



Gold Line

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

Appendix D

Coordination and Correspondence

September 2019

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METRO Gold Line Bus Rapid Transit ProjectD-106



ACRONYMS AND ABBREVIATIONS

BRT	Bus Rapid Transit
DNR	Minnesota Department of Natural Resources
EIS	Environmental Impact Statement
EQB	Minnesota Environmental Quality Board
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
RWMWD	Ramsey-Washington Metro Watershed District
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish Wildlife Service
WCRRA	Washington County Regional Railroad Authority

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D. COORDINATION AND CORRESPONDENCE

Ref. No.	Date	From	To	Subject
D.1	Feb. 7, 2014	Washington County	Environmental Quality Board (EQB)	State Environmental Review Process for Gateway Corridor Project in Ramsey and Washington Counties, Minnesota
D.2	March 10, 2014	Federal Highway Administration (FHWA)	Washington County Regional Railroad Authority (WCRRA)	I-94 and Gateway Corridor Alternatives Analysis/ Draft Environmental Impact Statement (EIS)
D.3	March 21, 2014	City of Maplewood	WCRRA	Response to “Invitation to Become a Participating Agency for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota”
D.4	March 24, 2014	City of Afton	WCRRA	Response to “Invitation to Become a Participating Agency for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota”
D.5	March 26, 2014	Minnesota Department of Natural Resources (DNR)	WCRRA	Response to “Invitation to Become a Participating Agency for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota”
D.6	March 27, 2014	South Washington Watershed District	WCRRA	Response to “Invitation to Become a Participating Agency for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota”
D.7	April 8, 2014	U.S. Army Corps of Engineers (USACE)	Federal Transit Administration (FTA)	Response to “Invitation to Become a Participating Agency for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota”
D.8	April 9, 2014	FTA	WCRRA	Analysis of Managed Lane Alternative in the Draft Environmental Impact Statement for the Gateway Corridor Project
D.9	April 11, 2014	Minnesota Department of Transportation	WCRRA	Gateway Corridor EIS Draft Scoping Booklet Comments and Response to serve as Cooperating Agency



Ref. No.	Date	From	To	Subject
D.10	April 14, 2014	City of Lake Elmo	WCRRA	Response to "Invitation to Become a Participating Agency for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota"
D.11	April 22, 2014	Capitol Region Watershed District	WCRRA	Response to "Invitation to Become a Participating Agency for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota"
D.12	April 24, 2014	WCRRA and Metropolitan Council	EQB	Request for Variance to Scoping Environmental Assessment Worksheet Format
D.13	April 24, 2014	City of Woodbury	WCRRA	Response to "Invitation to Become a Participating Agency for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota"
D.14	April 28, 2014	City of Saint Paul	WCRRA	Response to "Invitation to Become a Participating Agency for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota"
D.15	May 2, 2014	Ramsey-Washington Metro Watershed District (RWMWD)	WCRRA	Response to "Invitation to Become a Participating Agency for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota"
D.16	May 19, 2014	City of Oakdale	WCRRA	Response to "Invitation to Become a Participating Agency for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota"
D.17	June 4, 2014	EQB	WCRRA	Response to April 24, 2014, Request Letter
D.18	June 11, 2014	City of Landfall	WCRRA	Response to "Invitation to Become a Participating Agency for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota"
D.19	Jan. 4, 2016	FHWA	FTA	Draft EIS Alternatives
D.20	Oct. 26, 2016	DNR	WCRRA	Section 6(f) Impact to Tamarack Nature Preserve
D.21	Nov. 2, 2016	U.S. Fish Wildlife Service (USFWS)	WCRRA	USFWS Review of Gateway Bus Rapid Transit (BRT) Project – Federally Listed Species



Ref. No.	Date	From	To	Subject
D.22	Dec. 12, 2016	DNR	WCRRA	National Heritage Information System Concurrence Request for Gateway BRT Project
D.23	Aug. 28, 2017	Metro Transit	METRO Gold Line Interested Parties	EIS Termination Notification
D.24	June 14, 2018	City of Saint Paul	RWMWD	Wetland Conservation Act Administration
D.25	Sept. 26, 2018	RWMWD	Metro Transit	Minnesota Wetland Conservation Act Notice of Decision
D.26	Nov. 13, 2018	USACE	Metro Transit	Concurrence Letter for Delineation of Aquatic Resources
D.27	Mar. 19, 2019	USFWS	METRO Gold Line BRT Project	Consistency Letter for Programmatic Biological Opinion for Transportation Projects Within the Range of the Indiana Bat and Northern Long-Eared Bat
D.28	Mar. 27, 2019	USFWS	METRO Gold Line BRT Project	USFWS Consultation Request
D.29	June 14, 2019	FHWA	METRO Gold Line BRT Project	FHWA Interstate Access Request Determination



D.1. Feb. 7, 2014, from Washington County Regional Railroad Authority to Minnesota Environmental Quality Board



Public Works Department

Donald J. Theisen, P.E.
Director

Wayne H. Sandberg, P.E.
Deputy Director/County Engineer

February 7, 2014

Will Seuffert
Executive Director
Minnesota Environmental Quality Board
520 Lafayette Road North
Saint Paul, MN 55155

Re: State Environmental Review Process for the Gateway Corridor Project in Ramsey and Washington Counties, MN

Dear Mr. Seuffert:

The purpose of this letter is to inform you that the Washington County Regional Railroad Authority (WCRRA), serving on behalf of the Gateway Corridor Commission, in cooperation with the Federal Transit Administration (FTA) intends to prepare an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) and Minnesota environmental review requirements. The FTA is the lead federal agency, and WCRRA is the local project sponsor/proposer and Responsible Governmental Unit (RGU) under the state environmental review requirements (Minnesota Rules, Part 4410.0500, Subpart 5).

Overview of the Gateway Corridor Project

Located in Ramsey and Washington Counties, the Gateway Corridor will extend approximately 12 miles from downtown Saint Paul east through the East Side neighborhoods of Saint Paul and the suburbs of Maplewood, Landfall, Oakdale, Lake Elmo, and Woodbury. The route runs generally parallel to I-94 (see attached figure). Key transportation facilities in the project area include the interstate and state highway network, the regional transit system, airports, and multiple freight railways.

The purpose of the Gateway Corridor project is to provide transit service to meet existing and long-term regional mobility and local accessibility needs for businesses and the traveling public within the project area.

In accordance with Minnesota Rules, Part 4410.3900, Subparts 1 and 2, WCRRA and FTA are working cooperatively in the preparation of environmental documents that meet both federal and state environmental review requirements.

Consistent with the alternative environmental review process implemented for previous transit projects in Minnesota where the FTA was/is the lead federal agency (Northstar Commuter Rail EIS, Riverview Corridor Scoping, Central Corridor Light Rail Transit (LRT) EIS, Southwest LRT EIS, and Bottineau Transitway EIS), WCRRA, serving as the project proposer and RGU, in consultation with FTA, plans to issue a Scoping Booklet in place of a Scoping Environmental Assessment Worksheet (EAW) for the Gateway Corridor project. Consistent with the state review requirements, the Scoping Booklet will include the following project information:

11660 Myeron Road North, Stillwater, Minnesota 55082-9573
Phone: 651-430-4300 • Fax: 651-430-4350 • TTY: 651-430-6246
www.co.washington.mn.us
Equal Employment Opportunity / Affirmative Action



- Project history
- Project purpose and need
- Alternatives under consideration for further study in the Draft EIS
- Overall decision-making process/schedule
- Impact areas to be assessed in the Draft EIS
- Public involvement process, including reference to Participating and Cooperating Agency involvement
- Overall EIS project schedule

The referenced Scoping Booklet will be distributed to agencies/organizations under both the federal and state review requirements, and a notice of its availability will be published in the EQB Monitor and the Federal Register. Additionally, WCRRA, in cooperation with FTA, will be holding two public Scoping meetings and one interagency meeting during the Scoping review and comment period. The Scoping meetings will be held in compliance with the state review requirements.

Following the close of the Scoping review and comment period, WCRRA, in cooperation with FTA, will prepare a Scoping Decision followed by the preparation of a Draft EIS that meets both the requirements of the federal and state environmental review processes.

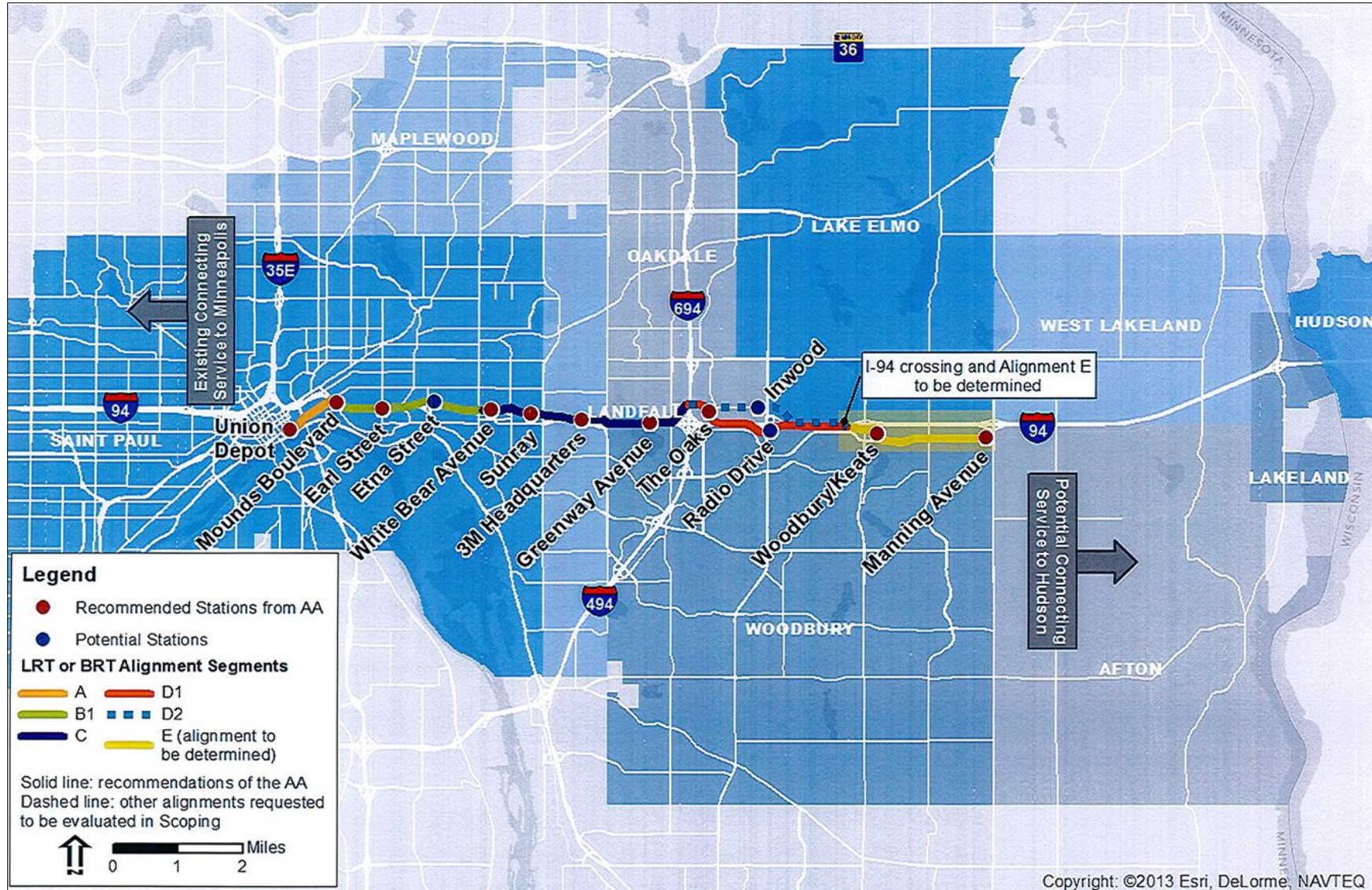
Please let me know if you have questions regarding the Gateway Corridor project or the upcoming joint federal/state environmental review process outlined within this letter.

Regards,

A handwritten signature in black ink, appearing to read 'Andy Gitzlaff'.

Andy Gitzlaff, Transportation Coordinator
Washington County Regional Railroad Authority

cc: Kathryn O'Brien, Metropolitan Council





D.2. March 10, 2014, from Federal Highway Administration to Washington County Regional Railroad Authority



U.S. Department
of Transportation
**Federal Highway
Administration**

Minnesota Division

March 10, 2014

380 Jackson Street
Cray Plaza, Suite 500
St. Paul, MN 55101-4802
651.291.6100
Fax 651.291.6000
www.fhwa.dot.gov/mndiv

Andy Gitzlaff
Senior Planner
11660 Myeron Road North
Stillwater, MN 55082

Re: I-94 and Gateway Corridor Alternatives Analysis / DEIS

Dear Mr. Gitzlaff:

The Federal Highway Administration (FHWA) has been made aware of the Federal Transit Administration (FTA), Washington County Regional Rail Authority (WCRRRA), and the Metropolitan Council's **Notice of Intent to Prepare an Environmental Impact Statement for the Gateway Corridor Project from Saint Paul to Woodbury in Ramsey to Washington Counties, MN.**

After reviewing the Notice of Intent, the Scoping Booklet, and the Alternatives Analysis (AA) completed by the Gateway Corridor Commission **the FHWA believes it to be in the public's interest to carry a revised Bus Rapid Transit-Managed Lane (BRT-ML) alternative into the Draft Environmental Impact Statement (DEIS).** This determination stems from the following concerns regarding:

1. The elimination of feasible alternatives that may better achieve the project's purpose and need with fewer adverse impacts,
2. The need to fully inform decisions on the allocation of limited right of way in the corridor; particularly the accommodation of future capacity expansion and the preclusion of achieving full Interstate design standards, and
3. The potential degradation of Interstate ramp terminal operations due to the interaction with the facilities under consideration.

The FHWA understands a BRT-managed lane concept was studied to a degree in the AA alongside the LRT and BRT (Hudson Road) alternatives under consideration:

Alternative 8: BRT Managed Lane within I-94. Alternative 8 would add managed lanes to I-94 between downtown St. Paul and the Highway 95 interchange just west of the St. Croix River. Management would include tolling with dynamic pricing through the most congested segments of the corridor to ensure that transit flows at posted speeds. (2013 Gateway Corridor Alternatives Analysis)

However, the FHWA does not concur with the rationale cited in the preceding study as a sound



basis for elimination of this alternative:

Although Alternative 8, BRT Managed Lane, maintained its “Medium” ranking and compared very favorably in terms of average daily ridership (8,100), capital cost (approximately \$520M), and competitive travel time, it did not compare as favorably to Alternatives 3 and 5 for the following reasons:

- 1. Fewer stations (7) and their location within the freeway median, offer less opportunity for economic development around stations for communities in the corridor compared to other alternatives.*
- 2. A managed lane does not qualify for FTA New Starts funding under MAP-21, and there is no equivalent highway funding program for a project of this scale. (2013 Gateway Corridor Alternatives Analysis)*

In reviewing the AA it appears the BRT-Managed Lane alternative (\$520M) received the same relative “medium” score as the LRT alternative (\$920M). The FHWA believes Alternative 8 should have received a “high” ranking similar to that of the BRT Hudson alignment (\$400M) to account for the significantly different orders of magnitudes. It also seems that the Metro region is shifting away from higher cost on-line stations, and doing so without compromising serviceability and opportunities for economic development. As cited in a recently completed I-35W study:

“Ridership forecasts were more sensitive to service frequency than to differences in corridor travel times associated with providing online stations. Minor differences in forecasted ridership totals would not be expected to justify the high capital costs associated with a BRT system using online stations.” (2013 I-35W North Managed Lanes Feasibility Study)

For these reasons the FHWA believes a reconsideration that includes strategically located transit access points may provide a more attractive alternative. And while this alternative may not qualify for FTA New Starts funding, it may in fact be competitive for FTA’s Small Starts Program. Regardless, the region has shown it is fully adept at leveraging a variety of funding sources and planned investments to deliver projects of similar scope and scale.

The FHWA believes that by revisiting these alternatives the project will emerge with a more thoroughly vetted final product that provides the east-Metro and the traveling public with a flexible, robust, and efficient system now and well into the future.

Sincerely,

Derrell Turner
Division Administrator

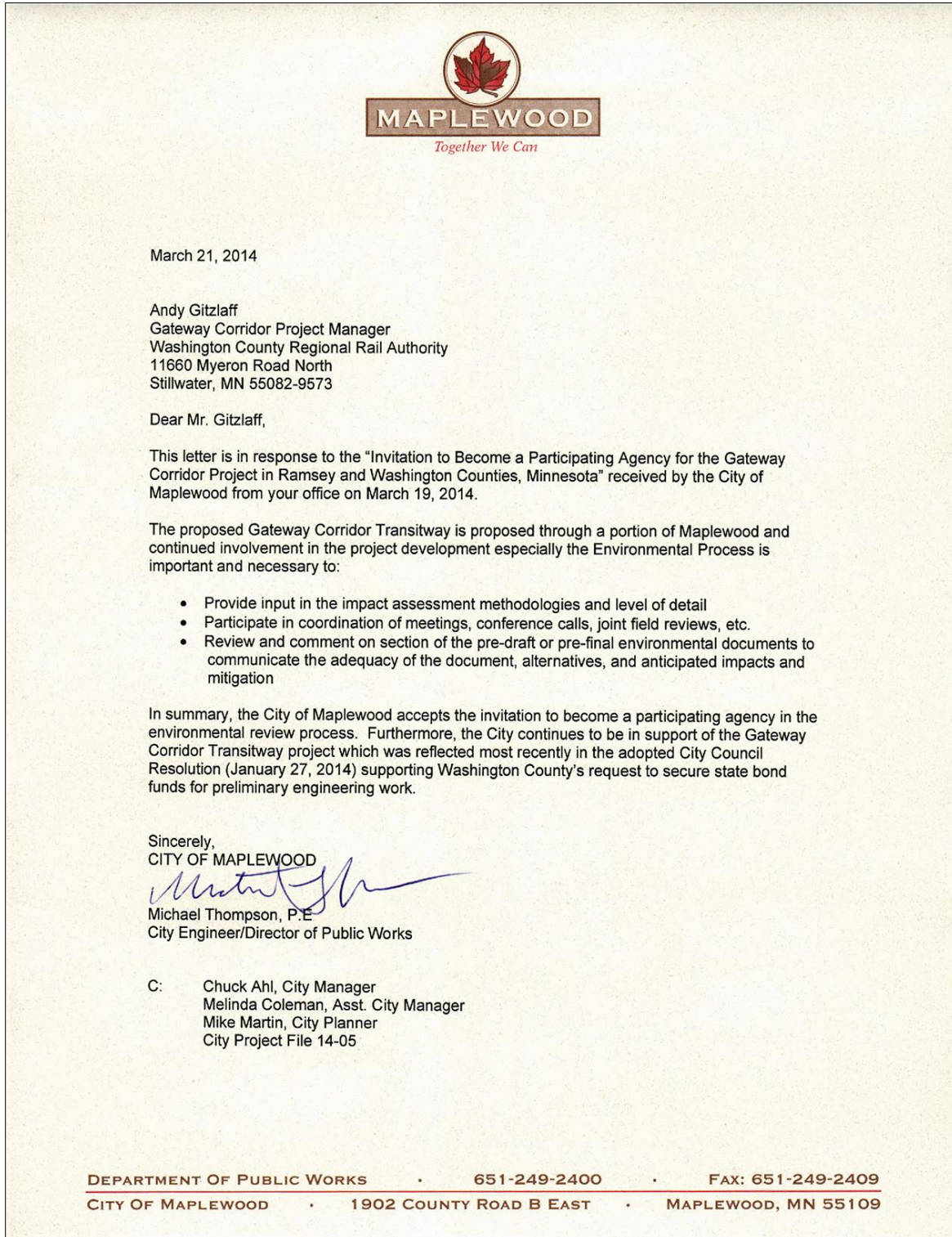


EE/alk

- cc: 1 FTA – Marisol Simon, e-copy – Marisol.simon@dot.gov
1 FTA – Maya Sarna, e-copy – Maya.Sarna@dot.gov
1 MnDOT – Brian Gage, e-copy – brian.gage@state.mn.us
1 MnDOT – Scott McBride, e-copy – scott.mcbride@state.mn.us
1 Met Council – Susan Haigh, e-copy – susan.haigh@metc.state.mn.us
1 Met Council – Arlene McCarthy, e-copy – Arlene.mccarthy@metc.mn.us
DMS – 40910 – I-94 and Gateway Corridor Alternatives Analysis - DEIS



D.3. March 21, 2014, from City of Maplewood to Washington County Regional Railroad Authority





D.4. March 24, 2014, from City of Afton to Washington County Regional Railroad Authority

Haase, Rachel

From: Ron Moorese [<mailto:rmoorse@ci.afton.mn.us>]
Sent: Monday, March 24, 2014 1:33 PM
To: Andy Gitzlaff
Subject: Participating Agency Invitation

Andy,
This email is to accept the invitation to become a participating agency in the environmental review process for the Gateway Corridor. Please confirm your receipt of this email.
Thanks,
Ron Moorese
Afton City Administrator



D.5. March 26, 2014, from Minnesota Department of Natural Resources to Washington County Regional Railroad Authority

Haase, Rachel

From: Haworth, Brooke (DNR) [<mailto:Brooke.Haworth@state.mn.us>]
Sent: Wednesday, March 26, 2014 12:34 PM
To: Andy Gitzlaff
Cc: Doneen, Randall (DNR); Doperalski, Melissa (DNR); Harper, Liz (DNR); Daniels, Jeanne M (DNR); Shodeen, Molly (DNR); Joyal, Lisa (DNR)
Subject: Invitation to Participate in Gate Corridor Project

Mr. Gitzlaff,

The Environmental Review Unit of the Department of Natural Resources has received your invitation to become a participating agency for the Gateway Corridor Project in Ramsey and Washington Counties. This letter is to inform you that we will participate in the environmental review in compliance with NEPA and MEPA processes. We also will provide agency coordination as needed for areas of natural resource concern that fall within our authority. For this project we anticipate that this may include public water permitting, impacts to wetlands, and potential impacts to rare species. If you determine that technical meetings pertaining to natural resources are warranted, we will be happy to participate.

