

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

for the

GORDON DRIVE VIADUCT AND BACON CREEK CONDUIT PROJECT

CITY OF SIOUX CITY, IOWA

Project Number: NHS-012-1(37)--19-97

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 (FONSI) 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, 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.

Date

For FHWA

Environmental Assessment Availability

The Environmental Assessment (EA) for the Gordon Drive Viaduct and Bacon Creek Conduit Project (Project) was signed by the Federal Highway Administration (FHWA) on January 22, 2025, and the notification of availability was forwarded to federal, state, and local agencies on January 23, 2025. Additionally, copies of the EA were provided to select resource/regulatory agencies for their review and comment on January 23, 2025. A notice of the public availability of the EA was placed on the Iowa Department of Transportation (DOT) website at <https://iowadot.gov/ole/NEPA-Compliance/NEPA-documents/IA-12-Gordon-Drive-Viaduct> on January 22, 2025. A notice of public availability of the EA was also published in the *Sioux City Journal* on February 1, 2025.

This Finding of No Significant Impact (FONSI) document reflects consultation with the appropriate agencies to comply with environmental laws, executive orders, and related requirements. This FONSI describes when and how the requirements will be met.

Description of the Proposed Action

Iowa DOT, in collaboration with the FHWA, proposes to reconstruct a segment of Gordon Drive (U.S. Highway 20 Business/Iowa Highway 12) in Sioux City by constructing a new alignment of Gordon Drive south of the existing viaduct. Gordon Drive would also receive at-grade intersection improvements. Furthermore, the Bacon Creek Conduit (BCC) from Lewis Boulevard to Rustin Street will be replaced and relocated. The improvements to Gordon Drive, the connecting intersections, and the BCC constitute the Project.

Review and Comment Period

A review and comment period was established for receipt of comments on the proposed action, with an expiration date of March 10, 2025. A public hearing was held for the Project at the Seaboard Triumph Foods Expo Center in Sioux City on February 20, 2025.

Agency Comments

Four 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 Iowa DOT |
|---------|--|------------------------|
| 1/24/25 | Iowa Department of Public Health (Mindy Uhle) <ul style="list-style-type: none"> Recommend sharing results with the Iowa Department of Natural Resources. | No response needed. |
| 1/24/25 | U.S. Army Corps of Engineers, Archeologist (Levi Keach) <ul style="list-style-type: none"> Section 106 of the NHPA at 16 USC 470f was moved in the USC on December 19, 2014. Since that time, Section 106 is codified at 54 USC 306108. | No response needed. |
| 1/28/25 | Iowa Department of Natural Resources (Kathleen Moench) <ul style="list-style-type: none"> No State REAP or Federal LWCF Grant projects awarded to the City of Sioux City fall within the project study area. | No response needed. |
| 2/12/25 | U.S. Department of Housing and Urban Development (Beth Held) <ul style="list-style-type: none"> Did not identify any adverse impacts or long-term effects as a result of the proposed project. | No response needed. |

Ongoing Stakeholder Communication

On February 3, 2025, a presentation was given to the Sioux City Rotary Club regarding the status of the Project. Approximately 20 members attended, along with media representatives from KCAU and KTIV. During the question-and-answer period, attendees sought clarification about the current condition of the bridge and the communication plans with property owners. One individual inquired about the number of affected parcels, the response to which was that a finite number was not available at the time but that letters had been sent to properties in the corridor preservation zone. Follow-up meetings with landowners and business owners were discussed. The attendees were also informed of the public hearing date and their ability to comment individually.

Later that day, the same presentation was given to the Sioux City Public Works Committee, which included two city council members and city staff from traffic, engineering, utilities, and permitting. The discussion primarily focused on the aesthetics and funding of the Project. The attendees were informed of the public hearing date and their ability to comment individually.

On February 10, 2025, a presentation was given to the Sioux City Economic Development Committee. Attendees included the mayor of Sioux City, the city manager, assistant city manager, two city council members, the Siouxland Chamber, the Siouxland Initiative president, and city staff from economic development and engineering. The main inquiry was about the real estate acquisition process, including corridor preservation and parcels requesting hardship. The general timeline of the real estate process was explained. The attendees were also informed of the public hearing date and their ability to comment individually.

Public Hearing

Iowa DOT provided direct mailing notifications about the public hearing and comment period for the EA to elected officials and other Project stakeholders on January 23, 2025. Notice of public availability of the EA for affected property owners was also published in the *Sioux City Journal* on February 1, 2025. Tribal representatives were also notified on February 1, 2025. Physical copies of the EA were available for review at the Sioux City Public Library (Sioux City, Iowa), Sioux City City Hall (Sioux City, Iowa), Iowa DOT – District 3 (Sioux City, Iowa), Iowa DOT (Ames, Iowa), and FHWA (Ames, Iowa).

The purpose of the public hearing, held February 20, 2025, at the Seaboard Triumph Foods Expo Center, was to present the Proposed Alternative and gather feedback about the alternative and the completed EA. The hearing was conducted using a combined open forum and formal presentation format. The public was invited to attend anytime between 4:00 p.m. and 7:00 p.m. A formal presentation was given beginning at 5:30 p.m. and was followed by an open microphone question-and-answer session. The public met informally with Iowa DOT and consultant staff before and after the formal presentation. A virtual presentation of the meeting materials was also provided on Iowa DOT's website and was available between February 20 and March 10, 2025. On February 13, 2025, the public hearing was advertised on Iowa DOT's website at <https://www.news.iowadot.gov/newsandinfo/2025/02/tell-us-what-you-think-of-the-proposed-replacement-of-the-gordon-drive-viaduct-and-bacon-creek-condu.html>.

There were 75 people who registered their in-person attendance at the public hearing at the Seaboard Triumph Foods Expo Center and 97 people who attended the hearing online. During the hearing at the Expo Center, the public had the opportunity to comment verbally or in writing. Three attendees spoke and asked questions during the formal question-and-answer period. After the hearing, comments could be sent to Iowa DOT by contacting Sarah Tracy, District 3

Transportation Planner, via email or phone and through the Project website at <https://www.news.iowadot.gov/newsandinfo/2025/02/tell-us-what-you-think-of-the-proposed-replacement-of-the-gordon-drive-viaduct-and-bacon-creek-condu.html>.

Comments expressed during the open house portion of the hearing focused primarily on ensuring effective communication and coordination during the construction phase of the Project, addressing concerns about Project timelines, and providing support for businesses and residents affected by the Project.

Iowa DOT recorded the formal presentation, as well as the question-and-answer session. Following is a list of the verbal comments received during the hearing, with questions in plain text and answers in italics for responses at or soon after the hearing:

- How far in advance will updates be provided regarding the start and duration of specific construction phases, such as Fairmount Street? Is there a central place to access updates and information to help businesses stay informed and afloat during construction? *Small group and one-on-one conversations will be held to discuss business and residential operations. Updates on closures and construction staging will be provided frequently and well in advance. Collaboration with the City of Sioux City and the Chamber of Commerce will help disseminate information and host meetings during the construction phase. A project-specific website will be created to centralize information and updates. Discussions will cover details on access, signage, and potential temporary shutdowns of utilities. Reconstruction of Fairmont from Gordon Drive to Leach Avenue is expected this year with a pre-design meeting occurring on March 19.*
- Will a virtual option be available for the March 19th pre-design meeting? *Not at this time.*
- How can we get in touch with a relocation specialist? For businesses that have to move, will we receive location-specific paperwork, and when will we get it? *An Iowa DOT relocation specialist will be available for discussion after the Q&A session. The process of acquisitions and how it works will be discussed individually, as it is specific to each property and timeline.*
- When does the construction period start and end, including breaking ground date and estimated time of completion? Will there be a list of contractors and subcontractors provided to the public? *The letting date for the project is targeted for July 2027, but activities such as soil borings, underground utility investigations, and archaeological work will begin in the summer prior. Property acquisitions, demolitions, and utility relocations will also take place before the official start date. The project is expected to be a multi-year endeavor, likely spanning over two years with work potentially extending into a third year. The exact completion date is still uncertain due to ongoing engineering work. Critical closures will be managed using incentive/disincentive tools to minimize disruption to the public. Regarding individual properties, some key properties for construction have been preliminarily identified, but this information has not been shared publicly yet. Acquisitions will be done earlier if possible. Once the bid letting is awarded and a contract is signed, the list of contractors and subcontractors will be made public as part of the public record.*

Written comments were received via comment forms at the meeting, mail, and email. The comments received following the public hearing primarily asked about specific property/business

impacts, safety for pedestrians/bicyclists, and timing of the Project. The full list of verbatim written comments is provided in **Table 2**, along with Iowa DOT's responses.

