STATE OF MINNESOTA
MINNESOTA DEPARTMENT OF TRANSPORTATION
ADEQUACY DETERMINATION

US HIGHWAY 14 IMPROVEMENT PROJECT
FINAL ENVIRONMENTAL IMPACT STATEMENT

The pages to follow contain the Minnesota Department of Transportation Adequacy Determination regarding the Final Environmental Impact Statement (EIS) for the US Highway (Highway) 14 Improvement Project between Owatonna and Dodge Center. This determination was developed in conformance with Minnesota Rules 4410, particularly 4410.2800. Those rules charge the Minnesota Responsible Governmental Unit (RGU) with making such a determination whenever it has completed a Final EIS and further set forth the conditions under which a Final EIS shall be determined adequate. The Minnesota Department of Transportation is the RGU for this project under the environmental review laws and rules found at Minnesota Statutes 116D and Minnesota Rules Chapter 4410.

Regarding the Adequacy Determination required by State of Minnesota Environmental Review Rules, Minnesota Rule 4410.2800 stipulates the following:

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

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

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

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

A Draft Environmental Impact Statement (DEIS) was completed for the Highway 14 Improvement Project in October 2008 and approved by the Minnesota Department of Transportation (Mn/DOT) and the Federal Highway Administration (FHWA). A Final Environmental Impact Statement (FEIS) was approved by Mn/DOT and the FHWA in August 2010.

A. DECISION

The Selected Alternative for the reconstruction of Highway 14 from Interstate 35 (I-35) in the City of Owatonna, Steele County to Trunk Highway (TH) 56 near the City of Dodge Center, Dodge County, Minnesota, is Alternative 3 with Claremont Bypass Option 4, described as the Preferred Alternative in the Final Environmental Impact Statement (Final EIS). The proposed improvements include reconstruction and capacity expansion of Highway 14 as a rural four-lane divided freeway section, including construction of approximately 12.3 miles on a new alignment

south of the Dakota, Minnesota and Eastern (DM&E) Railroad corridor. The total length of the Selected Alternative is approximately 17.9 miles.

The Selected Alternative begins in the City of Owatonna approximately 0.5 miles east of the I-35 interchange. It continues east along the existing Highway 14 to a point just west of the existing at-grade highway and railroad crossing in Steele County. At this point, the Selected Alternative continues east towards the City of Claremont and Dodge Center on a new alignment that primarily parallels the southern edge of the railroad corridor. The new alignment swings south and away from the railroad corridor near the west limits of Claremont. In then swings back to the north again on the east side of Claremont and continues to parallel the railroad to the eastern termini near TH 56 and the City of Dodge Center. The Selected Alternative proposes to construct or maintain grade-separated interchanges at Steele County Road 45 (existing), Highway 218/Steele County Road 48 (existing), Steele County Road 43, Dodge County Road 3, and TH 56/Dodge County Road 5. Two overpass bridges are also proposed at Steele County Road 16 and Dodge County Road 1. In order to reestablish access to several developments along the corridor, new local roadway connections are proposed. The Selected Alternative also includes the construction of several storm water management ponds that will be constructed to collect and treat surface water runoff from the highway and roadway improvements.

Mn/DOT and Federal Highway Administration (FHWA) identified Alternative 3 as the Preferred Alternative in January 2009. The Preferred Alternative, as detailed in the Final EIS, underwent a revised analysis of potential social, economic, and environmental impacts and is presented in the Final EIS which was approved on July 30, 2010.

B. ALTERNATIVES CONSIDERED

The Draft EIS was approved on September 10, 2008. This document analyzed, in detail, two primary build alternatives. The Draft EIS also assessed two Steele County Road 45 interchange configurations, two Steele County Road 43 interchange locations, and two Claremont Bypass Options. The Claremont bypass options were associated only with Alternative 3. The Draft EIS identified the potential social, economic, and environmental impacts associated with each build alternative, north access option, and the No Build Alternative. The Draft EIS did not identify a preferred alternative. The Draft EIS was circulated for comments and then presented to the public at two hearings that were held on October 27th and 30th, 2008.

After concluding the Draft EIS comment period, an evaluation and screening process was initiated to identify a preferred alternative. The evaluation process considered all public and agency comments received and weighed the project goals and needs against the technical analysis and potential effects of each alternative. Through this process, Alternative 3 with Claremont Bypass Option 4 (developed in response to comments received on the Draft EIS) was identified as the Preferred Alternative in the Final EIS.

The alternatives considered and reasons for their dismissal in favor of the Preferred Alternative were identified in the Final EIS. The reasons for identifying Alternative 3 and Claremont Bypass Option 4 as the Preferred Alternative are summarized below. The Preferred Alternative:

- Provides the most efficient travel through the study area with a limited access high-speed route and a shorter corridor distance (approximately 17.9 miles) compared to other considered alternatives (approximately 18.6 miles).

- Provides a better long-term solution for local operational issues. The existing highway alignment has the ability to serve as a parallel route for local and agricultural related traffic. This eliminates the necessity to upgrade other existing township/county roads to serving these needs.
- Improves travel safety by constructing a four-lane freeway section south of the railroad corridor. This reduces several existing public and private at-grade railroad crossings.
- Is consistent with the design of Highway 14 both east and west of the study area. It will be a four-lane freeway section that remains south of the railroad corridor.
- Inclusion of Claremont South Bypass Option 4 avoids dividing the City of Claremont and provides for desirable future land development opportunities.
- The social, economic, and environmental impacts including but not limited to architectural and archaeological resources, Section 4(f) properties, wetlands, noise, and farmland are not substantially greater or less than other alternatives/options considered.
- Has the highest benefit-cost ratio indicating the safety and operational benefits of the project outweigh the costs.
- Has a lower estimated construction and right-of-way costs.
- Received the greatest amount of support from the public and local governmental units, with the inclusion of Claremont Bypass Option 4.

C. SECTION 4(f)

The Selected Alternative, as described in the Final EIS has been designed to avoid Section 4(f) resources to the extent practical and minimize harm where avoidance was not possible. The Final Section 4(f) Evaluation presented in Appendix C of the Final EIS provides a complete evaluation of three Section 4(f) resources: Homeyer Farm, Dunker Farmstead (barn/silo), and Lehmann Farmstead (barn/silo) that will be impacted by the Selected Alternative. The Final Section 4(f) Evaluation also details the problems associated with alternatives to using land from Section 4(f) properties and that the social, economic, and environmental impacts reach extraordinary magnitudes as a result of the avoidance alternatives.

Based upon the analysis of the project alternatives, it was determined that the selected alternative (Alternative 3) best meets the project purpose and need and causes the least overall harm when considering impacts to Section 4(f) properties (including mitigation) as well as other social, economic, and environmental resources.

