

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION**

RECORD OF DECISION

**TH 36/STH 64
NEW ST. CROIX RIVER CROSSING**

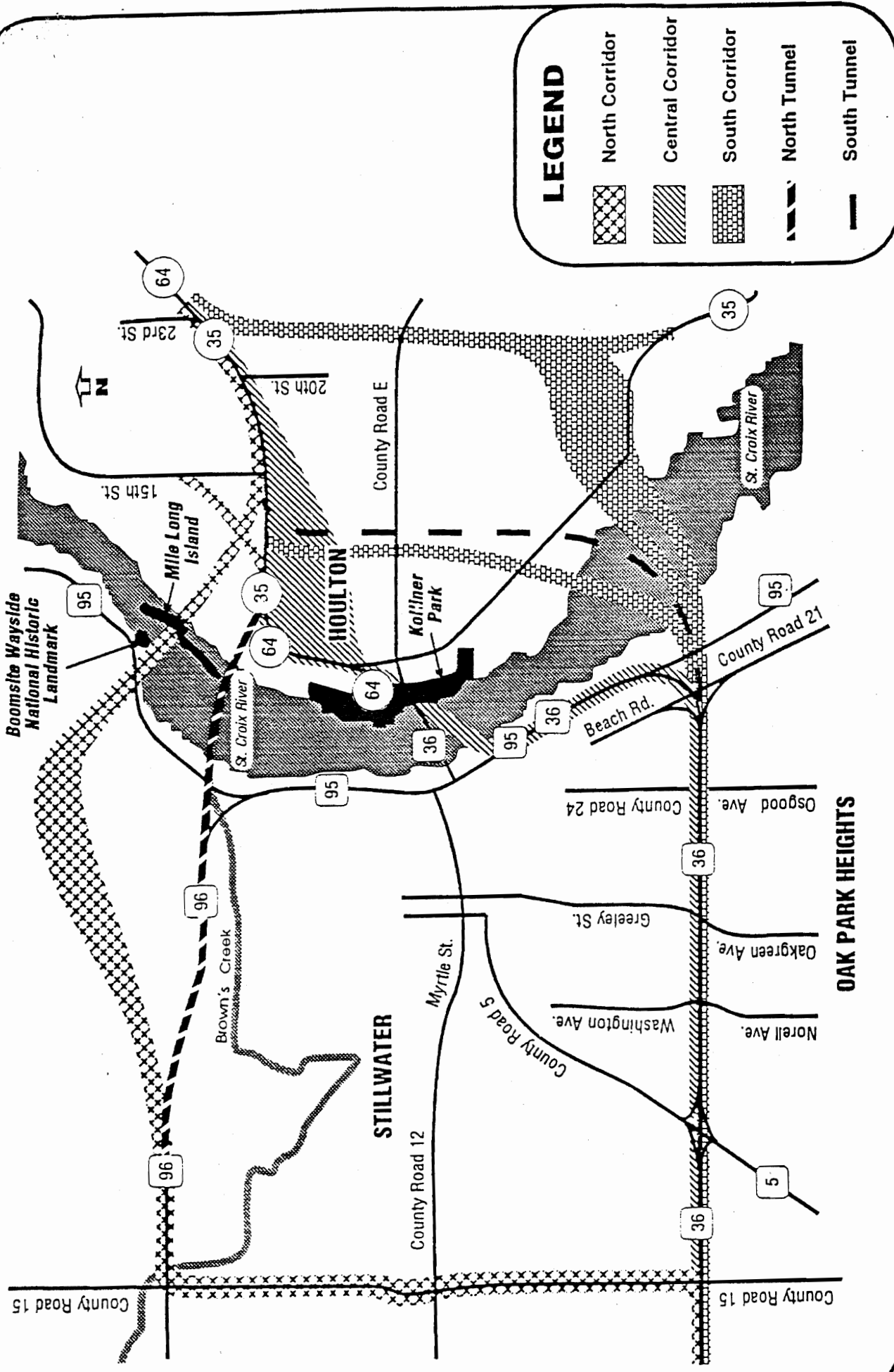
**MINNESOTA PROJECT BRF 064-1 (69)
WISCONSIN PROJECT BRF 11 ()
FHWA-MN-EIS-90-02-F**

