

**FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACTS**

for the

GRAND TECHNOLOGY GATEWAY

**GRAND PRAIRIE PARKWAY FROM MILLS CIVIC PARKWAY TO
RACCOON RIVER DRIVE AND GRAND AVENUE FROM GRAND AVENUE
(1,200 FEET WEST OF 88TH STREET) TO GRAND PRAIRIE PARKWAY**

DALLAS COUNTY, IOWA

HDP-8260(629)--71-25

The Federal Highway Administration (FHWA) has determined that this project will have no significant impact on the human and natural environment. This Finding of No Significant Impact is based on the attached Environmental Assessment (EA) which has been independently evaluated by FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the attached EA.

7/23/2019
Date

Michael Satchin
For FHWA

Description of Proposed Action

The City of West Des Moines, in coordination with the Iowa Department of Transportation (Iowa DOT) and the Federal Highway Administration (FHWA) are proposing to construct a 1.25-mile extension of Grand Avenue and a 2.0-mile extension of Grand Prairie Parkway. The proposed Grand Avenue extension would connect the current western terminus of Grand Avenue, located approximately 1,200-feet west of South 88th Street, on the east with the proposed extension of Grand Prairie Parkway on the west. The proposed Grand Prairie Parkway extension would connect to Mills Civic Parkway on the north and Raccoon River Drive on the south. Both proposed extensions would be arterial roadways providing controlled access to future side roads spaced at approximately one quarter mile along the roadway corridors. The proposed extensions would create a “T” intersection within the project study area, located north of Raccoon River Drive.

Environmental Assessment Availability

The Environmental Assessment (EA) was signed on June 9, 2017 and was distributed to selected federal, state, and local resource agencies on July 10, 2017 for review and comment. A notice of public availability of the EA and notification of a public hearing to be held on August 1, 2017 was placed on the City’s website on July 10, 2017 at <http://www.wdm.iowa.gov/GTGateway> and was published in the legal section of the Des Moines Register on July 14, 2017.

Review and Comment Period

A review and comment period was established for receipt of comments on the EA, with an expiration date of August 16, 2017. A public hearing for the project was held at the West Des Moines City Hall on August 1, 2017. The public hearing used a combined open forum and formal presentation format. A written summary of this meeting was prepared and is available upon request from the City of West Des Moines.

Agency Comments

Eight agency comments were received and are summarized in Table 1. Copies of these comments are included in Appendix A.

Table 1. Summary of Agency Comments

| Date | Agency & Comment | Response from City of West Des Moines |
|-------------|---|--|
| 7/10/17 | Federal Emergency Management Agency (FEMA) <ul style="list-style-type: none">FEMA should not be included in the review of environmental assessments. Local communities participating in the NFIP are responsible for reviewing reports and issuing appropriate floodplain management permits. | No response needed. |
| 7/12/17 | Iowa Department of Natural Resources (Iowa DNR) <ul style="list-style-type: none">Previously commented on this project on 11/18/13. No additional comments. | No response needed. |

| Date | Agency & Comment | Response from City of West Des Moines |
|---------|--|--|
| 7/17/17 | Iowa Interstate Railroad <ul style="list-style-type: none"> • The EA contained no alternative design to minimize impacts to the railroad. • It appears that no analysis, study, or investigation of the impact the roadway, as proposed, will have on railroad property, was undertaken. • IAIS would support a grade-separated intersection and is opposed to the construction of a new and additional at-grade rail-highway intersection. | Section 5.1.6 of the EA addresses impacts that would occur to other forms of transportation including railroads. Information from the Iowa Railroad Traffic Density Map indicated that this rail line has, on average, four trains per day. Therefore it was determined that railroad traffic would not warrant a grade-separated crossing, and would be minimally impacted by construction and operation of the proposed project which includes an at-grade crossing. |
| 9/12/17 | Dallas County Engineering <ul style="list-style-type: none"> • No comment. | No response needed. |
| 9/12/17 | Dallas County Planning <ul style="list-style-type: none"> • No comment. | No response needed. |
| 9/12/17 | Environmental Protection Agency <ul style="list-style-type: none"> • No comment. | No response needed. |
| 9/12/17 | Iowa DNR (Section 6(f)) <ul style="list-style-type: none"> • No comment. | No response needed. |
| 9/14/17 | U.S. Fish and Wildlife Service (FWS) <ul style="list-style-type: none"> • The northern long-eared bat was listed as threatened under the Endangered Species Act on 4/2/15. • Federal agencies are required to determine whether their actions affect listed species and proposed critical habitat. A Biological Assessment (BA) is needed for the FWS to make this determination. | A BA was completed and submitted to FWS for review on 2/14/18. Informal consultation with FWS led to conducting a second mist net survey for threatened or endangered bats. Because no threatened or endangered species were found in the second study, Iowa DOT provided the mist net study report and a “No Effect” determination to FWS. |

Public Hearing

A public hearing was held on August 1, 2017 at City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa. The purpose of the public hearing was to present the proposed preferred alternative and to gather feedback from the stakeholders about the proposed alternative and the completed EA. The hearing was conducted utilizing a combined open forum and formal presentation format. The public was invited to attend anytime between 5:00 PM and 7:00 PM. A formal presentation began at 5:30 PM and was followed by an open microphone/public comment session. The public met informally with City and consultant staff both before and after the formal presentation. The public hearing was advertised on the City’s website at <http://www.wdm.iowa.gov/GTGateway> and a notice was published in the Des Moines Register on July 14, 2017. A notice of the EA’s availability was submitted to agencies on July 10, 2017.

There were seven people that registered their attendance at the public hearing. The public had the opportunity to comment verbally or in writing during the hearing, or by sending comments to the City after the meeting. One attendee provided verbal comments during the open microphone/ public comment session. The commenter mentioned concerns about drainage impacts the proposed project would have on his agricultural property, and requested shifting the alignment of the Preferred Alternative to a section line to lessen the impacts to his property.

The same commenter submitted his concerns in writing after the public meeting by way of a letter. This letter was the only written public comment received as a result of the public hearing. This letter and the response the City of West Des Moines provided to the commenter are included in Appendix B. In general, the City’s response to the comment included references to the EA where farmland and right of way impacts are discussed.

Table 2. Summary of Written Comments

| Date | Type of Comment | Comment | Response from City of West Des Moines |
|---------|-----------------|---|---|
| 8/15/17 | Letter | <p>Commenter had the following concerns:</p> <ul style="list-style-type: none"> • The EA did not study how farming operations would be impacted and how drainage would be impacted. The placement of Alternative 5 could cause drainage issues resulting in the West Farm property to become useless. • The amount of impacts from Alternative 5 Grand Prairie Parkway’s alignment could be shared with adjacent property owners. • The proposed alignment does not enhance future use of the land in the area as envisions by the West Des Moines Comprehensive Plan. | <p>Responded with a letter sent by email on 12/7/17. The response included:</p> <ul style="list-style-type: none"> • Section 5.3.7 of the EA documents the amount of farmland potentially impacted by the proposed project. Section 5.3.2 of the EA documents the potential impacts to surface water and water quality. The EA is based on a corridor-level analysis, without addressing specific drainage impacts to particular properties. The final design process would evaluate drainage impacts. • Shifting Alternative 5’s alignment could decrease the amount of right-of-way needed from an individual property but could increase the amount of woodland and bat habitat impacts. Section 4.2 of the EA summarizes the process for eliminating alternatives, and demonstrated why an alignment similar to the one proposed by the landowner was eliminated from further consideration (see Alternatives 1 and 2). • Alternative 5 alignment is similar to the arterial alignment along a network of roads in the West Des Moines Comprehensive Plan. The City believes the preferred alternative would adequately support proposed growth in the area. |

New Information

Several changes have occurred and new information is available since the EA was published and the public hearing took place. The changes and new information are described below.

Biological Assessment and Determination of No Effect

The U.S. Fish and Wildlife Service (FWS) reviewed the published EA and asked that a Biological Assessment (BA) be prepared for the project in their September 14, 2017 comment letter. A BA is used by the FWS to determine if and how the proposed project may affect listed federally threatened and endangered species within the project study area. The wooded areas within the project study are known to provide summer habitat for the listed Indiana and northern long eared bat. Both species were documented to be present in the area during a bat mist net study conducted in August of 2012.

