

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

for the

**U.S. 63 NW Oskaloosa Bypass – From IA 163 to U.S. 63  
Mahaska County, Iowa**

NHSX-063-3(93)--3H-62

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

Date

5/15/2018

For FHWA

Michael LaPatrie

## Description of Proposed Action

The Iowa Department of Transportation (Iowa DOT) and the Federal Highway Administration (FHWA) are proposing to construct a two lane bypass north and west of the City of Oskaloosa in Mahaska County, Iowa. The proposed improvements include the construction or replacement of highway travel lanes, bridges, local roadways, intersections and an interchange. The proposed action will connect to U.S. 63 north of the corporate limits of Oskaloosa and to a new interchange at IA 163 west of Oskaloosa.

## Environmental Assessment Availability

The Environmental Assessment (EA) was signed on August 15, 2017 and was distributed to selected federal, state, and local resource agencies on September 25, 2017 for review and comment. A notice of public availability of the EA was placed on the Iowa DOT's website on September 25, 2017 at the link below. Notification and information about the public hearing held on November 2, 2017 was added to the link below on October 19, 2017.

<http://www.news.iowadot.gov/pim/2017/10/proposed-us-63-northwest-bypass-mahaska-county-november-2.html>.

Notices of the public hearing and availability of the EA were published in local newspapers. The legal notice was published in the legal sections of the Oskaloosa Herald and the New Sharon Sun on October 19, 2017. A display ad was published in the New Sharon Sun on October 26, 2017. The display ad was published in the Oskaloosa Herald on October 26, 2017 and October 31, 2017. The display ad was also published in the Oskaloosa Shopper on October 25, 2017 and November 1, 2017. Information about the meeting was posted to the Iowa DOT News page on the Iowa DOT website.

## Review and Comment Period

A review and comment period was established for receipt of comments on the EA, with an expiration date of December 4, 2017 that was extended to December 11, 2017 to allow for additional comments. A public hearing for the project was held at the Oskaloosa Middle School Cafeteria/ Commons, 1704 N. Third Street, in Oskaloosa, Iowa on November 2, 2017. The public hearing used a combined open forum and formal presentation format. A written record of this meeting was prepared and is available upon request from the Iowa DOT.

## Agency Comments

The notice of availability with a link to the EA was sent to agencies on September 25, 2017 to those agencies requesting electronic copies. Printed copies of the EA were mailed to agencies requesting printed copies on September 25, 2017 and on October 3, 2017. Two agencies responded with comments as described in Table 1. The notice of availability and agency responses are found in Appendix A.

**Notice of Public Hearing**

Notice of public hearing and environmental assessment availability for proposed U.S. 63 northwest Oskaloosa bypass and intent to acquire property in Mahaska County will be discussed in a public hearing on November 2, 2017 at 6:00 p.m. The hearing will be held at the Oskaloosa Middle School Cafeteria/ Commons, 1704 N. Third Street, in Oskaloosa, Iowa. The purpose of the hearing is to discuss the proposed U.S. 63 northwest bypass route and gather public feedback on the environmental assessment, impacts, and potential impacts pertaining to planned highway improvements. The environmental assessment is now available at the Oskaloosa Public Library, 301 S. Market St., and will be available for review during the public hearing. The Iowa Department of Transportation, in cooperation with the Federal Highway Administration, has prepared an environmental assessment (EA) for the proposed U.S. 63 northwest bypass route. The EA will be available for review during the public hearing.

The public hearing will be conducted using a combined open forum and formal presentation format. The open forum will be held from 6:00 to 7:00 p.m. The formal hearing will be held from 7:00 to 8:00 p.m., with a presentation starting at 7:00 p.m. Interested individuals are encouraged to attend the meeting. Oral and written statements will be accepted during both the open forum and formal session.

During the open forum Iowa DOT staff will be present to discuss the project. After the open forum a formal presentation will be displayed followed by a question-and-answer session. Persons wishing to make a formal statement will need to make that at the time of registration. There will be a three minute limit per speaker during the question-and-answer session.

The meeting space is accessible for persons with disabilities. If you require special accommodations at the meeting, please notify the Iowa DOT contact listed to the left by Oct. 30.

To submit a comment online about this project, go to: <http://bit.ly/iowadot105661702>.

Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, race, sex, disability, gender identity, national origin, pregnancy, sex, sexual orientation, or religion. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's affirmative action office. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0001.

