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APPENDIX A

CAN-DO GANTT CHARTS

Figure A-1, Typical Can-Do Development Schedule –
EA and Possible FONSI

Figure A-2, Typical Can-Do Development Schedule –
EIS & ROD

Notes:

1. See Chapter 2, Can-Do Scheduling, for a description of the Can-Do events.
2. The blue vertical lines on the schedules show the concurrence points (as time ranges) referred to in Chapter 7, Statewide Implementation Agreement, and Appendix C, Environmental Concurrence Meetings.
3. These Gantt charts include the merged NEPA/404 process but do not include the Section 4(f) evaluation.

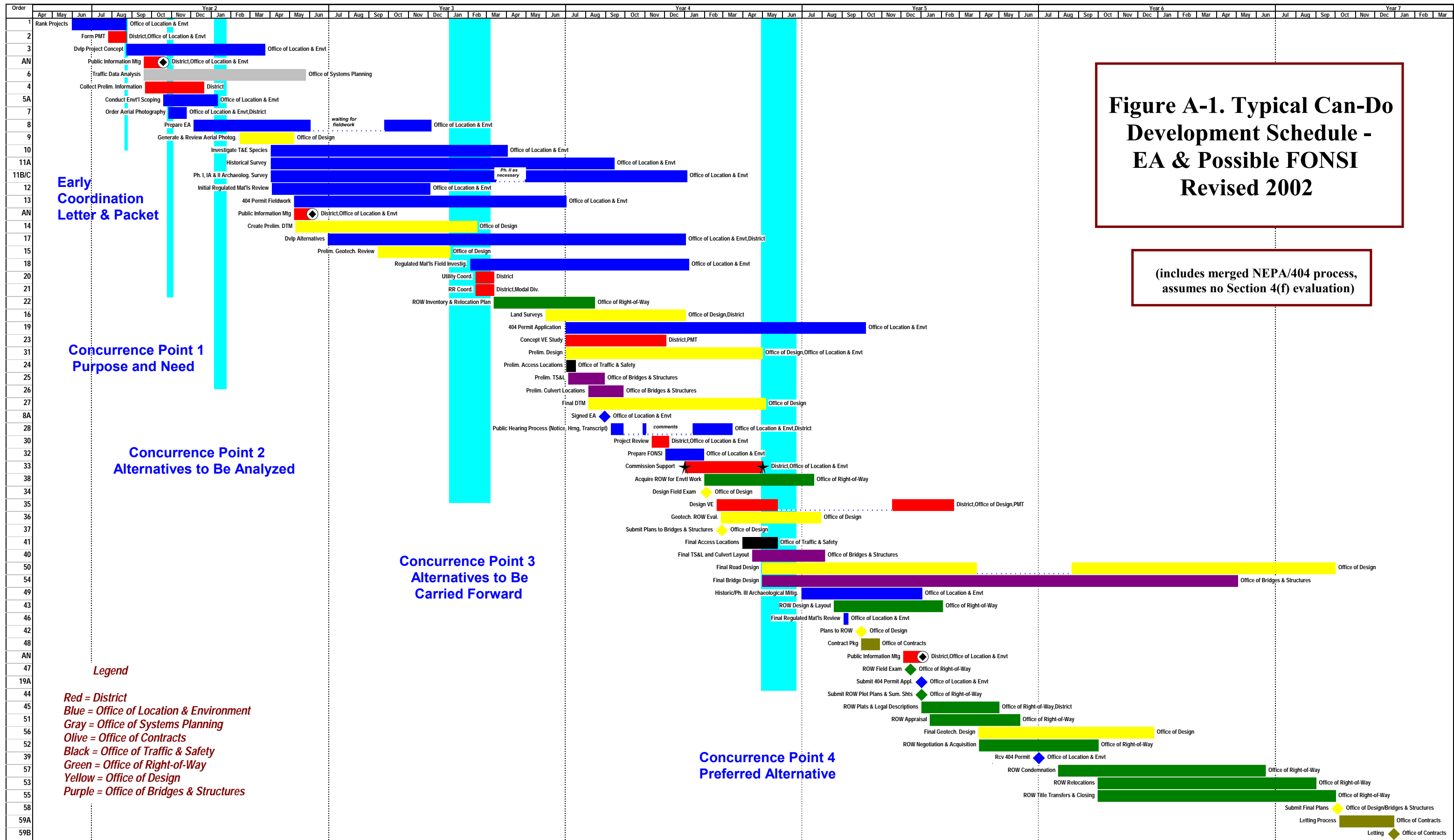


Figure A-1. Typical Can-Do Development Schedule - EA & Possible FONSI Revised 2002

(includes merged NEPA/404 process, assumes no Section 4(f) evaluation)

