

1 **APPENDIX A RESPONSE TO COMMENTS RECEIVED ON THE FEIS**

2 Three comment letters were received after issuance of the Final Environmental Impact Statement. The
3 original letters as submitted are contained in this appendix. Responses to these comments are provided in
4 Table A-1.

1

Table A-1 Response to Comments on the Final Environmental Impact Statement

COMMENT	RESPONSE
<p>United States Environmental Protection Agency, April 28, 2008</p>	
<p>The U.S. Environmental Protection Agency has reviewed the Final Environmental Impact Statement (FEIS) for the SH-75 Timmerman to Ketchum Project. We are submitting comments in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.</p> <p>The responses provided to our comments on the Draft EIS are appreciated. We particularly commend Blaine County, ITD, and FHWA for their efforts to provide habitat connectivity and roadway permeability for wildlife. We understand the challenges this presents, and are encouraged by the commitments in the FEIS, which include:</p> <ul style="list-style-type: none"> • Commissioning Sh-75 wildlife sighting/road kill research by Western Transportation Institute (WTI); • Designing 21 replacement culverts to facilitate small animal crossings of SH-75; • Installing permanent wildlife crossing signs, flashing lights, and flagging at road kill hotspots; • Modifying roadside vegetation to deter deer, elk, and other wildlife; • Replacing corrugate metal pipe culverts at Willow Creek and the Unnamed Tributary with arched culverts that are more attractive to small animals crossing SH-75; and • Replacing the Trail Creek culvert with a single-span bridge to facilitate wildlife crossings. <p>We fully support and encourage these and continued efforts, particularly implementation of any additional measures that may be recommended in the Wildlife Sightings Report that will be released this fall.</p> <p>Air Toxics: Because the project area is becoming increasingly developed and includes sensitive receptor sites, such as schools and St. Luke's Hospital, we continue to recommend that construction mitigation measures be augmented to minimize construction-related air toxics and diesel particulate matter. While there may be no regulatory basis for many of the construction mitigation measures we have suggested, their use should still be considered (<i>NEPA's Forty Most Asked Questions</i>, #19 Council on Environmental Quality). We understand that biodiesel fuel is not currently available in the</p>	<p>ITD will review the results of the Wildlife Sightings project and determine how those results may supplement commitments to maintain wildlife permeability and reduce wildlife road kill.</p> <p>Prior to issuance of a construction contract for this project, ITD will review the feasibility of implementation of any additional measures to minimize construction-related air toxics.</p>

<p>Wood River Valley, and appreciated the willingness to consider using when or if it becomes available. Other suggested mitigation measures could be feasible and easy to implement.</p> <p>Thank you for the opportunity to comment on the Final EIS. IF you would like to discuss any issues associated with this proposed project, please feel free to contact Elaine Somers of my staff at (2065) 553-2966 or by electronic mail at somers.elaine@epa.gov.</p> <p>Christine Reichgott, Manager NEPA Review Unit</p>	
<p>Christopher H. Meyer, Givens-Pursley, LLP, April 11, 2008. Representing Morgan Dene Oliver of 102 Mountain View Lane.</p>	
<p>As you know, I represent Morgan Dene Oliver, a homeowner in Blaine County, in connection with the proposed expansion of ID-75 from Timmerman to Ketchum. Mr. Oliver owns property located at 102 Mountain View Lane (also known as Lot 7 of River Ranch Subdivision), just north of Hailey. The property is held in the name of the Oliver Family Trust.</p> <p>In a letter dated March 21, 2008, the Idaho Transportation Department ("ITD") identified you as he contact person for the Final Environmental Impact Statement ("EIS"). In your telephone conversation yesterday with my associate Peter Barton, you identified yourself as the person to whom comments on the Final EIS should be addressed. I ask that this letter be deemed a comment and added to the administrative record in this matter.</p> <p>A review of Appendix B to the Final EIS shows a previous comment letter I submitted dated September 27, 2006. However a subsequent letter dated February 5, 2007 was not included. I have attached a copy of the February 5, 2007 letter and ask that it also be included in the record.</p> <p>As my previous letters explained more fully, Mr. Oliver became aware of a proposal to condemn a portion of his property adjacent to his home for use as a retention pond. My associate Peter Barton spoke yesterday with Charles "Chuck" Carnohan of ITD about how the Final EIS differs from the Draft EIS with respect to Mr. Oliver's property. Mr. Carnohan</p>	<p>Both the September 27, 2006 and the February 5, 2007 letters are included in the administrative record.</p> <p>During design and preparation of right-of-way plans for the affected section of SH-75, ITD will consider other locations for a retention pond, based on available lands and opportunities at that time. Additional coordination with Mr. Oliver or his representative will be appropriate at that time and will be initiated by ITD.</p>