Table 2. Written Comments and Responses

| Date | Level of Support ¹ | Comment ² | Response from Iowa DOT |
|---------|-------------------------------|---|--|
| 2/06/25 | In Favor | This is a much needed improvement, but will cause some pain for businesses along this corridor, our business included | Thank you for your comment and support for the project. We understand your concern regarding the businesses in the area and will make efforts to work with you to try to minimize disruptions. If you would like to discuss further as the project progresses, please don't hesitate to reach out. Thanks again for your interest in the project and have a good day. |
| 2/06/25 | Neutral | No Comment | No response requested ³ |
| 2/18/25 | Neutral | Will this project give more access to through traffic so trains no longer block intersections? | Thank you for your comment and interest in the project. Regarding the railroad, this project will not/cannot reduce downtown crossing blockages since that would require moving significant railroad infrastructure that is beyond the scope of this project. However, construction of a Cunningham Drive intersection is in response to stakeholder and City interests in improving access into the stockyards and addressing concerns regarding railroad crossing blockages to this area. There will now be a connection to Gordon Drive from Cunningham Drive. Thanks again and have a good day! |
| 2/18/25 | Neutral | Main concern is ease of getting across town in a timely manner. I live in the east side and work downtown. | No response requested ³ |
| 2/19/25 | Not in Favor | There is no need to consider cyclists on the bridge. They should not be on it | No response requested ³ |
| 2/20/25 | In Favor | We also have a house on 2417 Correctionville Rd. The highway will be less than 100' from that house. Will we lose that house, or how will that affect it? | Thank you for your interest in the proposed replacement of the Gordon Drive Viaduct and Bacon Creek Conduit (Iowa 12) in Woodbury County. This letter is being sent in response to your concerns expressed at the February 20, 2025 public hearing regarding noise impacts to your properties at the address listed above as well as 2414 1st Street and 2420 1st Street. |

| Date | Level of Support ¹ | Comment ² | Response from Iowa DOT |
|---------|-------------------------------|---|--|
| | | | <p>As part of the Environmental Assessment (EA), a noise impact study was completed where the existing and future year (2050) noise conditions were modeled. Even though Lewis Boulevard will be closer to your properties in the proposed alternative, the modeling did not indicate noise impacts to your properties; therefore, there are no plans for sound walls or the purchase of your properties.</p> <p>Additional notes regarding the noise modeling are as follows:</p> <ul style="list-style-type: none"> • The negligible increase in noise levels from the existing condition (today) could be due in part to the “shielding” of the new elevated structure. • The speed limit will be 35 miles per hour and the tire noise is anticipated to be minimal. • 2050 traffic is expected to increase only minimally. <p>If you have additional questions or concerns, you may reach me at the phone number listed above or at sarah.tracy@iowadot.us.</p> |
| 2/20/25 | In Favor | Bridge lighting like the I-74 bridge would be a nice touch for a relatively dim area of Sioux City at night. It would help make Sioux City feel a little less abandoned compared to how it feels now. | No response requested ³ |
| 2/20/25 | In Favor | How long will this impact traffic? | No response requested ³ |
| 2/20/25 | In Favor | I am largely okay with plans to date, but wish to offer two comments. One, I believe both safety and aesthetics would be greatly improved by fully enclosing Bacon Creek to a point south of the new proposed highway structure. It would also increase flexibility in landscaping or development the parcels of land adjoining the creek. Understandably much of this area will be in either DOT or railroad right of way. The current open ditch has been an eyesore for many years. And two, I think we would be remiss to not also come up with a plan to improve the lower end of Floyd Boulevard south of 7th street. I don't believe the city will ever take any initiative on their own; and this Route is an important, integral part of the | No response requested ³ |

| Date | Level of Support ¹ | Comment ² | Response from Iowa DOT |
|---------|-------------------------------|--|---|
| | | entrance to the city. The current congestion and connections are not sustainable for a balanced vision of the area. | |
| 2/20/25 | In Favor | In the design phase, there needs to be a focus on aesthetics/landscape/lighting while maintaining functionality. Similar to what was discussed in the I-29 project but fell very short in the final deliverable. | No response requested ³ |
| 2/20/25 | Not Provided | <p>I will not be able to attend the meeting this evening. However, I do have some questions.</p> <ol style="list-style-type: none"> 1. When will the property acquisition take place? 2. What will the time frame and acquisition look like? Will there be a separate meeting for each property owner when the time comes? 3. What will the Iowa DOT do to help us relocate if we are part of the property acquisition? I live here with my brother and sister so there are three of us who will be displaced. This home has been in my family for over 60 years. <p>Thank you for any answers you can give me!</p> | <p>Thank you for your email.</p> <p>I have inserted answers to your questions into your email below. They are shown in red text.</p> <p>Corridor preservation letters were sent in Fall 2024. I assume that you received the letter. You can also review this information: Statement of Property Owners' Rights</p> <p>Appraisal Operational Manual DRAFT 2.doc</p> <p>Thank you and please let me know if you have any other questions.</p> <ol style="list-style-type: none"> 1. When will the property acquisition take place? Property acquisition will begin in Summer 2025. The process can be lengthy as Iowa DOT and Sioux City understand that it can take a lot to purchase and relocate a property. 2. What will the time frame and acquisition look like? Will there be a separate meeting for each property owner when the time comes? There will be individual property owner meetings. 3. What will the Iowa DOT do to help us relocate if we are part of the property acquisition? I live here with my brother and sister so there are three of us who will be displaced. This home has been in my family for over 60 years. Please refer to relocation.pdf. |
| 2/20/25 | Not Provided | I am emailing you in regard to the public hearing on the Gordon Drive viaduct expansion project. Will this meeting be aired online, and if so can you please share the details? We have a business on Dace Ave and can not make the meeting. If you could provide details on how to watch online and a possible contact to ask questions, it would be greatly appreciated. | <p>Sorry I didn't respond to your email yesterday – we were at the Expo Center setting up for the meeting. It wasn't aired online, so you didn't miss anything.</p> <p>There are a couple of links you may find helpful: https://bit.ly/iowadot6407 -> once you enter your zip code and last name, you can view the presentation that was played at the public hearing; you can submit comments as well</p> |

| Date | Level of Support ¹ | Comment ² | Response from Iowa DOT |
|---------|-------------------------------|--|--|
| | | | Iowa Department of Transportation: Tell us what you think of the proposed replacement of the Gordon Drive Viaduct and Bacon Creek Conduit (Iowa 12) in Woodbury County. -> This will take you to a page that has the information that was displayed at the meeting If you need anything else, please let me know. |
| 2/21/25 | In Favor | I think adding pedestrian infrastructure is a great idea. If no commercial space is planned in the current interchange area of Gordon and Lewis I would love to see a park put there. And not just some trees in a field of grass, an actual well thought out Park that will bring pedestrian traffic to the area and to surrounding businesses. Further improving the area. Additionally is a location where the public can view the breakdown of the assumed project cost? Has there been any investigation into if roundabouts would be suitable alternatives to signaled interchanges in the new design? If so it would be interesting to know the cost vs benefits. | No response requested ³ |
| 2/21/25 | In Favor | If the current viaduct is deemed unsafe, is there a potential that the new viaduct would be constructed in the same location as the current one, or is the southern shift a certainty? | Thank you for your comment and interest in the proposed replacement of the Gordon Drive Viaduct and Bacon Creek Conduit (Iowa 12) in Woodbury County. Your email was not entered into the online comment system, so this letter has been sent in response to your question submitted: “If the current viaduct is deemed unsafe, is there a potential that the new viaduct would be constructed in the same location as the current one, or is the southern shift a certainty?” The response to your comment is as follows: The southern shift is the proposed alternative being presented. The Gordon Drive Viaduct is safe since the DOT has been proactively monitoring its condition and making repairs necessary to keep it in service. However, the structure is nearing the end of its service life and repairs are becoming more frequent and expensive. Currently, the viaduct is single lane in |

| Date | Level of Support ¹ | Comment ² | Response from Iowa DOT |
|---------|-------------------------------|--|---|
| | | | <p>each direction with a 20-ton limit. The next annual inspection is in May of 2025, which will continue every year until the viaduct is decommissioned.</p> <p>To “preserve” the condition of the bridge as best as feasible based on the current condition and timeline for replacement, the DOT made the determination to implement a management practice to reduce the number of lanes on the structure in conjunction with the necessary load posting.</p> <p>The south shift generates physical separation between the proposed bridges and the existing viaduct which yields several benefits:</p> <ul style="list-style-type: none"> • simplifies bridge and wall designs, reducing overall costs • simplifies construction of the new bridges and removal of the existing viaduct • provides continued public and economic benefit by maintaining traffic during construction • maintains better emergency response times during construction • improves construction site safety • improves utility and storm sewer accommodation <p>Though the south shift generates a slightly larger ROW impact area, the number of impacted parcels is very similar to the other evaluated alternatives since they also required some degree of southward shift to maintain Gordon Drive traffic during construction.</p> |
| 2/21/25 | Not Provided | <p>Thank you for speaking with me yesterday at the Public Meeting in Sioux City. After our conversation, I have the following questions:</p> <p>Where do I find the videos for the viaduct information, 5:30 presentation and public Q&A?</p> <p>Where do I find the list of realtors that attended the meeting you had with this week?</p> <p>I watched the local news clips this morning regarding the viaduct moving...They said it was moving 10’,</p> | <p>The information on the online video and project plans, handouts and displays are located at this link:</p> <p>Iowa Department of Transportation: Tell us what you think of the proposed replacement of the Gordon Drive Viaduct and Bacon Creek Conduit (Iowa 12) in Woodbury County.</p> <p>The bridges will be 10 feet south of the existing viaduct. For reference, the new north drip line of the bridges will be 10 feet from the current south drip line. The new south drip line will be approximately 100 feet from where it is</p> |