Homeyer Farm

The Homeyer Farm (farmstead and accompanying farmland) was identified as eligible for listing on the National Register of Historic Places (NRHP). Therefore, the farmstead and accompanying farmland area is considered a Section 4(f) resource. The property is located on the south side of existing Highway 14 approximately ½-mile east of the Highway 14/Steele County Road 16 intersection and is found in Section 25, of Havana Township, in Steele County. All of the build alternatives, including the Preferred Alternative, result in direct impacts to the Homeyer Farm. To minimize harm and mitigate impacts to the property, Mn/DOT has coordinated with the SHPO and a Memorandum of Agreement (MOA) has been executed that describes the impacts to

the historic resource, as well as the agreed upon mitigation measures. In summary, the mitigation measures include preparation of a Minnesota Historic Property Record. The historical narrative will be prepared and made available to county and local historical societies for their use in the interpretation of historical farmsteads. Mitigation for right-of-way acquisition will follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended and 49 CFR Part 24. The MOA is included in Appendix B of the Final EIS.

Dunker Farmstead

The Dunker Farmstead contains a circa 1900 barn and circa 1940 cement stave silo that have been determined to be eligible for listing on the NRHP. The barn and silo, including the area surrounding these structures is a Section 4(f) historic resource. The farmstead is located in Section 26, of Havana Township, in Steele County. Based on the assessment of the proposed highway improvements, the site will be directly impacted (i.e. land acquisition and relocation of structures) by the Preferred Alternative. To minimize harm and mitigate impacts to the Section 4(f) property, Mn/DOT has coordinated with the SHPO and a MOA has been executed that describes the impacts to the historic resource, as well as the agreed upon mitigation measures. In summary, the mitigation measures include preparation of a Minnesota Historic Property Record. The historical narrative will be prepared and made available to county and local historical societies for their use in the interpretation of historical farmsteads. Mitigation for right-of-way acquisition will follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended and 49 CFR Part 24. The MOA is included in Appendix B of the Final EIS.

Lehmann Farmstead

The Lehmann Farmstead contains a circa 1919 barn and a circa 1950 silo that have been determined to be eligible for listing on the NRHP. The barn and silo, including the area surrounding these structures is considered a Section 4(f) resource. The farmstead is located on the west side of Dodge County Road 1/120th Avenue and immediately south of 630th Street, in Section 32 of Claremont Township, in Dodge County. The size of the parcel and eligible land is approximately 3.4 acres. Based on the assessment of the proposed highway improvements, the site will be directly impacted (i.e. land acquisition and relocation of structures) by the Preferred Alternative. To minimize harm and mitigate impacts to the Section 4(f) property, Mn/DOT has coordinated with the SHPO and a MOA has been executed that describes the impacts to the historic resource, as well as the agreed upon mitigation measures. In summary, the mitigation measures include preparation of a Minnesota Historic Property Record. The historical narrative will be prepared and made available to county and local historical societies for their use in the interpretation of historical farmsteads. Mitigation for right-of-way acquisition will follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended and 49 CFR Part 24. The MOA is included in Appendix B of the Final EIS.

D. MEASURES TO MINIMIZE HARM

A variety of measures have been identified to mitigate social, economic, and environmental impacts associated with the construction of the Selected Alternative. The specific elements of the proposed mitigation plan are detailed in Section 4.0 of the Final EIS. Commitments typically include components that will be incorporated in the final design of the Selected Alternative and mitigation measures that will be implemented as part of the construction phase. This project will

comply with all federal and state laws and regulations which are applicable at the time of permitting.

All practicable measures to minimize environmental harm have been incorporated into the decision. These measures include the following:

Land Use

Controlling potential land use changes that occur following implementation of the proposed improvements would be accomplished primarily through local government zoning authority. Mn/DOT has already coordinated with local units of government (i.e. cities, counties, and townships) regarding the project and further discussions will continue to occur to discuss land use and transportation planning efforts.

Access management will be implemented to preserve the integrity of the Interregional Corridor (IRC) performance standards, limiting access to comply with pre-established state guidelines for a medium-priority IRC designed as a freeway.

Right-of-Way and Relocation

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

Wetlands

Wetland impacts that cannot be avoided will be reduced through incorporation of construction and design features devised to minimize wetland encroachment. This will include standard soil erosion control measures such as silt fencing and minor modifications in alignment.

Remaining wetland impacts will be mitigated by a combination of on-site creation/restoration of wetlands, and the use of credits from previously created wetlands. The wetlands impacted by construction of the Selected Alternative will be replaced in-kind to the greatest extent practical. The remaining credits needed to mitigate the wetland impacts will be obtained from previously created wetlands. The goal will be to locate the closest available wetland bank credits that are of the same wetland type as the impacts.

Floodplains

The proposed project is not expected to impact any regulatory floodplains. Existing bridges transversely cross the floodplains at both the Straight River and the Lower Branch of the Middle Fork of the Zumbro River (Dodge Center Creek). Roadway work would minimally affect these bridges as both crossings currently carry four-lane traffic and no roadway embankment work is anticipated that would encroach on floodplains or floodways. The Straight River bridges are proposed to be replaced in their existing location while the existing Lower Branch of the Middle Fork of the Zumbro River (Dodge Center Creek) bridge is proposed to remain in place.

Recreational Facilities

Construction of the Preferred Alternative, which will be a controlled access freeway section, may affect the routes of future grant-in-aid snowmobile trails since these trails will not be allowed

within the highway right-of-way and will need to cross the highway corridor at grade-separated locations (interchanges and overpasses). Mn/DOT will continue to coordinate with the MNDNR through the project development process.

Mn/DOT has been approached by a group pursuing an extension of the Stagecoach regional trail that would potentially run through the eastern third of the project area. Currently, their preferred alignment for the trail would parallel the DM&E rail line from Dodge Center to Claremont. The preliminary design of the highway corridor was completed in a manner that would not preclude the future construction of a trail by a third party along the south side of the railroad tracks.

The Preferred Alternative includes a sidewalk along Steele County Road 45 that will extend an existing sidewalk from SE 22nd Street across Highway 14 to the St. Thomas–Gainey Conference Center. The County Road 45 Bridge over Highway 14 has been designed to include a sidewalk.

Archaeological Site

No NRHP-eligible archaeological sites will be impacted by the Preferred Alternative as documented in the findings from a Phase II Evaluation completed in June 2009. Therefore, no mitigation is required. If historical or archeological sites are identified during subsequent stages of the project, the SHPO will be contacted and further study completed.

Contaminated Properties

The Phase I investigation revealed a number of potentially contaminated properties which may be impacted by the Selected Alternative. Prior to construction, properties within the Selected Alternative with potential contamination will be further investigated to precisely determine the presence and/or extent of any contaminated soil or groundwater. If necessary, a plan will be developed during detailed design for properly handling and treating contaminated soil and/or groundwater during construction in accordance with all applicable state and federal regulations.

