APPENDIX K

JANUARY 17, 2007 PUBLIC HEARING ITEMS

- Letter from HDR to Landowner on December 26, 2006
- Notice of Public Hearing/Open House on January 17, 2007
- Newspaper article on March 15, 2007
- Newspaper article on January 18, 2007
- Public Hearing packet dated January 17, 2007
- Corridor Preservation pamphlet and handout
December 26, 2006

<Landowner>
<Address>

RE: South Dakota Highway 100 (East Side Corridor)

Dear <Landowner>:

The South Dakota Department of Transportation (SDDOT), City of Sioux Falls, and HDR, Inc. will be hosting a public hearing/open house on Wednesday, January 17, 2007 from 5:30 to 7:30 p.m. in Ballroom A at the Sioux Falls Convention Center. During the public hearing, the SDDOT and City of Sioux Falls will discuss the progress of the SD100 Project including alignment modifications made to the Environmental Assessment (EA) preferred corridor, interchange options at the SD11/57th Street and SD100/I-90 intersections, and the project schedule for the next few months. Also, the City of Sioux Falls will discuss the Rail Yard Relocation Project. The purpose of this hearing is to provide another opportunity for residents within the study area, as well as interested local, state, and federal agencies to offer input on these projects.

In February 2006, an open house was conducted in order to update the public regarding the SD100 corridor and to inform the public of what is to be accomplished during this phase of the project. Originally, the goal was to utilize the established corridor alignment and begin preparing right-of-way (ROW) plats and plans in order to begin acquiring the land needed to construct the highway. However, comments received from the public following the open house required some additional review of the corridor prior to preparing the ROW information.

You are invited to attend, ask questions and provide written and/or verbal comments regarding the SD100 corridor project, as well as, the Rail Yard Relocation Project. The formal presentation will be taking place shortly after 5:30 p.m. which will allow time for a more informal format with displays located around the room for your review and more specific questions.

Notice is further given to individuals with disabilities that this public hearing is being held in a physically accessible place. Please notify the SDDOT ADA Coordinator within 48 hours of the public hearing if you have special needs for which this agency will need to make arrangements. The telephone number for making special arrangements is (605) 773-3540 or 1-800-877-1113 (Telecommunication Device for the Deaf).
If you have any questions or are unable to attend this meeting but would like to provide questions or comments, please contact Mark Leiferman with the South Dakota Department of Transportation at (605)773-3433, Shannon Ausen with the City of Sioux Falls at (605)367-8601 or myself at (605)977-7740.

Sincerely,

HDR ENGINEERING, INC.

Steven H. Hoff, PE

HDR Project Manager

cc  Mark Leiferman, SDDOT
    Shannon Ausen, City of Sioux Falls
    File

Enclosures
Date: January 17, 2007
Time: 5:30 p.m. - 7:30 p.m.
Location: Sioux Falls Convention Center
Ballroom A
1211 N. West Avenue
Sioux Falls, South Dakota

The South Dakota Department of Transportation (SDDOT) and City of Sioux Falls will hold a public hearing/open house to discuss and receive input on the above projects.

A presentation will take place shortly after 5:30 p.m. Topics discussed will include modifications to the original SD100 alignment and options for a Timberline Interchange at I-90. These projects are under the direction of the SDDOT with support from the City of Sioux Falls. Also discussed will be the Rail Yard Relocation Project in Sioux Falls. This project is under the direction of the City of Sioux Falls with support from the SDDOT.

During this time, you will also have the opportunity to present written comments.

Notice is further given to individuals with disabilities that this public hearing is being held in a physically accessible place. Please notify the SDDOT ADA Coordinator within 48 hours of the hearing if you have special needs for which this agency will need to make arrangements. The telephone number for making special arrangements is (605) 773-3540 or 1-800-877-1113 (Telecommunication Device for the Deaf).

All persons interested in these projects are invited to attend this hearing/open house to share your views and concerns, any time between 5:30 p.m. and 7:30 p.m. For further information regarding the proposed improvements, contact Mark Leiferman, SDDOT Chief Roadway Design Engineer (605-773-3433), Shannon Ausen, City of Sioux Falls (605-367-8601) or Steve Hoff, HDR (605-977-7743).
Road project concerns landowners
But most agree S.D. 100 is needed

BY JONATHAN ELLIS
jonellis@argusleader.com

Alice Engverson recently hovered over a large aerial map. She was searching for her home, but it wasn’t easy to find because of a yellow line.

She found it and pointed: “It goes right through our house.”