In response to the FWS comment, a BA was prepared in accordance with the legal requirements under Section 7 of the Endangered Species Act of 1973. On November 9, 2016 representatives from the City of West Des Moines, Iowa DOT, and FWS met at the FWS Rock Island Field Office to discuss potential mitigation approaches and next steps. Follow up coordination meetings with FWS took place at the City of West Des Moines City Hall on March 21, 2017 and by conference call on April 4, 2018.

During the April 4, 2018 meeting, FWS recommended another mist net survey be conducted to evaluate the presence of bats in the study area because the initial mist net study was conducted in 2012 and that bat populations are known to be declining due to white-nose syndrome. The second mist net study was completed in July 2018. Of the bats that were caught, all were big brown bats; no Indiana or northern long-eared bats were caught. While the corridor contains bat habitat, the species found in the corridor are not threatened and endangered bats. On July 13, 2018, Iowa DOT provided the 2018 mist net survey report and a Determination of “No Effect” to the FWS for review and comment. The FWS commented by email on July 26, 2018 indicating FWS concurrence with the determination is not required, and a recommended retention of a written record of why a “No Effect” finding is warranted. The FWS indicated that tree clearing should be conducted with date restrictions, similar to the dates that Iowa DOT typically observes, and that no further action under Section 7 of the Endangered Species Act was needed. This FWS comment email is included in Appendix A. An October 31, 2018 memorandum titled “Background for Determination of Effect for Threatened and Endangered Species” was developed in consideration of the FWS recommendation regarding documentation of the “No Effect” determination.

Kings Landing Plat 2 Residential Development

The grading and construction of the roadways and utilities within the Kings Landing Plat 2 residential development took place in the summer and fall of 2017. Since then, the City of West Des Moines approved numerous residential building permits for construction in the Kings Landing Plat 2 residential development that is shown in Figure 1. As of June 1, 2019 the City of West Des Moines has approved 87 residential building permits in the Kings Landing development.

The Kings Landing Plat 2 residential development occupies 102 acres of land that was documented as farmland in the EA. This development reduces the amount of farmland located within the study area from 707 acres as discussed in the EA to 605 acres. Additionally, it may reduce, slightly, the amount of woodlands and wetlands present within the study area. The Kings Landing Plat 2 development was platted with the Preferred Alternative in mind, meaning that the lots or parcels within the development get close to, and in some cases may touch the boundary, of the Preferred Alternative, but will not be impacted by the Preferred Alternative.

Noise impacts that the proposed Preferred Alternative could have on the platted residential parcels were evaluated. The initial screening for potential noise receptor locations indicates that the Kings Landing parcels are far enough away from the Preferred Alternative that they would likely not be impacted by traffic noise. Impacts would begin to occur at a distance of 85 feet or less from the edge of pavement of the Preferred Alternative. The closest residential parcel's lot line is approximately 170 feet away from the edge of pavement of the Preferred Alternative which is greater than 85 feet.

Johnson Creek Stream Project

Martin Marietta has an aggregate recovery operation south of Raccoon River Drive, and is developing a project to realign Johnson Creek. A portion of the creek realignment would occur within the study area for the Grand Technology Gateway project. The relocation of Johnson Creek could potentially decrease the linear feet of stream that would be impacted by the Grand Technology Gateway project. The relocation of this stream is in the permitting process and a timeline for completion is unknown.

Parks and Trails

The City of West Des Moines has some initial plans for greenway corridors, parks, and trails in and near the project study area as development continues in the area. The *2018 City of West Des Moines Parks and Recreation Parks and Trails Guide* shows portions of a regional trail located within Woodland Hill Park, located just east of the project study area. In addition, a "sidepath" trail has been constructed along portions of Stagecoach Drive also located just east of the project study area. These areas are outside the project study area and would not be impacted by the Preferred Alternative. North of Booneville Road, the City's *July 2017 Land Use Map, Comprehensive Plan, City of West Des Moines* includes area for open space, which would likewise not be impacted by the Preferred Alternative.

The Preferred Alternative would not impact the City of West Des Moines's plans for greenways, parks, trails, and open space. Section 4(f) protected resources include public parks, recreation areas (such as trails), wildlife refuges, as well as private or public historic sites. No Section 4(f) resources would be impacted by the implementation of the Preferred Alternative.

Joint planning efforts between Parks and Recreation and the Engineering departments will continue for future development of parks, trails, and open space as development continues in and near the project study area.

Phase I Archaeology Report

In support of the EA, an archaeological survey of the alternative corridors within the study area was conducted with the exception of nine parcels that were inaccessible due to lack of landowner permission. Two of those parcels were recommended for no further work due to the previously profound disturbances in those areas. The other seven parcels were considered to have a moderate to high potential to possess archaeological artifacts and were recommended for Phase I investigation. A Supplemental Phase I Archaeological Investigation was completed in May 2019 for these seven parcels.

Two sites (a prehistoric scatter (30DA422) and historic scatter and structural remains (30DA452)) were discovered, but neither of them were determined to be eligible for listing on the National Register of Historic Places (NRHP). The Preferred Alternative would avoid adverse impacts to the five sites previously surveyed that were potentially eligible for listing on the NRHP, with implementation of mitigation commitments.

Consequently, Iowa DOT prepared a recommendation of a “No Adverse Effect” determination for the project, and forwarded it to the State Historic Preservation Office (SHPO) at the State Historical Society of Iowa. The SHPO concurred with this determination on July 11, 2019 (see Appendix A).

Concurrence Point 4 – Preferred Alternative

Concurrence Point 4 was conducted through electronic mail correspondence. The Concurrence Point 4 packet of information was submitted by the City of West Des Moines’s consultant team to U.S. Army Corps of Engineers (USACE), FWS, U.S. Environmental Protection Agency (EPA), FHWA, Iowa DNR, and Iowa DOT on April 11, 2019. The packet of information included a description of the Preferred Alternative and a comparison of impacts of the two alternatives carried forward including the Preferred Alternative and Alternative 3. Concurrences received are described in Table 3.

