT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

³ Project Number P 0044(207)290, PCN 05X0⁴ Project Number P 0044(228)290, PCN 08PP

Resource	Environmental Commitment	Responsible Entity	PCN 05X0 ³	PCN 08PP ⁴
	<p>will cease until the Whooping Crane departs. The siting will be immediately reported to USFWS.</p> <p>State-Listed Species - SDGFP should be contacted if false map turtles or other state-listed species are identified in the study area during site development or construction.</p> <ul style="list-style-type: none"> • A scientific collectors permit and a state listed species authorization are required to survey for and handle False Map Turtles. • Complete visual surveys for False Map Turtles if staging of construction materials will occur along barren sandy habitats during nesting seasons in May and June. • Remove any False Map Turtles from the construction area prior to staging of construction materials along barren sandy habitats to avoid crushing turtles or their nests. <p>Migratory Birds - Construction activities occurring within the general bird nesting season from March through August could impact nesting migratory birds known to use the study area. Construction areas should be surveyed during the nesting period, and when occupied, avoided until the young have fledged. Coordination with USFWS is needed to determine impacts and potential mitigation measures prior to construction. A qualified biologist will conduct preconstruction migratory bird surveys in suitable areas that have not been mowed or cleared prior to April 1st to determine if there are current nests and to determine offsetting measures to compensate for impacts to migratory birds. A survey will be conducted annually for each year of construction. Work will be restricted in specific locations if nesting birds are identified.</p> <p>Eagles - To avoid potential disturbance to bald eagles, the National Bald Eagle Management Guidelines should be reviewed for recommendations that will likely avoid harm or disturbance to eagles if eagles are present.</p>			
Historic & Archeological	<p>A detailed description of mitigation is included in the MOA. Fill sources and disposal areas will also be reviewed for historic and archeologic resource impacts. Stipulations included in the MOA include:</p> <ul style="list-style-type: none"> • Photographic Documentation of existing bridge – Completed June 26, 2023 • Existing Record Search – Completed June 26, 2023 • Existing Record Reproduction – Completed June 26, 2023 	SDDOT	☒	☒

Resource	Environmental Commitment	Responsible Entity	PCN 05X0 ³	PCN 08PP ⁴
	<ul style="list-style-type: none"> • Historic Bridge Digital Content – Completed June 26, 2023 • Site Avoidance – Construction • Construction Monitoring – Construction • Duration – Preconstruction through Post Construction • Post Review Discoveries – Post Construction • Monitoring and Reporting – Post Construction • Dispute Resolution – Preconstruction through Post Construction • Amendments – Preconstruction through Post Construction • Termination – Preconstruction through Post Construction <p>Construction activities in areas with the potential to contain historic resources will be monitored by an independent observer. The independent observer will be a tribal representative or cultural resources professional not affiliated with the construction contractor.</p>			
Sections 4(f) / 6(f)	<p>Access to SCRA, Buryanek GPA, West Bridge RA, and West Platte GPA will always be maintained during construction via flagging operations and/or an approved detour.</p> <p>Access to the West Bridge RA boat launch will remain open during construction.</p> <p>As a signatory to the MOA, SDDOT will be responsible for monitoring proposed construction activities that have the potential for impacting ESS #1.</p>	SDDOT and SDGFP	☒	☒
Regulated Materials	If contamination is identified at the oil recycling REC or elsewhere during construction the contractor will immediately notify the Project Engineer. The Project Engineer will notify SDDANR to determine possible contamination implications. SDDOT will assess the property and develop a remediation plan, as necessary.	SDDOT	☒	☒
Construction	<p>Emissions caused by vehicle delays, construction vehicles, and equipment and activities generating dust would be minimized to the extent possible by implementing smooth traffic-flow patterns and dust control.</p> <p>The amount of sedimentation from soil erosion would not increase substantially due to the DANR General Permit for Stormwater Discharges Associated with Construction Activities requirements. The permit limits post construction erosion to preconstruction levels typically achieved through reestablishment of vegetation, and structural devices such as berms and</p>	SDDOT	☒	☒

Resource	Environmental Commitment	Responsible Entity	PCN 05X0 ³	PCN 08PP ⁴
	<p>riprap. BMPs would be implemented through the General Permit to minimize impacts to Lake Francis Case.</p> <p>All fill material should be free of substances that are toxic to life.</p> <p>All material identified as waste, material stockpiles, dredged or excavated materials, for either temporary or permanent disposal, should be placed in an upland site that is not a wetland. All material should be stored such that the material cannot enter a watercourse through erosion or any other means.</p> <p>The likely existing presence of lead paint on the existing bridge requires that the lead-based paint and related debris must be disposed of in accordance with all applicable federal, state, and local laws governing such disposal. All necessary measures and precautions shall be taken to ensure worker safety for work involving potential release of lead particles. Removal of lead-based paint should occur before cutting, grinding, rivet busting, or other lead-emitting tasks involved in deconstruction. Removal operations will need to plan for potential lead exposure and employees informed of the hazards of lead exposure.</p> <p>Removal of vegetation should be confined to those areas absolutely necessary for construction. For any construction areas that would remain un-vegetated for more than two weeks and over winter, temporary seeding would be required in accordance with the SWPPP.</p>			
Cumulative Impacts	The impacts from the past, present, and reasonable foreseeable future actions are, or will be minimized or mitigated as result of planning, coordination, and permitting limits the impacts to the resources described in these Environmental Commitments.	SDDOT	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6.0 FHWA DECISION

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

Based on the review and consideration of the analysis and evaluation included in the EA; and after consideration of all social, economic, and environmental factors and mitigation of construction impacts; and considering input from the public involvement process and agency coordination; FHWA hereby approves the issuance of a Finding of No Significant Impact (FONSI) for the SD44 Platte-Winner Bridge project. FHWA further approves that the preferred alternative will best fulfill the purpose and need and meet the goals identified for the project.

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

Appendix A

EA Notice of Availability, Written Public Comments, and Summary of Public Meeting #3





South Dakota Trial Lawyers Association 2023-2024 President George Johnson presented a check to Make-A-Wish Foundation in memory of his trial lawyer colleague and friend, Terry Quinn. The SDTLA foundation grant was set up to help children. The award was presented on May 5, 2023, by George Johnson, surrounded by family and friends of the late Terry Quinn, to the Make-A-Wish Foundation of South Dakota.

Winner Regional to hold annual Health Fair

Winner Regional Health's annual Health Fair will be held on Friday, June 2, 2023, from 6:30 - 11:00 a.m. With upwards of 40 hospital and community booths, this event is sure to have something for everyone.

The Health Fair will provide a wellness panel at a reduced rate; Sanford Heart Screening will be present; respiratory therapy will be offering free spirometry testing; and there will be much more.

Please see the full list of booths on our Facebook page, or pick up a Health Fair program at the front of the hospital or clinic. A free breakfast will be offered from 6:30 - 10:00

a.m. prepared by the new dietary manager, Cindy Jackson, and her team.

There will also be a silent auction for potted plants and/or small yard decorations. All proceeds will go towards the Winner Regional Health and Wellness Foundation.

The community once again has come together to serve the greater good. Winner Regional Health is so pleased to see all the community partners who are taking time out of their busy schedules to distribute information and resources. Through the collaboration of all, they expect this event to once again be a success.

Voigt graduates from University

Aaron Voigt of Gregory, SD, graduated with a master of business administration degree from the University of Sioux Falls.

Voigt and over 400 students were celebrated during the spring commencement ceremony on May 21.

More cousins visit

Cousins Cheryl Schonebaum of Burke, SD, and Brad Utoft and Susan Utoft of Omaha, NE, visited Bonnie Johnson and Dave Dobesh in Gregory, SD on Friday, May 26.

Popowski named to the spring 2023 BSC president's honor roll

Marcus Popowski, of Burke, SD, has been named to the Bismarck State College president's honor roll for the spring 2023 semester.

RIVER COUNSELING SERVICES

Military appreciation and mental health

Melanie VanderPol-Bailey, MSW, CSW-PIP

In 1999, the US Congress designated May as National Military Appreciation Month to ensure that our nation publicly had the opportunity to honor our military, their families, their sacrifices, and their service. As we pause this Memorial Day, it is important to both honor bravery and also recognize the silent costs of service for military personnel, veterans, and their families. Military service is demanding, requiring persons to face physical, emotional, and psychological challenges. In community it is easy to focus on the nobility, courage, sacrifice, and bravery of our service members.

It is also easy for people to shy away from the reality that the demands of this profession can take a toll on an individual's mental health and well-being. Honoring and understanding the silent costs of service hold value as well.

Some of the mental health challenges include transitioning back and forth from war zones and operations to civilian life; the emotional, spiritual, and psychological toll of combat; and the stigma that can surround mental health in a traditionally resilient and tough profession.

Although there have been improvements in reintegration programs, the transitions that are required of our service men and women are not sim-

ple. It is hard to shift from a highly structured, "protect and survive" environment back to civilian life. Home dynamics and roles have shifted to accommodate the hats previously worn by the service member in their absence. This is a significant adjustment for both veterans and families, and can often leave persons feeling lost and alone.

This emotional and psychological toll is heavy and often kept locked inside as it can feel too painful to touch or name. Witnessing violence, death, and suffering can lead to conditions such as post traumatic stress disorder (PTSD), depression, anxiety disorders, and substance abuse. The constant threat to one's life and the pressure to make life or death decisions can leave lasting emotional scars.

The military culture traditionally emphasizes toughness, resilience, and self-reliance, which can discourage seeking help for mental health

issues. Some fear if struggles are acknowledged, they will be perceived as weak or unfit for duty. Recognition and valuing mental health support must also be visible and important within military culture.

When we seek to understand and sit in the discomfort of the paradox of courage and pain, we can better support the individuals who have stepped up to serve country and community. Wonderful supports and resources are readily available. Government agencies, military organizations, and civilian supports are working together to support our service members in creative ways. As we recognize and appreciate our service members, let us also recognize that attention to their mental health and well being is brave, noble and courageous.

River Counseling, Sioux Falls Psychological Services, and Stronghold Counseling Services in Yankton and Sioux Falls would like to recognize our local community service members and their families, past and present.

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Summer Food Service Menu

Monday, June 5

Fiestada, corn

Tuesday, June 6

Tater tot casserole, dinner roll

Wednesday, June 7

Goulash, breadstick

Thursday, June 8

Pulled pork sandwich,

mac & cheese

Friday, June 9

Ham & cheese sandwich

Fruit, Milk, & Vegetables Served w/Every Meal

This week's lunch menu

sponsored by

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Action, Adventure, Fantasy

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JUNE 2, 3, & 4

At Sundown

Hilltop Drive in Theatre

2 mi. west of Gregory on Hwy. 18

(605) 835-9999

•••• Menu ••••

Monday, June 5

Swedish meatballs over noodles,

broccoli, pears

Tuesday, June 6

Pork chop, baked potato, carrots,

mandarin oranges

Wed., June 7

Lasagna, spinach salad,

tomatoes, fresh fruit, breadstick

Thurs., June 8

Baked chicken, mashed potatoes

& gravy, corn, peaches

Friday, June 9

Chili, cinnamon roll, baby carrots,

cottage cheese jell-o salad, fruit

WALK-INS WELCOME

ROCS Dining Services - Gregory

604 Rosebud Ave., Gregory

Call 835-8094 to reserve a meal

Meals Subject to Change

Gregory Co. Equalization Office

will be out assessing

until October 2023.

This entails measuring and

updating photos.

If you have received a post

card, please call our office to

make an appointment.

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MADE, WE MAY RANDOMLY

STOP IF WE ARE IN THE AREA.

Gregory Co. Equalization

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Vacation Bible School

JUNE 19 - 23, 2023

9:00 a.m. - 12:00 p.m.

5 years - 6th grade

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Sandy Krueger - (605) 830-0067

Rhonda Grim - (605) 830-1415

Russ Grim - (605) 830-8911



SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION SOUTH DAKOTA DEPARTMENT OF GAME, FISH & PARKS NOTICE OF PUBLIC INFORMATION MEETINGS / OPEN HOUSES

FOR THE

SD HIGHWAY 44 / PLATTE-WINNER BRIDGE ENVIRONMENTAL ASSESSMENT AND SECTION 4(F) FINDINGS

P 0044(207)290, PCN 05XO

P 0044(228)290, PCN 08PP

To Be Held From 5:30 p.m. to 7:00 p.m. on the following dates and locations:

Date:

Tuesday, June 20, 2023

Wednesday, June 21, 2023

Location:

Holiday Inn Express, 1360 E. Highway 44, Winner, SD

Platte Area Community Center, 310 S. Main Street, Platte, SD

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Methodist Church Awning
Serving: Grilled Brats, Hotdogs, Chips, & Cookie
Please park under the awning and tell us how many plates you need and it will be delivered out to you!
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SATURDAY, JUNE 10 • 5 - 9 P.M.
GREGORY CITY PARK
FOOD • BEER GARDEN
LIVE MUSIC BY UNCLE ROY & THE BOYS - 6 - 9 P.M.
PRE-SALE TICKETS \$10 • AT THE GATE \$15
TICKETS CAN BE PURCHASED AT BANKWEST,
FIRST FIDELITY BANK, CONSUMER'S FEDERAL CREDIT UNION,
AND THE CHAMBER OFFICE AT CITY HALL
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Health Fair is set

Winner Regional Health's annual Health Fair is just around the corner, June 2, 2023 from 6:30 am to 11:00 am. With upwards of 40 hospital and community booths, this event is sure to have something for everyone. The Health Fair will provide a Wellness Panel at a reduced rate, Sanford Heart Screening will be present, respiratory therapy will be offering free spirometry testing, and much more. Please see the full list of booths below, or on our Facebook page, or pick up a Health Fair program at the front of the hospital or clinic. Don't forget about our free breakfast from 6:30 am to 10:00 am that was prepared by our new dietary manager, Cindy Jackson and her team. There will also be a silent auction for potted plants and/or small yard decorations. All

proceeds go towards the Winner Regional Health and Wellness Foundation. Booths, Nutrition Services, Community Health, Horizon Health, Audiology Associates, Black Hills Special Services, SDSU Extension, Winner Resource Center, Colome Pink Ladies, Guardian Flight, Tripp County 4-H, The Insurance Center, Winner Ministerial Association, Pink Posse, Outpatient Services, Respiratory Services, Pharmacy, Occupational Therapy, Physical Therapy, Southern Plains Behavioral Health, Community Connections, Inc., Donated Plants and Yard Art, Winner Regional Foundation, Nursing Department, Lab Department, Hearing Health Center, Long-Term Care Social Services, Mason Funeral Home

and Cremation Services, Golden Prairie Manor, LifeServe Blood Center, Winner Regional Clinic, Human Resources, SD. Dept. of Social Services – Long-Term Service Supports, SD Dept. of Social Services – Child Protective Services, SD Dept. of Social Services – Economic Assistance, Sanford Health Heart Screenings, Southern Belle Cattlewomen, and Radiology Department. The community once again has come together to serve the greater good. Winner Regional Health is so pleased to see all the community partners who are taking time out of their busy schedules to distribute information and resources. Through the collaboration of all, we expect this event to once again be a true success.



Submitted photo

The Ball Brothers will be performing in Gregory.

Ball Brothers to perform

Don't miss this last rare opportunity to see The Ball Brothers in concert!

The Ball Brothers are returning to the Prairie View Gospel Barn in Gregory on Sunday, June 4, as part of their farewell tour. Their touring days end in July, so time to see them one last time is running short.

The Ball Brothers are two brothers, Andrew and Daniel Ball along with brother-in-law Chad McCloskey and newcomer Rhett Roberts. The group travels world-wide, singing their distinctive brand of Christian music.

Starting with their formation in 2006, the Ball Brothers rapidly made their mark in Christian music by finding a musical balance between the old and the new. "We've never been to a place where every person in the audience was the same age. On the contrary, most places we go have a mixture of young, middle-aged, and

older people. So, our music style and song selection is based around that blend. It's great to see a grandmother and granddaughter worshipping together and enjoying the same music. We get to see that on a regular basis," says lead vocalist, Daniel.

What can someone expect when they hear the Ball Brothers? A mix of musical styles, melted together by tight, four-part harmony. Each song is hand-picked to be message-driven, and theologically sound. Their goal is to spread the message of the Gospel and encourage believers.

One won't have to look very far on the internet to find out what the Ball Brothers are like "behind the scenes." The guys have a popular Facebook series called, "Rollin' with the Ball Brothers" that offers an inside look into their ministry and lives on the road. "Rollin' with the Ball Brothers" is our way of tearing down the divide that sometimes separates

us from our audience. We're not interested in promoting ourselves as "rock stars." We're interested in showing everyone how God can use "normal" people for His honor and glory," says Daniel.

From over 100 million online video views, to Gaither videos, to national television appearances; from Youth Conferences to Senior Retreats; from Sunday morning worship service, to Saturday afternoon at the state fair; the Ball Brothers thrive in a balanced ministry, carving out a sound and approach that is uniquely their own. Regardless of your age or musical preference, the Ball Brothers invite you to see and hear the difference.

The concert will start at 6:30 p.m. June 4, but come early for a pulled pork sandwich meal at the concession stand, starting at 5:00 p.m.



Dan Bechtold/Winner Advocate Photo

Colome first graders received awards at an elementary awards presentation on May 19. Pictured in front from left are Denny Steele, Bentley Soesbe, Rexton Kilbourn, Eli Watzel and Jasper Martin.

Colome honor roll

A's
Seniors – Aidan Muller
Juniors – Tianna Larson, Emma Vandenbark
Sophomores – Westlie Cahoy, Lane Leighton, Alana Supik
Freshmen – Seth Heath
Eighth Grade – Summer Cerv, Tila Harter
Seventh Grade – Benjamin Vandenbark, Gage Woods
Sixth Grade – Tenlie Rohde
A's and B's (No C's)
Seniors – Morgan Gill, Kash Heath, Sophie Hofeldt, Ashlyn Hoffine, Landi Krumpus, Kaden Pe-

chota, Libbie Petersek, Jordyn Ring
Juniors – Shaleena Kingsley, Joseph Laprath
Sophomores – Raylynn Dehning, Raelynn Kingsley
Freshmen – Rystan DeSmet, Alex Larson, Emme Nelsen, Gracie Rohde, William Slaymaker
Seventh Grade – MaKayla Chambers, Bode Kingsley, Berkley Meeder
B Average (No D's)
Seniors – Devan Dougherty, Taylor Nelsen, Paige Paulson, Burner Schenefeld, Sully Shippy
Juniors – Jack Anderson, Klayton

Heath, Lilly Nelson, Kalene Preslicka
Sophomores – Hadley Harruff, Aspyn McKenzie, Allie Spellman, Dustin Sund
Freshmen – Sam Brandsgaard, Keasha Kartak, Madison Dufek, Aleah Musser
Eighth Grade – Jaxon Chasing Hawk, Addison Muller
Seventh Grade – Bentley Dehning, Anika Musser, Oakley Schenefeld, Rayma Vobr
Sixth Grade – Olivia Feyereisen, Harley Supik, Kyler Vobr, Emma Watzel

Deadlines for the Winner Advocate are Friday at 5 p.m.

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 SOUTH DAKOTA DEPARTMENT OF GAME, FISH & PARKS
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BankWest awards scholarships

BankWest Chairman, President and CEO Charles H. Burke III recently announced the awarding of 21 BankWest Scholarships to students from across South Dakota for the 2023-24 school year. Students will each receive a \$1,500 scholarship to pursue post-secondary education at a school of their choice.

"Investing in students is vital because they are the future leaders, innovators, and problem-solvers who will shape the future of South Dakota," Burke said. "By providing them with the necessary resources and support, BankWest is empowering them to achieve their full potential and make meaningful contributions to society."

BankWest has awarded \$547,500 in academic scholarships during the past 30 years. Burke said 62 students applied for this year's scholarships. The BankWest Scholarship program recognizes outstanding achievement by student account holders at BankWest. Students receiving \$1,500 BankWest Scholarships include:

Iris Anderson, daughter of Ronald and Melissa Anderson of Mitchell, is a freshman at Columbia University where she is studying biology and psychology.

Hattie Baldwin, daughter of Jason and Deide Baldwin of Pierre, is a senior at T.F. Riggs High School. She plans to attend Chadron State where she will study human biology.

Tyrus Bietz, son of Jason and Jennifer Bietz of Scotland, is a senior at Scotland High School. He plans to attend South Dakota State University where he will study aviation education.

Isabella Brouwer, daughter of Heath and Jessica Brouwer of Armour, is a senior at Dakota Christian High School. She plans to attend South Dakota State University where she will study pre-physical therapy.

Taylor Even, daughter of Don and Lisa Even of Burke, is a senior at Burke High School. She plans to attend South Dakota State University where she will study pre-veterinary medicine.

Morgan Gill, daughter of Brent and Charli Gill of Colome and Tish Gill of Wood Lake, NE, is a senior at Colome High School. She plans to attend Dakota Wesleyan University where she will study criminal justice and forensics.

Landon Hepker, son of Ann Hepker of Onida and Brent Hepker of Newcastle, WY, is a senior at Sully Buttes High School. He plans to attend South Dakota State University where he will study sports and recreation management.

Hannah Hetland, daughter of Paul and Deanna Hetland of Mitchell, is a junior at South Dakota State University where she is studying Spanish and global studies.

Lydia Hill, daughter of Jody and Cherie Hill of Onida, is a senior at Sully Buttes High School. She plans to attend South Dakota State University to study agricultural broadcasting and journalism.

Sadie Kludt, daughter of Todd and Heidi Kludt, is a senior at Mitchell High School. She plans to attend South Dakota School of Mines where she will study chemical engineering.

Preston Koster, son of Dean and Bonnie Koster of Armour, is a senior at Armour High School. He plans to attend the University of Kansas where he plans to study human biology.

Isabella Lambert, daughter of David and Virginia Lambert of Mitchell, is a freshman at Missouri State University where she is studying communications.

Micah Leonard, daughter of Jerry and Mira Leonard, is a senior at Armour High School. She plans to at-

tend Wayne State College where she will study skilled and technical sciences education.

Luke Murray, son of Michael and Colleen Murray of Gregory, is a freshman at Lake Area Technical College where he is studying aviation maintenance technology.

Vy Nguyen, daughter of Mai Khuu and Joe Nguyen of Gregory, is a senior at Gregory High School. She plans to attend Augustana University where she will study biology.

Zach Rotert, son of Mike and Melanie Rotert of Potter, NE, is a senior at Potter-Dix High School. He plans to attend South Dakota State University where he will study aviation education.

Angela Rowse, daughter of Lealan and Cheri Rowse of Ft. Pierre, is a senior at T.F. Riggs High School. She plans to attend Northern State University where she will study business administration.

Grace Sargent, daughter of Doug and Trish Sargent of Pierre, is a senior at Stanley County High School. She plans to attend South Dakota State University where she will study ag communication and ag leadership.

Kyra Wallace, daughter of Boyd and Sara Wallace of Pierre, is a senior at T.F. Riggs High School. She plans to attend South Dakota State University where she plans to study biochemistry.

Katelyn Welker, daughter of DeWayne and Laura Welker of Winner, is a freshman at Concordia University where she is studying biology with an emphasis in radiation technology.

Jordan Zirpel, daughter of Chris and Katie Zirpel of Kennebec, is a freshman at Dakota State University where she is studying elementary education.



Dan Bechtold/Winner Advocate Photo

"The Stinky Cheeseman and other Fairly Stupid Tales" was a children's play presented June 3 at the Winner Community Playhouse. Cast and crew in front from left are Briggs Taggart, Haynes Smith, Liam Grossenburgh, Dale Edwards, Dawson Peppel, Gianna Phillips, Hallie Curtis, Ruby Noguchi, Danger Patmore and Tia Farley. Second row from left are Haydon Grossenburgh, Carter Peppel, Finn Schlomer, Lucia Harris, Lidia Barfuss, Jonathon Schlomer, Abi Greathouse, Braxton Olson and Lilly Fuller. Third row from left are Evan Taggart, Charlotte Tuttle, Rogue Patmore, Otilia Novonty, Destiny Tracy, Easton Shippy, Chianna Balfany, Baylor Murphy and Tynlee Shippy. Fourth row from left are Addi Heenan, Chloe Taggart, Sarah Taggart, the play director; Carissa Greathouse, Leah Wiechelmann and Teresa Taylor.

Changes to community center

By Bosten Morehart
Staff writer

Changes are taking place for the Community Center as the City of Winner tries to keep the facility a safe and clean place for people to gather and exercise.

The center hosts volleyball, pickleball, and basketball multiple nights a week. The center also having tenants and hosting private events, is the home for many activities throughout the year.

After multiple occurrences of vandalism and theft a membership card system is coming into place. Chandra Phillips, the finance officer for the city wants the community to be using the Community Center, but also have it respected.

"We want to protect our tenants, we want to protect the integrity of the

building, and we want to have a community center," said Phillips.

Membership cards are free and available to City of Winner utility customers, residents in city limits, businesses in city limits. Individuals who want to apply for a membership card must be at least 18 years of age.

You can pick up your card by visiting the city finance office, asking for Chandra and filling out a form.

Cards can be used by individuals and those they lend it to, but the owner of the card is held liable. The system keeps track of whose card is used each time it is used to check in.

"I have a system I can go through, and I can see who is using their card to get in. Then if anything happens while that person's card is the person that's here, I can know who to talk to."

Children under the age 14 are not allowed in the center without an adult and can be asked to leave if they are alone.

There are penalties for any misuses of a card or misuse of the community center. "The main one would be suspension of the card; another would be potential charges through the police department, for theft and arson, we push charges through the police department," said Phillips.

Other changes in the center include changes in the hours of the center. The community center will now be open 6 am to 10 pm with the exception of private events being able to be there outside of the hours.

For any questions see Chandra Phillips in the finance office in the city hall.