<p>stated that ITD's position had not changed from our January 31, 2007 meeting and that the ITD was still investigating other alternatives. Mr. Carnohan explained that the decision to place the pond on Mr. Oliver's property was done only at a conceptual level and that it remained preliminary where the pond would ultimately be placed. He stated that he was confident that an alternative would be found that would not negative impact Mr. Oliver's property.</p> <p>While I am comforted by this assurance from Mr. Carnohan, we remain concerned that the retention pond continues to be displayed as located on Mr. Oliver's property. As my February 5, 2007 letter noted, agency representatives have assured us that there is no need to press the issue at this time. Nothing is locked in and it makes sense to wait until final design review and supplemental environmental review to engage in a detailed discussion of alternatives. Accordingly, we will wait until the appropriate time to engage in a thorough and effective consideration of alternatives.</p> <p>If you have any questions, fell free to contact myself or Peter Barton at 208-388-1200.</p>	<p>See response above.</p>
<p>Karen Reinheimer, letter undated.</p>	
<p>I would like to present my comments today on the FEIS for the Timmerman Hill to Ketchum highway project. I thought to divide my comments into two sections: one of which describes a circumstance which pertains to the designation of the section of highway between Elkhorn Road and River Street in Ketchum, and the second, to the comments themselves. As the first portion helps to place in context aspects of the second, and also relates to potential future discussions regarding this section of the highway, I would like to begin with it at present.</p> <p>On March 14, 2007, a Special City Council meeting was held at City Hall in Ketchum. In attendance were representatives from the City of Ketchum, City of Sun Valley, and the Blaine County Commissioners, as well as Chuck Carnohan of ITD, and Diana Atkins (The Parsons Brinckerhoff consultant). Unfortunately, as the means of advertising the meeting to the public was the posting of a 24-hour notice outside of City Hall, the majority of the public, of which I count myself, had no knowledge of the meeting and discussion. As such, a meeting was held and a decision made as to the designation of the section of highway between Elkhorn Road and River Street in Ketchum essentially without public input. And that decision is now reflected in the FEIS (See Appendix A: a four page letter</p>	<p>The March 14, 2007 meeting was held by the City of Ketchum, following their standard meeting notification procedures. ITD and the consultant were asked to attend. The City of Ketchum made a decision on its preferred cross-section for the section of SH-75 between Elkhorn Road and River Street, based on the cross-sections developed during the EIS process and as presented in the DEIS and at the DEIS public hearing. These same cross-sections had been made available for public review and comment at numerous public information meetings, storefront offices, and open houses, as documented in Chapter 6 of the DEIS. Subsequent to that meeting, the City of Ketchum provided a letter documenting their decision and</p>