In the preparation of the EIS, the DNR requests that a Natural Heritage Information System (NHIS) review be conducted to determine if any records of rare species or rare natural resource features are located in proximity to the project. The NHIS is continually updated as new information becomes available and would include current records and surveys. An NHIS review is considered valid if performed within one year of project implementation. The NHIS Data Request form and rate information can be accessed on the DNR website at <http://www.dnr.state.mn.us/eco/nhnrp/nhis.html>.

Thank you for this invitation, and we look forward to working with you on this project.

Sincerely,

Brooke Haworth

Environmental Assessment Ecologist, Central Region
MnDNR Division of Ecological and Water Resources
1200 Warner Road, St. Paul, MN 55106
Phone: 651-259-5755
Email: Brooke.haworth@state.mn.us



D.6. March 27, 2014, from South Washington Watershed District to Washington County Regional Railroad Authority



March 27, 2014

Mr. Andy Gitzlaff
Washington County Regional Railroad Authority
11660 Myeron Road N
Stillwater, MN 55082

RE: SWWD Participation in Gateway Corridor Environmental Review Process

Dear Mr. Gitzlaff:

This letter is in response to your invitation dated March 18, 2014 to participate in the environmental review process for the Gateway Corridor project. We accept your invitation and look forward to working with other participating agencies to ensure that environmental concerns are adequately addressed.

If you have any questions or need additional information, please contact me at 651/714-3714 or jloomis@ci.woodbury.mn.us.

Sincerely,
South Washington Watershed District

John Loomis
Water Resource Program Manager

2302 Tower Dr • Woodbury, MN 55125
www.swwdmn.org



D.7. April 8, 2014, from U.S. Army Corps of Engineers to Federal Transit Administration



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
190 FIFTH STREET EAST
ST. PAUL, MN 55101-1638

REPLY TO
ATTENTION OF

APR 08 2014

COPY

Operations
Regulatory (2014-00621-ADB)

Ms. Maya Sarna
Federal Transit Administration
1200 New Jersey Avenue SE, E43-466
Washington, DC 20590

Dear Ms. Sarna:

This is in response to your March 11, 2014 letter requesting the Corps of Engineers to be a cooperating agency for the purpose of the EIS development and NEPA documentation for the Gateway Corridor Project in Ramsey and Washington Counties, Minnesota.

The St. Paul District, Corps of Engineers will serve as a cooperating agency for the development of the EIS and NEPA documentation for the above referenced project. Andy Beaudet from our St. Paul Office has been assigned as our project manager.

If you have any questions, please contact Andy Beaudet in our St. Paul Office at (651) 290-5642. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Tamara E. Cameron
Chief, Regulatory Branch



D.8. April 9, 2014, from Federal Transit Administration to Washington County Regional Railroad Authority



U.S. Department
of Transportation
Federal Transit
Administration

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

April 9, 2014

Andrew J Gitzlaff, AICP, LEED AP
Transportation Coordinator
Washington County Public Works Department
11660 Myeron Rd North
Stillwater, MN 55082

RE: Analysis of Managed Lane Alternative in the Draft Environmental Impact Statement for the Gateway Corridor Project

Dear Mr. Gitzlaff:

On March 10, 2014, the Minnesota Division of the Federal Highway Administration (FHWA) sent a letter to you stating their concerns with the elimination of the BRT-Managed Lane Alternative from consideration in the Draft Environmental Impact Statement (DEIS). The FHWA, a cooperating agency in the environmental review process under the National Environmental Policy Act (NEPA) for this project, requested that the BRT-Managed Lane Alternative be analyzed in the DEIS because all options under consideration will affect the right-of-way of I-94 as well as its operation.

The Federal Transit Administration (FTA), as the lead Federal agency for this project, concurs with the FHWA. The BRT-Managed Lane Alternative must be fully vetted in the DEIS. The FTA acknowledges that the BRT-Managed Lane Alternative was eliminated from further consideration for the purposes of New Starts consideration during alternatives analysis due to lack of economic development and funding. These factors do not eliminate the BRT-Managed Lane Alternative from consideration for the purposes of NEPA (40 CFR 1502.14).



RE: Gateway Corridor: Analysis of Managed Lane Alternative in the Draft Environmental Impact Statement
April 9, 2014
Page 2 of 2

For these reasons, the FTA will require Washington County to analyze the BRT-Managed Lane Alternative in the DEIS. If you have any questions, please contact Maya Sarna, Environmental Protection Specialist at (202) 366-5811, or maya.sarna@dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Marisol R. Simón".

Marisol R. Simón
Regional Administrator

cc: Derrell Turner, FHWA-Minnesota Division
Christopher Bertch, FTA
Kathryn O'Brien, Metropolitan Council



D.9. April 11, 2014, from Minnesota Department of Transportation to Washington County Regional Railroad Authority



Minnesota Department of Transportation
Metropolitan District
1500 West County Road B-2
Roseville, MN 55113

April 11, 2014

Andy Gitzlaff, Senior Transportation Planner
Washington County Public Works Department
11660 Myeron Road North
Stillwater, MN 55082

RE: Gateway Corridor EIS Draft Scoping Booklet Comments

Dear Mr. Gitzlaff:

The Minnesota Department of Transportation (*MnDOT*) Metropolitan District would like to take this opportunity to commend you for your efforts in the planning and preparation of the Gateway Corridor Environmental Impacts Statement (EIS), and for the level of involvement you continue to allow MnDOT staff throughout this process.

MnDOT Metropolitan District staff has reviewed the draft Gateway Corridor EIS Scoping Booklet, and as has been conveyed to you at the outset of the EIS process, MnDOT continues to stress the need for the careful consideration of all future multi-modal needs along the corridor. We therefore encourage the Gateway Commission to take advantage of the EIS process to provide for a clearer understanding of the long term transportation investments needed for the I-94 corridor, for all modes of transportation. Along these lines, we advocate for a continued effort to study and plan for how implementing bus rapid transit along this corridor might affect implementation of a future managed lane facility, or other operational, access, and safety improvements along the I-94 corridor. Lastly, continued coordination with MnDOT staff will be essential to avoid any potential impacts to the continued coordination of operations and maintenance of facilities on and along the I-94 corridor.

It should be noted that at this time, MnDOT does not plan for a managed lane facility within the next twenty (20) years. However, a general understanding of MnDOT's ability to provide for a managed lane facility, at some time in the future, is important to make an overall informed decision on any proposed fixed guideway facility within the Gateway Corridor.

MnDOT agrees to serve as a cooperating agency with FTA in review of the Draft EIS and other NEPA documents for this project. As a cooperating agency, MnDOT agrees to provide project-related input with respect to state highways, cultural resources, and airport safety zones in the Gateway Corridor. As a cooperating agency, we also agree to provide timely review and written comments on the environmental documents; participate in coordination meetings, conference calls, and field reviews; and follow the adoption procedures under 40 CFR 1506.3(c), as appropriate.

An Equal Opportunity Employer





Andy Gitzlaff
April 11, 2014
Page Two

We believe that with a continued partnership throughout the EIS process, we can further develop a comprehensive understanding of the future needs for all modes of transportation for the I-94 corridor.

Sincerely,

Scott McBride, P.E.
MnDOT Metropolitan District

Cc:
Arlene McCarthy – Met. Council
Adam Harrington – Met Transit

An Equal Opportunity Employer





D.10. April 14, 2014, from City of Lake Elmo to Washington County Regional Railroad Authority

Mr. Andy Gitzlaff
Gateway Corridor Project Manager
Washington County Public Works Department
11660 Myeron Road North
Stillwater, MN 55082-9573



RE: Lake Elmo's Acceptance As A Participating Agency in the Gateway Corridor Project
DA: April 14, 2104

Dear Mr. Gitzlaff:

The City of Lake Elmo accepts the invitation to act as a participating agency for the Gateway Corridor project in Ramey and Washington Counties, MN.

In recent days it appears that Woodbury has unilaterally changed position as to the functional alignment of the Gateway corridor. This has caused the "D2" alignment, which runs through a crucial part of Lake Elmo, to now be the corridor of favor. Since Lake Elmo was not considered by either the Coalition or Metro Transit as a material first option, we find ourselves in the position of playing catch-up as to the impact a BRT or light rail transit corridor will have on our community. We have great concerns about cost, traffic functionality, and use impacts on our adjacent land owners.

The City of Lake Elmo would very much like to participate on impact assessments, appropriate meetings, and review of all documents that may affect our community. Mayor Mike Pearson will be the lead elected official with the help of City Council Member Mike Reeves, who will end up living close to the D2 corridor as currently designed. In addition, Community Development Director Kyle Klatt will continue to serve as the TAC member from Lake Elmo. I have attached their emails in the cc box of this electronic correspondence.

Thank you the opportunity to be involved in the review of this project. We hope to meet with you in the next few weeks to get caught up to speed on recent developments including the results of the open house and the modification process to be used in the D2 alignment.

Respectfully,

Dean A. Zuleger

Dean A. Zuleger
City Administrator
651-747-3905

Cc: Mike Pearson, Mayor
Mike Reeves, City Council
Kyle Klatt, CDD



D.11. April 22, 2014, from Capitol Region Watershed District to Washington County Regional Railroad Authority

Haase, Rachel

From: mark
Sent: Tuesday, April 22, 2014 8:21 AM
To: 'andy.gitzlaff@co.washington.mn.us'
Subject: Gateway Corridor

Dear Mr. Gitzlaff:

Please consider this email as my acceptance to be a Participating Agency on the Gateway Corridor Project. Please let me know if you need additional information.

Thank you,

Mark Doneux
Administrator
Capitol Region Watershed District
1410 Energy Park Drive, Suite 4
Saint Paul, MN 55108
651-644-8888 Phone
651-644-8894 Fax


mark@capitolregionwd.org
www.capitolregionwd.org



Capitol Region Watershed District
Celebrating 14 Years of Partnership
1998-2012



D.12. April 24, 2014, from Washington County Regional Railroad Authority and Metropolitan Council to Minnesota Environmental Quality Board

 Page 1

MEMORANDUM

TO: William Seuffert, Executive Director Minnesota Environmental Quality Board

FROM: Andy Gitzlaff, Washington County Regional Railroad Authority and Kathryn O'Brien, Metropolitan Council

DATE: April 24, 2014

SUBJECT: Gateway Corridor

The purpose of this memo is to seek a variance from the EQB to the standard Scoping Environmental Assessment Worksheet (Scoping EAW) format pursuant to Minnesota Rule 4410.1300, EAW Form. The attachment enclosed, and referenced documents are being provided to demonstrate that Scoping EAW elements have been addressed and documented in the Gateway Corridor Scoping Booklet and in the Alternatives Analysis Final Report and Supporting Technical Memorandums (Tech Memos), which informed development of the Scoping Booklet.

All documents referenced above can be found at www.thegatewaycorridor.com by clicking on the transit study page on the right hand column. The Scoping Booklet is listed under the Scoping Docs heading and the Alternatives Analysis Final Report and Tech Memos can be accessed by clicking on the Alternatives Analysis Archive link under the previous studies tab. This submittal serves as supplemental information to the February 7, 2014 letter regarding use of an alternative EAW form (limited to the Scoping phase).

The use of the Gateway Corridor Scoping Booklet, in concert with information documented through a robust Alternatives Analysis process, as an alternative format to the Scoping EAW form is being proposed to maximize public involvement, presenting information in a user-friendly manner, while still effectively addressing information required by the EQB as part of the Scoping EAW phase. We appreciate your review of our request to use this alternative format for the Scoping EAW and look forward to your approval of our request.

cc: Kate Franz, MnEQB
Caroline Magnuson, MnEQB
Jeff Smyser, MnEQB

Enclosure: Gateway Corridor Scoping EAW and February 7, 2014 Letter to William Seuffert, Executive Director, MnEQB



Public Works Department

Donald J. Theisen, P.E.
Director

Wayne H. Sandberg, P.E.
Deputy Director/County Engineer

February 7, 2014

Will Seuffert
Executive Director
Minnesota Environmental Quality Board
520 Lafayette Road North
Saint Paul, MN 55155

Re: State Environmental Review Process for the Gateway Corridor Project in Ramsey and Washington Counties, MN

Dear Mr. Seuffert:

The purpose of this letter is to inform you that the Washington County Regional Railroad Authority (WCRRA), serving on behalf of the Gateway Corridor Commission, in cooperation with the Federal Transit Administration (FTA) intends to prepare an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) and Minnesota environmental review requirements. The FTA is the lead federal agency, and WCRRA is the local project sponsor/proposer and Responsible Governmental Unit (RGU) under the state environmental review requirements (Minnesota Rules, Part 4410.0500, Subpart 5).

Overview of the Gateway Corridor Project

Located in Ramsey and Washington Counties, the Gateway Corridor will extend approximately 12 miles from downtown Saint Paul east through the East Side neighborhoods of Saint Paul and the suburbs of Maplewood, Landfall, Oakdale, Lake Elmo, and Woodbury. The route runs generally parallel to I-94 (see attached figure). Key transportation facilities in the project area include the interstate and state highway network, the regional transit system, airports, and multiple freight railways.

The purpose of the Gateway Corridor project is to provide transit service to meet existing and long-term regional mobility and local accessibility needs for businesses and the traveling public within the project area.

In accordance with Minnesota Rules, Part 4410.3900, Subparts 1 and 2, WCRRA and FTA are working cooperatively in the preparation of environmental documents that meet both federal and state environmental review requirements.

Consistent with the alternative environmental review process implemented for previous transit projects in Minnesota where the FTA was/is the lead federal agency (Northstar Commuter Rail EIS, Riverview Corridor Scoping, Central Corridor Light Rail Transit (LRT) EIS, Southwest LRT EIS, and Bottineau Transitway EIS), WCRRA, serving as the project proposer and RGU, in consultation with FTA, plans to issue a Scoping Booklet in place of a Scoping Environmental Assessment Worksheet (EAW) for the Gateway Corridor project. Consistent with the state review requirements, the Scoping Booklet will include the following project information:

11660 Myeron Road North, Stillwater, Minnesota 55082-9573
Phone: 651-430-4300 • Fax: 651-430-4350 • TTY: 651-430-6246
www.co.washington.mn.us
Equal Employment Opportunity / Affirmative Action



- Project history
- Project purpose and need
- Alternatives under consideration for further study in the Draft EIS
- Overall decision-making process/schedule
- Impact areas to be assessed in the Draft EIS
- Public involvement process, including reference to Participating and Cooperating Agency involvement
- Overall EIS project schedule

The referenced Scoping Booklet will be distributed to agencies/organizations under both the federal and state review requirements, and a notice of its availability will be published in the EQB Monitor and the Federal Register. Additionally, WCRRA, in cooperation with FTA, will be holding two public Scoping meetings and one interagency meeting during the Scoping review and comment period. The Scoping meetings will be held in compliance with the state review requirements.

Following the close of the Scoping review and comment period, WCRRA, in cooperation with FTA, will prepare a Scoping Decision followed by the preparation of a Draft EIS that meets both the requirements of the federal and state environmental review processes.

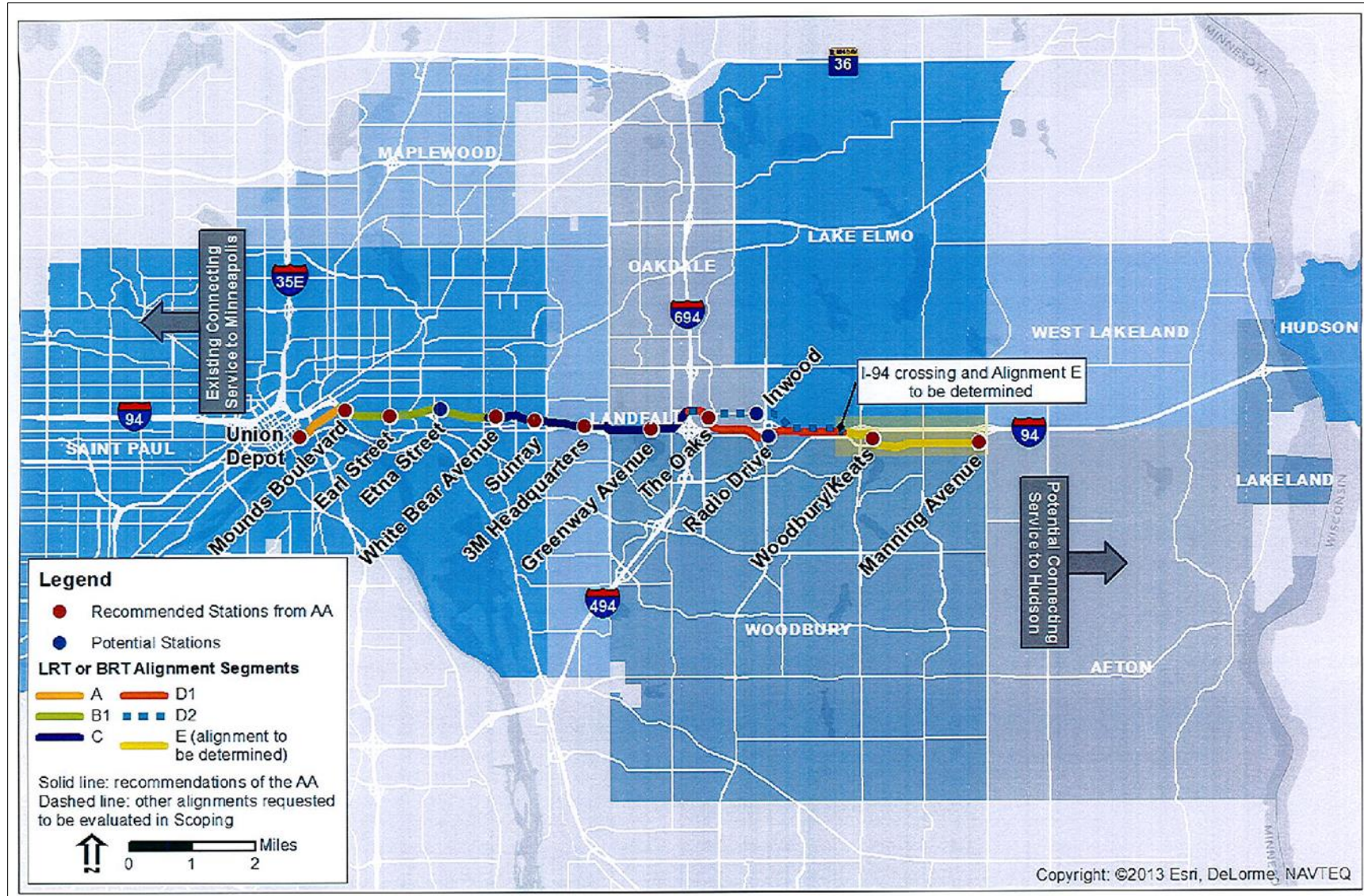
Please let me know if you have questions regarding the Gateway Corridor project or the upcoming joint federal/state environmental review process outlined within this letter.

Regards,

A handwritten signature in black ink, appearing to read 'Andy Gitzlaff'.

Andy Gitzlaff, Transportation Coordinator
Washington County Regional Railroad Authority

cc: Kathryn O'Brien, Metropolitan Council





MEMORANDUM

TO: Minnesota Environmental Quality Board
FROM: Andy Gitzlaff, Washington County Regional Railroad Authority and Kathryn O'Brien, Metropolitan Council
DATE: April 24, 2014
SUBJECT: Gateway Corridor

The purpose of this document is to describe how the Gateway Corridor Alternatives Analysis and Scoping Booklet address each of the identified elements/points of the State Scoping Environmental Assessment Worksheet (Scoping EAW). The referenced documents can be found at www.thegatewaycorridor.com.

This document, and associated documents, incorporated by reference, serves as the supporting information specific to the request by the Gateway Corridor Responsible Government Unit's to effectively use an Alternative EAW Form (Minnesota Rule 4410.1300) for the Scoping EAW.

1. PROJECT TITLE

Gateway Corridor

2. PROPOSER

Proposer: Washington County Regional Railroad Authority, on behalf of the Gateway Corridor Commission

Contact Person: Andy Gitzlaff
Title: Project Manager
Address: 11660 Myeron Road North
City, State, ZIP: Stillwater, MN 55082
Phone: 651-430-4300
Fax: 651-430-4350
Email: Andy.Gitzlaff@co.washington.mn.us

3. RGU

RGU: Washington County Regional Railroad Authority
Contact Person: Andy Gitzlaff
Title: Project Manager
Address: 11660 Myeron Road North
City, State, ZIP: Stillwater, MN 55082
Phone: 651-430-4300
Fax: 651-430-4350
Email: Andy.Gitzlaff@co.washington.mn.us

RGU: Metropolitan Council
Contact Person: Kathryn O'Brien
Title: Assistant Director – Environmental and Agreements
Address: 540 Fairview Avenue
City, State, ZIP: Saint Paul, MN 55401
Phone: 651-602-1927
Fax: 651-602-1464
Email: kathryn.obrien@metrotransit.org



4. REASON FOR EAW PREPARATION

Check one:

Required:

EIS Scoping

Mandatory EAW

Discretionary:

Citizen petition

RGU discretion

Proposer initiated

If EAW or EIS is mandatory, give EQB rule category subpart number(s) and name(s): Not applicable

5. PROJECT LOCATION

County: Ramsey and Washington Counties

City/Township: Saint Paul, Maplewood, Landfall, Oakdale, Lake Elmo, Woodbury

PLS Location (¼, ¼, Section, Township, Range):

Watershed (81 major watershed scale):

GPS Coordinates:

Tax Parcel Number:

At a minimum, attach each of the following to the EAW:

- County map showing the general location of the project;
- US Geological Survey 7.5 minute, 1:24,000 scale map indicated project boundaries (photocopy acceptable); and
- Site plans showing all significant project and natural features. Pre-construction site plan and post-construction site plan.

