

St. Croix River Crossing Project

Memorandum of Understanding (MOU)

For the Establishment of a Water Quality Management Advisory Committee

The Minnesota Department of Transportation (Mn/DOT) in cooperation with the Wisconsin Department of Transportation (WisDOT) and other agencies are developing the St. Croix River Crossing Project (project) to construct a new crossing of the St. Croix River between the City of Oak Park Heights in Washington County, Minnesota and the Town of St. Joseph in St. Croix County, Wisconsin. The project also includes construction in the Minnesota cities of Stillwater and Bayport.

The project is being described in the 2006 Supplemental Final Environmental Impact Statement (SFEIS) with an overall environmental outcome to improve the quality of the water for the highway corridor and its receiving waters by implementing new/enhanced water quality design criteria.

I. PURPOSE OF MOU

Set the framework for the development of a Water Quality Management Advisory Committee for the St. Croix River Crossing Project.

II. WATER QUALITY MANAGEMENT ADVISORY COMMITTEE OBJECTIVES

- a. Provide a coordinated process for water quality permits and considerations required under the multi-jurisdictional environment for this project.
- b. Optimize water quality management funding opportunities through a collaborative multi-jurisdictional, multi-funding source environment.
- c. Investigate the potential benefits, impacts and opportunities for a Water Quality Trading demonstration project(s) within the St. Croix basin.

III. WATER QUALITY MANAGEMENT ADVISORY COMMITTEE REPRESENTATION

Representatives from the following groups will be invited to serve on the St. Croix River Crossing Project Water Quality Advisory Committee;

- a. Minnesota Department of Transportation (Mn/DOT) – Lead Agency
- b. Wisconsin Department of Transportation (WisDOT)

- c. Minnesota Department of Natural Resources (MnDNR)
- d. Wisconsin Department of Natural Resources (WisDNR)
- e. Minnesota Pollution Control Agency (MPCA)
- f. US Army Corps of Engineers (Corp)
- g. US Environmental Protection Agency (EPA)
- h. US Coast Guard (USCG)
- i. National Park Service (NPS)
- j. Minnesota Center for Environment Advocacy (MCEA)
- k. St. Croix County
- l. Washington County Conservation District (WCD)
 - i. Middle St. Croix WMO
 - ii. Brown's Creek WD
- m. City of Oak Park Heights
- n. City of Stillwater
- o. Metropolitan Council Environmental Services (MCES)
- p. Others as needed

IV. WATER QUALITY PERMITS/APPROVALS

The attached list of permits and approvals are anticipated being needed for this project. The Water Quality Management Advisory Committee will address those permits that have a water quality component;

V. RESOURCE COMMITMENT OF COMMITTEE MEMBERS

- a. Provide feedback, direction, and support to committee objectives,
- b. Share data and analysis,
- c. Attend periodic meetings and participate in committee activities, and
- d. Enter into cooperative funding agreements where appropriate.

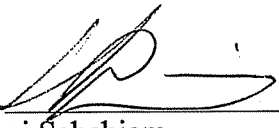
VI. TIMING

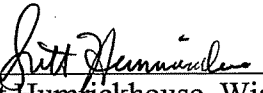
The Water Quality Management Advisory Committee will be assembled after a Record of Decision has been issued and would be anticipated to remain active up to the start of construction when the final permits are issued. Advisory Committee involvement would then continue through construction, on an as-needed basis.

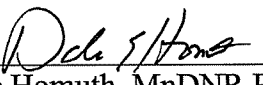
Early involvement will include identification of permit requirements, issues, conflicts, timing, and opportunities. Initial meetings are expected monthly, later meetings will likely be less frequent.

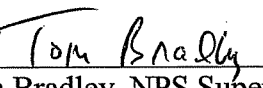
Attached – SFEIS Table 16-2 “Agency Permits, Approvals, and other Required Documents”


Signatures signify agency concurrence with this Memorandum of Understanding

By:  - 3/9/06
Khani Sahebjam
Mn/DOT Metro District Engineer

By:  - 3/8/06
Scott Humfickhouse, WisDNR
Director of the West Central Region

By:  - 3/2/06
Dale Homuth, MnDNR Regional
Hydrologist

By:  - 3/2/06
Tom Bradley, NPS Superintendent of
the St. Croix National Scenic
Riverway

