PCN:

Env. Initiation Date: 6/29/2017

Does the project have independent utility?

Does the project connect logical termini?

Does the project allow further consideration of alternatives for other reasonably foreseeable transportation improvements?

If ‘N’ (no) is checked for any of the above questions, the project does not qualify as a CE under the PCE.

Consultation between SDDOT and FHWA is required.

General project location map

General location of wetlands, jurisdictional streams, channels, rivers

All Section 4(f) resources located in and near the study area

The location of historic structures or historic districts directly adjacent to the project or farther if impacted.

Impacted noise receptor locations and any proposed noise abatement feature locations

The location of any known Hazardous Materials sites within the environmental study area

Proposed detour map, when applicable.

Location Description - from C2C

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

Purpose & Need - from C2C

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

The project purpose and need has not changed.

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

Logical termini and segmentation review

Y N

Does the project have independent utility?

Does the project connect logical termini?

Does the project allow further consideration of alternatives for other reasonably foreseeable transportation improvements?

If ‘N’ (no) is checked for any of the above questions, the project does not qualify as a CE under the PCE.

Consultation between SDDOT and FHWA is required.

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

General project location map

General location of wetlands, jurisdictional streams, channels, rivers

All Section 4(f) resources located in and near the study area

The location of historic structures or historic districts directly adjacent to the project or farther if impacted.

Impacted noise receptor locations and any proposed noise abatement feature locations

The location of any known Hazardous Materials sites within the environmental study area

Proposed detour map, when applicable.

A. NEPA Clearance Actions

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

SDDOT review resulted in a "No Effect" determination to listed species.

USFWS concurred with a "Not Likely to Adversely Affect" determination for listed species.

USFWS concurred with the biological assessment through individual informal consultation.

Complies with the national USFWS / FHWA programmatic ESA consultation.

Project has been appended to the USFWS / FHWA / SDDOT Programmatic Biological Opinion.

Concurrence Date: 5/18/2017

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

New Listed Species:

Species:

Effect Determination:

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

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

<table>
<thead>
<tr>
<th>Requires use of these Section 4(f) or 6(f) properties:</th>
</tr>
</thead>
<tbody>
<tr>
<td>23 CFR 774.5 agency coordination with:</td>
</tr>
<tr>
<td>23 CFR 774.6 documentation completed for:</td>
</tr>
<tr>
<td>Public Coord.:</td>
</tr>
<tr>
<td>NPS Concur Date:</td>
</tr>
<tr>
<td>FHWA Appr. Date:</td>
</tr>
</tbody>
</table>

### National Historic Preservation Act (Section 106)

- **SHPO/THPO** concurred with finding of:  
  - **No Historic Properties Affected**  
  - Concurrence Date: 6/23/2017

- Conditions are included with the finding. SDDOT will provide documentation to FHWA when satisfied.

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

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

- Wetland identification method: Desktop Analysis with Onsite Visit
  - Kendall Vande Kamp, HDR

- Wetlands within the project area will NOT be impacted:
  - Other - see discussion below

- Statewide Wetland Finding applies. Informal consultation with USACE when 0.5 to 1.0 acres of wetland impacts anticipated.

<table>
<thead>
<tr>
<th>Wetlands will be mitigated with:</th>
</tr>
</thead>
</table>

**Discussion**

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

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

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

**Discussion. Describe permit(s) required and incorporated mitigation**

**See discussion under wetlands section above.**

### FEMA Floodplain/Floodway

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

<table>
<thead>
<tr>
<th>Review by (last name): White - HDR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date: 5/24/2017</td>
</tr>
</tbody>
</table>

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

- No right-of-way is required.
- Minor amounts of right-of-way are required for: **Other - see discussion below**
- More than minor amounts of right-of-way are required for:
  - Displacement/Relocation is required.
  - On average, requires more than 2 acres per linear mile of project.
  - Removes major property improvements (e.g. buildings and structures).
  - Substantial affects to property functions.
  - Acquisition of land for hardship.
  - Disposal of excess Right-of-Way

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

Right of way is required for stream mitigation area.