The Alternatives Analysis (AA) Final Report (February 2013) includes over 20 figures including regional context figures, and figures illustrating each of the alternatives evaluated in the AA.

To provide context for the Gateway Corridor project, the Scoping Booklet includes the following maps:

- Regional Transitways figure from the Metropolitan Council's 2030 Transportation Policy Plan (page 4 of the Scoping Booklet)
- Project location figure showing the counties, local landmarks, and the proposed alignment and station locations (page 3 of the Scoping Booklet)
- Maps of the alignments under consideration (pages 13-14 of the Scoping Booklet)

6. PROJECT DESCRIPTION

- a. Provide the brief project summary to be published in the EQB Monitor (approximately 50 words).

As included in the February 24, 2014 letter to the EQB regarding the Notice of Availability of the Gateway Corridor Scoping Booklet, the project description is as follows:

The Gateway Corridor is a proposed project that will provide for transit improvements in the eastern part of the Twin Cities Metropolitan Area. Located in Ramsey and Washington Counties, the Gateway Corridor will extend approximately 12 miles from



downtown Saint Paul east through the East Side neighborhoods of Saint Paul and the suburbs of Maplewood, Landfall, Oakdale, Lake Elmo, and Woodbury. Two types of high-frequency transit service are being studied for the Gateway Corridor: bus rapid transit (BRT) and light rail transit (LRT).

The project as proposed in the Scoping Booklet is significantly shorter than that initially studied in the AA, which looked at a range of alternatives extending from Minneapolis, Minnesota to Eau Claire, Wisconsin. The alignments carried forward to the Scoping phase end at Manning Avenue in Woodbury, Minnesota rather than at the St. Croix River, as was studied in the AA, as it would decrease cost but not decrease ridership. Therefore, the AA and supporting technical reports cited in this document may assess project benefits and impacts outside of the current project area.

- b. Give a complete description of the proposed project and related new construction, including infrastructure needs. If the project is an expansion, include a description of the existing facility. Emphasize 1) construction and operation methods and features that will cause physical manipulation of the environment or will produce wastes; 2) modifications to existing equipment or industrial processes; 3) significant demolition, removal, or remodeling of existing structures; and 4) timing and duration of construction activities.

A project description was provided in the Scoping Booklet on page 3 (What is the Gateway Corridor?) and pages 13-14 (What alternatives are being considered in Scoping, and where should I focus my comments?).

A general timeline for the overall project was also included on page 16 of the Scoping Booklet (Project Development Process). At this time, an approximate three year period for construction has been identified. Further detail on construction impacts and activities, including any demolition, removal, or remodeling of existing structures, will be identified and evaluated in the Draft EIS. There will be no modifications to existing equipment or industrial processes.

- c. Project magnitude

Measure	Magnitude
Total Project Acreage	N/A
Linear Project Length	Approximately 12 miles, as noted in the Scoping Booklet
Number and Type of Residential Units	N/A
Commercial Building Area (square feet)	N/A
Industrial Building Area (square feet)	N/A
Institutional Building Area (square feet)	N/A
Other Uses – specify (square feet)	N/A
Structure Height(s)	N/A

- d. Explain the project purpose. If the project will be carried out by a governmental unit, explain the need for the project and identify its beneficiaries.

The project purpose and need is discussed in the Scoping Booklet on pages 6-8 (Why build the Gateway Corridor? What benefits will it provide? (Purpose and Need)).

The purpose of the Gateway Corridor project is to provide transit service to meet the existing and long-term regional mobility and local accessibility needs for businesses and the traveling public within the project area.



Five factors contribute to the need for the Gateway Corridor project:

- Limited existing transit service throughout the day and demand for more frequent service over a greater time span
- Policy shift toward travel choices and multi-modal investments
- Population and employment growth, increasing access needs and travel demand
- Needs of people who depend on transit
- Local and regional objectives for growth and prosperity

e. Are future stages of this development, including development on any other property, planned or likely to happen? Yes No

If yes, briefly describe future stages, relationship to present project, timeline, and plans for environmental review.

Not applicable. As a point of reference, for transit projects, one of the important features is how a proposed project fits into the Regional Transit System. The Scoping Booklet includes a figure of the Regional Transitways System Vision on page 4 (source: Metropolitan Council, 2013).

f. Is this project a subsequent stage of an earlier project? Yes No

If yes, briefly describe the past development, timeline, and past environmental review.

Not applicable.

7. COVER TYPES

Estimate the acreage of the site with each of the following cover types before and after development.

Cover Type	Before (Acres)	After (Acres)
Wetlands		
Deep Water/Streams		
Wooded/Forest		
Brush/Grassland		
Cropland		
Lawn/Landscaping		
Impervious Surface		
Stormwater Pond		
Other (describe)		
Total		

The Gateway Corridor Alternatives Analysis (AA) (February 2013) assessed potential impacts to natural resource features including floodplains, wetlands, lakes, streams and rivers, parks, and other public lands (see Section 6.5). The Scoping Booklet identified parks and public lands and water resources, wetlands, and habitat as areas to be addressed in the Draft EIS (page 17).

8. PERMITS AND APPROVALS REQUIRED

List all known local, state, and federal permits, approvals, certifications, and financial assistance for the project. Include modifications of any existing permits, governmental review of plans, and all direct and indirect forms of public financial assistance including bond



guarantees, Tax Increment Financing, and infrastructure. All of these final decisions are prohibited until all appropriate environmental review has been completed. See Minnesota Rules Chapter 4410.3100.

The Scoping Decision Document, which will be published and made available on the project website subsequent to the closing of the Scoping comment period, will include a preliminary list of Anticipated Project Permits and Approvals for the proposed Gateway Corridor Project. The referenced table will be further refined and included in the Draft EIS based on the findings of the impact evaluation, coordination and consultation with resource agencies, and development of mitigation measures in the Draft EIS.

9. LAND USE

a. Describe:

- i. Existing land use of the site as well as areas adjacent to and near the site, including parks, trails, and prime or unique farmlands.

Existing land use is described in Section 1.3.1 of the AA and in Section 2 of the Land Use Assessment Methodology & Results Report prepared as part of the AA process. The Gateway Corridor incorporates many types of areas, ranging from fully developed urban core cities, through developed and developing suburbs, to rural areas and small communities. Land use and zoning was identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS.

- ii. Planned land use as identified in comprehensive plans (if available) and any other applicable plan for land use, water, or resource management by a local, regional, state, or federal agency.

Planned land use is discussed in Section 3 of the Land Use Assessment Methodology & Results Report prepared as part of the AA process. Land use and zoning is identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS.

- iii. Zoning, including special districts or overlays such as shoreland, floodplain, wild and scenic rivers, critical area, agricultural preserves, etc.

Section 6.5.3 of the AA and the Environmental and Community Impact Assessment Methodology & Results Report prepared as part of the AA process analyzed the potential for impacts to the St. Croix Wild and Scenic River and found that the alternatives carried forward into the Scoping phase (Alternatives 3 and 5, BRT and LRT along Hudson Road/I-94, respectively) would not impact the river. Land use and zoning is identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS.

- b. Discuss the project's compatibility with nearby land uses, zoning, and plans listed in Item 9a above, concentrating on implications for environmental effects.

Section 4 of the Land Use Assessment Methodology & Results Report prepared as part of the AA process describes transit-supportive plans and policies. Consistency with local plans is identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS.

- c. Identify measures incorporated into the proposed project to mitigate any potential incompatibility as discussed in Item 9b above.

Mitigation measures, if necessary, will be discussed in the Draft EIS.



10. GEOLOGY, SOILS, AND TOPOGRAPHY/LAND FORMS

- a. Geology – Describe the geology underlying the project area and identify and map any susceptible geologic features such as sinkholes, shallow limestone formations, unconfined/shallow aquifers, or karst conditions. Discuss any limitations of these features for the project and any effects the project could have on these features. Identify any project designs or mitigation measures to address effects to geologic features.

Soils and geologic resources are identified in the Scoping Booklet (page 17) as a topic to be addressed in the Draft EIS.

- b. Soils and Topography – Describe the soils on the site, giving NRCS (SCS) classifications and descriptions, including limitations of soils. Describe topography, any special site conditions relating to erosion potential, soil stability, or other soil limitations, such as steep slopes or highly permeable soils. Provide estimated volume and acreage of soil excavation and/or grading. Discuss impacts from project activities (distinguish between construction and operational activities) related to soils and topography. Identify measures during and after project construction to address soil limitations including stabilization, soil corrections, or other measures. Erosion/sedimentation control related to stormwater runoff should be addressed in response to Item 11.b.ii.

Soils and geologic resources are identified in the Scoping Booklet (page 17) as a topic to be addressed in the Draft EIS.

11. WATER RESOURCES

- a. Describe surface water and groundwater features on or near the site below.
 - i. Surface Water – lakes streams, wetlands, intermittent channels, and county/judicial ditches. Include any special designations such as public waters, trout stream/lake, wildlife lakes, migratory waterfowl feeding/resting lake, and outstanding resource value water. Include water quality impairments or special designations listed on the current MPCA 303d Impaired Waters List that are within one mile of the project. Include DNR Public Waters Inventory number(s), if any.

Potential impacts to floodplains, wetlands, lakes, streams, and rivers are described in Section 6.5.2 of the AA and Section 4.2 of the Environmental and Community Impact Assessment Methodology & Results Report prepared as part of the AA process. The alternatives carried forward to the Scoping phase have less than 30 acres of natural resource features (including wetlands, water bodies, floodplain, and parklands) within 125 feet of the centerline of each alternative.

Water resources, wetlands, and habitat are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.

- ii. Groundwater – aquifers, springs, and seeps. Include 1) depth to groundwater; 2) if project is within a MDH well protection area; and 3) identification of any onsite and/or nearby wells, including unique numbers and well logs, if available. If there are no wells known on site or nearby, explain the methodology used to determine this.

Water resources (including groundwater), wetlands, and habitat are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.

- b. Describe effects from previous activities on water resources and measures to minimize or mitigate the effects below.



- i. Wastewater – For each of the following, describe the sources, quantities, and composition of all sanitary, municipal/domestic, and industrial wastewaters projected or treated at the site.
 - 1) If the wastewater discharge is to a publicly owned treatment facility, identify any pretreatment measures and the ability of the facility to handle the added water and waste loadings, including any effects on, or required expansion of, municipal wastewater infrastructure.

Not applicable.
 - 2) If the wastewater discharge is to a subsurface sewage treatment system (SSTS), describe the system used, the design flow, and suitability of site conditions for such a system.

Not applicable.
 - 3) If the wastewater discharge is to surface water, identify the wastewater treatment methods, discharge points, and proposed effluent limitations to mitigation impacts. Discuss any effects to surface or groundwater from wastewater discharges.

Not applicable.
- ii. Stormwater – Describe the quantity and quality of stormwater runoff at the site prior to and post construction. Include the routes and receiving water bodies for runoff from the site (major downstream water bodies as well as the immediate receiving waters). Discuss any environmental effects from stormwater discharges. Describe stormwater pollution prevention plans including temporary and permanent runoff controls and potential BMP site locations to manage or treat stormwater runoff. Identify specific erosion control, sedimentation control, or stabilization measures to address soil limitations during and after project construction.

Water resources, wetlands, and habitat are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.
- iii. Water Appropriation – Describe if the project proposes to appropriate surface or groundwater (including dewatering). Describe the source, quantity, duration, use, and purpose of the water use and if a DNR water appropriation permit is required. Describe any well abandonment. If connecting to an existing municipal water supply, identify the wells to be used as a water source and any effects on, or required expansion of, municipal water infrastructure. Discuss environmental effects from water appropriation, including an assessment of the water resources available for appropriation. Identify any measures to avoid, minimize, or mitigate environmental effects from the water appropriation.

Water resources, wetlands, and habitat are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.
- iv. Surface Waters
 - 1) Wetlands – Describe any anticipated physical effects or alterations to wetland features, such as draining, filling, permanent inundation, dredging, and vegetative removal. Discuss direct and indirect environmental effects from physical modification of wetlands, including the anticipated effects that any proposed wetland alterations may have to the host watershed. Identify measures to avoid (e.g., available alternatives that were considered), minimize, or mitigate environmental effects to wetlands. Discuss whether



any required compensatory wetland mitigation for unavoidable wetland impacts will occur in the same minor or major watershed, and identify those probable locations.

Potential impacts to floodplains, wetlands, lakes, streams, and rivers are described in Section 6.5.2 of the AA and Section 4.2 of the Environmental and Community Impact Assessment Methodology & Results Report prepared as part of the AA process. The alternatives carried forward to the Scoping phase had less than 30 acres of natural resource features (including wetlands, water bodies, floodplain, and parklands) within 125 feet of the centerline of each alternative.

Water resources, wetlands, and habitat are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.

- 2) Other surface waters – Describe any anticipated physical effects or alterations to surface water features (lakes, streams, ponds, intermittent channels, county/judicial ditches) such as draining, filling, permanent inundation, dredging, diking, stream diversion, impoundment, aquatic plant removal, and riparian alteration. Discuss direct and indirect environmental effects from physical modification of water features. Identify measures to avoid, minimize, or mitigate environmental effects to surface water features, including in-water Best Management Practices that are proposed to avoid or minimize turbidity/sedimentation while physically altering the water features. Discuss how the project will change the number or type of watercraft on any water body, including current and projected watercraft usage.

Potential impacts to floodplains, wetlands, lakes, streams, and rivers are described in Section 6.5.2 of the AA and Section 4.2 of the Environmental and Community Impact Assessment Methodology & Results Report prepared as part of the AA process. The alternatives carried forward to the Scoping phase had less than 30 acres of natural resource features (including wetlands, water bodies, floodplain, and parklands) within 125 feet of the centerline of each alternative.

Water resources, wetlands, and habitat are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.

12. CONTAMINATION/HAZARDOUS MATERIALS/WASTES

- a. Pre-project Site Conditions – Describe existing contamination or potential environmental hazards on or in close proximity to the project site, such as soil or groundwater contamination, abandoned dumps, closed landfills, existing or abandoned storage tanks, and hazardous liquid or gas pipelines. Discuss any potential environmental effects from pre-project site conditions that would be caused or exacerbated by project construction and operation. Identify measures to avoid, minimize, or mitigate adverse effects from existing contamination or potential environmental hazards. Include development of a Contingency Plan or Response Action Plan.

Hazardous material/contamination is identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS.

- b. Project Related Generation/Storage of Solid Wastes – Describe solid wastes generated/stored during construction and/or operation of the project. Indicate



method of disposal. Discuss potential environmental effects from solid waste handling, storage, and disposal. Identify measures to avoid, minimize, or mitigate adverse effects from the generation/storage of solid waste including source reduction and recycling.

Hazardous material/contamination is identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS.

- c. Project Related Use/Storage of Hazardous Materials – Describe chemicals/hazardous materials used/stored during construction and/or operation of the project including method of storage. Indicate the number, location, and size of any above or below ground tanks to store petroleum or other materials. Discuss potential environmental effects from accidental spills or releases of hazardous materials. Identify measures to avoid, minimize, or mitigate adverse effects from the use/storage of chemicals/hazardous materials including source reduction and recycling. Include development of a spill prevention plan.

Hazardous material/contamination is identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS.

- d. Project Related Generation/Storage of Hazardous Wastes – Describe hazardous wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from hazardous waste handling, storage, and disposal. Identify measures to avoid, minimize, or mitigate adverse effects from the generation/storage of hazardous wastes including source reduction and recycling.

Hazardous material/contamination is identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS.

13. FISH, WILDLIFE, PLANT COMMUNITIES, AND SENSITIVE ECOLOGICAL RESOURCES (RARE FEATURES)

- a. Describe fish and wildlife resources as well as habitats and vegetation on or near the site.

Water resources, wetlands, habitat are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.

- b. Describe rare features such as state-listed (endangered, threatened, or special concern) species, native plant communities, Minnesota County Biological Survey Sites of Biodiversity Significance, and other sensitive ecological resources on or within close proximity to the site. Provide the license agreement number (LA-____) and/or correspondence number (ERDB) from which the data were obtained, and attach the Natural Heritage letter from the DNR. Indicate if any additional habitat or species survey work has been conducted within the site and describe results.

Water resources, wetlands, habitat (including protected plant and animal species) are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.

- c. Discuss how the identified fish, wildlife, plant communities, rare features, and ecosystems may be affected by the project. Include a discussion on introduction and spread of invasive species from the project construction and operation. Separately discuss effects to known threatened and endangered species.

Water resources, wetlands, habitat (including protected plant and animal species) are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.



- d. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to fish, wildlife, plant communities, and sensitive ecological resources.

Mitigation measures, if necessary, will be included in the Draft EIS.

14. HISTORIC PROPERTIES

Describe any historic structures, archeological sites, and/or traditional cultural properties on or in close proximity to the site. Include 1) historic designations; 2) known artifact areas; and 3) architectural features. Attach letter received from the State Historic Preservation Office (SHPO). Discuss any anticipated effects to historic properties during project construction and operation. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to historic properties.

The potential to impact historic districts in the corridor was described in Section 6.5.3 of the AA and Section 4.3 of the Environmental and Community Impact Assessment Methodology & Results Report prepared as part of the AA process.

Historic and cultural resources were identified in the Scoping Booklet (page 17) as an area to be addressed in the Draft EIS. Analysis of properties will be based on development of concept designs and consultation with SHPO and other interested parties.

15. VISUAL

Describe any scenic views or vistas on or near the project site. Describe any project related visual effects such as vapor plumes or glare from intense lights. Discuss the potential visual effects from the project. Identify any measures to avoid, minimize, or mitigate visual effects.

Visual and aesthetic impacts resulting from the project are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.

16. AIR

- a. Stationary Source Emissions – Describe the type, sources, quantities, and compositions of any emissions from stationary sources such as boilers or exhaust stacks. Include any hazardous air pollutants, criteria pollutants, and any greenhouse gases. Discuss effects to air quality including any sensitive receptors, human health, or applicable regulatory criteria. Include a discussion of any methods used assess the project's effect on air quality and the results of that assessment. Identify pollution control equipment and other measures that will be taken to avoid, minimize, or mitigate adverse effects from stationary source emissions.

Air quality is identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS.

- b. Vehicle Emissions – Describe the effect of the project's traffic generation on air emissions. Discuss the project's vehicle-related emissions effect on air quality. Identify measures (e.g., traffic operational improvements, diesel idling minimization plan) that will be taken to minimize or mitigate vehicle-related emissions.

As stated in Section 6.5.1 of the AA and Section 4.2 of the Environmental and Community Impact Assessment Methodology & Results Report prepared as part of the AA process, impacts to air quality were analyzed in terms of changes in regional classification and reduction in vehicle miles traveled. The AA found that all alternatives considered, including those carried into the Draft EIS Scoping phase, supported the goal of providing benefit to the region's air quality by reducing vehicle miles traveled by 0-1% compared to the No-Build alternative.



Air quality is identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS.

- c. Dust and Odors – Describe sources, characteristics, duration, quantities, and intensity of dust and odors generated during project construction and operation. (Fugitive dust may be discussed under Item 16a). Discuss the effect of dust and odors in the vicinity of the project including nearby sensitive receptors and quality of life. Identify measures that will be taken to minimize or mitigate the effects of dust and odors.

Air quality is identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS. Short-term construction impacts will also be identified and evaluated in the Draft EIS.

17. NOISE

Describe sources, characteristics, duration, quantities, and intensity of noise generated during project construction and operation. Discuss the effect of noise in the vicinity of the project including 1) existing noise levels/sources in the area; 2) nearby sensitive receptors; 3) conformance to state noise standards; and 4) quality of life. Identify measures that will be taken to minimize or mitigate the effects of noise.

Section 6.6.3 of the AA and Section 4.3 of the Environmental and Community Impact Assessment Methodology & Results Report prepared as part of the AA process describe the potential for noise and vibration impacts. The analysis was based on the number of residential parcels located within a 500 foot buffer of the centerline of each alternative. For the alternatives carried forward to the Scoping phase, it was estimated that there would be 400 potentially affected residential parcels.

Noise and vibration are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.

18. TRANSPORTATION

- a. Describe traffic-related aspects of project construction and operation. Include 1) existing and proposed additional parking spaces; 2) estimated total average daily traffic generated; 3) estimated maximum peak hour traffic generated and time of occurrence; 4) source of trip generation rates used in the estimates; and 5) availability of transit and/or other alternative transportation modes.

Traffic impacts are described in Section 6.2.6 of the AA and in the Traffic Analysis Methodology & Results Report prepared as part of the AA process. For the alternatives that were advanced to the Draft EIS Scoping phase, it was estimated that approximately 70 on-street parking spaces would need to be removed, but would require no change in local street access and no lane reductions.

Transportation, including transit and other transportation modes, is identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS.

- b. Discuss the effect on traffic congestion on affected roads and describe any traffic improvements necessary. The analysis must discuss the project's impact on the regional transportation system. If the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500, a traffic impact study must be prepared as part of the EAW. Use the format and procedures described in the Minnesota Department of Transportation's Access Management Manual, Chapter 5 (available at: <http://www.dot.state.mn.us/accessmanagement/resources.html>) or a similar local guidance.



As discussed in Section 6.2.6 of the AA and in the Traffic Analysis Methodology & Results Report prepared as part of the AA process, the level of service under Alternatives 3 and 5 was projected to be at an acceptable level.

Transportation, including effects on roads, highways, and other modes, is identified in the Scoping Booklet (page 17) as an issue to be addressed in the Draft EIS.