By:  - 3/6/06
Leo Raudys, MPCA
Division Manager of Regional
Division

**TABLE 16-2
AGENCY PERMITS, APPROVALS, AND OTHER REQUIRED DOCUMENTS**

FEDERAL	
Advisory Council on Historic Preservation	<ul style="list-style-type: none"> • Section 106 of the National Historic Preservation Act – Amended Memorandum of Agreement (refer to Appendix G of this SFEIS)
Federal Highway Administration	<ul style="list-style-type: none"> • Supplemental EIS (Draft and Final) • Section 4(f) Evaluations – Department of Transportation Act of 1966 (Draft and Final) • Section 106 of the National Historic Preservation Act – Amended Memorandum of Agreement • Supplemental EIS Record of Decision
National Park Service	<ul style="list-style-type: none"> • Section 7(a) of the Wild and Scenic Rivers Act – Evaluation (refer to Appendix F of this SFEIS)
U.S. Army Corps of Engineers	<ul style="list-style-type: none"> • Section 404 of the Clean Water Act - Permit (fill in U.S. waters) • Section 10 of the Rivers and Harbors Act – Permit (all structures other than new river crossing) • Section 106 of the National Historic Preservation Act – Amended Memorandum of Agreement
U.S. Coast Guard	<ul style="list-style-type: none"> • Section 9 of the Rivers and Harbors Act - Permit (navigable waters) • Section 401 of the Clean Water Act – Water Quality Certification (construction/operation of new river crossing)
U.S. Fish and Wildlife Service	<ul style="list-style-type: none"> • Biological Opinion (refer to Appendix C of this SFEIS)
STATE	
MN Department of Transportation	<ul style="list-style-type: none"> • Amended Scoping Decision Document • Supplemental EIS (Draft and Final) and Section 4(f) Evaluations – Department of Transportation Act of 1966 (Draft and Final) • Supplemental EIS Adequacy Determination • Noise Standards Exemption • Wetland Conservation Act (WCA)
WIS Department of Transportation	<ul style="list-style-type: none"> • Supplemental EIS (Draft and Final) and Section 4(f) Evaluations – Department of Transportation Act of 1966 (Draft and Final)
MN Department of Natural Resources	<ul style="list-style-type: none"> • Public Waters Permit • Mussel Relocation Permit • Special Permit to Remove an Osprey Nest • Water Appropriation Permit (if needed)
MN Pollution Control Agency	<ul style="list-style-type: none"> • Noise Standards Exemption • Apply for Section 401 of the Clean Water Act -Water Quality Certification • National Pollutant Discharge Elimination System/State Disposal System Permit (NPDES/SDS)
WIS Department of Natural Resources	<ul style="list-style-type: none"> • Section 401 of Clean Water Act Water Quality Certification/Project Concurrence Letter (through Wis/DOT – WDNR Cooperative Agreement liaison process) • Scientific Collector Permit (for surveys, species relocations, etc.) • Authorization for Taking Endangered/Threatened Species (required jeopardy determination) • Air Quality Construction Permit (if needed)
MN State Historic Preservation Office	<ul style="list-style-type: none"> • Section 106 of the National Historic Preservation Act – Amended Memorandum of Agreement

TABLE 16-2 continued
AGENCY PERMITS, APPROVALS, AND OTHER REQUIRED DOCUMENTS

STATE	
WIS State Historic Preservation Office	<ul style="list-style-type: none"> Section 106 of the National Historic Preservation Act – Amended Memorandum of Agreement
REGIONAL	
Twin Cities Metropolitan Council	<ul style="list-style-type: none"> Controlled Access Approval
LOCAL	
Washington County	<ul style="list-style-type: none"> County Right-of-Way Permit
City of Oak Park Heights	<ul style="list-style-type: none"> Municipal Consent
City of Stillwater	<ul style="list-style-type: none"> Municipal Consent
City of Bayport	<ul style="list-style-type: none"> Municipal Consent
Local Watershed District (Brown's Creek)	<ul style="list-style-type: none"> Permits/Coordination of Grading and Drainage Plans/Dewatering
Local Watershed Management Organization (Middle St. Croix WMO)	<ul style="list-style-type: none"> Coordination of Grading and Drainage Plans/Dewatering/ Floodplain Management
St. Croix County	<ul style="list-style-type: none"> Coordination of State Trunk Highway changes and local road alterations
Town of St. Joseph	<ul style="list-style-type: none"> Coordination of State Trunk Highway changes and local road alterations