Noise

A detailed noise mitigation analysis was performed to gauge the feasibility and reasonability of constructing noise walls along the corridor. Several locations were determined to be feasible from a constructability perspective. However, the cost-effectiveness analysis revealed that only a 20-foot noise wall at a location north of Highway 14 and east of Steele County Road 45 is both acoustically effective in mitigating noise and also meets the Mn/DOT cost criteria of $3,250.00 per decibel of reduction per residence, making it economically reasonable. Based upon the location of this analyzed wall, taking into account the proper setback, sight lines, and location, a 20-foot noise wall that is approximately 4,700 feet in length is a feasible noise mitigation alternative. Taking this into account, a noise wall has been identified on the preliminary layout and should be considered at this location for final design and construction.

As the final design stage of this project progresses, the noise analysis may need to be refined to take into account any major design changes. The construction materials, exact location, and height of this wall will be finalized during the detail design process and/or during the development of the noise exemption request.

In accordance with FHWA procedures, Mn/DOT will solicit input from the residents directly affected by the potential noise wall that was shown to have met the cost reasonableness criteria. The purpose of the process will be to determine whether a majority of the residents do or do not support construction of the identified noise wall adjacent to their property. The process will

involve sending informational material to each affected residence explaining the noise analysis process and the specifics of the noise wall being considered adjacent to their property. The materials may also include a response form to officially declare support or opposition to the proposed noise wall. Coordination with residents directly affected by the potential noise wall will occur during the final design phase of the project.

Excess Materials

The contractor will dispose of excess materials and debris from this project in accordance with state and federal regulation and Mn/DOT Standard Specification for Construction, 2104.3C and Minnesota Rule 7035.2825. In particular, excess materials and debris will not be placed in wetlands or floodplains.

Construction Impacts

A traffic management plan will be developed and implemented during construction to ensure reasonably convenient access to residences, businesses, and local roads. Existing local roads that intersect the existing and/or new highway section will remain open to traffic until such time that new interchanges are constructed and supporting roadway improvements are made. Sustained detours are not anticipated with the proposed improvements.

Mn/DOT will coordinate construction activities, sequencing, and traffic management plans with local fire, police, and emergency rescue services to minimize potential delays during the construction period.

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

Groundwater

Construction BMPs will be used to minimize potential impacts to surface water and ground water. The abandonment of any wells will be conducted in accordance with state requirements. Continuity of existing farmland drain tile systems will be sustained during and after construction.

Erosion Control

Erosion and sedimentation will be controlled in accordance with an erosion control plan and Mn/DOT standard specifications.

Fish and Wildlife

Appropriate fish passage measures will be implemented in accordance with Mn/DOT fish passage guidance and standards during the final design phase for implementation during and after construction.

Threatened and Endangered Species

No adverse impacts were identified as part of the environmental review process. However, since the proposed action is not yet programmed and may not be constructed for several years, the proposed improvements will be reevaluated and consultation reinitiated within three years prior to construction.

Farmland

Several parcels of farmland will be impacted as a result of the Selected Alternative. The disposition of uneconomic remnants and/or severed parcels will be further addressed during final design. An attempt will be made to return these parcels to a viable agricultural use or, where appropriate, may be considered for on-site wetland mitigation. As mentioned previously, all right-of-way acquisition will be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended. Continuity of existing farmland drain tile systems will be sustained during and after construction.

Vegetation

Prairie remnant areas were identified and mapped in the field with the assistance of MNDNR staff. The boundaries of these areas were utilized in avoidance and minimization measures as part of the preliminary design. However, five remnant prairie areas will be impacted. Since construction is not yet programmed and will not likely occur for several years, it is recommended that reevaluation of prairie remnant sites occur prior to the completion of the final design and start of construction. Efforts to limit right-of-way acquisition and construction activities within these natural vegetation areas will be made including appropriately locating staging areas needed during the construction phase and through the use of protective fencing for areas within the right-of-way that occur outside the limits of construction. A substantial amount of right-of-way will be available with the Preferred Alternative that may be appropriate for prairie vegetation establishment. Mn/DOT specifications will be modified to require use of local ecotypes of native grasses and forbes in reestablishing vegetation along this project. Where existing prairie remnants are impacted, topsoil will be salvaged for re-application to the impacted area so that the native seed bank and soil microbes can be re-established.

Mn/DOT's integrated roadside management planning guidelines will assist in minimizing the potential spread of invasive plant species through reestablishment of native plant communities in all disturbed areas as well as routine maintenance of the state highway right-of-way corridor.

Other tree and landscape mitigation will follow Mn/DOT and FHWA policies and guidance for compensating owners and replacing impacted vegetation. Compensation will be determined through the Mn/DOT right-of-way process.

Surface Water Management

To minimize surface water impacts from stormwater, final design plans will include vegetated slopes, ditches directing runoff to ponds, stormwater detention ponds upstream of water bodies, and use and location of vegetated areas for stormwater filtration.

Water Quality

A Storm Water Pollution Prevention Plan (SWPPP) prepared for construction of the Selected Alternative will address temporary and permanent pollution control measures. Storage of potential contaminants during construction, as well as a functional spill reporting and cleanup procedure, will be an important element of the SWPPP to minimize potential impacts to local water supply wells. Also, location and design of permanent stormwater storage and conveyance systems will be carefully considered. Furthermore, the Selected Alternative will require permits, including ones from the MPCA and MNDNR which will ensure potential impacts from erosion and sedimentation will not adversely impact water quality.