Table 3. Agency Concurrence on Concurrence Point 4

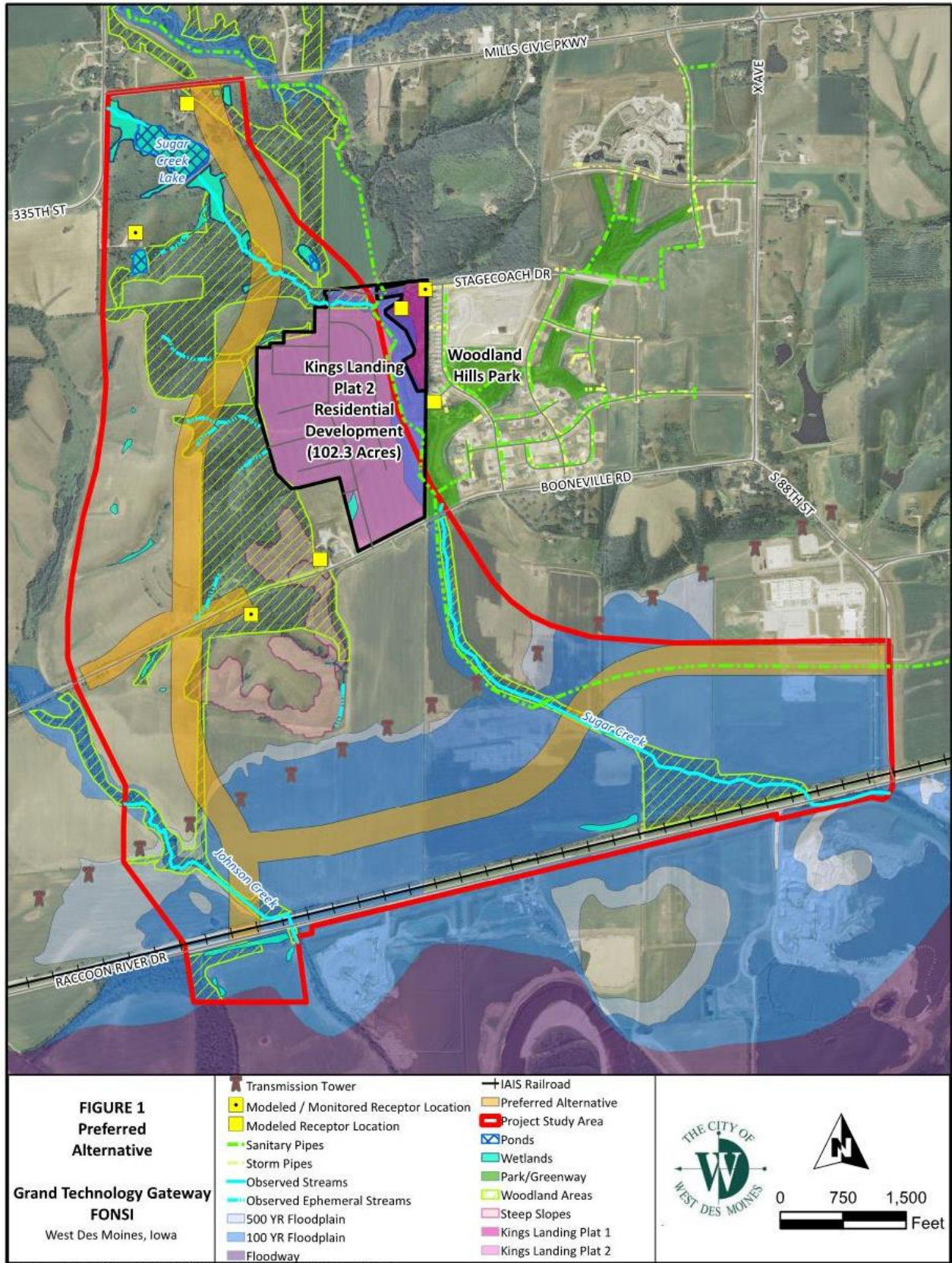
| Agency | Date of Concurrence |
|--------------------------------------|----------------------------|
| U.S. Environmental Protection Agency | 5/6/19 and 6/4/19 |
| Iowa Department of Natural Resources | 5/8/19 |
| U.S. Fish and Wildlife Service | 5/1/19 |
| U.S. Army Corps of Engineers | 4/26/19 |

Basis for Finding of No Significant Impact

Several human and natural environmental resources were not present in the project study area and others required only a summary review to confirm that there would be no significant impacts. The following resources were evaluated in detail in the EA and were determined to incur no significant impacts as a result of the project:

- Land Use
- Economic
- Right-of-Way
- Construction and Emergency Routes
- Transportation
- Wetlands
- Surface Waters and Water Quality
- Floodplains
- Wildlife and Habitat
- Threatened and Endangered Species
- Woodlands
- Farmlands
- Archaeological Sites
- Noise
- Visual
- Utilities

Subsequent to the EA, a developer converted farmland and caused other impacts within the study area; a small portion of the developed area intersects the Grand Prairie Parkway corridor. Consequently, the Proposed Action would cause less impact than described in the EA. There has also been additional progress on other transportation projects surrounding the project area, and the Johnson Creek Stream project that would partly occur within the Grand Technology Gateway study area is a recent reasonably foreseeable project. The developer, transportation, and Johnson Creek projects in addition to the Proposed Action would not have cumulative impacts. This Finding of No Significant Impact (FONSI) documents compliance with the National Environmental Policy Act of 1969 (NEPA) and all other applicable environmental laws, Executive Orders, and related requirements.



Special Conditions for Location Approval

Several conditions, noted below, were identified for approval and will be implemented during the design process prior to construction.

- Any potential right-of-way (ROW) acquisition will be minimized during the final design process to reduce impacts. The City will coordinate with business and property owners during the ROW acquisition process to negotiate compensation for ROW acquired. Acquisitions will be conducted in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and Iowa Code 316, the “Relocation Assistance Law”.
- As design advances, efforts will be made to avoid and minimize impacts to Water of the U.S. including wetlands. A Section 404 Clean Water Act permit (or permits) will be acquired from the USACE and a Section 401 water quality certification will be obtained from Iowa DNR. Any unavoidable wetland impacts will be offset through the development of wetland mitigation approved by the regulatory agencies through the Section 404 Permit process. Construction activities in streams will be conducted during periods of low stream flow. All disturbed areas will be seeded with native grasses, and appropriate erosion control measures will be implemented. Clearing of vegetation will be limited to that which is absolutely necessary for construction of the project.
- A National Pollutant Discharge Elimination System (NPDES) General Stormwater Discharge Permit for Construction will be obtained from the Iowa DNR. Impacts on surface waters from stormwater runoff will be minimized in accordance with the NPDES permit and the Stormwater Pollution Prevention Plan (SWPPP) prepared in compliance with the permit.
- Floodplain Development Permits and Iowa Sovereign Lands Permits will be acquired from the Iowa DNR.
- A floodplain permit will be acquired from Dallas County’s Department of Planning and Development.
- As design advances, construction activities will be coordinated with public utilities to avoid potential conflicts and to minimize planned interruptions of service.
- An Air Quality Construction Permit will be acquired from the Iowa DNR.
- Iowa DOT’s Standard Note 232-9 will be included in project plans and require tree removal after September 30th and before April 1st.
- Woodlands will be replaced per Iowa Code 314.23 which includes planting trees as close as possible to the initial site or by acquisition of an equal amount of woodlands in the general vicinity for public ownership and preservation.
- Iowa DOT’s Standard Specification 1107.18.C will be included in the plans to comply with the Migratory Bird Treaty Act.
- Given the proximity of 13DA390, 13DA391, 13DA386, 13DA387, and 13DA388 to the Area of Potential Effects (APE), the City of West Des Moines will take the following steps to avoid any adverse effects to these sites:
 - Identify site areas as “Restricted Area – No Disturbance” on project plans where they are adjacent to the APE.
 - Provide temporary fencing along the Restricted Areas during construction.

- Provide SHPO with a set of Check Plans for review.
- Provide SHPO with a set of Final Plans for the project files.
- Coordinate with IAIS on approval for constructing a crossing of their right-of-way.

References

Iowa DOT, Section 106 Effect Determination Letter to Iowa State Historic Preservation Office. 5/29/19.

Stantec, *Biological Assessment, Grand Technology Gateway, City of West Des Moines, Iowa*, 12/15/17.

Stantec, *Indiana Bat and Northern Long-eared Bat Mist Net Survey, Grand Technology Gateway Corridor Study, Dallas County, Iowa*, July 6, 2018.

Tallgrass Archaeology, LLC, Supplemental Phase I Archaeological Investigation, West Des Moines Grand Technology Gateway Location and Environmental Study, West Des Moines, Dallas County, Iowa. May 2019.

West Des Moines, *Land Use Map, Comprehensive Plan*, Adopted 9/20/2010, Revised 7/1/2017.

West Des Moines Parks and Recreation, *2018 City of West Des Moines Parks and Recreation Parks and Trails Guide*, updated 12/27/17.

APPENDIX A
Agency Correspondence

Woodson, Stacy

From: Wisniewski, Connie <connie.wisniewski@fema.dhs.gov>
Sent: Monday, July 10, 2017 3:46 PM
To: Woodson, Stacy
Subject: FW: Grand Technology Gateway EA, West Des Moines, Dallas County, Iowa

Categories: Purple

Stacy,

FEMA should not be included on any version of environmental assessment reports. Communities participating in the NFIP are responsible for the review the reports and issuing appropriate floodplain management permits, if necessary.

Please forward this information to appropriate individuals you feel the need to know that we do not review assessments. If you have any questions, please contact me.

Thank you.

