

**STATE OF MINNESOTA
MINNESOTA DEPARTMENT OF TRANSPORTATION
ADEQUACY DETERMINATION**

**U.S. TRUNK HIGHWAY 14
FINAL ENVIRONMENTAL IMPACT STATEMENT**

The pages to follow contain the Minnesota Department of Transportation Adequacy Determination regarding the Final Environmental Impact Statement for the US 14 improvements between New Ulm and North Mankato. This Determination was developed in conformance with Minnesota rules 4410, particularly 4410.2800. Those rules charge the Minnesota Responsible Governmental Unit (RGU) with making such a Determination whenever it has completed a Final EIS, and further set forth the conditions under which a Final EIS shall be determined Adequate:

Regarding the Adequacy Determination required by State of Minnesota environmental review rules, Minnesota rule 4410.2800 stipulates the following:

Subp. 4. Conditions. The final EIS shall be determined adequate if it:

A. addresses the potentially significant issues and alternatives raised in scoping so that all significant issues for which information can be reasonably obtained have been analyzed in conformance with part 4410.2300, items G and H;

B. provides responses to the substantive comments received during the draft EIS review concerning issues raised in scoping; and

C. was prepared in compliance with the procedures of the act and parts 4410.0200 to 4410.6500.

A Draft Environmental Impact Statement (DEIS) was completed for the US 14 project in December, 2007. A Final EIS was completed and approved by the Minnesota Department of Transportation (Mn/DOT) in September, 2011 and the Federal Highway Administration (FHWA) in November, 2011. The Minnesota Department of Transportation is the Responsible Governmental Unit (RGU) under the environmental review laws and rules found at Minnesota Statutes 116D and Minnesota Rules Chapter 4410.

A. DECISION

The Selected Alternative for the reconstruction of U.S. Highway (US) 14 from Front Street in New Ulm in Brown County to County Road (CR) 6 west of North Mankato in Nicollet County, Minnesota, as described in the Final Environmental Impact Statement (FEIS), includes Alternative W1 on the west and Alternative E1 on the east. The Selected Alternative includes upgrading the existing two-lane highway to a four-lane divided expressway. This may include interchanges or other improved intersection designs at major trunk highway and county road intersections as well as at-grade intersections at other public roads. This alternative follows the existing alignment except for bypasses of the cities of Courtland and Nicollet and minor realignments to avoid sensitive features. The total project length is approximately 22.5 miles.

Rationale for Selection

As described in the FEIS, the Selected Alternative was selected because it causes the least harm to the environment while best fulfilling the transportation needs. In the West Study Section the basic project choice was whether to construct an improved highway on top of the bluff (Alternative W2), or to remain on or near the existing US 14 (Alternative W1), or to use a combination of the two (Alternative W3). The Selected Alternative has more wetland and floodplain impacts, but provides a more efficient highway design, greatly reduces farmland impacts, and will have less impact on woodland habitat, erodible bluff slopes, and visual quality. The cost of the Selected Alternative is also much less as it avoids constructing a 500 foot long bridge over Heyman's Creek and utilizes the existing right of way and roadbed.

In the East Study Section there was a similar choice of staying on the existing route or selecting a new alignment alternative. The Selected Alternative has slightly more wetland impacts, has minor impacts on the Swan Lake Wildlife Management Area (WMA), and affects three stone box culverts associated with the NRHP eligible Winona and St. Peter (WSP) Railroad. However, the impacts to farmland and farming operations is so greatly reduced and the proximity of the bypass to Nicollet is preferred such that the Selected Alternative provides the best balance between these impacts.

The Selected Alternative is identified as the environmental preferable alternative because of its reduced impact to bluff lands and farmlands. This corridor runs through or adjacent to the Minnesota River Valley for its entire length. The wooded bluffs along the valley and the ravines that cut back into the valley walls are highly valued. Large bluff cuts with woodland impacts and potential for erosion are considered serious environmental impacts. Likewise, farmland, both as a natural resource and part of the cultural identity of the region, is highly valued. Because of the value placed on these resources, the relatively minor differences in wetland and floodplain impacts are small compared to the large differences in bluff land and farmland impacts.

Description of Selected Alternative

The Selected Alternative includes the following features:

- Four intersections requiring special designs – specifically, where US 14 meets: MN Highway 15 near New Ulm, CR 37 near New Ulm, CR 24 in Courtland, and MN 111/CR 23 in Nicollet. Interchanges were considered for analyzing impacts in the EIS, since they provide the ultimate long term solution to safely manage increasing traffic at major crossroads and since they generally occupy the largest environmental footprint. If interchanges are not warranted at the time of construction, other at-grade intersection designs will be considered, including reduced conflict intersections or roundabouts.
- Bypasses of Courtland and Nicollet, to improve mobility and safety while avoiding substantial adverse community impacts.
- Consolidated access points at intersections and driveways, i.e., fewer public road access points and limited private access. Reduced conflict intersection designs may be constructed at minor road accesses.

The project begins at the west end of the US 14 Bridge over Front Street in New Ulm. Heading east, the highway will continue as four lanes as it crosses the Minnesota River on a new bridge scheduled for letting in 2018. A trail that connects the recently developed city trail in New Ulm with CR 21 will parallel the highway to the north.

The highway will continue across the Minnesota River floodplain to the US14/Minnesota Trunk Highway (MN) 15/CR 21 intersection, noted above as one of the four intersections requiring special design. At this intersection, improvements will be implemented to reduce the number and severity of crashes. Access to CR 21 will be perpetuated.

Continuing south from the intersection, the Selected Alternative will continue to CR 37. Between the Minnesota River Bridge and approximately CR 37, the Selected Alternative will employ a narrow median of approximately 10 feet between inside shoulders with a median barrier. The narrow cross section will reduce impacts to natural resources and fit better within the topographical constraints imposed by the bluffs and the river valley. All access (other than to the New Ulm Spring Roadside Parking Area described below) will be relocated.

The New Ulm Spring Roadside Parking Area, a site eligible for listing on the National Register of Historic Places (NRHP), will continue to have access following construction. Access will consist of a right turn lane into the site from westbound lanes only. The site will include several gravel parking spaces set diagonally at the site and an acceleration lane for use when exiting the site. A barrier may be used between the spring access area and the westbound traffic lanes, as the spring access may encroach into the clear zone of westbound traffic.

Continuing east, the Selected Alternative will include special intersection design at CR 37, as noted previously. The location of the US 14/CR 37 intersection was shifted slightly from its original alignment in order to avoid the New Ulm Conglomerate archaeological site. This will require CR 37 to be shifted easterly where it is carried over US 14. The footprint assumed in the FEIS would provide adequate space for a diamond interchange with CR 37 going over US 14

and up the hill on the other side to connect to 446th Street. The construction of an acceptable grade to carry CR 37 over US 14 may require relocating the Eckstein Boat Landing access road to a new location to the southwest corner of the landing.

