

The safe accommodation of bicyclists and pedestrians should be given full consideration. Therefore, an assessment of bicycle and pedestrian traffic to safely cross TH 14 at key locations, such as in the cities of Courtland and Nicollet, will be conducted. In addition, consideration should be given during the DEIS process to the TH 68 corridor as a suitable alternative to TH 14 for bicycle traffic.

SPECIAL REPORTS

The following is a list of special reports that will be prepared and incorporated into the DEIS.

- Cultural Resources (Archaeological and Historical Sites)
- Environmental Site Assessment (Contaminated Properties)

An in-depth analysis of existing and future traffic characteristics and an origin-destination study can be found in the Corridor Management Plan.

6.0 PUBLIC AND AGENCY INVOLVEMENT

Early and continuing coordination with agencies and the public is the key to a successful project. The purpose of the Public and Agency Involvement Process is to allow ample opportunity for the affected governmental agencies and public to participate in the decision-making process along the TH 14 Corridor. The corridor communities have been actively involved in an open, collaborative process during the identification of deficiencies and potential solutions for the identified need. Comments on the Scope of the project were received during the Scoping process.

6.1 RESULTS OF SCOPING PROCESS

SCOPING PROCESS

This Scoping Decision Document (SDD) summarizes the comments and responses received on the Scoping Document and during the Scoping Hearings and comment period for the TH 14 West Interregional Corridor: North Mankato to New Ulm project. The public and agency involvement for the project was described in Section 8.0 of the Scoping Document. The Advisory Committee, Project Management Team, public outreach to the cities and counties along the corridor, and the Public Information Open House held on May 21, 2002 have given governmental agencies and the public an opportunity to be involved in the decision-making process for the TH 14 West project. The Scoping Document/*Draft* SDD was developed using this public and agency input to refine the alternatives and identify potential environmental issues.

The Scoping Document/*Draft* SDD was circulated to the required federal and state distribution lists and made available to the public for review and comment. The notice of availability was in the EQB Monitor on March 31, 2003 and again with additional

information on April 14, 2003. A newsletter-invitation was distributed to stakeholders in the Corridor. A press release was sent to local newspapers and media in the area. Notification materials are in **Appendix A (See note at end of Scoping Decision Document regarding Appendices)**. A 30-day comment period began on March 31, 2003 and closed on Friday, May 2, 2003.

Two Scoping Hearings, an Interagency Hearing (2:00 to 3:30 PM) and a Public Hearing (4:30 to 7:00 PM), were held on Wednesday, April 23, 2003 at the Courtland Community Center, 200 Railroad Street, Courtland, Minnesota to provide an opportunity for involved agencies and the public to comment on the alternatives and environmental issues to be carried forward in an environmental document.

An Open House ran continuously during the Hearings. The TH 14 West Project Team explained the environmental review process, described the alternatives being considered, the benefits and impacts being evaluated during the process, presented the public involvement program and schedule, and asked for ideas and comments from the audience on the scope of the project.

The Scoping Hearings were attended by over 100 people, including representatives from Nicollet County; Brown County; the Cities of New Ulm, Courtland, Nicollet, and North Mankato; Courtland Township; the Region 9 Development Commission; and residents and businesses in the project corridor.

Mn/DOT received 33 comments on the Scoping Document from seven agencies, one business, and 25 residents.

OVERVIEW OF COMMENTS

Agency Comments:

- In general, the agencies had few, if any, comments on the scope of the project and encouraged continuing coordination during the DEIS process.
- Nicollet County suggested including the intersection of CSAH 6/TH 14 in the project.
- The Cities support the Courtland North Bypass #1 and Nicollet South Bypass #1.
- There was no agency opposition to the retained four-lane design.
- No agency opposed the retained location alternatives.

Business Comment:

The key issue noted by the one business included:

- Concern that maintenance projects already planned would slow down or reduce the need for the construction of this project.
- No business opposed the four-lane design.
- No business opposed the retained location alternatives.