- c. Identify measures that will be taken to minimize or mitigate project related transportation effects.

Mitigation measures required to maintain acceptable levels of service with operation of a future Gateway Corridor transit project will be described in the Draft EIS after the more detailed analysis is conducted.

19. CUMULATIVE POTENTIAL EFFECTS

- a. Describe the geographic scales and timeframes of the project related environmental effects that could combine with other environmental effects resulting in cumulative potential effects.

Secondary and cumulative effects are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.

- b. Describe any reasonably foreseeable future projects (for which a basis of expectation has been laid) that may interact with environmental effects of the proposed project within the geographic scales and timeframes identified above.

Secondary and cumulative effects are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.

- c. Discuss the nature of the cumulative potential effects and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to these cumulative effects.

Secondary and cumulative effects are identified in the Scoping Booklet (page 17) as issues to be addressed in the Draft EIS.

20. OTHER POTENTIAL ENVIRONMENTAL EFFECTS

If the project may cause any additional environmental effects not addressed by Items 1 to 19, describe the effects here, discuss the how the environment will be affected, and identify measures that will be taken to minimize and mitigate these effects.

Other potential environmental effects will be addressed in the Draft EIS, as appropriate. See page 17 of the Scoping Booklet for a list of issues to be analyzed in the Draft EIS.



D.13. April 24, 2014, from City of Woodbury to Washington County Regional Railroad Authority

Haase, Rachel

From: Bradford, John [<mailto:jbradford@ci.woodbury.mn.us>]
Sent: Thursday, April 24, 2014 8:34 AM
To: Andy Gitzlaff
Cc: Searles, Eric; Schmitz, Janelle
Subject: Participating Agency

Hi Andy,

The City of Woodbury is happy to accept the invitation to be a participating agency on the Gateway Corridor.

Thanks!

John R. Bradford, P.E.
Deputy Director Public Works and Engineering/City Engineer
City of Woodbury
8301 Valley Creek Road Woodbury, MN 55125
☎ 651-714-3593





D.14. April 28, 2014, from City of Saint Paul to Washington County Regional Railroad Authority



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

15 Kellogg Boulevard West
Saint Paul, MN 55102

Telephone: 651-266-8510
Facsimile: 651-228-3220

April 28, 2014

Andy Gitzlaff, Project Manager
Department of Public Works
Washington County
11660 Myeron Road North
Stillwater, MN 55082
gatewaycorridor@co.washington.mn.us

RE: Participating Agency Invitation

Dear Mr. Gitzlaff:

Thank you for the invitation to be a participating agency for the Gateway Corridor Project's environmental review process. The City of Saint Paul has a significant interest in the project and expertise that we can offer. We, therefore, accept the invitation.

Please don't hesitate to contact Bill Dermody, Planner with the Department of Planning and Economic Development, if you have any questions or need specific information.

Sincerely,

Christopher B. Coleman
Mayor

cc: Bill Dermody, PED



D.15. May 2, 2014, from Ramsey-Washington Metro Watershed District to Washington County Regional Railroad Authority

Haase, Rachel

From: Tina Carstens [<mailto:tina.carstens@rwmwd.org>]
Sent: Friday, May 02, 2014 12:30 PM
To: Andy Gitzlaff
Subject: Gateway Corridor Project Agency Participation

Hi Andy,

We received your invitation to participate in the EIS development for the Gateway Corridor Project. The Ramsey-Washington Metro Watershed District is interested in being a part of that process and I will be the contact from our agency.

I look forward to it.

Thanks,
Tina

Tina Carstens
Assistant Administrator
Ramsey-Washington Metro Watershed District
2665 Noel Drive
Little Canada, MN 55117
Phone: 651-792-7960
Fax: 651-792-7951

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D.16. May 19, 2014, from City of Oakdale to Washington County Regional Railroad Authority



CITY OF OAKDALE

1584 Hadley Avenue North
Oakdale, MN 55128
651-730-2730
FAX: 651-730-2830
www.ci.oakdale.mn.us

May 19, 2014

Mr. Andy Gitzlaff
WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY
11660 Myeron Road North
Stillwater, MN 55082-9573

RE: INVITATION TO BECOME A PARTICIPATING AGENCY FOR THE GA TEWAY
CORRIDOR PROJECT IN RAMSEY AND WASHINGTON COUNTIES,
MINNESOTA

Dear Mr. Gitzlaff:

In response to your letter dated March 13, 2014, I am enclosing the City of Oakdale Resolution No. 2014-47, indicating the City of Oakdale's desire to become a participating agency for the Gateway Project.

Please let me know if you need anything further. Thank you.

Sincerely,
CITY OF OAKDALE

Brian Bachmeier, P.E.
PUBLIC WORKS DIRECTOR/CITY ENGINEER

Encl:

S:\Engineering\Washington County\I-94 Corridor Commission\Ltr to Andy Gitzlaff at Wash Cty re
Participating Agency in Gateway Corridor Project.doc



D.17. June 4, 2014, from Minnesota Environmental Quality Board to Washington County Regional Railroad Authority



Environmental Quality Board
520 LAFAYETTE ROAD NORTH
ST. PAUL, MN 55155
PHONE: 651-757-2873
WWW.EQB.STATE.MN.US

June 4, 2014

Mr. Andy Gitzlaff
Transportation Coordinator
Washington County Regional Railroad Authority
11660 Myeron Road North
Stillwater, MN 55082

Re: Response to letter, "Gateway Corridor"

Dear Mr. Gitzlaff,

Your letter, dated April 24, 2014, informed the Environmental Quality Board, (EQB), of the intent that the Washington County Regional Railroad Authority (WCRRA), in cooperation with the Federal Transit Administration (FTA), will prepare an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) and the Minnesota Environmental Policy Act (MEPA) including Minnesota Rules 4410. Your letter states that the FTA is the lead federal agency, WCRRA is the local project sponsor and the Responsible Governmental Unit (RGU) under Minnesota Rules 4410.0500, Subpart 5.

Specifically, your letter requested that a Scoping Booklet be used as an alternative form to substitute for the Scoping Environmental Assessment Worksheet (Scoping EAW), as allowed by Minnesota Rules 4410.1300. Your letter includes a Scoping EAW form which identifies the document locations of the complete project information, consistent with requirements of Minnesota Rules Chapter 4410, and a notice of its availability was published in EQB Monitor. Consistent with Minnesota Rules, WCRRA held scoping meetings during the scoping review and comment period. Once the scoping review and comment period is complete, WCRRA proposes to prepare a Scoping Decision Document, followed by an EIS Document prepared in cooperation with the FTA, which will meet both state and federal environmental review requirements.

Based on the description provided in your letter, EQB staff has determined that the Scoping Booklet and attached memo may be used as a substitute form of the EAW. Minnesota Rules 4410.1300 states,

"...The EQB chair may approve the use of an alternative EAW form if an RGU demonstrates the alternative form will better accommodate the RGU's function or better address a particular type of project and the alternative form will provide more complete, more accurate, or more relevant information."

WASHINGTON COUNTY

JUN 06 2014

PUBLIC WORKS



Mr. Andy Gitzlaff
Page 2
June 4, 2014

It is understood by the EQB that this Scoping Booklet will serve only as an alternative EAW form for this project, and will not replace or negate any other portion of the environmental review process required by the EAW form, Minnesota Statute 116 or Minnesota Rules 4410.

Please contact Kate Frantz, EQB staff, at 651-757-2370 if you have any further questions.

Thank you,

A handwritten signature in black ink that reads "David J. Frederickson".

David J. Frederickson, Chair
Environmental Quality Board

DJF/KF:bt

cc: Ms. Kathryn O'Brien, Metropolitan Council



D.18. June 11, 2014, from City of Landfall to Washington County Regional Railroad Authority

Haase, Rachel

From: Mike Ericson [mericson@cityoflandfall.com]
Sent: Wednesday, June 11, 2014 5:44 PM
To: Laabs, Jessica; Sandy Scheuble
Subject: RE: Gateway Corridor DEIS: participating agency invite

Jessica....

Thank you for the friendly reminder.

Yes, the City of Landfall would like to be a participating agency.

Please confirm.

Best Regards,

Mike Ericson

From: Jessica.Laabs@kimley-horn.com [mailto:Jessica.Laabs@kimley-horn.com]
Sent: Tuesday, June 10, 2014 5:11 PM
To: Sandy Scheuble
Cc: Mike Ericson
Subject: Gateway Corridor DEIS: participating agency invite

Ms. Scheuble,

On behalf of Washington County Regional Rail Authority, I am circling back on an invite sent in March, asking if your agency would like to be a participating agency in the Gateway Corridor EIS process (copy of letter attached). We have not heard from you, and wonder if the City of Landfall is planning to accept. We do need a specific response for our records and to ensure further coordination; a response to this email would be fine.

If you have any questions about this process, please let me know.

Thank you!
Jessica

Kimley»Horn

Jessica Laabs, AICP
Kimley-Horn | 2550 University Avenue West, Suite 238N
Direct: (651) 645-4197 | Main: (651) 643-0437
Connect with us: [Twitter](#) | [LinkedIn](#) | [Facebook](#) | [YouTube](#)
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D.19. Jan. 4, 2016, from Federal Highway Administration to Federal Transit Administration



U.S. Department
of Transportation
**Federal Highway
Administration**

Minnesota Division

January 4, 2016

380 Jackson Street
Cray Plaza, Suite 500
St. Paul, MN 55101-4802

651.291.6100
Fax 651.291.6000

www.fhwa.dot.gov/mndiv

Ms. Marisol R. Simón
Regional Administrator
Federal Transit Administration
200 West Adams Street
Chicago, Illinois 60606

Re: DEIS Alternatives, Washington County, Minnesota, Gateway Corridor – Gold Line BRT

Dear Ms. Simón:

In March 2014, the FHWA requested the Bus Rapid Transit – Managed Lane alternative be refined and carried into the project's Draft Environmental Impact Statement. This request was in direct response to the Alternatives Analysis, Notice of Intent, and Scoping Booklet. FHWA's review and concerns centered on the preclusion of expansion within the I-94 corridor. Other rationale included:

- *The elimination of alternatives that may better achieve the project's purpose and need with fewer adverse impacts*
- *The potential degradation of Interstate ramp terminal operations due to the interaction with the facilities under consideration*

Since then the Gateway - Gold Line team has worked diligently to complete FHWA's requests. The results of these additional studies are documented in the Managed Lane Bus Rapid Transit Alternative Technical Memo (2015), and the I-94 Right of Way Analysis (2015).

As a result of these in-depth investigations, a shared concept has been defined, which demonstrates the Gold Line BRT and future expansion can co-exist. Additionally, the requested concept has been demonstrated to not meet the project's goals and objectives, as envisioned by the project sponsors. FHWA's concerns have been adequately addressed with the understanding that expansion of I-94 is not precluded, and that impacts to Interstate operations are being avoided, minimized, and mitigated. Thanks to you and your staff.

Sincerely,

Arlene Kocher, P.E.
Division Administrator – Minnesota Division



EE/sll

Cc: 1 WCRRA – Lyssa Leitner
1 FTA – Sheila Clements
1 MnDOT – Brian Gage
1 MnDOT – Scott McBride
1 Met Council – Adam Duinck
1 Met Council – Arlene McCarthy



D.20. Oct. 26, 2016, Between Minnesota Department of Natural Resources and Washington County Regional Railroad Authority

From: Mularie, Audrey L (DNR) <Audrey.Mularie@state.mn.us>
Sent: Wednesday, October 26, 2016 6:20 AM
To: Jacob Knight
Subject: RE: Map

Jacob,

According to the information you provided stating that the [Gateway Corridor project](#) would involve operating bus transit on Bielenberg Drive **within existing transportation right-of-way**, I agree that there would be no 6(f) impact to Tamarack Nature Preserve.

Audrey

Audrey Mularie
Park Grant Coordinator
Division of Parks and Trails
500 Lafayette Road, St. Paul, MN 55155-4039
651-259-5549
www.mndnr.gov

From: Jacob Knight [<mailto:JKnight@srfconsulting.com>]
Sent: Tuesday, October 25, 2016 4:45 PM
To: Mularie, Audrey L (DNR) <Audrey.Mularie@state.mn.us>
Subject: RE: Map

Audrey,

I have attached a marked-up copy of the Tamarack Nature Preserve boundary map that you provided and the latest plan sheet for the Gateway Corridor project. We had discussed this over the phone on October 6, but could you please provide a formal determination as to whether or not the project would constitute a parkland conversion of the Tamarack Nature Preserve?

The [Gateway Corridor project](#) would involve operating bus transit on Bielenberg Drive within existing transportation right-of-way between Nature Path and Guider Drive. Buses would operate in mixed traffic alongside general purpose vehicles over Tamarack Nature Preserve. Based on the grant boundary map and our research, it is our finding that the project would not result in a conversion of the Tamarack Nature Preserve.

Please feel free to call me if you have questions about the project or this request.

Best,

Jake Knight
Planner
SRF Consulting Group, Inc.



jknight@srfconsulting.com

Direct: 651.333.4114
2550 University Avenue W, Suite 316S
Saint Paul, MN 55114
www.srfconsulting.com

From: Jacob Knight
Sent: Friday, October 07, 2016 8:33 AM
To: 'Mularie, Audrey L (DNR)' <Audrey.Mularie@state.mn.us>
Subject: RE: Map

Audrey,

Thank you for your help. Hope you have a great weekend.

Best,

Jake Knight
Planner
SRF Consulting Group, Inc.
jknight@srfconsulting.com
Direct: 651.333.4114
2550 University Avenue W, Suite 316S
Saint Paul, MN 55114
www.srfconsulting.com

From: Mularie, Audrey L (DNR) [<mailto:Audrey.Mularie@state.mn.us>]
Sent: Friday, October 07, 2016 6:28 AM
To: Jacob Knight <JKnight@srfconsulting.com>
Subject: RE: Map

Jake,

We do not have an overall map or GIS shapefile only Lat/Long point coordinates. The only metro 2016 grants are St. Paul Park, Cottage Grove and Stillwater Township and would not be impacted by this project.

Audrey

From: Jacob Knight [JKnight@srfconsulting.com]
Sent: Thursday, October 06, 2016 11:33 AM
To: Mularie, Audrey L (DNR)
Subject: RE: Map

Thank you very much, Audrey!

Do you have a map or GIS shapefile of LAWCON/State grant-funded properties?



I've attached a map of the proposed [Gateway Corridor Bus Rapid Transit project](#), led by Washington and Ramsey Counties. Do you believe any of the ten or so 2016 grant recipients are possibly within the project's area of potential effect?

I appreciate your assistance with this.

Jake Knight
Planner
SRF Consulting Group, Inc.
jknight@srfconsulting.com
Direct: 651.333.4114
2550 University Avenue W, Suite 316S
Saint Paul, MN 55114
www.srfconsulting.com

From: Mularie, Audrey L (DNR) [<mailto:Audrey.Mularie@state.mn.us>]
Sent: Thursday, October 06, 2016 11:13 AM
To: Jacob Knight <JKnight@srfconsulting.com>
Subject: Map

Jake,

Here is the map file you requested. If you have any questions or concerns, please feel free to contact me.

Audrey

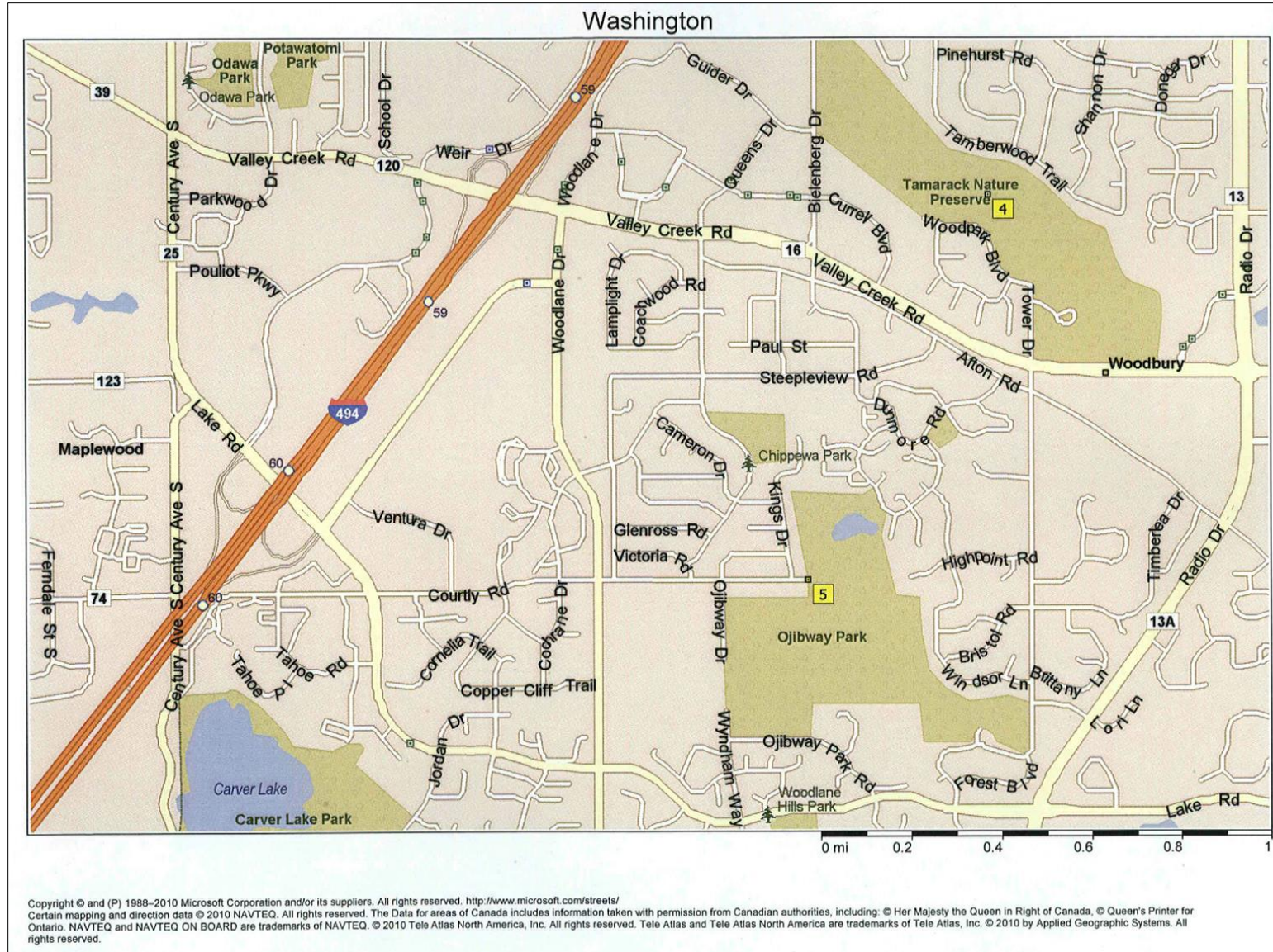
Audrey Mularie
Park Grant Coordinator
Division of Parks and Trails
500 Lafayette Road, St. Paul, MN 55155-4039
651-259-5549
www.mndnr.gov