<p>dated March 15, 2007 on the Ketchum letterhead).</p>	<p>recommendation. The FHWA took this letter into consideration when making a decision on the Preferred Alternative and in the preparation of this Record of Decision.</p>
<p>Added to this is a further element: for a number of years it was generally understood in the Ketchum area that there would be extensive public meetings and discussion before any decision was made as to the city portion of the highway (and by extension – to Elkhorn Road). Thus, the above decision was made without the benefit of comment from the public who not only may have been waiting for just such an opportunity to do so, but did not fully comment (or at all) within the EIS process because of this understanding and expectation. Sadly, I also count myself among those, and know I am not alone in this.</p>	<p>Chapter 6 Comments and Consultation of the DEIS a chronology of storefront office meetings, open houses, presentations and project newsletters that included opportunities for members of the public to review and provide input to the alternatives being considered. Beginning in mid-2002 and continuing through the public hearing on the DEIS in January of 2006, information on alternatives was included in those meetings. Notification of opportunities for public input included purchased ads in the two local newspapers, direct mailings to landowners, press releases, and local media coverage. The public hearing was attended by 176 people. The hearing record indicates that this landowner did not attend the DEIS public hearing nor submit a comment during the public comment period.</p>
<p>Lastly, though I have heard that the striping of this highway section may change based upon re-evaluation over time, basic, fundamental decisions were made that day which now appear irreversible: i.e., going from a "No Build" to a "Build" option, thus precluding future public discussions of its impact and all this may entail, and deciding upon an alternative which gives the parameters of a minimum of highway width in which to stripe.</p>	<p>As required by NEPA, the DEIS included consideration of the No Build Alternative, including for the section of SH-75 from Elkhorn Road to River Street. The DEIS did not, however, identify the No Build as the preferred alternative (for this or any other section of the highway), nor did FHWA or ITD otherwise indicate, in the DEIS or in any other document or forum, that the No Build Alternative had been selected for this section of the highway. Instead, the alternative selection decision is being made now in the Record of Decision. It is true that the City's preferred alternative, as identified in March 15, 2007 letter, was an important consideration in the agencies' decision to select the build alternative for this section of the roadway. However, the commenter's characterization that a decision was made to go from a "No Build" to a "Build" option at the March 14, 2007 meeting is not accurate.</p>
<p>Given the above situation, I hope those who undertake the re-evaluation process in the future commit to include the public upfront in those discussions, and understand that for a number of the resident's and business owner's points of view, we will be basically beginning from square one when it comes to a discussion of this portion of the highway.</p>	<p>If, in the future, a re-evaluation is required for this section of the highway pursuant to 23 CFR 771.129, the FHWA and ITD will follow all regulatory requirements in the reevaluation process.</p>
<p>1. On page 1-28 of the Draft EIS, within the portion of the highway from Elkhorn Road to Ketchum, there is depicted the symbol (C2): Substandard Clear-Zone-Roadside Obstruction. The Reinheimer house and barn are situated on the east and west side of the highway within this section respectively. As we have had cars drive off the highway and through the fence both to the north and south of the ranch house, and south of the barn in previous years due to the proximity of a highway curve to the</p>	<p>Lines 28 to 30 on page 1-23 of the DEIS disclose that the reason for a substandard clear zone shown in Figure 1-28 of the DEIS is the location of existing power poles in close proximity to the travelled way on the east side of SH-75. It is not related to any structures on the Reinheimer Ranch property. Both curves adjacent to the Reinheimer Ranch property are designed using curve radii that meet American Association of State Highway and Transportation Officials</p>