Connie S. Wisniewski

Senior Natural Hazards Program Specialist
Department of Homeland Security : Federal Emergency Management Agency, Region VII
Mitigation Division : Floodplain Management & Insurance Branch
9221 Ward Parkway, Suite 300, Kansas City, MO 64114
(816) 283-7013 work : (816) 808-3510 cell : (816) 283-7018 fax
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From: Woodson, Stacy [<mailto:woodson@hrgreen.com>]
Sent: Monday, July 10, 2017 3:12 PM
To: glenn.helm@faa.gov; kathie.fields@fema.dhs.gov; Sessa, Kenneth <Kenneth.Sessa@fema.dhs.gov>; steven.fender@dot.gov; summerlin.ioe@epa.gov; Wendy.M.Frohlich@usace.army.mil; kurt.simon@ia.usda.gov; IA_Webmanager@hud.gov; courtney_hoover@ios.doi.gov; Kraig_McPeek@fws.gov; Heidi_Woeber@fws.gov; Kristen_Lundh@fws.gov; christine.schwake@dnr.iowa.gov; seth.moore@dnr.iowa.gov; kathleen.moench@dnr.iowa.gov; JPLipka@IAISRR.com; gbrubaker@wdmhs.org; dcplandev@dallascountyiowa.gov; al.miller@dallascountyiowa.gov; conservation@dallascountyiowa.gov; tashby@dmampo.org; parkrec@wdm.iowa.gov; carole@wdmchamber.org
Cc: DeeAnn.Newell@iowadot.us; Mike.Clayton@iowadot.us; Mike.LaPietra@fhwa.dot.gov; Hemesath, Brian (Brian.Hemesath@wdm.iowa.gov) <Brian.Hemesath@wdm.iowa.gov>; Spradling, Joseph J. <Joseph.Spradling@hdrinc.com>; Brian.Goss@hdrinc.com; Moermond, Dave <dmoermond@hrgreen.com>; Kaemmer, Jeremy <jkaemmer@hrgreen.com>
Subject: Grand Technology Gateway EA, West Des Moines, Dallas County, Iowa

Subject: Grand Technology Gateway – Grand Prairie Parkway from Mills Civic Parkway to Raccoon River Drive and Grand Avenue from Grand Avenue (1,200 feet west of 88th Street) to Grand Prairie Parkway. West Des Moines, Dallas County, Iowa
HDP-8260 (629)--71-25

I am sending this message on behalf of the City of West Des Moines. The City of West Des Moines, Iowa in coordination with the Federal Highway Administration and the Iowa Department of Transportation, have completed the Environmental Assessment (EA) for the extension of Grand Technology Gateway – Grand Prairie Parkway from Mills Civic Parkway to Raccoon River Drive and Grand Avenue from Grand Avenue (1,200 feet west of 88th Street) to Grand Prairie Parkway.

The electronic version of the EA can be viewed at <http://www.wdm.iowa.gov/GTGateway>. The City of West Des Moines will be soliciting comments through August 16, 2017 on the document in multiple ways including:

- 1) Email directed to Brian Hemesath at brian.hemesath@wdm.iowa.gov
- 2) Mailed to Brian Hemesath, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265

Please feel free to call me at 319.841.4390 or email me at swoodson@hrgreen.com if you have questions or would like a printed copy of the EA.

Thank you,

Stacy E. Woodson, PE
Senior Project Manager - Transportation
HR GREEN, INC.



8710 Earhart Lane SW | Cedar Rapids, IA 52404
Main 319.841.4000 | Fax 319.841.4012 | Direct 319.841.4390 | Cell 319.310.3426
HRGREEN.COM

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DEPARTMENT OF NATURAL RESOURCES

GOVERNOR KIM REYNOLDS
LT. GOVERNOR ADAM GREGG

DIRECTOR CHUCK GIPP

July 12, 2017

MR BRIAN HEMESATH
CITY OF WEST DES MOINES
PO BOX 65320
WEST DES MOINES IA 50265

RE: Grand Technology Gateway Environmental Assessment
West Des Moines, Dallas County, Iowa
HDP-8260(629)—71-25

Dear Mr. Hemesath:

Thank you for the opportunity to comment on the Environmental Assessment (EA) for the Grand Technology Gateway in West Des Moines, Iowa. This project includes Grand Prairie Parkway from Mills Civic Parkway to Raccoon River Drive and Grand Avenue from Grand Avenue (1,200' west of 88th Street) to Grand Prairie Parkway. We previously provided comments on November 18, 2013 and have no additional concerns or comments to make at this time.

If you have any questions, please call me at (515) 725-8399.

Sincerely,

A handwritten signature in blue ink that reads "Christine M Schwake".

Christine Schwake
Environmental Specialist

502 EAST 9th STREET / DES MOINES, IOWA 50319-0034
PHONE 515-281-5918 FAX 515-281-6794 · www.iowadnr.gov



Iowa Interstate Railroad, LTD.
5900 6th Street Southwest
Cedar Rapids, Iowa 52404-4804
Office: (319) 298-5400
FAX: (319) 298-5457

July 17, 2017

City of West Des Moines- Engineering Services
4200 Mills Civil Parkway, Suite 2E
P. O. 65320
West Des Moines, IA 50265-0320

RE: Public Hearing for Grand Technology Gateway Environmental Assessment
West Des Moines, Dallas County, Iowa
HDP-8269(629)- - 71-25

Iowa Interstate Railroad LTD. (IAIS) received notification dated June 30, 2017, from the City of West Des Moines regarding a Public Hearing for Grand Technology Gateway Environmental Assessment scheduled to occur on August 1, 2017.

IAIS reviewed the Environmental Assessment as available on the City website and the five alternatives discussed. IAIS notes that all five alternatives include a crossing over IAIS property. The EA contained no alternative designs to minimize what appears to be a severe impact to the railroad. Indeed, it appears that no analysis, study, or investigation of the impact the roadway, as proposed, will have on railroad property was undertaken.

The study identified the proposed roadway as an arterial road supporting a significant volume of traffic. The roadway, as proposed, would also create an intersection with an existing arterial roadway in close proximity to the IAIS tracks. If not designed and managed correctly, this proposed intersection could lead to possible highway-rail grade crossing collisions as well as delays to the travelling public. Considering these factors, IAIS would support a grade-separated intersection, but is opposed to the construction of a new and additional at-grade rail-highway intersection.

Feel free to contact me at gdmitchell@iaisrr.com with questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gregory D. Mitchell", is written over a light blue horizontal line.

Gregory D. Mitchell P.E.
Assistant Chief Engineer- Engineering Services
Iowa Interstate Railroad Ltd.

Woodson, Stacy

From: Al Miller <Al.Miller@dallascountyia.gov>
Sent: Tuesday, September 12, 2017 11:10 AM
To: Woodson, Stacy
Subject: RE: Grand Technology Gateway EA, West Des Moines, Dallas County, Iowa

Categories: Purple

Stacy,
I have reviewed the Environmental Assessment and have no comments.
Thank you.

Alan A. Miller
Dallas County Engineer
415 River Street
Adel, IA 50003
Cell: (515)371-9848
Office: (515)993-4289

From: Woodson, Stacy [mailto:swoodson@hrgreen.com]
Sent: Tuesday, September 12, 2017 10:32 AM
To: glenn.helm@faa.gov; steven.fender@dot.gov; summerlin.joe@epa.gov; Wendy.M.Frohlich@usace.army.mil; kurt.simon@ia.usda.gov; IA_Webmanager@hud.gov; courtney_hoover@ios.doi.gov; Kraig_McPeek@fws.gov; Heidi_Woeber@fws.gov; Kristen_Lundh@fws.gov; christine.schwake@dnr.iowa.gov; seth.moore@dnr.iowa.gov; kathleen.moench@dnr.iowa.gov; JPLipka@IAISRR.com; gbrubaker@wdmhs.org; DCPlanDEV <dcplandev@dallascountyia.gov>; Al Miller <Al.Miller@dallascountyia.gov>; Dallas County Conservation <conservation@dallascountyia.gov>; tashby@dmampo.org; parkrec@wdm.iowa.gov; carole@wdmchamber.org
Cc: DeeAnn.Newell@iowadot.us; Mike.Clayton@iowadot.us; Mike.LaPietra@fhwa.dot.gov; Hemesath, Brian (Brian.Hemesath@wdm.iowa.gov) <Brian.Hemesath@wdm.iowa.gov>; Spradling, Joseph J. <Joseph.Spradling@hdrinc.com>; Brian.Goss@hdrinc.com; Moermond, Dave <dmoermond@hrgreen.com>; Kaemmer, Jeremy <jkaemmer@hrgreen.com>
Subject: RE: Grand Technology Gateway EA, West Des Moines, Dallas County, Iowa

Dear Agencies,

On behalf of the City of West Des Moines, Iowa, please confirm that you have received this message and have no comments on the following Grand Technology Gateway Environmental Assessment. Please respond by 9/18/17 if possible. We typically receive a handful of responses from regulatory agencies and have not heard from those that typically respond. Comments were due on August 16, 2017 and only one comment was received from the Iowa Interstate Railroad. Just wondering if this is a trend given the current federal administration, budget constraints, and constraints on everyone's time or if your agency simply does not have comments. If your agency simple does not have comments, please respond to this message stating so.