That yellow line is the newest proposed route for South Dakota 100, a 17-mile roadway that would start at Interstate 29 on the city’s west side, then curve east and then north to Interstate 90.

The project has assumed almost mythical proportions. For nearly 15 years, state and city officials have warned that a major road would be built to the south and east of Sioux Falls. Different options have been kicked around, but for the most part, it’s been nothing more than a vague line on a map in one of those government planning books.

See HIGHWAY, Page 7A
Highway: Land appraisal could begin by late summer

Continued from 1A

the myth in getting closer to becoming reality.
State officials have unveiled SD 100's latest route, which could give motorists another route around the east side of the city area, more expansive than the 126th route.
As Sioux Falls' population is expected to reach 220,000 or more by 2035, SD 100 is seen as a way to connect booming neighborhoods in northern Lincoln County with an expected surge of growth in the city's far east side.
The highway would connect both high-growth areas with the east-side Wal-Mart, Menards, and other commercial development in that area.

Years later, sometime after 2035, planners envision that S.D. 100 eventually could be an east-west loop, that eventually, if it is built, could begin at the same 1-29 out and loop around the far west side.

After some federal hurdles are cleared, appraisers will head out and begin valuing land for S.D. 100.

"The hope is by late summer, the appraisers will be out," said Steve Holm of Omaha-based HDR Engineering, the project manager.

Landowners react

The appraisers are among about 150 landowners who can expect contact with appraisers. There is slated to cut through the home they've lived in since 1985. It will slice through their 70 acres of rural prairie, where they once raised sheep and where, at age 80, Berdelle Engverson still maintains four acres of lush blueberries and a grove of trees that he planted.

The project also will include the upgrade of 69th Street, which will mean the Engversons losing more of their land.

The old alignment of S.D. 100 had the roadway passing west of their home, so they were understandably surprised in January when the latest version had it in their home.

Since then, they've heard nothing. But they're expecting a knock on their door in the coming months.

"We don't like it too well, but I don't know what a guy is going to do about it," Alice Engverson said. "My brothers-in-law say we should fight it, but how do you fight the state?"

Like others in the area, the Engversons await the state's next move. Longtime residents have waited for years. They've attended the periodic public meetings as the line on the map has changed.

"I've been a lot of the meetings," said Bill Bruce, who lives near Highway 11. "It seems like it changes every time." The latest line shows less land being incised of land about 15 to 20 feet deep.
The road will be four to six lanes and include a median. Mark Cottler, the city's director of public works, compared it to Russell Street. A pedestrian path also will be part of the project.

Officials also want to limit access. Driveways to homes and businesses won't be allowed, intersections will be at one-mile intervals in the south and half-miles in the north.

The Interchange will have restrictions. Some city officials will clash with land-use plans in the area.

"Anytime you restrict what can be built there, it starts to change land values," Janison said.

Questions of land use

But the restrictions - as well as the desire to create a corridor linking development near S.D. 100 - has some homeowners asking questions.

City Council Chairman Bob Janison said the restrictions favored by state officials will clash with land-use plans in the area.

"It's just changing what can be built, and things can't be built," said Alice Engverson.

"You're just kind of waiting until they come in to talk to us about it," Alice Engverson said.

Court rules against medical marijuana

THE ASSOCIATED PRESS
SAND FRANCISCO - A woman whose doctor says marijuana is the only medicine helping her alive can face federal prosecution on drug charges, a federal appeals court ruled Wednesday.

The ruling was the latest legal defeat for Angel Raich, an Oakland woman suffering from scoliosis, a brain tumor, chronic pain and other ailments, who sued the federal government pro-actively to avoid being

Court of Appeals was narrowed in the so-called right to life theory that the smoke will have a right to grow marijuana to keep them alive when illegal drugs fail.

Raich, 41, began smoking when she was told of the decision that she was not immune to prosecution and said she would continue using the drug.

"I'm not going to let them kill me," she said.

However, the court left open the possibility that Raich, if she
ARGUS LEADER, JANUARY 18, 2007

Sioux Falls SD

Rail line project might start in ’08
City would build switching yard; more studies still needed to begin work

BY JONATHAN ELLIS
jonellis@argusleader.com

Construction on a project to remove most of the rail lines in downtown Sioux Falls could begin by summer 2008, according to a timetable spelled out Wednesday night.

About 200 people attended a public hearing Wednesday evening at the Sioux Falls Convention Center, where they received information about the rail relocation plan as well as an update on the South Dakota 100 project — a 17-mile arterial that would loop east of the city, connecting Interstates 29 and 90.

Both projects, say city officials, hold promise for future development and mobility in Sioux Falls.