As the Selected Alternative continues east from the CR 37 intersection, the highway concept includes transitioning from a narrow median to a wide grassed median. Between CR 37 and the Courtland Bypass the road will generally follow the existing alignment with shifts to avoid impacts to the New Ulm Quartzite Quarry and the NRHP eligible Heim and Kohn barns. Accesses will be consolidated and realigned as necessary for improved visibility.

The intersection of the Selected Alternative with 561st Avenue is a special concern because it provides access to the Minnesota Valley Lutheran High School. An intersection will be designed to reduce conflicts. The current concept, which is subject to change as we develop more experience with reduced conflict intersections, is to convert the intersection to two offset T-intersections.. The westerly of these T-intersections (561st Avenue North) would separate lefts off from left turns on to the highway. The T-intersection of 561st Avenue South would provide access for residents and the clay mine on 561st Street, will have the Kohn barn driveway rerouted to it, and is intended to provide access to the New Ulm Quartzite Quarry.

A bypass will be constructed north of Courtland on the bluff top, including special intersection design at an extension of CR 24 out of Courtland (as noted previously).

Between Courtland and Nicollet the Selected Alternative will have new lanes built adjacent to the existing alignment. Residential accesses will either be relocated to township roads or consolidated and served by frontage roads except where such access is not feasible due to cost or impacts. Access will be provided at 511th Avenue, 466th Street, 491st Avenue, and 481st Avenue.

A bypass will be constructed south of Nicollet. Westbound access will be provided at the location of the existing MN 99 intersection. Access to Nicollet will be at the intersection with CR 23, with a special intersection design (noted previously). Jurisdiction of CR 23 north of US 14 will be given to the state as an extension of MN 111.

Continuing east from the MN 111/CR 23 intersection, the Selected Alternative will return to the alignment of existing US 14. The eastbound lanes are planned to be located on existing US 14 with westbound lanes being constructed to the north. Several public and private accesses to existing US 14 will be closed, rerouted to a local road, or consolidated. Where it is not feasible to relocate an access, either the property will be acquired or a right-in right-out access permitted, or in unusual circumstances, a full access will be built. The intersections with Nicollet County Roads 25, 17, and 6 will remain but will be realigned to intersect at a 90 degree angle with US 14.

The Selected Alternative will then tie in to the four lane just west of North Mankato.

B. ALTERNATIVES CONSIDERED

The Draft EIS was published in December 2007. This document analyzed, in detail, four build alternatives (all four-lane alternatives) and identified the potential social, economic, and environmental impacts associated with each build alternative and the No Build Alternative. The Draft EIS did not identify a preferred alternative.

After concluding the Draft EIS comment period an evaluation process was initiated to identify a preferred alternative. The evaluation process considered all public and agency comments received and weighed the project goals and needs against the technical analysis and potential effects of each alternative. Through this process, the W1 and E1 alternatives were identified as the Preferred Alternative. The alternatives considered and reasons for their dismissal in favor of the Preferred Alternative as identified in the Final EIS are discussed in detail in the Final EIS. This information is summarized below.

West Study Section (New Ulm to Courtland)

All alternatives in the West Study Section included expansion of the US 14 Minnesota River Bridge from two to four lanes. Prior studies, including an origin destination survey completed for the US 14 Comprehensive Management Plan, found no need to change the river crossing location.

Beyond the bridge, three alternative alignments were considered for US 14:

Preferred Alternative W1. Existing US 14/Minnesota River Alignment—The Preferred Alternative W1 follows existing US 14 from the Minnesota River to a point west of Courtland, where it leaves the existing highway to bypass Courtland to the north. This alternative maximizes use of existing US 14. It is described in detail in Section A.

Alternative W2. Top-of-Bluff Alignment—Alternative W2 would have departed existing US 14 at the MN 15 intersection and climbed to the top of a prominent bluff approximately 150 feet above the existing highway elevation. The Alternative W2 corridor then followed an entirely new alignment along the top of the bluff to a point west of Courtland, where it bypassed Courtland to the north. Alternative W2 included an extensive bluff cut and steep grade where it would leave the river valley along MN 15. This would have caused considerable woodland impacts and affected the visual quality of the area. It would also be highly susceptible to erosion. A bridge over Heyman's Creek would have been about 500 feet long and taken off from potentially erodible soils on a ridge between Heyman's Creek and the Minnesota River Valley. This would have added millions of dollars to the project cost. In order to avoid crossing ravines, the alignment would have followed a sinuous course along the bluff top and had significant impact to farmland and farming operations along its entire length.

Alternative W3. River/Bluff Combination Alignment—Alternative W3 was a combination of Alternatives W1 and W2. It was developed to utilize the existing highway between the US 14

Minnesota River Bridge and CR 37 then climb the bluff and follow the route for Alternative W2. This alternative would have resulted in the wetland and floodplain impacts of Alternative W1, but still had the costs of crossing Heyman's Creek on top of the bluff and affected a large amount of farmland.

East Study Section (Courtland to North Mankato)

All alternatives in the East Study Section included a north bypass of Courtland. Access to Courtland is proposed to be at an extension of CR 24 up the slope north of the city. Also, all eastern Build Alternatives included expansion of existing US 14 from approximately 478th Street (southeast of Nicollet) to CR 6 at the eastern end of the study area.

Between the Courtland bypass and the common alignment east of Nicollet, four alternatives were considered in the EIS for the bypass of Nicollet:

Preferred Alternative E1. Nicollet Near South Bypass Alignment—Alternative E1 makes the most use of existing US 14 from Courtland to Nicollet, thereby minimizing farmland impacts. Alternative E1 then bypasses Nicollet to the south. The Preferred Alternative includes providing access to Nicollet at CR 23. This alternative is described in detail in Section A.

Alternative E2. Nicollet South Bypass – South of Swan Lake WMA Alignment—Alternative E2 was proposed to avoid the Swan Lake WMA to the south. It also avoided dealing with access to properties along existing US 14. It would have resulted in impacts to an additional 45 acres of farmland and 5.2 acres of wetland over the preferred alternative.

Alternative E3. Nicollet South Bypass – Section Line Alignment—Alternative E3 was proposed to further avoid residential properties and property severances by following a section line. It also helped to avoid impacts to the Swan Lake WMA. In Nicollet, it was similar to Alternatives E1 and E2. It would have resulted in impacts to an additional 115 acres of farmland and 8.5 acres of wetland over the preferred alternative while still impacting three acres of the Swan Lake WMA.