Summer nights is Friday

Don't forget to attend the Winner Area Chamber of Commerce first summer night of the season on Friday, June 9. It will be held in the third block of Main Street from 6-9 p.m.

Frontier Motors Ford will be the

sponsor. Be sure to attend to find out who won the May burger battle. There were six businesses competing in the battle.

There will be bouncy houses, little farm, big slide, obstacle course, bat-

tle axe, kid train, face painting.

The band will be Uncle Roy and the Boys.

There will be vendors offering a variety of food options.

Bring your lawn chairs and enjoy a beautiful evening.

Winner summer lunch menus

June 8—Deli sandwich or sub, bag of chips, fruit, milk choice	whole grain dinner roll, steamed corn, fruit, milk	beans, fruit, milk
June 12—Shrimp poppers with	June 13—Soft beef tacos, green	June 14—Italian meatball sub, bag of chips, fruit, milk

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WINNER AREA CHAMBER OF COMMERCE PRESENTS:
ROWAN GRACE
Live in concert
OPENER: HOMETOWN TALENT EMRY KAISER
4 AUGUST 2023 - 8.00 - 10.30 PM
TRIPP COUNTY FAIRGROUNDS, WINNER, SD 57580

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
SOUTH DAKOTA DEPARTMENT OF GAME, FISH & PARKS
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Published twice at a total approximate cost of \$395.25

Thoreen, Timothy

From: Tom Mathis <wordpress@sd44bridge.com>
Sent: Sunday, June 18, 2023 3:08 PM
To: Thoreen, Timothy
Subject: [SD Highway 44 / Platte-Winner Bridge] Comments

Follow Up Flag: Follow up
Flag Status: Flagged

This email came from outside the HR Green organization. Please use caution when clicking on hyperlinks and opening attachments

Name: Tom Mathis

Email: info@tbonestreehouse.com

Comment: Good afternoon. I would like to visit with you about offering the foremen, contractors, and crews lodging, RV campground in Winner, SD. Please contact me. Thank you
Tom Mathis
605-840-9571

Would you like a project representative to contact you?: Yes

Phone Number: 6058409571

Mailing Address: 31525 US Highway 18 Winner, SD 57580

Time: June 18, 2023 at 3:07 PM
IP Address: 216.213.69.140
Contact Form URL: <https://sd44bridge.com/comments/>

Sent by an unverified visitor to your site.

Thoreen, Timothy

From: Donna Travis <wordpress@sd44bridge.com>
Sent: Wednesday, June 28, 2023 5:08 PM
To: Thoreen, Timothy
Subject: [SD Highway 44 / Platte-Winner Bridge] Comments

This email came from outside the HR Green organization. Please use caution when clicking on hyperlinks and opening attachments

Name: Donna Travis

Email: donnatravis@midstatesd.net

Comment: I attended the South Dakota 44 Bridge informational meeting in Platte on June 21, 2023. Thank you for the information regarding the status and update to the Platte-Winner Bridge project. There was a suggestion provided by an attendee which I would like to mention and encourage the project team to seriously take into consideration. As Highway 44 approaches the Snake Creak Recreation area from the East, it will be redesigned to connect with the new bridge (north of the old bridge). As it passes through the Recreation area, including passing by the campground site to the south, and the north side to Dock 44, it was suggested to create an overpass so that the flow of traffic of Hwy. 44 will not hinder visitors who will be exiting the highway to the campground/Dock 44 Marina, as well as provide a safer situation for visitors driving, walking, riding bicycles, etc. between the Campground and Dock 44 Marina. Traffic on Hwy 44 has increased significantly over the years, and likely will continue to increase. Campers, visitors, etc. trying to cross a busy highway is not reasonable, nor is it safe. Please, please, please consider an overpass to help prevent unnecessary accidents or even a death from occurring at this location due to poor planning. Thank you.

Would you like a project representative to contact you?: Yes

Phone Number: 6056801685

Mailing Address: 810 S. Main Avenue

Time: June 28, 2023 at 5:07 PM

IP Address: [170.199.220.191](https://sd44bridge.com/comments/)

Contact Form URL: <https://sd44bridge.com/comments/>

Sent by an unverified visitor to your site.

Thoreen, Timothy

From: Tom Bohnet <wordpress@sd44bridge.com>
Sent: Wednesday, July 5, 2023 6:42 PM
To: Thoreen, Timothy
Subject: [SD Highway 44 / Platte-Winner Bridge] Comments

This email came from outside the HR Green organization. Please use caution when clicking on hyperlinks and opening attachments

Name: Tom Bohnet

Email: tsmlbohnet@aol.com

Comment: It is my understanding that the bridge support pilings will be reduced to the lake bottom or reduced to below the lowest lake level expected. This removal or significant reduction in height eliminates the ability to leave the pilings and large concrete blocks supporting them as reefs for fish habitat. The extra concrete rubble could be piled next to the existing pilings, further enhancing the reef capability to function as a haven for fry and small fish to avoid their predators as well as an area for large fish to congregate. I have fished the pilings for more than 50 years and have observed millions of small fish in the waters around the pilings as well as the shade that they provide. The lake is turning into a rounded bowl because of siltation; the amount of natural structure is all but gone. The wooded bays have been silted shut, the shoreline erosion has buried many of the rocky areas where small fish could hide. Leaving the pilings and the large concrete blocks that tie them together would create an environment that supports the fish population, and retain the sport fishing opportunities for boaters. With the removal of the ridged bridge deck being pushed by the shifting banks, the pilings and support blocks should have an extended life with this stress factor eliminated. The new bridge support structure should help protect the old pilings from large sheet ice flows; something they have not had in the past.

I would also propose that fishing piers could be created on each end of the old bridge that would be handicapped accessible. This would create opportunities for the handicapped, disabled, and families to access fishing where literally none exists in this portion of the lake. The road deck could possibly be lowered to the first two pilings on both sides of the river; or at least the steel support iron could be reused for this project.

The new bridge construction creates a real opportunity to enhance the access to the lake by people that have been mostly excluded by the current conditions for fishing access. And by leaving the existing pilings and support blocks intact, there would be reefs for the fish to use in a lake that is becoming more featureless each year.

Please reconsider how the old bridge could continue to add value to our community long after its expected life as a roadway.

I can be reached by phone; 605-775-2563 is a good landline. E-mail is ok, but I would prefer to hear from someone where questions can be answered/asked quickly. I believe there is strong community support on both sides of the river. If there are additional contacts that I should make of behalf of this project, your input is greatly appreciated.

Sincerely,
Tom Bohnet

Would you like a project representative to contact you?: Yes

Phone Number: 605-775-2563

Mailing Address: tsmlbohnet@aol.com

Time: July 5, 2023 at 6:42 PM

IP Address: [68.69.78.68](#)

Contact Form URL: <https://sd44bridge.com/comments/>

Sent by an unverified visitor to your site.

Thoreen, Timothy

From: Terry Strawn <wordpress@sd44bridge.com>
Sent: Thursday, July 6, 2023 5:58 AM
To: Thoreen, Timothy
Subject: [SD Highway 44 / Platte-Winner Bridge] Comments

This email came from outside the HR Green organization. Please use caution when clicking on hyperlinks and opening attachments

Name: Terry Strawn

Email: terrytmctm@aol.com

Comment: Hello,

I am actually an Iowa resident, however, my family has spent the majority of our leisure time in South Dakota near Platte. I do have a new RV in a permanent location very near the bridge. With the development of several new permanent campgrounds in the immediate area, the boat launching ramps have become overwhelmed. I was told that with the upcoming bridge construction project, there was discussion of doing site work near the west bridge access area ,to utilize this area for staging construction. I'm assuming that ramps would have to be constructed to get materials into the river, and those ramps would remain after the new bridge was completed, but SD GFP objected. Just curious about this, as it seems a winning solution for the over crowding at the boat ramps. We love the area, and plan on retiring there in later years, but as I mentioned, I am merely curious, and am a resident of a neighboring state. Regardless, we will continue to travel there , and best of luck with your project.

Would you like a project representative to contact you?: Yes

Phone Number: 7122594793

Mailing Address: 25252 Corwin Ct

Time: July 6, 2023 at 5:57 AM

IP Address: [166.199.99.144](#)

Contact Form URL: <https://sd44bridge.com/comments/>

Sent by an unverified visitor to your site.



MEMO

To: Andrea Bierle, SDDOT

From: Tim Thoreen, Ben White, Stacy Woodson

Subject: Summary of SD44 Platte-Winner Bridge Public Meeting #3

Project Number: P0044(207)290, PCN: 05X0 and P0044(228)290, PCN: 08PP; HR Green #160025

Date: June 26, 2023

The EA was made available to the public on May 31, 2023 prior to the public meetings. Notice of the availability of the EA was published in the following newspapers and available for public review at the following locations and is included in Attachment A.

- Newspapers:
 - Gregory Times, Published on June 5, 2023
 - Winner Advocate, Published on May 31, 2023 and June 7, 2023
- Locations of EA:
 - South Dakota DOT Winner Area Office
 - Platte City Hall

Public meetings were held on Tuesday June 20, 2023 at the Holiday Inn Express in Winner, SD and Wednesday June 21 at Platte Community Center in Platte, SD. Both meetings were held from 5:30 PM to 7:00 PM. The purpose of these meetings were to obtain public comments regarding the SD44 Platte Winner Bridge Environmental Assessment (EA) and Section 4(f) Evaluation.

The meeting in Winner, SD had 18 people sign in. The meeting in Platte, SD had 33 people sign in. The meetings were an open house format with a 20 minute presentation given at 6:00 PM with a brief question and answer period after the presentation. The materials provided at each meeting included the following and are included on the project website - <https://sd44bridge.com/>.

- Handout
- Comment form
- Display boards
- Scroll plot of corridor
- Powerpoint presentation

The following verbal comments were received during the meetings. No written comments were received at the end of the meetings. The comment period ends on July 7, 2023.

Verbal Comments/ Questions Received and the Responses Provided:

- Where will construction workers live? Currently, housing inventory in Platte is in short supply. There may not be housing available for construction workers who are moving to the area for the duration of the construction.
 - There are several campgrounds that might work for temporary housing of construction workers.
- How many people will the project employ altogether? Will all these people be coming to town all at once for the duration of the project?
 - No one knows how many construction jobs this project will create. Not all of the construction workers will be working on the bridge all at the same time. The project will be constructed in



- pieces so when one portion of the construction is complete those employees will likely leave and another set of skilled employees will come to town to complete their portion of the project.
- How many contractors are qualified to do this type of bridge work? Where will these people be relocating from?
 - Not sure but would guess the prime contractor will be from out of state with some local contractors helping with portions of the construction.
 - When will construction begin?
 - The relocation of the park maintenance shops, residence, and construction of the new dump station will begin this fall. Bridge construction will begin in 2024.
 - Will the existing bridge remain open?
 - Yes, the new roadway and bridge will be constructed before the existing bridge is demolished.
 - How far down do the existing bridge piers be removed?
 - According to information from the USACE, the existing piers will be removed to below the water line. These piers will not be visible during low water events.
 - How will the new bridge be constructed?
 - This is up to the contractor to decide and will work with SDDOT and the SDGFP to determine best methods that are acceptable to all parties.

Appendix B

Section A – Environmental Commitments



Appendix B

Section A – Environmental Commitments - PCN 08PP



ENVIRONMENTAL COMMITMENTS

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

Additional guidance on SDDOT's Environmental Commitments can be accessed through the Environmental Procedures Manual found at: <<https://dot.sd.gov/media/documents/EnvironmentalProceduresManual.pdf>>

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

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

COMMITMENT B: FEDERALLY THREATENED, ENDANGERED, AND PROTECTED SPECIES

COMMITMENT B2: WHOOPING CRANE

The Whooping Crane is a spring and fall migratory bird in South Dakota that is about 5 feet tall and typically stops on wetlands, rivers, and agricultural lands along their migration route. An adult Whooping Crane is white with a red crown and a long, dark, pointed bill. Immature Whooping Cranes are cinnamon brown. While in flight, their long necks are kept straight and their long dark legs trail behind. Adult Whooping Cranes' black wing tips are visible during flight.

Action Taken/Required:

Harassment or other measures to cause the Whooping Crane to leave the site is a violation of the Endangered Species Act. If a Whooping Crane is sighted roosting in the vicinity of the project, borrow pits, or staging areas associated with the project, cease construction activities in the affected area until the Whooping Crane departs and immediately contact the Project Engineer. The Project Engineer will contact the Environmental Office so that the sighting can be reported to USFWS.

COMMITMENT B4: BALD EAGLE

Bald eagles are known to occur in this area.

Action Taken/Required:

If a nest is observed within one mile of the project site, notify the Project Engineer immediately so that he/she can consult with the Environmental

Office for an appropriate course of action including, but not limited to, review of the National Bald Eagle Management Guidelines for recommendations to avoid harm or disturbance to bald eagles.

COMMITMENT B5: NORTHERN LONG-EARED BAT

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

Action Taken/Required:

Project activities that include tree removal, structure work, and/or work within one-quarter mile of a known hibernacula or 150 feet of a known maternity roost tree, or suitable habitat should not occur within the location(s) listed below during the NLEB seasonal work restriction timeframe without approval from the SDDOT Environmental Office. Tree clearing and structure removal will occur between November 1 and March 31. A NLEB presence/absence survey is required prior to tree clearing and/or structure removal occurring between April 1 and October 31.

Station	NLEB Seasonal Work Restriction
848+00 to 966+91	April 1 to October 31

COMMITMENT B6: MIGRATORY BIRDS WORK RESTRICTION

Migratory birds are known to use the project area for nesting, which occurs from March through August.

Action Taken/Required:

The Contractor is responsible for contracting the services of a qualified biologist for conducting preconstruction migratory bird surveys in suitable areas that have not been mowed or cleared prior to April 1st to determine if there are current nests and to determine offsetting measures to compensate for impacts to migratory birds. A survey will be conducted annually for each year of construction. Contractor will coordinate the survey findings with the Project Engineer. If any nests are found, appropriate minimization measures will need to be developed in cooperation with the Environmental Office.

Construction activities should not occur in the locations listed in the table below during the migratory bird work restriction without prior approval from the SDDOT Environmental Office to avoid conflicts with nesting migratory birds.

Station	Migratory Bird Restriction
848+00 to 966+91	April 1 to July 15

COMMITMENT D: WATER QUALITY STANDARDS

COMMITMENT D1: SURFACE WATER QUALITY

The Missouri River is classified as a domestic water supply and warmwater permanent fishery. Because of these beneficial uses, special construction measures may have to be taken to ensure that the total suspended solids standard of 90 mg/L is not violated.

Action Taken/Required:

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

COMMITMENT E: STORM WATER

Action Taken/Required:

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

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

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

The form can be found at: <https://danr.sd.gov/OfficeOfWater/SurfaceWaterQuality/docs/DANR_CGPA_ppendixCCA2018Fillable.pdf>

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

Storm Water Pollution Prevention Plan

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

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

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

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

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

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

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

COMMITMENT H: WASTE DISPOSAL SITE

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

Action Taken/Required:

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

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

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

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

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

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

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

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

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

COMMITMENT I: HISTORIC PRESERVATION OFFICE CLEARANCES

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

Action Taken/Required:

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

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

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

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

In the event of an inadvertent discovery of human remains, funerary objects, or if evidence of cultural resources is identified during project construction activities, then such activities within 150 feet of the inadvertent discovery will immediately cease and the Project Engineer will be immediately notified. The Project Engineer will contact the SDDOT Environmental Office, who will contact the appropriate SHPO/THPO within 48 hours of the discovery to determine an appropriate course of action.

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

COMMITMENT L: CONTAMINATED MATERIAL

The likely presence of lead paint on the existing bridge requires that the lead-based paint and related debris must be disposed of in accordance with all applicable federal, state and local laws governing such disposal. All necessary measures and precautions shall be taken to ensure worker safety for work involving potential release of lead particles.

Contaminated soil and/or known gas stations, undergrounds storage tanks, etc. are located within the project limits. Contaminated soil may be located at the following sites:

Description	Station	L / R
Soils and septic system concrete surrounding existing RV waste dump station underground holding tank. Human waste contamination is expected at this location.	947+00	L

Action Taken/Required:

The Contractor will give written notice, with a copy to the Area Engineer and DANR, 30 days prior to the start of work. In addition, the Contractor will give written notice to the Engineer 7 days prior to the commencement of the work so the Engineer may notify DANR of the day work will start.

Removal of lead-based paint should occur before cutting, grinding, rivet busting, or other lead-emitting tasks involved in deconstruction. Removal operations will need to plan for potential lead exposure and employees informed of the hazards of lead exposure.

The Contractor will give notice to the Engineer when contaminated soil is encountered on the project. The Engineer will contact the Environmental Office so that contact with the DANR and consultant to inspect and monitor removal of any contaminated soil can be initiated.

The Contractor will be responsible for having the existing underground utilities located in the construction area. Underground utilities damaged by the Contractor due to negligence will be repaired at the Contractor's expense.

Human waste contaminated soil and concrete may be disposed of at the following permitted solid waste facilities: City of Platte Landfill, City of Winner Landfill, and Tri-County Landfill (Pukwana, SD).

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

COMMITMENT M1: SECTION 4(f) PROPERTY

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

Station	Section 4(f) Property
932+95 to 933+91	Level III Cultural Resources (ESS #1)
New Dump Station Area	West Platte Game Production Area
931+10 to 960+30	Snake Creek Recreation Area

Action Taken/Required:

The sanitary dump/water station location transfer will occur within the West Platte GPA as mitigation for transportation impacts to SCRA.

STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
	P 0044(228)290/PCN 08PP	A3	A#

Access to Snake Creek Recreation Area, & West Platte Game Production Area shall always be maintained during construction activities via flagging operations and/or an approved detour.

COMMITMENT U: STATE LISTED THREATENED AND ENDANGERED SPECIES

False map turtles (*Graptemys pseudogeographica*), a state threatened species riverine species has been recorded adjacent to the project area and is assumed present.

Action Taken/Required:

If false map turtles or other state listed species are sighted within the project, borrow pits, or staging areas associated with the project, cease construction activities contact the Project Engineer. The Project Engineer will contact the Environmental Office so that the sighting can be reported to SDGFP.

1. A scientific collectors permit and a state listed species authorization are required to survey for and handle False Map Turtles.
2. Complete visual surveys for False Map Turtles if staging of construction materials will occur along barren sandy habitats during nesting seasons in May and June.
3. Remove any False Map Turtles from the construction area prior to staging of construction materials along barren sandy habitats to avoid crushing turtles or their nests.

Appendix B

Section A – Environmental Commitments - PCN 05X0



ENVIRONMENTAL COMMITMENTS

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

Additional guidance on SDDOT's Environmental Commitments can be accessed through the Environmental Procedures Manual found at: <<https://dot.sd.gov/media/documents/EnvironmentalProceduresManual.pdf>>

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

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

COMMITMENT A: AQUATIC RESOURCES

COMMITMENT A2: STREAMS

All efforts to avoid and minimize stream impacts from the project have resulted in approximately 18.03 acres of stream (includes temporary and permanent) becoming impacted. Refer to Grading Plans/plans for location and boundaries of the impacted streams.

Table of Impacted Streams

Stream Name	Station	Perm. Impact Left (Acres)	Perm. Impact Right (Acres)	Temp. Impact Left (Acres)	Temp. Impact Right (Acres)	Total Impact (Acres)
Lake Francis Case Reservoir	878+00 to 931+50	0.37	0.00	8.68	8.98	18.03

Action Taken/Required:

It has been determined that project impacts do not require mitigation. Temporary impacts identified in the Table of Impacted Streams will not be mitigated as the finished ground under the bridge will be shaped to match the upstream channel and flood plain and the existing low water channel will be maintained as near as practical to the existing location as designated in the Grading Plans.

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

COMMITMENT B: FEDERALLY THREATENED, ENDANGERED, AND PROTECTED SPECIES

COMMITMENT B2: WHOOPING CRANE

The Whooping Crane is a spring and fall migratory bird in South Dakota that is about 5 feet tall and typically stops on wetlands, rivers, and agricultural lands along their migration route. An adult Whooping Crane is white with a red crown and a long, dark, pointed bill. Immature Whooping Cranes are cinnamon brown. While in flight, their long necks are kept straight and their long dark legs trail behind. Adult Whooping Cranes' black wing tips are visible during flight.

Action Taken/Required:

Harassment or other measures to cause the Whooping Crane to leave the site is a violation of the Endangered Species Act. If a Whooping Crane is sighted roosting in the vicinity of the project, borrow pits, or staging areas associated with the project, cease construction activities in the affected area until the Whooping Crane departs and immediately contact the Project Engineer. The Project Engineer will contact the Environmental Office so that the sighting can be reported to USFWS.

COMMITMENT B4: BALD EAGLE

Bald eagles are known to occur in this area.

Action Taken/Required:

If a nest is observed within one mile of the project site, notify the Project Engineer immediately so that he/she can consult with the Environmental Office for an appropriate course of action including, but not limited to, review of the National Bald Eagle Management Guidelines for recommendations to avoid harm or disturbance to bald eagles.

COMMITMENT B5: NORTHERN LONG-EARED BAT

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

Action Taken/Required:

Project activities that include tree removal, structure work, and/or work within one-quarter mile of a known hibernacula or 150 feet of a known maternity roost tree, or suitable habitat should not occur within the location(s) listed below during the NLEB seasonal work restriction timeframe without approval from the SDDOT Environmental Office. Tree clearing and structure removal will occur between November 1 and March 31. A NLEB presence/absence survey is required prior to tree clearing and/or structure removal occurring between April 1 and October 31.

Station	NLEB Seasonal Work Restriction
848+00 to 966+91	April 1 to October 31

COMMITMENT B6: MIGRATORY BIRDS WORK RESTRICTION

Migratory birds are known to use the project area for nesting, which occurs from March through August.

Action Taken/Required:

The Contractor is responsible for contracting the services of a qualified biologist for conducting preconstruction migratory bird surveys in suitable areas that have not been mowed or cleared prior to April 1st to determine if there are current nests and to determine offsetting measures to compensate for impacts to migratory birds. A survey will be conducted annually for each year of construction. Contractor will coordinate the survey findings with the Project Engineer. If any nests are found, appropriate minimization measures will need to be developed in cooperation with the Environmental Office.

Construction activities should not occur in the locations listed in the table below during the migratory bird work restriction without prior approval from the SDDOT Environmental Office to avoid conflicts with nesting migratory birds.

Station	Migratory Bird Restriction
848+00 to 966+91	April 1 to July 15

COMMITMENT C: WATER SOURCE

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

Action Taken/Required:

The Contractor will obtain the necessary permits from the regulatory agencies such as the South Dakota Department of Agriculture and Natural Resources (DANR) and the United States Army Corps of Engineers (USACE) prior to water extraction activities.

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

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

COMMITMENT D: WATER QUALITY STANDARDS

COMMITMENT D1: SURFACE WATER QUALITY

The Missouri River is classified as a domestic water supply and warmwater permanent fishery. Because of these beneficial uses, special construction measures may have to be taken to ensure that the total suspended solids standard of 90 mg/L is not violated.

Action Taken/Required:

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

COMMITMENT E: STORM WATER

Action Taken/Required:

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

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

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

The form can be found at:

<https://danr.sd.gov/OfficeOfWater/SurfaceWaterQuality/docs/DANR_CGPAappendixCCA2018Fillable.pdf>

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

Storm Water Pollution Prevention Plan

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

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

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

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

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

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

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

COMMITMENT F: SEASONAL WORK RESTRICTION

The State of South Dakota Game, Fish, and Parks has designated a warm water fishery associated with this project.

Action Taken/Required:

Construction or demolition activities should not take place during the Seasonal Work Restriction listed in the below table to avoid conflicts with spawning fish. If flows during this time are nonexistent or extremely low, the seasonal use restriction may not be applicable. The Contractor will not conduct in-stream work during the Seasonal Work Restriction without prior approval from the SDDOT Environmental Office.

Stream Name	Stream Classification	Seasonal Work Restriction
Missouri River	Warm Water	April 1 to June 30

COMMITMENT H: WASTE DISPOSAL SITE

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

Action Taken/Required:

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

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

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

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

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

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

The above requirements will not apply to waste disposal sites that are covered by an individual solid waste permit as specified in SDCL 34A-6-58, SDCL 34A-6-1.13, and ARSD 74:27:10:06. Failure to comply with the requirements stated above may result in civil penalties in accordance with South Dakota Solid Waste Law, SDCL 34A-6-1.31.

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

COMMITMENT I: HISTORIC PRESERVATION OFFICE CLEARANCES

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

Action Taken/Required:

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

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

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

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

In the event of an inadvertent discovery of human remains, funerary objects, or if evidence of cultural resources is identified during project construction activities, then such activities within 150 feet of the inadvertent discovery will immediately cease and the Project Engineer will be immediately notified. The Project Engineer will contact the SDDOT Environmental Office, who will contact the appropriate SHPO/THPO within 48 hours of the discovery to determine an appropriate course of action.

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

COMMITMENT J: CONSTRUCTION PRACTICES FOR TEMPORARY WORKS IN WATERWAYS OF THE U.S.

The Contractor is advised that special construction measures must be taken to ensure that the waterways of the U.S. are not impacted.

Action Taken/Required:

Excavation will not occur below the ordinary high-water elevation in waterways outside of caissons, cribs, cofferdams, steel piling, or sheeting. The natural streambed will not be disturbed unless specified by the plans and under the observation of the Project Engineer. Refer to the Table of U.S. Waterways to Protect for ordinary high-water elevations. Any structure work over or within the waterway will be constructed according to Section 7.21 C of the Specifications.

All dredged or excavated materials will be placed at a site above the ordinary high-water elevation in a confined area (not classified as a wetland) that is a minimum of 50 feet away from concentrated flows of storm water, drainage courses, and inlets to prevent return of such material to the waterway.

The construction of temporary work platforms, crossings, or berms below the ordinary high-water elevation will be allowed if all material placed below the ordinary high-water elevation consists of Class B or larger riprap.

