

APPENDIX D – Recent Project Correspondence

MnDOT Office of Environmental Stewardship (Wetland Mitigation)

**MnDOT Office of Environmental Stewardship (Threatened and Endangered Species
Determination)**

Department of Natural Resources



OFFICE of ENVIRONMENTAL STEWARDSHIP
395 John Ireland Blvd.
St. Paul, MN 55155-1899

Date: July 03, 2017

Richard Dalton
MnDOT Metro District

RE: I35 North Managed Lanes, SP 6284-172

Project impacts.

This project involves constructing approximately 10 miles of a new MNPASS lane from south of County Road C (in Roseville) to Lexington Avenue (in Blaine). The project also includes construction of an auxiliary lane on westbound TH 10 from I-35W to 93rd Lane.

The project is expected to incur the following impacts to existing resources:

Permanent wetland fill	1.8 acres
Reconstruction of wet ditches	11.7 acres
Storm water conveyance systems	7.1 acres
Storm water features (e.g., ponds)	1.9 acres

The wetland impacts are located in Watershed # 20 (Bank Service Area 7).

Wetland replacement.

MnDOT proposes using wetland bank credits. As of July 01, 2017, MnDOT Metro does not have access to wetland credits in BSA 7, however, MnDOT anticipates purchasing BSA-7 wetland credits through the Board of Water and Soil Resources in the summer of 2017.

Wetland replacement ratio.

The WCA replacement ratio for is 2.0 for within-BSA replacement. The Corps replacement ratio is case specific and is yet TBD for this project.

Sincerely,

Sarma Straumanis,
Wetland Program Coordinator

CC: Debra Moynihan

An equal opportunity employer



March 30, 2017

No Effect Determination – Rusty-patched Bumble Bee (*Bombus affinis*)

S.P. 6284-172, I 35W
Anoka and Ramsey counties, Minnesota

Description: This project will construct an additional lane on the northbound and southbound sides of I-35W from County Road C in Roseville to 0.1 mile north of Sunset Avenue in Blaine. Work may include resurfacing of existing lanes, utility replacement, and construction of stormwater treatment facilities and noise barriers. Work will also include construction of an auxiliary lane on westbound TH 10 from 35W to County Road J. Five bridges will be replaced and several others will have minor work. There will be 2-3 acres of tree removal occurring in various small patches scattered along the 10 mile length of the project.

In response to your request, the above referenced action has been reviewed for potential effect to federally-listed threatened, endangered, proposed, candidate species and listed critical habitat. As a result of this review, a determination of **No Effect** has been made.

Rationale for Determination: No known occurrences for rusty-patched bumble bee (RPBB) exist within the action area. Project is outside USFWS identified High Potential Zone.

Conservation Measures:

- Revegetation of disturbed soils should include native mixes in areas that are not proposed for mowed turf grass. Please utilize the native recommendations developed by BWSR (http://www.bwsr.state.mn.us/native_vegetation/) or MnDOT in the 'Vegetation Establishment Recommendations' – (<http://www.dot.state.mn.us/environment/erosion/seedmixes.html>).

All other species previously reviewed for Section 7 compliance not re-reviewed here.

Federally-Listed Species/Designated Critical Habitat in the Action Area

Section 7 of Endangered Species Act of 1973, as amended (Act), requires each Federal agency to review any action that it funds, authorizes or carries out to determine whether it may affect threatened, endangered, proposed species, or listed critical habitat. Federal agencies (or their designated representatives) must consult with the U.S. Fish and Wildlife Service (Service) if any such effects may occur as a result of their actions. Consultation with the Service is not necessary if the proposed action will not directly or indirectly affect listed species or critical habitat. If a federal agency finds that an action will have no effect on listed species or critical habitat, it should maintain a written record of that finding that includes the supporting rationale.

Based on the information that you provided and the nature of the activities proposed, MnDOT on behalf of the FHWA, has made a determination of No Effect for the above referenced project. No further action under Section 7 of the Act is required. However, if information becomes available indicating that federally-listed species or designated critical habitat may be affected, please contact this office and consultation with the Service will be initiated if necessary.

Please contact me if there are questions or concerns.

Thank you,

Christopher E Smith  Digitally signed by Christopher E Smith
DN: cn=Christopher E Smith
Date: 2017.03.30 14:17:46 -05'00'

Christopher E. Smith, M.Sc., CWB@
Wildlife Ecologist | Office of Environmental Stewardship
Minnesota Department of Transportation
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Exhibit D3. Minnesota DNR Correspondence (Page 1 of 2) (January 5, 2017)

From: [Joyal, Lisa \(DNR\)](#)
To: [Graeve, Kenneth M \(DOT\)](#)
Cc: [Brett Danner](#); [Adams, Jerome \(DOT\)](#); [Brown, Elizabeth A \(DOT\)](#); [Smith, Christopher E \(DOT\)](#); [Hanson, David L \(DOT\)](#); [Leete, Peter \(DOT\)](#)
Subject: RE: rare plant survey report for SP 6284-172 I-35W
Date: Thursday, January 05, 2017 11:36:08 AM
Attachments: [SP 6284-172 35W rare plant survey report.pdf](#)

Thank you for submitting the attached rare plant survey report for the I-35 W project. The report contains sufficient information to make a determination regarding impacts to state-listed plants, and no further surveys are requested. As no state-listed threatened or endangered plants were documented within the project limits, impacts to state-protected plants are not anticipated.

Thank you,

Lisa Joyal

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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)

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**From:** Graeve, Kenneth M (DOT)  
**Sent:** Tuesday, December 20, 2016 12:21 PM  
**To:** Joyal, Lisa (DNR) <Lisa.Joyal@state.mn.us>  
**Cc:** Brett Danner (bdanner@srfconsulting.com) <bdanner@srfconsulting.com>; Adams, Jerome (DOT) <jerome.adams@state.mn.us>; Brown, Elizabeth A (DOT) <elizabeth.a.brown@state.mn.us>; Smith, Christopher E (DOT) <Christopher.E.Smith@state.mn.us>; Hanson, David L (DOT) <David.L.Hanson@state.mn.us>; Leete, Peter (DOT) <peter.leete@state.mn.us>  
**Subject:** rare plant survey report for SP 6284-172 I-35W

Hi Lisa

Here is a report from a rare plant survey that we conducted this past summer for an upcoming project on I-35W in the north metro. Please let me know if you have any questions or comments.

Exhibit D3. Minnesota DNR Correspondence (Page 2 of 2) (January 5, 2017)

Ken Graeve  
Erosion and Stormwater Management Unit Chief  
MnDOT Office of Environmental Stewardship  
395 John Ireland Blvd  
St Paul, MN 55155  
651-366-3613  
[kenneth.graeve@state.mn.us](mailto:kenneth.graeve@state.mn.us)

The Minnesota Department of Transportation invites you to take our two-minute survey to help us improve our services. [MnDOT External Customer Survey](#)  
Thank you for telling us about your experience