**DENR Coordination - EPA Coordination if Tribal Lands**

- Project requires a NPDES storm water permit (ground disturbance is greater than 1 acre) with SWPPP commitment
  
  Coordination Completion Date: **5/15/2017**

  (Commitments included in the Env. Commitments Checklist)

**GFP Coordination**

- Coordination Completion Date: **5/15/2017**

  (Commitments included in the Env. Commitments Checklist)

**Tribal Consultation**

- Tribal consultation was initiated with the Tribes checked below:
  
  Lower Brule Sioux Tribe* Cheyenne River Sioux Tribe* Chippewa Cree Tribe (Rocky Boy)
  Sisseton – Wahpeton Oyate* Oglala Sioux Tribe* Iowa Tribe of Oklahoma
  Standing Rock Sioux Tribe* Crow Creek Sioux Tribe* Northern Arapaho Tribe
  Yankton Sioux Tribe* Flandreau Santee Sioux Tribe* Ponca Tribe of Nebraska
  Three Affiliated Tribes of ND Rosebud Sioux Tribe* Bureau of Indian Affairs (w/in tribal boundaries)

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

  * indicates South Dakota Tribes

**Discussion**

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

**Public Coordination**

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

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

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

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

C. Attachment Summary

List and discuss:
1) Project Location Figure 2) Agency Coordination

D. REEVALUATION - Environmental Project Certification and Approval

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

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

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

Certify and recommend for approval:

[Signature] 07/11/2017
SDDOT Environmental Project Coordinator

Approval:

[Signature] 2017.07.11 09:08:40 -05'00'
FHWA Environmental Engineer
PROJECT LOCATION
HWY 100 - RICE TO I-90
PCN 00X8 & 00WN
Greetings, everyone.

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

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

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

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

- **Stream Mitigation Site** - As a part of the Section 404 Permit, an off-site mitigation area is needed for impacts to a stream in the Rice Street to I-90 segment of the Project. The site is located north of the Project, approximately 4 miles (see **Figure 1**, attached).

- **Tree Mitigation** - Trees impacted by the project along the Big Sioux River corridor will be mitigated as coordinated with USFWS for the EA. It has been determined that approximately 1.5 acres of trees will be impacted, and 3 acres of trees will be planted to mitigate for these impacts. The trees will be planted in 2018 at Good Earth State Park.

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

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

FIGURE 1
Tom Lehmkuhl
Environmental Engineer Manager
SDDOT - Environmental Office
Ph: (605) 773-3721
Cell: (605) 295-1150

Begin forwarded message:

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

Tom, I have no specific comments to offer.

Eileen

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

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**Tom Lehmkuhl**
Environmental Engineer Manager
SDDOT – Environmental Office
Ph: (605) 773-3721
Cell: (605) 295-1150
GFP’s comments

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

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

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

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Tom Lehmkuhl
Environmental Engineer Manager
SDDOT – Environmental Office
Ph: (605) 773-3721
Cell: (605) 295-1150
May 15, 2017

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

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

Dear Ms. Brisbois:

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

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

Sincerely,

Tim Nordquist  
TIMOTHY NORDQUIST  
NRCS Conservation Agronomist
In Reply Refer To:  
Consultation code: 06E14000-2017-I-0228  
Event Code: 06E14000-2017-E-00640  
Project Name: Highway 100

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

To whom it may concern:

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

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

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

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

- Red Knot, *(Calidris canutus rufa)* (Threatened)
- Topeka Shiner, *(Notropis topeka (=tristis))* (Endangered)
- Western Prairie Fringed Orchid, *(Platanthera praecala)* (Threatened)
June 20, 2017
Jenna Carlson Dietmeier
Review & Compliance Archaeologist
Cultural Heritage Center
900 Governors Drive
Pierre, SD 57501-2217

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

Dear Ms. Dietmeier:

Project Information

Project Name: Slip-Up Creek Wetland Mitigation Site
Project No: NH-PS 0100(104)420 PCN: 00X8 County: Minnehaha
Project Location: North of Sioux Falls, approximately 3.5 miles north of I-90 and ¾ mile east of County Highway 121 (478th Ave). The site is north of 257th St.
Description: Class III Archaeological Survey

Identification of Historic Properties

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

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

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

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

Sincerely,

[Signature]

Tom Lehmkuhl
Environmental Engineer Manager
605-773-3721

Attachments

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

Pursuant to 36 CFR part 800.10, if historic properties are discovered or unanticipated affects on historic properties found after the agency official has completed the Section 106 process, the agency official shall avoid, minimize or mitigate the adverse affects to such properties and notify the SHPO/THPO, and Indian tribes that might attach religious and cultural significance to the affected property within 48 hours of the discovery.

SECTION 106 CONSULTATION

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