All temporary caissons, cribs, cofferdams, steel piling, sheeting, work platforms, crossings, and berms will be removed with minimal disturbance to the streambed. Proper construction practices will be used to minimize increases in suspended solids and turbidity in the waterway.

Bridge berms, wing dams, traffic diversions, channel reconstruction, stream diversions, grading, etc. will be constructed in close conformity with the plans to ensure that the hydraulic capacity of the waterway is not changed.

Temporary waterway crossings required for the Contractor's construction operations will be constructed with an adequate drainage structure size and

minimum fill height to reduce the potential for upstream flooding. The Contractor will be responsible for sizing the temporary drainage structure for these crossings.

All temporary works in waterways of the US are required to be covered in the Corp of Engineers 404 Permit. At the time of the preconstruction meeting, the Contractor will submit documentation for all temporary works for the purpose of complying with the 404 Permit requirements in accordance with Section 423.3 A of the Specifications.

Table of U.S. Waterways to Protect

Station	Waterway	Ordinary High-Water Elevation
877+30 to 931+70	Lake Francis Case Reservoir (Missouri River)	1,365 ft above msl

Stream channel excavation within "Waters of the US" is subject to USACE regulatory jurisdiction. Stream channel excavation cannot exceed the permitted quantities and/or surface area. The 404 Permit is included in the Special Provisions.

The Contractor will take all precautions necessary to prevent any incidental discharges associated with the excavation and hauling of material from the stream channel. This pertains to any excavation operations such as, foundation, pier, or abutment excavation, channel cleanout, excavation for riprap protection, and removal of any temporary fill associated with construction activities.

COMMITMENT L: CONTAMINATED MATERIAL

The likely presence of lead paint on the existing bridge requires that the lead-based paint and related debris must be disposed of in accordance with all applicable federal, state and local laws governing such disposal. All necessary measures and precautions shall be taken to ensure worker safety for work involving potential release of lead particles.

Contaminated soil and/or known gas stations, undergrounds storage tanks, etc. are located within the project limits. Contaminated soil may be located at the following sites:

Description	Station	L / R
Soils and septic system concrete surrounding existing RV waste dump station underground holding tank. Human waste contamination is expected at this location.	947+00	L

Action Taken/Required:

The Contractor will give written notice, with a copy to the Area Engineer and DANR, 30 days prior to the start of work. In addition, the Contractor will give written notice to the Engineer 7 days prior to the commencement of the work so the Engineer may notify DANR of the day work will start.

Removal of lead-based paint should occur before cutting, grinding, rivet busting, or other lead-emitting tasks involved in deconstruction. Removal

operations will need to plan for potential lead exposure and employees informed of the hazards of lead exposure.

The Contractor will give notice to the Engineer when contaminated soil is encountered on the project. The Engineer will contact the Environmental Office so that contact with the DANR and consultant to inspect and monitor removal of any contaminated soil can be initiated.

The Contractor will be responsible for having the existing underground utilities located in the construction area. Underground utilities damaged by the Contractor due to negligence will be repaired at the Contractor's expense.

Human waste contaminated soil and concrete may be disposed of at the following permitted solid waste facilities: City of Platte Landfill, City of Winner Landfill, and Tri-County Landfill (Pukwana, SD).

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

COMMITMENT M1: SECTION 4(f) PROPERTY

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

Station	Section 4(f) Property
876+00 to 933+00	Platte-Winner Bridge
932+95 to 933+91	Level III Cultural Resources (ESS #1)
865+00 to 877+40	West Bridge Recreation Area
850+00 to 877+60	Buryanek Game Production Area
931+10 to 960+30	Snake Creek Recreation Area

Action Taken/Required:

The sanitary dump/water station location transfer will occur within the West Platte GPA as mitigation for transportation impacts to SCRA.

Access to Buryanek Game Production Area, West Bridge Recreation Area (and associated boat launch to remain open during construction), Snake Creek Recreation Area, & West Platte Game Production Area shall always be maintained during construction activities via flagging operations and/or an approved detour.

Construction plan sheets will address the location adjacent to proposed construction limits to protect ESS #1. Fill material will be used to build on top of the existing ground for the new roadway to avoid impacts to ESS #1. Any fill material sources from an outside location will be obtained from a location for which the Section 106 consultation process has been completed. SDDOT will require the contractor to document compliance with this requirement. Construction activities near ESS #1 will be monitored during construction, including ground-disturbing activities and geotechnical borings on the west

and east banks of the river. The SDDOT will ensure that an archeologist meeting the Secretary of the Interior's Professional Qualification Standards for Archaeologists (48 CFR 44738-9) and tribal monitor representatives on behalf of the Yankton Sioux Tribe and Rosebud Sioux Tribe will be present to monitor ground-disturbing activities. For ESS #1, the Contractor shall be required to closely coordinate the construction schedule with SDDOT prior to the start of construction activities.

COMMITMENT M2: SECTION 6(f) PROPERTY

National Park Service concurrence has been obtained for project impacts to the following resource(s) acquired and developed through a Land and Water Conservation Fund grant.

Station	Section 6(f) Property
931+00 to 950+00	Snake Creek Recreation Area support facilities
931+00 to 950+00	Snake Creek Recreation Area picnic areas, swimming facilities, and support facilities
931+00 to 950+00	Snake Creek Recreation Area support facilities
931+00 to 950+00	Snake Creek Recreation Area RV electric pedestals, service panels, and underground wiring

Action Taken/Required:

Snake Creek Recreation Area park services and public access to park facilities will continue throughout the duration of the construction project.

4.2 acres of existing roadway and right of way will be converted to recreation use and coordinated with SDGFP.

COMMITMENT N: SECTION 404, SECTION 10, & SECTION 408 PERMITS

The SDDOT has obtained Section 404 Clean Water Act, Section 10 Rivers and Harbors Act, and Section 408 Clean Water Act permits from the USACE for the permanent actions associated with this project.

Action Taken/Required:

The Contractor will comply with all requirements contained in the Section 404, Section 10, and Section 408 permits.

The Contractor will also be responsible for obtaining a Section 404, Section 10, and Section 408 permit for any dredge, excavation, or fill activities associated with material sources, storage areas, waste sites, and Contractor work sites outside the plan work limits that affect wetlands, floodplains, or waters of the United States.

COMMITMENT Q: ARCHAEOLOGICAL COORDINATION

As a result of a Cultural Resources Survey, historic properties have been identified within and/or adjacent to the project rights-of-way.

The following historic properties have been identified that require avoidance of construction activities:

Table of Historic Properties

Station	Offset (Ft.)	L/R	Environmental Sensitive Site	Action
932+95 to 933+91	17	R	ESS-1	Do Not Disturb/Monitor/ Orange Plastic Safety Fencing
930+55 to 933+04	27	R	ESS-2	Do Not Disturb/Monitor

The locations and boundaries of the site(s) for avoidance are shown in Section B - Grading Plans.

Action Taken/Required:

If evidence for cultural resources is uncovered during project construction activities, then such activities within 150 feet of the inadvertent discovery will immediately cease and the Project Engineer will be immediately notified. The Project Engineer will contact the SDDOT Environmental Office, who will consult with the Archaeological Research Center (ARC), the Yankton Sioux THPO and SHPO, and FHWA, to determine the appropriate course of action.

All artifacts, features, or other items of interest uncovered by project construction activities will not be displaced unless the landowner and the SHPO consent to it.

Prior to the pre-construction meeting, the Contractor will contact the ARC (Phone: 605-394-1936) to coordinate the installation schedule of orange plastic safety fence around the perimeter of the sensitive site(s) listed in the Table of Historic/Archeological Sites to ensure proper location, quality, and visibility of the orange safety fence. The exact location of the safety fence will be determined later in the field by the ARC representative.

The Contractor will give written notice to the Engineer seven (7) days prior to the commencement of earth disturbing activities near listed sites identified in the Table of Historic/Archeological Site so the Engineer may notify ARC of the day work will start and schedule the installation of orange safety fence. ARC is to be present during earth disturbing activities to monitor the removal of topsoil, ensure avoidance of the fenced sites, and identify any culturally sensitive sites that may be uncovered.

Work within the vicinity of the site(s) will not begin until the safety fence is installed. All costs associated with furnishing and installing the orange safety fence will be incidental to the contract unit price per foot for "Orange Plastic Safety Fence". These identified sites cannot be used for material sources, storage areas, waste sites, and/or any other project related activities outside the plan work limits.

SDDOT will provide monitoring for the site(s) identified in the above table.

Prior to the pre-construction meeting, the Contractor will contact ARC (Phone: 605-394-1936) to be present at the meeting for the purposes of coordinating the monitoring schedule of the site(s) listed in the Table of Historic Properties. Work within vicinity of the site(s) will not begin until monitors are present at the site(s).

All costs associated with monitoring will be submitted to the Project Engineer for reimbursement.

Before earth disturbing activities near listed sites occurs, there will be seven (7) days prior notification provided to ARC for scheduling the installation of orange safety fence and/or monitoring at sensitive sites listed in the Table of Culturally Sensitive Sites. ARC and tribal monitors are to be present during earth disturbing activities to monitor the removal of topsoil, ensure avoidance of the fenced sites, and identify any culturally sensitive sites that may be uncovered.

These identified sites cannot be used for material sources, storage areas, waste sites, and/or any other project related activities outside the plan work limits.

COMMITMENT T: SECTION 9 PERMIT

The SDDOT has obtained a Section 9 Rivers and Harbors Act permit from the United States Coast Guard for the permanent actions associated with this project.

Action Taken/Required:

The Contractor will comply with all requirements contained in the Section 9 permit.

The Contractor will also be responsible for obtaining a Section 9 permit for any bridge structure within the Missouri River/Lake Francis Case outside the plan work limits that affect the navigation channel.

COMMITMENT U: STATE LISTED THREATENED AND ENDANGERED SPECIES

False map turtles (*Graptemys pseudogeographica*), a state threatened species riverine species has been recorded adjacent to the project area and is assumed present.

Action Taken/Required:

If false map turtles or other state listed species are sighted within the project, borrow pits, or staging areas associated with the project, cease construction activities contact the Project Engineer. The Project Engineer will contact the Environmental Office so that the sighting can be reported to SDGFP.

1. A scientific collectors permit and a state listed species authorization are required to survey for and handle False Map Turtles.
2. Complete visual surveys for False Map Turtles if staging of construction materials will occur along barren sandy habitats during nesting seasons in May and June.
3. Remove any False Map Turtles from the construction area prior to staging of construction materials along barren sandy habitats to avoid crushing turtles or their nests.
4. Use the minimum amount of rip-rap necessary for bank stabilization structure protection.

Appendix C

Section 4(f) Concurrence



Appendix C

5/19/2023 FHWA Intent of De Minimis





Planning and Engineering

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

May 17, 2023

Tom Lehmkuhl, Environmental Engineer
 Federal Highway Administration
 South Dakota Division
 116 East Dakota Avenue, Suite A
 Pierre, SD 57501

RE: Section 4(f) De Minimis Impact Finding for the Buryanek Game Production Area, West Bridge Recreation Area, and Snake Creek Recreation Area

Projects: P 0044(207)290, PCN 05X0 and P 0044(228)290, PCN 08PP, Gregory and Charles Mix Counties

Location: SD44 – Missouri River Bridge Platte-Winner Bridge

Description: Replace Bridge, Grading, Snake Creek Recreation Area 4(f) Mitigation

Dear Mr. Lehmkuhl:

This letter requests FHWA approval of the intent to make a Section 4(f) *de minimis* finding for impacts to the Buryanek Game Production Area (GPA), West Bridge Recreation Area (RA), and Snake Creek RA associated with the subject project. The project's compliance with NEPA will be documented as an Environmental Assessment (EA).

Project Purpose and Need

The purpose of this project is to replace the existing SD44 Platte-Winner Bridge over the Missouri River to maintain regional connectivity along SD44 in South Dakota. **Attachment 1** shows the location of the project.

The need for this project is to address several critical issues associated with the existing bridge constructed in 1966. The *SDDOT's Major Bridge Investment Study* and the *SD44 Platte-Winner Bridge Corridor Study* (Holt and Benesh (2016)), identified the following issues with the existing bridge that combined threatened the long-term viability of the bridge:

- Overall aging infrastructure of the bridge and long-term maintenance costs
- Narrow bridge width that does not meet current geometric design standards

Description of 4(f) Resource(s)

The Buryanek GPA (5,577 acres) and the West Platte GPA (825 acres) are mostly open space for game production, hunting, and passive recreation. The West Bridge RA (12 acres) is a non-fee area that offers boat ramp access, boat trailer parking, a vault toilet, and overflow parking for the boat ramp. The Snake Creek RA (695 acres) has extensive amenities including campgrounds, sanitary dump/ water stations, welcome center, boat ramp and associated parking, a fish cleaning station, and a concessions and restaurant building. **Attachment 2** shows the locations of these Section 4(f) properties. **Attachment 3** shows the amenities of the Snake Creek RA in detail.

The Buryanek GPA, West Bridge RA, Snake Creek RA, and West Platte GPA are considered recreational areas that meet the definition of a Section 4(f) resource as defined in 23 CFR 774.17. The South Dakota Game Fish and Parks (GFP) is the owner with jurisdiction (OWJ) over these recreational areas and is responsible for operations and maintenance.

Description of 4(f) Impacts

Impacts discussed below include general impacts to the GFP land due to the relocation of SD44. Permanent easements that would be needed for the proposed SD44 roadway's relocation through these recreational areas is described below. No fee title right of way is proposed in any of the recreation areas. At this time only permanent and temporary construction easements are needed with temporary construction easement details to be determined through the design process.

Buryanek GPA – The construction of the proposed relocated SD44 roadway would impact an 1.9 acres of the Buryanek GPA. Impacts to the Buryanek GPA are to open space that is not actively used for features, attributes or activities that contribute to the GPA's overall recreational use. Approximately 1.9 acres of the 5,577 acres site would be impacted, or less than one percent of the site would be converted to roadway use. However, when the construction of the proposed roadway is complete, approximately 2.9 acres of the existing SD44 roadway would be converted back to GPA use.

West Bridge RA – The construction of the proposed relocated SD44 roadway avoids the West Bridge RA except for the temporary construction impacts. Approximately 1.3 acres of open space that is not actively used for features, attributes, or activities that contribute to the RA's overall recreational use of the 12 acre site would be temporarily impacted as the adjacent existing roadbed is demolished and converted into recreation area land. This results in a net gain to the West Bridge RA, increasing its size from 12 acres to 13.3 acres since the proposed roadway is shifted away from the existing location. No features, attributes or activities that contribute to the West Bridge RA overall recreational use are impacted.

Snake Creek RA - Impacts to the Snake Creek RA include 8.6 acres of open space that is not actively used for features, attributes, or activities that contribute to the RA's overall recreational use of the 700-acre site. Approximately 1.2 percent of the Snake Creek RA would be converted to roadway use. However, when the construction of the proposed roadway is complete, about 12.9 acres of the existing SD44 roadway would be converted back to recreation land. The majority of the 8.6 acres of impact is to open space within the Snake Creek RA that is not actively used for features, attributes, or activities that contribute to the park's overall recreational use. The exception is the impacts to the one-acre sanitary dump/water station. This feature/ attribute/

activity of the Snake Creek RA would be permanently converted to roadway right-of-way and requires mitigation.

West Platte GPA – The construction of the proposed relocation of SD44 roadway would not impact the West Platte GPA. The existing dump station/ water station at Snake Creek RA will be replaced at an unimproved parking and habitat area within the West Platte GPA. Approximately 2 acres of open space that is not used for features, attributes, or activities that contribute to the GPA’s overall recreational use of the 823 acres of the GPA will be impacted. The area being impacted within the GPA does not currently have any structures or facilities. Access to the larger GPA will be maintained after construction of the new dump station/ water station.

Description of 6(f) Properties and Affects

Four grants from the Land and Water Conservation Fund (LWCF) were used within the Snake Creek RA as described in the table below. This project will result in direct impacts to Snake Creek RA. A series of mitigation measures have been developed as part of coordination with GFP through the Section 4(f) process. Because SD44 will be on new alignment through the park, coordination regarding the right-of-way impacts has been ongoing between SDDOT and GFP. Land that is currently within right-of-way but no longer necessary for the new SD44 corridor is proposed to be given back to GFP in exchange for new right-of-way. The result will be a no net loss of GFP park land. SDDOT will continue to work with GFP through final design to determine appropriate boundary locations for right-of-way on the new alignment to achieve the no net loss objective.

Snake Creek RA LWCF Grants

Project Number	Date	Park	Amount of Grant	Use of Funds
46-00975	6/6/1983	Snake Creek RA	\$39,075	Construction of support facilities
46-01292	9/30/1984	Snake Creek RA	\$45,816	Construct picnic areas, swimming facilities, and support facilities
46-01309	12/31/2004	Snake Creek RA	\$23,790	Construction of support facilities
46-01424	12/31/2013	Snake Creek RA	\$45,000	Construct facilities including RV electric pedestals, service panels, and underground wiring

The project will be constructed in phases allowing the existing bridge and roadway to remain open to traffic for the duration of the construction including the tie in points where proposed SD44 ties back into the existing roadway just west of the SCRA’s eastern boundary.

Coordination occurred with the GFP Grants Coordinator regarding Section 6(f) properties within the study area in spring 2023. The SDGFP concurred on May 16, 2023 that there is no conversion of use at SCRA. This correspondence is included in **Attachment 4**.

Avoidance, Minimization, and Mitigation

Avoidance, minimization, and mitigation measures to reduce the size of impact on Section 4(f) resources, the severity of use to Section 4(f) resources, and the function of the portion used to Section 4(f) resources on both sides of the bridge were considered through the bridge and roadway realignment alternative development process. The GFP was a key stakeholder throughout the alternative development and impact assessment process providing input into the avoidance, minimization, and mitigation discussions

Buryanek GPA – Avoidance of Buryanek GPA was not a feasible and prudent option without disturbance of other Section 4(f) resources. The Recommended Alternative minimizes the impact to this resource by shifting the proposed alignment to the north. The proposed uniform roadway right of way width minimizes impacts to this resource.

West Bridge RA – Avoidance of West Bridge RA was not a feasible and prudent option without disturbance of other Section 4(f) resources. The Recommended Alternative avoids direct impacts to the West Bridge RA's parking lot and boat launch and minimizes the impact to this resource by shifting the alignment to the north. The proposed uniform roadway right of way width also minimizes impacts to this resource. The West Bridge RA boat launch is valued for the ability to provide an alternative launch location to the popular, and often congested, site within Snake Creek RA. Access to the boat launch will remain open during construction.

Snake Creek RA - Avoidance of Snake Creek RA was not a feasible and prudent option. However, the determination of which side of SD44 to locate the new bridge did have implications for which resources within Snake Creek RA were impacted. By selecting a location north of the current highway, direct impacts to the Snake Creek RA campground and the Welcome Center were avoided.

Mitigation measures include the relocation of the one-acre sanitary dump/water station. The proposed new sanitary dump/ water station would be placed in an existing open grassy area located near the SD44 roadway within the West Platte GPA. The new facility would include a paved entrance, paved angle parking for up to ten parking spaces for easy access to the sanitary and water facilities.

This mitigation site meets the GFP criteria needed for a new location of the facility. This site would be constructed in advance of the bridge and roadway construction, and sanitary dump/ water station demolition, allowing campers at the Snake Creek RA the ability to use this facility for the duration of construction and after. The West Platte GPA dump/ water station area is a geotechnically stable location in an area known for landslides. Additionally, it is in an area where risk of impacting environmental resources is low. Additionally, the area has no existing park attributes to avoid.

West Platte GPA - The mitigation of the impacts to Snake Creek RA include one acre of permanent impact to the 825 acre West Platte GPA property and one acre of temporary impact for construction of the sanitary dump/water station. These impacts are considered improvement and received a Section 4(f) Exception for Transportation Enhancement Activities, Transportation Alternatives Projects, and Mitigation Activities [23 CFR 774.13(g)] from the Federal Highway Administration on December 12, 2022 (see **Attachment 5**).

Agency and Public Coordination

Per 23 CFR 774.5(b)(2), the SDDOT informed the GFP of their intent to make a de minimis impact finding for the Buryanek GPA, West Bridge RA, and Snake Creek RA. This correspondence is included in **Attachment 6**. The GFP is the OWJ over the these Section 4(f) resources. The public will have an opportunity to comment on the de minimis finding at the upcoming public meetings. Following the public review comment period and after consideration of any comments received from the public, the OWJ must then concur in writing that the project will not adversely affect the activities, features, and attributes that make property eligible for Section 4(f) protection.

FHWA's intent to make a de minimis determination and supporting information will be reported in the EA. A de minimis impact determination requires public involvement pursuant to 23 CFR 774.5(b)(2). A public information meeting will be held following the release of the EA and Section 4(f) evaluation for public comment. A comment period will be provided for 30 days following the release of the EA. Comments received on the notice on FHWA's intent to make a de minimis impact determination, FHWA final de minimis determination, and the OWJ's final concurrence will be reported in the finding of no significant impact (FONSI).

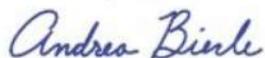
If FHWA agrees that a FONSI and the Section 4(f) determination is appropriate, a FONSI will be issued to conclude the environmental review process and document the decision.

Conclusion

Based on the information provided, SDDOT seeks FHWA's determination that the construction activities associated with the subject project and incorporation of ROW into the highway transportation facility are a *de minimis* impact to the resources described as the project will not adversely affect the activities, features or attributes that make the property eligible for Section 4(f) protection. Any environmental commitments derived from the Section 4(f) de minimis impact determination will be included in the EA document and plans assembly process.

If there are any questions, please contact me at (605) 773-3180.

Sincerely,



Andrea Bierle
Environmental Engineer II
605.773.3180
Andrea.Bierle@state.sd.us

The FHWA, SD Division intends to make a De Minimis impact determination conditioned on results of public notice, comment period, and OWJ concurrence.



Tom Lehmkuhl
2023.05.19 11:28:31 -05'00'

Tom Lehmkuhl
South Dakota Division
Federal Highway Administration

Date

Attachments

1. Project Location Map
2. Section 4(f) Site Location Maps
3. Snake Creek Recreation Area Map
4. Section 6(f) No Use Concurrence
5. FHWA Section 4(f) Exception (g) Concurrence
6. SDDOT Section 4(f) DeMinimis Finding Intent

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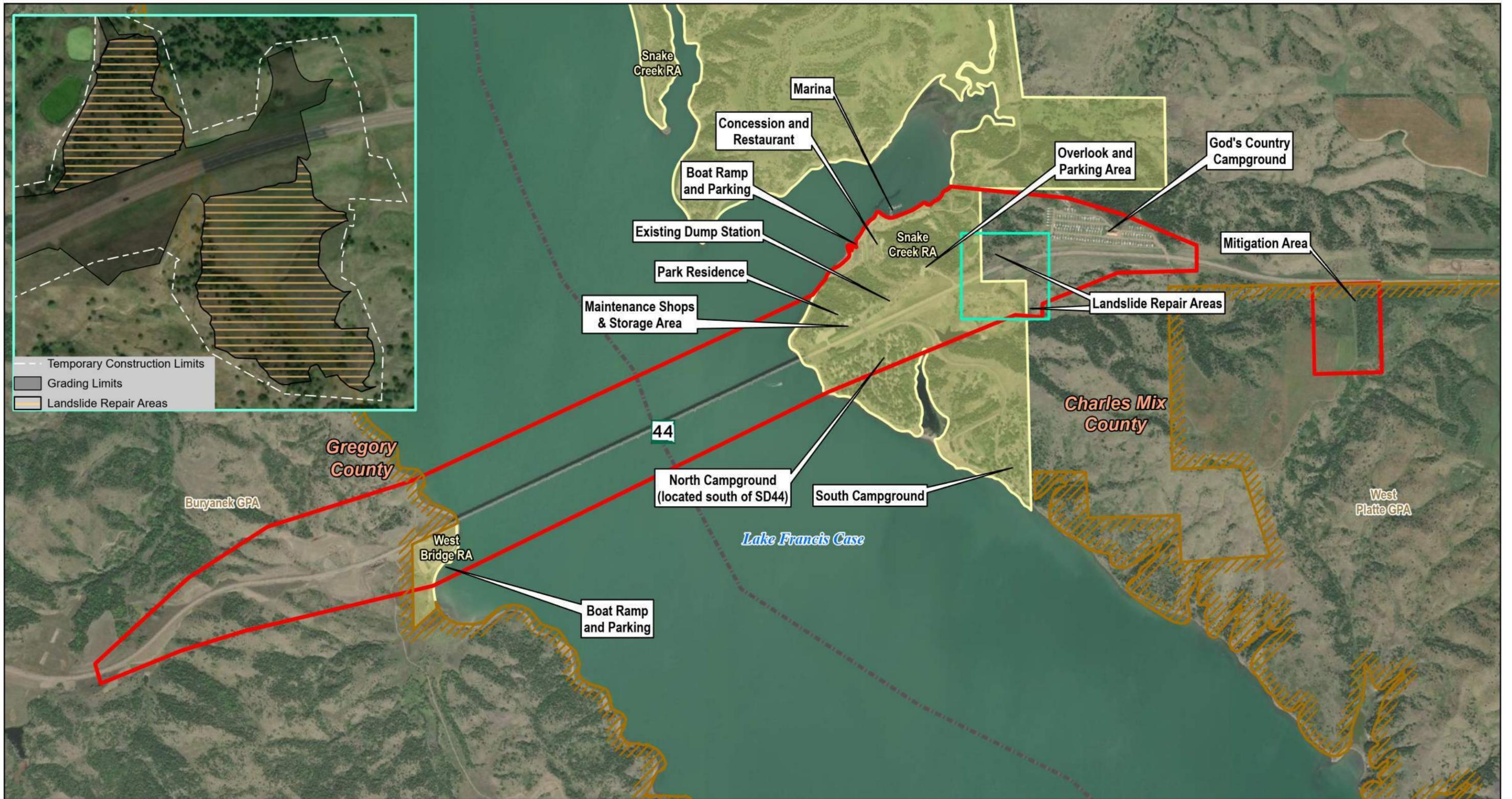
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Attachment 1