Resident Comments:

Key issues by residents included:

- There were seven people supporting the Nicollet South Bypass #1 and three people against the Nicollet South Bypass #2.
- Three people supported the Courtland North Bypass #1.
- Three responses supported the four-lane design with no one opposing it.
- Ten residents were concerned about severed, triangulated, or isolated farmland impacts with the bypass alternatives. Suggestions included following the property and parcel lines rather than cutting through farmlands diagonally.

RESPONSE TO COMMENTS

The following comments were received on the scope of the project for TH 14 West, North Mankato to New Ulm. A summary matrix follows this section. A complete set of agency, business, and resident comments is in **Appendix B**. The Scoping Hearing transcript is in **Appendix C**. (See note at end of Scoping Decision Document regarding Appendices.)

Agency Comments and Responses:

1. US Army Corps of Engineers, May 20, 2003
Tamara Cameron, NEPA Coordinator, Army Corps of Engineers

Comment 1: The TH 14 West, North Mankato to New Ulm, Scoping Document is very well written and organized, making it easy to review. The alternatives development process appeared very thorough and well thought out. As noted in the document, there is a substantial amount of wetlands in the project area, so I remain very interested in the project. I have no substantive comments on the Scoping Document, and I look forward to receiving more detailed analysis of the alternatives to be carried forward into the DEIS.

Response 1:

Thank you for your comments. We note that you have no objection to the purpose and need, and any retained/dropped alternatives as developed in the scoping process. Continuing coordination with the Army COE will continue throughout the DEIS process.

2. US Environmental Protection Agency, May 6, 2003
Kenneth E. Westlake

Comment 2: Did not comment. Waiting for next level of document to comment because of heavy workload.

Response 2:

Thank you for your response. We note that you have no objection to the purpose and need, and any retained/dropped alternatives as developed in the scoping process. We will coordinate with the EPA in the EIS process.

**3. Minnesota Pollution Control Agency
Dana A. Vanderbosch, Regional Environmental Management Division**

Comment 3:

- a. *The areas concerning MPCA Storm Water Program staff appear to be well addressed.*
- b. *Since the Minnesota River is considered to be an impaired water, plans will need to be submitted for approval before a permit can be issued under the new NPDES Construction Storm Water Permit*

Response 3:

- a. Thank you for the comment. We note that you have no objection to the purpose and need, and any retained/dropped alternatives as developed in the scoping process.
- b. We will continue to coordinate with the MPCA and the prescribed permitting process will be followed throughout the DEIS process.

**4. Minnesota Pollution Control Agency
Lynne Kolze, Regional Environmental Management Division**

Comment 4: *“Due to limited resources available to the MPCA, we have not reviewed the EAW for this project.” This does not constitute a waiver for any of the pending permits.*

Response 4:

Thank you for the comment. We note that you have no objection to the purpose and need, and any retained/dropped alternatives as developed in the scoping process. We will continue to coordinate with the MPCA and the prescribed permitting process will be followed throughout the DEIS process.

**5. Nicollet County
Mike Wagner, County Engineer**

Comment 5: *The Nicollet County Board of Commissioners passed a resolution, on April 8, 2003 opposing the closing of the CSAH 6 crossing of TH 14. Suggested including the TH 14/CSAH 6 intersection as part of this project to be evaluated in the DEIS.*

Response 5: The project termini were determined at the beginning of the project and are from TH 15 on the west to CSAH 6 on the east. The EIS process will include the consideration of connecting highways at the termini, including CSAH 6.

**6. City of New Ulm
Joel Albrecht, Mayor**

Comment 6: Since TH 14 is one of the most dangerous roadways in the State of Minnesota, the Highway 14 Partnership is staying on top of the project. The Partnership met with the Commissioner of Transportation who agreed that it is a high priority corridor. The City of New Ulm supports “the # 1 choice”. “The interests of the vast majority have been addressed.”

Response 6: Thank you for your comments.

**7. City of Courtland
Bob Schabert, Mayor**

Comment 7:

- *In general, cities want roadway out of town, but somewhere close. Therefore, TH 68 is not an option because it is too far away from Courtland and Nicollet.*
- *The Mayor noted that to develop a plat of land, utilities need to be supplied to the property or else it cannot be developed.*
- *The City of Courtland land use plan shows a bypass location similar to the proposed Courtland North Bypass #1.*

Response 7: Thank you for your comments.