Alternative E4. Nicollet Far South Bypass—Alternative E4 was proposed to bypass Nicollet much farther to the south, connecting to CR 23 about one mile south of existing US 14. West of Nicollet it was the same as Alternative E3. Despite 3.6 acres less of impact to wetlands, this alternative would have resulted in 130 acres more impact to farmland including dividing an additional eight parcels. Also, the City of Nicollet was opposed to locating the highway this far from the city.

C. SECTION 4(f)

Draft and Final Section 4(f) Evaluations were prepared for the project. In the Draft Section 4(f) Evaluation 18 properties were identified as potential Section 4(f) resources and potentially

affected by the DEIS alternatives. Twelve of these had the potential to be affected by the Selected Alternative. Additional work done for the FEIS resolved that two Section 4(f) resources will be affected by the project. A third property that is affected has portions that are Section 4(f) resources, but none of them will be affected by the project. Alternatives to avoid impacts and measures to minimize harm to these properties are detailed in the Final Section 4(f) Evaluation.

- Heim Farmstead – This is an 85.5 acre site through which the existing highway runs. The Selected Alternative continues to pass through the property.
- WSP Railroad Line – The Selected Alternative results in the demolition of three stone box culverts.
- Swan Lake WMA – The FHWA determined that the portions of the property that are affected are not covered by Section 4(f).

D. MEASURES TO MINIMIZE HARM

A variety of measures have been identified to mitigate social, economic, and environmental impacts associated with the construction of the Selected Alternative. The specific elements of the proposed mitigation plan are detailed in Section 3 of the Final EIS and are summarized in the Greensheet document in Appendix A. Commitments typically include components that will be incorporated in the final design of the Selected Alternative and mitigation measures that will be implemented as part of the construction project. This project will comply with all federal and state laws and regulations which are applicable at the time of permitting. All practicable measures to minimize harm have been incorporated into the project, including the following:

Right-of-Way and Relocation

Relocation assistance will be offered to residential displacees in accordance with governing federal and state regulations. Mn/DOT has a relocation and right-of-way acquisition process that assures all right-of-way and relocation concerns are addressed in accordance with the Uniform Relocation and Real Property Acquisition Act of 1970, as amended (42 USC 4601).

Land Use

The Selected Alternative minimizes land use impacts by constructing the Courtland and Nicollet bypasses near to each city in locations that were coordinated with the cities' land use plans and limits potential for secondary development by limiting access to the highway.

Visual Quality

The Selected Alternative greatly reduces potential impacts to visual quality compared to the other alternatives that were primarily on new alignments. The use of native grasses and forbs along the corridor will further enhance the visual quality in this primarily rural landscape.

Agricultural Resources and Soils

The Selected Alternative minimizes agricultural impacts. For unavoidable impacts property will be acquired as described in Right-of-Way and Relocation. Damages will be paid for triangulated

and severed fields. Drainage will be perpetuated. Water treatment ponds will be sited in locations that minimize impacts to wetlands and farmland.

Surface Water, Water Quality, Erosion Control, and Slope Stability

The design and construction of the Minnesota River crossing will be coordinated with the Minnesota Department of Natural Resources (DNR) and National Park Service (NPS). Heyman's Creek will also be coordinated with the DNR. Permits will be required for both locations. Throughout the corridor, the project will perpetuate existing drainage patterns.

A National Pollution Discharge Elimination System (NPDES) construction stormwater permit will be required for each stage of construction. Part of this effort will be developing a Stormwater Pollution Prevention Plan (SWPPP) that will address erosion control and slope stability as well as water treatment requirements. The best management practices extant at the time of construction will be utilized including (if applicable) additional treatments such as infiltration for discharges that may affect impaired waters/water with TMDLs.

Wetlands

Impacts to wetlands that cannot be avoided will be minimized to the extent possible while meeting appropriate highway design standards. Impacts will be mitigated as required by Section 404 of the Clean Water Act and the Wetland Conservation Act.

For Type 1, 2, and 3 wetland impacts that are typical of the East Study Section, there are abundant amounts of drained hydric soils in project area which have high potential for successful wetland restoration. It is anticipated that wetland replacement could be accomplished in a way to support the long-term management goals of the Swan Lake Wildlife Management Area. The US 14 project wetland mitigation goals would be in keeping first with the intent of Section 404 of the Clean Water Act and the Minnesota Wetland Conservation Act, but to the extent that these goals overlap with the goals of the Swan Lake Wildlife Management Area opportunities for partnering will be explored. Likewise, partnerships with other local entities in promoting project specific wetland restoration in the project area will be considered.

For impacts to wooded wetlands along the Minnesota River the goal will be to mitigate through restoration of cleared land in the river bottom. There are several tracts of land adjacent to the river that are farmed and could make acceptable restoration sites. Identification and development of such sites will occur in coordination with the wetland agencies in preparation for permitting.

Floodplains

The Minnesota River and Heyman's Creek were identified in the FEIS as potentially having floodplain encroachment by the Selected Alternative. When detailed design information is available, the flood model will be run to determine if any project floodplain encroachments would result in an increase in the 100 year flood elevation. If there is an unacceptable increase,

MnDOT will develop mitigation in coordination with the DNR to maintain current flood elevations.

Threatened and Endangered Species and Bald Eagles

State-listed threatened and endangered mussels in the Minnesota River may potentially be affected by the bridge construction. As the project advances MnDOT will work with the DNR to determine the appropriate next steps.

Although no impact is anticipated, MnDOT will work with the Fish & Wildlife Service (FWS) and DNR to conduct bald eagle surveys during the field seasons prior to the start of construction. Measures to avoid, minimize or mitigate impacts will be developed based on the outcomes of these coordination efforts.

Cultural Resources

A Memorandum of Agreement (MOA) has been prepared and signed by Federal Highway Administration (FHWA), State Historic Preservation Office (SHPO) and MnDOT to provide for mitigation for the adverse effects to the NRHP-listed or eligible resources affected by the Selected Alternative. The terms of the MOA are as follows:

(A) MnDOT will complete a study of timber-frame barns in the project area that exhibit German influence in their design and construction. The scope and requirements of the study will be developed through consultation between the MnDOT and the SHPO. This study will be completed by an historian who meets the Secretary of Interior's Professional standards for historian. MnDOT will submit the completed documentation to the SHPO for approval.

(B) MnDOT will complete a Level I documentation of the Winona and St. Peter Railroad stone culvert NL-CTT-101 to the standards of the *Minnesota Historic Property Record Guidelines* developed by the SHPO (revised June 2009). The documentation will be completed by an historian who meets the Secretary of Interior's Professional Standards for historian. MnDOT will submit the completed documentation to the SHPO for approval.

(C) MnDOT will complete a National Register nomination for the New Ulm Wayside (NL-CTT-006). The nomination will be completed by an historian who meets the Secretary of Interior's Professional Standards for historian. MnDOT will submit the completed documentation to the SHPO for approval.