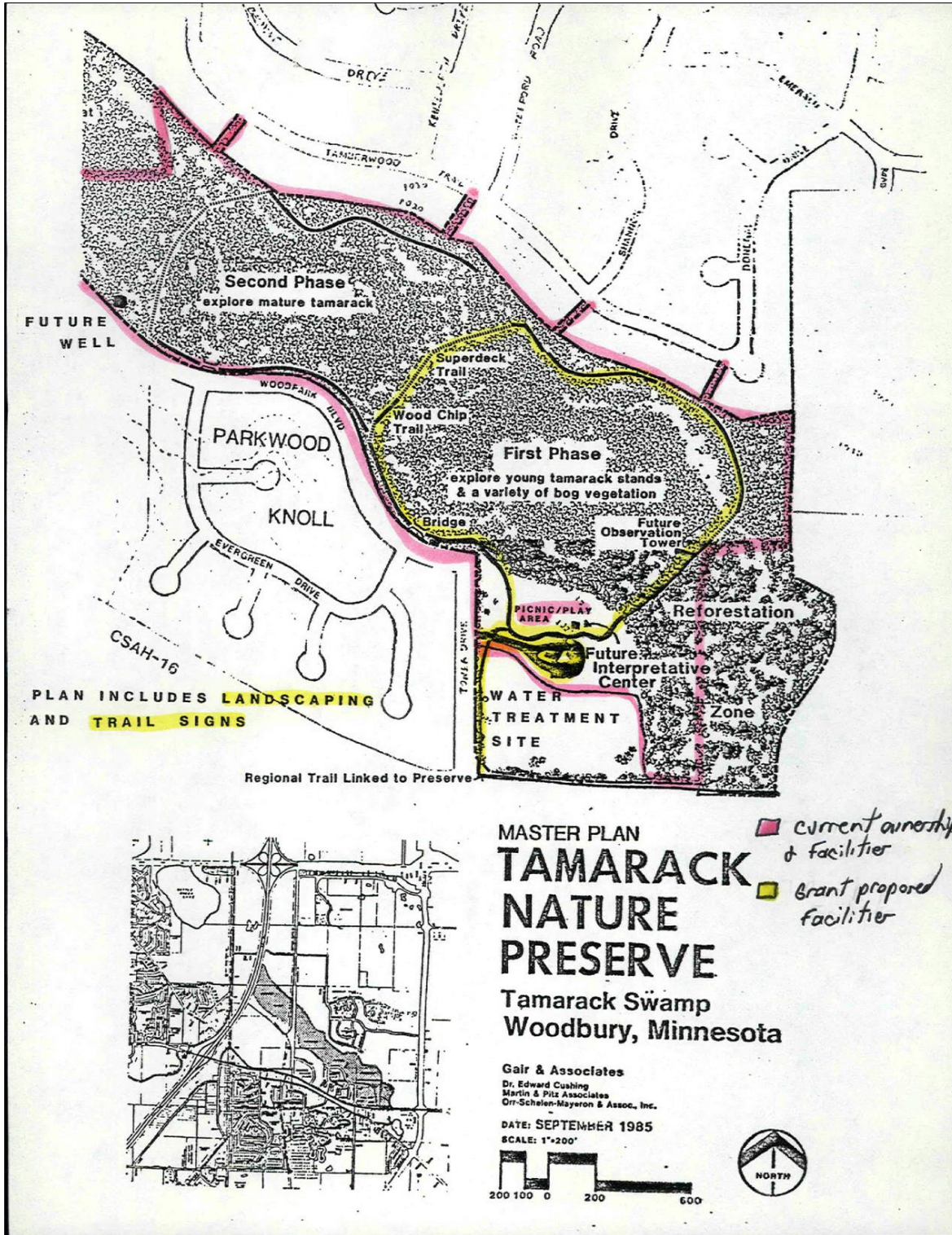


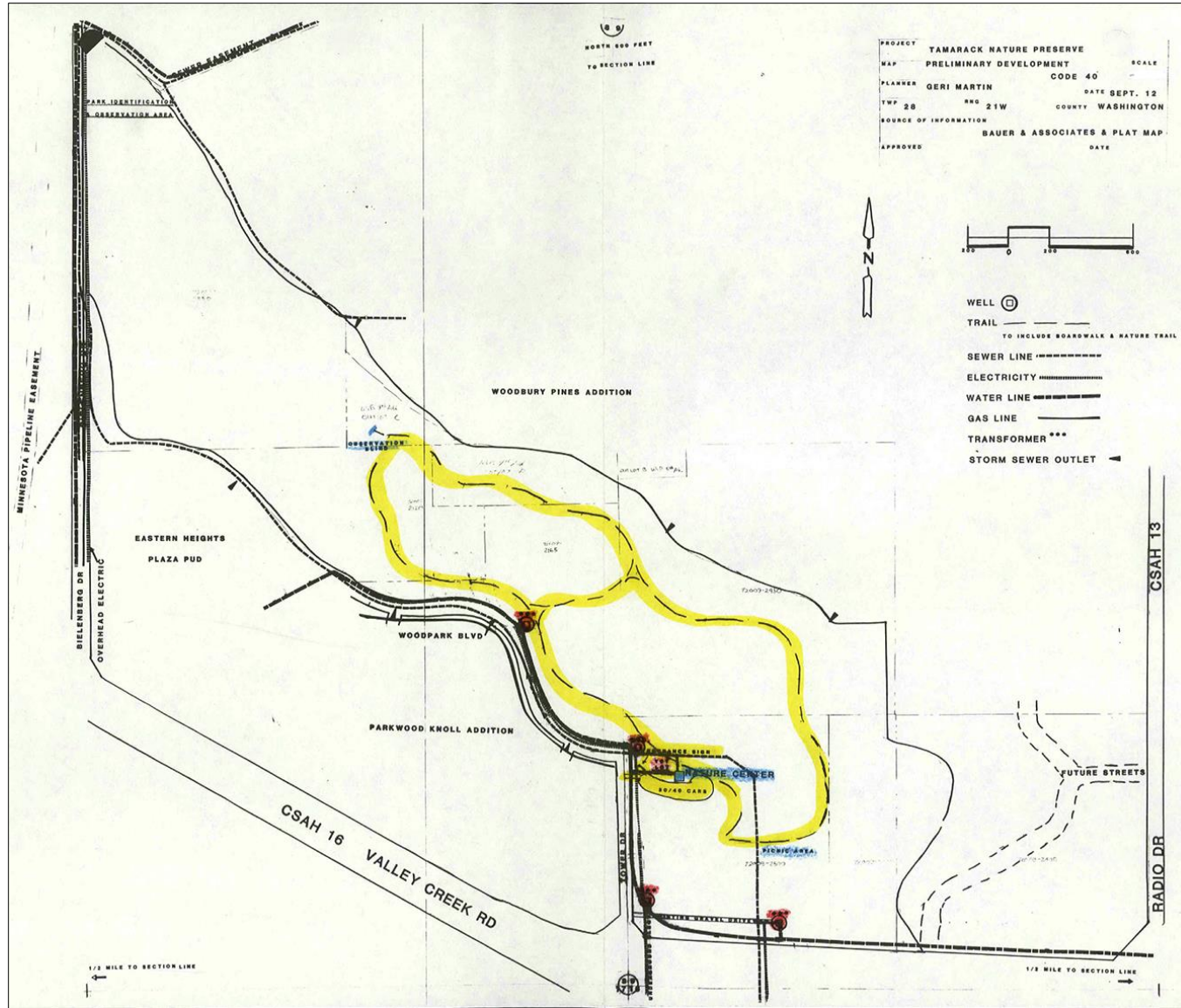
Project_#	Title	Recipient
NR-730	Tamarack Nature Preserve	Woodbury City of

Contents

- Location Map
- Boundary Map (s)









D.21. Nov. 2, 2016, Between U.S. Fish and Wildlife Service and Washington County Regional Railroad Authority

Dammel, Rachel (Haase)

From: Horton, Andrew <andrew_horton@fws.gov>
Sent: Wednesday, November 02, 2016 2:00 PM
To: Payne, Ashley
Cc: Laabs, Jessica; Dammel, Rachel (Haase); Smith, Tamara
Subject: Re: USFWS Review of the Gateway BRT project, Ramsey and Washington Counties, MN

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you Ashley, I agree with the determinations made for the species above. Please also include the rusty patched bumble bee (*Bombus affinis*) which we have recently Proposed as Endangered.

Extant populations of the rusty patched bumble bee exist within the Twin Cities metro area and the nearest known records are within 0.25 miles of the proposed route. This species is a generalist that utilizes grasslands with flowering plants from April through October, underground and abandoned rodent cavities or clumps of grasses above ground as nesting sites, and undisturbed soil for hibernating queens to overwinter. The species may be present within the I94 ROW and we would be interested in the impacts from any expanded ROWs or new development within open spaces associated with this project. We would also be interested in any proposed restoration activities that would benefit native pollinators.

We are in the process of developing proposed guidance and conservation measures and these will be posted to our website when they are available to the public. If you have any questions in the meantime, please let me know.

- Andrew

Andrew Horton
Twin Cities Ecological Services Field Office
U.S. Fish and Wildlife Service
4101 American Blvd East
Bloomington, MN 55425-1665
(952) 252-0092, ext. 208
(952) 858-0708 (Primary Number until 2017)

On Wed, Nov 2, 2016 at 1:04 PM, <Ashley.Payne@kimley-horn.com> wrote:

Hi Andrew:

Kimley-Horn is preparing an EA for the Gateway BRT project located in Ramsey and Washington Counties, MN. The proposed project is a planned nine-mile transitway that would be generally parallel to Interstate 94 (I-94) and would better connect downtown Saint Paul with its east side neighborhoods and the suburban cities of Maplewood, Landfall, Oakdale, and Woodbury. The proposed project would include 15 stops during the peak



periods and 11 stops during non-peak periods. The project would include three park-and-rides (see attached graphic).

Kimley-Horn reviewed the Federal T&E species list to determine if any species would be potentially impacted as a result of project construction. Please note this project does not include any work within the Mississippi River or the St. Croix River. Below is a summary of our analysis:

Federally Listed Species

The following identifies the potential for federally listed species to be impacted as a result of the Gateway Corridor project.

Higgins Eye Pearlymussel

Since the project would not involve work within the Mississippi River or its tributaries, it has been determined that the project would have no adverse impacts to the Higgins eye pearly mussel.

Snuffbox Mussel

Since the project would not involve work within the Mississippi River or its tributaries, it has been determined that the project would have no adverse impacts to the snuffbox mussel.

Spectaclecase Mussel

Since the project would not involve work within the St. Croix River or its tributaries, it has been determined that the project would have no adverse impacts to the spectaclecase mussel.

Winged Mapleleaf Mussel

Since the project would not involve work within the St. Croix River or its tributaries, it has been determined that the project would have no adverse impacts to the winged mapleleaf mussel.

Northern Long-Eared Bat

The project is not within ¼ mile of known hibernacula or 150 feet from known maternity roost trees. Potential disturbance to other hardwood trees may affect the northern long-eared bat during the roosting season; therefore, the total amount of tree removal for the project was evaluated. Within the potential area of disturbance, 3.05 acres of trees would be removed, which is approximately two percent of the total potential area of disturbance for the Gateway Corridor project. All tree removal would be completed outside of the roosting season (winter months). Therefore, no adverse impacts to the northern long-eared bat are anticipated.

Kimley-Horn, on behalf of our client, request confirmation on the statements above regarding adverse impacts to the federally listed species identified above. Please let me know if you have any questions or would like to discuss in further detail.



Thank you.

Ashley

Kimley»Horn

Ashley Payne, CWD

Kimley-Horn | 323 South Broadway, Rochester, MN 55904
Direct: 507.216.0763 | Mobile: 507.251.6096

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D.22. Dec. 12, 2016, Between Minnesota Department of Natural Resources and Washington County Regional Railroad Authority

Dammel, Rachel (Haase)

From: Joyal, Lisa (DNR) <Lisa.Joyal@state.mn.us>
Sent: Monday, December 12, 2016 6:06 PM
To: Dammel, Rachel (Haase)
Subject: RE: Gateway Corridor Project NHIS Concurrence Request
Attachments: Alternatives Maps.pdf

Alignment D3 crosses a Minnesota Biological Survey (MBS) Site of High Biodiversity Significance. Sites ranked as High contain very good quality occurrences of the rarest species, high quality examples of the rare native plant communities, and/or important functional landscapes. On both sides of the road, this particular Site contains a Tamarack Swamp which is a rare native plant community in Minnesota. If the Wetland Conservation Act is applicable, this native plant community may qualify as a "rare natural community" under that Act.

Thank you,

Lisa Joyal

~~~~~  
Lisa Joyal  
Endangered Species Review Coordinator  
NHIS Data Distribution Coordinator  
Division of Ecological and Water Resources  
Minnesota Department of Natural Resources  
500 Lafayette Road, Box 25  
St. Paul, MN 55155

phone: 651-259-5109  
[lisa.joyal@state.mn.us](mailto:lisa.joyal@state.mn.us)  
[www.mndnr.gov/eco](http://www.mndnr.gov/eco)

---

**From:** Rachel.Dammel@kimley-horn.com [mailto:Rachel.Dammel@kimley-horn.com]  
**Sent:** Monday, October 31, 2016 11:39 AM  
**To:** Joyal, Lisa (DNR) <Lisa.Joyal@state.mn.us>  
**Subject:** RE: Gateway Corridor Project NHIS Concurrence Request

Hi Lisa,

Since it has been almost a year since this project was reviewed by the DNR and the project alignment has changed since we last provided information, Kimley-Horn would like to update the correspondence. The eastern alignments (D1, D2, E1, E2, and E3) were dropped from evaluation and a D3 alignment was added, which ends in the City of Woodbury. Please see the attached maps that show the previous alignments under evaluation and the current alignment. A review of the NHIS files was completed in August 2016 to determine if any additional species or observations of species are located within 1 mile of the D3 alignment, and no species were identified. Four plant communities were identified in the NHIS data; however, based on the proposed project, no impacts are anticipated to any of these native plant communities. The write-up for the environmental document has been updated to reflect this



analysis. The information provided in your email dated January 2016 has also been incorporated into the environmental document.

We are requesting any comments you may have on these findings for Alignment D3. Please let me know if you have any questions or would like further information.

Thank you,  
Rachel

Rachel Dammel | **Kimley-Horn** | 651 643 0412

---

**From:** Joyal, Lisa (DNR) [<mailto:Lisa.Joyal@state.mn.us>]  
**Sent:** Monday, January 25, 2016 1:41 PM  
**To:** Dammel, Rachel (Haase) <[Rachel.Dammel@kimley-horn.com](mailto:Rachel.Dammel@kimley-horn.com)>  
**Subject:** FW: Gateway Corridor Project NHIS Concurrence Request

I have reviewed your assessment of the potential for the above project to impact rare features and have the following comments:

- As noted, several rare mussels and fishes occupy the Mississippi River. Sediment control or other pollutant containment practices should be implemented and maintained near the river during the duration of the project and incorporated into any stormwater management plan.
- Peregrine falcons successfully nested on the Bremer Tower as recently as 2014. Given the scale of the map provided and the description of the project, it is unclear whether there will be any construction close to this tower. It is unlikely that the proposed construction activities will affect these birds. However, if the birds exhibit unusual behaviors or other signs of potential distress during construction, especially during the breeding season (April through July), please contact Erica Hoaglund, DNR Regional Nongame Specialist, at 651-259-5772 or [erica.hoaglund@state.mn.us](mailto:erica.hoaglund@state.mn.us).
- Blanding's turtles (*Emydoidea blandingii*), a state-listed threatened species, have been reported from the vicinity of the proposed project. Given the previous development in the area, however, impacts to this rare turtle are not anticipated. If Blanding's turtles are found on the site, please remember that the destruction of threatened or endangered species is prohibited by state law and rules, except under certain prescribed conditions. If turtles are in imminent danger they should be moved by hand out of harm's way, otherwise they should be left undisturbed. Please see the enclosed fact sheet for recommendations on working in or near Blanding's turtle habitat. The attached flyer should be given to all contractors working in the area.

Thank you,

*Lisa Joyal*

~~~~~  
Lisa Joyal
Endangered Species Review Coordinator
NHIS Data Distribution Coordinator
Division of Ecological and Water Resources
Minnesota Department of Natural Resources
500 Lafayette Road, Box 25
St. Paul, MN 55155



phone: 651-259-5109
lisa.joyal@state.mn.us
www.mndnr.gov/eco

From: Rachel.Haase@kimley-horn.com [<mailto:Rachel.Haase@kimley-horn.com>]
Sent: Monday, December 14, 2015 1:39 PM
To: *NHIS, Review (DNR)
Subject: Gateway Corridor Project NHIS Concurrence Request

We are preparing a Draft EIS for the Gateway Corridor project. The Gateway Corridor is a planned 12-mile bus rapid transit (BRT) transitway located in Ramsey and Washington Counties in the eastern part of the Twin Cities Metropolitan Area. The corridor is generally parallel to I-94 and will better connect downtown Saint Paul with its east side neighborhoods and the suburban cities of Maplewood, Landfall, Oakdale, Woodbury, and Lake Elmo. The three Build alternatives under consideration for the Gateway Corridor project are shown in the attached figure.

A review of the DNR Natural Heritage Information System database was conducted (LA-718) for the potential area of disturbance and the area within approximately one mile of the proposed alignments. In Ramsey County, there are records for seven state-listed endangered species, nine threatened species, and five special concern species. In Washington County, there are records for four state-listed endangered species, two threatened species, and no special concern species. Of the state-listed species that have been identified in Ramsey and Washington Counties, only those that may be found in the habitats identified within the study area are shown in **Table 1**. An assessment of impacts is presented by alignment below.

Table 1. State-Listed Species in the Study Area

Alignment*	Scientific Name	Common Name	Status	Year Last Observed	Habitat
A	<i>Marpissa Grata</i>	A Jumping Spider	Special Concern	1978	Wetlands, ponds, or rivers near cattail marshes, in grass, and on cattails and willows
	<i>Polyodon Spathula</i>	Paddlefish	Threatened	2004	Open waters of large rivers and river lakes
	<i>Quadrula nodulata</i>	Wartyback	Threatened	2007	Large rivers; can be found in fine or coarse substrates in areas of slow or moderate current



Alignment*	Scientific Name	Common Name	Status	Year Last Observed	Habitat
	<i>Quadrula metanevra</i>	Monkeyface	Threatened	2001	River habitats dominated by stable substrates in water over two meters (6.6 feet) deep
	<i>Actinonaias ligamentina</i>	Mucket	Threatened	2007	Medium to large rivers; substrates that are most preferred include coarse sand and gravel
	<i>Fusconaia ebena</i>	Ebonysell	Endangered	2007	Large rivers in sand or gravel
	<i>Truncilla donaciformis</i>	Fawnsfoot	Threatened	2007	Large rivers or the lower reaches of medium-sized streams; most commonly found in sand or gravel
	<i>Elliptio crassidens</i>	Elephant-ear	Endangered	2007	Large rivers in mud, sand, or fine gravel
	<i>Arcidens confragosus</i>	Rock Pocketbook	Endangered	2005	Medium to large rivers; may be found in fine substrates such as silt or sand in slow current areas
	<i>Obovaria olivaria</i>	Hickorynut	Special Concern	2004	Large rivers; rarely found in smaller streams
	<i>Lasmigona costata</i>	Fluted-shell	Threatened	2004	Medium to large rivers



Alignment*	Scientific Name	Common Name	Status	Year Last Observed	Habitat
	<i>Falco peregrinus</i>	Peregrine Falcon	Special Concern	2011	Previously nested on cliff ledges along rivers or lakes; presently nesting primarily on buildings and bridges in urban settings and use historic eyries on cliffs along Lake Superior and the Mississippi River
	<i>Ligumia recta</i>	Black Sandshell	Special Concern	2007	Riffle and run areas of medium to large rivers in areas dominated by sand or gravel
B	<i>Besseyia Bullii</i>	Kitten-tails	Threatened	1992	Bluffs and terraces of the St. Croix, Mississippi, and Minnesota River valleys, with many populations occurring in the greater Twin Cities Metropolitan Area
	<i>Cypleptus elongatus</i>	Blue Sucker	Special Concern	2007	Deep, swift water in pools and channels of large rivers with sand, gravel, or rubble bottoms



Alignment*	Scientific Name	Common Name	Status	Year Last Observed	Habitat
	<i>Plethobasus cyphus</i>	Sheepnose	Endangered	2007	Large rivers such as the Mississippi, Ohio, and Tennessee Rivers
	<i>Polyodon spathula</i>	Paddlefish	Threatened	2004	Open waters of large rivers and river lakes
C	<i>Emydoidea blandingii</i>	Blanding's Turtle	Threatened	1992	Wetland complexes and adjacent sandy uplands; calm, shallow waters, including wetlands associated with rivers and streams, with rich, aquatic vegetation
D1, D2, E1, E2, E3	-	-	-	-	-

Alignment A

There were 13 state-listed threatened, endangered, or special concern species identified within the study area for Alignment A, 11 of which were identified within or near or are associated with the Mississippi River and are not anticipated to be impacted. Peregrine falcons were identified within the study area, roosting on tall buildings in downtown Saint Paul; however, no impacts to peregrine falcon habitat are anticipated from this project. A Jumping Spider was identified within the study area north of Mounds Boulevard but outside the potential area of disturbance for Alignment A, so no impacts to jumping spider habitat are anticipated.

Alignment B

There were four state-listed threatened, endangered, or special concern species identified within the study area for Alignment B, all of which were identified within or near or are associated with the Mississippi River valley and are not anticipated to be impacted.

Alignment C

There was one state-listed threatened, endangered, or special concern species identified within the study area for Alignment C, the Blanding's turtle. Although wetland habitats can harbor Blanding's turtles, the wetland habitat in the study area is categorized as low quality compared to other wetlands in the surrounding area so it is not likely that Blanding's turtles would be present.

Alignments D1, D2, E1, E2, and E3

No state-listed species were identified within one mile of these alignments.

Other Information



Minnesota County Biology Survey (MCBS) and Regionally Significant Ecological Area (RSEA) data was also reviewed. A few MCBS sites with biodiversity ranked as moderate or below the minimum threshold are located within the one mile review area; however, the potential area of disturbance for all alignments is not within any of these sites. Alignments C, D1, D2, E1, E2, and E3 do overlap areas identified in the RSEA dataset.

Conclusion

Based on the above information, no adverse impacts are anticipated to the species and habitats identified through the NHIS records search.

We request confirmation of the above findings. Please let me know if you have questions or would like to discuss in further detail.

Thank you,
Rachel

Rachel Dammell (Haase)

Kimley-Horn | 2550 University Avenue W, Suite 238N, Saint Paul, MN 55114

Direct: 651 643 0412 | Main: 651 645 4197

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D.23. Aug. 28, 2017, from Metro Transit to METRO Gold Line Interested Parties



TO: METRO Gold Line Interested Parties
FROM: Charles Carlson, Senior Manager, BRT/Small Starts Projects
DATE: August 28, 2017
SUBJECT: METRO Gold Line – Environmental Impact Statement Termination Notification

There is a proposal to change the type of state environmental process for the project. A summary of the changes to the project that led to this decision and information on the public comment period are provided below.

Changes to the METRO Gold Line since 2014

In 2014, the Federal Transit Administration (FTA), the Metropolitan Council, and the Ramsey and Washington County Regional Railroad Authorities initiated the environmental review process for the Gold Line. Based on the range of routes and types of transit being considered, it was determined that the Gold Line could have significant impacts. To satisfy both federal and state requirements, an Environmental Impact Statement (EIS) was determined the appropriate level of environmental review. Under the state rules, an EIS was not mandatory for the Gold Line but the project partners decided to complete a discretionary EIS.

From 2014 to late 2016, the project collected community input and technical details on all of the routes and types of transit under consideration and in December of 2016, chose the route and mode of the transitway. Many community groups weighed in on the process including the Gateway Corridor Commission, and Policy Advisory Committee, which were made up of citizens and representatives of the communities that will be served by the line. Additionally, resolutions of support were passed by the Cities of Saint Paul, Maplewood, Oakdale, Landfall, and Woodbury. The regional railroad commissions of Ramsey and Washington counties also adopted resolutions of support.

Based on the technical analysis, required local support, and ability for the alternatives to effectively meet the project's purpose and need, the project transitioned from considering four different routes that were approximately 13 miles long to one route that is nine miles long. The remaining route, seen in [Figure 1](#), would be Bus Rapid Transit (BRT) in a dedicated guideway. This route, known as the Locally Preferred Alternative, is approximately 80 percent within publically owned rights of way.