The city would build a new rail switching yard northeast of town, eliminating many of the tracks downtown.

But before that happens, the city must jump through regulatory hoops by completing an environmental assessment, something required by the federal government.

Officials also must study a couple of different options before selecting a “preferred alternative.” That alternative then must be OK’d by state and federal authorities.

Mike Gorman, a project manager with HWS Consulting Group, thinks a draft assessment could be ready by May, and final approval could come by the end of the summer. From there, design work can begin and officials can start negotiating to purchase property from landowners.

One point of contention, however, rests with redesigning a line that will remain in downtown. Officials have three options. One of those options puts the line across the street from a proposed development on North Phillips Avenue.

The South Dakota 100 project also will need more environmental study.

Although a study was completed in 2003, officials have altered the corridor so that now a supplement must be filed and approved by the federal government.

Steve Hoff of HDR Engineering said the alignment was changed to avoid habitat where the endangered lined snake is presumed to be. Engineers also found areas where it would be cheaper to build the road.

SD 100 will be a four-to-six lane arterial. Officials hope to begin negotiating for right of way this summer.

About 150 landowners will be affected.

Reach reporter Jonathan Ellis at 605-575-3629.

It’s All About

Man, 66, sentenced to 25 years in rape case

BY JOSH VERGES
jverges@argusleader.com

A 66-year-old Sioux Falls man who fled the state in October before hearing a jury’s decision in his rape case was sentenced to 25 years in prison.

Schultz, however, left for Las Vegas while the jury deliberated. Police arrested him three weeks later.

Police arrested him three weeks later.

Schultz, a career trucker who spent much of his life in Garretson, didn’t say much to come into court to hear his verdict."

Schultz, a career trucker who spent much of his life in Garretson, didn’t say much to come into court to hear his verdict."

Mailman said that despite the


ew channel during the half-hour period, we going to run it on KLKN CityLink periodically also use it in classes,” said Clara Jacob, chair of the task force’s local looks at the market. This wi, the group might not to give more content to reach viewers.

We could make five instead of one,” said Jacob, cri-director at Henkin- Bringing us more flexibility to restrict a fair amount of. We can “from more people in the community and tell their stories.”

The effort is one of several projects underway to ask force, which has in place since 2003, seek respect and by all cultures.

day’s meeting, the h in this year’s series, en to newcomers.

-jon Walker, Argus Leader
SOUTH DAKOTA 100
CORRIDOR PRESERVATION
PROJECT NUMBER P 0100(10)405
PCN 00T7
in MINNEHAHA AND LINCOLN COUNTIES

The South Dakota Department of Transportation provides services without regard to race, color, gender, religion, national origin, age or disability, according to the provisions contained in SDCL20-13, Title VI of the Civil Rights Act of 1964, the Rehabilitation Act of 1973, as amended, the Americans With Disabilities Act of 1990 and Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

Any person who has questions concerning this policy or who believes they have been discriminated against should contact the Department's Civil Rights Office at 605-773-3540.
About the Project

SD100 will be a 17 mile, limited-access principal arterial roadway with a 200 foot wide right-of-way corridor. The proposed typical roadway section will be a four to six lane divided section with a raised median and shared-use path. The lane configurations were determined based on year 2025 traffic projections. At-grade intersections will be spaced at one-mile intervals in the south portion and half-mile intervals along the east portion of the corridor. Based on projected traffic volumes, two interchange locations have been identified to be needed in the future. The locations are 57th Street and Benson Road. Also, the interchange at I-90 will have to be reconstructed.

The project begins just east of the recently reconstructed I-29 & Tea Interchange. The corridor then heads in a northeasterly direction until intersecting SD11 south of 57th Street. The alignment then turns north and nearly follows existing SD11/Powder House Road, continues in a northerly direction, and intersects I-90 just east of the existing Timberline interchange.

Project History

- Eastside Corridor Study began in 1993
- Environmental Assessment approved in March 2003
- Began SD100 Corridor Preservation in October 2005
- SD100 Open House – February 2006 (comments, concerns and suggestions were evaluated and considered with design)

Tentative Schedule

- Supplement to Environmental Assessment – Spring 2007
- Begin Right-of-Way Process – Summer/Fall 2007

Corridor Preservation

Corridor preservation is a policy used by the SDDOT to get out ahead of development and acquire the land necessary to construct future roadway projects. This policy has been used on several future projects across the state and is intended to save taxpayers money. If the right-of-way is preserved prior to development, the SDDOT has more options to analyze and can determine the best option for the traveling public without attempting to avoid expensive real estate. Development pressures are occurring along the corridor and will play a role as to the schedule of right-of-way acquisition.
Frequently Asked Questions

Q: When will construction actually begin?
A: Construction is scheduled to begin in 2008/2009 from 26th Street to Madison Street, a two-mile section that is currently being designed by the SDDOT and includes a reconstruction of a segment of SD Highway 42. As for the remainder of the 15-mile corridor, the answer is not clear. Funding will play a key role as to the schedule for construction. The SDDOT and City are currently meeting to discuss the project timing. The goal is to complete the corridor within the next 15 years.