1.0 DECISION

The Preferred Alternative for the TH 36/STH 64 new St. Croix River crossing is the north alignment of the South Corridor (see Figure 1). This alignment in Minnesota begins at the intersection of TH 36 with Washington/Norell Avenues and follows the existing TH 36 route east to an interchange with TH 95. From that point, the new alignment extends east to the river and then northeast across the river. The highway continues east and then north in Wisconsin as a new alignment of STH 64, interchanges with STH 35/County Road E and continues north to join the existing alignment of STH 35/64, approximately 4.8 highway kilometers (3 miles) east of the new bridge. Section 3.4 of the Final Environmental Impact Statement (EIS) provides a more detailed description of the Preferred Alternative.

2.0 ALTERNATIVES CONSIDERED

The Draft EIS analyzed river crossing alternatives in three major corridors (see Figure 1), in addition to several No Build alternatives. The major Build alternatives included the North Corridor bridge and underwater tunnel alignments; Central Corridor design options; and three bridge alignments and an underwater tunnel alternative in the South Corridor. The No Build alternatives included No Action, Replacement On-Site, and several options collectively designated as the Transportation System Management (TSM) alternative. These alternatives and reasons for dismissing them in favor of the Preferred Alternative are discussed in detail in the Draft and Final EISs. This information is summarized below:



LEGEND

- North Corridor [checkered pattern]
- Central Corridor [diagonal lines]
- South Corridor [cross-hatched pattern]
- North Tunnel [dashed line]
- South Tunnel [solid line]

Draft EIS Study Corridors
 TH 36/STH 64 ST. CROIX RIVER CROSSING

2.1 No Build Alternatives

Traffic studies performed for both the Draft and Final EISs showed that the No Build alternatives would not meet the project objective of solving the transportation problems of the study area. These studies indicated that only a bypass of Stillwater (Build alternative) would meet the project objectives. Therefore, the No Build alternatives were dismissed from consideration. Sections 3.0 and 4.1 of the Final EIS provide more detailed information on these alternatives.

2.2 Build Alternatives

2.2.1 The Tunnel Alternatives

The alternatives that involved tunneling under the river at the North or South Corridors were dismissed from consideration for reasons which included excessive cost; serious overall environmental impacts, including potential construction damage to both the river and the shores; limited usefulness to trucks; and the need for extremely long and steep grades between the tunnel beneath the river and the bluffs on each side.

2.2.2 North Corridor Bridge Alternative

This corridor traversed the least developed area of the St. Croix River Valley of the alternatives considered, resulting in the most severe environmental and economic impacts of the Build alternatives. In addition, Section 4(f) and Section 6(f) impacts on park, historic and archaeological properties were likely within the North Corridor.

2.2.3 Central Corridor Bridge Alternatives

The Central Corridor was dismissed from consideration for reasons which included Section 4(f) impacts on parkland and the downtown Stillwater historic district; requirements for cutting the river bluffs and longitudinal encroachment on the Minnesota side of the Riverway; and lack of a suitable site for a water quality detention/treatment basin.

2.2.4 Other South Corridor Bridge Alternatives

The south and central alignments within the South Corridor were dismissed in favor of the north alignment because the north alignment included the following advantages:

- Less visual and environmental impact on the Riverway than the other South Corridor alternatives due to its use of a natural ravine to reduce impacts on the Wisconsin bluffs.
- Lower estimated construction cost, compared to the other South Corridor alternatives (and in the middle cost-range for all alternatives).
- Less farmland, wetland, and forest area impacts than the other South Corridor alternatives.

The north alignment of the South Corridor is the environmentally Preferred Alternative.

3.0 SECTION 4(f) IMPACTS AND MITIGATION

Two Section 4(f) resources would be impacted by the proposed action: the Lower St. Croix National Scenic Riverway (LSCNSR) and the Moritz Bergstein Property. The Final Section 4(f) Evaluations for these two resources (Appendices A and E of the Final EIS) describe the avoidance, minimization and mitigation efforts in detail.