E. MONITORING OR ENFORCEMENT PROGRAM

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

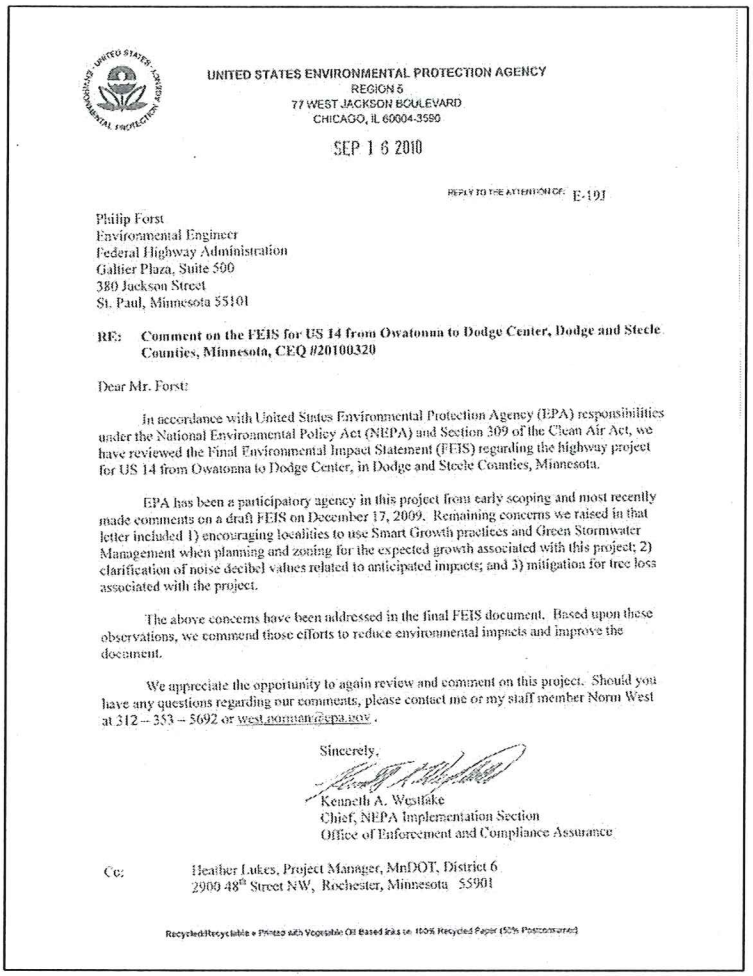
Additional monitoring and enforcement that will occur for the Highway 14 project includes:

- Erosion prevention, stormwater treatment, and dewatering monitoring, inspection, and reporting will be required during construction as part of the National Pollutant Discharge Elimination System permit requirements.
- In accordance with the current Section 404 permit and the Wetland Conservation Act approval, Mn/DOT would be required to monitor wetland restoration sites for a minimum of five years after completing restoration. The purpose of wetland replacement monitoring is to ensure that the replacement wetland achieves the goal of replacing lost functions and values.

F. COMMENTS ON FINAL ENVIRONMENTAL IMPACT STATEMENT

A total of seven written comments (including letters and e-mails) from regulatory agencies, local governments, interest groups, elected officials, and private citizens were received during the waiting period for the Final EIS.

The substantive comments specific to the adequacy of the Final EIS content or process are summarized and responses provided below. No response is provided for statements of preference, statements of fact, general opinions, or comments agreeing with the project information.



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

SEP 1 6 2010

REPLY TO THE ATTENTION OF: E-19J

Philip Forst
Environmental Engineer
Federal Highway Administration
Galtier Plaza, Suite 500
380 Jackson Street
St. Paul, Minnesota 55101

RE: Comment on the FEIS for US 14 from Owatonna to Dodge Center, Dodge and Steele Counties, Minnesota, CEQ #20100320

Dear Mr. Forst:

In accordance with United States Environmental Protection Agency (EPA) responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, we have reviewed the Final Environmental Impact Statement (FEIS) regarding the highway project for US 14 from Owatonna to Dodge Center, in Dodge and Steele Counties, Minnesota.

EPA has been a participatory agency in this project from early scoping and most recently made comments on a draft FEIS on December 17, 2009. Remaining concerns we raised in that letter included 1) encouraging localities to use Smart Growth practices and Green Stormwater Management when planning and zoning for the expected growth associated with this project; 2) clarification of noise decibel values related to anticipated impacts; and 3) mitigation for tree loss associated with the project.

The above concerns have been addressed in the final FEIS document. Based upon these observations, we commend those efforts to reduce environmental impacts and improve the document.

We appreciate the opportunity to again review and comment on this project. Should you have any questions regarding our comments, please contact me or my staff member Norm West at 312 – 353 – 5692 or west.norman@epa.gov .

Sincerely,

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

Cc: Heather Lukes, Project Manager, MnDOT, District 6
2900 48th Street NW, Rochester, Minnesota 55901

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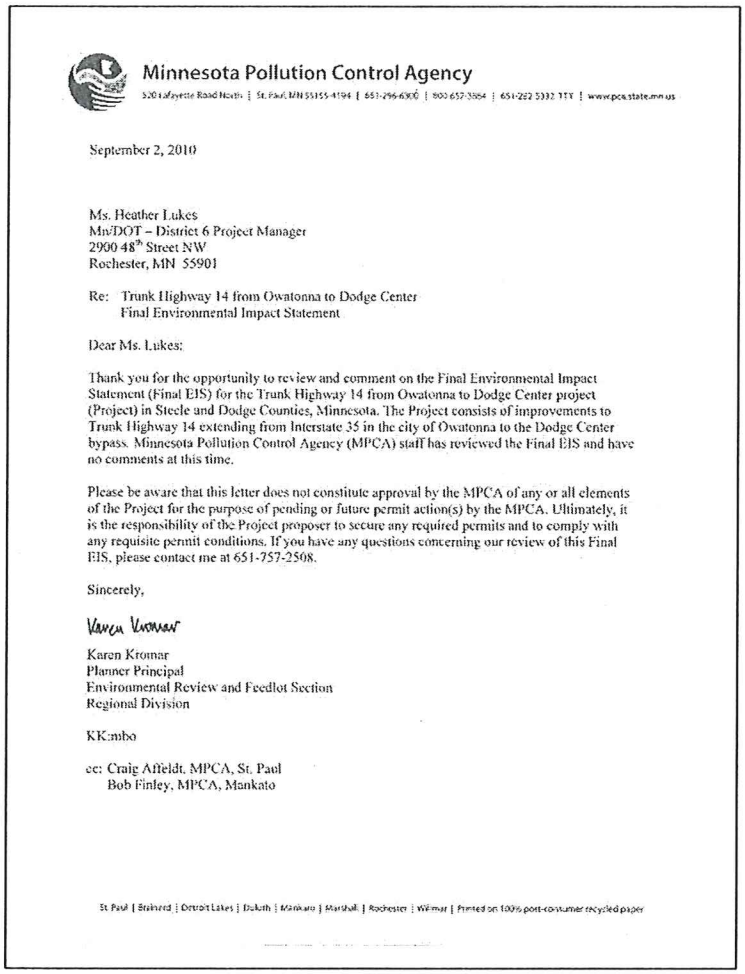
Responses to comments received from the United States Environmental Protection Agency:

1. *Comments noted, no response necessary.*



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, MN 55155-4194 | 651-296-6300 | 800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us

September 2, 2010

Ms. Heather Lukes
MnDOT – District 6 Project Manager
2900 48th Street NW
Rochester, MN 55901

Re: Trunk Highway 14 from Owatonna to Dodge Center
Final Environmental Impact Statement

Dear Ms. Lukes:

Thank you for the opportunity to review and comment on the Final Environmental Impact Statement (Final EIS) for the Trunk Highway 14 from Owatonna to Dodge Center project (Project) in Steele and Dodge Counties, Minnesota. The Project consists of improvements to Trunk Highway 14 extending from Interstate 35 in the city of Owatonna to the Dodge Center bypass. Minnesota Pollution Control Agency (MPCA) staff has reviewed the Final EIS and have no comments at this time.