| Date | Level of Support ¹ | Comment ² | Response from Iowa DOT |
|---------|-------------------------------|---|---|
| | | but at previous meetings it was 100'. Which is correct? | now---10 feet movement south then approximately 72 feet of new roadway section and then a more width for the parapets/piers/foundations. |
| 2/22/25 | Neutral | Hello my concern is about the old viaduct that will be used until the new ones open i hope you guys take into account the amount of snow that gets built up in the closed lanes i just hope it doesnt snow too much and make the bridge heavier then the gross limit i still see semis use bridge once in awhile i just worry the old bridge will collapse if too much snow gets built up in the closed lanes | <p>Thank you for your comment and interest in the proposed replacement of the Gordon Drive Viaduct and Bacon Creek Conduit (Iowa 12) in Woodbury County.</p> <p>Your email was not entered into the online comment system, so this letter has been sent in response to your question submitted: “Hello my concern is about the old viaduct that will be used until the new ones open i hope you guys take into account the amount of snow that gets built up in the closed lanes i just hope it doesnt snow too much and make the bridge heavier then the gross limit i still see semis use bridge once in awhile i just worry the old bridge will collapse if too much snow gets built up in the closed lanes”.</p> <p>The response to your comment is as follows:</p> <p>The Gordon Drive Viaduct is safe since DOT has been proactively monitoring its condition, including snow management, and making repairs necessary to keep it in service. The structure is nearing the end of its service life and repairs are becoming more frequent and expensive. Currently, the viaduct is single lane in each direction with a 20-ton limit. The next annual inspection is May of 2025, which will continue every year until the viaduct is decommissioned.</p> <p>To “preserve” the condition of the bridge as best as feasible based on the current condition and timeline for replacement, DOT made the determination to implement a management practice to reduce the number of lanes on the structure in conjunction with the necessary load posting.</p> |

| Date | Level of Support ¹ | Comment ² | Response from Iowa DOT |
|---------|-------------------------------|--|--|
| 2/23/25 | Leaning in Favor | We need pull off shoulders in case of vehicle break down, along with stairwells for people to get down to stockyards. The Greenville barber, tastees, and pharmacy are historical landmarks, please keep them around. Those are my concerns. | <i>Requested to be responded to by phone</i> Commenter was called on the afternoon of March 3, 2025, to discuss his comment. [Commentor's] main concern was if Taste In & Out was going to remain open. Iowa DOT said that it was. He thanked them for the call and said he had no further concerns to discuss at this time |
| 2/24/25 | Not Provided | will This be higher than the current one in the east end for BNSF Railway to fit tall equipment underneath? Such as double stack, 20-2 autoracks and automax equipment! | Thank you for your questions and interest in the project. New Gordon Drive will be higher over the railroads but will be lower at Cunningham Drive. The grades on each end of the viaduct will be less steep than existing. We are not in the final design phase so would not be able to answer your specific questions regarding the double stack, 20-2 autoracks and automax equipment. |
| 2/25/25 | Not in Favor | If the bridge is what's structurally unsound then I'm not sure why so much of the strip will need to be worked on. It will end up costing more and taking longer than what is being proposed. | Thank you for your comment and interest in the proposed replacement of the Gordon Drive Viaduct and Bacon Creek Conduit (Iowa 12) in Woodbury County. Your email was not entered into the online comment system, so this letter has been sent in response to your question submitted: "If the bridge is what's structurally unsound then I'm not sure why so much of the strip will need to be worked on. It will end up costing more and taking longer than what is being proposed." The response to your comment is as follows: The southern shift is the proposed alternative being presented. The Gordon Drive Viaduct is safe since the DOT has been proactively monitoring its condition and making repairs necessary to keep it in service. However, the structure is nearing the end of its service life and repairs are becoming more frequent and expensive. Currently, the viaduct is single lane in each direction with a 20-ton limit. The next annual inspection is in May of 2025, which will continue every year until the viaduct is decommissioned. To "preserve" the condition of the bridge as best as feasible based on the |

| Date | Level of Support ¹ | Comment ² | Response from Iowa DOT |
|---------|-------------------------------|--|--|
| | | | <p>current condition and timeline for replacement, the DOT made the determination to implement a management practice to reduce the number of lanes on the structure in conjunction with the necessary load posting. The south shift generates physical separation between the proposed bridges and the existing viaduct which yields several benefits:</p> <ul style="list-style-type: none"> • simplifies bridge and wall designs, reducing overall costs • simplifies construction of the new bridges and removal of the existing viaduct • provides continued public and economic benefit by maintaining traffic during construction • maintains better emergency response times during construction • improves construction site safety • improves utility and storm sewer accommodation <p>Though the south shift generates a slightly larger ROW impact area, the number of impacted parcels is very similar to the other evaluated alternatives since they also required some degree of southward shift to maintain Gordon Drive traffic during construction.</p> |
| 2/25/25 | Not Provided | <p>I am an owner of a Gordon drive business and have some concerns about the project being proposed. My business is Jim's Burgers and is sitting between Wescott and Gordon. I am concerned that support of this project will lead to my property being taken from me. I can see the plans being made take up a bigger strip than seems necessary. I am all for fixing what's broken but I'm not sure if this amount of space needs to be taken and/or my business having to be relocated or being blocked off for an amount of time. Id hate to see a thriving business have to close its doors and leave Sioux City for this reason. I'd appreciate some clarification on the subject.</p> | <p>If you haven't already, please go to this link for the latest project information that was presented at the public hearing last week: Iowa Department of Transportation: Tell us what you think of the proposed replacement of the Gordon Drive Viaduct and Bacon Creek Conduit (Iowa 12) in Woodbury County</p> <p>Corridor preservation letters were sent in the Fall 2024. You should have received the letter as the Jim's Burgers property is in that zone.</p> <p>The Iowa DOT will conduct property owner meetings in the summer of 2025. Some items for you to become familiar with are as follows:</p> <p>relocation.pdf</p> <p>Statement of Property Owners' Rights Appraisal Operational Manual DRAFT 2.doc</p> |

| Date | Level of Support ¹ | Comment ² | Response from Iowa DOT |
|---------|-------------------------------|--|---|
| | | | If you have additional questions, please let me know |
| 3/05/25 | Neutral | Pidamaya, for the information on this project. | No response requested ³ |
| 3/06/25 | Not in Favor | <p>I am the property owner at 102 Steuben St. Sioux City, IA. 51101. My Family and I operate our business at this address and it serves as the central hub for our daily operations, which includes our offices and shop. Our employees report to this location daily. Most of our employees drive themselves to work and leave their vehicles parked here on the North side of the building for the duration of the workday.</p> <p>Your current design proposal to replace the Gordon Drive Viaduct would detrimentally affect our business because it removes our parking area. Current design proposal calls for a street to be built where our off-street parking currently is. Parking on the street is NOT a viable option because of the large trucks and other vehicle traffic on Steuben St.</p> <p>The City of Sioux City told us in 2022 that the traffic survey of Steuben St. showed 1,193 vehicles daily usage. Most of these are rock hauling semi-trucks hauling out of the rock terminal L.G. Everist @ 124 Steuben St. directly to the North of our building.</p> <p>Losing our parking for employees, suppliers, clients, and visitors puts a great hardship on our business. We have no other property here to move our parking area to. Losing our parking would cost us financially, work production, and employee contentment, ect. It would also affect us keeping or acquiring office level, management/consultant employees that may have mobility issues. All of these things greatly affect our bottom line.</p> <p>For the reasons listed above, we DO NOT support the Gordon Drive Viaduct Project as it is currently designed.</p> | <p>Thank you for your interest in the proposed replacement of the Gordon Drive Viaduct and Bacon Creek Conduit (Iowa 12) in Woodbury County. This letter is being sent in response to the business parking concerns outlined in your public comment form with an attached letter.</p> <p>The business operating at this address is Concrete Plus. The District 3 Engineer (Jessica Felix) and District 3 Assistant Engineer (Shane Tymkowicz) as well as DOT Right of Way Bureau staff have had conversations this past summer and fall with Nick Lucas, Concrete Plus Operations Manager. The DOT understands the business concerns and there will be continued coordination as the project design progresses.</p> <p>If you have additional questions or concerns, you may reach me at the phone number listed above or you can email me at sarah.tracy@iowadot.us.</p> |
| 3/06/25 | Not in Favor | As a property owner of a business this will deleteriously affect the way we will be able to conduct our daily affairs if this project goes forward in the way it is presently designed. It will take away the vast majority of our parking, with no | Thank you for your interest in the proposed replacement of the Gordon Drive Viaduct and Bacon Creek Conduit (Iowa 12) in Woodbury County. This letter is being sent in |

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| | | other options of restoring adequate replacement of this space. It will also adversely affect how we can manipulate our large pump trucks into and out of facility. Additionally, if we don't have adequate parking where re a our employees, clients, visitors, suppliers and consultants supposed to park? Some of those individuals suffer health problems- what are they to do? | response to the business concerns outlined in your public comment form. The business operating at this address is Concrete Plus. The District 3 Engineer (Jessica Felix) and District 3 Assistant Engineer (Shane Tymkowicz) as well as DOT Right of Way Bureau staff have had conversations this past summer and fall with Nick Lucas, Concrete Plus Operations Manager. The DOT understands the business concerns and there will be continued coordination as the project design progresses. If you have additional questions or concerns, you may reach me at the phone number listed above or you can email me at sarah.tracy@iowadot.us . |
| Unknown | In Favor | I think the project is well conceived excellent improvement for Sioux City I especially like the trail/multi use pathway plans | No response requested ³ |
| Unknown | In Favor | My concern is about the safety and comfort of pedestrians and cyclist who will be using the trail after construction. I think critical attention should be paid to the section of the trail that foes under the road (Highway 75). Safety of bikers must be looked at especially during the evening against bad people. | No response requested ³ |

¹ Level of Support entries are those provided by commenters via Iowa DOT's Public Involvement Management Application (PIMA). A "Not Provided" entry indicates that the commenter did not provide a response.