**IOWADOT**

**PUBLIC HEARING**  
Thursday, Nov. 2, 2017, 6 to 8 p.m.  
Update: Oskaloosa Middle School, 1704 N. Third St.

The Iowa Department of Transportation will hold a public hearing Thursday, Nov. 2, between 6 to 8 p.m. The meeting will now be held at the Oskaloosa Middle School Cafeteria/ Commons, 1704 N. Third St.

The purpose of the meeting is to discuss the proposed U.S. 63 northwest bypass route around Oskaloosa, and gather public feedback on the environmental documentation, bypass route, preferred alternative, and potential impacts pertaining to planned highway improvements. The environmental assessment is now available at the Oskaloosa Public Library, 301 S. Market St., and will be available for review during the public hearing.

The public hearing will be conducted using a combined open forum and formal presentation format. The open forum will be held from 6:00 to 7:00 p.m. The formal hearing will be held from 7:00 to 8:00 p.m., with a presentation starting at 7:00 p.m. Interested individuals are encouraged to attend the meeting. Oral and written statements will be accepted during both the open forum and formal session.

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**Table 1. Summary of Agency Comments**

Date	Agency & Comment	Response from Iowa DOT
9/28/17 (email)	Iowa Department of Natural Resources <ul style="list-style-type: none"> <li>• Requested copy of the habitat study completed for the project.</li> </ul>	The habitat study was emailed to Iowa DNR on 9/29/17. No response was received. The email is included in Appendix A.
11/15/17	U.S. Fish and Wildlife Service <ul style="list-style-type: none"> <li>• Received the EA and have no comments.</li> <li>• Did not see their Early Agency Coordination response letter from 8/20/14 in the EA and sent it again for inclusion.</li> </ul>	Included the 8/20/14 response letter in Appendix A.

## Public Hearing

A public hearing was held on November 2, 2017 at the Oskaloosa Middle School Cafeteria/Commons, 1704 N. Third Street in Oskaloosa, Iowa from 6:00 PM to 8:00 PM. The purpose of the public hearing was to discuss the proposed U.S. 63 northwest bypass route around Oskaloosa, and gather public feedback on the environmental documentation, bypass route preferred alternative, and potential impacts pertaining to planned highway improvements. The hearing was conducted utilizing a combined open forum and formal format. The public was invited to attend an informal session anytime between 6:00 PM and 7:00 PM. A formal presentation began at 7:00 PM and was followed by a question and comment session. The public hearing was advertised and the published notice of availability was sent to the agencies as described above and on the Iowa DOT’s website at [www.iowa.gov/pim](http://www.iowa.gov/pim).

According to the Iowa DOT’s November 2, 2017 *Public Hearing Summary Booklet*, there were 79 people that registered their attendance at the public hearing. The public had the opportunity to comment verbally or in writing during the hearing, or by sending comments to the Iowa DOT after the meeting. Six (6) attendees provided verbal comments during the question and comment session, which are summarized in Table 2. Table 3 summarized the written comments received before, during, and after the public hearing. A total of 28 written comments were received. Of the 28 written comments, 11 were received before the public hearing, 7 were received the day of the public hearing, and 10 were received after the public hearing. The Iowa DOT provided responses to all commenters who requested a response.

**Table 2. Summary of Verbal Comments at Public Hearing**

Speaker	Comments
Mayor of Oskaloosa	Expressed support for the bypass as proposed and is concerned with fixing the conflict of traffic with the enjoyment of life in town. Truck traffic through town is disruptive to William Penn College campus, the town square activities, and pedestrians in town.
Resident	Concerned about U.S. 63 traffic turning east onto IA 92 as well as additional traffic at the intersection of Hwy 163 and IA 92 if the bypass is constructed. Offered suggestion of combining the northwest bypass with the southeast connector projects to create a beltway around Oskaloosa.
Resident	Concerned about the proposed gravel frontage road to get to her house on Northshore Drive. The road is currently pavement and not gravel. Concerned about the gravel road reducing property values in the neighborhood.

Speaker	Comments
East Central Iowa Transportation Coalition	Expressed support for the bypass around Oskaloosa and described how investment in transportation infrastructure increases business opportunities in the region.
City Council Member & Business Owner	Expressed support for the bypass due to noise and safety concerns.
Iowa DOT Commissioner	Thanked everyone for attending and sharing their comments and feedback about the project. Mentioned that property owners should not shy away from submitting comments and feedback through the process.

