

**NOTICE OF PUBLIC HEARING AND ENVIRONMENTAL ASSESSMENT
AVAILABILITY FOR THE PROPOSED IMPROVEMENT OF IOWA 86 IN
DICKINSON COUNTY FROM IOWA 9 NORTH TO THE MINNESOTA STATE
LINE AND NOTICE TO ACQUIRE PRIVATE PROPERTY FOR SAID PROJECT**

IN RE: Proposed reconstruction of Iowa 86 in Dickinson County

TO WHOM IT MAY CONCERN:

Notice is hereby given to all interested persons that a Public Hearing will be held on July 21, 2011, between 5 and 7 p.m., at the Dickinson County Courthouse, 1802 Hill Avenue, Spirit Lake, Iowa, to discuss the proposed improvements of Iowa 86 from Iowa 9 north to the Minnesota State line. The improvement has been split into a north and a south project. The purpose of this hearing is to update the public on the progress of the projects, present the completed Environmental Assessment (EA) for the study area and gather feedback from the public about the projects and EA.

The purpose of the south project is to improve the alignment of the roadway and provide paved shoulders to increase safety. For the study area which begins at Iowa 9 and proceeds north to just south of 110th Street, the Build Alternative would provide for total reconstruction of Iowa 86. From north of the former Iowa Northwestern Railroad property to just south of 130th Street the alignment would be shifted approximately 45 feet west of the existing alignment. Between 130th and 120th streets the roadway would be reconstructed either west or east of existing to avoid property impacts. From 2,500 feet north of 120th Street to the end of the project the roadway would be realigned about 30 feet to the east to avoid impacting Section 4(f) property.

The purpose of the Iowa 86 curve realignment north project is to reduce the curvature of the route into Minnesota. Iowa 86 through the curve section would be reconstructed on new alignment. This project would begin just south of 110th Street and proceed to 0.2 mile north of the state line. Just north of 110th Street the alignment would curve to the east and then turn to the north to tie into existing Iowa 86 at the Minnesota state line. Approximately 2,000 feet of existing Iowa 86 would be obliterated from the beginning of the project north. A connection to relocated Iowa 86 would be provided at this north point. The east curve at the state line would be removed. One Hundredth Street would be reconstructed to accommodate the improvement.

The Environmental Assessment evaluates the Build Alternative and the No Build Alternative for the study area. Potential impacts of the alternatives to wetlands, water resources, historic buildings, homes, businesses, parks, and public facilities and services have been evaluated and are included in the EA. Information regarding the Build Alternative will be available at the public hearing.

The Build Alternative would impact Diamond Lake Wildlife Management Area and Welch Lake Wildlife Management and Waterfowl Production Area which are Section 4(f) resources and are subject to protection as wildlife and waterfowl refuges. A parcel of land would be acquired to mitigate for the conversion of Section 4(f) land to highway right-of-way use. The Federal Highway Administration (FHWA) is proposing to make a *de minimis* effect determination for the impacts. This is your opportunity to review and comment on the proposed *de minimis* effect of the proposed project on the wildlife areas. *De minimis* impacts on publicly owned parks, recreation areas, and wildlife and waterfowl refuges are defined as those that do not "adversely affect the activities, features and attributes" of the Section 4(f) Resource.

The Iowa Department of Transportation (DOT) in cooperation with the Federal Highway Administration has prepared an EA for this project. Copies may be obtained by contacting either of the following:

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

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

A copy of the EA will be available for inspection at the hearing and for viewing at the Spirit Lake Public Library, 702 16th Street, Spirit Lake, Iowa, after July 6, 2011.

A review deadline of August 8, 2011, has been established for receipt of comments on this document. All comments received on the EA by that date will be considered by the Iowa Department of Transportation and the Federal Highway Administration in their evaluation of the environmental impacts of the project. Comments on the EA should be submitted to the Director, Office of Location and Environment, at the above address.

This public hearing will be conducted utilizing a combined open forum and formal format. Iowa Department of Transportation (DOT) staff members will be present with plans, displays and related information to discuss the project informally between 5 and 6 p.m. Interested individuals are encouraged to attend the hearing anytime during the informal session to express their views and ask questions about the proposed improvement.

A formal presentation will begin at 6 p.m. followed by a question and answer session. There will be a three (3) minute limit per speaker during the question and answer session. Persons wishing to make a formal presentation will need to so designate at the time of registration. Oral and written statements will be accepted during both the open forum and the formal sessions.

Written statements and related exhibits, in place of or in addition to oral statements made at the public hearing, will be accepted at the hearing or may be submitted to the Office of Location and Environment, Iowa DOT, 800 Lincoln Way, Ames, Iowa, 50010. All written material received by August 8, 2011, will be included in the project transcript.

For general information regarding the proposed improvement or the public hearing, contact Shane Tymkowicz, Assistant District 3 Engineer, District 3 Office, Iowa Department of Transportation, 2800 Gordon Drive, P.O. Box 987, Sioux City, Iowa 51102-0987, telephone 712-276-1451 or 800-284-4368.

All persons interested in the project are invited to attend this hearing. The meeting room is accessible for persons with disabilities. If you require special accommodations at the hearing, please notify Mr. Tymkowicz by July 14, 2011, so arrangements can be made.

NOTICE TO PROPERTY OWNERS

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

1. DESCRIPTION OF THE PROPOSED IMPROVEMENT.

NOTICE IS HEREBY GIVEN that the Iowa Department of Transportation (DOT) will consider approving the following described project:

Proposed improvement of Iowa 86 from Iowa 9 to just north of the Minnesota State line.

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

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

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

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

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

4. OPPORTUNITY FOR PUBLIC INPUT.

As previously stated in this notice, a Public Hearing will be held on July 21, 2011, between 5 and 7 p.m., at the Dickinson County Courthouse, 1802 Hill Avenue, Spirit Lake, Iowa, to discuss the proposed improvements of Iowa 86 from Iowa 9 north to the Minnesota state line. Comments received from the public at the hearing will be included in the project transcript. Written statements can be submitted to the DOT at the hearing, or sent to the Office of Location and Environment, Iowa DOT, 800 Lincoln Way, Ames, IA 50010. All written material received by August 8, 2011, will be included in the project transcript.

5. IOWA DEPARTMENT OF TRANSPORTATION CONTACT.

For information regarding the proposed improvement contact:

Shane Tymkowicz
Assistant District 3 Engineer
District 3 Office
Iowa Department of Transportation
2800 Gordon Drive, P.O. Box 987
Sioux City, IA 51102-0987
Telephone 712-276-1451 or 800-284-4368

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

This notice is not an offer to buy land nor is it an offer to provide relocation assistance. Affected property owners are not required to move from their residences or relocate their businesses at this time. Eligibility for relocation

benefits will not occur until after an offer to purchase has been made to individual property owners.

To view information concerning this project please go to the following Web site:
<http://www.iowadot.gov/pim>

Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. 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 officer. 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 800-262-0003.