(D) A data recovery plan for the Altman Site (21NL58) will be developed by MnDOT Cultural Resources Unit (CRU) and submitted to SHPO for its review and concurrence. MnDOT will submit the final version of the plan to SHPO. The MnDOT District 7 project manager will notify the CRU in a time frame that allows for the necessary reviews of the data recovery plan and allows time for the completion of the data recovery before construction begins near the Altman site. MnDOT shall ensure that all materials and records resulting from the data recovery are

curated at the Minnesota Historical Society in accordance with 36 CFR Part 79. MnDOT will submit the draft report of the data recovery excavations to SHPO for review and concurrence within four years from the time the construction project is awarded.

(E) MnDOT will work with the construction contractor to protect unevaluated portions of the Altman Site (21NL 58). This will include provisions in the construction documents and plans to ensure that construction will not extend beyond the boundaries of the archaeological survey area and that temporary fencing will be erected to protect undisturbed portions of the site adjacent to construction or construction-related activities (i.e., storage, stockpiling, etc.). Construction documents and plans containing these provisions will be submitted to the MnDOT CRU and the SHPO for review and concurrence prior to the start of construction.

The agreement allows MnDOT four years to complete the work specified except for the data recovery at the Altman Site because that will occur at the time of construction.

Public Lands and Recreational Resources

If needed, MnDOT will coordinate development of a new access to the Eckstein Boat Landing with the DNR to ensure that it adequately replaces the existing access.

Impacts to the Swan Lake WMA will be mitigated through compensation for any land acquired and potentially enhancements to the visibility or accessibility of the WMA. Furthermore, wetland impacts that can be appropriately mitigated through restoration of wetlands in the vicinity of the WMA may provide an opportunity for the expansion of the WMA. These efforts will be coordinated with the DNR.

Contaminated Properties

A Phase I Environmental Site Assessment was conducted and properties with some potential for contamination were identified. Phase II studies will occur on sites that have the potential to be acquired as right of way.

Noise

A simple noise analysis was done based on existing elevations near receptors. Based on this analysis, it is highly unlikely that any affected sites would justify mitigation. A more refined analysis will occur prior to constructing the project.

Construction and Excess Materials

The contractor will dispose of excess materials and debris from this project in accordance with state and federal regulation and MnDOT Standard Specification for Construction, 2104.3C and Minnesota Rule 7035.2825. In particular, excess materials and debris will not be placed in wetlands or floodplains and the Minnesota River bridge will not be dropped into the river during demolition.

A traffic management plan will be developed and implemented during construction to ensure reasonably convenient access to residences, businesses, local roads, and rivers. Existing local roads that intersect the new highway will remain open to traffic with minor interruptions during intersection construction. Detours will be minimized by staging construction. MnDOT will coordinate construction activities, sequencing, and traffic management plans with local fire, police, and emergency rescue services to minimize delays during the construction period.

To reduce the impacts of construction noise, the construction contract will require that motorized equipment be operated in compliance with State laws and regulations relating to noise levels permissible within and adjacent to the project construction site.

E. MONITORING OR ENFORCEMENT PROGRAM

The proposed project is subject to further review by federal and state agencies and local units of government during final design. Several permits will be required prior to the commencement of construction. The review and permit processes will be implemented in cooperation with the appropriate regulatory agencies.

A summary of environmental commitments (Green Sheets) was prepared for this project. These will be passed along to MnDOT's design and construction groups so that staff working on subsequent phases of the project are aware of the commitments made in the EIS. The Green Sheets are included in Appendix A of this document.

F. COMMENTS ON FINAL ENVIRONMENTAL IMPACT STATEMENT

Minnesota Rule 44102800 Subd. 2, establishes a ten day comment period for a Final EIS. A total of four written comments were received on the project. Three were from agencies and one from a private citizen. The comments are reproduced below with responses to substantive comments.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 07 2012

REPLY TO THE ATTENTION OF:

(E-19J)

Derrel Turner, Division Administrator
Federal Highway Administration - Minnesota Division
Galtier Plaza, Suite 500
380 Jackson Street
St. Paul, Minnesota 55101

Thomas K. Sorel, Commissioner
Minnesota Department of Transportation
Transportation Building
395 John Ireland Blvd
Mailstop 100
St. Paul, Minnesota 55155-1899

RE: Final Environmental Impact Statement, US 14 Reconstruction from Front Street in New Ulm to Nicollet County Road 6, Brown and Nicollet Counties, Minnesota. (CEQ No.: 20120020)

Dear Mr. Turner and Mr. Sorel:

The United States Environmental Protection Agency Region 5 (U.S. EPA) has reviewed the above-referenced Final Environmental Impact Statement (FEIS) dated December 2011, pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA), and Section 309 of the Clean Air Act.

The Minnesota Department of Transportation (MnDOT), in coordination with the Federal Highway Administration (FHWA), proposes to reconstruct US 14 to provide four through traffic lanes between New Ulm (includes replacing the US 14 Minnesota River bridge) to near North Mankato. The purpose of the project, in part, is to alleviate existing and forecasted safety, structural deficiencies, and capacity problems. The FEIS identifies that proposed construction is not currently funded, so it is uncertain when the work will occur. However, the earliest construction of the new Minnesota River Bridge at the west end of the project is planned for 2018.

U.S. EPA commented on the Draft EIS (DEIS) for this proposal in our letter dated March 11, 2008. We expressed concerns regarding potential environmental impacts to a variety of resources, including but not limited to, wetlands (particularly forested wetlands), rivers/streams, floodplains, historic properties, and farm land. The DEIS did not identify a preferred alternative. We recommended the FEIS provide a clear and

detailed explanation of how the various impacts and identified mitigation for the impacts associated with each build alternative option were considered, and discuss how trade-offs were made in order to determine the FEIS Preferred Alternative. U.S. EPA noted its preference for DEIS Alternative W2/E4 as a preferred alternative due to its relatively low wetland impacts (4.9 acres of non-agricultural wetlands, 4.1 acres of agricultural wetlands).

The FEIS identifies Alternative W1/E1 as the preferred alternative with approximately 20 acres of direct non-agricultural wetland impact. Alternative W1/E1 utilizes the existing alignment for most of the corridor except for two areas. The first area is the Courland bypass north of the city on top of the bluff. The second area is the Nicollet bypass, where the preferred alternative is a bypass south of the city. The rationale for selecting the FEIS Preferred Alternative W1/E1 is provided in Section 2.3.2 and 3.9 of the FEIS. The FEIS concedes Alternative W1/E1 has more wetland impacts than Alternative W2/E4 but because of other considerations (farmland, Minnesota River bluff, erosion problems, etc.), MnDOT identifies Alternative W1/E1 as having an overall environmental advantage.