**Table 3. Summary of Written Comments**

Timeline	Type of Comment	Comment
Before Public Hearing	Online	Resident concerned about noise, vibration, and safety of truck traffic through town.
	Online	Resident with questions about bypass and why it is not going to the east side of town.
	Letter	Resident concerned about turning truck traffic turning on to IA 92.
	Phone	Resident concerned about the right of way and property acquisition timeline of the project.
	Meeting	Resident not in favor of the project because of farmland fragmentation and reduction to property values.
	Letter	Representative from South Central Regional Airport Agency (SCRAA) supporting the project.
	Email	Resident concerned about the location of the project in relationship to their acreage.
	Letter	Mayor of City of Pella supporting the project.
	Email	Resident concerned about the safety of the William Penn Crosswalk across U.S. 63 in town.
	Letter	Representative from Pella Corporation supporting the project.
On Day of Public Hearing	Email	Resident interested in getting an update on the project.
	Online	Resident concerned about volume of truck traffic in town and its negative impact on infrastructure in town.
	Online	Resident concerned about the volume of truck traffic in town.
	Letter	Representative from Musco Lighting supporting project and encouraging Iowa DOT to fund the project.
	Letter	Mayor of Oskaloosa supporting the project.
	Letter	Resident considers the project a waste of money and suggests using Farm to Market funds to connect Osborn Ave to U.S. 63 instead of the bypass.
	Comment Form	Resident not in favor of project. Is opposed to closing the roadway access from IA 163 to the Westlake Subdivision.
After Public Hearing	Verbal	Resident requested a copy of the Environmental Assessment document.
	Online	Resident concerned about traffic entering 210 <sup>th</sup> Street.
	Online	Resident concerned about property value if Westlake Subdivision access road is changed from pavement to gravel.

Timeline	Type of Comment	Comment
	Comment Form	Resident not in favor of project. Suggests alternative solutions to the bypass.
	Comment Form	Resident concerned with missing the online comment period.
	Comment Form	Representative of a family trust not in favor of the project with concerns about farmland severances and reduced value of property.
	Comment Form	Resident in favor of the project and is concerned with safety of the William Penn College crosswalk across U.S. 63.
	Comment Form	Resident not in favor of the project. Concerned about the frontage road to the Westlake Subdivision being changed from pavement to gravel.
	Online	Resident of Westlake Development not in favor of project. Concerned about traffic noise, environmental impacts, and decreased property value.
	Online	Resident of Westlake Development concerned about access to the development.
	Online	Resident concerned that not all of the residents living along Northshore Drive were invited to the public hearing.

## New Information

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

### Westlake Development Invite to Public Hearing

During the public hearing it was brought to the Iowa DOT's attention that not all residents living in the Westlake Development (a development with 15 homes along Northshore Drive, at the southwest end of the project study area) received notification of the public hearing that took place on November 2, 2017. The Iowa DOT sends letters to residents located within the project study area. For this project, the Westlake Development area was not included within the project study area and therefore, the residents living in this development did not receive letters. To correct this oversight, the Iowa DOT mailed letters to residents in the Westlake Development on November 8, 2017. This letter informed residents where to access the public hearing documents presented at the public hearing and to advise them that the public comment deadline was extended to from December 4, 2017 to December 11, 2017.

### Changes to Preferred Alternative Alignment

The Iowa DOT conducted a study to verify that the proposed alignments avoided as many environmental issues as possible while minimizing right of way impacts. The August 11, 2016 *Value Engineering Study*, included three recommendations that reduce costs, environmental impacts, and improve safety for the project. The three recommendations are discussed in Table 4. Two of the three recommendations were adopted as described in Table 4. The preferred alternative now includes the two recommendations made to avoid impacts to farmland and reduce the impacts to the environment. The preferred alternative is shown in Figure 1.