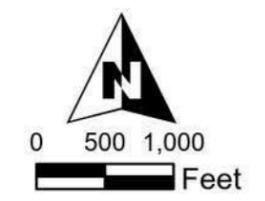
Project Location Map





Project Location Map
 SD44/Platte-Winner Bridge
 Environmental Assessment
 Gregory and Charles Mix Counties

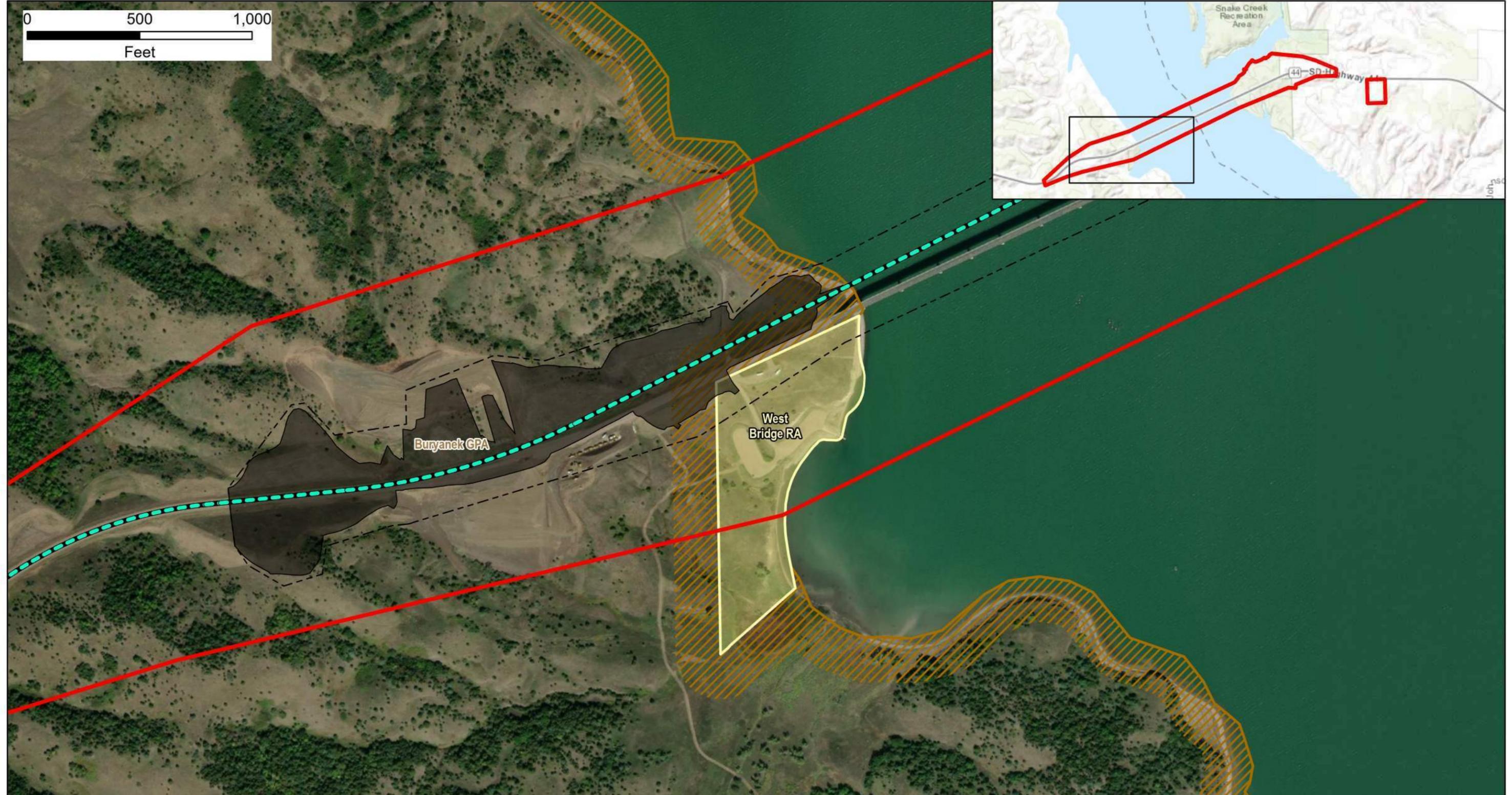
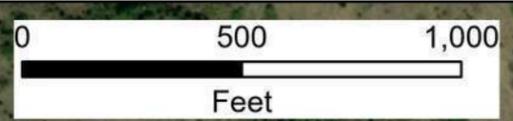
- Legend**
- Area of Potential Effect
 - Parks and Recreation Areas
 - Game Production Areas



Attachment 2

Section 4(f) Site Location Maps



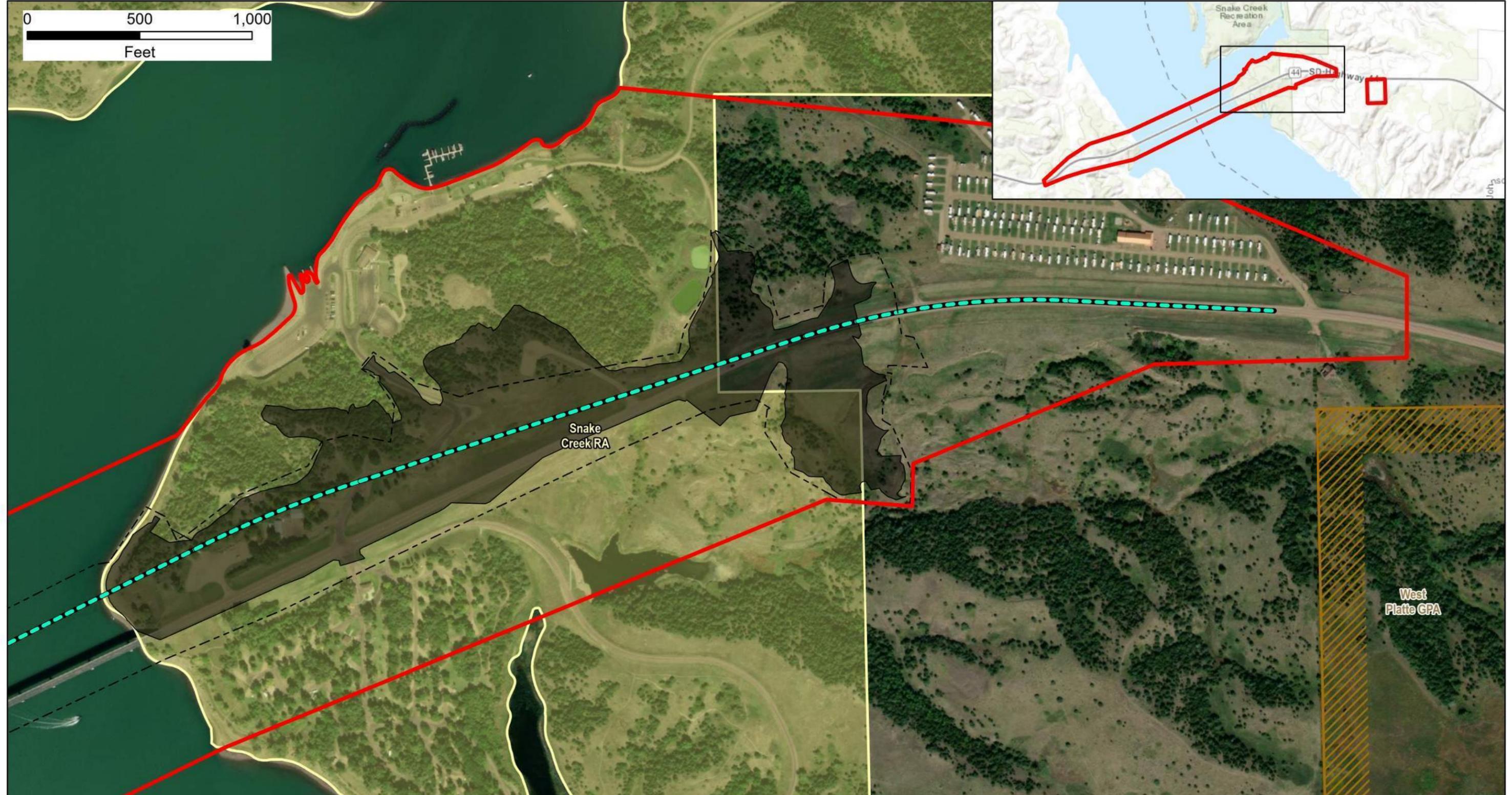
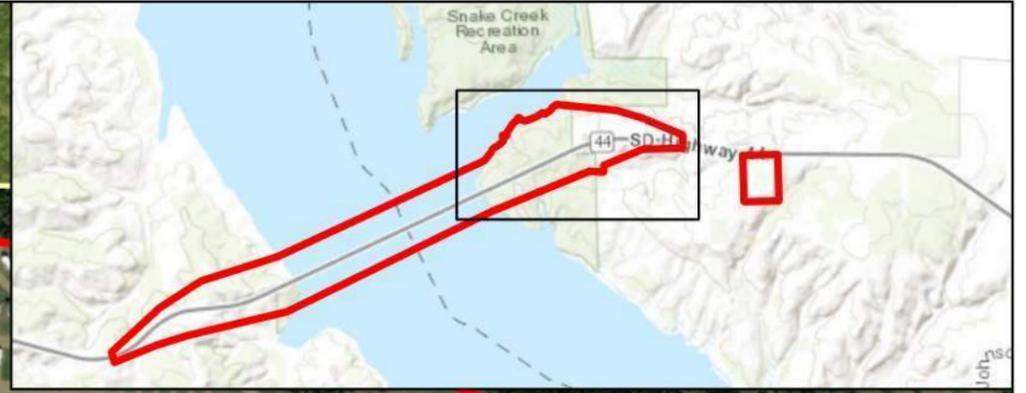


Section 4(f) Site Location Maps
West Bridge RA and Buryanek GPA
 SD44/Platte-Winner Bridge
 Gregory and Charles Mix Counties

Legend

- Area of Potential Effect
- Temporary Construction Limits
- Grading Limits
- Parks and Recreation Areas
- Recommended Alternative
- Game Production Areas



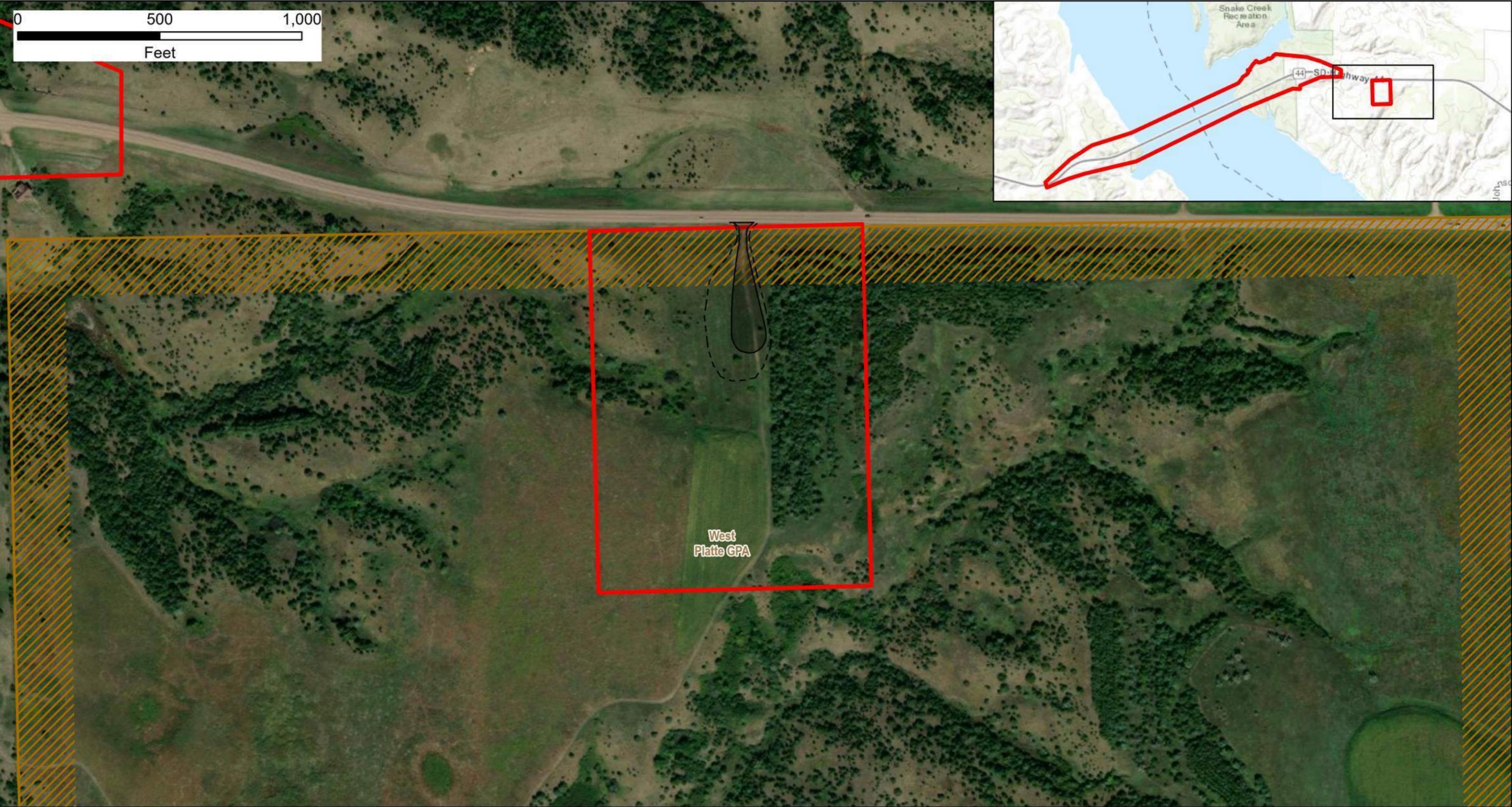


Section 4(f) Site Location Maps
Snake Creek RA
 SD44/Platte-Winner Bridge
 Gregory and Charles Mix Counties

Legend

- Area of Potential Effect
- Temporary Construction Limits
- Grading Limits
- Parks and Recreation Areas
- Recommended Alternative
- Game Production Areas





Section 4(f) Site Location Maps
West Platte GPA
 SD44/Platte-Winner Bridge
 Gregory and Charles Mix Counties

Legend

- Area of Potential Effect
- Temporary Construction Limits
- Grading Limits
- Parks and Recreation Areas
- Recommended Alternative
- Game Production Areas



Attachment 3

Snake Creek Recreational Area Map





SNAKE CREEK RECREATION AREA



Attachment 4

Section 6(f) No Use Concurrence



Woodson, Stacy

From: Kittle, Randy <Randy.Kittle@state.sd.us>
Sent: Tuesday, May 16, 2023 3:40 PM
To: Woodson, Stacy
Cc: Bierle, Andrea
Subject: RE: SD44 Platte-Winner Bridge - Section 6(f) Concurrence

This email came from outside the HR Green organization. Please use caution when clicking on hyperlinks and opening attachments

Stacy,

We are in concurrence that there is no Conversion of Use at Snake Creek Recreation Area. This is a unique situation where a state highway goes through a LWCF 6(F) encumbered property being located to the north and south sides of the SDDOT ROW. The NPS has agreed that the existing SDDOT ROW will be allowed to shift to the north of the existing bridge location as long as it does not expand to take more square footage of park than is currently included in the ROW. Park facilities will be shifted/relocated as part of the bridge reconstruction project to accommodate the new replacement bridge construction. Neither the realignment or relocation of park facilities nor the shifting of the ROW will be considered a temporary non-conforming use of the encumbered park property. Park services and public access to those park facilities will continue in Snake Creek Recreation Area throughout the project.

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: Woodson, Stacy <swoodson@hrgreen.com>
Sent: Tuesday, May 16, 2023 11:03 AM
To: Kittle, Randy <Randy.Kittle@state.sd.us>
Cc: Bierle, Andrea <Andrea.Bierle@state.sd.us>
Subject: FW: [EXT] SD44 Platte-Winner Bridge - Section 6(f) Concurrence

Randy – Just putting this message back on top of your email pile. Will you have time to address this today?

Thanks,

Stacy E. Woodson, PE
Vice President – Transportation | Principal | Group Leader
HR Green® | [Building Communities. Improving Lives.](#)



8710 Earhart Lane SW | Cedar Rapids, IA 52404-8947
Main 319.841.4000 | **Fax** 713.965.0044 | **Direct** 319.841.4390 | **Cell** 319.310.3426
HRGREEN.COM

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Appendix C

7/27/2023 GFP De Minimis Concurrence





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

July 27, 2023

Kevin Robling
Department Secretary
South Dakota Game Fish and Parks
523 East Capitol Avenue
Pierre, SD 57501

Subject: Official with Jurisdiction (OWJ) Concurrence for Section 4(f) *De Minimis* Finding for the Buryanek Game Production Area, West Bridge Recreation Area, and Snake Creek Recreation Area

**RE: Projects #: P 0044(207)290, PCN 05X0 and P 0044(228)290, PCN 08PP
Gregory and Charles Mix Counties
Location: SD44 – Missouri River Bridge Platte-Winner Bridge
Description: Replace Bridge, Grading, Snake Creek Recreation Area 4(f) Mitigation**

Dear Secretary Robling,

Attached is a map detailing the location of the above referenced project. This project will replace the Platte-Winner Bridge over the Missouri River and realign SD44 through the Buryanek Game Production Area (GPA), West Bridge Recreation Area (RA), Snake Creek RA, and West Platte GPA. All four of which are managed by the South Dakota Game Fish and Parks (SDGFP). I have attached a map showing the work area and the four affected Section 4(f) properties.

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

In addition, this correspondence informs the OWJ of the public comments that were received during the public comment period and the Federal Highway Administration (FHWA) intent to make the *de minimis* impact finding.

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

- Access to Buryanek GPA, West Bridge RA, Snake Creek RA, and West Bridge GPA shall always be maintained during construction activities via flagging operations and/or an approved detour.

In accordance with 23 CFR 774, the proposed project will have a *de minimis* impact upon Buryanek GPA, West Bridge RA, Snake Creek RA, and West Bridge GPA, based upon the following assessment:

- The nature and magnitude of changes will not adversely affect the recreational activities, features, or attributes that qualified the property for 4(f) protection.

Projects: P0044(207)290, PCN 05X0 and P044(228)290, PCN 08PP, Gregory and Charles Mix Counties

- Buryanek GPA: There will be 1.9 acres of impact to the 5,577 acre resource resulting in impacting 0.034 percent of the resource.
 - West Bridge RA: This resource will gain 1.3 acres to the existing 12 acre resource after the existing SD44 roadway is removed, graded and reseeded resulting in a net gain of 10.8 percent to the resource.
 - Snake Creek RA: There will be 8.6 acres of impact to the 695 acre resource resulting in impacting 1.2 percent of the resource. Permanent impacts include one acre of impact to the sanitary dump/water station plus impacts to features of the RA that are not subject to Section 4(f) protection. The sanitary dump/water station will be mitigated at the West Platte GPA.
 - West Platte GPA: There will be one acre of permanent impact to the 825 acre resource and one acre of temporary impact for construction of the sanitary dump/water station. These impacts are considered improvement and received a Section 4(f) Exception for Transportation Enhancement Activities, Transportation Alternatives Projects, and Mitigation Activities [23 CFR 774.13(g)] from the Federal Highway Administration on December 12, 2022 (see attached letter).
- The proposed measures to minimize harm and resulting mitigation, in regard to protecting the 4(f) property and maintaining access and safety, are considered to be reasonable and acceptable.

There were four comments received during the public comment that opened on June 1, 2023 and closed on July 7, 2023. No comments were received during the public meetings that took place on June 20, 2023 and June 21, 2023. All four comments were received through the project website at <https://sd44bridge.com/>. The comments are summarized in the table below and included as an attachment to this letter.

Summary of SD44 Platte-Winner Bridge Public Comments

Comment	Impact to De Minimis Finding
Interested in offering construction crews lodging at RV campground in Winner, SD.	None. Not a substantive comment. Comment is about housing for construction crews which is not a relevant comment to the <i>de minimis</i> finding.
Encourages project team to consider an overpass, grade separated crossing, for SCRA users to use instead of crossing the SD44 roadway.	None. Not a substantive comment. Comment is about wanting a grade separated overpass between the SCRA facilities so patrons do not have to cross SD44. Completing an overpass or interchange within the SCRA would result in greater impact to Section 4(f) facilities than what is proposed and does not meet the purpose and need of the project. While comment talks about SCRA it is not a which is not a relevant comment to the <i>de minimis</i> finding.
Interested in finding a way to reuse the existing bridge piers as new fish habitat in the river and offering handicapped fishing piers off of bridge.	None. Not a substantive comment. Comments are about existing bridge piers and creating fish habitat and are not relevant to the <i>de minimis</i> finding.
Concerned with boat launch ramps becoming crowded due to permanent RV parks in area. Wants to see the West Bridge boat launch enhanced with project construction.	None. Not a substantive comment. Comments are about wanting more boat ramp space at West Bridge Recreation Area after project is complete. Construction methods are up to the Contractor and project impacts will be evaluated at that time. Therefore not a relevant comment to the <i>de minimis</i> finding.

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

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

Sincerely,

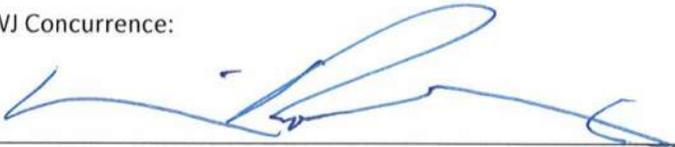


Andrea Bierle
Environmental Engineer II
605.773.3180
Andrea.bierle@state.sd.us

Attachments:

- Section 4(f) Site Location Map
- West Platte GPA Section 4(f) Exception
- Public Comments

OWJ Concurrence:

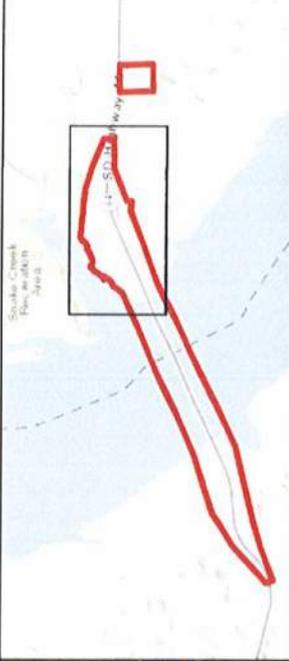
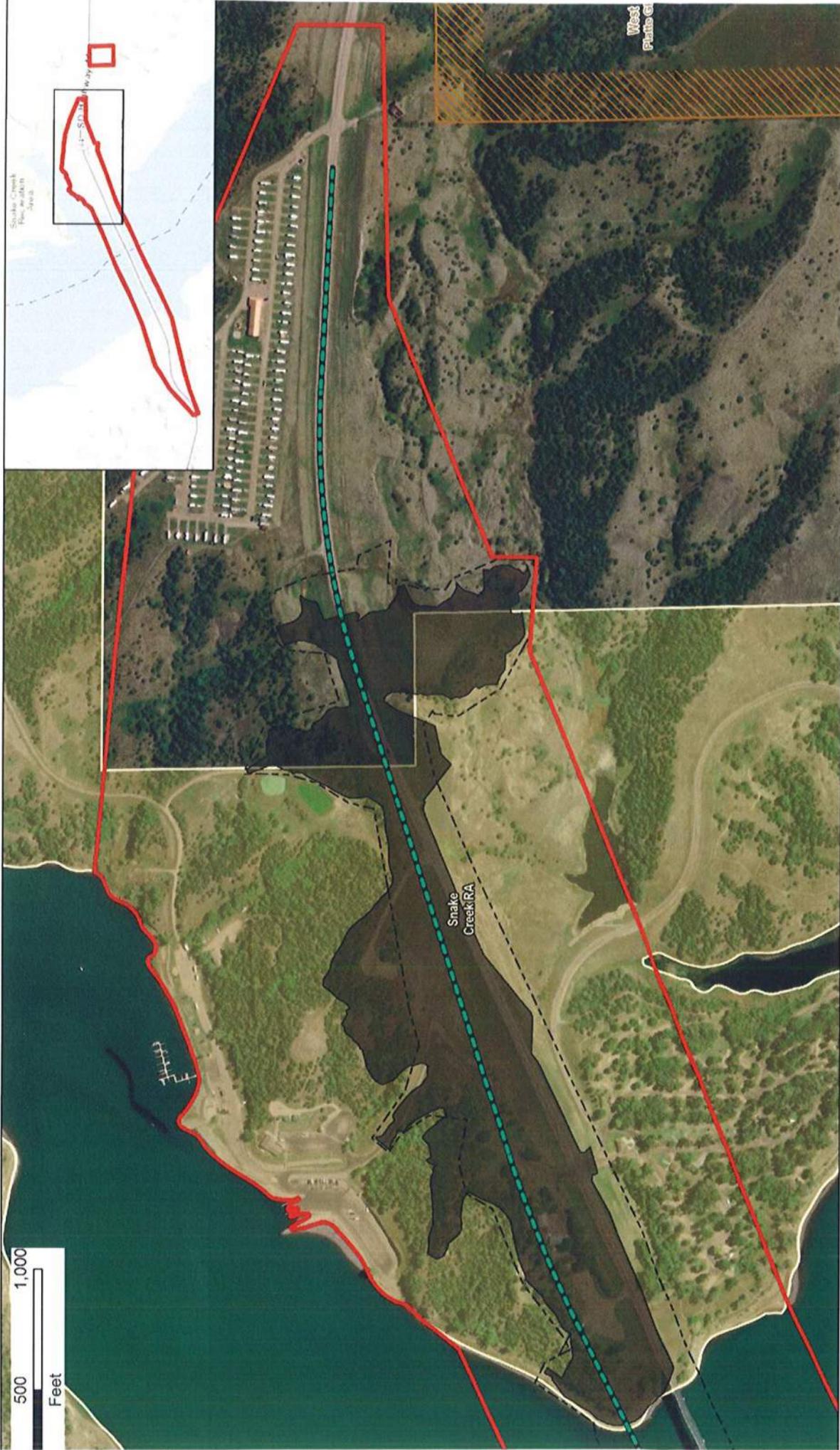


Name

7-27-23

Date

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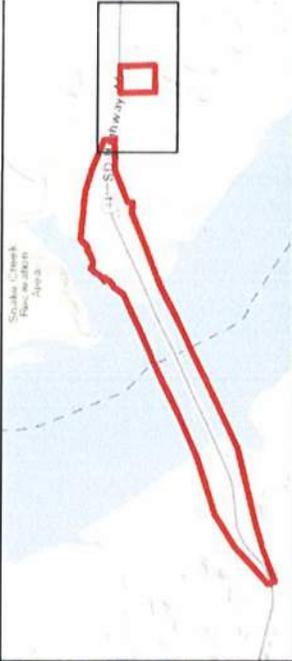
Section 4(f) Site Location Maps
Snake Creek RA
 SD44/Platte-Winner Bridge
 Gregory and Charles Mix Counties

Legend

- Area of Potential Effect
- Temporary Construction Limits
- Grading Limits Parks and Recreation Areas
- Recommended Alternative
- Game Production Areas



500 1,000
Feet



Location 4(f) Site Location Maps
West Platte GPA
 SD44/Platte-Winner Bridge
 Gregory and Charles Mix Counties

Legend

- Area of Potential Effect
- Temporary Construction Limits
- Grading Limits
- Parks and Recreation Areas
- Recommended Alternative
- Game Production Areas





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

December 13, 2022

Tom Lehmkuhl, Environmental Engineer
Federal Highway Administration
South Dakota Division
116 East Dakota Avenue, Suite A
Pierre, SD 57501

Subject: Section 4(f) Exception for Transportation Enhancement Activities, Transportation Alternatives Projects, and Mitigation Activities [23 CFR 774.13(g)]

**RE: Project P 0044(207)290, PCN 05X0, Charles Mix and Gregory Counties
SD44 - Missouri River Bridge Platte-Winner Bridge Replace Str Bridge, Grading,
Interim Surfacing-Section 4(f) Mitigation at West Platte Game Production Area**

Dear Mr. Lehmkuhl:

This letter requests FHWA approval as SDDOT intends to pursue an exception to the requirement of Section 4(f) review associated with the proposed Platte-Winner Bridge Replacement project. The Project's compliance with the National Environmental Policy Act will be documented as an Environmental Assessment. Included an attachment is a map detailing the project location and extents. This project will replace the Platte-Winner Bridge over the Missouri River and realign SD44 through the Snake Creek Recreation Area (SCRA).