² Comments are provided as received. They are unedited for spelling, grammar, etc.

³ The Iowa DOT PIMA platform allows stakeholders to request a response or choose "No response requested."

New Information

FHWA Programmatic Section 4(f) Approval

FHWA has determined that using the *Programmatic Section 4(f) Evaluation for FHWA Projects that Necessitate the Use of Historic Bridges* document is applicable to the proposed action.

A Programmatic Section 4(f) Evaluation applies only when the FHWA Division Administrator:

- Determines the proposed project meets the applicability requirements of the programmatic evaluation;
- Determines all the alternatives set forth in the Findings section have been fully evaluated;
- Determines the finding in the document that there are no feasible and prudent alternatives to the use of the historic bridge is clearly applicable;
- Determines the proposed project complies with the Measures to Minimize Harm section of the document;
- Assures that implementation of the Measures to Minimize Harm is completed; and

- Documents that the programmatic Section 4(f) evaluation applies to the project on which it will be used.

On September 17, 2024, FHWA gave concurrence to proceed with the *Programmatic Section 4(f) Evaluation for FHWA Projects that Necessitate the Use of Historic Bridges*. This documentation, is included in **Appendix B**.

Section 106 MOA

A National Historic Preservation Act Section 106 Memorandum of Agreement (MOA) was executed on March 14, 2025, to resolve the adverse effect determination dated August 5, 2024, for the Gordon Drive Viaduct. The signatories include FHWA, Iowa Historic Preservation Officer (Iowa SHPO), and Iowa DOT. The University of Iowa Office of the State Archaeologist and the Sioux City Historic Preservation Commission were concurring parties to the MOA.

The MOA requires the completion of the following summarized stipulations:

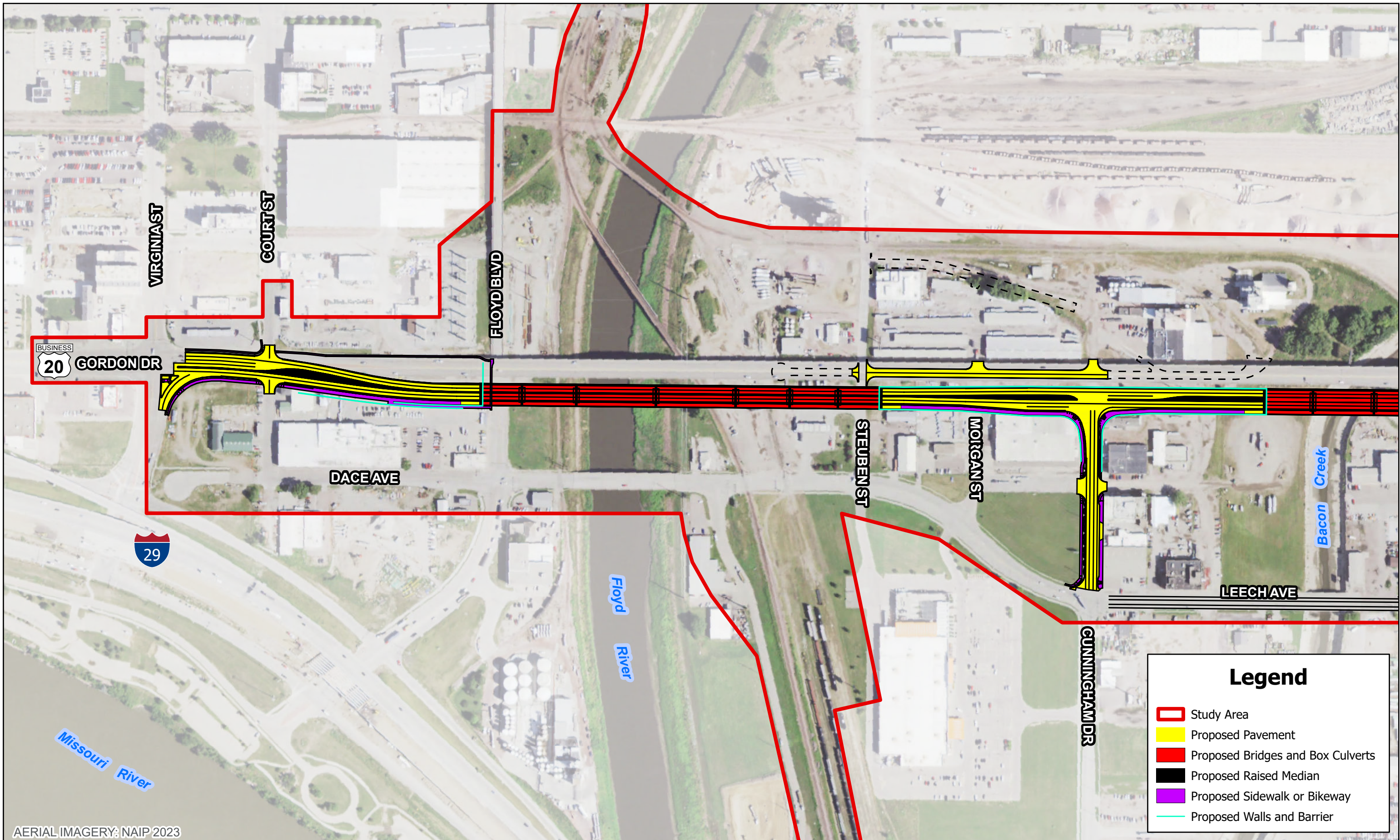
- I. Iowa DOT shall fund an architectural survey of the Sioux City Rail Yards and Industrial Potential Historic District (97-06100), or subsequent districts that may be identified, which will delineate the full boundaries of the district or districts and identify contributing and non-contributing properties. Approximate boundaries consist of 18th Street to the north, Lewis Boulevard and Fairmount Street to the east, Dace Avenue/Leach Avenue to the south, and Floyd Boulevard to the west, and adjoining areas as needed. The summary documentation will be made available to signatories of the MOA, tribes choosing to act as consulting parties, and concurring parties.
- II. FHWA and Iowa DOT shall ensure that a pre-construction survey of the 2 individual historic properties identified in Appendix D (of the Section 106 MOA) is completed to document their present conditions. The pre-construction survey will also establish a peak particle velocity (PPV) threshold for vibration. FHWA and Iowa DOT shall ensure sensors (crack and/or seismic) are installed and tested daily. If 80 percent of the PPV threshold is reached, sensors will alert the contractor and, in turn, the construction engineer. If damage to these properties occurs during construction or demolition, all activities will cease until approval from the construction engineer occurs. Iowa DOT will immediately notify SHPO if this occurs.

The MOA is included in **Appendix B**.

Preferred Alternative

Based on fewer environmental impacts than the other build alternatives considered and on input received from resource agencies and the public, the Proposed Alternative (the combined alternatives from the Gordon Drive Viaduct [Alternative 3] and the BCC [Combined BCC Alternative]) has been selected as the Preferred Alternative.

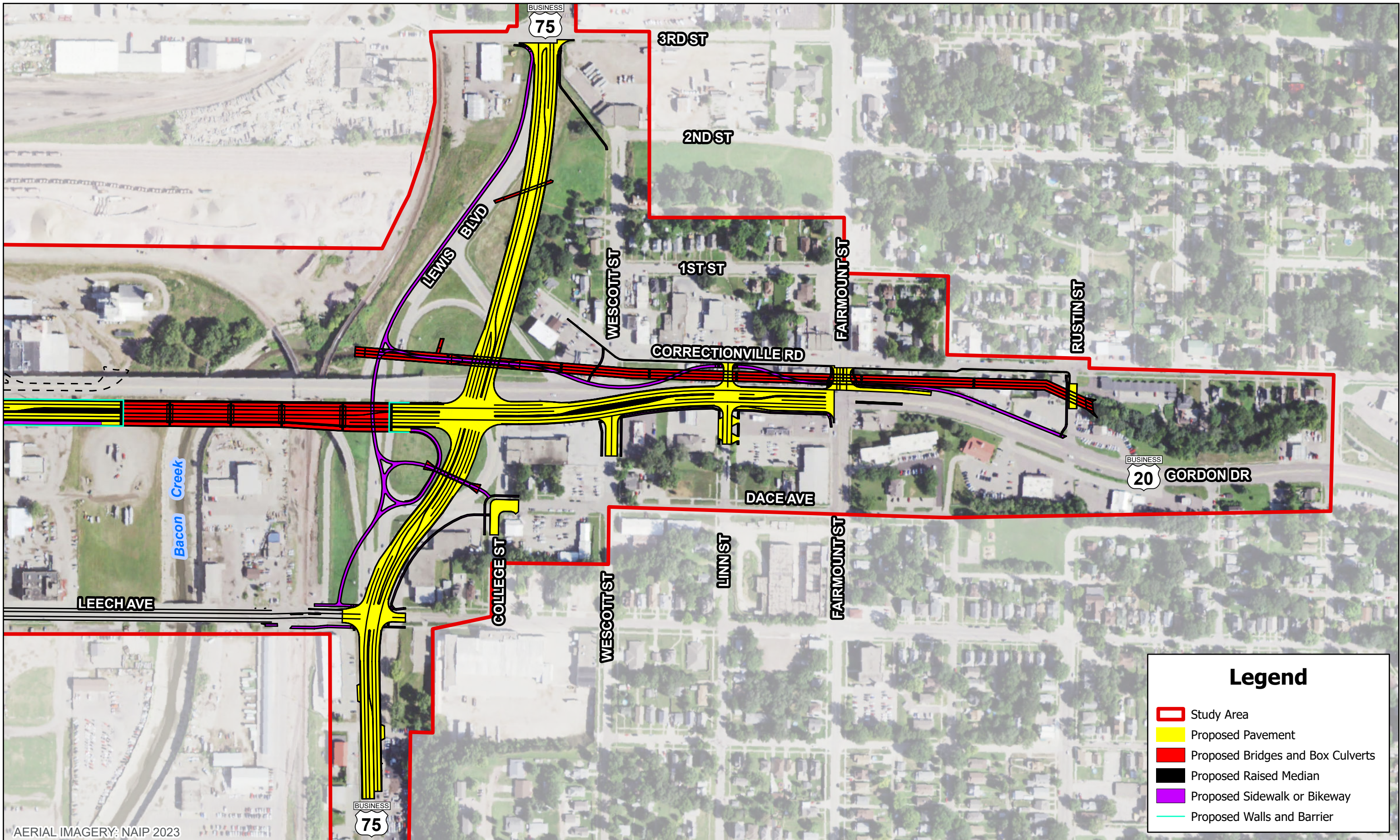
The Preferred Alternative is shown in **Exhibits 1-1 and 1-2**.