Figure 1  
Preferred Alternative



**Table 4. Recommendations from Value Engineering Study**

Recommendation Description	Recommendation Graphic	Implemented Yes/No and Reason
Modify the interchange type from a standard diamond to a directional type interchange.		No. The directional interchange would require additional farmland and right of way impacts compared to the diamond style interchange.
Shift the alignment slightly to avoid a total take of right of way from two properties. The original alignment (yellow) severs the parcel (black). The revised alignment (green) shifts the alignment to the right to avoid severing the farmland parcel.		Yes. Reduces impacts to farmland and right of way.
Adjust the county road intersection alignment at 230 <sup>th</sup> /Kirby Ave. The revised alignment of relocated 230 <sup>th</sup> /Kirby Ave (orange) is shifted 1,000 feet to the north and placed on fence lines between parcels to provide better sight distance and reduce parcel severances.		Yes. Improves safety and reduces impacts to farmland and right of way.

**Revised Impacts to Environmental Resources**

In general, the revisions to the preferred alternative’s alignment reduced the impacts to the environment. Table 5 summarizes the environmental impacts and shows the difference between the impacts to resources presented in the August 15, 2017 EA and the current preferred alternative. The amount of right of way, displacements, wetlands, surface water, and farmland impacts were decreased while the remaining resources had the same amount of impact.

**Table 5. Summary of Impacts**

<b>Resource</b>	<b>No Build Alternative</b>	<b>Impacts Presented in 8/15/17 EA</b>	<b>Preferred Alternative Impacts</b>
Right-of-Way (acres)	0	391	390
Displacements (number of displacements)	0	5	3
Wetlands (acres)	0	5.86	3
Surface Waters (linear feet)	0	3,690	3,612
Floodplains (acres)	0	12	12
Threatened and Endangered Species (acres)	0	0	0
Woodlands (acres)	0	6	6
Farmland (acres)	0	252	236
Historic Sites (number of sites)	0	0	0
Noise (number of sites)	0	0	0
Regulated Materials (number of sites / number of acres)	0	2 / 2	2 / 2
Utilities (number of crossings)	0	2	2

#### **Agency Concurrence Point 4 Meeting**

Federal and state agencies met on March 5, 2018 to discuss the preferred alternative at the Concurrence Point 4 meeting. Agencies that attended the meeting include the U.S. Environmental Protection Agency (EPA), U.S. Fish and Wildlife Service (USFWS), Iowa Department of Natural Resources (DNR), Federal Highway Administration (FHWA), and the Iowa DOT. The purpose of the meeting was to review the potential impacts the preferred alternative including the revisions from the value engineering study would have on the natural and human environment.

The Iowa DNR, USFWS, and EPA concurred with the preferred alternative while at the concurrence point meeting. The U.S. Army Corps of Engineers (USACE), who was unable to attend the meeting, reviewed the meeting materials and concurred with the preferred alternative on March 5, 2018 via email.

#### **Basis for Finding of No Significant Impact**

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

- Land Use
- Economic
- Right-of-Way and Relocation
- Construction and Emergency Routes
- Transportation
- Wetlands
- Surface Waters and Water Quality



- Floodplains
- Noise
- Visual
- Utilities

This Finding of No Significant Impact (FONSI) documents compliance with the National Environmental Policy Act of 1969 (NEPA) and all other applicable environmental laws, Executive Orders, and related requirements.

## **Special Conditions for Location Approval**

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

- Any potential right-of-way (ROW) requirements will be minimized during the final design process to minimize impacts. The State of Iowa will coordinate with business and property owners during the ROW acquisition process to negotiate compensation for ROW acquired. Relocations will be conducted in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and Iowa Code 316, the “Relocation Assistance Law”.
- As design advances, efforts will be made to avoid and minimize impacts to Water of the U.S. including wetlands. A Section 404 of the Clean Water Act permit will be acquired from the U.S. Army Corps of Engineers and a Section 401 water quality certification obtained from the Iowa Department of Natural Resources (Iowa DNR). Any unavoidable wetland impacts will be offset through the development of wetland mitigation approved by the regulatory agencies through the Section 404 Permit process. Construction activities in streams will be conducted during periods of low stream flow. All disturbed areas will be seeded with native grasses, and appropriate erosion control measures will be implemented. Clearing of vegetation will be limited to that which is absolutely necessary for construction of the project.
- A National Pollutant Discharge Elimination System (NPDES) General Stormwater Discharge Permit for Construction will be obtained from the Iowa DNR. Impacts on surface waters from stormwater runoff will be minimized in accordance with the NPDES permit and the Stormwater Pollution Prevention Plan (SWPPP) prepared in compliance with the permit.
- Floodplain Development Permits and Iowa Sovereign Lands Permits will be acquired from the Iowa DNR.
- As design advances, construction activities will be coordinated with public utilities to avoid potential conflicts and to minimize planned interruptions of service.
- An Air Quality Construction Permit will be acquired from the Iowa DNR.
- Iowa DOT’s Standard Note 232-9 will be included in project plans and require tree removal after September 30<sup>th</sup> and before April 1<sup>st</sup>.