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

Sincerely,

Karen Kromar

Karen Kromar
Planner Principal
Environmental Review and Feedlot Section
Regional Division

KK:mbo

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

St. Paul | Brainerd | Detroit Lakes | Duluth | Mankato | Marshall | Rochester | Willmar | Printed on 100% post-consumer recycled paper

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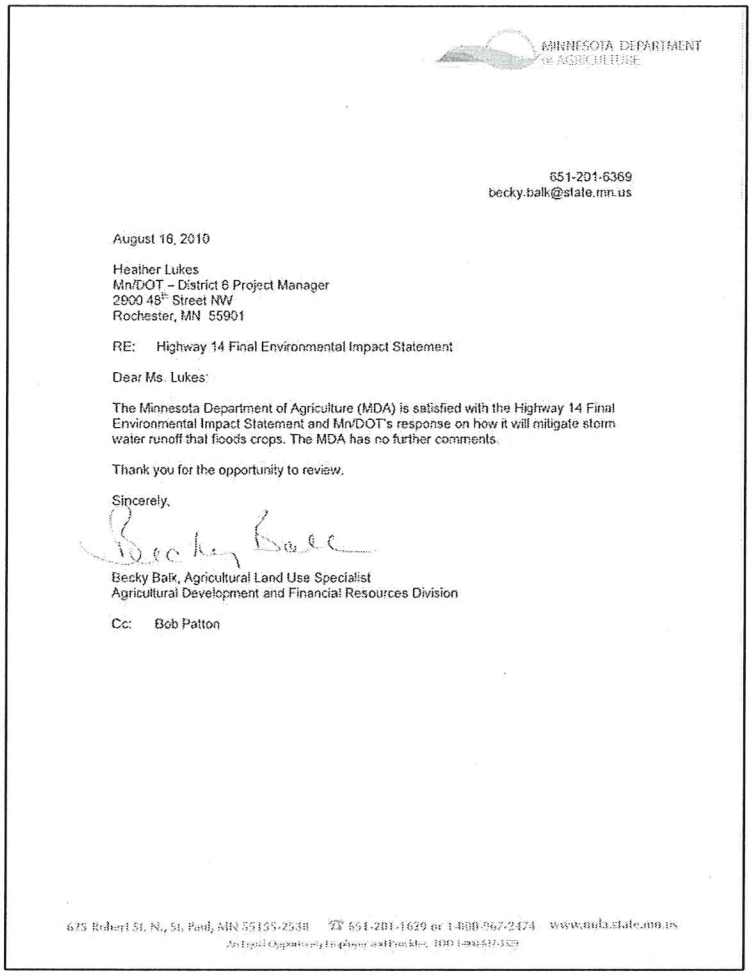
Responses to comments received from the Minnesota Pollution control Agency:

2. *Comments noted, no response necessary.*



MINNESOTA DEPARTMENT OF AGRICULTURE

651-201-6369
becky.balk@state.mn.us

August 16, 2010

Heather Lukes
Mn/DOT – District 6 Project Manager
2900 48th Street NW
Rochester, MN 55901

RE: Highway 14 Final Environmental Impact Statement

Dear Ms. Lukes:

The Minnesota Department of Agriculture (MDA) is satisfied with the Highway 14 Final Environmental Impact Statement and Mn/DOT's response on how it will mitigate storm water runoff that floods crops. The MDA has no further comments.

Thank you for the opportunity to review.

Sincerely,

Becky Balk

Becky Balk, Agricultural Land Use Specialist
Agricultural Development and Financial Resources Division

Cc: Bob Patton

625 Robert St. N., St. Paul, MN 55155-2538 651-201-1629 or 1-800-967-2474 www.mda.state.mn.us
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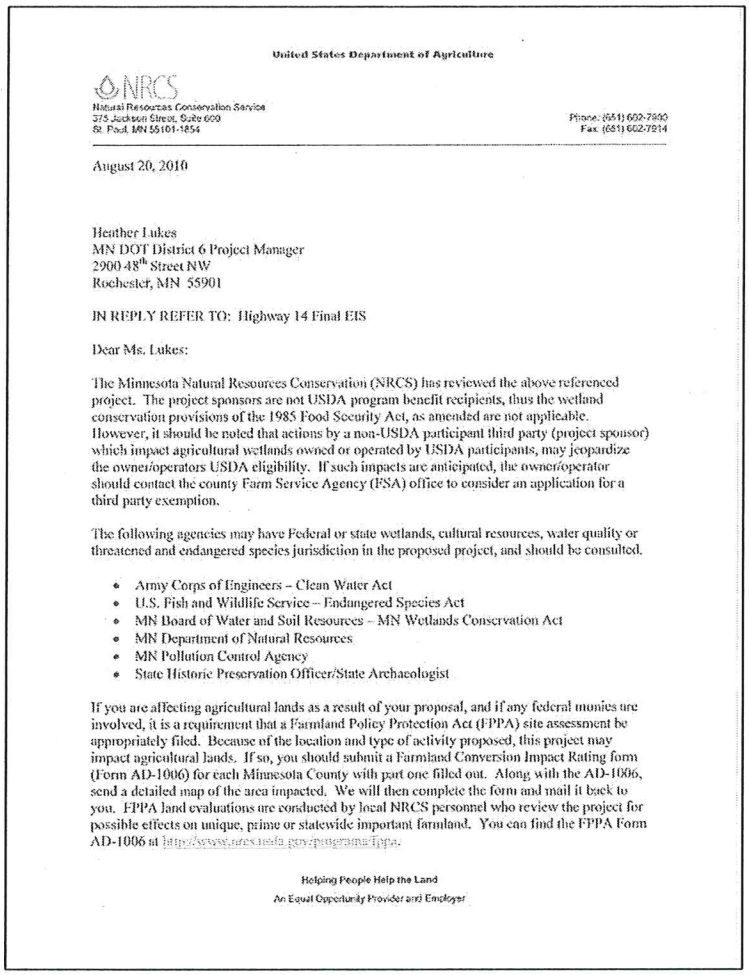
Responses to comments received from the Minnesota Department of Agriculture:

1. *Comments noted, no response necessary.*



United States Department of Agriculture

NRCS

Natural Resources Conservation Service
375 Jackson Street, Suite 600
St. Paul, MN 55101-1854

Phone: (651) 602-7900
Fax: (651) 602-7914

August 20, 2010

Heather Lukes
MN DOT District 6 Project Manager
2900 48th Street NW
Rochester, MN 55901

IN REPLY REFER TO: Highway 14 Final EIS

Dear Ms. Lukes:

The Minnesota Natural Resources Conservation (NRCS) has reviewed the above referenced project. The project sponsors are not USDA program benefit recipients, thus the wetland conservation provisions of the 1985 Food Security Act, as amended are not applicable. However, it should be noted that actions by a non-USDA participant third party (project sponsor) which impact agricultural wetlands owned or operated by USDA participants, may jeopardize the owner/operators USDA eligibility. If such impacts are anticipated, the owner/operator should contact the county Farm Service Agency (FSA) office to consider an application for a third party exemption.