The FEIS identifies that unavoidable wetland losses will be mitigated by restoration of in-kind wetlands to the extent possible. The nearby Swan Lake Wildlife Management Area is identified as a suitable area for non-forested wetlands compensation. Areas for riparian forested wetlands compensation mitigation were not identified in the FEIS. However, the FEIS states that MnDOT proposes to work with the wetland Technical Evaluation Panel to identify restoration locations within the Minnesota River Valley near the project area.

U.S. EPA recommends, at least, a ratio of 2:1 of wetlands created to wetlands lost. Based on the quality of the forested wetlands destroyed, the uncertainty of success, and the long lag time of establishing forested wetlands, a greater ratio may be appropriate. Location/s should be within the same watershed. Mitigation areas should be monitored for success for a period of at least 5 years, preferably longer for forested wetlands. U.S. EPA retains its right to provide additional review and comment regarding this MnDOT US 14 proposal during the U.S. Army Corps of Engineers Clean Water Act Section 404 permit process.

To help insure that the proposed project will not contribute to further impairment of the Minnesota River and Heymans Creek, we had recommended the FEIS identify areas that could be used for stormwater runoff treatment and hazardous spills containment and disclose when and how MnDOT and local communities plan to preserve the potential stormwater treatment and containment areas identified. The FEIS does not provide this information. The FEIS does identify that the project will require a National Pollutant Discharge Elimination System (NPDES) Construction Stormwater permit, which will specify surface water control requirements, including a stormwater pollution prevention plan. MnDOT commits to fully complying with all conditions of the NPDES Construction Stormwater permit.

A

B

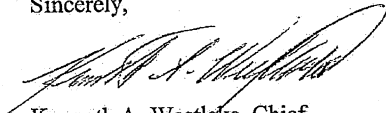
A – To the extent practical MnDOT intends to mitigate for lost riparian forested wetlands through restoration of like wetland areas. MnDOT will look for opportunities to partner with other agencies in these restoration efforts to make them most successful. MnDOT will work with U.S. Army Corps of Engineers and other wetland regulatory agencies at the time of project implementation to develop more specific wetland mitigation plans, consistent with regulatory requirements at that time.

U.S. EPA finds that the second sentence in the following quote from the FEIS (3.7.1.2 Water Quality, page 3-43) is misleading: *"The MPCA is in the process of developing pollutant reduction strategies known as Total Maximum Daily Loads (TMDLs). Currently, regulatory compliance with TMDLs is satisfied by following the NPDES construction stormwater permit."* U.S. EPA recommends that the following quote more accurately reflects the role NPDES construction stormwater permits play in implementing TMDL strategies and request that this correction to the FEIS be included in the Record of Decision (ROD) for this proposal: *"The MPCA is in the process of developing pollutant reduction strategies known as Total Maximum Daily Loads (TMDLs). Allocations under the TMDL are implemented through the NPDES construction stormwater permit."*

C

We appreciate the opportunity to comment on this FEIS. If you have any questions regarding our comments Virginia Laszewski, lead reviewer to this project, at (312) 886-7501 or laszewski.virginia@epa.gov.

Sincerely,



Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Enforcement and Compliance Assurance

cc: Phil Forst, Federal Highway Administration, Galtier Plaza, 380 Jackson Street,
Suite 500, Saint Paul, Minnesota 55101-4802

✓ Peter Harff, P.E., Minnesota Department of Transportation - District 7,
2151 Bassett Drive, Mankato, Minnesota 56001-6888

Tamara Cameron, Chief, Regulatory Functions Branch, U.S. Army Corps of
Engineers, 190 Fifth Street East, Saint Paul, Minnesota 55101-1638

B – Section 3.7.3.2 of the FEIS identifies the need for an NPDES construction stormwater permit. As noted in the response to Comment A in the Minnesota Pollution Control Agency FEIS comment letter, the requirements of NPDES may change, so MnDOT has elected to develop more detailed stormwater detention and treatment plans closer to the time of construction. Fulfilling the requirements of the NPDES permit will necessitate identifying ponding locations that may extend outside of the estimated right of way limits used in the FEIS. Ponding will not be placed in wetlands or other environmentally sensitive areas (see ‘Standard Operating Commitments’ in the Greensheets in Appendix A).

C – Comment noted. See NPDES construction stormwater permit commitment in the Greensheets in Appendix A.

Minnesota Department of Natural Resources

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March 7, 2012

Peter Harff
MnDOT District 7
2151 Bassett Drive
Mankato, MN 56001

In re: US 14 Reconstruction- New Ulm to North Mankato
Final Environmental Impact Statement (FEIS)
Brown and Nicollet Counties, MN

Dear Peter:

The Minnesota Department of Natural Resources (DNR) would like to thank you for the opportunity to review and comment on the FEIS for the above referenced project. The DNR appreciates that comments from our prior meetings, and Draft Environmental Impact Statement comments, have been incorporated into the FEIS. The following comments are designed to provide specific information concerning the Minnesota Department of Transportation (MnDOT) preferred alternative.

Our review of the FEIS did not locate information concerning the disposition of the Swan Lake Wildlife Management Area (WMA) impact area to MnDOT. Please note that a transfer of custodial control or right of way easement will need to be completed in order for the project to proceed to construction. Special provisions will be associated with either disposition method in order to mitigate the impacts.

Part of the disposition process involves a review of minimization techniques that were considered to reduce Swan Lake WMA impacts. Consideration should be given to utilize the constrained 4 lane design and steeper slopes in order to minimize acreage impacts to Swan Lake WMA. The reduced acreage impacts to Swan Lake WMA could also reduce the projects wetland impacts. Other issues such as wildlife passage, access (including during construction), and parking lots will need to be considered and discussed as part of the process.

As previously discussed, the DNR recommends the existing parking lot on Highway 14 at Swan Lake WMA be gated in a manner that allows access to the monitoring wells, but not general use by the public. The parking lot can be relocated to a more appropriate area farther away from Highway 14 off the new access road or other location as yet to be determined. In addition, a monument currently exists at the parking lot that should be moved to an appropriate location within the WMA.

A – MnDOT understands that the the transfer of land from the WMA to MnDOT right of way will require following specific processes. Coordination on that land transfer will be conducted along with discussions regarding impact mitigation prior to construction.

The DNR would like to explore the option of incorporating some form of fish barrier at the Highway 14 crossing over the Swan Lake outlet ditch. The barrier could reduce the likelihood of invasive fish species entering Swan Lake. The bridge/culvert structure associated with the ditch should also be designed to prevent any water backup that could alter the effectiveness of the existing water control structure on Swan Lake. These issues should be explored during the preliminary design phase of the project.