## **References**

Iowa Department of Transportation, *Public Hearing Summary Booklet, U.S. 63 NW Oskaloosa Bypass*, November 2, 2017.

WHKS, *Value Engineering Study, US 63 Oskaloosa Bypass, Project Name NHSX-063-3(93)--3H-62*, August 11, 2016.

**APPENDIX A**  
**Agency Correspondence**

**Woodson, Stacy**

**From:** Woodson, Stacy  
**Sent:** Monday, September 25, 2017 10:28 AM  
**To:** 'glenn.helm@faa.gov'; 'steven.fender@dot.gov'; 'beth.held@dot.gov';  
'summerlin.joe@epa.gov'; 'Wendy.M.Frohlich@usace.army.mil';  
'kurt.simon@ia.usda.gov'; 'IA\_Webmanager@hud.gov'; 'courtney\_hoover@ios.doi.gov';  
'Kraig\_McPeek@fws.gov'; 'Heidi\_Woeber@fws.gov'; 'Kristen\_Lundh@fws.gov';  
'christine.schwake@dnr.iowa.gov'; 'seth.moore@dnr.iowa.gov';  
'kathleen.moench@dnr.iowa.gov'; 'mcard@mahaskacounty.org';  
'supervisors@mahaskacounty.org'; 'sanitarian@mahaskacounty.org';  
'engineer@mahaskacounty.org'; 'city@oskaloosaiowa.org'; 'city@oskaloosaiowa.org';  
'akhilesh.pal@oskaloosaiowa.org'; 'city@oskaloosaiowa.org'; 'city@oskaloosaiowa.org';  
'ebrown@oacdg.org'; 'mnardini@cityofpella.com'; 'j.hansen@scraaiowa.com';  
'beth.danowsky@musco.com'; 'jeraldsearle@gmail.com'  
**Cc:** Shelby Ebel (shelby.ebel@iowadot.us); Hector Torres-Cacho (hector.torres-cacho@iowadot.us); Mike.LaPietra@fhwa.dot.gov  
**Subject:** U.S. 63 NW Oskaloosa Bypass EA, Mahaska County, Iowa

Subject: U.S. 63 NW Oskaloosa Bypass Environmental Assessment  
Oskaloosa, Mahaska County, Iowa  
NHSX-063-3(93)--3H-62

I am sending this message on behalf of the Iowa Department of Transportation (DOT). The Iowa DOT in coordination with the Federal Highway Administration completed the Environmental Assessment (EA) for U.S. 63 NW Oskaloosa Bypass – From IA 163 to U.S. 63 in Mahaska County, Iowa.

The Iowa DOT is soliciting comments on the document during the comment period which ends December 4, 2017. To be considered in the decision document, please email or postmark your comments by that date and send them to:

Tamara Nicholson  
Iowa DOT – Office of Location and Environment  
800 Lincoln Way  
Ames, IA 50010  
[Tamara.Nicholson@iowadot.us](mailto:Tamara.Nicholson@iowadot.us)

The EA may be viewed on the Iowa DOT's website at this link: <https://iowadot.gov/ole/nepa-compliance/nepa-documents/u-s-63-northwest-oskaloosa-bypass>

Thank you,

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



8710 Earhart Lane SW | Cedar Rapids, IA 52404  
Main 319.841.4000 | Fax 319.841.4012 | Direct 319.841.4390 | Cell 319.310.3426  
[HRGREEN.COM](http://HRGREEN.COM)

The contents of this transmission and any attachments are confidential and intended for the use of the individual or entity to which it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited.

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Thank you,

**Stacy E. Woodson, PE**

Senior Project Manager - Transportation

HR GREEN, INC.