The impacts to the SCRA require Section 4(f) mitigation of a one acre sanitary dump/drinking water station. The site selected for mitigation is the West Platte Game Production Area (GPA). The West Platte GPA is publicly owned and publicly used recreational property owned by the State of South Dakota making it also subject to the Section 4(f) protection. One acre of the West Platte GPA will be used to construct a sanitary dump/drinking water station, associated paved parking lot, leach field, and paved access from existing SD44. The SCRA and West Platte GPA are managed by the South Dakota Game Fish and Parks. I have attached maps showing the work area and the affected Section 4(f) property, West Platte GPA.

Due to the use of federal funds, the proposed transportation project is subject to the requirements of Section 4(f) of the Department of Transportation (DOT) Act of 1966, which affords protection to publicly owned parks, recreation areas, and wildlife and waterfowl refuges.

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

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

In accordance with 23 CFR 774.13(g), the SCRA mitigation activities on lands associated with West Platte GPA will constitute a "Use", based on the following assessment:

- The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection; and
- The official(s) with jurisdiction over the Section 4(f) resource agrees in writing to the above paragraph.

The proposed mitigation at West Platte GPA are access related and considered an overall enhancement with minimal impact to the site. The proposed paved access off of SD44 and paved parking lot would improve access for all users including hunters and those with disabilities, which is line with the mission of the West Platte GPA and other GPAs located throughout the state. This use of the Section 4(f) property is solely for enhancing the activities, features, and attributes that quality the property for Section 4(f) protection. The South Dakota Game Fish and Parks (SDGFP) is the official with jurisdiction over the West Platte GPA. They have agreed in writing that the use of the West Platte GPA enhances the activities, features, and attributes that qualify the property for Section 4(f) protection. Their concurrence letter is attached.

Based on the scope of the proposed project and type of work, the construction activities are solely for the purpose of preserving and/or enhancing the protected recreational activities, features, or attributes associated with West Platte GPA that qualified the property for Section 4(f) protection and that there is no adverse effect to the property. The SDGFP Official with Jurisdiction concurrence is attached. I am requesting FHWA's concurrence that 23 CFR 774.113(g) exception applies for this project. If you have questions and/or concerns, please feel free to contact me.

Sincerely,



Joanne Hight
Administration Program Manager
605.773.8149
Joanne.Hight@state.sd.us

Attachments:

Maps
OWJ Concurrence
Section 4(f) Exception to FHWA Supplemental Information

The FHWA, SD Division has reviewed the information as described in this document and concurs that the work associated with this project at this Section 4(f) resource meets the criteria set forth in 23 CFR 774.13(g), and therefore exempt from Section 4(f) regulations.



Tom Lehmkuhl
2022.12.20 16:19:06 -06'00'

Tom Lehmkuhl
South Dakota Division
Federal Highway Administration

Date

Thoreen, Timothy

From: Tom Mathis <wordpress@sd44bridge.com>
Sent: Sunday, June 18, 2023 3:08 PM
To: Thoreen, Timothy
Subject: [SD Highway 44 / Platte-Winner Bridge] Comments

Follow Up Flag: Follow up
Flag Status: Flagged

This email came from outside the HR Green organization. Please use caution when clicking on hyperlinks and opening attachments

Name: Tom Mathis

Email: info@tbonestreehouse.com

Comment: Good afternoon. I would like to visit with you about offering the foremen, contractors, and crews lodging, RV campground in Winner, SD. Please contact me. Thank you
Tom Mathis
605-840-9571

Would you like a project representative to contact you?: Yes

Phone Number: 6058409571

Mailing Address: 31525 US Highway 18 Winner, SD 57580

Time: June 18, 2023 at 3:07 PM
IP Address: 216.213.69.140
Contact Form URL: <https://sd44bridge.com/comments/>

Sent by an unverified visitor to your site.

Thoreen, Timothy

From: Donna Travis <wordpress@sd44bridge.com>
Sent: Wednesday, June 28, 2023 5:08 PM
To: Thoreen, Timothy
Subject: [SD Highway 44 / Platte-Winner Bridge] Comments

This email came from outside the HR Green organization. Please use caution when clicking on hyperlinks and opening attachments

Name: Donna Travis

Email: donnatravis@midstatesd.net

Comment: I attended the South Dakota 44 Bridge informational meeting in Platte on June 21, 2023. Thank you for the information regarding the status and update to the Platte-Winner Bridge project. There was a suggestion provided by an attendee which I would like to mention and encourage the project team to seriously take into consideration. As Highway 44 approaches the Snake Creek Recreation area from the East, it will be redesigned to connect with the new bridge (north of the old bridge). As it passes through the Recreation area, including passing by the campground site to the south, and the north side to Dock 44, it was suggested to create an overpass so that the flow of traffic of Hwy. 44 will not hinder visitors who will be exiting the highway to the campground/Dock 44 Marina, as well as provide a safer situation for visitors driving, walking, riding bicycles, etc. between the Campground and Dock 44 Marina. Traffic on Hwy 44 has increased significantly over the years, and likely will continue to increase. Campers, visitors, etc. trying to cross a busy highway is not reasonable, nor is it safe. Please, please, please consider an overpass to help prevent unnecessary accidents or even a death from occurring at this location due to poor planning. Thank you.

Would you like a project representative to contact you?: Yes

Phone Number: 6056801685

Mailing Address: 810 S. Main Avenue

Time: June 28, 2023 at 5:07 PM

IP Address: [170.199.220.191](https://sd44bridge.com/comments/)

Contact Form URL: <https://sd44bridge.com/comments/>

Sent by an unverified visitor to your site.

Thoreen, Timothy

From: Tom Bohnet <wordpress@sd44bridge.com>
Sent: Wednesday, July 5, 2023 6:42 PM
To: Thoreen, Timothy
Subject: [SD Highway 44 / Platte-Winner Bridge] Comments

This email came from outside the HR Green organization. Please use caution when clicking on hyperlinks and opening attachments

Name: Tom Bohnet

Email: tsmlbohnet@aol.com

Comment: It is my understanding that the bridge support pilings will be reduced to the lake bottom or reduced to below the lowest lake level expected. This removal or significant reduction in height eliminates the ability to leave the pilings and large concrete blocks supporting them as reefs for fish habitat. The extra concrete rubble could be piled next to the existing pilings, further enhancing the reef capability to function as a haven for fry and small fish to avoid their predators as well as an area for large fish to congregate. I have fished the pilings for more than 50 years and have observed millions of small fish in the waters around the pilings as well as the shade that they provide. The lake is turning into a rounded bowl because of siltation; the amount of natural structure is all but gone. The wooded bays have been silted shut, the shoreline erosion has buried many of the rocky areas where small fish could hide. Leaving the pilings and the large concrete blocks that tie them together would create an environment that supports the fish population, and retain the sport fishing opportunities for boaters. With the removal of the ridged bridge deck being pushed by the shifting banks, the pilings and support blocks should have an extended life with this stress factor eliminated. The new bridge support structure should help protect the old pilings from large sheet ice flows; something they have not had in the past.

I would also propose that fishing piers could be created on each end of the old bridge that would be handicapped accessible. This would create opportunities for the handicapped, disabled, and families to access fishing where literally none exists in this portion of the lake. The road deck could possibly be lowered to the first two pilings on both sides of the river; or at least the steel support iron could be reused for this project.

The new bridge construction creates a real opportunity to enhance the access to the lake by people that have been mostly excluded by the current conditions for fishing access. And by leaving the existing pilings and support blocks intact, there would be reefs for the fish to use in a lake that is becoming more featureless each year.

Please reconsider how the old bridge could continue to add value to our community long after its expected life as a roadway.

I can be reached by phone; 605-775-2563 is a good landline. E-mail is ok, but I would prefer to hear from someone where questions can be answered/asked quickly. I believe there is strong community support on both sides of the river. If there are additional contacts that I should make of behalf of this project, your input is greatly appreciated.

Sincerely,
Tom Bohnet

Would you like a project representative to contact you?: Yes

Phone Number: 605-775-2563

Mailing Address: tsmlbohnet@aol.com

Time: July 5, 2023 at 6:42 PM

IP Address: [68.69.78.68](#)

Contact Form URL: <https://sd44bridge.com/comments/>

Sent by an unverified visitor to your site.

Thoreen, Timothy

From: Terry Strawn <wordpress@sd44bridge.com>
Sent: Thursday, July 6, 2023 5:58 AM
To: Thoreen, Timothy
Subject: [SD Highway 44 / Platte-Winner Bridge] Comments

This email came from outside the HR Green organization. Please use caution when clicking on hyperlinks and opening attachments

Name: Terry Strawn

Email: terrymctm@aol.com

Comment: Hello,

I am actually an Iowa resident, however, my family has spent the majority of our leisure time in South Dakota near Platte. I do have a new RV in a permanent location very near the bridge. With the development of several new permanent campgrounds in the immediate area, the boat launching ramps have become overwhelmed. I was told that with the upcoming bridge construction project, there was discussion of doing site work near the west bridge access area ,to utilize this area for staging construction. I'm assuming that ramps would have to be constructed to get materials into the river, and those ramps would remain after the new bridge was completed, but SD GFP objected. Just curious about this, as it seems a winning solution for the over crowding at the boat ramps. We love the area, and plan on retiring there in later years, but as I mentioned, I am merely curious, and am a resident of a neighboring state. Regardless, we will continue to travel there , and best of luck with your project.

Would you like a project representative to contact you?: Yes

Phone Number: 7122594793

Mailing Address: 25252 Corwin Ct

Time: July 6, 2023 at 5:57 AM

IP Address: [166.199.99.144](#)

Contact Form URL: <https://sd44bridge.com/comments/>

Sent by an unverified visitor to your site.

Appendix C

8/7/2023 FHWA De Minimis Concurrence





Planning and Engineering

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

August 7, 2023

Tom Lehmkuhl, Environmental Engineer
 Federal Highway Administration
 South Dakota Division
 116 East Dakota Avenue, Suite A
 Pierre, SD 57501

RE: Section 4(f) *De Minimis* Impact Finding for the Buryanek Game Production Area, West Bridge Recreation Area, and Snake Creek Recreation Area

Projects: 0044(207)290, PCN 05X0 and 0044(228)290, PCN 08PP, Gregory and Charles Mix Counties

Location: SD44 – Missouri River Bridge Platte-Winner Bridge

Description: Replace Bridge, Grading, Snake Creek Recreation Area 4(f) Mitigation

Dear Mr. Lehmkuhl:

This letter requests FHWA approval of a Section 4(f) *de minimis* finding for impacts to the Buryanek Game Production Area (GPA), West Bridge Recreation Area (RA), and Snake Creek RA associated with the subject project. The project's compliance with NEPA is documented in the May 25, 2023 Environmental Assessment (EA).

Project Purpose and Need

The purpose of this project is to replace the existing SD44 Platte-Winner Bridge over the Missouri River to maintain regional connectivity along SD44 in South Dakota. **Attachment 1** shows the location of the project.

The need for this project is to address several critical issues associated with the existing bridge constructed in 1966. The *SDDOT's Major Bridge Investment Study* and the *SD44 Platte-Winner Bridge Corridor Study* (Holt and Benesch (2016)), identified the following issues with the existing bridge that combined threatened the long-term viability of the bridge:

- Overall aging infrastructure of the bridge and long-term maintenance costs
- Narrow bridge width that does not meet current geometric design standards

Description of 4(f) Resource(s)

The Buryanek GPA (5,577 acres) and the West Platte GPA (825 acres) are mostly open space for game production, hunting, and passive recreation. The West Bridge RA (12 acres) is a non-fee area that offers boat ramp access, boat trailer parking, a vault toilet, and overflow parking for the boat ramp. The Snake Creek RA (695 acres) has extensive amenities including campgrounds, sanitary dump/ water stations, welcome center, boat ramp and associated parking, a fish cleaning station, and a concessions and restaurant building. **Attachment 2** shows the locations of these Section 4(f) properties. **Attachment 3** shows the amenities of the Snake Creek RA in detail.

The Buryanek GPA, West Bridge RA, Snake Creek RA, and West Platte GPA are considered recreational areas that meet the definition of a Section 4(f) resource as defined in 23 CFR 774.17. The South Dakota Game Fish and Parks (GFP) is the owner with jurisdiction (OWJ) over these recreational areas and is responsible for operations and maintenance.

Description of 4(f) Impacts

Impacts discussed below include general impacts to the GFP land due to the relocation of SD44. Permanent easements that would be needed for the proposed SD44 roadway's relocation through these recreational areas is described below. No fee title right of way is proposed in any of the recreation areas. At this time only permanent and temporary construction easements are needed with temporary construction easement details to be determined through the design process.

Buryanek GPA – The construction of the proposed relocated SD44 roadway would impact an 1.9 acres of the Buryanek GPA. Impacts to the Buryanek GPA are to open space that is not actively used for features, attributes or activities that contribute to the GPA's overall recreational use. Approximately 1.9 acres of the 5,577 acres site would be impacted, or less than one percent of the site would be converted to roadway use. However, when the construction of the proposed roadway is complete, approximately 2.9 acres of the existing SD44 roadway would be converted back to GPA use.

West Bridge RA – The construction of the proposed relocated SD44 roadway avoids the West Bridge RA except for the temporary construction impacts. Approximately 1.3 acres of open space that is not actively used for features, attributes, or activities that contribute to the RA's overall recreational use of the 12-acre site would be temporarily impacted as the adjacent existing roadbed is demolished and converted into recreation area land. This results in a net gain to the West Bridge RA, increasing its size from 12 acres to 13.3 acres since the proposed roadway is shifted away from the existing location. No features, attributes or activities that contribute to the West Bridge RA overall recreational use are impacted.

Snake Creek RA - Impacts to the Snake Creek RA include 8.6 acres of open space that is not actively used for features, attributes, or activities that contribute to the RA's overall recreational use of the 700-acre site. Approximately 1.2 percent of the Snake Creek RA would be converted to roadway use. However, when the construction of the proposed roadway is complete, about 12.9 acres of the existing SD44 roadway would be converted back to recreation land. The majority of the 8.6 acres of impact is to open space within the Snake Creek RA that is not actively used for features, attributes, or activities that contribute to the park's overall recreational use. The exception is the impacts to the one-acre sanitary dump/water station. This feature/ attribute/

activity of the Snake Creek RA would be permanently converted to roadway right-of-way and requires mitigation.

West Platte GPA – The construction of the proposed relocation of SD44 roadway would not impact the West Platte GPA. The existing dump station/ water station at Snake Creek RA will be replaced at an unimproved parking and habitat area within the West Platte GPA. Approximately 2 acres of open space that is not used for features, attributes, or activities that contribute to the GPA’s overall recreational use of the 823 acres of the GPA will be impacted. The area being impacted within the GPA does not currently have any structures or facilities. Access to the larger GPA will be maintained after construction of the new dump station/ water station.

Description of 6(f) Properties and Affects

Four grants from the Land and Water Conservation Fund (LWCF) were used within the Snake Creek RA as described in the table below. This project will result in direct impacts to Snake Creek RA. A series of mitigation measures have been developed as part of coordination with GFP through the Section 4(f) process. Because SD44 will be on new alignment through the park, coordination regarding the right-of-way impacts has been ongoing between SDDOT and GFP. Land that is currently within right-of-way but no longer necessary for the new SD44 corridor is proposed to be given back to GFP in exchange for new right-of-way. The result will be a no net loss of GFP park land. SDDOT will continue to work with GFP through final design to determine appropriate boundary locations for right-of-way on the new alignment to achieve the no net loss objective.

Snake Creek RA LWCF Grants

Project Number	Date	Park	Amount of Grant	Use of Funds
46-00975	6/6/1983	Snake Creek RA	\$39,075	Construction of support facilities
46-01292	9/30/1984	Snake Creek RA	\$45,816	Construct picnic areas, swimming facilities, and support facilities
46-01309	12/31/2004	Snake Creek RA	\$23,790	Construction of support facilities
46-01424	12/31/2013	Snake Creek RA	\$45,000	Construct facilities including RV electric pedestals, service panels, and underground wiring

The project will be constructed in phases allowing the existing bridge and roadway to remain open to traffic for the duration of the construction including the tie in points where proposed SD44 ties back into the existing roadway just west of the SCRA’s eastern boundary.

Coordination occurred with the GFP Grants Coordinator regarding Section 6(f) properties within the study area in spring 2023. The GFP concurred on May 16, 2023 that there is no conversion of use at SCRA. This correspondence is included in **Attachment 4**.

Avoidance, Minimization, and Mitigation

Avoidance, minimization, and mitigation measures to reduce the size of impact on Section 4(f) resources, the severity of use to Section 4(f) resources, and the function of the portion used to Section 4(f) resources on both sides of the bridge were considered through the bridge and roadway realignment alternative development process. The GFP was a key stakeholder

throughout the alternative development and impact assessment process providing input into the avoidance, minimization, and mitigation discussions

Buryanek GPA – Avoidance of Buryanek GPA was not a feasible and prudent option without disturbance of other Section 4(f) resources. The Recommended Alternative minimizes the impact to this resource by shifting the proposed alignment to the north. The proposed uniform roadway right of way width minimizes impacts to this resource.

West Bridge RA – Avoidance of West Bridge RA was not a feasible and prudent option without disturbance of other Section 4(f) resources. The Recommended Alternative avoids direct impacts to the West Bridge RA's parking lot and boat launch and minimizes the impact to this resource by shifting the alignment to the north. The proposed uniform roadway right of way width also minimizes impacts to this resource. The West Bridge RA boat launch is valued for the ability to provide an alternative launch location to the popular, and often congested, site within Snake Creek RA. Access to the boat launch will remain open during construction.

Snake Creek RA - Avoidance of Snake Creek RA was not a feasible and prudent option. However, the determination of which side of SD44 to locate the new bridge did have implications for which resources within Snake Creek RA were impacted. By selecting a location north of the current highway, direct impacts to the Snake Creek RA campground and the Welcome Center were avoided.

Mitigation measures include the relocation of the one-acre sanitary dump/water station. The proposed new sanitary dump/ water station would be placed in an existing open grassy area located near the SD44 roadway within the West Platte GPA. The new facility would include a paved entrance, paved angle parking for up to ten parking spaces for easy access to the sanitary and water facilities.

This mitigation site meets the GFP criteria needed for a new location of the facility. This site would be constructed in advance of the bridge and roadway construction, and sanitary dump/ water station demolition, allowing campers at the Snake Creek RA the ability to use this facility for the duration of construction and after. The West Platte GPA dump/ water station area is a geotechnically stable location in an area known for landslides. Additionally, it is in an area where risk of impacting environmental resources is low. Additionally, the area has no existing park attributes to avoid.

West Platte GPA - The mitigation of the impacts to Snake Creek RA include one acre of permanent impact to the 825 acre West Platte GPA property and one acre of temporary impact for construction of the sanitary dump/water station. These impacts are considered improvement and received a Section 4(f) Exception for Transportation Enhancement Activities, Transportation Alternatives Projects, and Mitigation Activities [23 CFR 774.13(g)] from the Federal Highway Administration on December 12, 2022 (see **Attachment 5**).

Agency and Public Coordination

The public had an opportunity to comment on the EA and *de minimis* finding. There were four comments received during the public comment that opened on June 1, 2023 and closed on July 7, 2023. No comments were received during the public meetings that took place on June 20, 2023, and June 21, 2023. All four comments were received through the project website at

<https://sd44bridge.com/>. The comments are summarized in the table below and included **Attachment 6**.

Summary of SD44 Platte-Winner Bridge Public Comments

Comment	Impact to <i>De Minimis</i> Finding
Interested in offering construction crews lodging at RV campground in Winner, SD.	None. Not a substantive comment. Comment is about housing for construction crews which is not a relevant comment to the <i>de minimis</i> finding.
Encourages project team to consider an overpass, grade separated crossing, for SCRA users to use instead of crossing the SD44 roadway.	None. Not a substantive comment. Comment is about wanting a grade separated overpass between the SCRA facilities, so patrons do not have to cross SD44. Completing an overpass or interchange within the SCRA would result in greater impact to Section 4(f) facilities than what is proposed and does not meet the purpose and need of the project. While comment talks about SCRA it is not a relevant comment to the <i>de minimis</i> finding.
Interested in finding a way to reuse the existing bridge piers as new fish habitat in the river and offering handicapped fishing piers off of bridge.	None. Not a substantive comment. Comments are about existing bridge piers and creating fish habitat and are not relevant to the <i>de minimis</i> finding.
Concerned with boat launch ramps becoming crowded due to permanent RV parks in area. Wants to see the West Bridge boat launch enhanced with project construction.	None. Not a substantive comment. Comments are about wanting more boat ramp space at West Bridge Recreation Area after project is complete. Construction methods are up to the Contractor and project impacts will be evaluated at that time. Therefore not a relevant comment to the <i>de minimis</i> finding.

Following the public review comment period and after consideration of any comments received from the public, the OWJ concurred in writing that the project will not adversely affect the activities, features, and attributes that make property eligible for Section 4(f) protection on 07/27/2023. See **Attachment 7** for OWJ Concurred.

Conclusion

Based on the information provided, SDDOT seeks FHWA’s determination that the construction activities associated with the subject project and incorporation of ROW into the highway transportation facility are a *de minimis* impact to the resources described as the project will not adversely affect the activities, features or attributes that make the property eligible for Section 4(f) protection. Any environmental commitments derived from the Section 4(f) *de minimis* impact determination will be included in the FONSI document and plans assembly process.

If there are any questions, please contact me at (605) 773-3180.

Sincerely,



Andrea Bierle
Environmental Engineer
(605) 773-3180
Andrea.bierle@state.sd.us

The FHWA, SD Division has reviewed the information as described in this document and finds the impacts to Section 4(f) resources are de minimis as defined under 23 CFR 774.



Tom Lehmkuhl
2023.08.07 13:44:02 -05'00'

08.07.2023

Date

Tom Lehmkuhl
South Dakota Division
Federal Highway Administration

Attachments

1. Project Location Map
2. Section 4(f) Site Location Maps
3. Snake Creek Recreation Area Map
4. Section 6(f) No Use Concurrence
5. FHWA Section 4(f) Exception (g) Concurrence
6. SD44 Platte-Winer Bridge Public Comments
7. SDDOT Section 4(f) De Minimis OWJ Concurrence

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Appendix C

8/14/2023 SHPO De Minimis No Objection





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

August 11, 2023

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

Subject: Official with Jurisdiction (OWJ) Concurrence for Section 4(f) *De Minimis* Finding for Section 106 Resources

RE: Project 181120002F
SDDOT Projects Numbers: 0044(207)290, PCN 05X0 and 0044(228)290, PCN 08PP, Gregory and Charles Mix Counties
Location: SD44 – Missouri River Bridge Platte-Winner Bridge
Description: Replace Bridge, Grading, Snake Creek Recreation Area Section 4(f) Mitigation

Dear Mr. Lamfers:

Attached is the May 20, 2020 previous SHPO concurrence and map detailing the location of the above referenced project. This project replaces the SD44 bridge (Project Number P0044(207)290, PCN: 05X0), and relocates the Snake Creek Recreation Area park residence and maintenance shops and constructs a sanitary dump/ water station (Project Number 0044(228)290, PCN 08PP). Cultural Site 39CH0315 and Site 39CH0054 were avoided as much as possible, but there is potential for the bridge piers and vibration from construction to impact these sites. It is Federal Highway Administration's (FHWA) intent to make a Section 4(f) *de minimis* finding for these Section 106 resources. A map is attached that shows the work area and avoidance of the Section 4(f) properties.