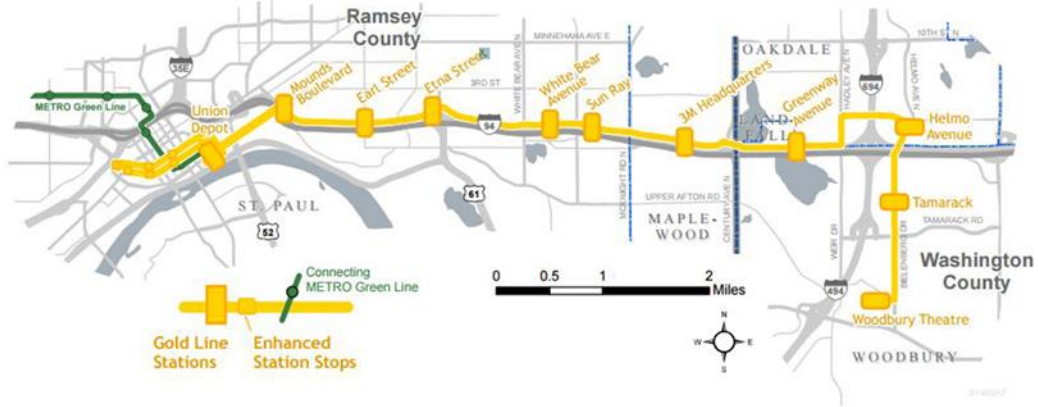
Based on the initial impact analysis of the Locally Preferred Alternative as a BRT line (instead of LRT), a discretionary EIS is not warranted as the project does not have the potential for significant environmental effects. A discretionary combined state and federal Environmental Assessment Worksheet (EAW)/Environmental Assessment (EA) document will be prepared for the Gold Line instead of an EIS. An EAW/EA requires environmental impact analysis on the project and provides an opportunity for the public to comment on the findings. The FTA has rescinded the notice of intent to prepare an EIS under the National Environmental Policy Act (Federal Register, March 15, 2017).

Questions and Comments

The comment period for this decision is from August 28 to September 8. Please direct any questions or comments to:

Charles Carlson, Senior Manager, BRT/Small Starts Projects
Metro Transit, Heywood Office
560 N 6th Avenue, Minneapolis, MN 55411
goldline@metrotransit.org

Figure 1. Locally Preferred Alternative





D.24. June 14, 2018, from City of Saint Paul to Ramsey-Washington Metro Watershed District

DEPARTMENT OF SAFETY AND INSPECTIONS
Ricardo X. Cervantes, Director



CITY OF SAINT PAUL
Melvin Carter, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

June 14, 2018

Nicole Soderholm
Ramsey-Washington Metro Watershed District
2665 Noel Drive
Little Canada, MN 55117

RE: WCA Administration; Gold Line Bus Rapid Transit

Dear Nicole,

The Gold Line Bus Rapid Transit project will span multiple municipalities, two counties, and two watershed districts. The project team is currently investigating wetland resources within the project corridor.

For the purposes of Wetland Conservation Act (WCA) administration, the local government units (LGUs) involved include the City of Saint Paul, Ramsey-Washington Metro Watershed District (RWMWD), and Mn/DOT for any activities on state land. Based on the initial convening of the LGUs and Technical Evaluation Panel, preliminary indications from the project team's reconnaissance suggest most wetland activities and impacts would occur within RWMWD. As such, per Minn. Rule §8420.0200 subp 1F, the City of Saint Paul defers its WCA LGU administration duties to RWMWD.

The City of Saint Paul values its agency partnership with RWMWD and looks forward to successful collaboration on this important regional transportation project.

Sincerely,

Wes Saunders-Pearce
Water Resource Coordinator

An Equal Opportunity Employer



D.25. Sept. 26, 2018, from Ramsey-Washington Metro Watershed District to Metro Transit

**Minnesota Wetland Conservation Act
Notice of Decision**

Local Government Unit (LGU) Ramsey-Washington Metro Watershed District	Address 2665 Noel Dr Little Canada, MN 55117
--	--

1. PROJECT INFORMATION

Applicant Name Chelsa Johnson, Metro Transit 121 7 th Place East, Suite 102 St. Paul, MN 55101 chelsa.johnson@metrotransit.org	Project Name Metro Gold Line BRT	Date of Application 8/1/18	Application Number 18-11 WCA
<input checked="" type="checkbox"/> Attach site locator map.			

Type of Decision:

Wetland Boundary or Type
 No-Loss
 Exemption
 Sequencing
 Replacement Plan
 Banking Plan

Technical Evaluation Panel Findings and Recommendation (if any):

Approve
 Approve with conditions
 Deny

Summary (or attach): TEP members reviewed the wetland boundaries onsite on 8/6/18. A Findings of Fact was compiled and sent on 8/9/18 to summarize the TEP's findings and recommendations. In general, the TEP agreed with the delineated boundaries, but changes were requested to some wetland types. Additionally, the TEP requested labeling of ditch/stream connections and lakes.

Wes Saunders-Pearce (City of St. Paul) indicated that Wetland 136-1 is a constructed stormwater pond and provided construction plans to that effect. Additional comments and recommendations are summarized in the enclosed Findings of Fact document.

Boundaries for Wetland 139-3 were approved by MnDOT for a different project in 2017. The TEP requested that the previously approved boundaries be incorporated into the final Gold Line report.

The applicant's consultant WSB & Associates submitted a response to TEP comments along with the final delineation report on 9/24/18, both of which are enclosed.

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: 9/26/18

Approved
 Approved with conditions (include below)
 Denied

LGU Findings and Conclusions (attach additional sheets as necessary):



Alison Harwood (WSB & Associates) submitted a wetland boundary/type application on behalf of Metro Transit on 8/1/18. Delineations were completed throughout the proposed Gold Line corridor, approximately parallel to I-94 from downtown St. Paul to Helmo Avenue in Oakdale. The route then heads south along Bielenberg Drive and ends at Woodbury Village. Wetlands were assessed during normal antecedent precipitation conditions.

In order to streamline administration, the City of St. Paul and MnDOT have deferred WCA LGU administration to Ramsey-Washington Metro Watershed District (RWMWD). Wes Saunders-Pearce (City of St. Paul) and Beth Brown (MnDOT) remain as members of the TEP.

TEP members visited the site on 8/6/18. Changes were requested to the delineation report and are summarized in the Findings of Fact document sent on 8/9/18.

24 wetlands and 30 constructed stormwater ponds were included in the original assessment area. A number of resources were subsequently removed from the report as they are no longer considered part of the proposed project area.

The final delineation report submitted on 9/24/18 includes 7 wetlands and 13 constructed stormwater ponds (for planning purposes). TEP comments have been addressed in the final report or no longer apply due to removal from the project area.

RWMWD approves the final delineation report submitted on 9/24/18. This decision is valid for 5 years.

For Replacement Plans using credits from the State Wetland Bank:

Bank Account #	Bank Service Area	County	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)


Replacement Plan Approval Conditions. In addition to any conditions specified by the LGU, the approval of a Wetland Replacement Plan is conditional upon the following:

- Financial Assurance:** For project-specific replacement that is not in-advance, a financial assurance specified by the LGU must be submitted to the LGU in accordance with MN Rule 8420.0522, Subp. 9 (List amount and type in LGU Findings).
- Deed Recording:** For project-specific replacement, evidence must be provided to the LGU that the BWSR "Declaration of Restrictions and Covenants" and "Consent to Replacement Wetland" forms have been filed with the county recorder's office in which the replacement wetland is located.
- Credit Withdrawal:** For replacement consisting of wetland bank credits, confirmation that BWSR has withdrawn the credits from the state wetland bank as specified in the approved replacement plan.

Wetlands may not be impacted until all applicable conditions have been met!

LGU Authorized Signature:

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request.

Name Nicole Soderholm	Title Permit Coordinator	
Signature 	Date 9/26/18	Phone Number and E-mail 651-792-7976 nicole.soderholm@rwmwd.org

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT. Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.



Applicants proceed at their own risk if work authorized by this decision is started before the time period for appeal (30 days) has expired. If this decision is reversed or revised under appeal, the applicant may be responsible for restoring or replacing all wetland impacts.

This decision is valid for three years from the date of decision unless a longer period is advised by the TEP and specified in this notice of decision.

3. APPEAL OF THIS DECISION

Pursuant to MN Rule 8420.0905, any appeal of this decision can only be commenced by mailing a petition for appeal, including applicable fee, within thirty (30) calendar days of the date of the mailing of this Notice to the following as indicated:

Check one:

<input type="checkbox"/> Appeal of an LGU staff decision. Send petition and \$_____ fee (if applicable) to:	<input type="checkbox"/> Appeal of LGU governing body decision. Send petition and \$500 filing fee to: Executive Director Minnesota Board of Water and Soil Resources 520 Lafayette Road North St. Paul, MN 55155
---	---

4. LIST OF ADDRESSEES

<input checked="" type="checkbox"/> SWCD TEP member: Mike Schumann (Ramsey County), Jay Riggs (Washington Conservation District)
<input checked="" type="checkbox"/> BWSR TEP member: Ben Meyer
<input checked="" type="checkbox"/> LGU TEP member (if different than LGU Contact): Wes Saunders-Pearce (City of St. Paul), Beth Brown (MnDOT)
<input checked="" type="checkbox"/> DNR TEP member: Jen Sorensen, Becky Horton
<input type="checkbox"/> DNR Regional Office (if different than DNR TEP member)
<input type="checkbox"/> WD or WMO (if applicable):
<input checked="" type="checkbox"/> Applicant and Landowner (if different)
<input type="checkbox"/> Members of the public who requested notice:
<input checked="" type="checkbox"/> Corps of Engineers Project Manager
<input type="checkbox"/> BWSR Wetland Bank Coordinator (wetland bank plan decisions only)

5. MAILING INFORMATION

> For a list of BWSR TEP representatives: www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_arcas.pdf

> For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf

> Department of Natural Resources Regional Offices:

NW Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601	NE Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744	Central Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106	Southern Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 261 Hwy. 15 South New Ulm, MN 56073
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For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

> For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687 or send to:

US Army Corps of Engineers
 St. Paul District, ATTN: OP-R



180 Fifth St. East, Suite 700
St. Paul, MN 55101-1678

➤For Wetland Bank Plan applications, also send a copy of the application to:
Minnesota Board of Water and Soil Resources
Wetland Bank Coordinator
520 Lafayette Road North
St. Paul, MN 55155

6. ATTACHMENTS

In addition to the site locator map, list any other attachments:

- Findings of Fact 8-9-18
- Response to TEP Comments 9-24-18
-
-
-



D.26. Nov. 13, 2018, from U.S. Army Corps of Engineers to Metro Transit



REPLY TO ATTENTION OF
REGULATORY BRANCH

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678
November 13, 2018

Regulatory File No. 2014-00621-BBY

Metro Transit
c/o Chelsa Johnson
121 7th Place East, Ste 102
St. Paul, Minnesota 55101

Dear Ms. Johnson:

This letter is in response to correspondence submitted by WSB & Associates on your behalf, requesting Corps of Engineers (Corps) concurrence with the delineation of aquatic resources completed for the Gold Line Bus Rapid Transit Project along a 10 mile portion of multiple roadways in the Cities of St. Paul, Maplewood, Landfall, Oakdale, and Woodbury. The project site is in Sections 5, 6 and 8, Township 28 North, Range 21 West, and Sections 31 and 32, Township 29 North, Range 21 West, Washington County and in Sections 1-6, Township 28 North, Range 22 West, and Sections 31-36, Township 29 North, Range 22 West, Ramsey County, Minnesota.

We have reviewed the wetland delineation report dated September 9, 2018, and determined that the limits of the aquatic resources have been accurately identified in accordance with current agency guidance including the *Corps of Engineers Wetland Delineation Manual* (1987 Manual) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region. This concurrence is only valid for the review area shown on the enclosed figures labeled MVP-2014-00621-BBY Page 1 of 15 through 15 of 15. The boundaries shown on the enclosed figures accurately reflect the limits of the aquatic resources in the review area.

This concurrence may generally be relied upon for five years from the date of this letter. However, we reserve the right to review and revise our concurrence in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. Our concurrence may be renewed at the end of this period provided you submit a written request and our staff are able to verify that the determination is still valid.

No jurisdictional determination was requested or prepared for this project. While not required, you may request a jurisdictional determination from the Corps contact indicated below.

Please note that the discharge of dredged or fill material into waters of the United States without a Department of the Army permit could subject you to an enforcement action. Receipt of a permit from a state or local agency does not obviate the requirement for obtaining a Department of the Army permit.



Regulatory Branch (File No. 2014-00621-BBY)

If you have any questions, please contact me in our St. Paul office at (651) 290-5975 or Brian.B.Yagle@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,

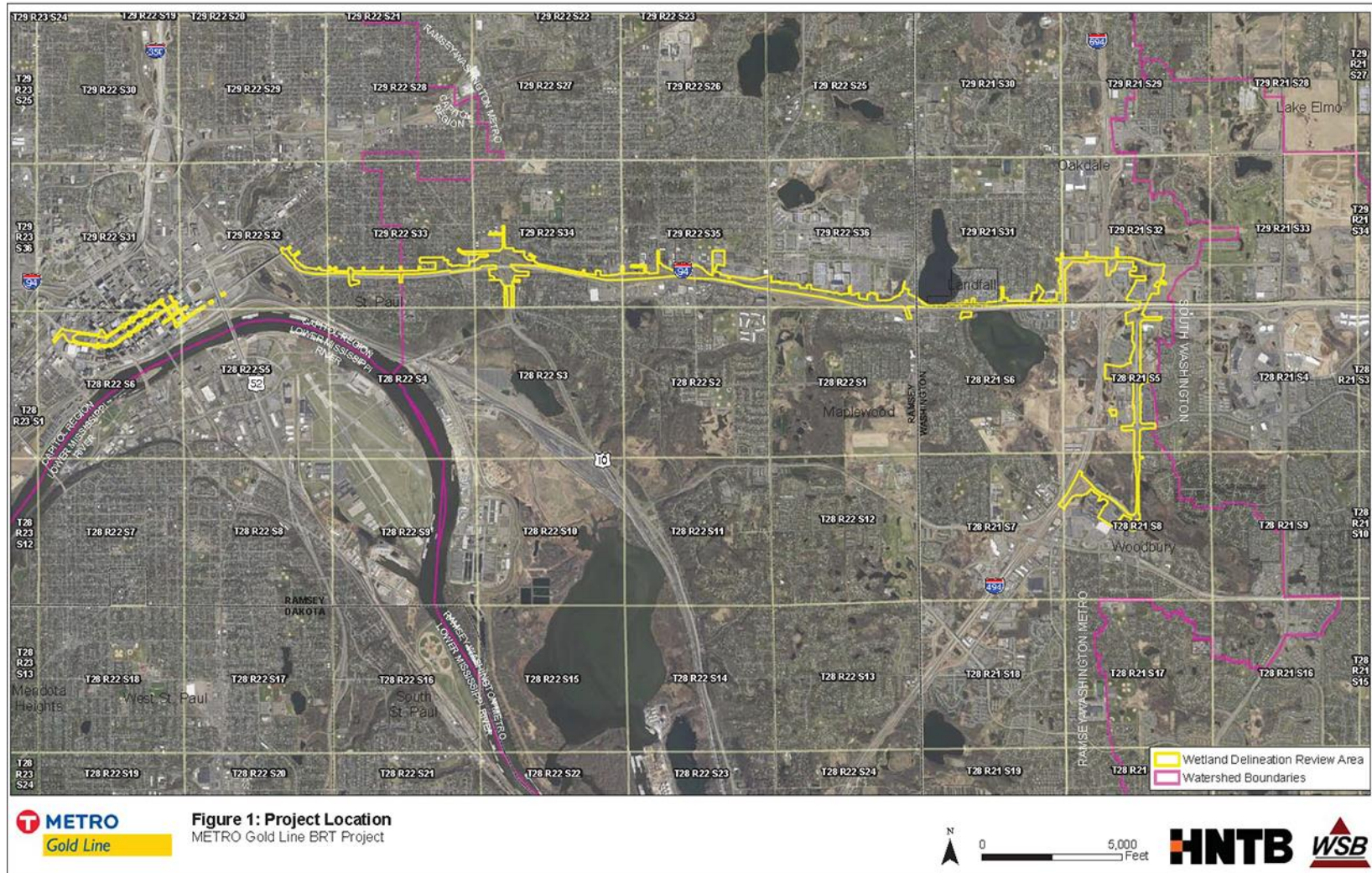
A handwritten signature in black ink, appearing to read "B. Yagle".

Brian Yagle
Project Manager

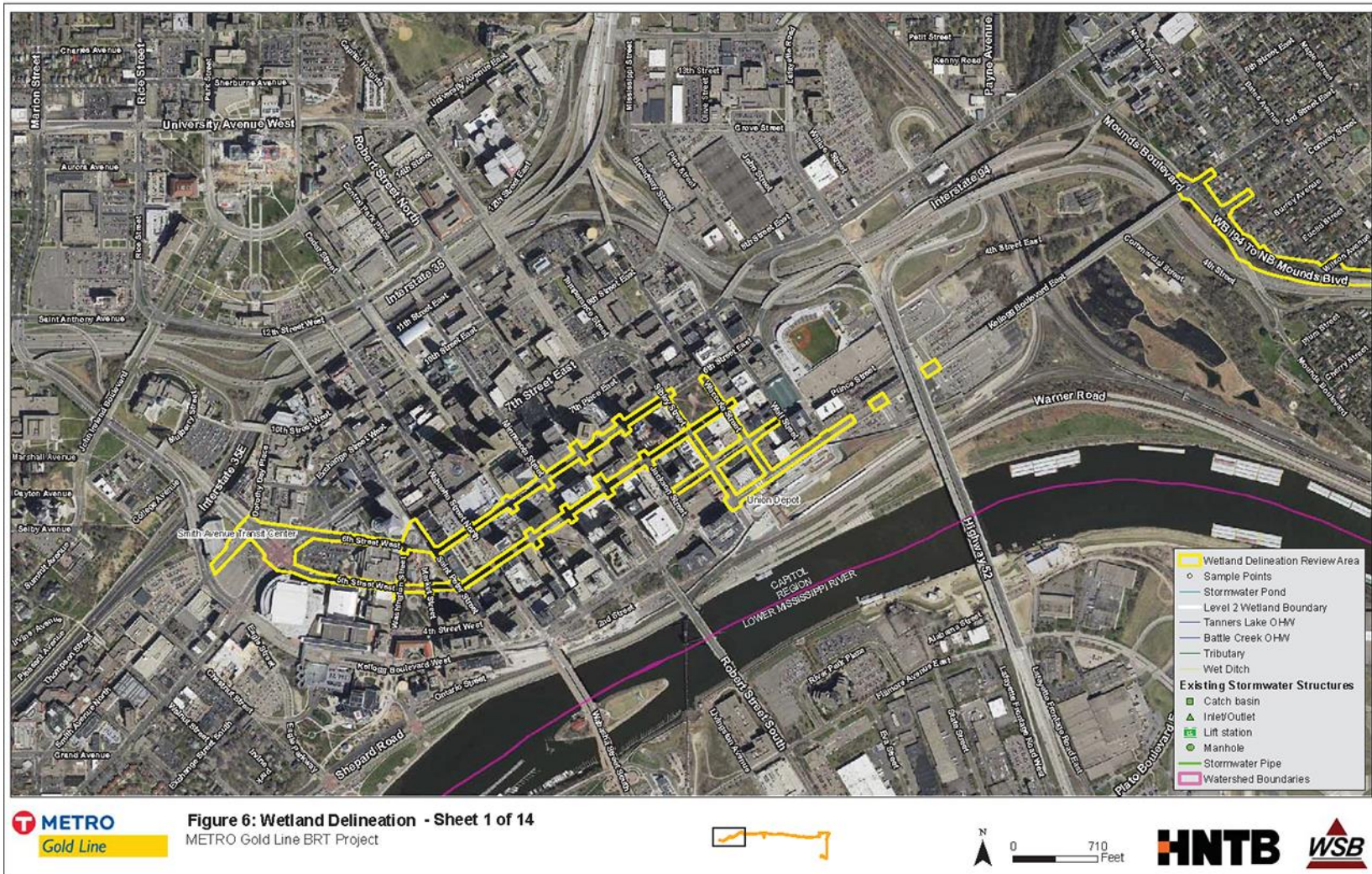
Enclosure

cc:
Ben Meyer – BWSR
Alison Harwood – WSB
Nicole Soderholm – RWMWWD
Mike Schumann – Ramsey County
Jay Riggs – Washington County
Beth Brown – MnDOT
Wes Saunders-Pearce – City of Saint Paul

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MVP-2014-00621-BBY Page 3 of 15