3.1 Bergstein Property

The Moritz Bergstein property, which is eligible for listing on the National Register of Historic Places, could have been avoided only by choosing one of the No Build alternatives or the North Corridor Build alternative, which were found to be unacceptable for reasons listed in Section 2.0 above. Mitigation measures for this property have been addressed through consultation between Mn/DOT, SHPO, the Advisory Council on Historic Preservation, and the FHWA. Mitigation measures are included in a Memorandum of Agreement between these agencies, which is included in Appendix D of the Final EIS.

3.2 Riverway

All of the Build alternatives would have resulted in impacts to the LSCNSR. Visual and environmental impacts were reduced by selection of the Preferred Alternative, as described in Section 2.2.4 above. Mitigation for visual impacts to the LSCNSR by reducing visual intrusion in the valley will be addressed by a "Design Review Committee" made up of representatives from interested agencies

and affected communities. This Committee will review and make recommendations on bridge and approach highway design elements. The Riverway management agencies have requested additional mitigation measures for impacts to the Riverway. These issues, and others raised by the management agencies, are discussed in Section 6.0 of the Final 4(f) Evaluation for the LSCNSR and in Appendix F of the Final EIS.

4.0 MEASURES TO MINIMIZE HARM

The following sections summarize the primary anticipated impacts due to the Preferred Alternative and a description of mitigation planned for these impacts. Section 4.0 of the Final EIS provides a more detailed discussion of impacts and proposed mitigation measures. All practicable measures to minimize environmental harm have been incorporated into the Preferred Alternative. Final refinements of mitigation plans will be coordinated with the appropriate agencies during final design stages of the project.

4.1 Construction Impacts

Temporary construction impacts would include air quality, noise, changes in travel patterns and access, erosion and sedimentation, and water quality impacts. Design and sequencing of construction activities will be implemented to minimize construction impacts. Mitigation measures for these impacts were identified in the Draft EIS. Examples of these measures include preparation of a soil erosion and sedimentation plan, implementation of a traffic control plan, and controls for treatment/disposal of construction-related wastewater and spills. All project contractors are required to conform to current Mn/DOT and Wis/DOT standard specifications for highway construction, which address many of these issues.

4.2 Agricultural Impacts

Approximately 54.6 hectares (130 acres) of agricultural land - all located in Wisconsin - will be impacted by the project. One reason for selecting the Preferred Alternative was because it provides the best opportunity for following north-south section (property) lines, therefore reducing field severances. Wis/DOT has met with several of the property owners along the Preferred Alignment, to determine ways to minimize impacts to individual farm operations. Additional information on agricultural impacts is provided in Section 4.0 of the Final EIS.

4.3 Relocation

Five businesses and 70 households -- all located in Minnesota -- will likely require relocation for construction of the Preferred Alternative. Property acquisition and relocation of displaced households and businesses will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. More detailed information on this topic is provided in Section 4.6 of the Final EIS.

4.4 Visual

The most significant visual impacts will occur at the new crossing of the LSCNSR. A natural ravine in the Wisconsin bluffs was utilized to reduce visual impacts by decreasing the extent of bluff excavation. Section 4.7 of the Final EIS describes the impacts and proposed mitigation in detail. Mitigation includes selection of a bridge design that will diminish its visual dominance. Other aesthetic issues will be addressed by the Design Review Committee, described in Section 3.2, above, as well as in the Final EIS.

4.5 Cultural Resources

Impacts and mitigation for the Bergstein property, a Section 4(f) property are described in Section 3.0 above. Two additional historic properties - the Log Cabin roadhouse and the Stillwater Scenic Overlook--are also affected by this project, although they will not be acquired. The Memorandum of Agreement in Appendix D and the text in Section 4.8 of the Final EIS describe the proposed mitigation for these three historic properties.

4.6 Threatened and Endangered Species

Section 4.9 of the Final EIS describes the potential impacts on threatened/endangered species in detail. Four state or federal species may be impacted by the Preferred Alternative: Higgins' Eye Pearly Mussel (federal endangered), Dotted Blazing Star (Wisconsin endangered); Wild Licorice and Bird's-eye Primrose (both Wisconsin species of Special Concern). Formal consultation under Section 7 of the federal Endangered Species Act for the Higgins' Eye Pearly Mussel has been initiated since the Final EIS was issued. This consultation with the U.S. Fish and Wildlife Service will continue to ensure compliance with the Endangered Species Act.