<p>south (Sadly, I think a traffic fatality happened on this curve some years ago), I am concerned that by adopting Elkhorn to Serenade Lane Cross Section 1 (page ES-13, FEIS), that the widening of the highway to four lanes of traffic at this curve, especially in slick or snowy weather conditions, may incur more accidents (Building F (garage) which is listed as loft, from the highway project in the Idaho Historic Sites Inventory Form, Field #13-16101, also sits in close proximity to this curve). Also, four lanes, as a general rule, appear to incur greater accident risks (See page 4-18, Draft EIS, lines 44 – 51). Thus it is a concern that adopting Cross Section 1 as opposed to Cross Section 3 (See page 2-29, Draft EIS, item 2.8.6.1) may increase greater risks to the general safety of the public and to some of the historic buildings near this curve at the ranch.</p>	<p>(AASHTO) standards for radius of curvature.</p> <p>The safety and crash analysis conducted for the project and as documented in Section 1.7 of the DEIS indicates that the section of SH-75 between Elkhorn Road and Serenade has an accident rate that is well below the state average. The discussion on page 4-18 of the DEIS relates to four-lane sections with large volumes of left turning traffic, where left turning traffic stopped in a through lane to make a left turn could be rear-ended by through traffic in the same lane. There are only two driveways through Reinheimer Ranch, both of which provide access to the Reinheimer Ranch on the east side of SH-75 and to the barn complex on the west side.</p> <p>Given the low speed for this section of SH-75, adjacent tangent (straight) length of roadway between the two curves, the implementation of four lanes through the Reinheimer Ranch area is unlikely to create a safety issue.</p>
<p>2. I would like to ask if the FEIS might include a mapping of the Noise Measurement Comparison levels north of Timber Way, reflected on the map of page 5-7, FEIS. It appears there is no map here for a significant section of the highway (Please see page 5-27, Draft EIS, item 5.7.2.2, lines 1 – 21). As a matter of fact, as the three maps shown in the FEIS on the pages 5-5, 5-6, and 5-7 are titled Noise Measurements Comparison South, Central, and North respectively, one may have the impression the noise levels shown reflect those for the whole valley. This, though, is not the case, as a very large and significant portion of the highway – considered in the actual north end of the valley – is not depicted on a map. The information contained in these unmapped noise levels is also very significant for the public's awareness because of the concentration of noise levels that would be at or exceed the ITD Noise Policy impact level. The fact that these noise levels do not change or lessen with the lowering of the speed limit I think is a reason to include this information in the FEIS and not exclude it, as a significant source of information for both the public and future. As the lowering of the speed limit – i.e., from 55 mph to 45 mph – is an integral part of the lessening of the noise levels as depicted in the DEIS section cited above and reflected in the comparisons on the present maps (i.e., "Build" noise levels are lower than "No Build"), may I ask that this important piece of information – the reduction in the future highway speed limits – also be reflected in the FEIS, either on the Noise Comparison maps themselves, or in the related written material.</p>	<p>Chapter 3, Section 3.74 Existing Noise Levels and its associated Figures 3.7-1 and 3.7-2 on pages 3-91 and 3-92 provide the noise information for the entire corridor, including the area north of Timberway. Noise impacts of the project were disclosed in Section 5.7 Noise of the DEIS, cross-referencing Figures 3.7-1 and 3.7-2. Volume III Technical Reports of the DEIS includes the full Noise Technical Report. Volume III was made available to the public as part of the distribution of the DEIS.</p> <p>Because of the concern expressed by many landowners and other participants in the EIS process, a special public open house on noise impacts and mitigation was held on August 19, 2003. This event was noted in Table 6.5 of the DEIS, page 6-11.</p> <p>Section 5.7 on page 5-4 of the FEIS, including Figures 5-1 through 5-3 are supplemental to the information presented in the DEIS. Lines 8 through 18 on page 5-4 of the FEIS provide this explanation. The information in the DEIS on pages 5-26 and 5-27 (and in the Noise Technical Report in Volume III of the DEIS) includes a disclosure of the lowered speed limits (see page 5-26 and 5-27 of the DEIS). This information was also presented at the special noise open house on August 19, 2003. Full disclosure of the noise analysis and impacts has been made through the EIS process, included in the DEIS documents, and supplemented in the FEIS.</p>
<p>A. In Table 6-1, page 6-3, FEIS, it appears that the March 14, 2006 date for the meeting between the City of Ketchum and Sun Valley may be incorrect as this could actually</p>	<p>The correct meeting date is March 14, 2007. The March 14, 2006 as listed in Table 6-1 of the FEIS is an inadvertent typographical error. This correction has been noted</p>

<p>be the meeting of March 14, 2007 which I described in the first portion of this letter. Also, the March 14, 2006 meeting now listed would predate the April 5, 2006 meeting listed at the top of the 6-1 chart (is this possible?) and, I imagine, if the March date is correct, should be positioned as such.</p> <p>If the March 14, 2007 meeting date is the actual correct one, may I ask that the chart reflect that change and all the agencies and jurisdictions present at the meeting be listed: i.e., The City of Ketchum, The City of Sun Valley, the Blaine County Commissioners, and ITD. May the "purpose" section also show that not only a discussion was held at the 2007 meeting, but a decision was made as to the preferred alternative between Elkhorn Road and River Street. In all events, I think the present chart is incomplete and may be potentially misleading if it does not include the March 14, 2007 meeting date, and all the information pertinent to it.</p> <p>If both a March 14, 2006 and a March 14, 2007 meeting were held, may I ask that both meetings and relevant information be listed as reflective of the facts and a correct reference on the chart (I also wonder if – one line down from the March date – the December 14, 2006 meeting should not read December 14, 2007, as it also relates to the Elkhorn Road to River Street preferred alternative discussion, and if so, be reflected as such?).</p>	<p>in the Errata & Clarification Section of the Record of Decision.</p> <p>A discussion of the preferred alternative is an accurate description of the purpose of the meeting. The subsequent City of Ketchum decision was communicated to ITD in a letter dated the following day, which is included in the FEIS Appendix A. FHWA took this input from the City of Ketchum into consideration when making the decision on the Preferred Alternative under NEPA.</p> <p>As previously noted, there was no March 14, 2006 meeting and a correction has been made in the Errata/Clarification section of the ROD.</p>
<p>B. As a small correction, may I add that the barn and farmhouse at the Reinheimer Ranch are part of the family parcel: the barn isn't owned by the Idaho Foundation for Parks and Lands as one may assume by reading the Draft EIS, page 3-33, item 3.2.4.2, lines 26 – 29.</p>	<p>This clarification correction has been noted in the Errata & Clarification Section of the Record of Decision.</p>