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**Woodson, Stacy**

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**Subject:** FW: U.S. 63 NW Oskaloosa Bypass EA, Mahaska County, Iowa  
**Attachments:** rpt-072715-HabitatSurvey\_US63OskaloosaBypass.pdf

**From:** Woodson, Stacy  
**Sent:** Friday, September 29, 2017 1:19 PM  
**To:** 'Moore, Seth'  
**Cc:** Nicholson, Tamara; Shelby Ebel ([shelby.ebel@iowadot.us](mailto:shelby.ebel@iowadot.us))  
**Subject:** RE: U.S. 63 NW Oskaloosa Bypass EA, Mahaska County, Iowa

Seth,

A Habitat Survey was conducted in 2015 for this project. I have attached it for you but its 10 MB so if you do not receive it let me know. We will need to place it on an ftp site for you to download if the attachment doesn't come through.

Please let us know if you have questions.

Thanks,

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

 HR GREEN, INC.  
8710 Earhart Lane SW | Cedar Rapids, IA 52404  
Main 319.841.4000 | Fax 319.841.4012 | Direct 319.841.4390 | Cell 319.310.3426  
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**From:** Moore, Seth [<mailto:seth.moore@dnr.iowa.gov>]  
**Sent:** Thursday, September 28, 2017 4:04 PM  
**To:** Woodson, Stacy  
**Cc:** Nicholson, Tamara  
**Subject:** Re: U.S. 63 NW Oskaloosa Bypass EA, Mahaska County, Iowa

Stacey,

Could we please see any botanical surveys that were conducted for the project. The EA reads like ones were done but we dont have any record of receiving them.



**Seth Moore** | Environmental Specialist  
Iowa Department of Natural Resources  
P 515-725-8464 | F 515-725-8201 | 502 E. 9th St., Des Moines, IA  
50319  
[www.iowadnr.gov](http://www.iowadnr.gov)

On Mon, Sep 25, 2017 at 10:27 AM, Woodson, Stacy <[swoodson@hrgreen.com](mailto:swoodson@hrgreen.com)> wrote:  
Subject: U.S. 63 NW Oskaloosa Bypass Environmental Assessment  
Oskaloosa, Mahaska County, Iowa  
NHSX-063-3(93)--3H-62

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Iowa DOT – Office of Location and Environment  
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[Ames, IA 50010](#)  
[Tamara.Nicholson@iowadot.us](mailto:Tamara.Nicholson@iowadot.us)

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Thank you,

**Stacy E. Woodson, PE**

Senior Project Manager - Transportation

HR GREEN, INC.



8710 Earhart Lane SW | [Cedar Rapids, IA 52404](#)

Main 319.841.4000 | Fax 319.841.4012 | Direct 319.841.4390 | Cell 319.310.3426

[HRGREEN.COM](http://HRGREEN.COM)

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**Woodson, Stacy**

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**To:** Woeber, Heidi  
**Subject:** RE: U.S. 63 NW Oskaloosa Bypass EA, Mahaska County, Iowa

**From:** Woeber, Heidi [[mailto:heidi\\_woeber@fws.gov](mailto:heidi_woeber@fws.gov)]  
**Sent:** Wednesday, November 15, 2017 9:41 AM  
**To:** Woodson, Stacy; Tamara Nicholson  
**Subject:** Re: U.S. 63 NW Oskaloosa Bypass EA, Mahaska County, Iowa

Here is our response on the EA. I was wondering if you had a copy of our response dated 2014 - I didn't see it included in the agency correspondence? I am also including a copy here.

**Heidi Woeber**  
Fish and Wildlife Biologist  
Ecological Services  
**U.S. Fish and Wildlife Service**  
1511 47th Avenue  
Moline, IL 61265  
309/757-5800, ext. 209  
309/757-5807 Fax  
[heidi\\_woeber@fws.gov](mailto:heidi_woeber@fws.gov)

On Mon, Sep 25, 2017 at 10:27 AM, Woodson, Stacy <[swoodson@hrgreen.com](mailto:swoodson@hrgreen.com)> wrote:  
Subject: U.S. 63 NW Oskaloosa Bypass Environmental Assessment  
Oskaloosa, Mahaska County, Iowa  
NHSX-063-3(93)--3H-62

I am sending this message on behalf of the Iowa Department of Transportation (DOT). The Iowa DOT in coordination with the Federal Highway Administration completed the Environmental Assessment (EA) for U.S. 63 NW Oskaloosa Bypass – From IA 163 to U.S. 63 in Mahaska County, Iowa.