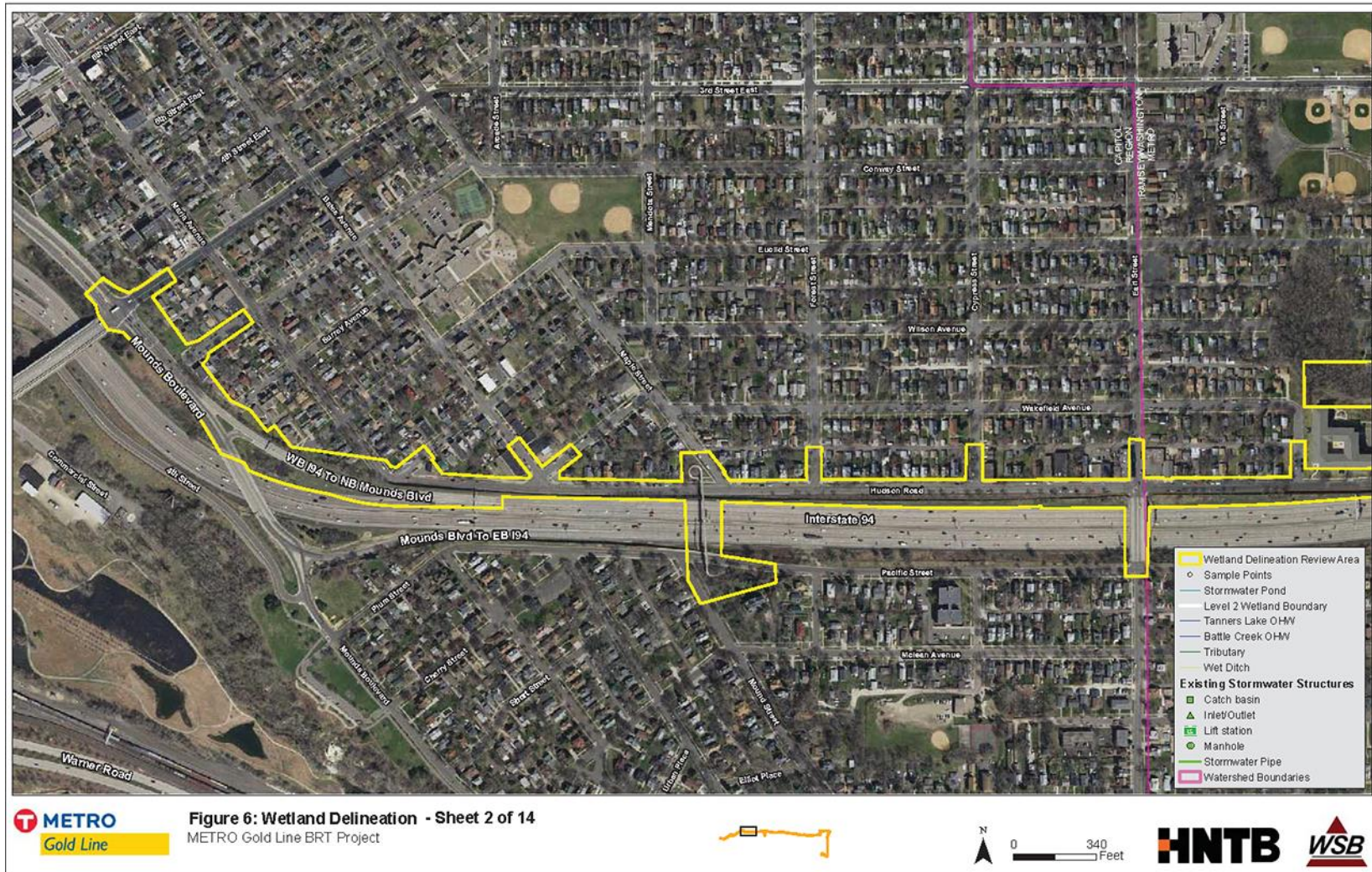
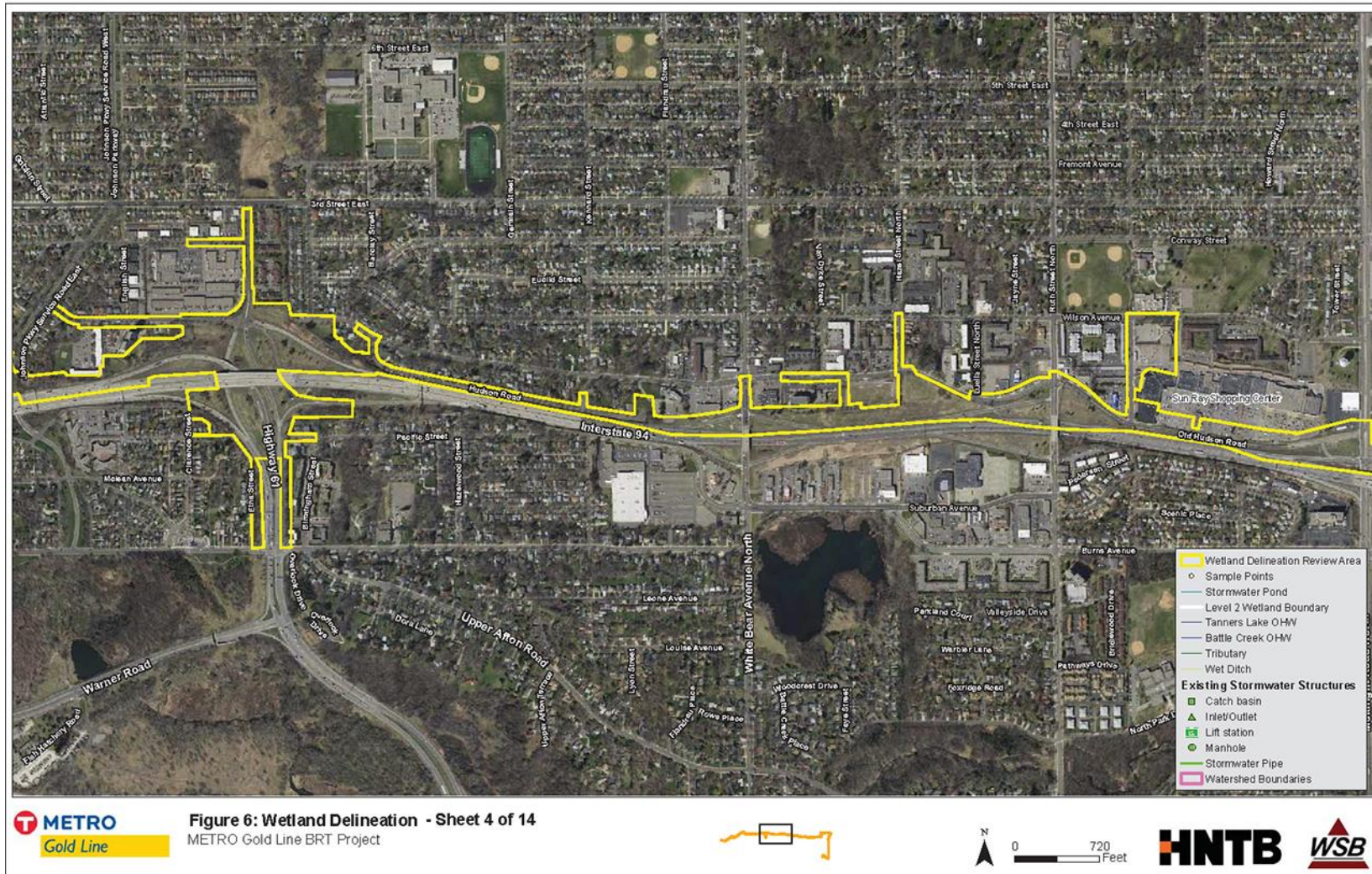


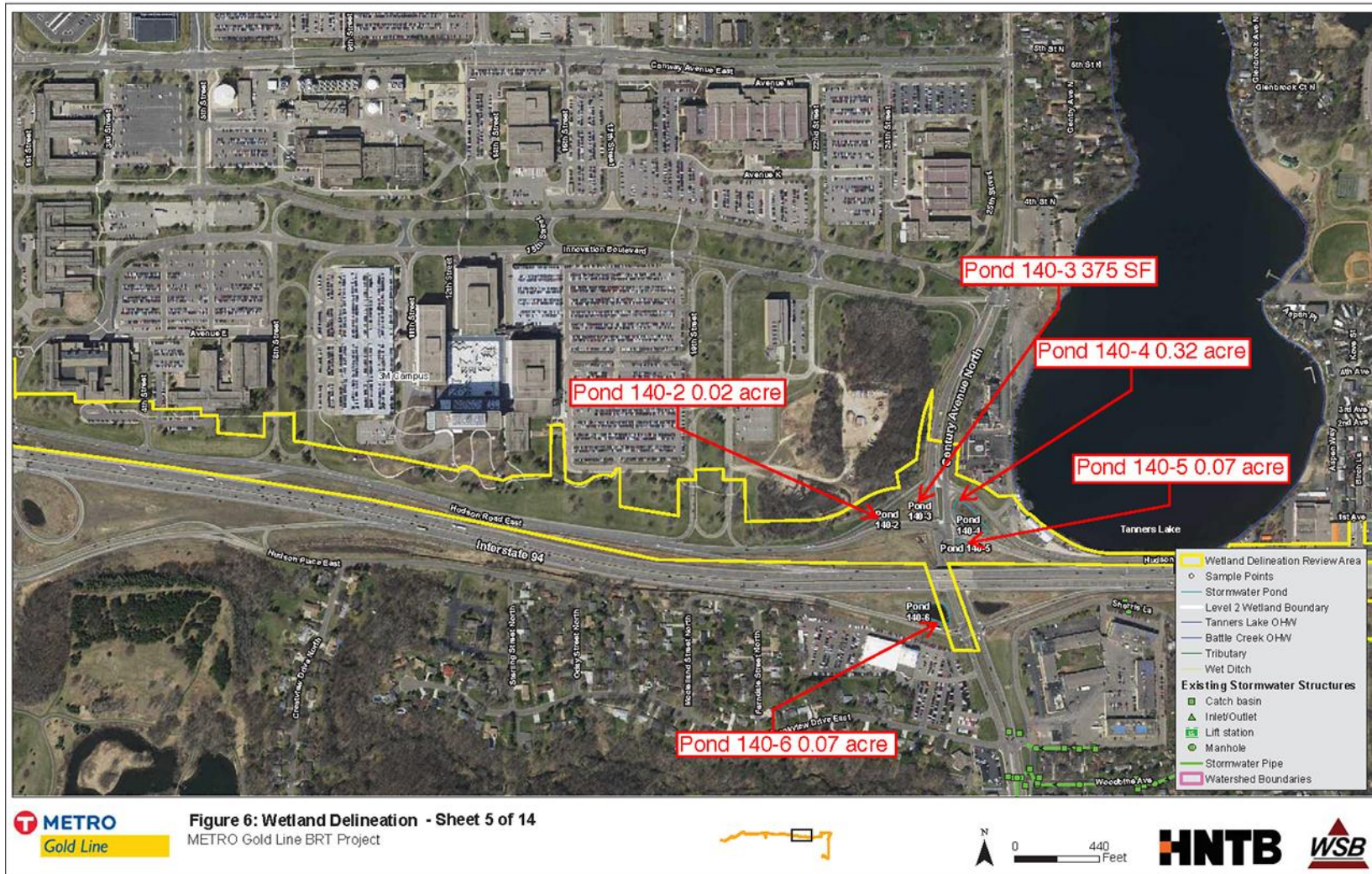
Figure 6: Wetland Delineation - Sheet 2 of 14
METRO Gold Line BRT Project



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MVP-2014-00621-BBY Page 6 of 15