STP-F-2392(035)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

April 28, 2008

Reply To
Attn Of: ETPA-088

Ref: 00-053-FHW

Mr. Peter J. Hartman
Federal Highway Administration
3050 Lakeharbor Lane, #126
Boise, Idaho 83703

Re: SH-75 Timmerman to Ketchum Final EIS

Dear Mr. Hartman:

The U.S. Environmental Protection Agency (EPA) has reviewed the Final Environmental Impact Statement (FEIS) for the SH-75 Timmerman to Ketchum project. We are submitting comments in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

The responses provided to our comments on the Draft EIS are appreciated. We particularly commend Blaine County, ITD, and FHWA for their efforts to provide habitat connectivity and roadway permeability for wildlife. We understand the challenges this presents, and are encouraged by the commitments in the FEIS, which include:

- commissioning SH-75 wildlife sighting/roadkill research by Western Transportation Institute (WTI);
- designing 21 replacement culverts to facilitate small animal crossings of SH-75;
- installing permanent wildlife crossing signs, flashing lights, and flagging at roadkill hotspots;
- modifying roadside vegetation to deter deer, elk, and other wildlife;
- replacing corrugate metal pipe culverts at Willow Creek and the Unnamed Tributary with arched culverts that are more attractive to small animals crossing SH-75; and
- replacing the Trail Creek culvert with a single-span bridge to facilitate wildlife crossings.

We fully support and encourage these and continued efforts, particularly implementation of any additional measures that may be recommended in the Wildlife Sightings Report that will be released this fall.



Air toxics. Because the project area is becoming increasingly developed and includes sensitive receptor sites, such as schools and St. Luke's Hospital, we continue to recommend that construction mitigation measures be augmented to minimize construction-related air toxics and diesel particulate matter. While there may be no regulatory basis for many of the construction mitigation measures we have suggested, their use should still be considered (*NEPA's Forty Most Asked Questions*, #19, Council on Environmental Quality). We understand that biodiesel fuel is not currently available in the Wood River Valley, and appreciate the willingness to consider using it when or if it becomes available. Other suggested mitigation measures could be feasible and easy to implement.

Thank you for the opportunity to comment on the Final EIS. If you would like to discuss any issues associated with this proposed project, please feel free to contact Elaine Somers of my staff at (206)553-2966 or by electronic mail at somers.elaine@epa.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Christine B. Reichgott".

Christine Reichgott, Manager
NEPA Review Unit

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April 11, 2008

Ms. Diana Atkins
Parsons Brinckerhoff
488 East Winchester Street, Suite 400
Murray, Utah 84107



Re: EIS No. 20080101
ID-75 Timmerman to Ketchum
Final Environmental Impact Statement

Dear Ms. Atkins:

As you know, I represent Morgan Dene Oliver, a homeowner in Blaine County, in connection with the proposed expansion of ID-75 from Timmerman to Ketchum. Mr. Oliver owns property located at 102 Mountain View Lane (also known as Lot 7 of River Ranch Subdivision), just north of Hailey. The property is held in the name of the Oliver Family Trust.

In a letter dated March 21, 2008, the Idaho Department of Transportation ("ITD") identified you as the contact person for the Final Environmental Impact Statement ("EIS"). In your telephone conversation yesterday with my associate Peter Barton, you identified yourself as the person to whom comments on the Final EIS should be addressed. I ask that this letter be deemed a comment and added to the administrative record in this matter.

A review of Appendix B to the Final EIS shows a previous comment letter I submitted dated September 27, 2006. However, a subsequent letter dated February 5, 2007 was not included. I have attached a copy of the February 5, 2007 letter and ask that it also be included in the record.