Pre-construction field surveys are proposed to verify the presence of each of these four species within the corridor. If any of these species are identified in the construction area during the pre-construction survey, mitigation measures identified in Section 4.9 of the Final EIS will be implemented, following consultation with and approval of the appropriate state and/or federal agencies.

4.7 Surface Water/Water Quality

Stormwater quantity and quality impacts associated with construction of the Preferred Alternative are described in Section 4.10 of the Final EIS. Mitigation for these impacts includes construction of grass ditches, grit chambers, and/or wet detention basins, including a containment system and detention basin for the bridge runoff, in accordance with state requirements.

4.8 Wetlands

Section 4.10.3 and Appendix C of the Final EIS provides information on wetland avoidance and minimization efforts and identified 2.3 hectares (5.4 acres) of anticipated wetland impacts and 5 hectares (11.7 acres) of proposed mitigation associated with the Preferred Alternative. However, since the publication of the Final EIS, 0.4 to 0.8 additional hectares (1 to 2 acres) of potential wetland impacts and an alternative mitigation site have been identified. The alternative mitigation site would be used in lieu of the Krueger site described in the Final EIS, and at a minimum would provide sufficient area for mitigating currently identified wetland impacts at the 2:1 ratio proposed in the Final EIS. As final design for the project continues, wetland impacts and mitigation plans will continue to be coordinated with the appropriate regulatory agencies, to maintain compliance with state and federal regulations .

4.9 Contaminated Sites

Section 4.11 of the Final EIS describes the potentially contaminated sites identified within 153 meters (500 feet) of the Preferred Alternative centerline. The actual extent of impacts will be determined as project construction limits are defined during final design development. Issues related to contamination impacts will continue to be coordinated with the appropriate regulatory agencies as impacts are specifically defined.

5.0 MONITORING OR ENFORCEMENT PROGRAM

If any endangered Higgins' Eye Pearly Mussels are identified within the construction corridor, relocation of the endangered mussels is proposed as mitigation. Monitoring of relocation success will most likely be required by the agencies with jurisdiction over these endangered species. Monitoring of wetland mitigation and remediation of contaminated soils will also be implemented in cooperation with the regulatory agencies overseeing these activities.

6.0 COMMENTS ON THE FINAL EIS

A total of 24 letters with comments on the Final EIS were received: 10 from regulatory agencies, three from local governments, three from interest groups, and eight from individual citizens. All comments were reviewed and it was concluded that all issues relative to the adequacy of the Final EIS raised in these letters have been adequately addressed.

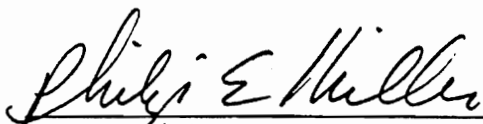
7.0 EXISTING LIFT BRIDGE

Several resource agencies have taken the position that the existing Stillwater lift bridge should be removed as mitigation if a new bridge is built. However, the Preferred Alternative for this bypass project does not physically impact the existing lift bridge, nor require its removal. Because the bridge is listed on the National Register of Historic Places and protected by Section 4(f) of the Department of Transportation Act and Section 106 of the National Historic Preservation Act, it cannot be removed if there are alternatives to avoid removal. The Final EIS concluded that the bridge will not be removed in conjunction with this project.

The state DOTs will perform normal maintenance on the existing bridge and estimate its remaining useful life to be 10 to 15 years. Mn/DOT and Wis/DOT will initiate a process to remove the bridge as it approaches the end of its useful life. The process to be followed will be in accordance with the provisions of Section 106 and other applicable laws in force at that time.

8.0 CONCLUSION

The selection of the Preferred Alternative for the TH 36/STH 64 new St. Croix River Crossing was made after careful consideration of all social, economic and environmental factors and input from agency reviews and the public involvement process.



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Federal Highway Administration

7/10/95
Date