AERIAL IMAGERY: NAIP 2023



PREFERRED ALTERNATIVE
GORDON DRIVE VIADUCT / BACON CREEK CONDUIT
EXHIBIT 1-1



Basis for Finding of No Significant Impact

Several human and natural environmental resources were not present in the 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
- Community Cohesion
- Churches and Schools
- Economic
- Joint Development
- Parklands and Recreational Areas
- Bicycle and Pedestrian Facilities
- Right-of-Way
- Relocation Potential
- Construction and Emergency Routes
- Transportation
- Historical Sites or Districts
- Archaeological Sites
- Wetlands
- Surface Waters and Water Quality
- Floodplains
- Wildlife and Habitat
- Threatened and Endangered Species
- Noise
- Contaminated and Regulated Materials Sites
- Visual
- Utilities
- Cumulative Impacts

This FONSI documents compliance with the National Environmental Policy Act of 1969. Although Environmental Justice and Equity were both reviewed during the Environmental Assessment, neither analysis were considered in this final NEPA decision, all other applicable environmental laws, executive orders, and related requirements were considered.

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 acquisition will be minimized during the final design process to reduce impacts. Acquisitions will be conducted in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and Iowa Code 316, Relocation Assistance Law.
- Iowa DOT will communicate emergency vehicle construction access information to fire and police departments prior to the start of construction. Iowa DOT developed a staging plan to maintain traffic on Gordon Drive and Lewis Boulevard during construction. Coordination with emergency service providers will continue throughout the construction phase to plan alternate routes for emergency vehicles. Temporary detours and lane closures are expected. Coordination with emergency vehicles will occur to allow emergency service access to all businesses and residences.
- Iowa DOT will communicate with schools before construction to provide the timing of closures and detours and to address potential concerns regarding access, closure durations, and alternative school routes on Gordon Drive during construction. Coordination will continue with schools regarding changes in access and travel patterns to facilitate future school routes.

- If unanticipated discoveries are found during construction, Iowa DOT will notify Iowa SHPO and the Indian tribes for review and next steps.
- During final design, potential minimization of stream impacts for the Preferred Alternative will be evaluated, and the design will be altered to minimize impacts where practical.
- For impacts on waters of the United States, including streams, a Section 404 Permit Nationwide Permit will be obtained from the U.S. Army Corps of Engineers (USACE) prior to construction in compliance with the Clean Water Act.
- Iowa DOT will implement best management practices to avoid erosion, sedimentation, and runoff into the waterways and will adhere to the requirements of a Stormwater Pollution Prevention Plan associated with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit.
- Impacts on or avoidance of domestic or household private wells will be determined during final design.
- Iowa DOT and the Iowa Department of Natural Resources (Iowa DNR) are participating in ongoing coordination on a hydrologic and hydraulic analysis approach for floodplain permitting. Iowa DOT will obtain a floodplain permit prior to construction.
- Iowa DOT will follow the Migratory Bird Treaty Act requirements for tree removal, structure removal, and nesting as outlined in the Iowa DOT Standard Specification 1107.18C. To the extent practicable, tree clearing will not occur between April 1 and July 15. If structures must be removed during this period, Iowa DOT will survey for active nesting.
- If contamination above regulatory limits is encountered at any point during Project construction, work will stop, and Iowa DOT will be notified. Proper handling and disposal of any contaminated soil (including decontamination of equipment) will be warranted. In the event of a release of a hazardous substance in an amount equal to or greater than the reportable quantity established by the U.S. Environmental Protection Agency, the responsible party will contact the National Response Center. Details of the incident will be reported and measures taken to reduce the effects of the release. Standard best management practices will be used for demolition, clearing, and grubbing. Buildings identified for demolition will be thoroughly inspected for stored hazardous materials and any hazardous materials used in the building's construction, such as asbestos and mercury-containing materials.
- A groundwater professional will be on-site to monitor excavated material associated with potentially contaminated parcels, as described in the Project plan notes.
- Construction of the Preferred Alternative will likely require the following permits and approvals:
 - USACE, Omaha District Section 408 permission for work on or near the federal levee along the Floyd River
 - USACE, Rock Island District Clean Water Act Section 404 Permit
 - Iowa DNR Floodplain Development Permit
 - Iowa DNR NPDES Stormwater Construction Permit (General Permit No. 2, Construction Activities – Section 402 of Clean Water Act)
 - City of Sioux City Floodplain Development Permit

Appendix A

Agency Correspondence

Schwienebart, Christine

From: Schwienebart, Christine
Sent: Thursday, January 23, 2025 1:58 PM
To: Newell, Deeann
Subject: Notice of Availability - Environmental Assessment - IA 12 Gordon Drive Viaduct

Project Title: IA 12 Gordon Drive Viaduct
Project Number: NHS-012-1(37)--19-97

The Iowa Department of Transportation (Iowa DOT) in coordination with the Federal Highway Administration, has completed the Environmental Assessment for the improvements to IA 12 Gordon Drive Viaduct and Bacon Creek Conduit.

This document can be viewed on the Iowa DOT's website at the link below.

[IA 12 Gordon Drive Viaduct](#)

The Iowa DOT is soliciting comments on the document during the comment period which ends **March 10, 2025**. Please return your email comments to me by that date, or if you prefer to send your comments by mail, please postmark them by that date and send them to:

Christine Schwienebart
Location and Environment Bureau
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Please feel free to call me if you have any questions or concerns about this project.

Thank you,

Christine Schwienebart
NEPA Manager
Location and Environment Bureau
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010
(515) 239-1999
Christine.Schwienebart@iowadot.us
iowadot.gov



| Agency | TO: | CC: |
|---|---------------------------------------|---------------------------|
| City of Sioux City | gphair@sioux-city.org | branderson@sioux-city.org |
| City of Sioux City Assesor | terickson@sioux-city.org | |
| Federal Emergency Management Agency | Andrea.spillars@fema.dhs.gov | |
| Federal Railroad Administration | frapa@dot.gov | |
| Federal Transit Administration, Region VII | mark.bechtel@dot.gov | |
| Woodbury County Assessor | countyassessor@woodburycountyiowa.gov | |
| Woodbury County Clerk | CountyClerk.Woodbury@iowacourts.gov | |
| Woodbury County Recorder | miskaff@woodburycountyiowa.gov | |
| Woodbury County Sheriff | csheehan@woodburycountyiowa.gov | |
| Woodbury County Treasurer | tbertrand@woodburycountyiowa.gov | |
| Iowa Department of Agricultrue and Land Stewardship | michael.naig@iowaagriculture.gov | |
| Iowa Department of Agriculture, Mines and Minerals Bureau | minesAndMinerals@iowaAgriculture.gov | |
| Iowa Department of Natural Resources | casey.laskowski@dnr.iowa.gov | |
| Iowa Department of Natural Resources | kathleen.moench@dnr.iowa.gov | |
| Iowa Department of Public Health | director@dhs.state.ia.us | |
| Iowa Department of Transportation | Bryan.bradley@iowadot.us | |
| Iowa Economic Development Authority | director@iowaeda.com | |
| Sioux City Community Schools | earleyr@live.siouxcityschools.com | |
| Sioux City Community Schools | steward@live.siouxcityschools.com | |
| U.S. Army Corps of Engineers | Adam.R.Nebel@usace.army.mil | |
| U.S. Army Corps of Engineers | Kristina.M.Amato@usace.army.mil | |
| U.S. Army Corps of Engineers | Jennifer.R.Serkiz@usace.army.mil | |
| U.S. Army Corps of Engineers | kayla.a.eckert@usace.army.mil | |
| U.S. Army Corps of Engineers | martha.s.chieply@usace.army.mil | |
| U.S. Department of Agriculture | jon.hubbert@usda.gov | |
| U.S. Department of Housing and Urban Development | IA_Webmanager@hud.gov | |
| U.S. Department of Interior | Courtney_Hoover@ios.doi.gov | |
| U.S. Environmental Protection Agency | summerlin.joe@epa.gov | |
| U.S. Fish and Wildlife Service | will_meeks@fws.gov | |
| City of Sioux City Planning & Zoning | cmadsen@sioux-city.org | |
| City of Sioux City, Mayor | bob@rescottco.com | |
| City of Sioux City, Parks and Recreation Director | msalvatore@sioux-city.org | |
| Woodbury County | lsievers@woodburycountyiowa.gov | |
| Woodbury County Conservation Board | parksinfo@woodburyparks.org | |
| Siouxland Chamber of Commerce | chamber@siouxlandchamber.com | |
| Iowa Department of Natural Resources, Wildlife Bureau | doug.chafa@dnr.iowa.gov | |
| Iowa Department of Natural Resources, Wildlife Bureau | mark.gulick@dnr.iowa.gov | |
| Surface Transportation Board | Danielle.Gosselin@stb.gov | |
| Federal Aviation Administration | scott.tener@faa.gov | |
| National Park Service | April_Newman@nps.gov | |
| Burlington Northern Santa Fe Railroad | jacob.rzewnicki@bnsf.com | |
| Canadian National Railway | Jeffrey.price@cn.ca | |
| Dakota and Iowa Railroad | savandentop@lgeverist.com | |
| Union Pacific Railroad | smnorth@up.com | |