Due to the use of federal funds, the proposed transportation project is subject to the requirements of Section 4(f) of the Department of Transportation (DOT) Act of 1966, which affords protection to publicly owned parks, recreation areas, wildlife and waterfowl refuges, and historic sites. The purpose of this correspondence is to document that the Official with Jurisdiction (OWJ) does not object with the listed measures to minimize harm and the assessment of impacts.

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

- Construction plan sheets will address the location adjacent to proposed construction limits to protect the identified features.
- Fill material will be used to build on top of the existing ground for the new roadway to avoid impacts to the sites. Any fill material sourced from an outside location will be obtained from a location for which the Section 106 consultation process has been completed. SDDOT will require the contractor to document compliance with this requirement.

- Construction activities near Site 39CH0315 will be monitored in accordance with Stipulation VI of the MOA.
- Site 39CH0054 is mapped within the project limits. Although the mapped position of this site may be inaccurate and the site may have eroded into the river, construction activities near the mapped position of Site 39CH0054 will be monitored
- The Contractor shall be required to closely coordinate the construction schedule with SDDOT prior to the start of construction activities.

In accordance with 23 CFR 774, the proposed project will have a *de minimis* impact on Sites 39CH315 and 39CH54 :

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

Based on the scope of the proposed project and type of work, there will be no adverse effects to the historic property. If you do not object with the measures to minimize harm and the assessment of impacts in regard to the proposed project, please indicate as such by providing your signature in the space provided below at your earliest convenience so the project's environmental documentation can be completed.

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

Sincerely,



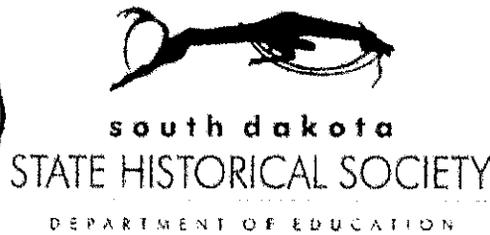
Andrea Bierle
Environmental Engineer II
Andrea.Bierle@state.sd.us

Attachments

OWJ Does Not Object to SDDOT's plan to pursue a Section 4(f) *De Minimis* Finding:


Name

08/14/2023
Date



May 20, 2020

Julie Jacobsen
Department of the Army
Corps of Engineers, Omaha District
1616 Capitol Ave
Omaha NE 68102-4901

SECTION 106 PROJECT CONSULTATION

Project: 181120002F – Replace Highway 44 Platte – Winner Bridge – Geo-Archaeological Investigations

Location: Multiple Counties
(USACE)

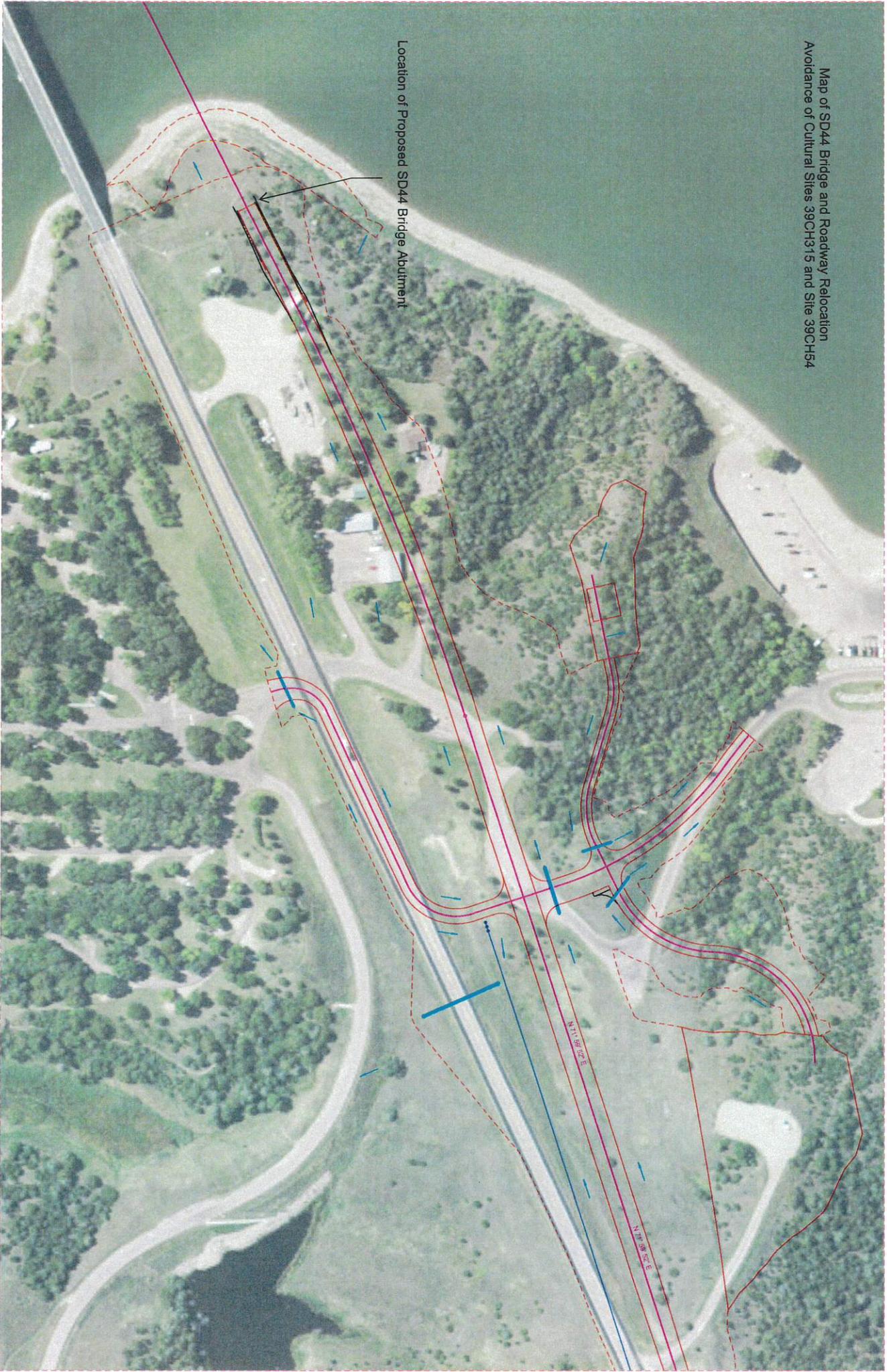
Dear Ms. Jacobsen:

Thank you for the opportunity to comment on the proposed project pursuant to 54 U.S.C 306108 (Section 106) of the National Historic Preservation Act of 1966 (as amended) and the Programmatic Agreement for the Main Stem System. The South Dakota Office of the State Historic Preservation Officer (SHPO) would like to provide the following comments regarding the effect of the proposed undertaking on the non-renewable cultural resources of South Dakota.

On December 9, 2019, we received your correspondence dated December 5, 2019, and the report and two addendums entitled “A Level III Cultural Resources Investigation and Geoarchaeological Evaluation of South Dakota Department of Transportation’s Proposed SD Highway 44 Platte-Winner Bridge Corridor Study and Environmental Assessment, Charles Mix and Gregory Counties, South Dakota,” by Archeology Laboratory, Augustana University. In a letter dated December 13, 2020, we requested additional clarification concerning the scope of the proposed project. The additional information was submitted on April 27, 2020, by Timothy Thoreen from HR Green.

Based on the information provided, we agree that newly recorded site 39CH0315 should be considered eligible for listing in the National Register of Historic Places under Criteria D. However, we disagree with the non-contributing status for the portion of 39CH0315 located in the footprint of the bridge abutment.

Map of SD44 Bridge and Roadway Relocation
Avoidance of Cultural Sites 39CH315 and Site 39CH54



Location of Proposed SD44 Bridge Abutment

Appendix C

8/23/2023 FHWA De Minimis Concurrence





Planning and Engineering

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

August 23, 2023

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

RE: **Section 4(f) De Minimis Impact Finding for a Historic Property**
Projects Numbers: P 0044(207)290, PCN 05X0 and P 0044(228)290, PCN 08PP, Gregory and Charles Mix Counties
Location: SD44 – Missouri River Bridge Platte-Winner Bridge
Description: Replace Bridge, Grading, Snake Creek Recreation Area Section 4(f) Mitigation

Dear Mr. Lehmkuhl:

This letter requests FHWA approval of a Section 4(f) *de minimis* finding for impacts to a historic property associated with the subject project. The project's compliance with NEPA was documented as an Environmental Assessment.

Project Purpose and Need

The proposed project replaces the SD44 Bridge (Project Number P 0044(207)290, PCN: 05X0), and relocates the Snake Creek Recreation Area (SCRA) park residence and maintenance shops and constructs a sanitary dump/ water station (Project Number P 0044(228)290, PCN 08PP). The purpose of the projects is to replace the existing SD44 Platte-Winner Bridge over the Missouri River to maintain the regional connectivity along SD44 in South Dakota and mitigate impacts to the Snake Creek Recreation Area. Refer to **Attachment 1** for a project location map.

The need for the project is to address the overall aging infrastructure of the bridge and long-term maintenance costs and address the narrow bridge that does not meet current geometric and safety standards. The project goals include respecting the sensitive environmental resources in the area, maintaining regional connectivity and community cohesion in the region, and addressing known geotechnical concerns along the corridor.

Description of 4(f) Archaeological Historic Properties

The State Historic Preservation Office (SHPO) is the official with jurisdiction of the archaeological resources found within the South Dakota Game, Fish, and Parks (SDGFP) recreational areas that they own, operate, and manage. According to 2018 *Level III Cultural Resources Investigation*

and Geoarchaeological Evaluation of South Dakota Department of Transportation's Proposed SD Highway 44 Platte-Winner Bridge Corridor Study and Environmental Assessment, Charles Mix and Gregory Counties, South Dakota, archaeological sites are present within the project study area. Site 39CH3015 has the potential to be impacted by the proposed project. Site 39CH3015 is considered a Section 4(f) resource, was considered eligible for the National Register of Historic Places (NHRP), and SHPO concurred with the determination on May 20, 2020. **Attachment 2** shows the project in relationship to the location of the cultural resource site.

Description of Section 4(f) Impacts for Cultural Resources

The proposed project has the potential to impact Section 4(f) cultural resource Site 39CH0315 located within the Snake Creek Recreation Area due to construction of the bridge abutment and associated structural elements. Table 1 summarizes the Section 4(f) uses and approvals for cultural resources completed as part of the EA and Section 4(f) processes.

Table 1. Summary of Section 4(f) Uses and Approvals

Resource	Section 4(f) Use	Section 4(f) Approval
Archaeology Site 39CH0315	Permanent Incorporation	<i>De Minimis</i> (Note: the Section 106 MOA established measures to manage and avoid potential impacts during construction)

Avoidance, Minimization, and Mitigation

On June 30, 2017, the United States Army Corps of Engineers (USACE) accepted full responsibility for the Section 106 process on the projects. Through consultation with the USACE and SHPO, it was determined that impacts are not anticipated to archaeological sites due to careful consideration of the bridge and roadway location to avoid these sites. In addition, the nature of construction in this area helps avoid impacts. The project will primarily be built above the existing ground surface. The extent of ground disruption in the vicinity of the eligible site will be minimal, with scraping of existing vegetation the primary impact. However, given the potential for impacts or unanticipated discoveries due to earthwork, the South Dakota Department of Transportation (SDDOT) has prepared a Section 106 Memorandum of Agreement (MOA) that incorporates measures to provide a monitor on site during construction activities in this area. Details of monitoring and other related historic resource mitigation measures are included in the MOA which is included as **Attachment 5**.

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

- Construction plan sheets will address the location adjacent to proposed construction limits to protect Site 39CH0315.
- Fill material will be used to build on top of the existing ground for the new roadway to avoid impacts to Site 39CH0315. Any fill material sourced from an outside location will be obtained from a location for which the Section 106 consultation process has been

completed. SDDOT will require the contractor to document compliance with this requirement.

- Construction activities near Site 39CH0315 will be monitored during construction, including initial ground-disturbing activities and geotechnical borings on the west and east banks of the river. SDDOT will ensure that an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for Archaeologists (48 C.F.R. 44738-9) and a tribal monitor representative on behalf of the Yankton Sioux Tribe and Rosebud Sioux Tribe will be present to monitor ground-disturbing activities in the culturally sensitive area.
- For Site 39CH0315, the Contractor shall be required to closely coordinate the construction schedule with SDDOT prior to the start of construction activities.

Based on the scope of the proposed project and type of work and the avoidance and minimization measures discussed above, there will be no adverse effects to the protected historical features or attributes associated with Site 39CH0315.

Agency and Public Coordination

In accordance with 36 CFR § 800.6, the Section 106 Finding of Adverse Effect will be documented and information on the finding can be provided to the public upon request, consistent with the confidentiality provisions of 36 CFR § 800.11(c) to provide the public an opportunity to review and comment on the projects effects to 4(f) resources.

The SDDOT coordinated the proposed Project impacts with SHPO, and they were informed of our intent to make a *de minimis* impact finding on 8/11/2023. On 8/14/2023, SHPO indicated that they did not object to SDDOT's plan to pursue a Section 4(f) *De Minimis* Finding. Refer to **Attachment 3**. Section 106 consultation took place with a SHPO recommended determination of No Adverse Effect on the proposed Project, received 5/20/2020. Refer to **Attachment 4**.

Conclusion

Based on the information provided, SDDOT seeks FHWA's determination that the construction activities associated with the historic 4(f) resources in the project area are a *de minimis* impact to the resources described as the Project will not adversely affect the activities, features or attributes that make the property eligible for Section 4(f) protection.

If there are any questions, please contact me at (605) 773-3180 or Andrea.Bierle@state.sd.us.

Sincerely,



Andrea Bierle
Environmental Engineer II
(605) 773-3180

The FHWA, SD Division has reviewed the information as described in this document and finds the impacts to Section 4(f) archaeological resource, Sites 39CH0315 is *de minimis* as defined under 23 CFR 774.



Tom Lehmkuhl
2023.08.25 10:39:46 -05'00'

08/25/2023

Date

Tom Lehmkuhl
South Dakota Division
Federal Highway Administration

Cc: Chad Babcock, SDDOT

Attachments:

- 1 – Project Location Map
- 2 – Section 4(f) Historic Properties
- 3 – SHPO No Objection Letter
- 4 – SHPO No Adverse Effect Letter
- 5 - MOA

Appendix D

Revised Memorandum of Agreement



MEMORANDUM OF AGREEMENT

AMONG THE U.S. ARMY CORPS OF ENGINEERS, FEDERAL HIGHWAY ADMINISTRATION,
THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION, THE SOUTH DAKOTA
DEPARTMENT OF GAME, FISH, AND PARKS, AND THE SOUTH DAKOTA
STATE HISTORIC PRESERVATION OFFICER,

REGARDING

PROJECT P 0044(207)290 PCN 05X0 – Replace SD Highway 44 Platte-Winner Bridge (Structure #12-085-080)

WHEREAS, the U.S. Army Corps of Engineers (USACE) proposes to provide a 404 Permit to the South Dakota Department of Transportation (SDDOT) for Federal Aid Project P 0044(207)290 PCN 05X0, thereby making the Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, and its implementing regulations, 36 C.F.R. §800; and

WHEREAS, the undertaking consists of the proposed replacement of the South Dakota Highway 44 (SD 44) Platte-Winner Bridge (Structure #12-085-080, also referred to as the Francis Case Memorial Bridge) as well as associated approach work, excavations, grading, cutting, and placement of fill at various locations along the new SD44 alignment and work associated with the Snake Creek Recreation Area. The existing bridge is a 28-span, 5,655.5-foot by 30.3-foot continuous welded plate-girder bridge; and

WHEREAS, the USACE has defined the undertaking's Area of Potential Effects (APE) as the proposed project alternative (North Skew Alignment) along SD 44. The Northern Skew corridor runs at an offset angle north of the Platte-Winner Bridge at distances varying between 90 feet at the west end and 250 feet at the east end. The total APE footprint encompasses 25.88 acres (see Attachment 1: Project Location and APE Maps); and

WHEREAS, a portion of the APE occurs on lands which are owned by the South Dakota Department of Game, Fish, and Parks (SDGFP) but for which the USACE retains federal oversight in regard to the National Historic Preservation Act pursuant to Water Resources Development Act of 1999, Title VI – Cheyenne River Sioux Tribe and Lower Brule Sioux Tribe Terrestrial Wildlife Habitat Restoration Trust Fund Section 605 (Title VI); and

WHEREAS, the USACE, for purposes of the undertaking and this agreement, has been designated the lead federal agency for compliance with Section 106 of the NHPA, pursuant to 36 C.F.R. § 800.2; and

WHEREAS, the Federal Highway Administration (FHWA) has participated in consultation since the project is a Federal Aid Project funded by FHWA, and FHWA is a signatory to this Agreement; and

WHEREAS, the FHWA intends to coordinate its compliance with Section 106 of the NHPA (Section 106) with the applicable requirements of the National Environmental Policy Act (NEPA) (72 U.S.C. 4321-4347) pursuant to 40 CFR§1500-1508; and

WHEREAS, the USACE, in consultation with the South Dakota State Historic Preservation Officer (SHPO), has determined that the undertaking will have an Adverse Effect upon the Platte Winner Bridge, a property which is eligible for listing in the National Register of Historic Places, and has consulted with the SHPO pursuant to 36 C.F.R § 800, the regulations implementing Section 106 of the NHPA (54 U.S.C. § 306108) (see Attachment 2: SHPO Eligibility Concurrence – Architecture/History and Attachment 3: SHPO Adverse Effect Concurrence); and

WHEREAS, the USACE, in consultation with the SHPO, has determined that the undertaking has the potential to have an Adverse Effect upon two archaeological properties within the APE, 39CH0054 and 39CH0315. Site 39CH0315 was determined to be eligible for listing in the National Register of Historic Places, and Site 39CH0054 has not been evaluated for the National Register of Historic Places, (see Attachment 4: SHPO Eligibility Concurrence - Archaeology and Attachment 3: SHPO Adverse Effect Concurrence); and

WHEREAS, the USACE has consulted with the SDDOT and SDGFP regarding the effects of the undertaking on historic properties and has invited them to sign this Memorandum of Agreement (MOA) as invited signatories; and

WHEREAS, the USACE has initiated consultation with 26 tribes that are part of the Programmatic Agreement for the Operation and Management of the Missouri River Main Stem System for Compliance with the National Historic Preservation Act, as amended. This consultation was done through informational letters sent out on November 16, 2018, and determination letters sent on October 28, 2020. The Santee Sioux Nation and the Winnebago Tribe of Nebraska have responded to the determination letter and stated that consultation with them regarding this project is now complete. The Winnebago stated that this project "will not affect any known sites affiliated with the Winnebago Tribe of Nebraska." Although the Ihanktonwan (Yankton Sioux Tribe) has chosen to participate in this MOA, they are not signatories to the Programmatic Agreement for the Operation and Management of the Missouri River Main Stem System by their own choice; and

WHEREAS, the Yankton Sioux Tribe and the Rosebud Sioux Tribe have been invited to sign the MOA as concurring parties; and

WHEREAS, the Yankton Sioux Tribe and the Rosebud Sioux Tribe each have requested to have tribal monitors present for construction activities along the portion of the project indicated as a sensitive area (see Attachment 5: Site Monitor Location Map). The Rosebud Sioux Tribe has agreed that Yankton Sioux Tribe will conduct the tribal monitoring efforts for the projects; and

WHEREAS, in accordance with 36 C.F.R. § 800.5(a)(3), the USACE, FHWA, and SDDOT consulted with the SHPO, the Yankton Sioux Tribe, and the Rosebud Sioux Tribe on construction monitoring for the geotechnical borings on the west and east banks of the river that were completed prior to the execution of the MOA in accordance with Stipulation VI; and

WHEREAS, the FHWA and SDDOT have conducted public consultation during the development of the project through the Corridor Plan and through individual public agency consultation with the SDGFP, South

Dakota Department of Agriculture and Natural Resources, SHPO, U.S. Fish and Wildlife Service, and the USACE; and

WHEREAS, in accordance with 36 C.F.R. § 800.6(a)(1), the USACE has notified the Advisory Council on Historic Preservation (ACHP) of the Adverse Effect determination by providing the specified documentation, and the ACHP has chosen not to participate in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii) (see Attachment 6: ACHP Notification); and

NOW, THEREFORE, the USACE, the SHPO, FHWA, SDDOT, and SDGFP agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

The USACE, with the assistance of SDDOT, shall ensure that the following measures are carried out:

I. PHOTOGRAPHIC DOCUMENTATION

SDDOT will submit current photographic documentation of the bridge (Structure #12-085-080) to the SHPO which conforms to the Photography Guidelines for the Purposes of Section 106 Mitigation (see Attachment 7: Photography Guidelines for the Purposes of Section 106 Mitigation). This will include digital color photographs that meet the National Register of Historic Places photograph standards, meaning photos must be at least 2000 x 3000 pixels at 300 dpi saved as TIFFs, and submitted on CD/DVD or flash drive. Photographs shall minimally include full views of the bridge's primary elevations, close-ups of any decorative, character-defining, or structural features, and general views of the bridge and its environs. Photographs will be labeled according to the SHPO's naming requirements defined in the *South Dakota Historic Resource Survey Manual*. SHPO must approve the documentation prior to the demolition of the bridge. Upon review and approval of the documentation, SHPO will submit the photographs of the bridge to the South Dakota State Archives for public use and reproduction.

II. EXISTING RECORD SEARCH

SDDOT will conduct a search for any existing reports, photographs, drawings, plans, or similar documents related to the bridge (Structure #12-085-080). The search will include, but is not limited to, any SDDOT or FHWA files, county or city government files, local historical society or museum files, or other repositories that may likely have records related to the bridge. SDDOT will submit a letter to SHPO documenting what repositories or files were searched.

III. EXISTING RECORD REPRODUCTION

If any publicly available documents related to Structure #12-085-080 are found while completing Stipulation II and those documents are not otherwise restricted by federal or state law, SDDOT will either submit the original, if possible, or one copy of those documents to SHPO and USACE. SDDOT will also scan any photographs (historic or more recent) of Structure #12-085-080 found

while completing Stipulation II and provide the images to SHPO and USACE. Images will be scanned at 600 dpi, saved as TIFFs, and submitted on a CD/DVD or flash drive. Upon receipt and review of the documents and/or images, SHPO will submit the documents and/or images to the South Dakota State Archives for public use and reproduction.

IV. HISTORIC BRIDGE DIGITAL CONTENT

SDDOT will consult with SHPO on the preparation of content regarding the history of the Platte-Winner Bridge for a GIS story map to be developed by SDDOT. The GIS story map content will focus on the Platte-Winner Bridge and include locational and descriptive information on the bridge including photographs and a written summary of its history, significance, and character-defining features. SDDOT will host the historic bridge GIS story map on its website for a minimum of ten years. The SHPO may provide a link to the historic bridge GIS story map on its website. SDDOT will provide SHPO with transcripts of the GIS story map content for inclusion in the State Archives.

V. SITE AVOIDANCE

SDDOT has taken measures in design of the project to avoid adverse impacts to Site 39CH0315, including the use of fill material to build on top of existing ground for the new roadway. If necessary, any fill material sourced from an outside location will be obtained from a location for which the Section 106 consultation process has been completed. SDDOT will require the contractor to document compliance with this requirement. The amount of fill required for the project is not anticipated to cause compaction impacts to the site. However, Site 39CH0315 may be impacted by the installation of bridge pilings at the location of the eastern abutment. Heavy equipment will be on site for installation of bridge piles, but excavation of material is not expected to be necessary beyond vegetative clearing to accommodate the equipment work around Site 39CH0315. Construction activities near Site 39CH0315 will be monitored in accordance with Stipulation VI of the MOA.

Site 39CH0054 is mapped within the project limits. Although the mapped position of this site may be inaccurate and the site may have eroded into the river, construction activities near the mapped position of Site 39CH0054 will be monitored in accordance with Stipulation VI of the MOA.

VI. CONSTRUCTION MONITORING

During construction, including initial ground-disturbing activities and geotechnical borings on the west and east banks of the river, SDDOT will ensure that an archaeologist meeting the *Secretary of the Interior's Professional Qualification Standards for Archaeologists* (48 C.F.R. 44738-9) and a tribal monitor representative on behalf of the Yankton Sioux Tribe and Rosebud Sioux Tribe will be present to monitor ground-disturbing activities in the culturally sensitive area surrounding sites 39CH0054 and 39CH0315, as depicted in Attachment 5: Site Monitor Location Map. Any SDDOT staging areas located outside of the areas indicated in Attachment 5 or not previously evaluated as part of the APE will be identified and addressed as an amendment to this MOA. A five-business day notice will be given prior to initiating ground disturbing activities to allow for coordination with the Tribal Historic Preservation Officer (THPO) and tribal monitors. General

monitoring activities will include direct, on-the-ground observation of ground-disturbing work, photo documentation of the disturbance, and periodic close-up inspection of back dirt spoil piles and stripped or graded surfaces. Upon completion of the archaeological monitoring, SDDOT will submit a report of the results to all signatories.