Thank you,

Stacy E. Woodson, PE
Senior Project Manager - Transportation

HR GREEN, INC.



8710 Earhart Lane SW | Cedar Rapids, IA 52404
Main 319.841.4000 | Fax 319.841.4012 | Direct 319.841.4390 | Cell 319.310.3426
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From: Woodson, Stacy
Sent: Monday, July 10, 2017 3:12 PM
To: 'glenn.helm@faa.gov'; 'kathie.fields@fema.dhs.gov'; 'kenneth.sessa@fema.dhs.gov'; 'steven.fender@dot.gov'; 'summerlin.joe@epa.gov'; 'Wendy.M.Frohlich@usace.army.mil'; 'kurt.simon@ia.usda.gov'; 'IA_Webmanager@hud.gov'; 'courtney_hoover@ios.doi.gov'; 'Kraig_McPeek@fws.gov'; 'Heidi_Woeber@fws.gov'; 'Kristen_Lundh@fws.gov'; 'christine.schwake@dnr.iowa.gov'; 'seth.moore@dnr.iowa.gov'; 'kathleen.moench@dnr.iowa.gov'; 'JPLipka@IAISRR.com'; 'gbrubaker@wdmhs.org'; 'dcplandev@dallascountyiowa.gov'; 'al.miller@dallascountyiowa.gov'; 'conservation@dallascountyiowa.gov'; 'tashby@dmampo.org'; 'parkrec@wdm.iowa.gov'; 'carole@wdmchamber.org'
Cc: 'DeeAnn.Newell@iowadot.us'; 'Mike.Clayton@iowadot.us'; 'Mike.LaPietra@fhwa.dot.gov'; Hemesath, Brian (Brian.Hemesath@wdm.iowa.gov); Spradling, Joseph J.; 'Brian.Goss@hdrinc.com'; Moermond, Dave; Kaemmer, Jeremy
Subject: Grand Technology Gateway EA, West Des Moines, Dallas County, Iowa

Subject: Grand Technology Gateway – Grand Prairie Parkway from Mills Civic Parkway to Raccoon River Drive and Grand Avenue from Grand Avenue (1,200 feet west of 88th Street) to Grand Prairie Parkway. West Des Moines, Dallas County, Iowa
HDP-8260 (629)--71-25

I am sending this message on behalf of the City of West Des Moines. The City of West Des Moines, Iowa in coordination with the Federal Highway Administration and the Iowa Department of Transportation, have completed the Environmental Assessment (EA) for the extension of Grand Technology Gateway – Grand Prairie Parkway from Mills Civic Parkway to Raccoon River Drive and Grand Avenue from Grand Avenue (1,200 feet west of 88th Street) to Grand Prairie Parkway.

The electronic version of the EA can be viewed at <http://www.wdm.iowa.gov/GTGateway>. The City of West Des Moines will be soliciting comments through August 16, 2017 on the document in multiple ways including:

- 1) Email directed to Brian Hemesath at brian.hemesath@wdm.iowa.gov
- 2) Mailed to Brian Hemesath, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265

Please feel free to call me at 319.841.4390 or email me at swoodson@hrgreen.com if you have questions or would like a printed copy of the EA.

Thank you,

Stacy E. Woodson, PE
Senior Project Manager - Transportation
HR GREEN, INC.



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Woodson, Stacy

From: Murray McConnell <Murray.McConnell@dallascountyiowa.gov>
Sent: Tuesday, September 12, 2017 11:16 AM
To: Woodson, Stacy
Subject: RE: Grand Technology Gateway EA, West Des Moines, Dallas County, Iowa

Categories: Purple

No comments.

Murray C. McConnell, Director

murray.mcconnell@dallascountyiowa.gov

DALLAS COUNTY
PLANNING & DEVELOPMENT
907 COURT STREET, SUITE 2
ADEL, IA 50003

PHONE: 515-993-5819
MOBILE: 515-202-1938

From: Woodson, Stacy [mailto:swoodson@hrgreen.com]
Sent: Tuesday, September 12, 2017 10:32 AM
To: glenn.helm@faa.gov; steven.fender@dot.gov; summerlin.joe@epa.gov; Wendy.M.Frohlich@usace.army.mil; kurt.simon@ia.usda.gov; IA_Webmanager@hud.gov; courtney_hoover@ios.doi.gov; Kraig_McPeek@fws.gov; Heidi_Woeber@fws.gov; Kristen_Lundh@fws.gov; christine.schwake@dnr.iowa.gov; seth.moore@dnr.iowa.gov; kathleen.moench@dnr.iowa.gov; JPLipka@IAISRR.com; gbrubaker@wdmhs.org; DCPlanDEV; Al Miller; Dallas County Conservation; tashby@dmampo.org; parkrec@wdm.iowa.gov; carole@wdmchamber.org
Cc: DeeAnn.Newell@iowadot.us; Mike.Clayton@iowadot.us; Mike.LaPietra@fhwa.dot.gov; Hemesath, Brian (Brian.Hemesath@wdm.iowa.gov); Spradling, Joseph J.; Brian.Goss@hdrinc.com; Moermond, Dave; Kaemmer, Jeremy
Subject: RE: Grand Technology Gateway EA, West Des Moines, Dallas County, Iowa

Dear Agencies,

On behalf of the City of West Des Moines, Iowa, please confirm that you have received this message and have no comments on the following Grand Technology Gateway Environmental Assessment. Please respond by 9/18/17 if possible. We typically receive a handful of responses from regulatory agencies and have not heard from those that typically respond. Comments were due on August 16, 2017 and only one comment was received from the Iowa Interstate Railroad. Just wondering if this is a trend given the current federal administration, budget constraints, and constraints on everyone's time or if your agency simply does not have comments. If your agency simple does not have comments, please respond to this message stating so.

Thank you,

Stacy E. Woodson, PE
Senior Project Manager - Transportation
HR GREEN, INC.



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Cc: 'DeeAnn.Newell@iowadot.us'; 'Mike.Clayton@iowadot.us'; 'Mike.LaPietra@fhwa.dot.gov'; Hemesath, Brian (Brian.Hemesath@wdm.iowa.gov); Spradling, Joseph J.; 'Brian.Goss@hdrinc.com'; Moermond, Dave; Kaemmer, Jeremy
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HDP-8260 (629)--71-25

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- 1) Email directed to Brian Hemesath at brian.hemesath@wdm.iowa.gov
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Please feel free to call me at 319.841.4390 or email me at swoodson@hrgreen.com if you have questions or would like a printed copy of the EA.

Thank you,

Stacy E. Woodson, PE
Senior Project Manager - Transportation
HR GREEN, INC.



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Woodson, Stacy

From: Summerlin, Joe <summerlin.joe@epa.gov>
Sent: Tuesday, September 12, 2017 11:03 AM
To: Woodson, Stacy
Subject: RE: Grand Technology Gateway EA, West Des Moines, Dallas County, Iowa

Categories: Purple

No comments

From: Woodson, Stacy [mailto:swoodson@hrgreen.com]
Sent: Tuesday, September 12, 2017 10:32 AM
To: glenn.helm@faa.gov; steven.fender@dot.gov; Summerlin, Joe <summerlin.joe@epa.gov>; Wendy.M.Frohlich@usace.army.mil; kurt.simon@ia.usda.gov; IA_Webmanager@hud.gov; Courtney Hoover <courtney_hoover@ios.doi.gov>; kraig_mcpeek_fws.gov <kraig_mcpeek@fws.gov>; Heidi_Woeber@fws.gov; Kristen_Lundh@fws.gov; christine.schwake@dnr.iowa.gov; seth.moore@dnr.iowa.gov; kathleen.moench@dnr.iowa.gov; JPLipka@IAISRR.com; gbrubaker@wdmhs.org; dcplandev@dallascountyiowa.gov; al.miller@dallascountyiowa.gov; conservation@dallascountyiowa.gov; tashby@dmampo.org; parkrec@wdm.iowa.gov; carole@wdmchamber.org
Cc: DeeAnn.Newell@iowadot.us; Mike.Clayton@iowadot.us; Mike.LaPietra@fhwa.dot.gov; Hemesath, Brian (Brian.Hemesath@wdm.iowa.gov) <Brian.Hemesath@wdm.iowa.gov>; Spradling, Joseph J. <Joseph.Spradling@hdrinc.com>; Brian.Goss@hdrinc.com; Moermond, Dave <dmoermond@hrgreen.com>; Kaemmer, Jeremy <jkaemmer@hrgreen.com>
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HDP-8260 (629)--71-25

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Please feel free to call me at 319.841.4390 or email me at swoodson@hrgreen.com if you have questions or would like a printed copy of the EA.

