

APPENDIX I



---

EXECUTIVE ORDER 11990 WETLAND FINDING

Federal Highway Administration  
South Dakota Department of Transportation

East Side Corridor (SD100) Supplemental EA  
I-29/County Road 106 (Exit 73) to South of 26<sup>th</sup> Street  
Executive Order 11990 Wetland Finding

This action complies with Executive Order 11990, Protection of Wetlands

Approved	<u></u> FHWA Environmental Engineer	<u>3/20/2012</u> Date
Approved	<u></u> SDDOT Environmental Engineer	<u>3/14/2012</u> Date

Federal Highway Administration  
South Dakota Department of Transportation

East Side Corridor (SD100) Supplemental EA  
I-29 to South of 26<sup>th</sup> Street  
Executive Order 11990 Wetland Finding

This statement sets forth the basis for a preliminary finding that there is no practical, prudent or economical alternative to the placing of fill for highway construction in certain wetlands within the future right-of-way of the proposed East Side Corridor (SD100) from I-29/County Road 106 (Exit 73) to 26<sup>th</sup> Street. The SD100 Supplemental Environmental Assessment has satisfactorily addressed project effects on wetlands in accordance with Executive Order 11990 on “No Net Loss” of wetlands.

Projected effects and impacts on wetlands were determined by following Federal Highway Administration (FHWA) guidance and policies. Coordination to determine the least environmentally damaging practicable alternative (LEDPA) was conducted with U.S. Army Corps of Engineers (USACE) in order to meet the Clean Water Act requirements.

### Project Description

The proposed project would consist of a new limited access regional arterial roadway being planned to address future transportation system needs and consists of a paved roadway from I-29/County Road 106 (Exit 73) to south of 26<sup>th</sup> Street, as well as improvements to SD11 from 57<sup>th</sup> Street to approximately 850 feet south of 69<sup>th</sup> Street. The proposed roadway will consist of both four-lane and six-lane roadway sections with posted speeds of either 45 mph or 55 mph based on traffic projections. The proposed highway will be located within the City of Sioux Falls’ 2035 growth area east and south of the current jurisdictional limits.

The proposed roadway has been designed within a minimum of a 200-foot wide corridor utilized for the ROW and one interchange. See Section 2.1, Identification of Alternatives, in the SD100 (I-29/County Road 106 to 26<sup>th</sup> Street) Supplemental EA for a discussion of the typical sections.

### Alternatives Considered

The Revised Build Alternative is evaluated in detail within the Supplemental EA, while the Modified 2003 EA Preferred Alternative was evaluated in the 2003 EA (City of Sioux Falls, 2003). The Revised Build Alternative follows a similar alignment of the Modified 2003 EA Preferred Alternative from I-29 to 26<sup>th</sup> Street with minor shifts in the alignment of 100 to 200 feet.

The benefits of the Revised Build Alternative, when compared to the Modified 2003 EA Preferred Alternative, include: decreased construction costs, improved constructability, and increased safety. The Revised Build Alternative would affect approximately 50.7 acres of wetlands based on desktop determination of the wetland boundaries and the preliminary design construction limits for the Project. While the Modified 2003 EA Preferred Alternative would have affected 59 acres, and approximately 58.7 of those acres are within the southern segment. These wetlands are not avoidable because the wetlands extend for several hundred linear feet across of the proposed roadway (See Figures 3-5a thru 3-5f). The EA presents additional details on project effects and proposed avoidance/minimization and mitigation measures.

In order to analyze the impacts and compare each alternative’s impact on the aquatic ecosystem, further coordination occurred with the USACE to confirm the LEDPA for the Project. Due to the difference in wetland impacts, the Revised Build Alternative was confirmed as the LEDPA.

## Determination of Wetlands and Mitigation within the Project

The Revised Build Alternative will be completed in phases due to cost. In order to accurately identify, avoid, and mitigate the wetland areas, each phase will follow this procedure to ensure a 404 permit is obtained before construction can begin:

- As a phase of the Project is identified and final design is initiated. Formal wetland delineation should be completed that follows the following methodology: *1987 Corps of Engineers Wetland Delineation Manual* (USACE, 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region* (USACE, 2010).
- After the wetland delineation is completed, the final design process will consider wetland impacts by attempting to avoid wetlands, minimizing impacts when wetlands can't be avoided, and mitigating for impacts.
- Wetlands which cannot be avoided will be mitigated through the use of a mitigation bank. The appropriate methodology determined by the mitigation bank will be applied to determine the mitigation required for the Project. A wetland mitigation plan will be prepared.
- A 404 permit application will be prepared for each phase of the Project that will include the wetland delineation report and mitigation plan. The 404 permit application will be submitted to USACE. The wetland permit application will be available to all responsible permitting agencies for review and approval during the required public notice of a Section 404/401 Individual Permit under the Federal Clean Water Act.
- Should it become necessary to modify or otherwise revise this preliminary finding with the completion of wetland delineation associated with the individual project's design phases, an updated Wetland Finding will be prepared and circulated for review and concurrence. This update will include a table of non-jurisdictional and jurisdictional wetlands including acres of wetlands being impacted at each wetland.

## Finding

In accordance with Executive Order 11990, NEPA and the Federal Highway Act it has been determined that there is no feasible or practical alternative to the proposed construction. All practical measures to avoid wetland areas have been considered and initiated.