VII. DURATION

This MOA will expire if its terms are not carried out within six (6) years from the date of its execution. Prior to such time, the USACE may consult with other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation XI below.

VIII. POST REVIEW DISCOVERIES

If properties are discovered that may be historically significant or unanticipated effects on historic properties found, all work within 150 feet of the discovery will immediately cease, and SDDOT will notify USACE, the South Dakota Archaeological Research Center (ARC), SHPO, the Yankton Sioux Tribe, and the Rosebud Sioux Tribe, within 48 hours of the discovery to determine the appropriate course of action.

In the event that human remains are discovered during project activities, pursuant to this Agreement, all work within 150 feet of the discovery will immediately cease, The remains will be treated pursuant to the Native American Graves Protection and Repatriation Act of 1990, as amended (NAGPRA) (25 USC 3001 et seq.), and 43 CFR 10.5(e) of the implementing regulations as set forth in Native American Graves Protection and Repatriation Regulations (43 CFR 10), as well as SDCL 34-27-25, SDCL 34-27-28, and SDCL 34-27-31 and follow SDDOT's guidelines on the inadvertent discovery of human remains (Attachment 8). If human remains are discovered on USACE or Title VI lands, SDDOT shall follow USACE "SOP Response Procedures for Discovery of Human Skeletal Remains" contained within Attachment 9.

All potential NAGPRA items as defined in 43 CFR 10.2 (d), will be treated with dignity, care and respect. Pursuant to NAGPRA's law and regulations, NAGPRA items discovered will only be removed following consultation with the Rosebud Sioux and Yankton Sioux Tribal Historic Preservation Offices (THPO). Repatriation of such NAGPRA items will be expedited and follow guidance by both THPOs.

IX. MONITORING AND REPORTING

Each year following the execution of this MOA until it expires or is terminated, SDDOT shall provide all parties to the MOA, a summary report detailing work undertaken pursuant to its terms. Such report shall be submitted by January 1 and shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in the USACE's efforts to carry out the terms of this MOA.

X. DISPUTE RESOLUTION

Should any signatory to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the USACE shall consult with such party to resolve the objection. If the USACE determines that such objection cannot be resolved, the USACE will:

- A. Forward all documentation relevant to the dispute, including the USACE's proposed resolution, to the ACHP. The ACHP shall provide the USACE with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the USACE shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. The USACE will then proceed according to its final decision.
- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30)-day time period, the USACE may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the USACE shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA and provide them and the ACHP with a copy of such written response.
- C. The USACE's responsibility to carry out all other actions subject to the terms of the MOA that are not the subject of the dispute remain unchanged.

XI. AMENDMENTS

In the event of changes to the project scope which result in the alteration of the undertaking's APE or its effects on historic properties, USACE shall consult with all consulting parties to amend the MOA to reflect these changes. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

Individual attachments to this MOA may be edited following consultation with and agreement from all consulting parties without the need to amend the Agreement, unless the signatory parties, through consultation, decide otherwise.

XII. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately amend per Stipulation XI, above. If within thirty (30) days (or another time period agreed by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

SIGNATURE PAGE

SIGNATORY

MEMORANDUM OF AGREEMENT

**AMONG THE U.S. ARMY CORPS OF ENGINEERS, FEDERAL HIGHWAY ADMINISTRATION,
THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION, THE SOUTH DAKOTA
DEPARTMENT OF GAME, FISH, AND PARKS, AND THE SOUTH DAKOTA
STATE HISTORIC PRESERVATION OFFICER,**

REGARDING

**PROJECT P 0044(207)290 PCN 05X0 – Replace Highway 44 Platte-Winner Bridge (Structure #12-
085-080)**

UNITED STATES ARMY CORPS OF ENGINEERS

By:  Date: 17 DEC 2021
COL Mark R. Himes, P.E., USACE Omaha - District Commander

SIGNATURE PAGE

SIGNATORY

MEMORANDUM OF AGREEMENT

AMONG THE U.S. ARMY CORPS OF ENGINEERS, FEDERAL HIGHWAY ADMINISTRATION,
THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION, THE SOUTH DAKOTA
DEPARTMENT OF GAME, FISH, AND PARKS, AND THE SOUTH DAKOTA
STATE HISTORIC PRESERVATION OFFICER,

REGARDING

PROJECT P 0044(207)290 PCN 05X0 – Replace Highway 44 Platte-Winner Bridge (Structure #12-
085-080)

SOUTH DAKOTA STATE HISTORIC PRESERVATION OFFICER

By: 

Ted M. Spencer, State Historic Preservation Officer

Date: 10-15-21

SIGNATURE PAGE

SIGNATORY

MEMORANDUM OF AGREEMENT

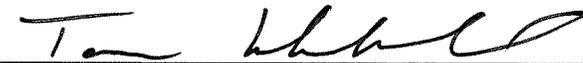
**AMONG THE U.S. ARMY CORPS OF ENGINEERS, FEDERAL HIGHWAY ADMINISTRATION,
THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION, THE SOUTH DAKOTA
DEPARTMENT OF GAME, FISH, AND PARKS, AND THE SOUTH DAKOTA
STATE HISTORIC PRESERVATION OFFICER,**

REGARDING

**PROJECT P 0044(207)290 PCN 05X0 – Replace Highway 44 Platte-Winner Bridge (Structure #12-
085-080)**

FEDERAL HIGHWAY ADMINISTRATION

By:



Tom Lehmkuhl, Environmental Specialist

Date: 10.19.2021

SIGNATURE PAGE

INVITED SIGNATORY

MEMORANDUM OF AGREEMENT

**AMONG THE U.S. ARMY CORPS OF ENGINEERS, FEDERAL HIGHWAY ADMINISTRATION,
THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION, THE SOUTH DAKOTA
DEPARTMENT OF GAME, FISH, AND PARKS, AND THE SOUTH DAKOTA
STATE HISTORIC PRESERVATION OFFICER,**

REGARDING

**PROJECT P 0044(207)290 PCN 05X0 – Replace Highway 44 Platte-Winner Bridge (Structure #12-
085-080)**

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION

By: Joanne M. Hight
Joanne Hight, Administration Program Manager

Date: 10/29/2021

SIGNATURE PAGE

INVITED SIGNATORY

MEMORANDUM OF AGREEMENT

**AMONG THE U.S. ARMY CORPS OF ENGINEERS, FEDERAL HIGHWAY ADMINISTRATION,
THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION, THE SOUTH DAKOTA
DEPARTMENT OF GAME, FISH, AND PARKS, AND THE SOUTH DAKOTA
STATE HISTORIC PRESERVATION OFFICER,**

REGARDING

**PROJECT P 0044(207)290 PCN 05X0 – Replace Highway 44 Platte-Winner Bridge (Structure #12-
085-080)**

SOUTH DAKOTA DEPARTMENT OF GAME, FISH, AND PARKS

By: *Scott Simpson*
Scott Simpson (Dec 14, 2021 12:50 CST)

Scott Simpson, Division Director - Parks & Recreation

Date: 12/14/2021

SIGNATURE PAGE

CONCURRING PARTY

MEMORANDUM OF AGREEMENT

**AMONG THE U.S. ARMY CORPS OF ENGINEERS, FEDERAL HIGHWAY ADMINISTRATION,
THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION, THE SOUTH DAKOTA
DEPARTMENT OF GAME, FISH, AND PARKS, AND THE SOUTH DAKOTA
STATE HISTORIC PRESERVATION OFFICER,**

REGARDING

**PROJECT P 0044(207)290 PCN 05X0– Replace Highway 44 Platte-Winner Bridge (Structure #12-
085-080)**

YANKTON SIOUX TRIBE

By: 
Robert Flying Hawk, Chairman of the Yankton Sioux Tribe

Date: 1/10/22

SIGNATURE PAGE

CONCURRING PARTY

MEMORANDUM OF AGREEMENT

**AMONG THE U.S. ARMY CORPS OF ENGINEERS, FEDERAL HIGHWAY ADMINISTRATION,
THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION, THE SOUTH DAKOTA
DEPARTMENT OF GAME, FISH, AND PARKS, AND THE SOUTH DAKOTA
STATE HISTORIC PRESERVATION OFFICER,**

REGARDING

**PROJECT P 0044(207)290 PCN 05X0 – Replace Highway 44 Platte-Winner Bridge (Structure #12-
085-080)**

ROSEBUD SIOUX TRIBE

By: *Ione Quigley*
Ione Quigley, Tribal Historic Preservation Officer

Date: *3/22/22*

List of Attachments

Attachment 1: Project Location and APE Maps

Attachment 2: SHPO Eligibility Concurrence - Architecture/history

Attachment 3: SHPO Adverse Effect Concurrence

Attachment 4: SHPO Eligibility Concurrence - Archaeology

Attachment 5: Site Monitor Location Map

Attachment 6: ACHP Notification

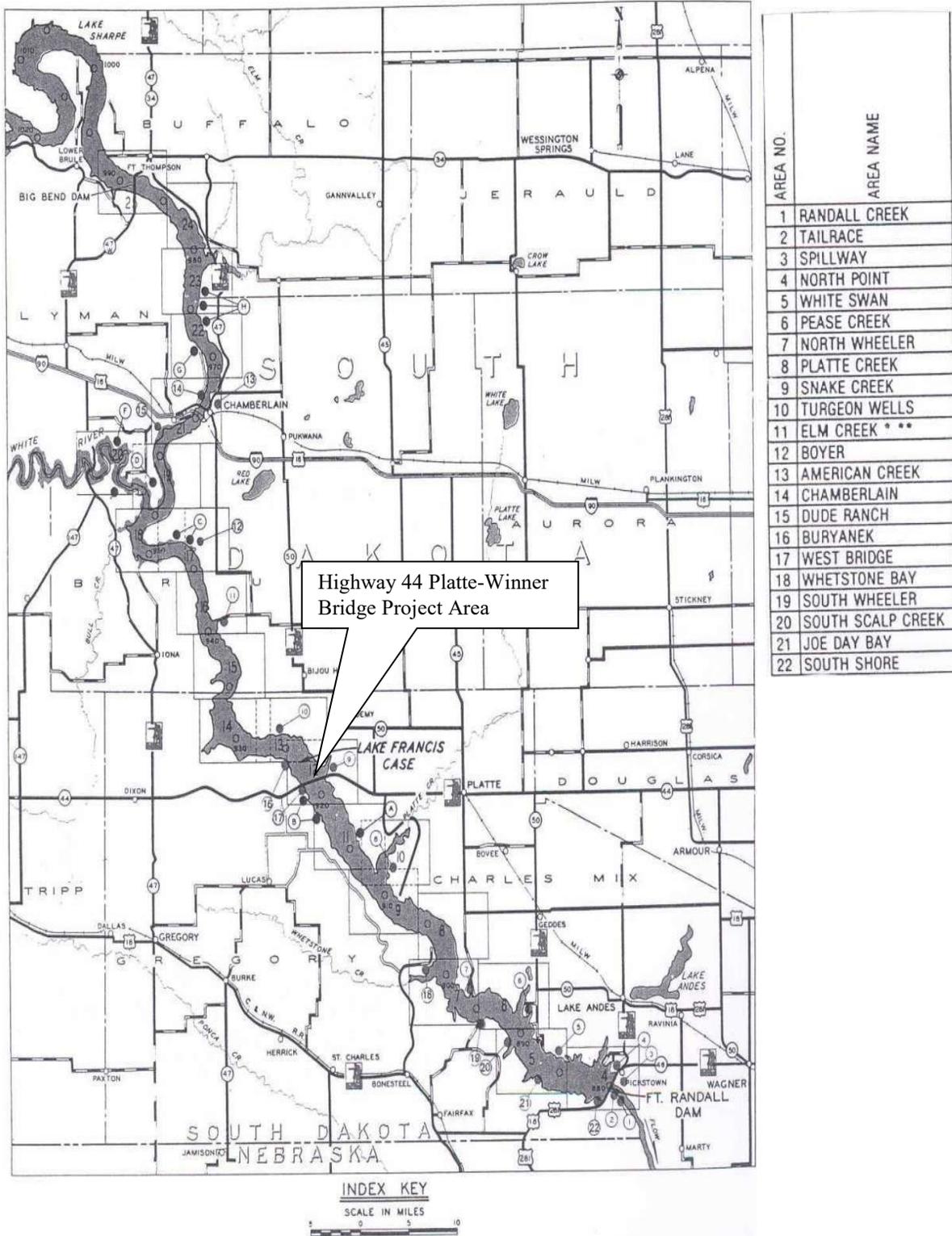
Attachment 7: Photography Guidelines for the Purposes of Section 106 Mitigation

Attachment 8: Inadvertent Discovery of Human Remains

Attachment 9: USACE "SOP Response Procedures for Discovery of Human Skeletal Remains"

Attachment 1: Project Location and APE Maps

General Project Location Map, Lake Francis Case



AREA NO.	AREA NAME
1	RANDALL CREEK
2	TAILRACE
3	SPILLWAY
4	NORTH POINT
5	WHITE SWAN
6	PEASE CREEK
7	NORTH WHEELER
8	PLATTE CREEK
9	SNAKE CREEK
10	TURGEON WELLS
11	ELM CREEK * * *
12	BOYER
13	AMERICAN CREEK
14	CHAMBERLAIN
15	DUDE RANCH
16	BURYANEK
17	WEST BRIDGE
18	WHETSTONE BAY
19	SOUTH WHEELER
20	SOUTH SCALP CREEK
21	JOE DAY BAY
22	SOUTH SHORE

Operations/Regulatory GIS Unit
 1991-1998 Lake Francis Case Boating and Recreation Guide. U.S. Army Corps of Engineers,
 Omaha District.

Attachment 2: SHPO Eligibility Concurrence - Architecture/History



November 27, 2019

Julie Jacobsen
Cultural Resources Program, Planning Branch
Department of the Army
Corps of Engineers, Omaha District
1616 Capitol Ave
Omaha NE 68102-4901

SECTION 106 PROJECT CONSULTATION

Project: 181120002F – Replace Highway 44 Platte-Winner Bridge (Structure #12-085-080); Review of National Register of Historic Places Evaluation Report for Structure #12-085-080

Location: Multiple Counties
(COE)

Dear Ms. Jacobsen:

Thank you for the opportunity to comment on the above-referenced National Register of Historic Places Evaluation Report, prepared by Mead & Hunt and dated April 2019, for the Platte-Winner Bridge, also known as the Francis Case Memorial Bridge (structure #12-085-080). We received this report and your correspondence on October 28, 2019. Based upon the information provided, we concur with your determination that structure #12-085-080 is eligible for listing in the National Register of Historic Places under Criteria A and C.

Your correspondence notes that your agency will also complete an archaeological/geomorphological study for this project, which will be submitted separately to our office for review. After our office has reviewed both the architectural report and the archaeological/geomorphological study, your agency will continue consultation regarding the effects of the proposed undertaking on historic properties. We look forward to continuing consultation with your agency.

Should you require any additional information, please contact Kate Nelson at (605) 773-6005 or Kate.Nelson@state.sd.us.

Sincerely,

Jay D. Vogt
State Historic Preservation Officer

Kate Nelson
Restoration Specialist

CC: Sandra Barnum, U.S. Army Corps of Engineers

Attachment 3: SHPO Adverse Effect Concurrence



December 4, 2020

Mr. Bill R. Chada
Department of the Army
Corps of Engineers, Omaha District
Fort Randall Project
PO Box 199
Pickstown, SD 57367-0199

SECTION 106 PROJECT CONSULTATION

Project: 181120002F – 2020 Highway 44 Bridge Replacement
Location: Multiple Counties
(USACE)

Dear Mr. Chada:

Thank you for the opportunity to comment on the above referenced project pursuant to 54 U.S.C. 306108, Section 106 of the National Historic Preservation Act of 1966 (as amended) and the Programmatic Agreement for the Operation and Management of the Missouri River Main Stem System. 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 November 3, 2020, we received your letter dated October 28, 2020, regarding the proposed replacement of the Platte-Winner Bridge. On November 20, 2018, our office received your preliminary correspondence regarding the proposed bridge replacement. Since that time, your agency has consulted with SHPO on numerous aspects of the undertaking, including the evaluation of the bridge and of archaeological sites. In SHPO letter 181120002F dated November 27, 2019, SHPO concurred that structure 12-085-080, the Platte-Winner Bridge, is eligible for listing in the National Register of Historic Places under Criteria A and C. In SHPO letter 181120002F, dated May 20, 2020, SHPO concurred with your determination that 39CH0315 should be considered eligible for listing in the National Register of Historic Places under Criterion D.

As the proposed undertaking calls for the removal of the Platte-Winner Bridge and the potential to adversely affect eligible site 39CH0315 and unevaluated site 39CH0054, SHPO concurs with your determination of “Adverse Effect” for the proposed undertaking.

Pursuant to 36 C.F.R. § 800.6, we look forward to continuing consultation with your agency to resolve the adverse effect through a Memorandum of Agreement (MOA). Please be sure to notify the Advisory Council on Historic Preservation of the Adverse Effect.

900 GOVERNORS DR • PIERRE • SD 57501 • P { 605 • 773 • 3458 } F { 605 • 773 • 6041 } • HISTORY.SD.GOV

DEPARTMENT OF EDUCATION { DOE.SD.GOV }

Should you require any additional information, please contact Jenna Carlson Dietmeier at (605) 773-8370 or Jenna.CarlsonDietmeier@state.sd.us.

Sincerely,

Jay D. Vogt
State Historic Preservation Officer



Jenna Carlson Dietmeier
Review & Compliance Coordinator

CC: Julie Jacobsen, U.S. Army Corps of Engineers
Tom Lehmkuhl, Federal Highway Administration
Joanne Hight, South Dakota Department of Transportation
Timothy Thoreen, HR Green

Attachment 4: SHPO Eligibility Concurrence – Archaeology



May 20, 2020

Julie Jacobsen
Department of the Army
Corps of Engineers, Omaha District
1616 Capitol Ave
Omaha NE 68102-4901

SECTION 106 PROJECT CONSULTATION

Project: 181120002F – Replace Highway 44 Platte – Winner Bridge – Geo-Archaeological Investigations
Location: Multiple Counties
(USACE)

Dear Ms. Jacobsen:

Thank you for the opportunity to comment on the proposed project pursuant to 54 U.S.C 306108 (Section 106) of the National Historic Preservation Act of 1966 (as amended) and the Programmatic Agreement for the Main Stem System. The South Dakota Office of the State Historic Preservation Officer (SHPO) would like to provide the following comments regarding the effect of the proposed undertaking on the non-renewable cultural resources of South Dakota.

On December 9, 2019, we received your correspondence dated December 5, 2019, and the report and two addendums entitled “A Level III Cultural Resources Investigation and Geoarchaeological Evaluation of South Dakota Department of Transportation’s Proposed SD Highway 44 Platte-Winner Bridge Corridor Study and Environmental Assessment, Charles Mix and Gregory Counties, South Dakota,” by Archeology Laboratory, Augustana University. In a letter dated December 13, 2020, we requested additional clarification concerning the scope of the proposed project. The additional information was submitted on April 27, 2020, by Timothy Thoren from HR Green.

Based on the information provided, we agree that newly recorded site 39CH0315 should be considered eligible for listing in the National Register of Historic Places under Criteria D. However, we disagree with the non-contributing status for the portion of 39CH0315 located in the footprint of the bridge abutment.

As described in 36 C.F.R. § 800.6, we look forward to continuing consultation with your agency to find ways to avoid, minimize or mitigate the adverse effects of this undertaking.

Should you require additional information, please contact Paige Olson at (605) 773-6004 or Paige.Olson@state.sd.us.

Sincerely,

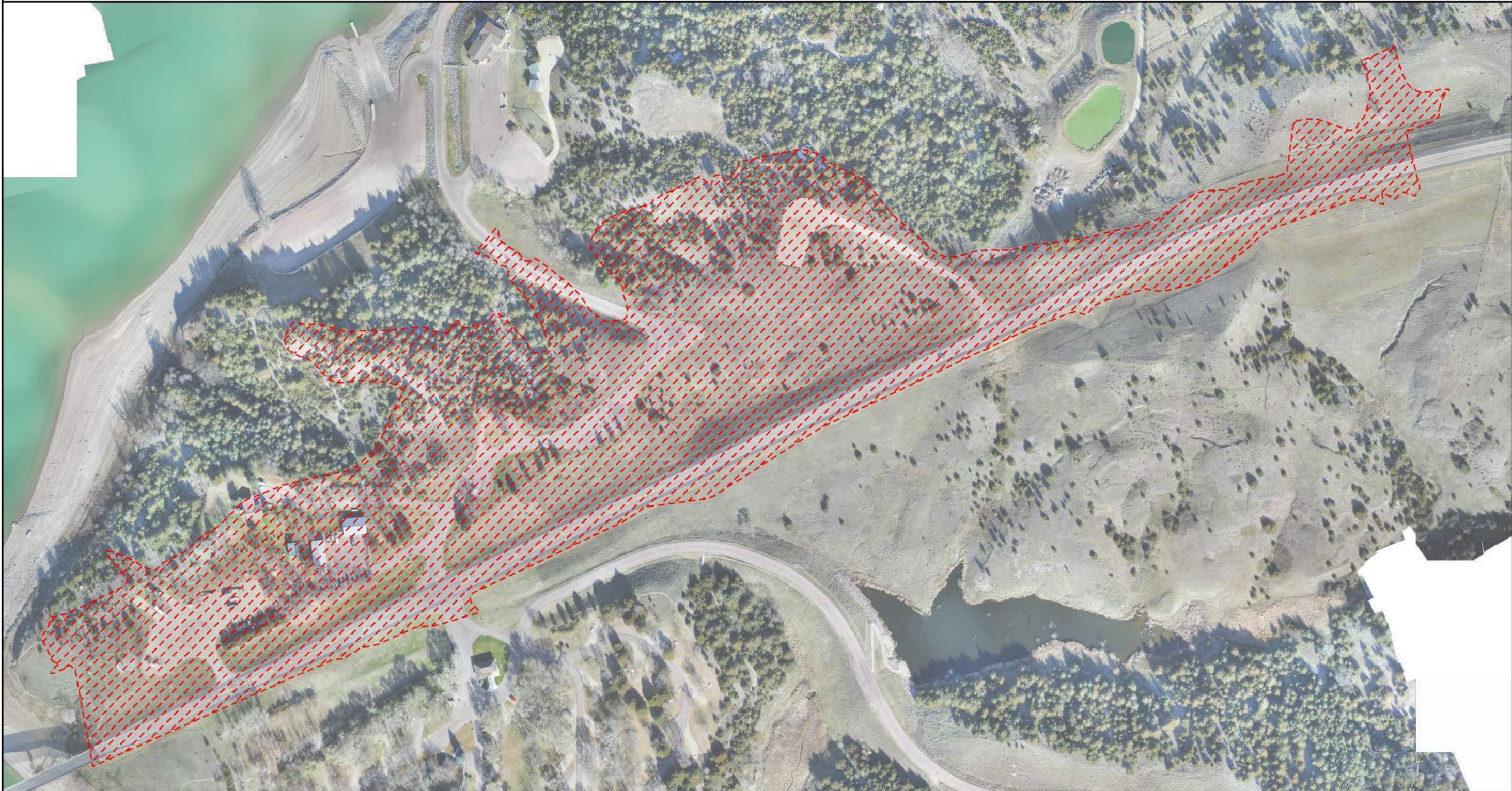
Jay D. Vogt
State Historic Preservation Officer



Paige Olson
Review and Compliance Coordinator

cc: Bill Chada, U.S. Army Corps of Engineers
Joanne Hight, South Dakota Department of Transportation
Tom Lehmkuhl, Federal Highway Administration
Timothy Thoreen, HR Green

Attachment 5: Site Monitor Location Map



Attachment 5: Site Monitor Location Map



Approximate Future Construction Footprint (as of August 2021)

Attachment 6: ACHP Notification



January 4, 2021

Mr. Bill R. Chada
Archeologist
U.S. Army Corps of Engineers
Fort Randall Project
399 Powerhouse Road
P.O. Box 199
Pickstown, SD 57367

Ref: *Proposed US Highway 44 Bridge Replacement Project
Charles Mix and Gregory Counties, South Dakota
ACHP Project Number: 16342*

Dear Mr. Chada:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and it is determined that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the South Dakota State Historic Preservation Officer (SHPO), and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA, and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the notification of adverse effect. If you have any questions or require further assistance, please contact John Eddins, PhD. at (202) 517-0211 or by email at jeddins@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

**Attachment 7: Photography Guidelines for the Purposes of Section
106 Mitigation**



PHOTOGRAPHY GUIDELINES FOR THE PURPOSES OF SECTION 106 MITIGATION

At a minimum, these guidelines reflect the recommendations of the South Dakota Office of the State Historic Preservation Officer (SHPO) when documenting historic properties affected by federal undertakings. These guidelines cannot be used to circumvent consultation with appropriate consulting parties as identified in the Section 106 process. These guidelines are based on National Park Service guidance to ensure consistency in the quality of photographic documentation.

Selecting a Digital Camera

BEST: Six megapixel or greater digital SLR camera

Acceptable: Two – five megapixel point-and-shoot digital camera

Not acceptable: Camera phones, disposable or single-use digital cameras, digital cameras with fewer than two megapixels of resolution

Taking the Picture

Image file format (Set the camera for highest image quality).

BEST: Tag Image File format (TIFF) or RAW format images. This allows for the best image resolution.

Acceptable: JPEGs converted to TIFFs, by a computer conversion process, are acceptable; however, JPEGs must not be altered in any way prior to conversion (other than renaming them).

Do not use the JPEG setting on the camera, if a higher quality setting is available.

RGB color digital **TIFFs** are preferred.

Digital Camera Resolution (Set the camera to the maximum or largest pixel dimension the camera allows).

BEST: Six megapixels or greater (2000 x 3000 pixel image)

Acceptable: Minimum two megapixels (1200 x 1600 pixel image)

Renaming the digital TIFF image

All digital image files must be renamed using a standard naming format.