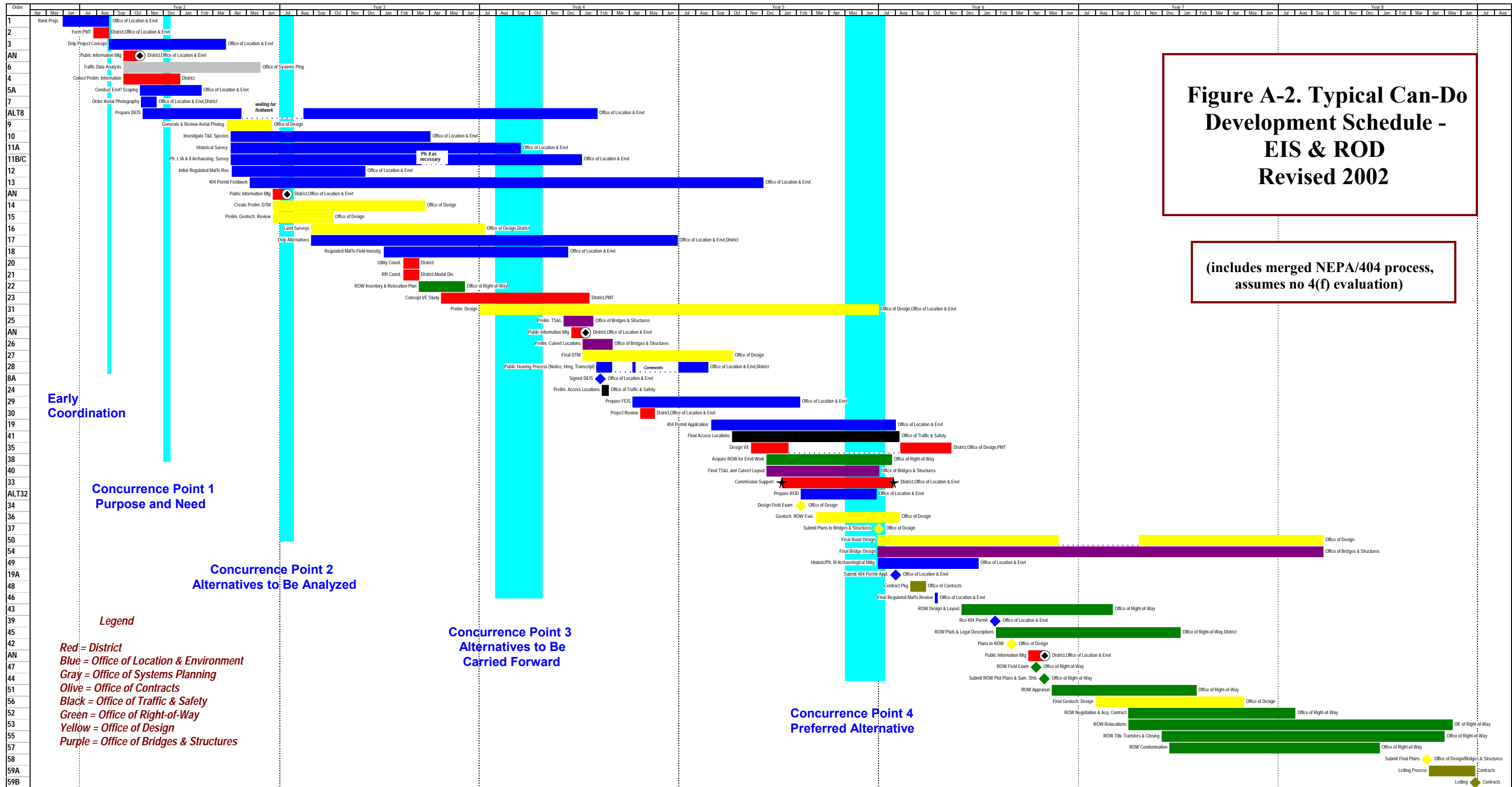


Figure A-2. Typical Can-Do Development Schedule - EIS & ROD Revised 2002

(includes merged NEPA/404 process, assumes no 4(f) evaluation)

Early Coordination

Concurrence Point 1 Purpose and Need

Concurrence Point 2 Alternatives to Be Analyzed

Concurrence Point 3 Alternatives to Be Carried Forward

Concurrence Point 4 Preferred Alternative

- Legend**
- Red = District
 - Blue = Office of Location & Environment
 - Gray = Office of Systems Planning
 - Olive = Office of Contracts
 - Black = Office of Traffic & Safety
 - Green = Office of Right-of-Way
 - Yellow = Office of Design
 - Purple = Office of Bridges & Structures

- Submit Final Plans Office of Design/Bridges & Structures
- Letting Process Contracts
- Letting Contracts

APPENDIX B

PMT CHECKLISTS

PMT Responsibility Checklist

PMT Meeting Agenda Checklist



PMT RESPONSIBILITY CHECKLIST

Notes

This checklist briefly explains when Districts are to establish a project management team (PMT) and outlines the team's responsibilities. For the basic agenda for PMT meetings, see the subsequent checklist.

B.1 ESTABLISHMENT OF PMTS

Districts are responsible for ensuring that PMTs are established for all projects requiring an environmental document. Specifically, this requirement applies to all environmental assessments (EAs), findings of no significant impact (FONSI), and environmental impact statements (EISs) but not to categorical exclusions (CEs).

B.3 SPECIFIC PMT RESPONSIBILITIES

PMTs are to accomplish the following in keeping with project needs. Note that some of the PMT responsibilities outlined in this checklist are concurrent rather than linear.

- 1. Assist in developing a project concept that meets the purpose and need statement for the project.
- 2. Prepare and maintain a project schedule.
 - a. Provide the project schedule to the scheduling engineer, who shall:
 - Incorporate it into the production schedule.
 - Maintain a list of projects with a PMT and the members assigned to each team.
 - b. Revise the schedule.
- 3. Request that the Office of Location & Environment determine the appropriate level of environmental documentation.
- 4. Determine the level of detail for the public involvement and establish the process.
 - a. Establish the public involvement process in accordance with Chapters 5 and Chapter 6, Guide to Public Involvement – Parts I and II, respectively.
 - b. Identify the external customers and their level of involvement.
 - c. Identify the affected agencies, such as federal agencies, cities, counties, and emergency providers.
 - d. Implement an early and ongoing public involvement process.

Notes

- 5. Prepare a project cost estimate.
 - a. Provide the cost estimate to the Highway Division management team (HDMT) for approval.
 - b. Provide justification for changes to the HDMT for approval.

- 6. Initiate and manage the value engineering (VE) process.
 - a. Determine the applicability of VE.
 - “Carry out a value engineering analysis during the design phase for all projects on the NHS with an estimated total cost of \$25 million or more.” (Refer to 23 U.S.C. 106 (g)(2) and 23 C.F.R. 627 for further guidance on the applicability of VE.)
 - Use VE where it would be advantageous to the project, regardless of the project size or federal requirements.
 - b. Determine the appropriate time to initiate a VE study. Opportunities are, at a minimum, during corridor evaluation and design evaluation.
 - c. Establish a schedule for preparing the final VE report.
 - d. Provide a copy of the VE schedule to the scheduling engineer.
 - e. Assign a value engineering team in one of three ways (as necessary for flexibility and maximum opportunities):
 - Option 1 (recommended): Request that the value engineering team be assembled from internal resources.
 - Option 2 (recommended): Request that the VE process be outsourced or compose the team of a combination of internal and external resources.
 - Option 3: Use PMT members. A PMT-staffed VE study may be the most practical for selected issues. If this option is used:
 - Ensure that all members serving on the value engineering team have received VE training.
 - Do not include the PMT member and the District representative in the area being studied. For example:
 - If the VE study is to evaluate the corridor or alignment phase, the PMT representative from Corridor Development and the district planner from the area being studied may not serve on the value engineering team. Any other resource individual from Corridor Development and another district planner may be designated to replace them.
 - If the VE study is to evaluate a design element, the PMT design engineer and the assistant district engineer (ADE) may not serve on the value engineering team. Any other design engineer and another ADE may be designated to replace them

Notes

- f. Forward requests for a value engineering team to the value engineering coordinator in the Engineering Bureau of the Highway Division. The value engineering coordinator then has the following responsibilities:
 - Arrange for resources (internal and/or external).
 - Obtain the necessary review documents and meeting location.
 - Assemble the value engineering team as requested.
 - Provide support (process and programmatic) to the PMT.
 - Monitor VE activities throughout Iowa DOT to ensure that studies are conducted when required by 23 C.F.R. 627.
- g. Define the boundaries (scope) of the VE study.
- h. Ensure that the value engineering team has all appropriate and relevant project information available for its review.
- i. Oversee the process to keep the report of findings within the predefined scope.
- j. Implement the results of the VE study.
 - Provide the value engineering coordinator with a copy of the final value engineering report and a list of recommendations to incorporate into the project.¹
 - Alternatively, provide written comments to the value engineering coordinator as to why a VE recommendation was not incorporated into the project.
- 7. Provide general project coordination.
 - a. Order the traffic analysis and turning movements.
 - b. Ensure that the following peripheral functions are provided with continuous access to project information and are included in the decision-making process in their areas of responsibility:
 - Support Services Bureau* – utilities involvement
 - Modal Division* – railroad agreements
 - Support Services Bureau* – city and county agreement needs
 - Office of Traffic & Safety* – reviews and determinations
 - Office of Local Systems* – local government agencies
 - Office of Contracts* – contract packaging
 - Statewide Operations Bureau* – specifications and special provisions

¹ Federal regulations require that Iowa DOT file an annual Value Engineering Report containing a summary description of each VE project, formal VE recommendations, a list of recommendations implemented, and estimated cost savings realized from VE. (Refer to FHWA Policy Guide G6011.9 and the Value Engineering Web site at www.fhwa.dot.gov/ve/index.htm for additional information.)