Q: Why was the original alignment changed?
A: Based on comments received during the first open house held in February 2006, it was decided to take a closer look at the alignment. It was determined that with minor changes, the corridor could be a safer roadway for the traveling public with fewer direct impacts to existing homes. The curves were flattened out to allow for a more comfortable ride and the angles at major intersections were revised to allow for improved site visibility of intersecting roads.

Q: Since the alignment has been changed and is still impacting me, can I get the alignment moved off my property?
A: The proposed changes to the alignment do not significantly differ from the original alignment. The changes made were based on sound engineering practices and were in no way modified to benefit any one landowner. The changes were intended to improve the corridor for everyone that will travel along SD100 in the future. We are always open to comments and will review all reasonable requests.

Q: Will this road ever become an interstate?
A: No. South Dakota 100 is and always will be a limited access arterial. Being defined as a limited access arterial means that travelers will only be able to access SD100 at designated intersections (½ mile or 1 mile locations). Driveways to businesses/homes will not be allowed.

Q: Why is there half-mile access spacing in some areas and only one-mile access spacing in others?
A: Access was determined primarily by future land use and also through traffic projections. The vicinity between 26th Street and Madison is zoned for commercial; therefore, half-mile access will be needed. Access management practices were thoroughly considered to preserve traffic operations of this arterial corridor.

Q: Will all major intersections (i.e. Minnesota Avenue and SD100) eventually become interchanges?
A: Although we are not able to predict far into the future, a traffic study was performed to generate traffic projections for the year 2025 to identify access needs for this corridor. It was determined based on traffic operations, land use considerations, access management, and corridor preservation that interchanges would be effective in preserving traffic operations at 57th Street and Benson Road. All other intersections will be at-grade and will handle predicted traffic far into the future.
Public Hearing
January 17, 2007

SDDOT Right of Way Information

P 0100(10)405  PCN 00T7
MINNEHAHA AND LINCOLN COUNTIES

Project Construction Plans: After the project right of way plans have been prepared and the right of way limits have been established, your property will be appraised to determine the fair market value of that portion of your property that is needed for construction of the project. The amount established is the basis for the offer that the Right of Way Agent will make to you. If you feel that you cannot accept the State's offer, you have the right to have the amount of just compensation established by the courts.

Relocation Assistance Program: This program provides a variety of services and payments to owners and tenants who have personal property affected by the right of way being acquired for the project.

Relocation payments are in addition to payments made for the real property being acquired. So as not to jeopardize your eligibility for payments, do not do anything until you have received a written relocation offer or have contacted Joel Gengler of the SDDOT Right of Way Program in Pierre. His phone number is 605-773-3746. Anyone not satisfied with the relocation offer made to them may appeal using the procedures described in the Relocation Brochure.

The landowner may also be reimbursed for various fair and reasonable incidental expenses that may be incurred during the transfer of property to the State.

Right of Way Information Brochures: Two brochures have been prepared which explain the SDDOT's Right of Way process. They provide in-depth information on your rights with regard to the acquisition of your property and the benefits available to you with regard to the Relocation Assistance Program. These brochures are available at this hearing on the "Sign-in" table. Please feel free to take a copy of each with you.
ACCESS MANAGEMENT

South Dakota’s Commitment to Safety and Smart Investment Decisions In Transportation

What is Access Management?

Access Management is the process of providing safe, efficient ways of getting on and off our streets and highways. Consider that each access point added to an undivided highway in an urban or suburban area increases the annual accident rate by 11 to 18 percent on that highway segment. In rural areas, each added access point increases the annual accident rate by 7 percent.

Each additional access point also contributes to congestion. The more driveways on a street, the more places where people are slowing, changing lanes and turning. A seven-lane street can quickly become a parking lot when there are many driveways in each block. When that happens, our valuable transportation investments are wasted and access to adjacent businesses is restricted.