The TIFF file name must include:

State_county_property name (or district name or SHPO ID)_0001
(Use zeros in image numbers to create 4 digit number, e.g. 0002, 0003, etc.)

Example for individual properties:

SD_PenningtonCounty_ElizabethBrown House_0001

Example for district and farmstead labels:

SD_PenningtonCounty_RapidCityCommercialHistoricDistrict_0125

Example for individual properties using SHPO ID labels:

SD_PenningtonCounty_PN00000123

Example for districts and farmsteads using SHPO ID labels:

SD_PenningtonCounty_PN00400001

SD_PenningtonCounty_PN00400002

Burning the Images onto an Archival Disk

A CD/ DVD or flash drive must contain all TIFF images, the photograph log, and sketch map. The photograph log and sketch map must be saved as a PDF/A or PDF file.

Reminder: JPEGs converted to TIFFs, by a computer conversion process, are acceptable; however, JPEGs must not be altered in any way prior to conversion (other than renaming them). When image is open on your computer, right click and you will see the image properties (Dimensions, dpi, etc.).

Acceptable: CD-R, DVD-R, flash drive, or any disk obtained from a commercial photo processor.

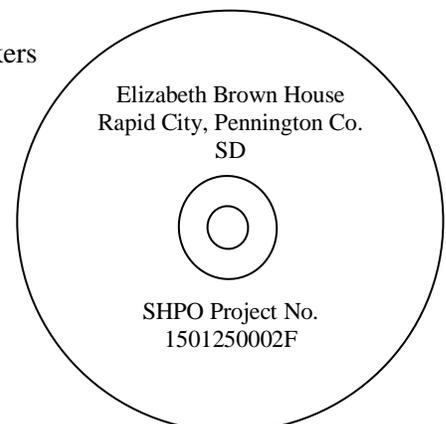
Not acceptable: CD-RW or DVD-RW (if packaging says “rewriteable” do not use).

Labeling the Disk

Best: Labels printed directly on the disk or drive by laser printer (non-adhesive).

Acceptable: Hand-written labels using CD/DVD safe markers OR other markers (Sharpies) or a label tag attached through the lanyard/keychain hole of the flash drive

Not Acceptable: Ammonia/solvent-based markers or adhesive stickers



Photograph Log Page

The photograph Log and sketch map must be saved to the CD/DVD or flash drive.

Example of acceptable photo pages

Name of Property:	Henderson House
City or Vicinity:	Pierre
County:	Hughes County
State:	SD
Name of Photographer:	Mary Smith
Date of Photographs:	April 2015
Location of Original Digital Files:	411 E. 6th St., Rapid City, SD 57501
Photograph Number:	0001
SHPO Project Number:	150415001F

Photo #1 (SD_HughesCounty_HendersonHouse_0001)
South façade (left) and east elevation (right), camera facing northwest.

Sketch Map

Photographs must be keyed to a sketch map, see Attachment 1 for sample.

Use of Photographs

All photographs submitted in accordance with the terms of a Memorandum of Agreement or Programmatic Agreement will be used as specified in the Agreement, which may include submission by the SHPO as official documentation to the South Dakota State Archives for public use and reproduction.

Guidelines for Photographic Coverage

Photographs submitted as official documentation should be clear, well-composed, and provide an accurate visual representation of the property and its significant features. They must illustrate the qualities that make the property eligible for the National Register. Photographs should show historically significant features and any alterations that have affected the property's historic integrity.

The necessary number of photographic views depends on the size and complexity of the property. Submit as many photographs as needed to depict the current condition and significant features of the property. A few photographs may be sufficient to document a single building or object. Larger, more complex properties and historic districts will require a number of photos.

Buildings, structures, and objects:

Photographs need to show the principal facades and the setting in which the property is located.

Additions, alterations, intrusions, and dependencies need to appear in the photographs.

Include views of interiors, outbuildings, landscaping, or unusual features if they contribute to the significance of the property.

Historic and archaeological sites:

Photographs need to show the condition of the site and any above-ground or surface features and disturbances.

If relevant to the evaluation of significance, include drawings or photographs illustrating artifacts that have been removed from the site.

At least one photograph must show the physical environment and topography of the site.

Architectural, Historic Districts and Farmsteads (key all photographs to the sketch map for the district):

Submit photographs showing major building types and styles, pivotal buildings and structures, and noncontributing resources.

Streetscapes and landscapes are recommended. Aerial views may also be useful. Views of significant topographic features and spatial elements should also be submitted.

Views of individual buildings are not necessary if streetscape views clearly illustrate the significant historical and architectural qualities of the district.

Archaeological Districts:

Submit photographs of the principal sites and site types within the district following the guidelines for archaeological sites (see above).

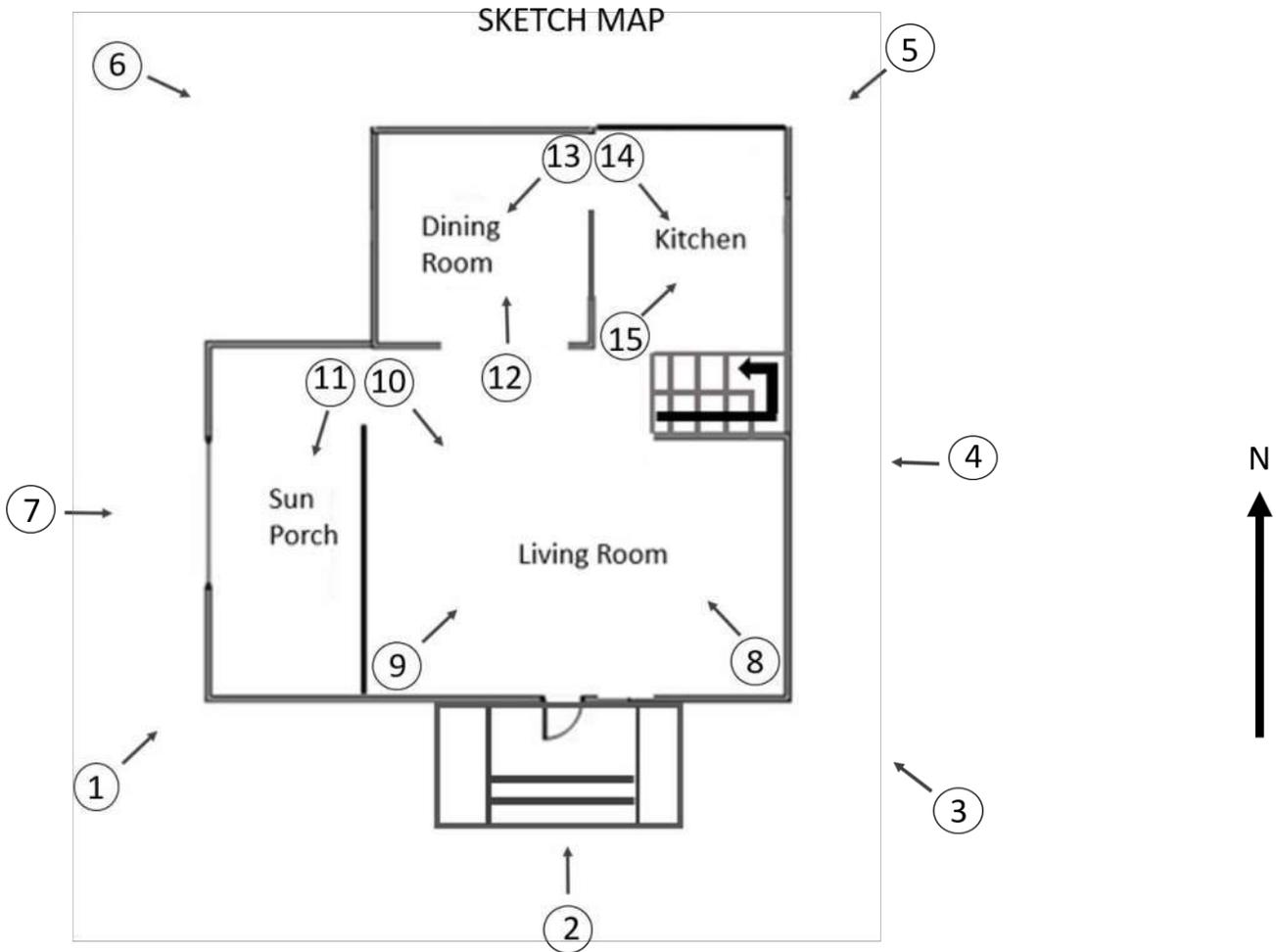


Photo Key

Name of Property:	Henderson House
City/Vicinity:	Pierre
County:	Hughes
State:	South Dakota
Name of Photographer:	Mary Smith
Date of Photographs:	April 2015
Number of Photos:	15
Section 106 Project #:	150415001F

Attachment 8: Inadvertent Discovery of Human Remains

INADVERTENT DISCOVERY OF HUMAN REMAINS

In the event of an inadvertent discovery of human remains or funerary objects on state or private land, the following steps shall be taken pursuant to South Dakota Codified Law Chapter 34-27-25, 34-27-28, and 34-27-31:

1. The Contractor shall immediately halt construction activities within a 150-foot radius from the point of discovery and implement measures to protect the discovery from looting and vandalism. No digging, collecting or moving of human remains or other items shall occur after the initial discovery. Construction personnel and all others at the discovery site shall treat the remains with care, dignity, and respect. Protection measures may include the following:
 - a) Flag the buffer zone around the find spot.
 - b) Keep workers, press, and curiosity seekers, away from the find spot.
 - c) Tarp the find spot.
 - d) Prohibit photography of the find unless requested by an agency official.
 - e) Have an individual stay at the location to prevent further disturbance until a law enforcement officer arrives
2. The Contractor shall notify local law enforcement, the FHWA and DOT, and the South Dakota State Archaeologist (State Archaeologist) within forty-eight (48) hours of the discovery.
3. The FHWA/DOT shall notify the South Dakota State Historic Preservation Office (SHPO), Indian tribes, and other consulting parties within forty-eight (48) hours of the discovery.
4. If local law enforcement determines that the remains are not associated with a crime, the FHWA/DOT shall determine if it is prudent and feasible to avoid disturbing the remains. If the FHWA/DOT, in consultation with the Project Engineer and the Contractor determine that disturbance cannot be avoided, the FHWA/DOT shall consult with the State Archaeologist, SHPO, Indian tribes and other consulting parties to determine acceptable procedures for the removal, treatment and disposition of the burial or remains. The FHWA/DOT shall ensure that the Contractor implements the plan for removal, treatment and disposition of the burial or remains as authorized by the South Dakota State Archaeologist.
5. The FHWA/DOT shall notify the Contractor that they may resume construction activities in the area of the discovery upon completion of the plan authorized by the State Archaeologist.

**Attachment 9: USACE “SOP Response Procedures for Discovery of
Human Skeletal Remains”**

**U.S. ARMY CORPS OF ENGINEERS
SOP RESPONSE PROCEDURES
FOR
DISCOVERY OF HUMAN SKELETAL REMAINS
REVISED APRIL 2012**

1. PURPOSE: The purpose of this Standard Operating Procedure (SOP) is to provide guidance to assure respectful and responsive treatment of human skeletal remains inadvertently discovered on Title VI Transfer Lands belonging to the State of South Dakota Game, Fish & Parks (GF&P), and U.S. Army Corps of Engineers, Omaha District (Corps) project lands. This document outlines the steps for the reporting, recording, and disposition of human remains at a practical level for field personnel.

2. POLICY: It is policy to treat human skeletal remains respectfully and responsively in consultation with affected tribes and in accordance with the North Dakota Intertribal Reinterment Committee (NDIRC) Memorandum of Agreement (MOA); Native American Graves Protection and Repatriation Act (NAGPRA); the National Historic Preservation Act; and other applicable federal, tribal, state, and local laws.

3. APPLICABILITY: This policy is applicable to Tribal Government Officials;, South Dakota Game, Fish & Parks Department; and Civil Works Water Resource Development Projects within the Corps.

4. REFERENCES:

- 43 CFR Part 10: Native American Graves Protection and Repatriation Act (NAGPRA) Implementing Regulations Synopsis (Appendix A).
- 36 CFR 800.12: National Historic Preservation Act Implementing Regulations regarding emergencies.
- Memorandum of Agreement (MOA) between Corps of Engineers, North Dakota Tribes, and the North Dakota Intertribal Reinterment Committee (NDIRC)

5. Discovery of Human Skeletal Remains Procedures: A call center has been established to assist with documenting and investigating the discovery of human remains on lands managed by the U.S. Corps of Engineers lands, including lands transferred under Title VI.

The Omaha District Messaging Center (Messaging Center) is located in Omaha Nebraska at **1-888-761-2722**. This Messaging Center will ask the caller several questions to determine location and status of remains. The call will be logged for tracking and documentation purposes. The Messaging Center will then contact the Corps District and Senior Archeologists and the Cultural Resource Program Manager. Archeologists will investigate and follow the necessary steps to properly protect the remains and notify the proper officials.

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FOR
DISCOVERY OF HUMAN SKELETAL REMAINS
REVISED APRIL 2012**

A. **Discovery/Preliminary Site Assessment Process:** If you suspect that you have found human remains or have been notified that remains have been discovered on property managed by the Corps please follow these steps:

- Do not collect or move the remains.
- Visually identify the location. The exact location is very important.
- If the remains are in danger of being damaged or removed by others, try to camouflage the remains with vegetation, sand, soil, etc.
- Call the Omaha District Hotline at **1-888-761-2772**. You will be asked a series of questions and your discovery will be logged. The hotline operator will contact Rick Harnois, Sandy Barnum, and Julie Price. One of these individuals will contact you as soon as possible. Have maps and photos ready to email.
- A site visit may be needed; and you may be asked to accompany an archeologist to the site.
- The archeologist will follow the necessary steps to properly protect the remains and notify the proper officials.

6. Modern Crime Scene: Remains could be a modern crime scene. If you feel you have discovered a modern crime scene, please contact the Message Center at **1-888-761-2772** and advise them you believe the remains are part of a crime scene. Then immediately contact the county Sheriff Department and report the incident.

7. NAGPRA - Implementing Regulations (Synopsis): Once human remains are confirmed, but no later than three days after the notification to the Operations Manager, the proper tribal representative should be contacted by phone and invited to examine the site.

- [43 CFR §10.4(d)(iii)] requires notification within three days to affiliated Tribal members.
- [43 CFR §10.4(c)] requires that the federal activity that resulted in the inadvertent discovery of human remains should cease for a maximum of 30 days and the remains should be secured and protected, "including, as appropriate stabilization or covering."
- NAGPRA [43 CFR §10.4(d)(iv)] requires that the Federal Agency with jurisdiction over the site should consult with potentially interested parties as dictated by 43 CFR§10.5.
- NAGPRA [43 CFR(d)(v)] states that, if the remains are to be excavated or removed, the requirements of §10.3(b) be followed.
- NAGPRA [43 CFR §10.4 (d)(vi)] requires that final disposition of the remains take place as set forth in §10.6 which explains Custody issues.

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FOR
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8. Consultation: Generally, remains should not be turned over to a Tribal representative until proper consultation has been conducted. The following activities involve consultation with interested parties:

- The discovery of remains.
- Prior to the intentional excavation and/or removal of the remains.
- Before the remains may be turned over to the entity determined to have the paramount right to custody of the remains.

9. Point of Contacts (Revised August 2021):

CORPS CONTACTS			
NAME	TITLE	LOCATION	PHONE
Julie Jacobsen	Cultural Resource Program Manager	Omaha, NE	(402) 995-2706
Joel Ames	Tribal Liaison	Omaha, NE	(402) 995-2909
Sandy Barnum	District Archeologist	Omaha, NE	(402) 995-2674
Megan Ernst	Field Archeologist	Pierre, SD	(605) 945-3407
Richard Rogers	Senior Archeologist	Riverdale, ND	(701) 654-7411
Megan Moscarello	Field Archeologist	Riverdale, ND	(701) 654-7707
Bill Chada	Field Archeologist	Pickstown, SD	(605) 487-7845 ext. 3226
Sheila Newman	Chief Operations Division	Omaha, NE	(402) 995-2435
Larry Janis	Chief of Recreation and Natural Resources	Omaha, NE	(402) 995-2440
Mike Key	Natural Resource Specialist	Omaha, NE	(402) 995-2509
Darin McMurry	Ft. Peck Operations Manager	Ft. Peck, MT	(406) 526-3431
Todd Lindquist	Garrison Operations Project Manager	Riverdale, ND	(701) 654-7702
Trinity Houska	Oahe Operations Project Manager	Pierre, SD	(605) 945-3400
Scott Wik	Big Bend Operations Project Manger	Ft. Thompson, SD	(605) 245-2331
Russ Kieffer	Ft. Randall Operations Project Manager	Pickstown, SD	(605) 487-7847 ext. 3000
Tom Curran	Gavins Point Operations Project Manager	Yankton, SD	(402) 667-2530

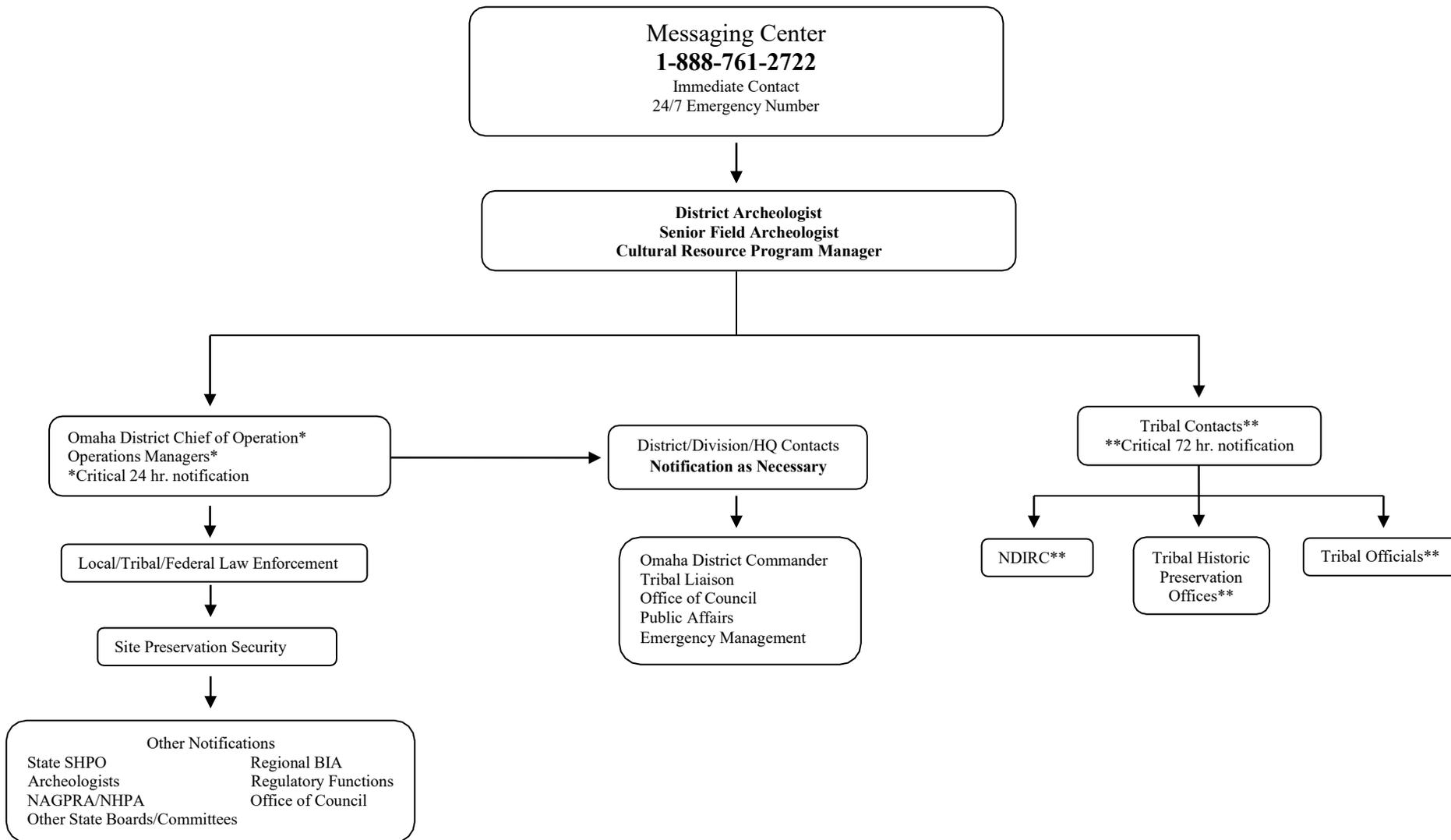
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TRIBAL CONTACTS				
Tribe	NAME	TITLE	LOCATION	PHONE
Cheyenne River Sioux Tribe	Steve Vance	THPO	Eagle Butte, SD	(605) 964-7554
Assiniboine and Sioux Tribes of Fort Peck	Dyan Youpee	THPO	Poplar, MT	(406) 768-3520
Santee Sioux Tribe of Nebraska	Joseph Moose	THPO	Santee, NE	(402) 857-2568
Omaha Tribe of Nebraska	Thomas Parker	THPO	Macy, NE	(402) 846-5166
Turtle Mountain Band of Chippewa	Jeff Defjarlais, Jr.	THPO	Belcourt, ND	(701) 477-2650
Lower Brule Sioux Tribe	Brian Molyneaux	Cultural Preservations Office	Lower Brule, SD	(605) 473-8037
Three Affiliated Tribes	Mary Baker	THPO	New Town, ND	(701) 862-2474
Ponca Tribe of Nebraska	Stacy Laravie	THPO	Niobrara, NE	(402) 857-3519
Crow Creek Sioux Tribe	Merle Marks	THPO	Fort Thompson, SD	(605) 245-2221
Northern Cheyenne Tribe	Teanna Limpy	THPO	Lame Deer, MT	(406) 477-4839
Flandreau Santee Sioux Tribe	Garrie Kills A Hundred	THPO	Flandreau, SD	(605) 997-3891
Northern Arapaho Tribe	Ben Ridgley	THPO	Fort Washakie, WY	(307) 332-6120
Winnebago Tribe of Nebraska	Sunshine Thomas-Bear	THPO	Winnebago, NE	(402) 922-2631
Chippewa Cree Tribe of the Rocky Boys' Reservation	Jonathan Windy Boy	THPO	Box Elder, MT	(406) 395-4700
Rosebud Sioux Tribe	Ione Quigley	THPO	Rosebud, SD	(605) 747-4255
Blackfeet Tribe	John Murray	THPO	Browning, MT	(406) 338-7521
Standing Rock Sioux Tribe	Jon Eagle	THPO	Fort Yates, ND	(701) 854-8645
Yankton Sioux Tribe	Kip Spotted Eagle	THPO	Wagner, SD	(605) 384-3641 ext 237
Crow Nation	William Big Day	THPO	Crow Agency, MT	(406) 638-1010

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STATE CONTACTS			
State	Name	Title	Phone
Iowa	Heather Gibb	SHPO	(515) 281-4137
Montana	Pete Brown	SHPO	(406) 444-7717
Nebraska	Trever Jones	SHPO	(402) 471-4745
North Dakota	Bill Peterson	SHPO	(701) 328-2666
South Dakota	Ted M. Spencer	SHPO	(605) 773-3458
Wyoming	Mary Hopkins	SHPO	(307) 777-7697

**U.S. ARMY CORPS OF ENGINEERS
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Appendix E

MOA Stipulation Fulfillment





south dakota
STATE HISTORICAL SOCIETY
DEPARTMENT OF EDUCATION



June 26, 2023

Mr. Bill R. Chada
Department of the Army
Corps of Engineers, Omaha District
Fort Randall Project
PO Box 199
Pickstown, SD 57367-0199

SECTION 106 PROJECT CONSULTATION

Project: 181120002F – Highway 44 Bridge (Platte – Winner Bridge) Replacement
Location: Multiple Counties
(USACE)

Dear Mr. Chada,

On June 22, 2023, Andrea Bierle with the South Dakota Department of Transportation (SDDOT) provided a link to a GIS story map on the history, significance, and character-defining features of the Platte-Winner Bridge. On June 26, 2023, Ms. Bierle provided a link and confirmed that the story map was publicly available online.

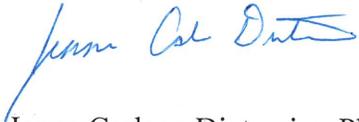
The submission of this information fulfills the deliverable digital content required in Stipulation IV of the agreement titled *Memorandum of Agreement among the U.S. Army Corps of Engineers, Federal Highway Administration, the South Dakota Department of Transportation, the South Dakota Department of Game, Fish and Parks, and the South Dakota State Historic Preservation Officer, Regarding Project P 0044(207)290 PCN 05X0 – Replace SD Highway 44 Platte – Winner Bridge (Structure #12-085-080)*.

At this time, SHPO has not received any documentation pertaining to the fulfillment of Stipulation V or Stipulation VI, which require site avoidance and construction monitoring, respectively, during project implementation.

Thank you for the opportunity to continue to work with your agency to resolve the adverse effects to the historic bridge pursuant to 36 C.F.R. § 800.6 of the implementing regulations of Section 106 of the National Historic Preservation Act of 1966, as amended.

Should you require additional information, please contact Jenna Carlson Dietmeier at Jenna.CarlsonDietmeier@state.sd.us or at (605)773-8370. Your concern for the non-renewable cultural heritage of South Dakota appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jenna Carlson Dietmeier".

Jenna Carlson Dietmeier, PhD
Interim State Historic Preservation Officer, Review & Compliance Coordinator

CC: Julie Jacobsen – US Army Corps of Engineers
Tom Lehmkuhl – Federal Highway Administration
Joanne Hight – South Dakota Department of Transportation
Andrea Bierle – South Dakota Department of Transportation
Timothy Thoreen – HR Green