Notes

- 8. Monitor and manage project development.
 - a. Monitor the project schedule of the assigned project to ensure that individual tasks are started and completed within the allotted time.
 - b. Make resource requests to appropriate office directors to ensure that internal and/or external resources are available to meet scheduling commitments.
 - c. Maintain a fiscally constrained project by adhering to the cost estimate.
 - d. Conduct meetings on a regular basis.
 - e. Maintain formal minutes. If possible, store the PMT meeting minutes in electronic files that are available (most likely as Read-Only) to those who have access to the Nterprise network.²
 - Provide information as to where project information can be obtained.
 - Provide paper copies to those few who do not have electronic connectivity.
 - f. Distribute the minutes to:
 - Engineering Bureau director
 - Scheduling engineer
 - Office directors in the Engineering Bureau
 - g. Maintain other business files. If possible, store the information in electronic project files that are available (most likely as Read-Only) to those who have access to the Nterprise network.

² For the sake of simplicity, a folder called “Can-Do Projects” could be created on the Nterprise drive. Subfolders could be created using the project number, and individual data files, such as the PMT minutes for a specific project, could be stored in the appropriate subfolders.

PMT MEETING AGENDA CHECKLIST

Notes

The following checklist¹ can be used as an agenda for PMT meetings to ensure that key development issues are discussed and tracked.

- 1. Review the project schedule, which should follow the Can-Do scheduling described in Chapter 2.

- 2. Review the development status.
 - a. Concept and corridor development progress
 - b. Design
 - c. Soils
 - d. Structures
 - Pinks
 - Type, size, and location (TS&Ls)
 - e. Ground survey
 - f. Environmental review
 - NEPA document (CE, EA/FONSI, EIS)
 - Cultural and historic surveys
 - Wetland surveys
 - Regulated materials surveys
 - Threatened and endangered species (T&E) surveys
 - g. Land corner survey
 - Corner certificates
 - Acquisition plats
 - h. Right-of-Way (ROW)
 - Relocation parcels
 - Layout
 - Reinforced-concrete box (RCB) parcels
 - Owner-tracking list (names and addresses)

- 3. Review project costs.

¹ Information provided in this checklist was developed by the Office of Design – Consultant Coordination Section.

- 4. Review the coordination status.
 - a. Traffic
 - Estimate
 - Traffic control review
 - b. Utilities involvement
 - c. Railroad and recreation trail agreements
 - d. City and county project agreements
 - e. Access reviews
 - f. Contract packaging
 - g. Value engineering
 - h. Lighting and signing
 - i. Public involvement
 - j. Interchange review (including interchange justification report, if needed)

Notes

APPENDIX C

ENVIRONMENTAL CONCURRENCE MEETINGS

- C.1 Overview
 - C.2 Scheduling
 - C.3 Meeting Invitations
 - C.4 Distribution Lists
 - C.5 Meeting Displays
 - C.6 Agenda
 - C.7 Minutes
 - C.8 Concurrence Form
-

ENVIRONMENTAL CONCURRENCE MEETINGS

C.1 OVERVIEW

A vital component of the Statewide Implementation Agreement (SIA) to Merge the NEPA and Section 404 Process is the environmental concurrence meeting (ECM) process, which is managed by the Office of Location & Environment. The purpose of ECMs is to provide a forum for interagency discussion of the identified concurrence points. Can-Do development relies heavily on continued buy-in to project concepts and decisions by the natural resource agencies. The following is a guide to using ECMs as a means of obtaining environmental concurrence from the SIA signatory agencies.

C.2 SCHEDULING

Can-Do provides for four concurrence points:

- *Concurrence Point 1* – Purpose and Need
- *Concurrence Point 2* – Alternatives to Be Analyzed
- *Concurrence Point 3* – Alternatives to Be Carried Forward
- *Concurrence Point 4* – Preferred Alternative

Environmental concurrence for a particular project may be pursued for any of the four concurrence points, and may be presented and requested for multiple points at the same time. Concurrence may be requested by the following methods.

- Individual project environmental concurrence meeting, scheduled as needed
- Multiple project environmental concurrence meetings, scheduled on a recurring basis
- Individual project environmental concurrence via correspondence

The method used should reflect the scope of the project, concurrence point(s) requested, and potential for detailed discussion.

Generally, projects should begin the ECM process at Concurrence Point 1 and be scheduled for a multiple project meeting day. The first concurrence meeting typically occurs at about the same time as Event No. 5A, Conduct Environmental Scoping Process (Code SCOP). See Chapter 2, Can-Do Scheduling, for additional information on this event. The discussion and level of concern expressed by the core resource agencies at this first meeting will guide the need for further concurrence meetings and possible formats.

The majority of Can-Do projects are developed using multiple project ECMs that are scheduled on a recurring basis. These regular meeting days are scheduled several months in advance and occur biannually or quarterly, as needed. The meeting days typically include two to four different projects scheduled for specific times. The Office of Location & Environment's ECM coordinator schedules the meetings. The ECM coordinator periodically notifies the SIA signatory agencies to confirm schedules. The current schedule is maintained by and available from the ECM coordinator. The multiple project ECMs are held in Ames, Iowa. Video conferencing is included for the Districts and signatory agencies upon request.

Large, complex, and/or potentially controversial projects may warrant individual ECMs and may be scheduled by the ECM coordinator as needed. Individual ECMs may be held at mutually agreed-upon locations and include video conferencing as needed.

Small, routine projects that have completed Concurrence Point 1 may proceed to the other concurrence points through correspondence if agreed upon by all the SIA signatory agencies. Projects utilizing this form of concurrence should be discussed with the ECM coordinator.

To request scheduling of an ECM, provide the project description, preferred date(s), concurrence point(s), and name of the facilitator to the ECM coordinator in the Office of Location & Environment.

C.3 MEETING INVITATIONS

Invitation letters should be sent to all prospective participants of upcoming ECMs. The letters should be produced by a designated PMT member or a consultant as directed by the PMT leader. All invitation letters should be prepared on Iowa DOT letterhead and signed by the Director of the Office of Location & Environment.

The SIA signatory agencies have requested that they receive copies of all materials to be discussed at ECMs at least 30-days prior to the meeting dates. This allows sufficient review time by the appropriate agency staff and ensures that they come prepared to adequately present their respective agency's position. If the materials cannot be provided at least 30 days prior to the meeting date, the ECM will be rescheduled.