D

Wildlife passage associated with Swan Lake WMA, Heyman's Creek, and the Highway 14 Bridge should be incorporated into the preliminary design and be further coordinated with the DNR. Improving highway safety by allowing wildlife to move under bridges or through culverts will be an important aspect of this project.

E

Heyman's Creek, the Minnesota River crossing by the Highway 14 Bridge, and other crossings involve impacts to public waters and will require a permit from the DNR. In order to facilitate the DNR waters permit process it is recommended that MnDOT coordinate the preliminary design with the DNR.

The DNR recommends the project area be reviewed for natural heritage features prior to final design due to the time lapse that may occur from completing environmental review until construction. The updated review will help ensure that any new occurrences of listed species can be addressed in a timely manner.

F

3.9.2 Environmental Consequences, discusses the wetland impacts associated with each alternative. The DNR encourages MnDOT to minimize the Right of Way footprint in palustrine forested wetlands and floodplain areas during preliminary and final design. The DNR believes Preferred Alternative W1 can be more environmentally friendly when designed in a manner to reduce these impacts.

G

3.9.3.3 Wetland Mitigation, page 3-53, discusses working with the DNR to locate potential wetland mitigation sites in a way to support the long-term management goals of the Swan Lake WMA. The DNR fully supports mitigating wetlands in close proximity to the Swan Lake WMA complex and we appreciate MnDOT efforts to facilitate this approach. The DNR is committed to assisting MnDOT with locating potential wetland mitigation sites for this project.

3.10.2.2 Floodplain Impact Assessment, page 3-56, discusses the presence of state listed mussels associated with the Minnesota River crossing for Highway 14. The document indicates coordination will be undertaken with the DNR to determine if a mussel survey should be done just prior to the time of construction. MnDOT should plan on conducting a mussel survey 1 year prior to construction in order to allow enough time to coordinate potential mitigative actions.

H

B – MnDOT has proposed a typical section that balances safety with impacts to the adjacent land. Minimizing the typical section below established standards will be considered if unique habitats or resources requiring special protection are identified. MnDOT will coordinate with the DNR to determine if such areas exist within the affected portions of the WMA (so far none have been identified). In any case, MnDOT will consider minimization within the range of design standards.

3.14.2 Environmental Consequences, 2) Eckstein Boat Landing, discusses potential changes to the access location to the landing. Due to safety concerns, the design should improve the access to the landing by providing a flatter slope and wider access road that is more conducive for safe access by vehicles pulling trailers.

3.22.2.6 Storm Water, page 3-108, discusses storm water permitting and related issues. The FEIS does not include locations of storm water ponds or temporary impact areas from construction activities. The DNR recommends these areas be reviewed by the DNR to ensure they are consistent with the protection of natural resources such as public waters, listed species, and WMA.

The DNR appreciates the prior coordination on this project and we look forward to working with MnDOT when funding becomes available to move this important project to fruition. Please contact me directly if you have any questions or would like to meet to discuss any of these issues.

Very truly yours,



Kevin Mixon
Regional Environmental Assessment Ecologist
Minnesota Department of Natural Resources
261 HWY 15 South
New Ulm, MN 56073
Phone: 507-359-6073
Email: kevin.mixon@state.mn.us

Cc: R4 REAT, DNR
Lisa Joyal, DNR
Joe Stangel, DNR
Leo Getsfried, DNR
Lee Sundmark, DNR
Laurinda Brown, DNR
Lisa Gelvin-Innvaer, DNR
Bernice Cramblit, DNR
Randall Doneen, DNR
Stein Innvaer, DNR
Bob Kaul, DNR
Karla Ihns, DNR
Peter Leete, MNDOT

C – The agencies will coordinate the location of a new parking area and handling of the existing area during mitigation discussions prior to construction.

D – Jointly with DNR fisheries and engineering staff, MnDOT's Hydraulics Engineer will explore the implications of possible fish barrier designs that the DNR may consider at this crossing. Incorporation of any design depends on its impact to moving the water efficiently and the DNR's participation in costs.

E – MnDOT will coordinate with the DNR regarding the need and possible design for wildlife passage at these locations.

F – MnDOT will conduct a review for such features prior to final design. This may consist of querying the DNR's Natural Heritage Database and/or field reviews depending on how much time has passed and the area in question. Opportunities to avoid, minimize, or mitigate any impacts to newly identified features will be explored during final design.

G – As described in the FEIS, the preferred alternative uses a narrow median to minimize impacts to forested wetlands and floodplains between MN TH 15 and CR 37. Narrowing the cross section is not proposed elsewhere, but MnDOT will consider a narrower median and steeper inslopes in localized areas of concern when developing the preliminary design.

H – The preferred timing for the mussel survey is noted.

I – The specifics of the design for the new Eckstein Boat Landing access will be developed together with the DNR to address these concerns.

J – MnDOT will retain mapping of environmentally sensitive areas and coordinate with the DNR if any water treatment or other MnDOT-designed features are located in these areas. Construction contractors will be responsible for coordination regarding their activities as required in MnDOT standard specifications.



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us | Equal Opportunity Employer

March 8, 2012

Mr. Peter Harff
MnDOT District 7
2151 Bassett Drive
Mankato, MN 56001

Re: US 14 Reconstruction Final Environmental Impact Statement

Dear Mr. Harff:

Thank you for the opportunity to review and comment on the Environmental Impact Statement (EIS) for the US 14 Reconstruction project (Project) located in Nicollet and Brown Counties, Minnesota. The Project consists of upgrading the existing two-lane highway to a four-lane divided expressway. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, MPCA staff has the following comments for your consideration.

Section 3.7 Surface Water, Water Quality, Erosion Control, and Slope Stability

- Since construction is not likely to start until 2018 or later, it is possible that requirements in the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activity may change before then as the current permit expires in August 2013.
- Even though final design of the preferred alternative has not been conducted, the Final EIS should have included an estimate of the number of acres to be disturbed during construction. Currently, if greater than 50 acres are to be disturbed and there is a discharge point within one mile of a special or impaired waters, then the application and Stormwater Pollution Prevention Plan must be submitted to the MPCA 30 days prior to the start of any construction activity. As noted in the Final EIS, the Minnesota River between New Ulm and Courtland is currently on the impaired waters list.

A

Section 3.9 Wetlands

- Although Table F-3-14 gives acreages in the study area, it does not give the number of the various types of wetlands (e.g., four wetlands classified as Type 1, etc.). Nor is that information contained elsewhere in this section.
- In addition to the Minnesota Department of Natural Resources and the Wetland Conservation Act, the MPCA also has jurisdiction over wetlands, primarily through Minn. R. 7050.0186.
- Please note that while fill areas may be controlled, other impacts to wetlands due to construction of the project (e.g., stormwater runoff from the roadway) can go beyond the right-of-way.
- Please be aware that even though a constrained cross-section may allow for narrower embankment widths, it also lowers the potential for stormwater treatment in the median.