Schwienebart, Christine

From: Uhle, Mindy [HHS] <mindy.uhle@hhs.iowa.gov>
Sent: Friday, January 24, 2025 5:17 PM
To: Schwienebart, Christine
Cc: Stevens, Chelsea [HHS]
Subject: Fw: Notice of Availability - Environmental Assessment - IA 12 Gordon Drive Viaduct

CAUTION:

This email originated from outside the Iowa Department of Transportation.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for sharing. I would also recommend sharing the results with the following individual at the Iowa DNR if you haven't already.

Amie Davidson
Amie.Davidson@dnr.iowa.gov

Thank you.

Mindy Uhle, MPH
Chief, Bureau of Environmental & Local Public Health
Division of Public Health
Iowa Department of Health and Human Services
321 E 12th Street, Des Moines, IA 50319
515-499-1395
mindy.uhle@hhs.iowa.gov
[Iowa Department of Health and Human Services](#)



Health and Human Services

Schwienebart, Christine

From: Keach, Levi L CIV USARMY CENWO (USA) <Levi.L.Keach@usace.army.mil>
Sent: Friday, January 24, 2025 6:42 AM
To: Schwienebart, Christine
Cc: Serkiz, Jennifer R CIV (USA)
Subject: Notice of Availability - Environmental Assessment - IA 12 Gordon Drive Viaduct

CAUTION:

This email originated from outside the Iowa Department of Transportation.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Ms. Schwienebart,

I have a rather low consequence comment for this EA, absolutely no impact on the analysis.

Part 5.2, paragraph 2 (page 5-21) cites Section 106 of the NHPA at 16 USC 470f, the law was moved in the USC on December 19, 2014. Since that time, Section 106 is codified at 54 USC 306108.

Best,
Levi

Dr. Levi L. Keach, RPA
Archaeologist (Planning)
United States Army Corps of Engineers,
Omaha District Office
Office: 402-995-2044
Cell: 402-310-5447

Schwienebart, Christine

From: Moench, Kathleen <kathleen.moench@dnr.iowa.gov>
Sent: Tuesday, January 28, 2025 9:15 AM
To: Schwienebart, Christine
Subject: Re: Notice of Availability - Environmental Assessment - IA 12 Gordon Drive Viaduct

CAUTION:

This email originated from outside the Iowa Department of Transportation.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Christine,

Good morning. I've reviewed the document against any State REAP or Federal LWCF Grant projects awarded to the City of Sioux City, and no projects fall within the study area.

Thank you for the opportunity to review. Kathleen Moench

Kathleen Moench | Executive Officer

Iowa Department of Natural Resources

6200 Park Avenue, Suite 200, Des Moines, IA 50321

kathleen.moench@dnr.iowa.gov

Cell 515-720-2006

Schwienebart, Christine

From: Sleeper, Julie K <Julie.K.Sleeper@hud.gov>
Sent: Wednesday, February 12, 2025 8:32 AM
To: Schwienebart, Christine
Subject: RE: <External Message> Notice of Availability - Environmental Assessment - IA 12 Gordon Drive Viaduct

CAUTION:

This email originated from outside the Iowa Department of Transportation.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Christine,

Please see the information below from our Environmental Officer.

If there is anything else we can assist with, please do not hesitate to contact our office.

Thank you.

Good afternoon Julie,

We have reviewed the EA documentation provided and concur that the Fairmount Park Senior Housing property, located at 210 S Fairmount, is adjacent to the IDOT project, and the remaining properties identified do not appear to be within close proximity of the project site. Based on our review, we did not identify any adverse impacts or long-term effects as a result of the proposed DOT project.

We also noted that on page 134 of the document, there is an email dated 10-11-23, from Steve Eggleston on behalf of HUD, that also indicated that the project would not have an effect on HUD assets.

Please let me know if we can be of further assistance.

Thanks & be safe!

Beth
Beth A . Held
Regional Environmental Officer || HUD Region 7
U.S. Dept Housing & Urban Development || 400 State Ave || Kansas City, Kansas || 66101
Office: 913-321-9732 || Email: beth.held@hud.gov
www.hudexchange.info/programs/environmental-review/

Julie

From: Schwienebart, Christine <Christine.Schwienebart@iowadot.us>
Sent: Tuesday, January 28, 2025 3:53 PM

To: Sleeper, Julie K <Julie.K.Sleeper@hud.gov>

Subject: RE: <External Message> Notice of Availability - Environmental Assessment - IA 12 Gordon Drive Viaduct

Thank you for the confirmation of receipt, Julie,

We will await further feedback if applicable.

Best,

Christine Schwienebart

NEPA Manager

Location and Environment Bureau

Iowa Department of Transportation

800 Lincoln Way

Ames, IA 50010

(515) 239-1999

Christine.Schwienebart@iowadot.us

iowadot.gov



From: Sleeper, Julie K <Julie.K.Sleeper@hud.gov>

Sent: Monday, January 27, 2025 8:04 AM

To: Schwienebart, Christine <Christine.Schwienebart@iowadot.us>

Subject: RE: <External Message> Notice of Availability - Environmental Assessment - IA 12 Gordon Drive Viaduct

CAUTION:

This email originated from outside the Iowa Department of Transportation.

Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Christine,

We had received this email through our general email box. It has been forwarded to our Environmental Office for review.

Should you have any questions, please do not hesitate to contact me.

Thank you.

Julie Sleeper



Julie Sleeper

State Director

U.S. Department of Housing and Urban Development

Office of Field Policy and Management

200 Walnut, Room 237

Des Moines, IA 50308

Phone: (515) 323-2462 Cell Phone: (515) 300-6447

Appendix B

Section 4(f) Programmatic Bridge

Section 106 MOA

County: **Woodbury**
Phase Number: **NHS-012-1(37)--19-97**
Location: **Gordon Drive Viaduct**
NEPA ID: **12212**

The referenced project (removal of the National Register of Historic Places eligible **Gordon Drive Viaduct** in **Woodbury** County, Iowa) has completed the Section 4(f) process. This project fits the standard for a programmatic Section 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges. The following determinations have been met:

Applicability

This programmatic Section 4(f) evaluation meets the following criteria:

1. The bridge is to be replaced or rehabilitated with Federal funds.
2. The project will require the use of a historic bridge structure which is on or is eligible for listing on the National Register of Historic Places.
3. The bridge is not a National Historic Landmark.
4. The FHWA Division Administrator determined that the facts of the project match those set forth in the Programmatic Section 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges, July 5, 1983.
5. Agreement among the FHWA, the State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (ACHP) has been reached through procedures pursuant to Section 106 of the NHPA.

Alternatives

The **Do Nothing** alternative was evaluated but was determined to be not feasible and prudent.

The **Build on New Location Without Using the Old Bridge** was evaluated but was determined to be not feasible and prudent.

The **Rehabilitation Without Affecting the Historic Integrity of the Bridge** was evaluated but was determined to be not feasible and prudent.

Measures to Minimize Harm

The proposed action includes all applicable planning to minimize harm:

For bridges that are to be rehabilitated, the historic integrity of the bridge is preserved, to the greatest extent possible, consistent with unavoidable transportation needs, safety, and load requirements;

or

For bridges that are to be rehabilitated to the point that the historic integrity is affected or that are to be moved or demolished, the FHWA ensures that, in accordance with the Historic American Engineering Record (HAER) standards, or other suitable means developed through consultation, fully adequate records are made of the bridge;

or

For bridges that are to be replaced, the existing bridge is made available for an alternative use, provided a responsible party agrees to maintain and preserve the bridge;

and

For bridges that are adversely affected, agreement among the SHPO, ACHP, and FHWA is reached through the Section 106 process of the NHPA on measures to minimize harm and those measures are incorporated into the project.