Thank you,

Stacy E. Woodson, PE
Senior Project Manager - Transportation
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Woodson, Stacy

From: Moench, Kathleen <kathleen.moench@dnr.iowa.gov>
Sent: Tuesday, September 12, 2017 11:47 AM
To: Woodson, Stacy
Subject: Re: Grand Technology Gateway EA, West Des Moines, Dallas County, Iowa

Categories: Purple

Stacy,

I don't believe there are any concerns from federal or state park projects in that area. I couldn't open the City's web page on the project to verify that though.. Kathleen



Kathleen Moench | Executive Officer
Iowa Department of Natural Resources
P 515-725-8213 | F 515-725-0384 | 502 E. 9th St., Des Moines, IA 50319
www.iowadnr.gov

On Tue, Sep 12, 2017 at 10:31 AM, Woodson, Stacy <swoodson@hrgreen.com> wrote:

Dear Agencies,

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Cc: 'DeeAnn.Newell@iowadot.us'; 'Mike.Clayton@iowadot.us'; 'Mike.LaPietra@fhwa.dot.gov'; Hemesath, Brian (Brian.Hemesath@wdm.iowa.gov); Spradling, Joseph J.; 'Brian.Goss@hdrinc.com'; Moermond, Dave; Kaemmer, Jeremy
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West Des Moines, Dallas County, Iowa

HDP-8260 (629)--71-25

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2) Mailed to Brian Hemesath, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265

Please feel free to call me at 319.841.4390 or email me at swoodson@hrgreen.com if you have questions or would like a printed copy of the EA.

Thank you,

Stacy E. Woodson, PE

Senior Project Manager - Transportation

HR GREEN, INC.



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United States Department of the Interior

FISH AND WILDLIFE SERVICE
Illinois & Iowa ES Field Office
1511 47th Avenue
Moline, Illinois 61265
Phone: (309) 757-5800 Fax: (309) 757-5807



IN REPLY REFER
TO:

FWS/RIFO

September 12, 2017

Mr. Brian Hemesath
City of West Des Moines
P.O. Box 65320
West Des Moines, Iowa 50265

Dear Mr. Hemesath:

These comments are in response to the request for comments regarding the June 9, 2017, Environmental Assessment (EA) for proposed roadway improvements by the City of West Des Moines in Dallas County, Iowa. The proposed roadway improvements include the extensions of Grand Avenue and 105th Street, locally known as the Grand Technology Gateway. The project is being coordinated on behalf of the City of West Des Moines, the Iowa Department of Transportation (DOT), and the Federal Highway Administration. We have the following comments.

With regard to potential project impacts to threatened and endangered bat species, we refer you to our letter dated December 23, 2013. This letter is included in Appendix B, Agency and Tribal Coordination of the EA. Since that letter the northern long-eared bat (*Myotis septentrionalis*) was listed as threatened under the Endangered Species Act on April 2, 2015.


Additionally, we seek to clarify the consultation process and the necessity for preparation of a document referred to as a Biological Assessment (BA), referenced on Page 47 of the EA. Federal agencies are required to determine whether their actions may affect listed or proposed species and designated and proposed critical habitat. Once a "may affect" determination is made, the Federal agency must either request our concurrence with a "may affect, but not likely to adversely affect" finding or request initiation of formal consultation. Both require a written analysis to be submitted to us. This analysis is typically transmitted as a BA. The BA's primary role is to document an agency's conclusions and the rationale to support those conclusions regarding the effects of their proposed actions on protected resources. For more information on the recommended contents for a BA, please visit https://www.fws.gov/midwest/endangered/section7/ba_guide.html.

Mr. Brian Hemesath

2

This letter provides comments under the authority of and in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.); and the Endangered Species Act of 1973, as amended. If you have any questions regarding our comments, please contact Heidi Woeber of my staff at (309) 757-5800, extension 209.

Sincerely,


Kraig McPeck
Supervisor

cc: Gartonr (Iowa DOT)
LaPietra (FHWA)
Schwake (IA DNR)
Froelich (COE)

s:\office users\heidi\iadow\grand technology gateway\comments on ea - 9-12-2017 hw.doc

Woodson, Stacy

To: Goss, Brian
Cc: Spradling, Joseph J.
Subject: RE: [EXTERNAL] Fw: 0210-052 GTG: Bat Mist Netting Report and DOE Form

From: Garton, Jill [mailto:JILL.Garton@iowadot.us]
Sent: Thursday, July 26, 2018 8:55 PM
To: Goss, Brian; Spradling, Joseph J.; Newell, Deeann; Nicholson, Tamara; Mike LaPietra
Subject: Fw: [EXTERNAL] Fw: 0210-052 GTG: Bat Mist Netting Report and DOE Form

Below please see the response from USFWS. As they noted concurrence is not required since the determination came to a no effect. However their response notes tree clearing dates in regard to non-listed bats and nesting birds.

Please let me know if you have any questions or need further information.

Jill Garton
Iowa DOT
515.239.1698
jill.garton@iowadot.us

From: Woeber, Heidi <heidi_woeber@fws.gov>
Sent: Thursday, July 26, 2018 1:52:40 PM
To: Garton, Jill
Subject: Re: [EXTERNAL] Fw: 0210-052 GTG: Bat Mist Netting Report and DOE Form

Jill:

We have received the results of the bat survey for the subject project and understand that no listed endangered or threatened bats were captured. If you determine the action will have "no effect" on listed species or critical habitat, concurrence with that determination from the Service is not required. Concurrence for no effect determinations will not be provided by the Rock Island Ecological Services Field Office for projects in Iowa or Illinois due to reductions in staff. We recommend you maintain a written record of why a "no effect" finding is warranted and include it in your administrative record. An example "no effect" memo can be found on our website at <http://www.fws.gov/midwest/endangered/section7/s7process/letters.html>.

Non-listed bat species were captured in the project area. We recommend a tree clearing date restriction, similar to the dates Iowa Department of Transportation typically observes, be used to avoid impacts to non-listed bats and other nesting species that may be present in the area during the spring and summer months. This precludes the need for further action on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. Should this project be modified or new information indicate endangered species may be affected, consultation should be initiated.

The Corps of Engineers is the Federal agency responsible for wetland regulation, and we recommend that you contact them for assistance in delineating the wetland types and acreage within the project boundary. Priority consideration should be given to avoid impacts to these wetland areas. Any future activities in the study area that would alter these wetlands may require a Section 404 permit. Unavoidable impacts will require a mitigation plan to compensate for any losses of wetland functions and values. The U.S. Army Corps of Engineers, Clock Tower Building, P.O. Box 2004, Rock Island, Illinois 61201, should be contacted for information about the permit process.

If you have any questions regarding these comments, please contact me at this email address or the number below.

Heidi Woeber
Fish and Wildlife Biologist
Ecological Services
U.S. Fish and Wildlife Service
1511 47th Avenue
Moline, IL 61265
309/757-5800, ext. 209
309/757-5807 Fax
heidi_woeber@fws.gov

On Fri, Jul 13, 2018 at 4:25 PM, Garton, Jill <JILL.Garton@iowadot.us> wrote:
Heidi,

On behalf of the City of West Des Moines and under delegation by the Federal Highway Administration, attached please find the bat mist net survey and Determination of No Effect for the Grand Technology Gateway project.