Summary of Business/Resident Comments and Responses

There were comments from one business and 25 residents. This is a summary of comments that is followed by a matrix listing all comments. A complete set of agency, business, and resident comments is in **Appendix B**. The Scoping Hearing transcript is in **Appendix C**.

- **Comment:** *There were ten comments expressing concern about farmland impacts relating to severed and triangulated parcels with the bypass alternatives. Suggestions included following the property or parcel lines, rather than cutting diagonally through farmsteads.*

Response: Existing property and parcel lines were used where feasible without compromising Mn/DOT design standards. The alignments will be refined during the DEIS process. Minimizing impacts to farmlands will be addressed in the DEIS for all alternatives.

- **Comment:** *One resident suggested planting trees and shrubs on the north side of the road to form a living snow fence.*

Response: Mitigation measures such as a living snow fence may be considered in the DEIS.

- **Comment:** *It was suggested to include the CSAH 6/TH 14 intersection and the TH 14/TH 15 river crossing in the DEIS for this project.*

Response: The project termini were determined at the beginning of the project and are from TH 15 on the west to CSAH 6 on the east. Although the analysis has considered future connections to these termini, there is no plan to extend the termini.

- **Comment:** *Seven residents supported the Nicollet South Bypass #1 and three residents were against Nicollet South Bypass #2*

Response: Comments so noted.

- **Comment:** *Three residents supported the Courtland North Bypass # 1.*

Response: Comments so noted.

- **Comment:** *There were six residents who suggested a bypass connection to old TH 14 in Courtland in the vicinity of the S&S Motors.*

Response: Alignments from the bypasses to connect to existing TH 14 will be refined and evaluated during the DEIS process.

- **Comment:** *Would like to know why Nicollet North Bypass was dismissed and requested it be retained as an alternative for further study.*

Response: The Advisory Committee agreed to dismiss the Nicollet Northern Bypass from further study because it is not consistent with community plans for future growth, potential impacts to Swan Lake Wildlife Management Area, is too far from the City of Nicollet, and has a substantial amount of right-of-way impacts.

- **Comment:** *Concern that band aid projects such as the TH 14 overlay and improvements to the TH 14/15 intersection would eliminate the need for the full-fledged reconstruction of TH 14.*

Response: These projects were programmed before this project started. The overlay and safety measures do not address any of the deficiencies listed for the TH 14 West IRC project. Without these short-term maintenance projects, the road is anticipated to deteriorate to an unacceptable level by the time construction begins.

- **Comment:** *Asked if TH 68 was considered.*

Response: The Highway 68 alignment was evaluated and dismissed because it is too far from the Cities of Courtland and Nicollet, not consistent with community plans, does not address deficiencies along TH 14, has difficult topography, is a scenic byway, and truckers would not use it.

- **Comment:** *A number of people requested that landowners be included with elected officials for future coordination and participation.*

Response: There will be opportunities at public meetings for landowners to provide comments on alternatives.

- **Comment:** *How seriously are you looking at County Road 21 for a bypass?*

Response: County Road 21 has been eliminated from further review as a bypass, but appropriate, safe connections will be made to TH 14.

- **Comment:** *How long does an EIS last? If funding is not available for construction, will it need to be done over again?*

Response: It takes about three years to prepare, and has a shelf life of about 3 to 5 years. A Supplemental EIS may need to be done if funding is not available in time.

- **Comment:** *Asked about preserving right-of-way for the future.*

Response: Communities can do right-of-way preservation through official mapping once the preferred alternative is selected in the Final EIS. Communities can also do preservation through zoning and public utility requirements.

General comments discussed at the Open House included:

- **Comment:** *Why were the adjacent County Roads such as 25 and 21 dismissed?*

Response: The county roads have all the same access issues and would not be an improvement over TH 14. County roads are not up to the Mn/DOT design standards. Old county roads typically have homes, churches, cemeteries, and farms located close to the roadway, and this is the case with County Roads 21 and 25. These routes were not consistent with community plans and viability.