The Iowa DOT is soliciting comments on the document during the comment period which ends December 4, 2017. To be considered in the decision document, please email or postmark your comments by that date and send them to:

Tamara Nicholson  
Iowa DOT – Office of Location and Environment  
[800 Lincoln Way](http://800LincolnWay.com)  
[Ames, IA 50010](http://Ames.IA.50010.com)  
[Tamara.Nicholson@iowadot.us](mailto:Tamara.Nicholson@iowadot.us)

The EA may be viewed on the Iowa DOT's website at this link: <https://iowadot.gov/ole/nepa-compliance/nepa-documents/u-s-63-northwest-oskaloosa-bypass>

Thank you,



**Stacy E. Woodson, PE**

Senior Project Manager - Transportation



HR GREEN, INC.

8710 Earhart Lane SW | [Cedar Rapids, IA 52404](#)

Main 319.841.4000 | Fax 319.841.4012 | Direct 319.841.4390 | Cell 319.310.3426

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United States Department of the Interior



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

IN REPLY REFER  
TO:

FWS/IL-IAFO

November 15, 2017

Tamara Nicholson  
Office of Location and Environment  
Iowa Department of Transportation  
800 Lincoln Way  
Ames, Iowa 50010

Dear Mr. Nicholson:

We have received the Environmental Assessment dated August 15, 2017, for the improvement of U.S. 63 for the proposed two lane bypass north and west of the City of Oskaloosa in Mahaska County, Iowa. The proposed action will connect to U.S. 63 north of the corporate limits of Oskaloosa and a new interchange at IA 163 West of Oskaloosa. We have reviewed the document and have no further comments.

This precludes the need for further action on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. Should this project be modified or new information indicate endangered species may be affected, consultation should be initiated.

Thank you for the opportunity to provide comments. If you have any additional questions or concerns, please contact Heidi Woerber of my staff at extension 209.

Sincerely,

*Heidi Woerber*  
for **Kraig McPeck**  
Field Supervisor

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## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Rock Island Field Office  
1511 47<sup>th</sup> Avenue  
Moline, Illinois 61265  
Phone: (309) 757-5800 Fax: (309) 757-5807



IN REPLY REFER  
TO:

FWS/RIFO

August 20, 2014

Ms. Janet Vine  
NEPA Document Manager  
Iowa Department of Transportation  
800 Lincoln Way  
Ames, Iowa 50010

Dear Ms. Vine:

Thank you for contacting us regarding your project. This responds to your July 31, 2014, letter regarding the preparation of an Environmental Assessment for the construction of a new U.S. 63 alignment bypassing the City of Oskaloosa in Mahaska County, Iowa. We have the following comments.

With respect to any species, listed or proposed to be listed, which may be present in the area of the proposed action, we refer you to the Service's Region 3 Technical Assistance website at <http://www.fws.gov/midwest/endangered/section7/sppranges/index.html>. Habitat descriptions for these species can also be found on our website. You may use these descriptions to help you determine if there is suitable habitat within your project area. By following the instructions, you can determine what your action area is, whether listed species may be found within the action area, and if the project may affect listed species.

The Service removed bald eagles from protection under the Endangered Species Act on August 8, 2007. However, they remain protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act of 1940 (Eagle Act). The Eagle Act prohibits take which is defined as, "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb" (50 CFR 22.3). Disturb is defined in regulations as, "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior." The National Bald Eagle

Ms. Janet Vine

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Management Guidelines (Guidelines) offer guidance on how to minimize disturbance to bald eagles and increase the likelihood that actions near bald eagle nests are consistent with the Eagle Act and the Migratory Bird Treaty Act. We encourage adherence to these Guidelines.

It is unlawful to take or disturb eagles without first obtaining a permit for non-purposeful take of eagles. However, no permit would be available unless an applicant has first taken all practicable steps to avoid take of eagles. Information about eagle permits can be found online at the following link: <http://www.fws.gov/midwest/MidwestBird/eaglepermits/>

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

These comments provide technical assistance only and do not constitute the report of the Secretary of the Interior on the project within the meaning of Section 2(b) of the Fish and Wildlife Coordination Act, do not fulfill the requirements under Section 7 of the Endangered Species Act, nor do they represent the review comments of the U.S. Department of the Interior on any forthcoming environmental statement. Please contact me if you have questions.

Heidi Woeber  
U.S. Fish and Wildlife Service  
1511 47<sup>th</sup> Avenue  
Moline, Illinois 61265  
309/757-5800 Ext. 209

cc: IADNR (Poole, Schwake)