Please let me know if you have any questions or require further information.

Jill Garton
Iowa DOT
515.239.1698
jill.garton@iowadot.us

From: Spradling, Joseph J. <Joseph.Spradling@hdrinc.com>
Sent: Tuesday, July 10, 2018 4:51:51 PM
To: Garton, Jill
Cc: Hemesath, Brian; Newell, Deeann; Goss, Brian; Woodson, Stacy
Subject: 0210-052 GTG: Bat Mist Netting Report and DOE Form

Jill,

Please find attached the draft 2018 bat mist netting report and updated Determination of Effect Form for review by the Iowa DOT, FHWA, and USFWS. Please let me know if additional information is required from the local sponsor to consult with USFWS and gain concurrence on the 'no effect' determination.

Best Regards,
Joe

Joseph Spradling, PE
Iowa Transportation Manager
Associate
HDR
300 East Locust Street, Suite 210
Des Moines, IA 50309-1823
D 515.280.4944 M 773.263.6025
joseph.spradling@hdrinc.com
hdrinc.com/follow-us



Office of Location & Environment
800 Lincoln Way, Ames, IA 50010
Phone: 515-239-1035 | Email: jacob.woodcock@iowadot.us

June 28, 2019

Ref. HDP-8260(629)--71-25
Local System
Dallas County
R&C: 20131125032

Mr. Daniel Higginbottom
State Historic Preservation Office
600 East Locust
Des Moines, IA 50319

RE: West Des Moines Grand Technological Gateway Location and Environment Study, West Des Moines, Dallas County, Iowa; No Adverse Effect

Dear Daniel:

Our offices previously consulted on this project with the recent submission of the *West Des Moines Grand Technological Gateway Location and Environment Study, West Des Moines, Dallas County, Iowa: Supplemental Phase I Archaeological Investigation* by Tallgrass Archaeology (TA). Your office concurred with the results of this supplemental survey but expressed concerns about the proximity of five previously identified sites (13DA390, 13DA391, 13DA386, 13DA387 and 13DA388) to the project area. The Area of Potential Effect (APE) for this project is defined by the limits of the preferred alignment.

Table 1 below highlights sites found during the current and 2015 Phase I archaeological investigations.

Table 1

| Site No. | Site Type | Cultural/Temporal Affiliation | National Register Status/Recommendation |
|------------------------------------|------------------|-------------------------------|---|
| Previously Recorded in 2015 | | | |
| 13DA386 | School | Historic | Avoidance or Phase II evaluation |
| 13DA387 | Open Habitation | Early Archaic - Woodland | Avoidance or Phase II evaluation |
| 13DA388 | Artifact Scatter | Prehistoric/Historic | Avoidance or Phase II evaluation |
| 13DA390 | Modified Tree | Historic | Avoidance or Phase II evaluation |

| | | | |
|---------------------------------|-------------------------------------|-------------|----------------------------------|
| 13DA391 | Modified Tree | Historic | Avoidance or Phase II evaluation |
| Newly Recorded 2018/2019 | | | |
| 13DA422 | Prehistoric Scatter | Prehistoric | Not Eligible |
| 13DA452 | Historic Scatter/Structural Remains | Historic | Not Eligible |

Given the proximity of 13DA390, 13DA391, 13DA386, 13DA387 and 13DA388 to the APE, the City of West Des Moines will take the following steps to avoid any adverse effects to these sites.

- Identify site areas as "Restricted Area – No Disturbance" on project plans where they are adjacent to the APE.
- Provide temporary fencing along the Restricted Areas during construction.
- Provide your office a set of Check Plans for review.
- Provide your office a set of Final Plans for your project files.

The Iowa DOT is sending updated No Adverse Effect findings letters to all applicable tribes.

Based on the review of this project, the previously completed TA reports and the conditions outlined above, our office has given this project a determination of **No Adverse Effect**. If you concur, please sign the concurrence line below, add your comments and return this letter. If you have any questions, please contact me at 515-239-1035 or jacob.woodcock@iowadot.us.

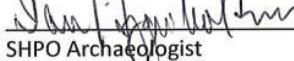
Sincerely,

Jacob Woodcock
Office of Location and Environment

JWW

Enclosure

cc: Brian Hemesath – City of West Des Moines
Deeann Newell – NEPA/OLE – DOT
Christy Vanbuskirk – Local Systems
Leah Rogers – Tallgrass Historians, L.C.

Concur:  Date: 7/11/2019

SHPO Archaeologist

Comments:

APPENDIX B
Public Comment and Response

Woodson, Stacy

From: Spradling, Joseph J. <Joseph.Spradling@hdrinc.com>
Sent: Tuesday, August 15, 2017 2:49 PM
To: Woodson, Stacy
Cc: Goss, Brian
Subject: FW: Comments on Environmental Assessment for Grand Technology Gateway, West Des Moines, Dallas County, Iowa
Attachments: Comments as to Grand Technology Gateway Project by W & G McKinney West Farms, LC.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Stacy – See attached for comments from the McKinney's.

Joe Spradling, PE
D 515.280.4944



hdrinc.com/follow-us

From: Jim McKinney [<mailto:JVM@mckinneylawoffice.com>]
Sent: Tuesday, August 15, 2017 11:32 AM
To: Brian.Hemesath@wdm.iowa.gov; Spradling, Joseph J.
Cc: Wayne McKinney
Subject: Comments on Environmental Assessment for Grand Technology Gateway, West Des Moines, Dallas County, Iowa

To Brian Hemesath and Joseph Spradling:

RE: Environmental Assessment for Grand Technology Gateway, West Des Moines, Dallas County, Iowa

Dear Brian & Joe:

Attached is a letter signed by my brother, Wayne McKinney, on behalf of W & G McKinney West Farms, LC.

Please incorporate the attached letter as part of your record and comments for the "Environmental Assessment for Grand Technology Gateway".

I have also mailed said letter to the both of you. Thank you for sharing information with us at the public hearing at City Hall on August 1st and for your professional attention in this matter.

Sincerely,

Jim

McKinney Law Offices, P.C.
480 Sixth St., P.O. Box 609
Waukee, IA 50263

Ph: 515-987-4578; Fax: 515-987-1984
Email: jvm@mckinneylawoffice.com

McKINNEY LAW OFFICES, P.C.

ATTORNEYS AND COUNSELORS AT LAW

Wayne H. McKinney, Jr.
Robert E. McKinney
James V. McKinney
Ashley N. Grieser, Associate

480 Sixth Street, P.O. Box 609, Waukee, IA 50263-0609
Telephone 515-987-4578 • Fax 515-987-1984
Sender e-mail: whm@mckinneylawoffice.com

Mr. Brian Hemesath
Interim City Engineer
City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265

Mr. Joseph Spradling
HDR, Inc.
300 E Locust Street, Suite 210
Des Moines, Iowa 50309-1823

RE: Environmental Assessment Availability and Public Hearing
For Grand Technology Gateway & Notice to Acquire Private Property for Said Project
Date of Hearing: August 1, 2017, 5-7 P.M.
Public Comments on behalf of W & G McKinney West Farms, L.C.
General Manager: Wayne H. McKinney, Jr.

Dear Mr. Hemesath and Mr. Spradling:

This letter serves as a follow up to my oral comments made during the public hearing at City Hall on August 1, 2017. The following is a brief summation of the items I shared during the hearing:

- I am the general manager for W & G McKinney West Farm, L.C. (referred to as "West Farm"), which owns real property that has been held and farmed by our family for generations and which would be substantially and negatively affected by proposed Option No. "5" in its current form.
- It is our understanding that Grand Prairie Parkway, as set forth in Option 5, will have its far eastern boundary approximately 100 feet to the west of our eastern boundary line; which traverses north and south of Booneville Road.
- Although an environmental assessment was completed as to the proposed Grand Prairie Parkway, there was no environmental assessment or study as to how the proposed Option 5 will affect our farm operations, real property, or any surrounding properties for that matter. It is not known, for instance, how the excess drainage from Grand Prairie Parkway in Option 5 will affect our farm ground on both sides of the proposed roadway, and more particularly, to the west. Further, as you are likely aware, there are a number of terraces and tile drainage throughout our farm that may be detrimentally impacted by Option 5. Such drainage may be a nuisance and render a significant amount of acres on our West Farm

2

useless - in the sense that it may not be able to be farmed in the current manner, or at all or possibly not be used in conformance with the exiting West Des Moines Comprehensive Plan.