As my previous letters explained more fully, Mr. Oliver became aware of a proposal to condemn a portion of his property adjacent to his home for use as a retention pond. My associate Peter Barton spoke yesterday with Charles "Chuck" Carnohan of ITD about how the Final EIS differs from the Draft EIS with respect to Mr. Oliver's property. Mr. Carnohan stated that ITD's

Ms. Diana Atkins
April 11, 2008
Page 2

position had not changed from our January 31, 2007 meeting and that the ITD was still investigating other alternatives. Mr. Carnohan explained that the decision to place the pond on Mr. Oliver's property was done only at a conceptual level and that it remained preliminary where the pond would ultimately be placed. He stated that he was confident that an alternative would be found that would not negatively impact Mr. Oliver's property.

While I am comforted by this assurance from Mr. Carnohan, we remain concerned that the retention pond continues to be displayed as located on Mr. Oliver's property. As my February 5, 2007 letter noted, agency representatives have assured us that there is no need to press this issue at this time. Nothing is locked in and it makes sense to wait until final design review and supplemental environmental review to engage in a detailed discussion of alternatives. Accordingly, we will wait until the appropriate time to engage in a thorough and effective consideration of alternatives.

If you have questions, feel free to contact myself or Peter Barton at 208-388-1200.

Sincerely,



Christopher H. Meyer

cc: Morgan Dene Oliver
Robert Tiedemann (consultant)
Jill W. Eshman (local counsel)

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* Licensed in New York
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February 5, 2007

Devin O. Rigby, P.E.
District Engineer
Idaho Transportation Department, District 4
216 Date Street
P.O. Box 2-A
Shoshone, ID 83352-0820

Re: SH-75 Timmerman to Ketchum
Draft Environmental Impact Statement
Project No. STP-F-2392(035) Key 3077

Dear Devin:

It was a pleasure to meet with you in your office on January 31, 2007. I thank you for your hospitality and for the seriousness with which you addressed our concerns. Particular thanks also go to Chuck Carnohan, Bonita Koonce, and Diana Atkins for their participation and insights. Rob Tiedemann and I very much appreciate your setting aside the bulk of your afternoon to discuss our concerns about the retention pond currently proposed for Mr. Oliver's property.

I thought our discussion was fruitful in a number of respects. I write to confirm our understanding of what we took away from that meeting. If this description is materially inconsistent with your understanding, I would appreciate your letting me know.

I will copy the FHWA and ask that this letter be made a part of the NEPA record in this matter. I also request that you make this letter part of the Department's Project File.

As we discussed in my letter of December 29, 2006 and in our meeting, Mr. Oliver is in the process of constructing an equine facility on the property that you have identified for a retention pond. These plans have been in the works for years. You acknowledged that Mr. Oliver is entitled to proceed with construction, and that if condemnation were to occur in the future, the government would be obligated to pay for any improvements taken.

In addition, Mr. Oliver's neighbor to the north, Parry Thomas, has in place a large equine facility for Olympic class dressage horses, some of the most valuable in the world. Accordingly, Mr. Thomas and his neighbors are deeply concerned about the potential for West Nile virus,

Devin O. Rigby, P.E.
February 5, 2007
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Equine Virus, and other human and animal health concerns relating to the proposed retention pond. I have asked our consultant, Mr. Tiedemann, to provide additional information on this subject, which, so far as I am aware, has not been addressed in the EIS.

A major point that we took away from our meeting is that Mr. Oliver's concerns about the location of the retention pond are, in a sense, premature. You described the location of the retention pond as a "place holder" that must be re-evaluated two, three, or more years from now once project funding is secured. At that point, you explained, ITD will move forward with final design and right-of-way acquisition. Given the pace of development in the valley, this necessarily will entail supplemental environmental review under NEPA based on new information and physical changes along the corridor since the EIS was prepared.

In other words, even though we may be dissatisfied with the current EIS, it makes sense to wait until final design review and supplemental environmental review to engage in a detailed discussion of alternatives to the retention pond. After all, as you pointed out, much may change between now and then in terms of available alternatives.

At this point, it will suffice for us to note for the record that, in our opinion, a thorough evaluation of alternatives to the retention pond has not yet occurred, and needs to occur at some point before final design and construction. For today, we will simply note the following preliminary observations.