The following agencies may have Federal or state wetlands, cultural resources, water quality or threatened and endangered species jurisdiction in the proposed project, and should be consulted.

- Army Corps of Engineers – Clean Water Act
- U.S. Fish and Wildlife Service – Endangered Species Act
- MN Board of Water and Soil Resources – MN Wetlands Conservation Act
- MN Department of Natural Resources
- MN Pollution Control Agency
- State Historic Preservation Officer/State Archaeologist

If you are affecting agricultural lands as a result of your proposal, and if any federal monies are involved, it is a requirement that a Farmland Policy Protection Act (FPPA) site assessment be appropriately filed. Because of the location and type of activity proposed, this project may impact agricultural lands. If so, you should submit a Farmland Conversion Impact Rating form (Form AD-1006) for each Minnesota County with part one filled out. Along with the AD-1006, send a detailed map of the area impacted. We will then complete the form and mail it back to you. FPPA land evaluations are conducted by local NRCS personnel who review the project for possible effects on unique, prime or statewide important farmland. You can find the FPPA Form AD-1006 at http://www.nrcs.usda.gov/programs/fppa.

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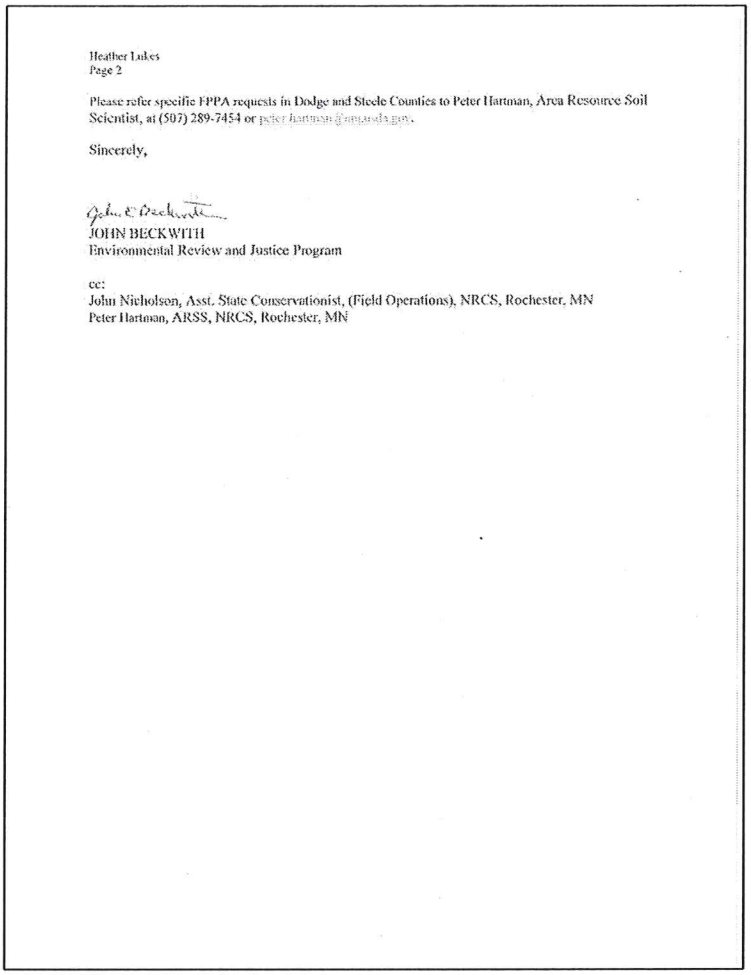
Responses to comments received from the Natural Resource Conservation Service:

1. *Right-of-way and wetland impacts were address in the Final EIS and will be further refined as part of the final design phase. At the time of right-of-way acquisition and/or permitting, Mn/DOT will work with affected landowners/operators to ensure they apply for any necessary USDA program exemptions.*
2. *The list of federal and state agencies has been consulted throughout the EIS and preliminary design process. Further coordination will occur during the final design and permitting phases of the project.*
3. *A FPPA was completed as part of the environmental review for this project with portions being completed by the NRCS/SWCD office. Both the Draft EIS and Final EIS contained documentation of potential farmland impacts. A Farmland Conversion Impact Rating Form (CPA 106) for corridor projects was submitted and completed for this corridor project, in lieu of the AD-1006 Form referenced in the comment.*



Heather Lukes
Page 2

Please refer specific FPPA requests in Dodge and Steele Counties to Peter Hartman, Area Resource Soil Scientist, at (507) 289-7454 or peter.hartman@mn.usda.gov.

Sincerely,

JOHN BECKWITH
Environmental Review and Justice Program

cc:
John Nicholson, Asst. State Conservationist, (Field Operations), NRCS, Rochester, MN
Peter Hartman, ARSS, NRCS, Rochester, MN

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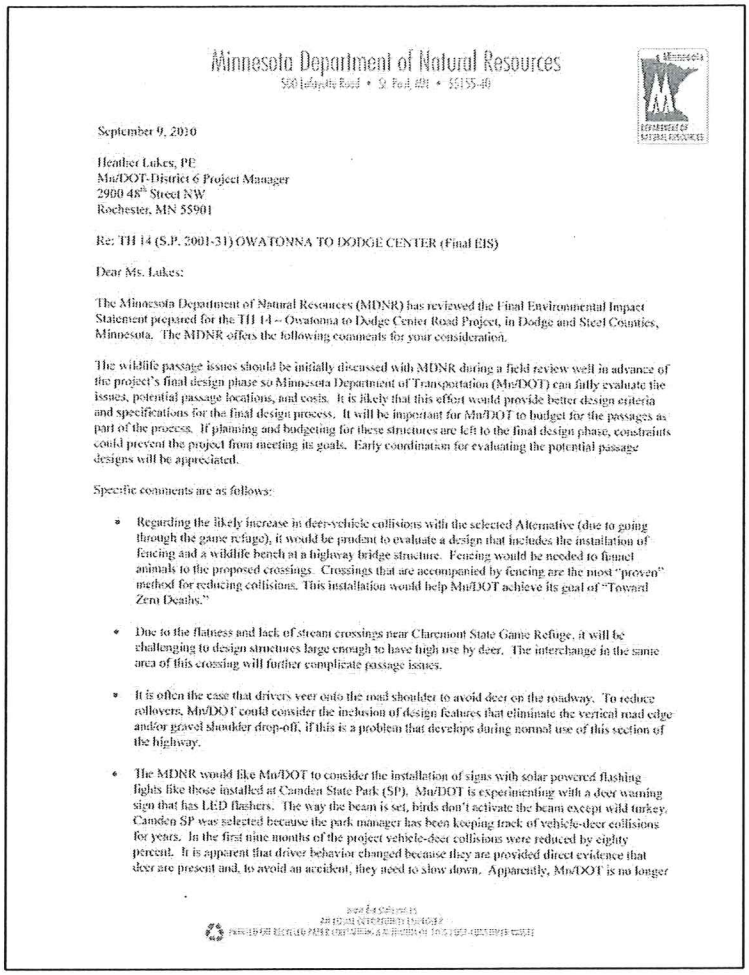
4. Comments noted, no response necessary.