Principles of SDDCT Access Management Policy:

- Protect the public’s investment in the highway system by preserving its functional integrity through the use of modern access management practices.
- Coordinate with local jurisdictions to ensure that the state’s access policy and criteria are addressed early in decisions affecting land use.
- Provide advocacy, educational and technical assistance to promote access management practices among local jurisdictions.
- Undertake proactive corridor preservation through coordinated state/local planning and selective investment in access rights.
- Provide consistent statewide management of the state highway system.
- Maintain and apply access criteria based upon best engineering practices to guide driveway location and design.

Access Management Minimizes Cost:

Driveway-related accidents alone cost South Dakota approximately $36.5 million each year.

For more information on Access Management, contact:

Rick Laughlin, SDDOT Access Management Specialist
5316 W. 60th St.
Sioux Falls, SD 57107
Phone: 605-367-5680  E-Mail: Rick.Laughlin@state.sd.us
South Dakota
Department of Transportation

SD100 Corridor Preservation
Study of Proposed Eastside Corridor
Sioux Falls, South Dakota
P 0100(101)405 PCN 00T7

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(optional)
Name ______________________
Address ____________________

Telephone: __________________

Please return this comment form by February 28, 2007 via written comments or via email to the following: ATTN: Steve Hoff, HDR, 6300 So Old Village Place, Suite 100, Sioux Falls, SD 57108, Phone 605-977-7740, FAX 605-977-7747, email: Steve.Hoff@hdrinc.com
What is Corridor Preservation?

The South Dakota Department of Transportation has adopted a new approach to managing key transportation corridors in the state. The objective is to minimize costs to the private and public sectors by planning ahead for future highway projects and coordinating closely with local government.

Corridor preservation is a strategy to assure that the network of highways, roads, and streets will be available now and in the future to serve existing and future development needs. It involves the application of various measures to:

- Minimize the costs of transportation improvements by early coordination with property owners and local government.
- Enhance and maintain efficient traffic flow in existing transportation corridors.
- Protect corridors from unnecessary environmental, social and economic impacts.
- Reduce the amount of developed property that needs to be purchased.

For more information on access management contact:

Corridor Preservation Specialist
South Dakota Department of Transportation
5316 W. 60th Street N.
Sioux Falls, SD 57107
(605) 367-5680

or

Corridor Preservation Specialist
South Dakota Department of Transportation
P. O. Box 1970
Rapid City, SD 57709-1970
(605) 394-2248

For additional copies of this brochure, contact any of the Area Offices of the Department of Transportation listed above, or print a copy from the web site: www.sddot.com/pub.asp?mode=list&TypeID=1
Why is Corridor Preservation Important to South Dakota?

Corridor preservation is an important issue for South Dakota's transportation planning and project delivery process. As the state grows, the demand for fast, smooth traffic flow and efficient movement of truck freight increases.

Corridor preservation is needed to protect potential transportation corridors from increasing development pressures and to preserve these alignments for future use.

Objective of Corridor Preservation

To minimize costs to the private and public sectors by planning ahead for transportation projects.

Corridor preservation:

- Reduces transportation costs by preservation of future corridors in an undeveloped state. By acquiring right-of-way well in advance of construction, the high cost to remove or relocate private homes or businesses is eliminated or reduced.

- Enhances economic development by minimizing traffic congestion and improving traffic flow, saving time and money. Low cost, efficient transportation helps businesses contain final costs to customers and makes them more competitive in the global economy. Freight cost, for instance, accounts for ten percent of the value of agricultural products, the highest for any industry.

- Minimizes disruption of private utilities and public works. Corridor preservation planning allows utilities and public works providers to know future plans for the transportation corridor and make their decisions accordingly.

- Increases information sharing so landowners, developers, engineers, utility providers, and planners understand the future needs for developing corridors. An effective corridor preservation program ensures that all involved parties understand the future needs within a corridor and that state, local and private plans are coordinated.

- Preserves arterial capacity and right-of-way in growing corridors. Corridor preservation includes the use of access management techniques to preserve the existing capacity of corridors. When it is necessary, arterial capacity can be added before it becomes cost prohibitive by preserving right-of-way along growing transportation corridors.

- Promotes urban and rural development compatible with local plans and regulations. The state and local agencies must work closely together to coordinate their efforts. Effective corridor preservation will result in development along a transportation corridor that is consistent with local policies.

Corridor Preservation Minimizes Costs

In 2000, SDDOT right-of-way costs were $8.3 million. Utility relocation costs were $2.1 million. Reducing these costs frees up funds for other needed transportation activities that would otherwise be unfunded.

Adjacent development can restrict roadway expansion, causing congestion and compromising safety.