1. You explained that the need for retention ponds such as the one proposed for Mr. Oliver's property is driven entirely by the decision to go with a curb and gutter design for the highway expansion. This reduced the footprint of the highway, but created a larger stormwater management issue. In particular, the curb and gutter design decision eliminated other alternatives for stormwater management, such as the "ecology barrier" which we suggested appears to offer improved functionality without the need for retention ponds.
2. The potential harm to humans and animals from mosquito-carried viruses associated with the retention pond needs to be addressed. Potential costs of such harm should be weighed against alternatives to the retention ponds.
3. We pointed out that retention ponds located in porous soils such as those found in the area may pose water quality dangers for both ground water and the nearby Wood River.
4. We are also concerned that location of a retention pond in the current location may interfere with the irrigation ditch located on Mr. Oliver's property.

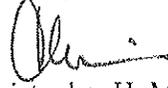
Let me close by underscoring the point Rob and I made during our meeting. Our goal here is to work with ITD (and FHWA) to facilitate a thorough and effective consideration of

Devin O. Rigby, P.E.
February 5, 2007
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alternatives. In that regard, we appreciate the creative thinking you provided in our meeting. We feel confident that an effective alternative to the proposed retention pond can be found at the appropriate time.

When the time comes for a more detailed analysis, would you please make certain that I am notified, as counsel, along with Mr. Oliver? Thank you again for the courtesies you have extended and for your cooperation in dealing with this important subject.

Sincerely,



Christopher H. Meyer

cc: Ed Johnson, FHWA
Brent Inghram, FHWA
Charles Carnohan, ITD
Bonita Koonce, ITD
Diana Atkins, Parsons Brinkerhoff Quade & Douglas
Morgan Dene Oliver, Property Owner
Robert B. Tiedemann, Ecological Design, Inc.
Jill W. Eshman, J. Eshman Law
Gary G. Allen, Givens Pursley

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To Whom it may concern,

I would like to present my comments today on the FEIS for the Timmerman Hill to Ketchum highway project. I thought to divide my comments into two sections: one of which describes a circumstance which pertains to the designation of the section of highway between Elkham Road and River Street in Ketchum, and the second, to the comments themselves. As the first portion helps to place in context aspects of the second, and also relates to potential future discussions regarding this section of the highway, I would like to begin with it at present.

On March 14, 2007, a Special City Council meeting was held at City Hall in Ketchum. In attendance were representatives from the City of Ketchum, City of Sun Valley, and the Blaine County Commissioners, as well as Chuck Camohan of NID, and Diana Atkins (the Parsons Brinckerhoff consultant). Unfortunately, as the means of advertising the meeting to the public was the posting of a 24-hour notice outside of City Hall,

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the majority of the public, of which I count myself, had no knowledge of the meeting and discussion. As such, a meeting was held and a decision made as to the designation of the section of highway between Elkhorn Road and River Street in Ketchum essentially without public input. And that decision is now reflected in the FEIS (See Appendix A: a four page letter dated March 15, 2007 on the Ketchum letterhead).

Added to this is a further element: for a number of years it was generally understood in the Ketchum area that there would be extensive public meetings and discussion before any decision was made as to the city portion of the highway (and by extension - to Elkhorn Road). Thus, the above decision was made without the benefit of comment from the public who not only may have been waiting for just such an opportunity to do so, but did not fully comment (or at all) within the EIS process because of this understanding and expectation. Sadly, I also count myself among those, and know I am not alone in this.

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Lastly, though I have heard that the striping of this highway section may change based upon re-evaluation over time, basic, fundamental decisions were made that day which now appear irreversible : i.e., going from a "No Build" to a "Build" option, thus precluding future public discussions of its impact and all this may entail, and deciding upon an alternative which gives the parameters of a minimum of highway width in which to stripe.

Given the above situation, I hope those who undertake the re-evaluation process in the future commit to include the public upfront in those discussions, and understand that for a number of the residents and business owners points of view, we will be basically beginning from square one when it comes to a discussion of this portion of the highway.

I thought it was important for you to be aware of this situation, and will offer my comments on the FEIS in the next section.