B

C

D

Section 3.10 Floodplains

The locations of the floodplain impacts are not shown on any map or aerial photograph.

E

A – The project will be constructed in stages under separate construction contracts, but it is highly likely that most, if not all, of these will disturb more than 50 acres and some will have a discharge point within one mile of a special or impaired waters. MnDOT will coordinate with the MPCA according to the regulations extant at the time the plans are developed.

Miscellaneous Comments

Please clarify why the wetlands are broken out into agricultural and non-agricultural in Table F-S-1 on page 11 of the Summary.

} F

It would have been helpful to point out that the locations of the features listed in Table F-3-12 of Section 3.7 and the narrative in Section 3.9 are shown on the aerial photographs in Appendix E. It would also have been helpful if these features had been labeled on the aerial photos, more so than the historical properties that are labeled.

We appreciate the opportunity to review this project. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this Final EIS, please contact me at 651-757-2508.

Sincerely,

Karen Kromar

Karen Kromar
Planner Principal
Environmental Review Unit
Resource Management and Assistance Division

KK:mbo

cc: Craig Affeldt, MPCA, St. Paul
Bob Finley, MPCA, Mankato
Judy Mader, MPCA, St. Paul

B – Correct, tables F-3-15 and 16 in the FEIS summarize estimated wetland impacts by wetland type for each alternative.

C – Noted.

D – MnDOT understands that stormwater will need to be treated outside of the median, potentially in structures.

E – The Aerial Photo Exhibit in the DEIS (available upon request from the Project Manager) shows the locations of the project alternatives with respect to mapped floodplain areas.

F – The designation of agricultural (i.e., farmed) vs. non-agricultural wetlands was included in the summary table since these designations may be used to assess wetland ‘value.’ However, this distinction may or may not be important at the time of project permitting. Tables F-3-15 and 16 in the FEIS summarize estimated wetland impacts by wetland type for each alternative, without any distinction between agricultural and non-agricultural wetlands.

Dear Peter Harff,

Recently I studied the proposals for the expansion of Hyw 14 between New Ulm and Courtland by looking at the information at the New Ulm Public Library. On page 3-6 I read the following: "The MVLHS is located on the northwest corner of US14 and 561st Ave in Courtland Township (See Exhibit F-E-1 in Appendix E). Currently two softball fields are located directly north of US14 just west of 561st Ave."

Does Alternative Plan W1 mean that the two softball fields would be lost by MVL to road construction?

If so, I strongly urge you to go with Alternative Plan W2 - top of Bluff Alignment, up to County Road 21 or else Alternative Plan W3 - River Bluff Combination Alignment up to County Road 37.

MVL cannot afford to lose the use of it's two softball fields. Those fields are not only used by the MVL interscholastic girls' softball teams, but also are a vital part of the physical education program. In addition to that, the fields are also used by a number of softball and baseball programs from the city of New Ulm. With New Ulm being a hotbed for softball and baseball at all age levels, MVL and the city of New Ulm needs every available softball/baseball facility possible.

} A

Please respond to my highlighted question above and let me know what plan the DOT is leaning towards. Thank you.

Sincerely,

Myron Fluegge

108 3rd South Street

New Ulm, MN 56073

A – Mr. Fluegge was contacted and informed that the softball fields would be impacted. It was clarified to him that coordination was undertaken with the Minnesota Valley Lutheran High School and that the development of new softball fields would be paid for by MnDOT during right of way acquisition.

ADEQUACY DETERMINATION

Regarding the Adequacy Determination required by State of Minnesota environmental review rules, Minnesota rule 4410.2800 stipulates the following:

Subp. 4. Conditions. The final EIS shall be determined adequate if it:

A. addresses the potentially significant issues and alternatives raised in scoping so that all significant issues for which information can be reasonably obtained have been analyzed in conformance with part 4410.2300, items G and H;

B. provides responses to the substantive comments received during the draft EIS review concerning issues raised in scoping; and

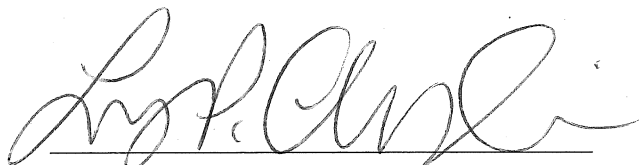
C. was prepared in compliance with the procedures of the act and parts 4410.0200 to 4410.6500.

As indicated in the pages above, the Final EIS addressed all the potentially significant issues which were identified during the scoping phases of this project. All issues for which information could reasonably be obtained have been thoroughly analyzed.

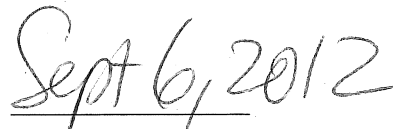
The Final EIS provided responses to all substantive comments which were received during the Draft EIS review period.

As outlined above, the Scoping Process, and Draft EIS and Final EIS were completed in full compliance with the procedures of Minnesota Statute 116D and with Minnesota Rules parts 4410.0200 to 4410.6500.

As a result of these considerations, and the complete administrative record, the Final Environmental Impact Statement for the US 14 New Ulm to North Mankato project is determined to be Adequate.



Lynn Clarkowski
Chief Environmental Officer
Director, Office of Environmental Services
Minnesota Department of Transportation



Date

APPENDIX A – TH 14 New Ulm to North Mankato GREEN SHEETS

Transmittal:

Action	Who	Date	Expectation
Prepared by:	Peter Harff	5/18/12	To the best of my knowledge all commitments made in environmental documents and public discussions have been captured here
Received in Detail Design by:			Commitments documented here will be honored or renegotiated
Updated in Detail Design by:			To the best of my knowledge all commitments specified in the Green Sheets have been incorporated into the plans or renegotiated and any new commitments have been added
Received in Construction by:			Commitments documented here will be honored or renegotiated
Completed in Construction:			To the best of my knowledge all commitments specified in the Green Sheets have been constructed or renegotiated and any new commitments have been added
Received post Construction:			Commitments documented here will be honored or renegotiated
Completed post Construction:			All commitments have been fulfilled or renegotiated

Format for Commitments:

Commitments that are considered standard operating procedures are included in a simple list at the end of this document.

Special Commitment – copy this table for each commitment, fill in completion dates on the left and additional description on the right.

