



U.S. Department
of Transportation

Federal Highway
Administration

Minnesota Division

April 6, 2010

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Mr. Chris Stein
Superintendent
Saint Croix National Scenic Riverway
United States Park Service
401 North Hamilton Street
Saint Croix Falls, WI 54024

Re: Saint Croix River Crossing Project
Wild and Scenic Rivers Act
Section 7 Evaluation

Dear Mr. Stein:

We have reviewed the March 11, 2010, Memorandum of Law and Order (Civil File No. 07-2593) of Federal District Court Chief Judge Michael Davis regarding the Case of Sierra Club North Star Chapter v. US Department of Transportation, Federal Highway Administration and National Park Service; Defendants, and Wisconsin Department of Transportation and Minnesota Department of Transportation as Intervenors.

The transportation agencies prevailed on the issues central to our role in the St. Croix River Crossing Project, particularly regarding the adequacy of our actions, decisions, and documentation under the National Environmental Policy Act (NEPA), Section 4(f), and other laws.

The Finding of Chief Judge Davis, vacated the Section 7 Evaluation of the US National Park Service (NPS), and permanently enjoined the US Department of Interior and the NPS from authorizing, funding, or otherwise assisting in construction of the proposed bridge until a new Section 7 Evaluation, that complies with the March 11, 2010, Memorandum of Law and Order, is issued.

As indicated in FHWA's 2006 Record of Decision, the recent history of the project's development has included, among other things, the 1995 Draft EIS, the U.S. Institute for Environmental Conflict Resolution's Report, an Executive Order, the Stakeholder/Public Involvement process that led to an evaluation of alternatives, and a selection of a preferred alternative package.



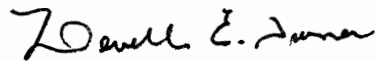
The St. Croix River Crossing Project's design and location information is still identified in the 2006 Supplemental Final EIS, as previously submitted to your agency. To describe the project's current status, Annual Project Summary Reports have been distributed that identify the actions taken by FHWA, Mn/DOT, WisDOT and other agencies during the prior year to implement the project and the mitigation commitments. The Annual Project Summary Reports can be found on the project's website at: <http://www.dot.state.mn.us/metro/projects/stcroix/documents.html>. Please note that annual updates on the status of the implementation of the mitigation package are included as attachments to the Annual Project Summary Reports.

Enclosed is a CD that contains the most recent visualization and conceptual drawings of the proposed river crossing.

We request that the NPS prepare a new Section 7 Evaluation for the St. Croix River Crossing Project, taking into account the concerns addressed in Chief Judge Davis' decision.

Please contact Philip Forst at (651) 291-6110 or phil.forst@dot.gov if you have any questions.

Sincerely,



Derrell Turner
Division Administrator

Enclosures

PJF/jer

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1 RF
DMS – Saint Croix River Crossing Project – Request for New Section 7 Evaluation