The invitation letters should include:

- Project description
- Meeting location, date, and time
- Opportunities for video conferencing as well as a contact person
- Distribution list (both internal and external)
- Meeting facilitator
- Preliminary agenda (clearly indicating concurrence points to be discussed)
- Project information (proposed document text, maps, plans, photos, etc.)

Example invitation letters are available from the Office of Location & Environment for reference.

C.4 DISTRIBUTION LISTS

All ECM invitation letters should be sent to the appropriate federal, State, and local agencies, as well as to affected Iowa DOT staff. At a minimum, the distribution lists should contain the SIA signatory agencies: U.S. Army Corps of Engineers – Rock Island and/or Omaha District(s), U.S. Fish & Wildlife Service – Rock Island Field Office, U.S. Environmental Protection Agency – Region 7, Federal Highway Administration – Iowa Division, and the Iowa Department of Natural Resources. Projects involving state borders may require additional contacts. A contact list database is maintained by the Office of Location & Environment and should be used for preparing distribution lists.

It is important to note that ECMs are not public meetings. Therefore, the general public is not to be invited. Local planning and interest groups may be invited to observe but will not be asked to participate.

C.5 MEETING DISPLAYS

Given the geographic nature of highway projects, it is useful to provide poster-size visual displays for use during ECMs. Displays specifically requested by the natural resource agencies include a USGS topographic quadrangle base map with available natural resource GIS layers displayed as well as an aerial photograph with the project limits and features displayed. Other visuals may be provided as needed. Example displays are available from the Office of Location & Environment for reference. Keep in mind that remote sites may require alternative visual tools for adequate participation.

C.6 AGENDA

The ECM agenda should clearly indicate the concurrence point(s) to be discussed and the expectations of the meeting. Agenda items should be listed and include an assigned person to lead a particular discussion. It is often useful to begin with a project history described by a District Office representative. Updates on the various environmental studies may include the NEPA document, threatened and endangered species, cultural resources, wetlands, hazardous materials, 4(f) resources, and others as needed.

C.7 MINUTES

The meeting facilitator should designate someone to record the meeting minutes. The minutes should include the agenda, participant list, and any absent SIA signatory agencies. Minutes should make special note of individual agencies' acknowledgement of concurrence, conflict resolution efforts and outcomes, and any follow-up needed. Draft minutes should be circulated to the participants, especially all SIA signatory agencies, for timely review and approval. Final minutes should be provided to all and filed with the ECM coordinator. The approved minutes serve as documentation of agency concurrence.

C.7 CONCURRENCE FORM

Although the SIA does not mention a concurrence form, such a tool has proven to be very useful. The project-specific form is provided to the SIA signatory agencies with the final draft of the meeting minutes. It states that, if the agency agrees with the concurrence documented in the minutes, the agency should sign the form and return it for filing. The form also provides for reconsideration of concurrence if substantial new information develops. Concurrence forms are filed and tracked by the ECM coordinator. Sample concurrence forms are available from the Office of Location & Environment.

APPENDIX D
FHWA VALUE ENGINEERING AUTHORIZATION

Memorandum from Iowa DOT to FHWA
Memorandum from FHWA to Iowa DOT



Form 000021 12-89

IOWA DEPARTMENT OF TRANSPORTATION

Notes

To: Federal Highway Administration **Date:** November 17, 1999
Attention: Bobby Blackmon **Ref. No.:**
From: E. Tom Cackler
Office: Project Development Division
Subject: Value Engineering

Attached is a copy of the guidance we give our project management teams, which has been revised to address value engineering. Please review this draft and, if it's acceptable, we will issue formally to our staff.

ETC/bas

Attachment
cc: Jim Rost

Notes

MEMORANDUM

U.S. Department of Transportation 10CA

Federal Highway Administration

Internet Address: <http://www.fhwa.dot.gov/ve/index.htm>

Subject: Value Engineering

Date: December 9, 1999

From: Division Administrator, FHWA

Reply to: HDA-IA Ames, Iowa

To: Mr. Mark F. Wandro, Director
Iowa Department of Transportation
Ames, Iowa

The procedures for value engineering outlined in the Project Management Team Responsibility Checklist transmitted by Tom Cackler's November 17 memorandum meet the requirements contained in 23 CFR 627. The procedures are approved for use on Federal-aid projects.

We find that use of the Project Management Team Responsibility Checklist provides a satisfactory vehicle for informal policy guidance, but would suggest that Policy and Procedures Memorandum 420.05, Value Engineering dated May 1, 1996, be revised to reflect the changes approved here.

Bobby W. Blackmon

APPENDIX E
IOWA DEPARTMENT OF TRANSPORTATION'S
PROJECT DEVELOPMENT
PUBLIC INVOLVEMENT PLAN

- E.1 Mission
 - E.2 Goals
 - E.3 Scope
-

EXECUTED AMENDMENTS TO IOWA DEPARTMENT OF TRANSPORTATION'S PROJECT DEVELOPMENT PUBLIC INVOLVEMENT PLAN

E.1 MISSION

Iowa Department of Transportation's (Iowa DOT's) public involvement process will have early and continuous public interaction throughout the project development process.

E.2 GOALS

The public involvement goals are:

- To gather broad public input to be considered during the transportation decision-making process.
- To share information and provide opportunities for public involvement throughout the development process. Typically, these opportunities will be offered through public information meetings (PIMs) and public hearings (PHs).
- To solicit the participation of individuals and groups who are affected by the proposed project as well as others in the affected area whose needs may not be addressed by existing transportation systems.
- To build sustainable relationships with citizens, the business community, special-interest groups, resource agencies, legislators, and other private and governmental agencies.

E.3 SCOPE

This document outlines how Iowa DOT will conduct its public involvement process in compliance with federal and State regulations.

1. Early coordination with resource agencies and the public will be accomplished, as applicable, through one or more of the following:
 - Implementation of Iowa DOT's/FHWA's and the resource agencies' "Statewide Implementation Agreement for National Environmental Policy Act and Clean Water Act Section 404 Concurrent NEPA/404 Processes for Highway Projects in Iowa" dated September 15, 2001. The process will be managed by the Office of Location & Environment. (Refer to Chapter 7 of this Can-Do Reference Manual for a copy of the fully executed merger agreement.)
 - Distribution of an early coordination letter and project information by the Office of Location & Environment. (Refer to Attachment A of this appendix for an example of a coordination letter.)
 - Implementation of the provisions addressing consultation with Native American tribes contained in the "Programmatic Agreement" and "Procedures for Implementation of Section 106 Requirements." Participating agencies are the Iowa Division of FHWA, Iowa State Historic Preservation Office, Advisory Council on Historic Preservation, and Iowa DOT. In accordance with this agreement and the procedures, the Office of Location & Environment will

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provide early and continuing information to the Native American tribes with interests in Iowa.

