



May 20, 2021

Margaret Anderson Kelliher  
Commissioner of Transportation  
Department of Transportation  
MS 120, Transportation Building  
St. Paul, Minnesota 55155

Re: Re-evaluation of FTA Environmental Assessment  
Metro Transit Gold Line Bus Rapid Transit  
From Downtown St. Paul to Woodbury  
In Ramsey and Washington Counties, Minnesota

Dear Commissioner Margaret Anderson Kelliher:

This is a response to Marni Karnowski's May 19, 2021, letter, requesting FHWA re-evaluation of the subject document per 23 CFR 771.129. The proposed project consists of constructing a 10-mile transit way paralleling I-94 that will connect Saint Paul with the suburban cities of Maplewood, Landfall, Oakdale, and Woodbury. An anticipated right-of-way agreement requiring Federal Highway Administration (FHWA) approval is the primary FHWA nexus to the proposed project.

FTA issued a FONSI for the Gold Line project in January 2020. The FTA at that time was based upon 15% design. The Federal Highway Administration (FHWA) partially adopted the FTA EA on March 5, 2020, by issuing a FHWA FONSI. FTA instituted a reevaluation process under 23 CFR 771.129 to determine if the project design at the 90% level enables the FTA January 2020 FONSI to remain valid. MnDOT and FHWA have reviewed the documentation produced for this reevaluation process as the means of consultation under 23 CFR 771.129. This documentation addresses the changes in project limits, design, and impacts since the March 2020 FHWA FONSI that addresses both the FTA and FHWA nexuses.

Based FHWA's review of this documentation, it is our position that:

- The changes in design do not necessitate a FHWA Interstate Access Request process
- The changes in design and impact assessment specific to the FHWA nexus (a right-of-way action) have not substantially changed.
- There is not a need to reissue an updated Environmental Assessment
- There is not a need to issue a new FONSI or mitigated FONSI
- The project will not significantly impact the human or natural environment.

Therefore, it is an FHWA determination that the March 2020 FHWA FONSI is still valid, provided any changes in measures to avoid, minimize, and mitigate impacts because of the design refinements in the 90% design will be incorporated into the project delivery process as outlined in the documentation for this reevaluation process.

This Finding concludes that the project will not significantly impact the human or natural environment.

This project is still subject to reevaluation if significant changes occur in the final design or if construction is delayed. Furthermore, the application of the March 5<sup>th</sup>, 2020 FONSI and this Re-Evaluation is limited to the scope for the work (i.e. Right-of-Way for Use Agreement) as outlined in MnDOT's May 19, 2021, letter requesting FHWA re-evaluation of Metropolitan Council and FTA FONSI. Any additional changes to the scope of the FHWA ROW agreement are subject to additional review and determinations in distinct National Environmental Policy Act processes.

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William Lohr, P.E.  
Field Operations Team Leader

May 20, 2021  
Date

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