Minnesota Department of Natural Resources

September 9, 2010

Heather Lukes, PE
Mn/DOT-District 6 Project Manager
2900 48th Street NW
Rochester, MN 55901

Re: TH 14 (S.P. 2001-31) OWATONNA TO DODGE CENTER (Final EIS)

Dear Ms. Lukes:

The Minnesota Department of Natural Resources (MDNR) has reviewed the Final Environmental Impact Statement prepared for the TH 14 – Owatonna to Dodge Center Road Project, in Dodge and Steel Counties, Minnesota. The MDNR offers the following comments for your consideration.

The wildlife passage issues should be initially discussed with MDNR during a field review well in advance of the project's final design phase so Minnesota Department of Transportation (Mn/DOT) can fully evaluate the issues, potential passage locations, and costs. It is likely that this effort would provide better design criteria and specifications for the final design process. It will be important for Mn/DOT to budget for the passages as part of the process. If planning and budgeting for these structures are left to the final design phase, constraints could prevent the project from meeting its goals. Early coordination for evaluating the potential passage designs will be appreciated.

Specific comments are as follows:

- Regarding the likely increase in deer-vehicle collisions with the selected Alternative (due to going through the game refuge), it would be prudent to evaluate a design that includes the installation of fencing and a wildlife bench at a highway bridge structure. Fencing would be needed to funnel animals to the proposed crossings. Crossings that are accompanied by fencing are the most "proven" method for reducing collisions. This installation would help Mn/DOT achieve its goal of "Toward Zero Deaths."

- Due to the flatness and lack of stream crossings near Claremont State Game Refuge, it will be challenging to design structures large enough to have high use by deer. The interchange in the same area of this crossing will further complicate passage issues.

- It is often the case that drivers veer onto the road shoulder to avoid deer on the roadway. To reduce rollovers, Mn/DOT could consider the inclusion of design features that eliminate the vertical road edge and/or gravel shoulder drop-off, if this is a problem that develops during normal use of this section of the highway.

- The MDNR would like Mn/DOT to consider the installation of signs with solar powered flashing lights like those installed at Camden State Park (SP). Mn/DOT is experimenting with a deer warning sign that has LED flashers. The way the beam is set, birds don't activate the beam except wild turkey. Camden SP was selected because the park manager has been keeping track of vehicle-deer collisions for years. In the first nine months of the project vehicle-deer collisions were reduced by eighty percent. It is apparent that driver behavior changed because they are provided direct evidence that deer are present and, to avoid an accident, they need to slow down. Apparently, Mn/DOT is no longer

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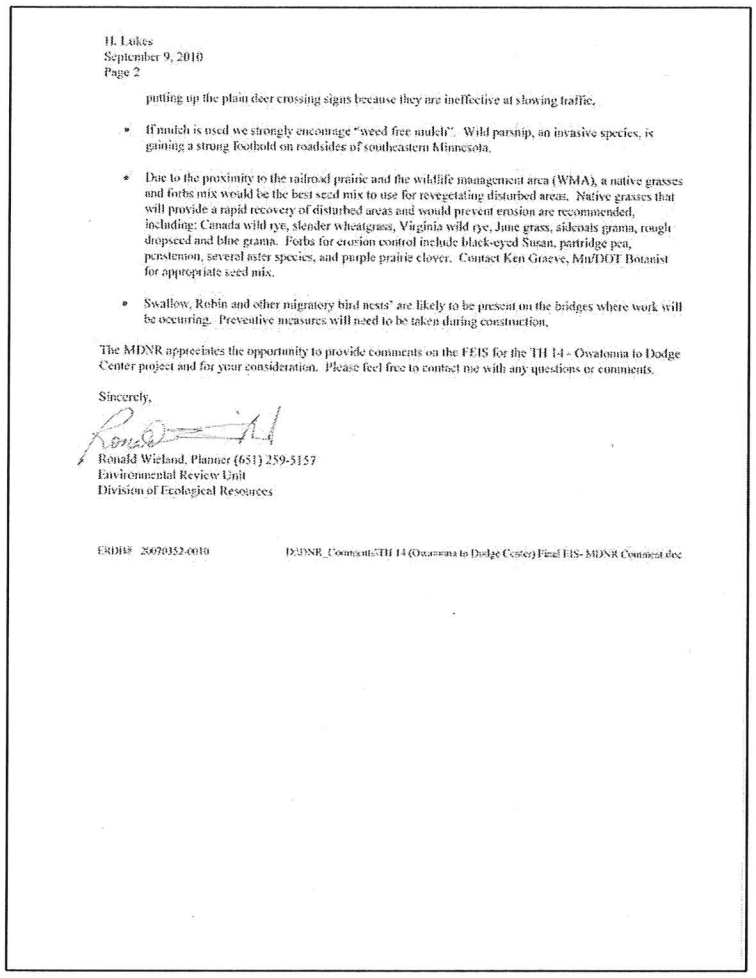
Responses to comments received from the Minnesota Department of Natural Resource:

1. *As discussed in Section 4.2 – Fish and Wildlife of the Final EIS, Mn/DOT will explore an array of design/safety options that could be implemented to helping keep wildlife off the highway (e.g. planting non-preferred vegetation in the right-of-way, installing fencing and/or wildlife passages with periodic one-way gates or jump ramps, and deer-crossing signage). The proposed design of the highway includes paved inside and outside shoulders with 1:6 (V:H) side slopes. Early warning detection devices that notify drivers of possible wildlife on or near the roadway can assist in reducing vehicle-animal collisions and may be considered in locations where higher numbers of vehicle-deer collisions or deer herding areas are known to occur. Further coordination with the MNDNR will occur during the final design phase.*



H. Lukes
September 9, 2010
Page 2

putting up the plain deer crossing signs because they are ineffective at slowing traffic.

- If mulch is used we strongly encourage "weed free mulch". Wild parsnip, an invasive species, is gaining a strong foothold on roadsides of southeastern Minnesota.