“Summary Name”	“Description”
Done in Design	
Done in Construction	
Done post Construction	
No Further Work Required	

Historic Barns		Complete Barn Study -- work with CRU to do it; avoid getting closer to these barns than as shown in FEIS
	Done in Design	
NA	Done in Construction	
NA	Done post Construction	
	No Further Work Required	

Stone Box Culverts		Document former RR stone box culverts - work with CRU to do it
	Done in Design	
NA	Done in Construction	
NA	Done post Construction	
	No Further Work Required	

Altman Archaeology Site		Conduct data recovery at portion of Altman site to be disturbed, protect from disturbance locations near site that were not evaluated -- work with CRU
	Done in Design	
	Done in Construction	
NA	Done post Construction	
	No Further Work Required	

New Ulm Spring		Prepare national register documents, provide WB parking at site
	Done in Design	
	Done in Construction	
NA	Done post Construction	
	No Further Work Required	

New Ulm Conglomerate		Avoid impacts to eligible portion of site as mapped in files
	Done in Design	

	Done in Construction	
	Done post Construction	
	No Further Work Required	
Swan Lake WMA		<ul style="list-style-type: none"> • Review potential for minimizing impacts to WMA with DNR staff. • Replacement of wetlands of the appropriate types should be done in conjunction with the DNR and incorporated into the Swan Lake WMA • Replace any WMA land taken as RW – account for land transfer processing time due to federal funding that was used for purchase • Mitigate visibility and access changes (including parking area impact) to WMA • Coordinate with DNR staff re: need and potential design for wildlife passage at WMA crossing
	Done in Design	
NA	Done in Construction	
NA	Done post Construction	
	No Further Work Required	
Swan Lake Outlet Fish Barrier		Coordinate with DNR regarding possible fish barrier at crossing over Swan Lake Outlet.
	Done in Design	
	Done in Construction	
	Done post Construction	
	No Further Work Required	
Bridge over MN River		Provide trail crossing; coordinate with DNR, NPS; discuss wildlife passage
	Done in Design	
	Done in Construction	
NA	Done post Construction	
	No Further Work Required	

Heymans Creek	Coordinate design of crossing with DNR; discuss wildlife passage; discuss stormwater treatment and hazardous spill containment
Done in Design	
Done in Construction	
Done post Construction	
No Further Work Required	

Eckstein Boat Landing	The landing for MN River on CR 37 may need a relocated. If so, coordinate with DNR and consider opportunities for gentler slope and wider access road
Done in Design	
Done in Construction	
Done post Construction	
No Further Work Required	

Review Project Area for Natural Heritage Features	Request review of Natural Heritage Database and potentially review areas in the field depending on how much time has passed and the area under consideration. If new resources are identified, coordinate with DNR staff as needed, and avoid/minimize project impacts to the extent practicable during final design.
Done in Design	
Done in Construction	
Done post Construction	
No Further Work Required	

Mussels	Coordinate with DNR to protect MN River Mussels during bridge construction; Survey should be done one year before construction
Done in Design	
Done in Construction	
Done post Construction	

	No Further Work Required	
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Riparian Forested Wetland Replacement	Work with the Army COE to identify and develop a restoration site for impacts to riparian forested wetlands
Done in Design	
Done in Construction	
Done post Construction	
NA	
No Further Work Required	

Bald Eagles	Coordinate with DNR and FWS for Bald Eagle surveys prior to construction. Coordinate mitigation if needed
Done in Design	
Done in Construction	
Done post Construction	
NA	
No Further Work Required	

TH 14/15 Intersection	Try to keep CR 21 east and west connected to intersection in final layout
Done in Design	
Done in Construction	
Done post Construction	
NA	
No Further Work Required	

Narrow Median	Use narrow median between TH 15 and CR 37 to minimize impacts to floodplain. Use in other areas is not planned, but may be considered if environmentally sensitive.
Done in Design	
Done in Construction	
Done post Construction	
NA	
No Further Work Required	

Restricted Crossing U-Turns		Consider RCUTs instead of full interchanges such as at CR 37, Courtland, Nicollet. Also, consider their use more broadly throughout the system. Inform FHWA of decisions.
	Done in Design	
NA	Done in Construction	
NA	Done post Construction	
	No Further Work Required	

Minnesota Valley Lutheran HS Access		Provide special improved safety access
	Done in Design	
	Done in Construction	
NA	Done post Construction	
	No Further Work Required	

Courtland Access		Consider EB off to existing US 14 and on to new US 14
	Done in Design	
	Done in Construction	
NA	Done post Construction	
	No Further Work Required	

Nicollet Access		Consider WB on at west of Nicollet
	Done in Design	
	Done in Construction	
NA	Done post Construction	
	No Further Work Required	

Reevaluate Noise	Run noise models on project by project basis as alignment and profile are finalized
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	Done in Design	
NA	Done in Construction	
NA	Done post Construction	
	No Further Work Required	

Landscaping		Landscaping should be done at entrances to Nicollet and Courtland and discussions held with Nicollet over possible landscaping to hide wastewater treatment ponds
	Done in Design	
	Done in Construction	
	Done post Construction	
	No Further Work Required	

Nicollet Sewer		Coordinate with Nicollet re sewer force main
	Done in Design	
	Done in Construction	
	Done post Construction	
	No Further Work Required	

Standard Operating Commitments – place an X in the column as completed

Commitment	Design	Construction	Post Construction	No Further Action
Right of way and relocation to follow Uniform Act		NA	NA	
Pay for triangulation, severance in farmland acquisition		NA	NA	
Review water crossings for upstream flooding		NA	NA	
Maintain field tile				
Obtain DNR Public Waters permits		NA	NA	

Obtain NPDES Construction Stormwater permit – include stormwater facilities and best management practices (BMPs) consistent with regulatory requirements(including consideration of BMPs for impaired waters/to meet TMDLs, if applicable); coordinate with DNR if ponds are proposed in any sensitive locations				NA	
Site water treatment ponds outside of wetlands and other environmentally-sensitive areas, and in such a way as to limit farmland impacts to the extent possible		NA		NA	
Run MN River flood model – coordinate with DNR		NA		NA	
Complete Phase 2 investigation for contaminated soil and water prior to right of way acquisition where risk is high		NA		NA	
Coordinate with the COE to determine if wetland delineations need updating if more than five years old		NA		NA	
Consider partnering with local governments for wetland mitigation		NA		NA	
Obtain Section 404 permit		NA		NA	
Obtain Section 401 certification		NA		NA	
Obtain WCA permit		NA		NA	
Obtain Section 10 permit		NA		NA	
Obtain New Ulm Municipal Approval – if required		NA		NA	
Obtain Courtland Municipal Approval		NA		NA	
Obtain Nicollet Municipal Approval		NA		NA	
Develop a Traffic Management Plan – coordinate to provide access to homes, businesses, school, WMA, river, fire, police, rescue				NA	
Use native seed mixes (especially in any prairie remnants and Swan Lake WMA) unless specific conditions are not appropriate for native mixes					
Utilize construction noise specifications to minimize construction noise				NA	
Utilize construction waste disposal specifications to control construction waste				NA	