LIST OF AGENCIES/BUSINESSES/INDIVIDUALS WHO SUBMITTED COMMENTS

INDIVIDUAL/ORGANIZATION	DATE/METHOD	TOPIC AREA
AGENCIES		
US Army Corps of Engineers Tamara Cameron, NEPA Coordinator	May 20, 2003 Written	<ul style="list-style-type: none"> • The TH 14 West, North Mankato to New Ulm, Scoping document is very well written and organized, making it easy to review. The alternatives development process appeared very thorough and well thought out. As noted in the document, there is a substantial amount of wetlands in the project area, so I remain very interested in the project. • I have no substantive comments on the scoping document, and I look forward to receiving more detailed analysis of the alternatives to be carried forward into the DEIS.
US Environmental Protection Agency Kenneth A. Westlake	May 6, 2003 Written	<ul style="list-style-type: none"> • Waiting for next level of document to comment. • Reason: Heavy workload.
Minnesota Pollution Control Agency Dana A. Vanderbosch Regional Environmental Mgt. Div.	April 25, 2003 Written	<ul style="list-style-type: none"> • The areas concerning MPCA Storm Water Program staff appear to be well addressed. • Since the Minnesota River is considered to be an impaired water, plans will need to be submitted for approval before a permit can be issued under the new NPDES Construction Storm Water Permit
Minnesota Pollution Control Agency Lynne Kolze Regional Environmental Mgt. Div.	April 30, 2003 Written	<ul style="list-style-type: none"> • “Due to limited resources available to the MPCA, we have not reviewed the EAW for this project.” This does not constitute a waiver for any of the pending permits.
Nicollet County Mike Wagner, County Engineer	April 23, 2003 Written	<ul style="list-style-type: none"> • Nicollet County Board of Commissioners passed resolution, on April 8, opposing the closing of the CSAH 6 crossing of TH 14. • Suggests the TH 14/CSAH 6 intersection become part of this project and included in the EIS.
City of New Ulm Joel Albrecht, Mayor	April 23, 2003 Written and Verbal	<ul style="list-style-type: none"> • Since TH 14 is one of the most dangerous roadways in the State of Minnesota, the Highway 14 Partnership is staying on top of the project. The Partnership met with the Commissioner of Transportation who agreed that it is a high priority corridor. • Supports “the # 1 choice”. • “The interests of the vast majority have been addressed.”

INDIVIDUAL/ORGANIZATION	DATE/METHOD	TOPIC AREA
City of Courtland Bob Schabert, Mayor	April 23, 2003 Verbal	<ul style="list-style-type: none"> • In general, cities want roadway out of town, but somewhere close. Therefore, TH 68 is not an option because it is too far away from Courtland and Nicollet. • The Mayor noted that to develop a plat of land, utilities need to be supplied to the property or else it can not be developed. • City of Courtland land use plan shows bypass location similar to Courtland North Bypass #1.
BUSINESSES		
Julie Anderson Mathiowetz Construction Company	April 23, 2003 Verbal	<ul style="list-style-type: none"> • Concern that band aid projects such as the TH 14 overlay and improvements to the TH 14/15 intersection would eliminate the need for the full-fledged reconstruction of TH 14
RESIDENTS		
David Wilking City of Nicollet	April 23, 2003 Written and Verbal	<ul style="list-style-type: none"> • Nicollet South Bypass #1 is better than #2 for impacts to his property. • Against Nicollet South Bypass #2-Farmland Impacts • Would like to know why Nicollet North Bypass was dismissed and requested it be retained as an alternative for further study. • Suggests alignments follow the property lines rather than cutting through farmland to minimize right-of-way impacts. • Requested landowner participation in addition to elected officials during the next phase of decision making. • Asked if TH 68 was considered.
James Wilking City of Nicollet	April 23, 2003 Written	<ul style="list-style-type: none"> • Against Nicollet South Bypass #2 – Farmland Impacts • Suggests overpass of TH 14 at County Road 23
John Blume City of Nicollet	April 23, 2003 Written	<ul style="list-style-type: none"> • Concerned about impacts to farmlands, severed and triangulated parcels • Suggests following east-west field lines
Virgil and Evelyn Bode City of Nicollet	May 2, 2003 Written	<ul style="list-style-type: none"> • Prefers Nicollet South Bypass #1 because it is shorter, straighter, and closer to town. • Stay on property lines • Minimize impacts to farmlands