Section 106

Project Determination: **Adverse Effect**

SHPO cleared Date: **08/05/2024**

Required Agreement: **Memorandum of Agreement**

Executed Date: **03/14/2025**

Commitments: **Architectural survey of the Sioux City Rail Yards and Industrial Potential Historic District (97-06100), or subsequent districts that may be identified, which will delineate the full boundaries of the district or districts and identify contributing and non-contributing properties. Phase III Data Recovery of 13WD235 and 13WD244**

Section 4(f)

FHWA Concurrence on Section 4(f) applicability: **09/17/2024**

Project File (available upon request)

Rehabilitation Technical Memorandum

Attachments:

SHPO concurrence letter

Memorandum of Agreement (MOA)

Bridges Needing a New Home <https://iowadot.gov/historicbridges/historic-bridges/Bridges-need-a-new-home>

From: sara.andre@email.iowaeda.com
To: [Becker, Janee](#)
Cc: allison.archambo@iowaeda.com; [Dolan, Brennan](#); heather.gibb@iowaeda.com; shpo106@iowaeda.com; marcus.schulenburg@iowaeda.com
Subject: R&C 190897006 - 00035660 - FHWA - Woodbury - Replacement of Gordon Drive/Grand Avenue Viaduct; 97-02775; FHWA #052830
Date: Monday, August 5, 2024 10:02:56 AM

CAUTION:

This email originated from outside the Iowa Department of Transportation.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

We have received your submittal for the above referenced federal undertaking. We provide the following response in accordance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations 36 CFR 800.

Regarding this project, please see the following comments:

R&C 190897006 - 00035660 - FHWA - Woodbury - Replacement of Gordon Drive/Grand Avenue Viaduct; 97-02775; FHWA #052830 - This project proposes to improve a segment of Gordon Drive (a.k.a. Iowa Highway 12/a.k.a. Grand Avenue Viaduct) that includes the replacement of the Gordon Drive Viaduct and the interchange improvements along Gordon Drive and Lewis Boulevard.

- Concur with the federal agency and/or their designated representative (Adverse Effect).
- Please note SHPO is still finalizing review of the above-ground resources inventory. This response is forthcoming, however, as noted above, we do concur with the overall effects finding.
- We look forward to continuing consultation with you on this project. If you have not already reached out to the Sioux City Historic Preservation Commission and other possible consulting parties, please do so.

You will not receive a hard copy of this email. It is the submitter's responsibility to maintain the official file of record. If you have any questions or comments, please feel free to contact our office.

Sincerely,

Sara André
Architectural Historian/Historic Preservation Specialist
State Historic Preservation Office
Pronouns: She/Her/Hers
sara.andre@iowaeda.com | +1 (515) 348-6286 | culture.iowaeda.com/shpo

Iowa Economic Development Authority 

MEMORANDUM OF AGREEMENT
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,
THE IOWA STATE HISTORIC PRESERVATION OFFICER, AND THE IOWA
DEPARTMENT OF TRANSPORTATION
REGARDING THE IMPROVEMENT OF IA 12 AND THE REPLACEMENT OF THE
GORDON DRIVE VIADUCT (FHWA #052830), WOODBURY COUNTY, IOWA;
IOWA SHPO REVIEW AND COMPLIANCE NO. 190897006;
IOWA DOT PROJECT NO. NHS-012-1(37)--19-97

WHEREAS, in accordance with Section 106 of the National Historic Preservation Act of 1966, 54 U.S.C. § 306108 (the Act), and its implementing regulations (36 CFR§ 800) the Federal Highway Administration (hereafter “FHWA”) proposes to assist with improvement of the IA 12 transportation corridor between Virginia Street and Rustin Street, which includes the replacement of the Gordon Drive Viaduct (FHWA #052830) in Sioux City, Woodbury County, (hereafter “Undertaking”); and

WHEREAS, the FHWA has defined the undertaking’s area of potential effects (hereafter “APE”) in Appendix A; and

WHEREAS, the FHWA has received a funding request for the undertaking from the Iowa Department of Transportation (hereafter “Iowa DOT”), and the Iowa DOT has chosen to enter into this Memorandum of Agreement (hereafter “MOA”) to fulfill its project obligations; and

WHEREAS, the FHWA has determined that this undertaking will have an adverse effect on the historic bridge FHWA #052830 (97-02775) and archaeological sites 13WD235 and 13WD244 which have been determined eligible for listing on the National Register of Historic Places, and have consulted with the Iowa State Historic Preservation Officer (SHPO) pursuant to 36 CFR § 800, the regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108); and

WHEREAS, in accordance with 36 CFR§ 800.2(c) the FHWA has identified and consulted with federally recognized tribes that may attach cultural or religious significance on Historic Properties (hereafter “Tribes”) and the list of Tribes is set forth in Appendix B, and has invited the Tribes to sign this MOA as concurring parties; and

WHEREAS, the FHWA has consulted with the Iowa DOT and the University of Iowa Office of the State Archaeologist (OSA) Bioarchaeology Program, regarding the effects of the undertaking on historic properties and have been invited to sign this MOA as concurring parties; and

WHEREAS, the FHWA has consulted with the Sioux City Historic Preservation Commission regarding the effects of the undertaking on historic properties and has invited them to sign this MOA as concurring parties; and

WHEREAS, this undertaking has continued to be developed with appropriate public involvement pursuant to 36 CFR § 800.2(d) and 800.6(a), having been coordinated with the scoping, public review and comment, and public hearings conducted to also comply with National Environmental Policy Act and its implementing regulations; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), the FHWA has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified

documentation, and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

NOW, THEREFORE, the FHWA, the SHPO, the City, the Iowa DOT, and the OSA agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effects of the undertaking on historic properties.

STIPULATIONS

The FHWA and Iowa DOT shall ensure that the following measures are carried out:

I. MITIGATION OF ADVERSE EFFECTS

- a. The Iowa DOT shall fund an architectural survey of the Sioux City Rail Yards and Industrial Potential Historic District (97-06100), or subsequent districts that may be identified, which will delineate the full boundaries of the district or districts and identify contributing and non-contributing properties. Approximate boundaries consist of 18th Street to the north, Lewis Blvd and Fairmount St to the east, Dace Ave/Leach Ave to the south, and Floyd Blvd to the west, and adjoining areas as needed.
- b. The Iowa DOT shall ensure that all historic preservation work pursuant to this agreement is carried out by or under the direct supervision of a Secretary of the Interior qualified historian and/or architectural historian (48 FR 44738-9).
- c. The Iowa DOT shall provide a draft of the survey to SHPO for review and comment.
- d. SHPO shall review and provide comments to the Iowa DOT within thirty (30) calendar days of receipt of the draft survey.
- e. Upon final acceptance of the survey, the Iowa DOT shall provide one complete digital copy to SHPO and the Sioux City Historic Preservation Commission. In addition, a spreadsheet of historic property data shall be provided to SHPO.
- f. The Iowa DOT shall implement the planned phase III data recovery in Appendix C, prior to and in coordination with construction activities.
- g. The Iowa DOT shall ensure that all historic preservation work pursuant to this agreement is carried out by or under the direct supervision of an archeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archeologist (48 FR 44738-9).
- h. The SHPO will be provided an opportunity to make a site visit to review the data recovery field work for thoroughness and compliance with the planned phase III data recovery, so that at its completion, the letting of the construction project may be allowed to proceed and will not be delayed while the laboratory analysis and writing of the report are being finished.

- i. Tribes choosing to act as consulting parties to this agreement will be provided an opportunity to make a site visit to review the data recovery field work for thoroughness and compliance with the planned phase III data recovery.
- j. Archaeological investigations and data recovery activities may be terminated at sites 13WD235 and 13WD244 if the FHWA, SHPO, and Iowa DOT agree that significant information is not being recovered.
- k. The FHWA and Iowa DOT shall ensure that all final archeological reports resulting from actions pursuant to this agreement are responsive to contemporary professional standards and to the Department of the Interior's Format Standards for Final Reports of Data Recovery Program (42 FR 5377-79). Precise locational data may be provided only in a separate appendix if it appears that release of such data could jeopardize archeological deposits. The FHWA and Iowa DOT shall also ensure that the final written report of the testing and data recovery shall be distributed to the signatories and consulting parties.
- l. The FHWA and Iowa DOT shall ensure that all materials and records resulting from the testing and data recovery conducted at archeological sites 13WD235 and 13WD244 are curated in accordance with 36 CFR Part 79 at a facility within the State of Iowa.
- m. If the FHWA, SHPO, and Iowa DOT can agree that sufficient data has been collected, the FHWA and Iowa DOT shall ensure the development of a for public media (i.e. blogpost, booklet, video) that may be printed and/or hosted on the Iowa DOT website or other publicly accessible location.

II. AVOIDANCE OF ADVERSE EFFECTS

- a. VIBRATION: Monitoring
 - i. FHWA and Iowa DOT shall ensure a pre-construction survey of the two (2) individual historic properties identified in Appendix D is completed to document their present condition. The preconstruction survey will also establish a peak particle velocity (PPV) threshold for vibration.
 - ii. FHWA and Iowa DOT shall ensure sensors (crack and/or seismic) are installed and tested daily. If eighty (80) percent of the PPV threshold is reached sensors will alert the contractor and in turn the construction engineer.
 - iii. If the PPV is reached, a meeting with the contractor and the construction engineer will identify alternative demolition/construction methods and/or equipment to be used to minimize project vibration.
 - iv. If damage to these properties occurs during construction or demolition, all activities will cease until approval from the construction engineer

occurs. The SHPO will be immediately notified by the Iowa DOT if this occurs.

- v. FHWA and Iowa DOT shall ensure a post-construction survey is performed and distributed to the SHPO sixty (60) days after construction completion.
- vi. Items under Stipulation II.a will be captured in a Special Provision of the construction documents.