- During the hearing, it was shared that drainage issues have already detrimentally impacted a number of acres and our farming work as a result of the construction of and storm water drainage off of West Grand Avenue between 60th street and Jordan Creek Drive – a land area to the east and also owned by our family, known as W & G McKinney Farms, L.C. Unfortunately, those issues have yet to be resolved.
- If Option 5 were to be pursued by the City, it would be more appropriate to place Grand Prairie Parkway on the boundary line, thereby resulting in the proposed road being equally distributed between adjoining property owners. As the road is currently proposed under Option 5, it renders a significant number of acres, including at least 100 feet to the east of Grand Prairie Parkway, useless to W & G McKinney West Farms (along north and south of Booneville Road). Further, by placing a substantial part of Grand Prairie Parkway on a downhill slant, roughly 100 feet away from the boundary and peak of the hill, it is likely to cause excess and significant drainage to the west (and only to our property in any event) resulting in an increasing amount of property on the West Farm to be rendered useless.
- It was also confirmed during the public hearing that concerns about a native “Indiana Bat” were not found on the neighboring property along the boundary. There is no hindrance to said species by placing Grand Prairie Parkway one-half on the West Farm and the other half on the neighboring property to the east. It should be noted that during the hearing no comments were made in response to my comments, including no comments in opposition to placing the roadway on the boundary line.
- In sum, the current configuration as to Option 5 for the placement of Grand Prairie Parkway is a detriment in several different respects to our property and farming practices that span generations. The proposed alignment neither promotes the best current use of our property nor does it enhance its future use as envisioned by the West Des Moines Comprehensive Plan.

Thank you for the opportunity to reiterate these thoughts and concerns. Please include the above comments as well as those I stated at the public hearing on August 1, 2017, as part of the consideration by the City of West Des Moines and the Federal Highway Administration in the above stated matter.

Sincerely,



Wayne H. McKinney, Jr.
General Manager of W & G McKinney West Farms, LC &
W & G McKinney Farms, LC
Via certified mail with receipt
& email to: Brian.Hemesath@wdm.iowa.gov &
Joseph.Spradling@hdrinc.com

Woodson, Stacy

From: Hemesath, Brian <Brian.Hemesath@wdm.iowa.gov>
Sent: Thursday, December 07, 2017 11:07 AM
To: Wayne McKinney
Cc: Joe Spradling ; Goss, Brian; Woodson, Stacy; Jim McKinney; Matthew McKinney (mmlaw@icloud.com)
Subject: 0210-052 GTG: Wayne McKinney Response Letter
Attachments: Ltr - Wayne McKinney 12-6-17.pdf

Wayne,

Please find the attached response letter to your comments made at the public hearing for Grand Technology Gateway on August 1, 2017. If you have any questions, feel free to give me a call. Thanks.

Brian Hemesath, P.E. | Interim City Engineer
City of West Des Moines | Engineering Services
515.273.0642 | brian.hemesath@wdm.iowa.gov



THE CITY OF
West Des Moines®
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Engineering Services

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West Des Moines, IA 50265-0320

Engineering
515-222-3475
FAX 515-273-0603

December 6, 2017

McKinney Law Offices, P.C.
480 Sixth Street
P.O. Box 609
Waukee, IA 50263-0609

Re: Response to Comments on the Grand Technology Gateway Project

Dear Mr. McKinney,

Thank you for attending the public hearing for the Proposed Grand Technology Gateway Environmental Assessment (EA) that took place on August 1, 2017. We appreciate you taking the time to provide an oral comment at the public hearing and submitting written comments after the hearing. This letter is in response to your comments.

In your comments you mentioned the following concerns:

- The EA did not study how farming operations of your properties would be impacted, especially how drainage and field tiling on your property could be impacted. The placement of Option 5 (Alternative 5 of the EA) could cause drainage issues resulting in an increasing amount of property on your West Farm property to become useless.
- The amount of impacts to your property from the proposed Option 5 Grand Prairie Parkway's alignment could be shared with adjacent property owners. You would like to see this alignment of Option 5 shifted east to straddle the existing property/section line to evenly distribute impacts on both sides of the property/section line.
- The proposed alignment does not enhance future use of the land in this area as envisioned by the West Des Moines Comprehensive Plan.

Section 5.3.7 of the EA documents the amount of farmland that could potentially be impacted by the proposed project. Section 5.3.2 of the EA documents the potential impacts the proposed project would have on surface water and water quality, and notes that use of Iowa Statewide Urban Design and Specifications would be applied to address drainage changes, and National Pollution Discharge Elimination System permit requirements would help minimize drainage impacts during construction. No detailed analysis has been conducted to determine how the proposed project would impact individual farming operations, including impacts to farm field drainage tiles and changes in drainage patterns. Doing so is not standard practice for an EA level of documentation. Detailed drainage analysis of the area planned for disturbance would be completed during the design development phase of the project. In addition, Section 5.5 of the EA discusses

cumulative impacts (which includes past, current, and reasonably foreseeable future projects and how they along with the current proposed project could impact resources); the EA concluded that cumulative impacts would be minor on farmland and water quality.

The project is still in the environmental review stage, and it is too early to determine specific changes in drainage patterns, locations of culverts, and potential specific impacts associated with drainage. These details will be determined as part of the preliminary design process, which is scheduled to begin after the environmental review process is complete. Please know that if the project moves forward, the City of West Des Moines would work with property owners and acquire property according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act process. This process includes a detailed look at impacts associated with acquiring property, including indirect impacts to the remaining land. A determination of just compensation would be made to the landowner as part of the appraisal and evaluation process that would review potential uneconomic remnants.

Shifting the proposed Alternative 5 alignment of Grand Prairie Parkway east to straddle your property/ section line could decrease the amount of right-of-way needed from your property but could increase the amount of woodland and habitat impacts. Section 4.2 of the EA summarized the process for reviewing and eliminating alternatives from detailed review, and Alternatives 1 and 2 included an alignment of Grand Prairie Parkway that followed the section line boundary. However, the woodlands in this part of West Des Moines are known summer habitat for endangered bats. Input from the U.S. Fish and Wildlife Service (USFWS) led to the creation of Alternatives 4 and 5 with a shift in the proposed alignment of Grand Prairie Parkway to minimize impacts to bat habitat, including a shift west of your property/section line. Based on a review of the alternatives, Alternatives 1 and 2 were dismissed from detailed evaluation because the impacts to bat habitat (woodlands), wetlands, and streams, were appreciably higher than the impacts projected for the other alternatives.


Sections 5.3.4 Wildlife and Habitat, 5.3.5 Threatened and Endangered Species, and 5.3.6 Woodlands of the EA document the impacts that Alternative 5 would have to these resources. Shifting the alignment east would cause an increase in the amount of woodlands and bat habitat removed to construct the proposed roadway project compared to Option 5's current impacts. The City of West Des Moines is working with the USFWS and the Iowa Department of Natural Resources to avoid, minimize, and mitigate the impacts to these resources.

The Alternative 5 alignment is similar to the arterial alignment along a network of roads in the West Des Moines Comprehensive Plan. Figure 3 of the EA incorporates alignments from the Plan, and shows an alignment west of the woodland area. Consequently, the City of West Des Moines believes that the preferred alternative would adequately support proposed growth in this area.

The next step in the National Environmental Policy Act (NEPA) process is preparation of a Finding of No Significant Impact (FONSI), which will document selection of an alternative to move forward, address comments on the EA, and note changes since publication of the EA. Please know that your comments will be considered as the project process moves forward. We hope to see you at future public meetings for this project. In between meetings, please feel free to contact us with questions

and comments. I can be reached at 515.222.3475 or at brian.hemesath@wdm.iowa.gov. In addition, please feel free to visit the project website for more information at <http://www.wdm.iowa.gov/government/engineering-services/grand-technology-gateway>.

Sincerely,



Brian Hemesath, P.E.
Interim City Engineer
City of West Des Moines
Brian.Hemesath@wdm.iowa.gov