INDIVIDUAL/ORGANIZATION	DATE/METHOD	TOPIC AREA
Judith Bode City of Nicollet	May 2, 2003 Written	<ul style="list-style-type: none"> • Supports the Nicollet South Bypass #1 because most feasible, and consistent with community plans and needs. • Against Nicollet South Bypass #2 because of impacts to farmlands, inconsistent with community plans, too far from the City of Nicollet.
Larry Hewitt City of Nicollet	April 23, 2003 Verbal	<ul style="list-style-type: none"> • Lives adjacent to Nicollet South Bypass #1 and is concerned about farmland impacts with the diagonal alignment.
David Bode City of North Mankato	May 2, 2003 Written	<ul style="list-style-type: none"> • Prefers Nicollet South Bypass #1 • Closer to town to support economic development in Nicollet.
Woman called District 7	April 25, 2003 Verbal - phone call	<ul style="list-style-type: none"> • Purchasing 8 acres on the east side of TH 14 at approximately CSAH 17. She expressed concern of widening the new TH 14 to the east because of impacts to her future home.
Harvey Hulke City of Courtland	April 23, 2003 Written	<ul style="list-style-type: none"> • Supports Courtland North Bypass #1 (closer to Courtland)
Joan and Perry Hulke Harley and Sylvia Hulke City of Courtland	May 2, 2003 Written	<ul style="list-style-type: none"> • Concern about farmers crossing TH 14 four lanes of traffic to access fields and grain elevator. • Suggests the four-lane connect to old TH 14 near S&S Motors • Suggests new road follow property lines so as not to sever farmlands. • Would like to be involved in process to locate road in Courtland area.
Joan Hulke City of Courtland	April 23, 2003 Verbal	<ul style="list-style-type: none"> • Asked about meeting with landowners in the vicinity of the alternatives.
Unidentified Resident	April 23, 2003 Written	<ul style="list-style-type: none"> • Keep bypass south of cemetery, west of Courtland
John Loepke City of Courtland	April 23, 2003 Written and Verbal	<ul style="list-style-type: none"> • Suggested planting trees and shrubs on the north side of the road to form a living snow fence. • Asked if CR 21 was still an alternative.

INDIVIDUAL/ORGANIZATION	DATE/METHOD	TOPIC AREA
Dean Runck City of Courtland	May 2, 2003 Written	<ul style="list-style-type: none"> • Concerned about impacts to his property, wildlife, and preservation of natural areas for future generations. • Suggests widening roadway between cemetery and the Kohn's property and connecting to old TH 14 by S&S Motors. • Asked what happened to CR 21 proposal.
Al Mueller City of New Ulm	April 23, 2003 Written	<ul style="list-style-type: none"> • Approves of the Corridor Management Plan • Supports the bypass alternatives • Disappointed in time table-wants funding and construction sooner than currently scheduled.
Brian Tohal City of New Ulm	April 23, 2003 Written	<ul style="list-style-type: none"> • Concerned about safety issues at intersection of TH 14/TH 15 • Difficulty in passing between New Ulm and Nicollet • Supports the four-lane design because of the positive impact it would have on economic development.
Karen Brinkman City of New Ulm	April 23, 2003 Verbal	<ul style="list-style-type: none"> • Asked about the shelf life of an EIS.
Dick Seeboth City of New Ulm	May 2, 2003 Written	<ul style="list-style-type: none"> • Supports bypasses of both Nicollet and Courtland. • At west end, suggest staying within the existing right-of-way. The ridge north of New Ulm will cause problems for trucks, land acquisition, and waste current right-of-way.
Duane Hansel Sleepy Eye, MN	May 2, 2003 Written	<ul style="list-style-type: none"> • Consider incorporating bike trail along portions of TH 14 especially in the vicinity of CSAH 37. • Since construction is not for 15 to 20 years, may want to use 2040 traffic forecasts to determine appropriate grade crossings at intersections. • If grade separated intersections are necessary, build it right the first time.