- Early project notification via PIMs conducted by the District. In these meetings, preliminary project information will be distributed to the public. (Refer to Chapter 2 of this Can-Do Reference Manual.)
2. The level of probable environmental documentation will be determined soon after developing a project concept. The Office of Location & Environment will coordinate with FHWA to identify the class of NEPA action. (Refer to Attachment B of this appendix for an example of the documentation.)
 3. Cooperating agencies: Early in the project development phase, those agencies that have jurisdiction by law will be extended by FHWA and the Office of Location & Environment, on a project-by-project basis, an opportunity to be cooperating agencies in the NEPA process. Other State agencies, local agencies, and Native American tribes will be considered and may be extended an opportunity to be cooperating agencies.
 4. Coordination of public involvement activities and public hearings with NEPA will be accomplished by the district engineer (DE), the Office of Location & Environment – Public Hearing Section, and the PMT, as outlined in Chapters 1, 2, and 5 of the Can-Do Reference Manual.
 5. The public involvement process will be tailored to each project through the development of a public involvement plan (PIP) as outlined Chapters 5 and 6 of the Can-Do Reference Manual. The plan will incorporate public involvement techniques identified in Chapters 5 and 6 and other nationally recognized techniques as appropriate.

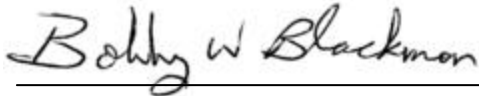
The DE and the PMT, working with the Public Hearing Section, are responsible for developing the PIP. The level of detail in this plan will be commensurate with the project needs and individualized to address the unique characteristics and needs of the affected community or region of the State.

6. To ensure that impacts associated with the relocation of individuals, groups, or institutions are addressed, an Iowa DOT Office of Right-of-Way representative will develop relocation information during the NEPA process and will be present, as necessary, at PIMs and PHs.
7. Public involvement opportunities for projects requiring acquisition of ROW will be scheduled throughout the development process as provided for in Chapter 2 of the Can-Do Reference Manual. Additional opportunities for public input will be scheduled as deemed appropriate by the DE. Iowa DOT will provide the public involvement required by Iowa Code, Chapter 6B for projects requiring agricultural ROW.
8. The public notice for a PIM or PH will be prepared by the Public Hearing Section in concert with the PMT and the District. It will be published as a legal notice in the official county newspaper or newspaper of general circulation in the county or city 30 to 40 calendar days prior to the meeting. A follow-up notice will be published five to 12 calendar days prior to the meeting. A notice of a public hearing will include information regarding the availability of the project's NEPA document unless project specifics require that the Notice of Availability (NOA) be published separately. (Refer to Attachment C of this appendix for a public notice example.)
9. The public hearing will be held at least 15 calendar days after publication of the NOA for the NEPA document (EA or DEIS).

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10. At a minimum, the public hearing will provide the following information as appropriate:
- The project's purpose, need, and consistency with the goals and objectives of any local urban planning
 - The project's alternatives and major design features
 - The social, economic, environmental, and other impacts of the project
 - The relocation assistance program and the ROW acquisition process
 - Iowa DOT's procedures for written or oral statements from the public
 - A copy of the signed NEPA document (EA or DEIS)
11. Following the public hearing, the Public Hearing Section, in concert with the District and other Iowa DOT offices, will prepare a transcript of the hearing. This transcript, accompanied by copies of all written statements from the public (both submitted at the PH or during the formal comment period) and a certification that a PH (or hearing opportunity) was offered, will be submitted to the Iowa Division Office of FHWA when it is completed. (Refer to Attachment D of this appendix for an example of a Hearing Certification.)

This document, when fully executed by FHWA and Iowa DOT, supersedes the 1990 Action Plan in its entirety and will remain in full effect unless canceled in writing by either party. This document may be amended if regulatory requirements change or if process modifications are warranted. Amendments will be prepared by Iowa DOT, reviewed for sufficiency by FHWA and Iowa DOT, executed by both agencies, and distributed within both agencies for attachment hereto.



Date: 4/3/02

Bobby Blackmon, IA Division Administrator
Federal Highway Administration



Date: 4/3/02

Mark Wandro, Director
Iowa Department of Transportation

ATTACHMENT A
EXAMPLE OF AN EARLY COORDINATION LETTER
AND INFORMATION PACKET

December 5, 2002

Subject: Interchange at U.S. 65 Bypass and Iowa 163, Polk County
NHSX-65-4(10)-3H-77
(for letter to SHPO only, add any site numbers)

Dear _____:

Our firm, (CONSULTANT), is initiating environmental studies for the Iowa Department of Transportation (Iowa DOT) for the improvement of the U.S. 65/Iowa 163 interchange located in Pleasant Hill in Polk County (see attached map).

The proposed project consists of relocating the off- and on-ramps for the southbound lanes of U.S. 65 to the west and constructing a new on-ramp loop to allow free-flow movement of traffic traveling west on Iowa 163 onto the southbound lanes of U.S. 65. It is anticipated that the proposed improvements will require the acquisition of about 12.5 acres of new right-of-way located west of the existing interchange.

As part of early coordination, the Iowa DOT is asking for comments from your agency in regard to the project as it relates to your agency's expertise and/or jurisdiction by law. So that we may maintain our schedule, please respond by November 5, 2001. If we do not hear from your agency by that date, we will assume you have no comments on the proposed project. If you have any questions or need additional information, please feel free to contact our office.

Very truly yours,

CONSULTANT or
NEPA Section Project Manager

IOWA INTERGOVERNMENTAL REVIEW SYSTEM LETTER OF INTENT

PROJECT APPLICANT: Iowa DOT

SUBMITTED BY: Iowa DOT or consultant representing Iowa DOT

PROJECT LOCATION: Polk County, Iowa

PROJECT DATA:

Highway No.: U.S. 65/Iowa 163

Type: Highway Interchange Improvement

Purpose: To improve traffic flow characteristics by relocating two existing ramps and constructing a new loop ramp

Length: Not applicable

Project Costs: A. Federal Request – to be determined
B. State Request – to be determined

Total Estimated
Project Costs: \$2.5 million

Project No. NHSX-65-4(10)–3H-77

FEDERAL AGENCY AND PROGRAM: A. FHWA, Department of Transportation
B. Highway Trust Fund

ESTIMATED APPLICATION DATE: 2006

APPLICATION MANAGER: Bobby Blackmon, Division Administrator
Federal Highway Administration
Ames, Iowa 50010

IOWA DOT MANAGER: Name of NEPA Section Manager
Iowa DOT
800 Lincoln Way
Ames, Iowa 50010

PROJECT DESCRIPTION

The Iowa Department of Transportation (Iowa DOT) has initiated planning and preliminary design studies for the improvement of the interchange between U.S. 65 and Iowa 163 in Polk County. The proposed project consists of relocating the off- and on-ramps for the southbound lanes of U.S. 65 to the west and constructing a new on-ramp loop to allow free-flow movement of traffic traveling west on Iowa 163 onto the southbound lanes of U.S. 65. A project map is attached.

A categorical exclusion (CE) will be prepared for the proposed project. CEs are prepared for actions that (1) do not induce significant impacts on planned growth or land use; (2) do not require the relocation of significant numbers of people; (2) do not have a significant impact on any natural, cultural, recreational, historic, or other resource; (3) do not have significant air, noise, or water quality impacts; (4) do not have significant impacts on travel patterns; or (5) do not otherwise, either individually or cumulatively, have any significant environmental impacts.