With Best Wishes,
Karen Reinheimer

1. On page 1-28 of the Draft EIS, within the portion of the highway from Elkhorn Road to Ketchum, there is depicted the symbol (C2): Substandard Clear-Zone-Roadside Obstruction. The Reinheimer house and barn are situated on the east and west side of the highway within this section respectively. As we have had cars drive off the highway and through the fence both to the north and south of the ranch house, and south of the barn in previous years due to the proximity of a highway curve to the south (Sadly, I think a traffic fatality happened on this curve some years ago), I am concerned that by adopting Elkhorn to Serenade Lane Cross Section 1 (page ES-13, FEIS), that the widening of the highway to four lanes of traffic at this curve, especially in slick or snowy weather conditions, may incur more accidents (Building F (garage) ^{which} is listed as left. From the highway project in the Idaho Historic Sites Inventory form, Field # 13-16101, also sits in close proximity to this curve). Also, four lanes, as a general rule, appear to incur greater accident risks (See page 4-13, Draft EIS, lines 24-51). Thus it is a concern that adopting Cross Section 1 as opposed to Cross Section 3 (See page 2-29, Draft EIS,

Item 2.8.6.1) may increase greater risks to the general safety of the public and to some of the historic buildings near this curve at the ranch.

2. I would like to ask if the FEIS might include a mapping of the Noise Measurement Comparison levels north of Timber Way, reflected on the map of page 5-7, FEIS. It appears there is no map here for a significant section of the highway (Please see page 5-27, Draft EIS, item 5.7.2.2, lines 1-21). As a matter of fact, as the three maps shown in the FEIS on the pages 5-5, 5-6, and 5-7 are titled Noise Measurements Comparison South, Central, and North respectively, one may have the impression the noise levels shown reflect those for the whole valley. This, though, is not the case, as a very large and significant portion of the highway - considered in the actual north end of the valley - is not depicted on a map. The information contained in these unmapped noise levels is also very significant for the public's awareness because of the concentration of noise levels that would be at or exceed the AD Noise Policy impact level. The fact that these noise levels do not

change or lessen with the lowering of the speed limit and I think is a reason to include this information in the FEIS and not exclude it, as a significant source of information for both the public and future. As the lowering of the speed limit - i.e., from 55 mph to 45 mph - is an integral part of the lessening of the noise levels as depicted in the DEIS section cited above and reflected in the comparisons on the present maps (i.e., "Build" noise levels are lower than "No Build"), may I ask that this important piece of information - the reduction in the future highway speed limits - also be reflected in the FEIS, either on the Noise Comparison maps themselves, or in the related written material.

Thank You,
Kaven Reinheimer

In addition, may I offer these two possible corrections to the FEIS and Draft EIS:

A. In Table 6-1, page 6-3, FEIS, it appears that the March 14, 2006 date for the meeting between the City of Ketchum and Sun Valley may be incorrect as this could actually be the meeting of March 14, 2007 which I described in the first portion of this letter. Also, the March 14, 2006 meeting now listed would predate the April 5, 2006 meeting listed at the top of the 6-1 chart (is this possible?) and, I imagine, if the March date is correct, should be positioned as such.

If the March 14, 2007 meeting date is the actual correct one, may I ask that the chart reflect that change and all the agencies and jurisdictions present at the meeting be listed: i.e., The City of Ketchum, The City of Sun Valley, the Blaine County Commissioners, and NID. May the "purpose" section also show that not only a discussion was held at the 2007 meeting, but a decision was made as to the preferred alternative between Elkhorn Road and River Street. In all events,

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I think the present chart is incomplete and may be potentially misleading if it does not include the March 14, 2007 meeting date, and all the information pertinent to it.

If both a March 14, 2006 and a March 14, 2007 meeting were held, may I ask that both meetings and relevant information be listed as reflective of the facts and a correct reference on the chart (I also wonder if - one line down from the March date - the December 14, 2006 meeting should not read December 14, 2007, as it also relates to the Elkhorn Road to River Street preferred alternative discussion, and if so, be reflected as such?).

B. As a small correction, may I add that the barn and farmhouse at the Reinheimer Ranch are part of the family parcel: the barn isn't owned by the Idaho Foundation for Parks and Lands as one may assume by reading the Draft EIS, page 3-33, item 3.2.4.2, lines 26-29.

Thank You again,
Karen Reinheimer

PO Box 2994, SUN VALLEY ID 83353