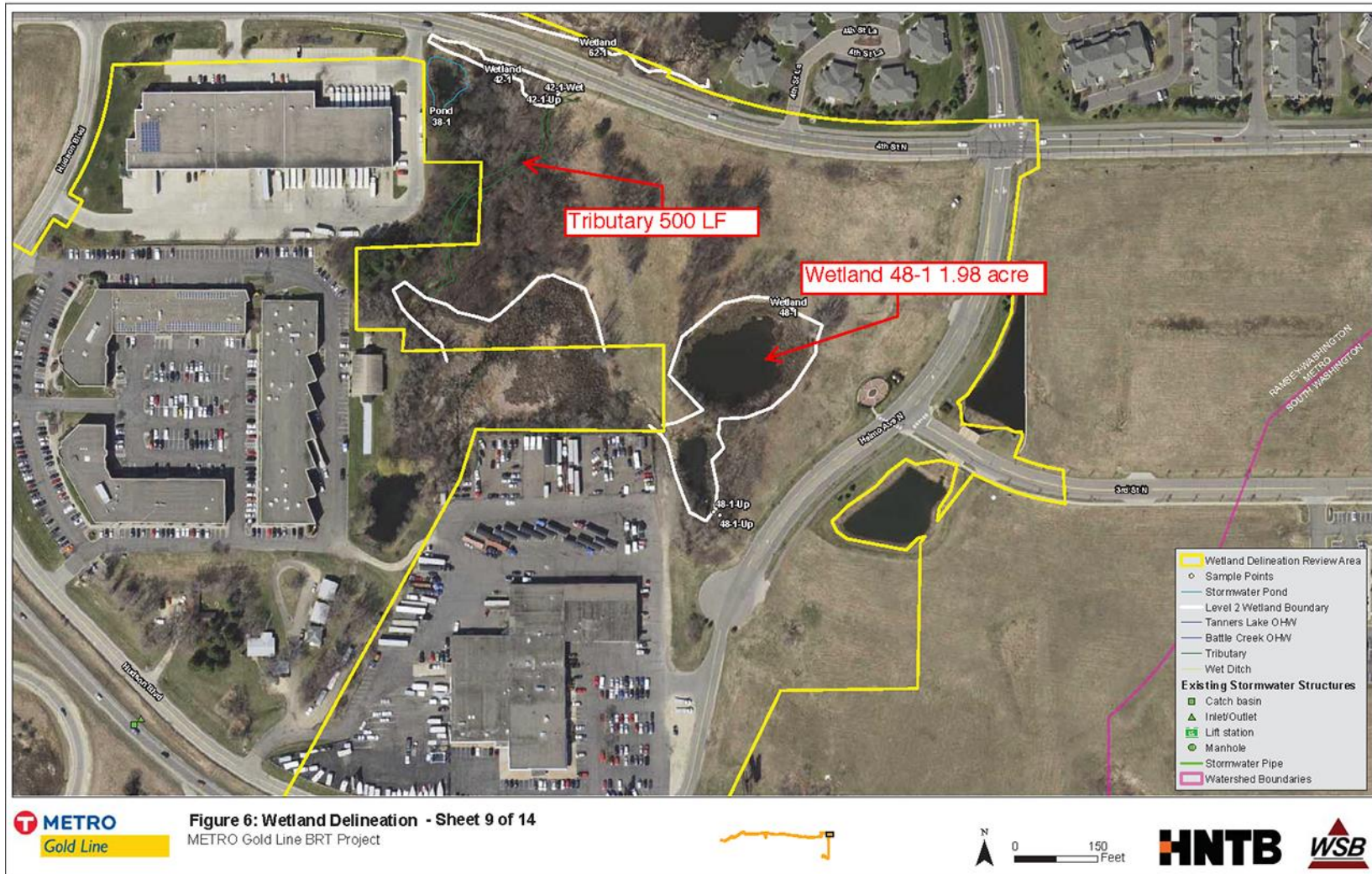




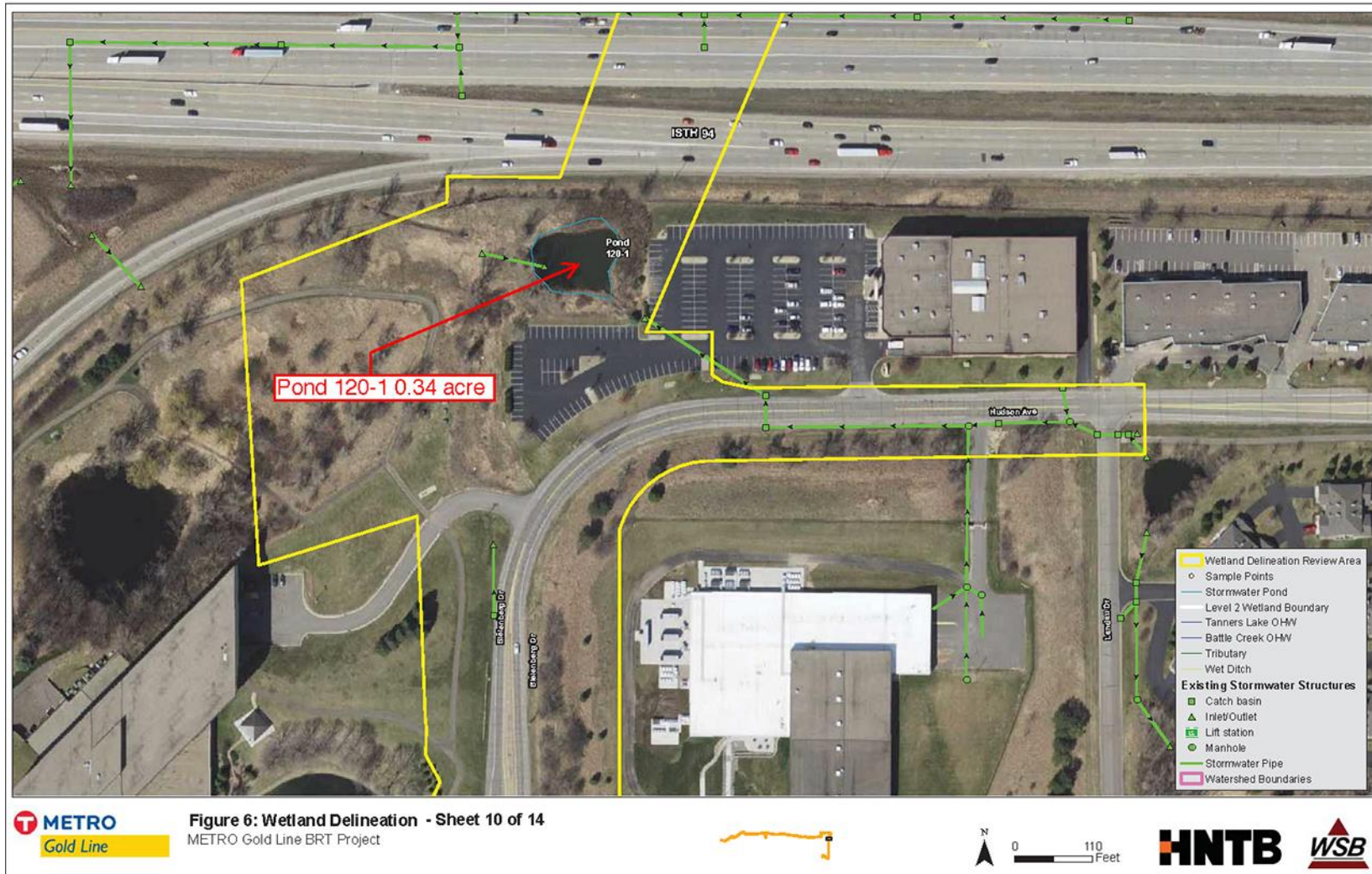




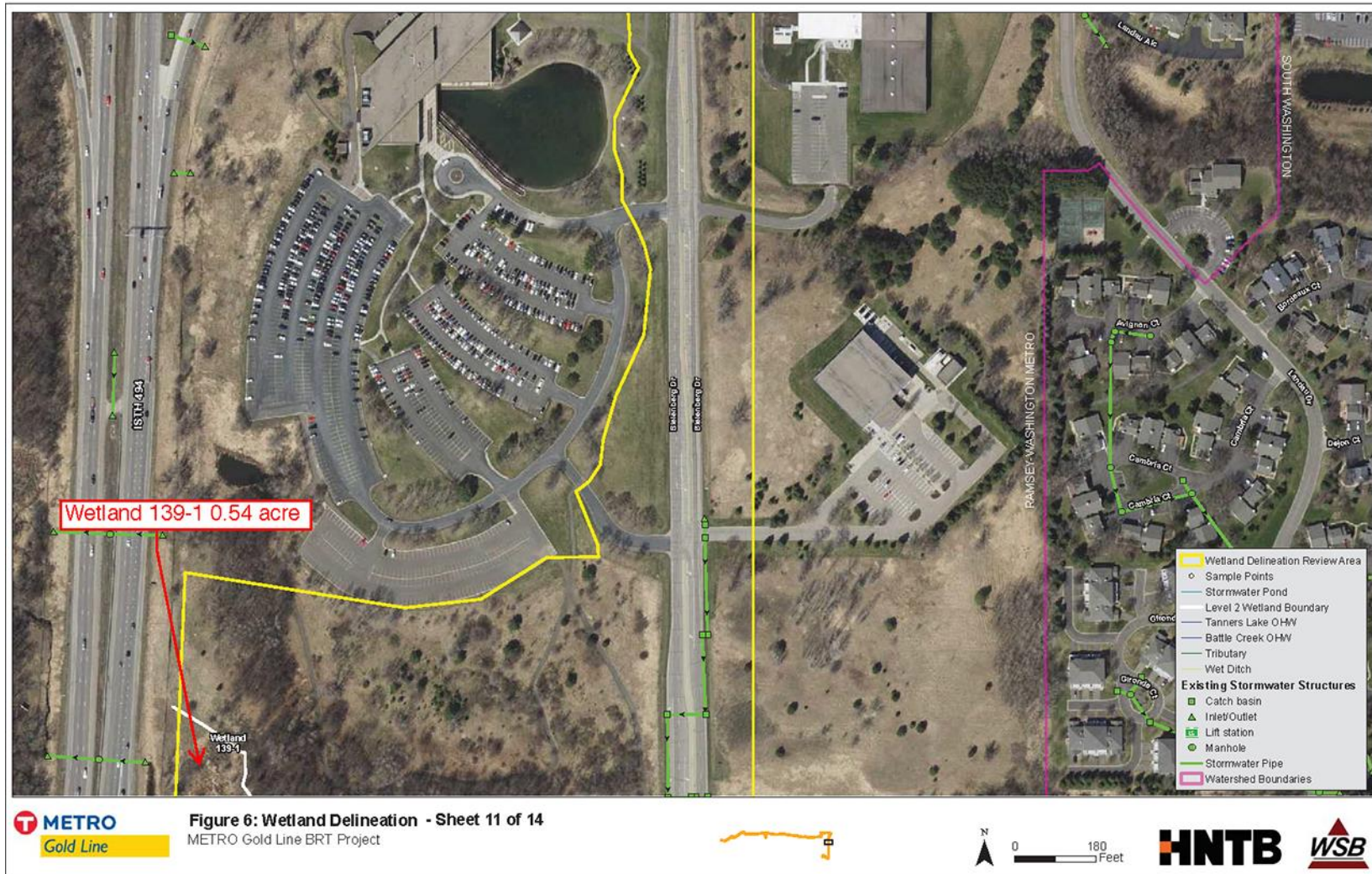
MVP-2014-00621-BBY Page 10 of 15



MVP-2014-00621-BBY Page 11 of 15

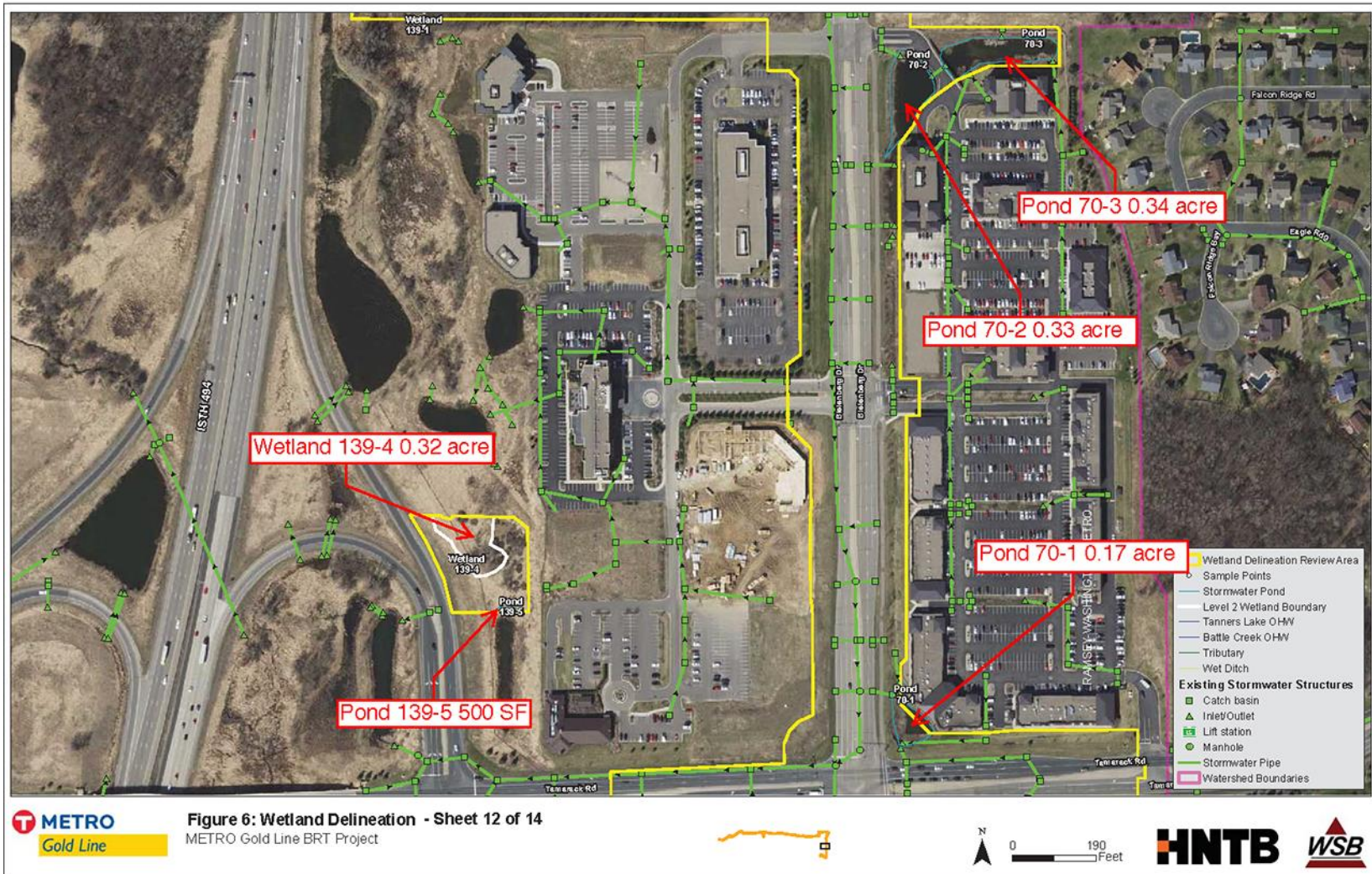


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MVP-2014-00621-BBY Page 13 of 15



MVP-2014-00621-BBY Page 14 of 15



MVP-2014-00621-BBY Page 15 of 15





D.27. March 19, 2019, from U.S. Fish and Wildlife Service to METRO Gold Line Bus Rapid Transit Project



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
4101 American Blvd E
Bloomington, MN 55425-1665
Phone: (952) 252-0092 Fax: (952) 646-2873



<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

IPaC Record Locator: 919-13961619

March 19, 2019

Subject: Consistency letter for the 'METRO Gold Line Bus Rapid Transit Project' project (TAILS 03E19000-2018-R-1423) under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated to verify that the **METRO Gold Line Bus Rapid Transit Project** (Proposed Action) may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, and may affect, but is not likely to adversely affect the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*). Consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required.

This "may affect - not likely to adversely affect" determination becomes effective when the lead Federal action agency or designated non-federal representative uses it to ask the Service to rely on the PBO to satisfy the agency's consultation requirements for this project.

Please provide this consistency letter to the lead Federal action agency or its designated non-federal representative with a request for its review, and as the agency deems appropriate, to submit for concurrence verification through the IPaC system. The lead Federal action agency or designated non-federal representative should log into IPaC using their agency email account and click "Search by record locator". They will need to enter the record locator **919-13961619**.



03/19/2019

IPaC Record Locator: 919-13961619

2

For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities: If your initial bridge/structure assessments failed to detect Indiana bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action may affect any other federally-listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency for the Proposed Action accordingly.

The following species may occur in your project area and **are not** covered by this determination:

- Higgins Eye (pearlymussel), *Lampsilis higginsii* (Endangered)
- Rusty Patched Bumble Bee, *Bombus affinis* (Endangered)



03/19/2019

IPaC Record Locator: 919-13961619

3

Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

Name

METRO Gold Line Bus Rapid Transit Project

Description

The Gold Line BRT project is a planned nine-mile transitway located in Ramsey and Washington Counties in the eastern part of the Twin Cities Metropolitan Area, Minnesota. The corridor is generally parallel to Interstate 94 (I-94) and would better connect downtown Saint Paul with its east side neighborhoods and the suburban cities of Maplewood, Landfall, Oakdale, and Woodbury.



03/19/2019

IPaC Record Locator: 919-13961619

4

Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the threatened Northern long-eared bat. Therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

Qualification Interview

1. Is the project within the range of the Indiana bat^[1]?

[1] See [Indiana bat species profile](#)

Automatically answered

No

2. Is the project within the range of the Northern long-eared bat^[1]?

[1] See [Northern long-eared bat species profile](#)

Automatically answered

Yes

3. Which Federal Agency is the lead for the action?

C) Federal Transit Administration (FTA)

4. Are *all* project activities limited to non-construction^[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/ rail surfaces^[1]?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No



03/19/2019

IPaC Record Locator: 919-13961619

5

6. Does the project include *any* activities **within** 0.5 miles of an Indiana bat and/or NLEB hibernaculum^[1]?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

7. Is the project located **within** a karst area?

No

8. Is there *any* suitable^[1] summer habitat for Indiana Bat or NLEB **within** the project action area^[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [national consultation FAQs](#).

Yes

9. Will the project remove *any* suitable summer habitat^[1] and/or remove/trim any existing trees **within** suitable summer habitat?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

Yes

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

No



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11. Have presence/probable absence (P/A) summer surveys^{[1][2]} been conducted^{[3][4]} **within** the suitable habitat located within your project action area?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

[4] Negative presence/probable absence survey results obtained using the [summer survey guidance](#) are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

No

12. Does the project include activities **within documented NLEB habitat**^{[1][2]}?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

13. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

Yes

14. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?

B) During the inactive season



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15. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?
Yes
16. Will the tree removal alter *any* **documented** Indiana bat or NLEB roosts and/or alter any surrounding summer habitat **within** 0.25 mile of a documented roost?
No
17. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?
No
18. Are *all* trees that are being removed clearly demarcated?
Yes
19. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?
Yes
20. Does the project include maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins)?
No
21. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?
No
22. Does the project include slash pile burning?
No
23. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?
Yes
24. Is there *any* suitable habitat^[1] for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.

Yes



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25. Has a bridge assessment^[1] been conducted **within** the last 24 months^[2] to determine if the bridge is being used by bats?

[1] See [User Guide Appendix D](#) for bridge/structure assessment guidance

[2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

Yes

SUBMITTED DOCUMENTS

- *Bridge Assessment.docx* <https://ecos.fws.gov/ipac/project/P6ZAMUOOQBGXFIVAKWGAKET2HV/projectDocuments/13961608>

26. Did the bridge assessment detect *any* signs of bats roosting in/under the bridge (bats, guano, etc.)?

Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

No

27. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

Yes

28. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

Yes

29. Is there *any* suitable habitat^[1] for Indiana bat or NLEB **within** 1,000 feet of the structure? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.

Yes



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30. Has a structure assessment^[1] been conducted **within** the last 24 months^[2] to determine if bats are using the structure(s)?

[1] Structure assessment for occupied buildings means a cursory inspection for bat use. For abandoned buildings a more thorough evaluation is required (See [User Guide Appendix D](#) for bridge/abandoned structure assessment guidance).

[2] Assessments must be completed no more than 2 years prior to conducting any work on the structures, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that structure in subsequent years.

Yes

SUBMITTED DOCUMENTS

- *Brdige Assessment.docx* <https://ecos.fws.gov/ipac/project/P6ZAMUOOQBGXFIVAKWGAKET2HV/projectDocuments/13961608>

31. Did the structure assessment detect bats or sign of bat roosting (bats, guano, etc.) in/under the structure?

No

32. Will the structure removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

Yes

33. Will the project involve the use of **temporary** lighting *during* the active season?

Yes

34. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **temporary** lighting will be used?

Yes

35. Will the project install *any* new or replace any existing **permanent** lighting in addition to the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities?

Yes



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36. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting (other than the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities) will be installed or replaced?

Yes

37. Does the project include percussives or other activities (**not including tree removal/trimming or bridge/structure work**) that will increase noise levels above existing traffic/background levels?

No

38. Are *all* project activities that are **not associated with** habitat removal, tree removal/trimming, bridge or structure removal, replacement, and/or maintenance, lighting, or use of percussives, limited to actions that DO NOT cause any stressors to the bat species, including as described in the BA/BO (i.e. activities that do not involve ground disturbance, percussive noise, temporary or permanent lighting, tree removal/trimming, nor bridge/structure activities)?

Examples: lining roadways, unlighted signage, rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

39. Will the project raise the road profile **above the tree canopy**?

No

40. Are the project activities that are not associated with habitat removal, tree removal/trimming, bridge removal, replacement, and/or maintenance, structure removal, replacement, and/or maintenance, and lighting, consistent with a No Effect determination in this key?

Automatically answered

Yes, other project activities are limited to actions that DO NOT cause any stressors to the bat species as described in the BA/BO

41. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

Automatically answered

Yes, because the tree removal/trimming that occurs outside of the active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost



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42. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the bridge has been assessed using the criteria documented in the BA and no signs of bats were detected

43. Is the structure removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the structure has been assessed using the criteria documented in the BA and no signs of bats were detected

44. **General AMM 1**

Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

Yes

45. **Tree Removal AMM 1**

Can *all* phases/aspects of the project (e.g., temporary work areas, alignments) be modified, to the extent practicable, to avoid tree removal^[1] in excess of what is required to implement the project safely?

Note: Tree Removal AMM 1 is a minimization measure, the full implementation of which may not always be practicable. Projects may still be NLAA as long as Tree Removal AMMs 2, 3, and 4 are implemented and LAA as long as Tree Removal AMMs 3, 5, 6, and 7 are implemented.

[1] The word "trees" as used in the AMMs refers to trees that are suitable habitat for each species within their range. See the USFWS' current summer survey guidance for our latest definitions of suitable habitat.

Yes

46. **Tree Removal AMM 2**

Can *all* tree removal activities be restricted to when Northern long-eared bats are not likely to be present (e.g., the inactive season)^[1]?

[1] Coordinate with the local Service Field Office for appropriate dates.

Automatically answered

Yes



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47. **Tree Removal AMM 3**

Can tree removal be limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits)?

Yes

48. **Tree Removal AMM 4**

Can the project avoid cutting down/removal of *all* (1) **documented**^[1] Indiana bat or NLEB roosts^[2] (that are still suitable for roosting), (2) trees **within** 0.25 miles of roosts, and (3) documented foraging habitat any time of year?

[1] The word documented means habitat where bats have actually been captured and/or tracked.

[2] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

Yes

49. **Lighting AMM 1**

Will *all* **temporary** lighting used during the removal of suitable habitat and/or the removal/trimming of trees within suitable habitat be directed away from suitable habitat during the active season?

Yes

50. **Lighting AMM 2**

Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society^{[1][2]} to rate the amount of light emitted in unwanted directions?

[1] Refer to [Fundamentals of Lighting - BUG Ratings](#)

[2] Refer to [The BUG System—A New Way To Control Stray Light](#)

Yes



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51. **Lighting AMM 2**

Will the **permanent** lighting used during removal of suitable habitat and/or the removal/trimming of trees within suitable habitat be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

52. **Lighting AMM 1**

Will *all* **temporary** lighting be directed away from suitable habitat during the active season?

Yes

53. **Lighting AMM 2**

Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society^{[1][2]} to rate the amount of light emitted in unwanted directions?

[1] Refer to [Fundamentals of Lighting - BUG Ratings](#)

[2] Refer to [The BUG System—A New Way To Control Stray Light](#)

Yes

54. **Lighting AMM 2**

Will the **permanent** lighting (other than any lighting already indicated for tree clearing or bridge/structure removal, replacement or maintenance activities) be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

Project Questionnaire

1. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?

Yes

2. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?

No



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3. How many acres^[1] of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

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4. Please describe the proposed bridge work:

The Build alternative would result in several existing bridge structures being modified or replaced.

5. Please state the timing of all proposed bridge work:

unknown

6. Please describe the proposed structure work:

unknown

7. Please state the timing of all proposed structure work:

year round

Avoidance And Minimization Measures (AMMs)

These measures **were accepted** as part of this determination key result:

GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

LIGHTING AMM 1

Direct temporary lighting away from suitable habitat during the active season.

LIGHTING AMM 2

When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.

TREE REMOVAL AMM 1

Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal.



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TREE REMOVAL AMM 2

Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed.

TREE REMOVAL AMM 3

Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).

TREE REMOVAL AMM 4

Do not remove **documented** Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or **documented** foraging habitat any time of year.



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Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on March 16, 2018. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.



D.28. March 27, 2019, from U.S. Fish and Wildlife Service to METRO Gold Line Bus Rapid Transit Project

From: Horton, Andrew [mailto:andrew_horton@fws.gov]
Sent: Wednesday, March 27, 2019 1:37 PM
To: Christine Meador <CMeador@HNTB.com>
Cc: Peter_Fasbender@fws.gov; Kate Lucier <klucier@HNTB.com>; Jacobson, Nani <Nani.Jacobson@metrotransit.org>
Subject: Re: [EXTERNAL] Gold Line - USFWS Consultation Request

Christine,

Based on what I have seen so far, I do not believe there will be any impacts to suitable habitat for the rusty patched bumble bee, or for the monarch for that matter. The monarch is not listed at this time, so there are no consultation requirements currently. For the northern long-eared bat, tree clearing would be covered by the 4d rule so take would not be prohibited. If you need to discuss more of the details, I will be back in the office on Monday the 8th. Sorry this is short, but I wanted to get back to you with a response.

- Andrew

Andrew Horton
U.S. Fish and Wildlife Service
Minnesota-Wisconsin Field Office
4101 American Blvd East
Bloomington, MN 55425-1665
(952) 252-0092, ext. 208

On Mon, Mar 25, 2019 at 5:30 PM Christine Meador <CMeador@hntb.com> wrote:

Peter and Andrew:

In 2016 the USFWS reviewed the Gateway BRT Project in Ramsey and Washington Counties, MN. At that time, the USFWS indicated that the rusty patched bumble bee was present within 0.25 miles of the project within the I-94 right of way and had recently been proposed as an endangered species and that the northern long eared bat was in the project area.

Since the initial review of the project, the project extents have changed, the rusty patched bumble bee has been listed and the monarch butterfly is proposed for listing. We would appreciate your thoughts on the effects of the project on these listed and proposed species. Additionally, if you have any guidance regarding how to handle the monarch butterfly we



would appreciate it.

The METRO Gold Line Bus Rapid Transit Project is a planned 9- to 10-mile transitway in Ramsey and Washington counties in the eastern part of the Twin Cities Metropolitan Area. The Project generally would operate parallel to Interstate 94 and would better connect downtown Saint Paul with the suburban cities of Maplewood, Landfall, Oakdale and Woodbury. This project is being proposed by the Metropolitan Council, which is the planning agency and provider of essential services for the Twin Cities metropolitan region. Mapping of the project is attached for reference. Below is a summary of our analysis to date.

The Council reviewed the USFWS *County Distribution of Federally Listed Threatened, Endangered, Proposed, and Candidate Species* list and the *Information for Planning and Consultation (IPaC) Official Species List* and found the following federally listed threatened or endangered species within the resource study area:

- Higgins eye pearlymussel, an endangered mussel species
- Snuffbox mussel, an endangered mussel species
- Spectaclecase mussel, an endangered mussel species
- Winged mapleleaf mussel, an endangered mussel species
- Northern long-eared bat, a threatened mammal species
- Rusty patched bumble bee, an endangered insect species
- Monarch butterfly, petition in place to list as a threatened insect species

This document evaluates potential Project-related impacts to the northern long-eared bat and the rusty patched bumble bee. The Project scope would not produce impacts to the Mississippi River or its tributaries; therefore, the resource analysis excludes the four mussel species.

Northern Long-Eared Bat

The Agencies do not anticipate the Build Alternatives would produce adverse impacts to the species, based on the Project's 15% Concept Plans. The Project is not located within ¼-mile of known hibernacula or 150 feet from known maternity-roost trees. Potential disturbance to other hardwood trees may affect the northern long-eared bat during the roosting season; therefore, the Project's total amount of tree removal was determined. The Project would remove from the potential area of disturbance approximately 9 acres of trees, which is approximately 8 percent of the tree coverage in the ¼-mile resource study area. The Metropolitan Council will seek opportunities to minimize tree-clearing, especially within naturalized areas, as the Project design advances during the Project Development and Engineering phases. Seasonal tree clearing restrictions and avoidance and minimization measures will be implemented.

Rusty Patched Bumble Bee

Observation records place the species within ¼-mile of the Project corridor, and it could be



present within the I-94 right-of-way. The project area overlaps with a high potential zone and contains suitable habitat for the rusty patched bumble bee, therefore the Metropolitan Council may assume that the species is present. No grasslands within the I-94 right-of-way will be disturbed by the proposed project. The Agencies do not anticipate the Build Alternatives would produce adverse impacts to the species, based on the Project's 15% Concept Plans. As the Project design advances during the Project Development and Engineering phases, the Metropolitan Council will seek opportunities to avoid exposure of the species to stressors and/or ensure the species does not respond negatively to stressors. Restoration and maintenance of high quality habitat, land use management, and reduction in pesticide use may be implemented.

Chris

Christine Meador

Senior Project Manager
Environmental Planning

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D.29. June 14, 2019, from Federal Highway Administration to METRO Gold Line Bus Rapid Transit Project

From: Campbell, Joseph (FHWA)
Sent: Friday, June 14, 2019 2:08 PM
To: Briese, Marc
Cc: Leitner, Lyssa; Johnson, Chelsea; Jacobson, Nani; Costello, Nik
Subject: RE: Gold Line: FHWA IAR Determination

Follow Up Flag: Follow up
Flag Status: Flagged

Marc,

Thanks for the follow up for the email and our discussion on the IAR technical memo for the 15% design. So as we discussed,

I do affirm that FHWA

- has determined that IARs are not required based on the 15% design that is included in the EA, and
- the path moving forward will be to continue to coordinate with you and others from FHWA as design evolves, particularly on changes that might require more discussion about IARs.

Have a great weekend.



Joe Campbell, P.E., M.S.C.E.

Area Engineer / Assistant Bridge Engineer

Federal Highway Administration

380 Jackson Street, Suite 500

St. Paul, MN 55101-4802

(651) 281-6121

(651) 281-6000 fax

joe.w.campbell@dot.gov



From: Briese, Marc
Sent: Friday, June 14, 2019 12:26 PM
To: Campbell, Joseph (FHWA)



Cc: Leitner, Lyssa Johnson, Chelsa Jacobson, Nani Costello, Nik
Subject: Gold Line: FHWA IAR Determination
Importance: High

Hi Joe – per our discussion today, attached for reference is the traffic technical memo that will aid FHWA in determining Interchange Access Requests (IAR) will be required for the Gold Line BRT project. This tech memo is based on the 15% design that is also reflected in the project's draft Environmental Assessment (EA). You and Jim McCarthy have reviewed this tech memo and determined that, based on the 15% design, IARs will not be required. Please confirm that this is the case.

We do want to note that, while the EA is based on the 15% design, design will continue to advance and there likely will be changes. We will continue to coordinate with you and others from FHWA as design evolves, particularly on changes that might require more discussion about IARs.

Please affirm that (1) FHWA has determined that IARs are not required based on the 15% design that is included in the EA, and (2) you agree with the path moving forward identified above regarding evolving design and renewed discussions about IARs if necessary.

Thanks!

Marc Briese, P.E., PTOE

Manager of Design and Construction

Direct: (651) 602-1996

METRO Gold Line Bus Rapid Transit (GBRT)

Metro Square | 121 7th Place East, Suite 102 | St. Paul, MN 55101