ANTICIPATED IMPACTS

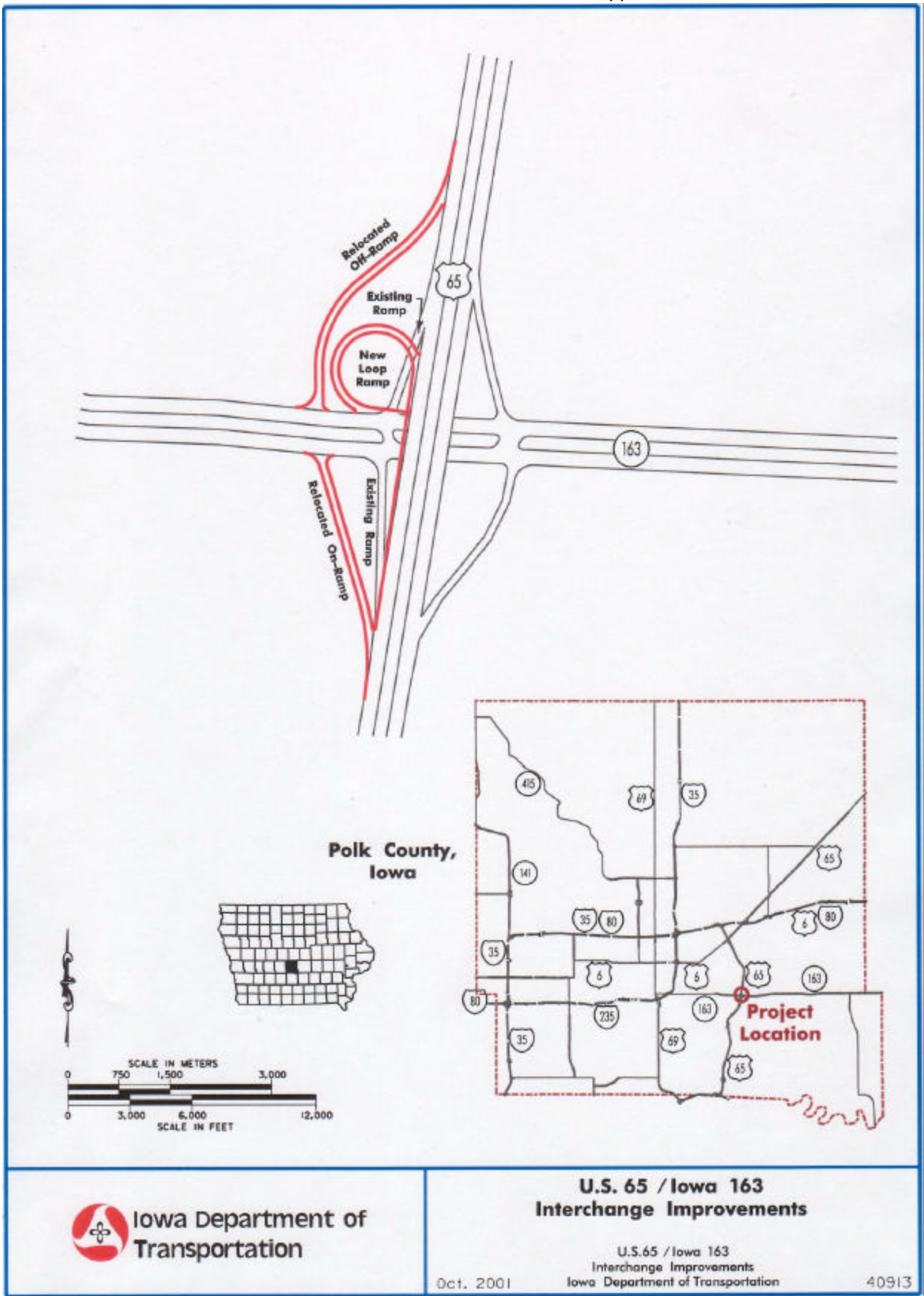
Although no significant impacts are expected, a wide spectrum of resources will be evaluated, including wetlands, threatened and endangered species, floodplains, homes and businesses, socioeconomic resources, and air quality. Impacts would vary depending on elements of the final design.

As part of the proposed project, the previously purchased right-of-way will be used whenever practical, but additional right-of-way impacts, estimated at about 12.5 acres, are probable. Precise right-of-way impacts, as well as potential project impacts on noise levels, air quality, cultural resources, natural resources, parks or recreation facilities and the natural environment, will be determined as planning and design activities continue.

DEVELOPMENT PROCEDURES

This project is being developed for federal funding participation. A determination by Iowa DOT and the Federal Highway Administration has identified this project as requiring preparation of a CE.

Current regulations governing development of federally funded highway improvements require early coordination with units of government that may have interests in the project or its potential impacts. This Letter of Intent is intended to provide early notification of the proposed project and to solicit comments regarding the potential impacts of such an action. Several federal, state, and local agencies will also be contacted directly to request their early input as part of the project impact identification process.



ATTACHMENT B

**EXAMPLE OF A PROBABLE CLASS OF NEPA
ACTION INFORMATION PACKET**

"Hiatt, Rebecca <FHWA>"

02/08/02 04:17 PM

To: Kris.Riesenberg@dot.state.ia.us
cc: Heitmann, Greg <FHWA>
Subject: Re: Project Concurrence (Outerbelt Drive Extension in Sioux City)

Concur, CE

"Kris Riesenberg <IADOT>"

02/06/02 03:23 PM

To: Rebecca.Hiatt@fhwa.dot.gov
cc: Greg.Heitmann@fhwa.dot.gov
Subject: Re: Project Concurrence (Outerbelt Drive Extension in Sioux City)

Project Title:

Outerbelt Drive Extension in Sioux City (reference the attached map)

County:

Woodbury

Project Number:

HDP-7057(628)--71-97

Project Concept:

The City of Sioux City is proposing to extend Outerbelt Drive from Floyd Boulevard to Lewis Boulevard (U.S. 75). The 0.5-mile, two-lane extension will require a railroad track relocation and a bridge over railroad tracks and the Floyd River. The minor arterial extension on the fringe of the City will also include some intersection modifications, lighting, and traffic signalization. A few relocations are expected. A possible Section 4(f) issue is present in the relocation of a couple softball fields contained in the Floyd Softball Complex.