- Due to the proximity to the railroad prairie and the wildlife management area (WMA), a native grasses and forbs mix would be the best seed mix to use for revegetating disturbed areas. Native grasses that will provide a rapid recovery of disturbed areas and would prevent erosion are recommended, including: Canada wild rye, slender wheatgrass, Virginia wild rye, June grass, sideoats grama, rough dropseed and blue grama. Forbs for erosion control include black-eyed Susan, partridge pea, penstemon, several aster species, and purple prairie clover. Contact Ken Graeve, Mn/DOT Botanist for appropriate seed mix.

- Swallow, Robin and other migratory bird nests' are likely to be present on the bridges where work will be occurring. Preventive measures will need to be taken during construction.

The MDNR appreciates the opportunity to provide comments on the FEIS for the TH 14 - Owatonna to Dodge Center project and for your consideration. Please feel free to contact me with any questions or comments.

Sincerely,

Ronald Wieland, Planner (651) 259-5157
Environmental Review Unit
Division of Ecological Resources

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2. *Mn/DOT's integrated roadside management planning guidelines will assist in minimizing the potential spread of invasive plant species through reestablishment of native plant communities in all disturbed areas as well as routine maintenance of the state highway right-of-way corridor.*

3. *Mn/DOT specifications will be modified to require use of local ecotypes of native grasses and forbes in reestablishing vegetation along this project. Where existing prairie remnants are impacted, topsoil will be salvaged for re-application to the impacted area so that the native seed bank and soil microbes can be re-established.*

4. *As described in the Fish and Wildlife sub-section of Section 4.0 of the Final EIS,the project will comply with the provisions of the Migratory Bird Treaty Act.*

Dodge County Trails Association

PO Box 421
Mantorville, Minnesota 55955

August 31, 2010

To: Heather Lukes
Minnesota Department of Transportation

CC: Steve Hennessey
Department of Natural Resources

From: Dodge County Trails Association

Re: Stagecoach Trail route from Claremont to Dodge Center

At the MNDot Open House in Owatonna yesterday, August 30th, we learned that you had our project "penciled in" on the new Highway 14 plans between 140th Street and 170th Street. We would propose that you consider extending this right of way from 179th Street to County Road H in order to facilitate the completion of this segment of the Stagecoach Trail into Dodge Center. 1

The Dodge County Trails Association is very grateful that you and MNDot have been so willing to consider the recreational trails when planning the new Highway 14. These trails will enhance our goal of safety and health for our citizens and fulfill the charge of our state legislature to develop a state recreational trail from Owatonna and Rice Lake State Park to the Douglas Trail in Olmsted County. 2

We look forward to hearing from you in the near future. If you have any questions or need additional information, please contact us.

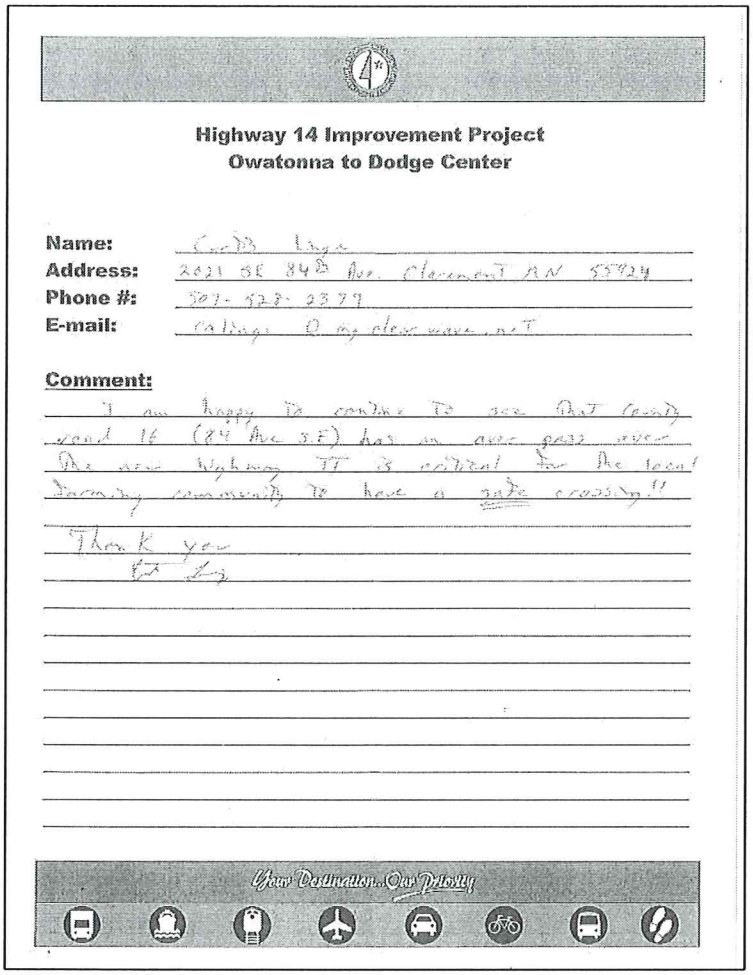
Contacts:

Jane Olive
jolive@hotel.com
507-269-2659

Grumpy Sell
grumpysell@yahoo.com
507-696-1028

Responses to comments received from the Dodge County Trails Association:

1. *The preliminary design of the highway corridor has been completed in a manner that would not preclude the future construction of a trail by a third party along the south side of the railroad tracks. The proposed TH 56 overpass bridge has been size to not only accommodate the width of the DM&E railroad corridor, but also allow for a trail to pass under the highway. From this point east there is adequate land (although privately held) between the highway corridor and the railroad corridor that could be used for a future trail alignment.*
2. *Comments noted, no response necessary.*



Highway 14 Improvement Project
Owatonna to Dodge Center

Name: Curtis Linge
Address: 2021 SE 84th Ave. Clarement MN 55924
Phone #: 507-533-2379
E-mail: calinge@myclearwave.net

Comment:

I am happy to confirm to see that road 14 (84th Ave SE) has an over pass over the new Highway 14 is critical for the local farming community to have a safe crossing.

Thank you
Ed Linge

Your Destination...Our Priority

1

Responses to public comment received from Curtis Linge:

1. Comments noted, no response necessary.

ADEQUACY DETERMINATION

Regarding the Adequacy Determination required by State of Minnesota Environmental Review Rules, Minnesota Rule 4410.2800 stipulates the following:

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

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

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

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

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

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

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

As a result of these considerations, and the complete administrative record, the Final EIS for the Highway 14 Improvement Project between Owatonna and Dodge center is determined to be adequate.

Frank W. Pafko
Chief Environmental Officer
Director, Office of Environmental Services
Minnesota Department of Transportation

11/3/10
Date