III. DURATION

This MOA will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, the FHWA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VII below.

IV. POST-REVIEW DISCOVERIES

If properties are discovered that may be historically significant or unanticipated effects on historic properties found, the FHWA shall implement the discovery plan of this stipulation.

a. DISCOVERY PLAN: Archaeology

If construction work should uncover previously undetected archaeological materials, the Iowa DOT will cease construction activities involving subsurface disturbances in the area of the resource and notify the stakeholders of the discovery and proceed with the following stipulation. If the discovery includes human remains, Stipulation IV.B will be followed.

- i. The SHPO, or an archaeologist retained by the Iowa DOT that meets or exceeds the Secretary of the Interior's Standards for archeology, will immediately inspect the work site and determine the extent of the affected archaeological resource. Construction work may then continue in the area outside the archaeological resource as it is defined by the DOT's retained archaeologist in consultation with the stakeholders.
- ii. Within fourteen (14) days of the original notification of discovery, the Iowa DOT, in consultation with the stakeholders, will determine the National Register eligibility of the resource. The Iowa DOT may extend this 14- day calendar period one time by an additional seven (7) days by providing written notice to the stakeholders prior to the expiration date of said 14-day calendar period.
- iii. If the resource is determined eligible for the National Register, the Iowa DOT shall submit a plan for its avoidance, protection, recovery of information, or destruction without data recovery to the stakeholders for review and comment. The Iowa DOT will notify all consulting parties of the unanticipated discovery and provide the proposed treatment plan for their consideration. The SHPO and consulting parties will have seven (7)

days to provide comments on the proposed treatment plan to the FHWA and Iowa DOT upon receipt of the information.

iv. Work in the affected area shall resume upon either:

1. the development and implementation of an appropriate data recovery plan or other recommended mitigation procedures; or
2. agreement by the SHPO that the newly located archaeological materials are not eligible for inclusion on the National Register.

b. DISCOVERY PLAN: ***Human Remains***

The Iowa Code protects all human burials in the state of Iowa. Ancient remains are protected under Chapter 263B, 523I.316(6), and 716.5 of the Iowa Code and the provisions of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 through 3005).

In the event that human remains or burials are encountered during additional archaeological investigations or construction activities, the Iowa DOT shall proceed with the following process:

- i. Cease work in the area and take appropriate steps to secure the site.
- ii. Notify the Office of the State Archaeologist (OSA) and the stakeholders.
- iii. If the remains appear to be ancient (i.e., older than 150 years), the Bioarchaeology Program at the OSA shall have jurisdiction to ensure Iowa law, NAGPRA and the implementing regulations (43CFR10) are observed. In keeping with the policy and procedures of Bioarchaeology Program, the disposition of the remains will be arranged in consultation with the culturally affiliated tribe(s) or the Indian Advisory Council, following the procedures in the OSA/tribal NAGPRA agreement for culturally unidentifiable human remains, if the affiliation is not known.
- iv. If the remains appear to be less than 150 years old, the remains may be legally protected under Chapters 113.34, 144.34, 523I.316, and 716.5 of the Iowa Code and the Iowa Department of Health will be notified.

V. MONITORING AND REPORTING

Each year following the execution of the MOA, in January, until it expires or is terminated, the Iowa DOT shall provide all parties to this MOA a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in the FHW's efforts to carry out the terms of this MOA.

VI. DISPUTE RESOLUTION

Should any signatory or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the FHWA shall consult with such party to resolve the objection. If the FHWA determines that such objection cannot be resolved, the FHWA will:

- A. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the ACHP. The ACHP shall provide the FHWA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories, and concurring parties, and provide them with a copy of this written response. The FHWA will then proceed according to its final decision.
- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.
- C. The FHWA's responsibilities to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VII. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

VIII. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation X above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories. Once the MOA is terminated, and prior to work continuing on the undertaking, the FHWA must either (a) execute a MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. The FHWA shall notify the signatories as to the course of action it will pursue.

Execution of this MOA by the FHWA and the SHPO, and implementation of its terms is evidence that the FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

This agreement is binding upon the signatories hereto not as individuals, but solely in their capacity as officials of their respective organizations and acknowledges proper action of each organization to enter into the same.

MEMORANDUM OF AGREEMENT
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,
THE IOWA STATE HISTORIC PRESERVATION OFFICER, AND THE IOWA
DEPARTMENT OF TRANSPORTATION
REGARDING REPLACEMENT OF THE GORDON DRIVE VIADUCT (FHWA
#052830) AND BACON CREEK CONDUIT, WOODBURY COUNTY, IOWA;

IOWA SHPO REVIEW AND COMPLIANCE NO. 20190897006
IOWA DOT PROJECT NO. NHS-012-1(37)--19-97

SIGNATORY: FEDERAL HIGHWAY ADMINISTRATION – IOWA DIVISION

 Date 3/14/25
Mike LaPietra, Environment and Realty Manager

MEMORANDUM OF AGREEMENT
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,
THE IOWA STATE HISTORIC PRESERVATION OFFICER, AND THE IOWA
DEPARTMENT OF TRANSPORTATION
REGARDING REPLACEMENT OF THE GORDON DRIVE VIADUCT (FHWA
#052830) AND BACON CREEK CONDUIT, WOODBURY COUNTY, IOWA;

IOWA SHPO REVIEW AND COMPLIANCE NO. 20190897006
IOWA DOT PROJECT NO. NHS-012-1(37)--19-97

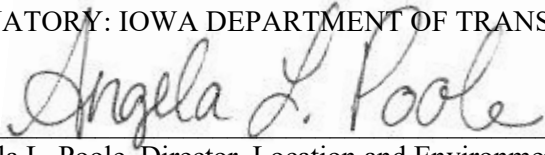
SIGNATORY: IOWA STATE HISTORIC PRESERVATION OFFICER (SHPO)

Heather Gibb Date 02/25/2025
Heather Gibb, State Historic Preservation Officer

MEMORANDUM OF AGREEMENT
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,
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REGARDING REPLACEMENT OF THE GORDON DRIVE VIADUCT (FHWA
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IOWA SHPO REVIEW AND COMPLIANCE NO. 20190897006
IOWA DOT PROJECT NO. NHS-012-1(37)--19-97

SIGNATORY: IOWA DEPARTMENT OF TRANSPORTATION (IOWA DOT)



Date 2/13/2025

Angela L. Poole, Director, Location and Environment Bureau

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BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,
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REGARDING REPLACEMENT OF THE GORDON DRIVE VIADUCT (FHWA
#052830) AND BACON CREEK CONDUIT, WOODBURY COUNTY, IOWA;

IOWA SHPO REVIEW AND COMPLIANCE NO. 20190897006
IOWA DOT PROJECT NO. NHS-012-1(37)--19-97

CONCURRING PARTY: UNIVERSITY OF IOWA OFFICE OF THE STATE
ARCHAEOLOGIST

John Doershuk

Date 2-13-2025

John F. Doershuk, Director and State Archaeologist

MEMORANDUM OF AGREEMENT
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,
THE IOWA STATE HISTORIC PRESERVATION OFFICER, AND THE IOWA
DEPARTMENT OF TRANSPORTATION
REGARDING REPLACEMENT OF THE GORDON DRIVE VIADUCT (FHWA
#052830) AND BACON CREEK CONDUIT, WOODBURY COUNTY, IOWA;

IOWA SHPO REVIEW AND COMPLIANCE NO. 20190897006
IOWA DOT PROJECT NO. NHS-012-1(37)--19-97

CONCURRING PARTY: SIOUX CITY HISTORIC PRESERVATION COMMISSION



Date 02-13-2025

Larry Obermeyer, Chair, Sioux City Historic Preservation Commission

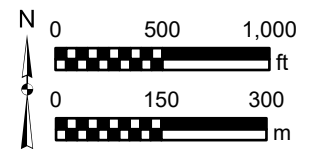
Appendix A

Area of Potential Effects



NHS-012-1(37)--19-97
Sioux City, Woodbury County, Iowa

 APE



Appendix B
List of Tribes/Nations

- Flandreau Santee Sioux Tribe
- Iowa Tribe of Kansas and Nebraska
- Iowa Tribe of Oklahoma
- Omaha Tribe of Nebraska
- Otoe-Missouria Tribe
- Pawnee Nation of Oklahoma
- Peoria Tribe of Indians of Oklahoma
- Ponca Tribe of Nebraska
- Prairie Band Potawatomi Nation
- Prairie Island Indian Community
- Sac and Fox Nation of Oklahoma
- Sac and Fox Tribe of the Mississippi in Iowa (Meskwaki Nation)
- Santee Sioux Nation
- Sisseton-Wahpeton Oyate
- Spirit Lake Tribe
- Three Affiliated Tribes - Mandan, Hidatsa, & Arikara
- Upper Sioux Community
- Winnebago Tribe of Nebraska
- Yankton Sioux Tribe

Appendix C
Scope of Work

Removed for reasons of confidentiality

Appendix D

Historic Properties with Vibration Monitoring

| Historic Properties | | Site Inventory Number | Address | | | |
|---------------------|---------------------|-----------------------|---------|-----------------|----|------------|
| 1 | Tastee Inn & Out | 97-06078 | 2610 | Gordon | Dr | Sioux City |
| 2 | Albert, M., Grocery | 97-00100 | 2829 | Correctionville | Rd | Sioux City |