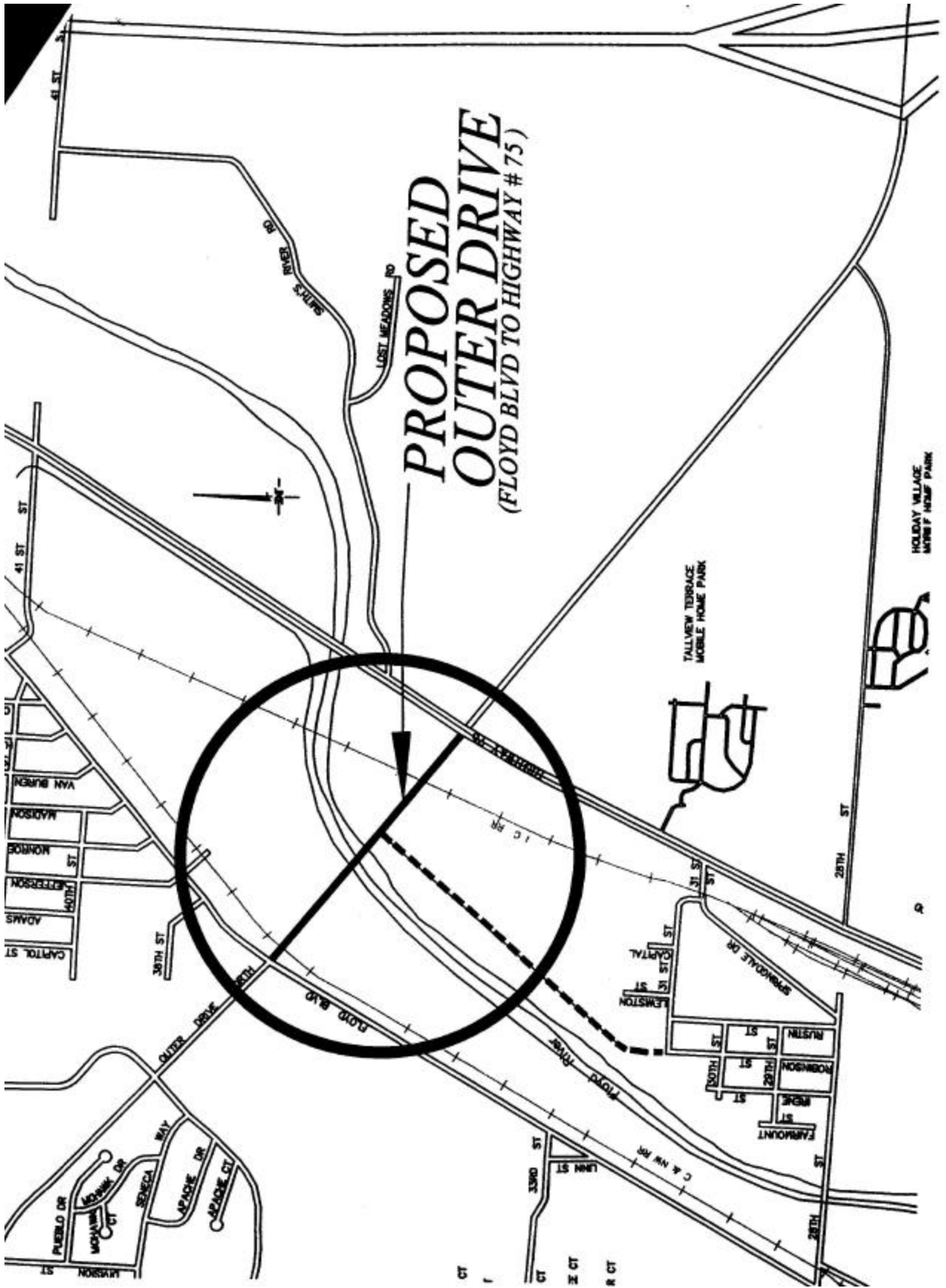
Recommendation:

CE

Your concurrence is requested.

Kris Riesenberg
Office of Location & Environment
Environmental Compliance Section
Kris.Riesenberg@dot.state.ia.us

Phone: 233-7977
Fax: 239-1726



ATTACHMENT C
EXAMPLE OF A PUBLIC MEETING NOTICE

**NOTICE OF LOCATION DESIGN PUBLIC HEARING
AND ENVIRONMENTAL ASSESSMENT ADDENDUM
AVAILABILITY
FOR THE PROPOSED LE MARS BYPASS**

TO WHOM IT MAY CONCERN:

Notice is hereby given to all interested persons that an Open Forum Location Design Public Hearing will be held on April 2, 2002, between 5:00 and 7:00 p.m., at the Le Mars High School, 921 Third Avenue SW, Le Mars, Iowa, to discuss the proposed Le Mars bypass.

The proposed improvement provides for construction of a four-lane divided roadway on relocated alignment around the west side of Le Mars, with interchanges at 200th Street, IA 3, and existing U.S. 75. Segments of U.S. 75 and IA 60 would be reconstructed. The improvement would also include reconstruction of IA 3 through the interchange and reconstruction of the bridge on IA 3 over the West Branch Floyd River west of Keystone Avenue.

This public hearing will be conducted utilizing an open forum format. No formal presentation will be made. Interested individuals are encouraged to attend the hearing any time between 5:00 and 7:00 p.m. to express their views about the proposed improvement.

Iowa Department of Transportation (Iowa DOT) in cooperation with the Federal Highway Administration (FHWA) has prepared an Environmental Assessment Addendum for the proposed Le Mars bypass. Copies may be obtained by contacting any of the following:

Jim Rost, Director
Office of Location & Environment
Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010
Telephone: 515-239-1798

Bobby Blackmon, Division Administrator
Federal Highway Administration
Iowa Division Office
105 Sixth Street
Ames, Iowa 50010
Telephone: 515-233-7300

Brenda Durbahn
Earth Tech Transportation Services
501 Sycamore Street, Suite 222
Waterloo, Iowa 50703
Telephone: 319-232-6531 or 800-722-2028

A copy of the Environmental Assessment Addendum will be available for inspection at the hearing and is also available for viewing at the Le Mars Public Library, 46 First Street SW, Le Mars, Iowa.

A review deadline of April 15, 2002, has been established for receipt of comments on this document. All comments received on the Environmental Assessment Addendum by that date will be considered by Iowa DOT and FHWA in their evaluation of the environmental impacts of the project. Comments on the Environmental Assessment Addendum should be submitted to the Director, Office of Location & Environment, at the above address.

For general information regarding the proposed improvement or the public hearing, contact:

Rich Michaelis, District 3 Engineer
District 3 Office, Iowa Department of Transportation
PO Box 987, 2800 Gordon Drive
Sioux City, Iowa 51102-0987
Telephone: 712-276-1451 or 1-800-284-4368.

All persons interested in the project are invited to attend this hearing. The meeting room is accessible for persons with disabilities. If you require special accommodations at the hearing, please notify Mr. Michaelis or Gary Hood, Corridor Development, telephone 515-239-1626 by March 28, 2002, so arrangements can be made.

NOTICE TO PROPERTY OWNERS

A governmental body which proposes to acquire property under the power of eminent domain for a public improvement project is required to give notice of a public hearing to all owners and contract purchasers of record of agricultural land that may be subject to condemnation.