INDIVIDUAL/ORGANIZATION	DATE/METHOD	TOPIC AREA
Julie K. Anderson Sleepy Eye, MN	May 2, 2003 Written	<ul style="list-style-type: none"> • Does not want project stopped at the west termini of TH14/TH15. • Wants to extend project to include the bridge as a four-lane into New Ulm because it is too narrow and dangerous. • Enclosed a newspaper article about recent accident on bridge.
Adam Froehlig Virginia Beach, VA Maintains transportation web site: http://www.ajfroggie.com/roads/minnesota/ a/ froggie@mississippi.net	April 23, 2003 Written	<ul style="list-style-type: none"> • Supports 4-lane divided expressway with access control • Supports 60 mph design speed for TH 14/TH 15/CSAH 21 intersection • Suggests interchanges be evaluated in the EIS at intersections with TH 14: TH 15/CSAH 21; CSAH 37; CSAH 12 in Courtland; CSAH 23 in Nicollet; and CSAH 6. • If interchanges not needed now, preserve right-of-way for the future. • Stage construction as funding becomes available • Design and grade for 4-lane, construct 2-lane, pave to 4-lane later when funding is available. • Include the CSAH 6 intersection and the TH 14/TH 15 river crossing in the project planning process. • Asked if communities could do right-of-way preservation once the preferred alternative is selected.

6.2 PERMITS, REVIEWS AND APPROVALS

Permits, Reviews, and Approvals that may be needed for the project are listed in the following table:

Government Agency	Type of Review, Approval, or Permit
Federal	
Federal Highway Administration	<ul style="list-style-type: none"> • EIS approval, • Record of Decision, • Section 4(f)/6(f) (if needed) • Section 106 MOA (if needed)
US Fish and Wildlife Service	Section 7 consultation (if applicable)
US Army Corps of Engineers	Clean Water Act Section 404 Permit
State	
MN Department of Natural Resources	<ul style="list-style-type: none"> • Protected Waters permit • Water Appropriations permit (if needed) • Natural Heritage Database review and consultation (if applicable)
MN Pollution Control Agency	<ul style="list-style-type: none"> • National Pollutant Discharge Elimination System (NPDES) permit • 401 Water Quality Certification • Storm Sewer Permit (if applicable) • Sanitary sewer permit (if applicable)
Mn/DOT	<ul style="list-style-type: none"> • EIS approval, • EIS Adequacy Determination • Section 106 MOA (if needed) • Wetland Conservation Act LGU authority
State Historic Preservation Officer	Historic Concurrence/Section 106 MOA (if needed)
MN Dept. of Health	Water main plan review (if applicable)
County/City/Township	
City of Courtland	Plan Review and Approval
City of Nicollet	Plan Review and Approval
Nicollet County	Plan Review
City of New Ulm	Plan Review
City of North Mankato	Plan Review
City of Mankato	Plan Review
Courtland Township	Plan Review
Nicollet Township	Plan Review
Region 9 Development Commission	Plan Review

7.0 LEVEL OF ACTION

As indicated in the Scoping Document, this project, TH 14: North Mankato to New Ulm, is considered a federal Class I action because there is the potential for significant environmental effect as documented in the Social, Economic, and Environmental Section. This project meets the Mandatory EIS threshold test in Minnesota Rule part 4410.4400 Subp. 16.

The Minnesota Department of Transportation is the responsible Governmental Unit (RGU) for this project.

APPENDICES

Note: To review the Appendices, Contact Project Manager Mark Scheidel at 507.389.6149 or the Mn/DOT website at:

<http://www.dot.state.mn.us/d7/projects/14westIRCscoping/>

The following information is included in the Appendices:

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| APPENDIX A | Communications <ul style="list-style-type: none">• EQB Monitor Announcements (2)• Newsletter Invitations• Press Releases• Press Coverage• Federal Notice of Intent |
| APPENDIX B | Comments |
| APPENDIX C | Scoping Hearing <ul style="list-style-type: none">• Scoping Hearing Transcripts• Sign-in sheets• Speaker Cards |