1. DESCRIPTION OF THE PROPOSED IMPROVEMENT

Notice is hereby given that the Iowa DOT Commission will consider approving the following described project:

Proposed Le Mars bypass

2. PRIVATE PROPERTY MAY BE ACQUIRED BY PURCHASE OR CONDEMNATION.

If the Iowa DOT Commission approves the above-described project, Iowa DOT will be required to acquire property for the proposed improvements. Iowa DOT will attempt to purchase the required property by good faith negotiations; however, it may condemn those properties which it is unable to purchase. The proposed location of the above-described public improvement is shown on preliminary plans for the project. Preliminary plans are available from the Office of Right-of-Way, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa, 50010.

3. IOWA DEPARTMENT OF TRANSPORTATION PROCESS TO DECIDE TO FUND THE DESIGN, TO SELECT THE ROUTE OR SITE LOCATION, OR TO ACQUIRE OR CONDEMN PROPERTY INTERESTS

In order to acquire the necessary properties and property interests required for the project, the Iowa Department of Transportation Commission is required to approve the location of the project. Iowa DOT will hold a public hearing to present to the public the proposed improvement and the anticipated impacts of the improvement.

Persons whose property may be affected by the project, as well as the general public, may comment on the project at the hearing. The comments will be presented to the Transportation Commission. Based in part on the information received at the hearing, the Commission will, at a future open meeting, select the location for the project and decide whether to fund the site-specific design and to authorize by purchase or condemnation the acquisition of right-of-way for the project.

4. OPPORTUNITY FOR PUBLIC INPUT

As previously stated in this notice, an Open Forum Location Design Public Hearing will be held on April 2, 2002, between 5:00 and 7:00 p.m. at the Le Mars High School, 921 Third Avenue SW, Le Mars, Iowa. Iowa DOT staff will be available to answer

questions about the proposed improvement and the Environmental Assessment Addendum. Written statements can be submitted to the DOT at the hearing, or sent to Corridor Development, Iowa DOT, 800 Lincoln Way, Ames, Iowa 50010.

5. IOWA DEPARTMENT OF TRANSPORTATION CONTACT

For information regarding the proposed improvement contact:

Rich Michaelis
District 3 Engineer
District 3 Office
Iowa Department of Transportation
P O Box 987, 2800 Gordon Drive
Sioux City, Iowa 51102-0987
Telephone 712-276-1451 or 1-800-284-4368

6. STATEMENT OF PROPERTY OWNER’S RIGHTS

Just as the law grants certain entities the right to acquire private property, you, as the owner of the property, have certain rights. You have the right to:

- a. Receive just compensation for the taking of property. (Iowa Constitution, Article I, section 18)
- b. An offer to purchase, which may not be less than the lowest appraisal of the fair market value of the property. (Iowa Code section 6B.45, and Iowa Code section 6B.54)
- c. Receive a copy of the appraisal, if an appraisal is required, upon which the acquiring agency’s determination of just compensation is based not less than 10 days before being contacted by the acquiring agency’s acquisition agent. (Iowa Code section 6B.45)
- d. An opportunity to accompany at least one appraiser of the acquiring agency who appraises your property when an appraisal is required. (Iowa Code section 6B.54)
- e. Participate in good faith negotiations with the acquiring agency before the acquiring agency begins condemnation proceedings. (Iowa Code section 6B.2B)
- f. A determination of just compensation by an impartial compensation commission and the right to appeal its award to the district court if you cannot agree on a purchase price with the acquiring agency. (Iowa Code section 6B.4; Iowa Code section 6B.7; Iowa Code section 6B.18)
- g. A review by the compensation commission of the necessity for the condemnation if your property is agricultural land being condemned for industry. (Iowa Code section 6B.4A)
- h. Payment of the agreed-upon purchase price, or if condemned, a deposit of the compensation commission award before you are required to surrender possession of the property. (Iowa Code section 6B.25; Iowa Code section 6B.26; Iowa Code section 6B.54(11))
- i. Reimbursement for expenses incidental to transferring title to the acquiring agency. Iowa Code section 6B.33; Iowa Code section 6B.54(10))

- j. Reimbursement of certain litigation expenses: (1) if the award of the compensation commissioners exceeds 110 percent of the acquiring agency's final offer before condemnation; or (2) if the award on appeal in court is more than the compensation commissioner's award. (Iowa Code section 6B.33)
- k. At least 90 days' written notice to vacate occupied property. (Iowa Code section 6B.54(4))
- l. Relocation services and payments, if you are eligible to receive them, and the right to appeal your eligibility for and amount of the payments. (Iowa Code section 316.9; Iowa Code section 6B.42)

The rights set out in this Statement are not claimed to be a full and complete list or explanation of an owner's rights under the law. They are derived from Iowa Code Chapters 6A, 6B and 316. For a more thorough presentation of an owner's right, you should refer directly to the Iowa Code or contact an attorney of your choice.

This notice is given by authority of the Iowa Department of Transportation Commission.

This notice is not an offer to buy land nor is it an offer to provide relocation assistance. Affected property owners are not required to move from their residences or relocate their businesses at this time. Eligibility for relocation benefits will not occur until after an offer to purchase has been made to individual property owners.

Highway Division
Iowa Department of Transportation

Plymouth County
NHS-60-1(16)--19-75
LeMars Bypass
March 4, 2002

This is to certify that a Notice of Location Design Public Hearing and Environmental Assessment Addendum Availability for the proposed LeMars bypass was sent to the attached list of property owners on March 1, 2002.

cc: Rich Michaelis, District 3 Office, Iowa DOT
Tony Lazarowicz, District 3 Office, Iowa DOT
Transportation Planner, District 3 Office, Iowa DOT
Dakin Schultz, District 3 Office, Iowa DOT
Mark Kerper, Corridor Development, Iowa DOT
Keith Cadwell, Office of Design, Iowa DOT
Dave Ferree, General Counsel, Iowa DOT
Ron Otto, Office of Right-of-Way, Iowa DOT
Jim Rost, Office of Location & Environment, Iowa DOT

Editorial Note:

There would be a list of addressees attached on the following pages.

ATTACHMENT D
EXAMPLE OF A PUBLIC HEARING CERTIFICATION

CERTIFICATION

I, Mitch Dillavou, Engineering Bureau Director for the Iowa Department of Transportation, hereby certify that a _____
Public Hearing was held in _____, Iowa, on _____,
200____, regarding the following project:

**** Enter project location, number, etc. ****

The proposed project provides for:

**** Enter project description. ****

A notice of newspaper publication and transcript of this hearing were previously submitted to the Iowa Division Office of the Federal Highway Administration, or are attached hereto.

I further certify that the Iowa Department of Transportation has given, or is giving, full consideration to all valid objections and questions raised at the hearing and public comment period.

Dated at Ames, Iowa, on this ____ day of _____, 200____.

Mitch Dillavou, P.E., Director
Engineering Bureau
Iowa Department of Transportation

Note:

Attach a copy of the legal notice or proof of publication.

ATTACHMENT E
EXECUTED AMENDMENTS
TO IOWA DOT'S
PROJECT DEVELOPMENT
PUBLIC INVOLVEMENT PLAN

**Executed Amendments
to Iowa DOT's
Project Development Public Involvement Plan
[to be inserted here]**