

Appendix H

Environmental Commitments

Environmental Commitments

The following environmental commitments include mitigation activities and public commitments made during NEPA/MEPA, environmental permit requirements, and other legal and regulatory requirements related to environmental compliance. This method of tracking environmental commitments from project scoping, into project design, and through construction, is necessary to: (1) ensure that environmental commitments are carried into final design, (2) help contractors comply with construction components, (3) track and document compliance, and (4) promote consistency. These commitments will be carried forward by MnDOT into final design and construction by incorporating them into an Environmental Management Plan using “Green Sheets” for environmental tracking.

Fish and Wildlife

- If ‘in-water’ work is required in DNR Public Waters, the project team will coordinate with the DNR and, if necessary, apply for and receive Public Waters Work Permit
- If ‘in-water’ work is required, follow work in water restrictions (no work between March 15 and June 15)
- If dewatering in excess of 10,000 gallons per day is expected, a dewatering permit will be applied for by the Contractor. Dewatering discharge will be treated to be free of suspended sediment before entering surface waters.
- Identify Monticello Savanna as ‘Area of Environmental Sensitivity’ on plans; if area is to be disturbed by construction:
 - Protect and preserve vegetation according to MnDOT Spec 2572.3
 - Utilize native seed mixes as developed by BWSR and MnDOT in ‘Vegetation Establishment Recommendations’
 - Use bio-netting as erosion control blanket
- Identify Locke Lake and Fish Lake as “Designated Infested Waters” on project plans with notes prohibiting work within these waters
- MnDOT is committing to the recommended tree removal guidelines set forth by the USFWS, to minimize potential impacts to Northern Long-eared bat habitat (see correspondence in Appendix A)

Vegetation

- Proper erosion and sediment control will be implemented as defined in the SWPPP (see the “Vegetation Establishment Letter” in Appendix A)
- When working near trees/shrubs that warrant protection, place temporary fencing (MnDOT SPEC 2572.3A.1) and include plan sheet 5-297.302 in plan set to prevent areas near or under trees to not become staging areas
- Identify and eradicate noxious weeds before construction

Wetlands

- Follow conditions specifically outlined in respective permits issued for the project
- All wetland impacts are located within right-of-way owned by MnDOT; thus, MnDOT is the Local Government Unit (LGU) for all wetland impacts of this project
- All preserved wetland areas will be labeled on plan sheets as “Environmentally Sensitive Areas”
- As design continues, further reduction in wetland impact will be encouraged
- The roadway cross section has been modified to use a 10-ft inside and outside paved shoulder rather than 12-ft to minimize wetland impacts
- Inslopes have been reduced to 1:4 from Clearwater to Hasty (1:6 is standard) along outside shoulder to reduce width of overall cross section by at least eight feet
- Inslopes beyond the clear zone were reduced to 1:2.5 for two wetland locations (Wetland 2 and Wetland 6)
- Wetland impacts will be mitigated as directed by the permits issued for this project and will be coordinated via the Office of Environmental Stewardship

Wells

- Known active wells near the construction limits will be labeled on plan sheets as sensitive resources to prevent impacts due to potential project changes during construction

Contamination

- Provide all excavation locations and depths to MnDOT’s Contaminated Materials Management Team prior to grading
- During final design a Phase 2 investigation will be completed, as necessary, at the stormwater treatment area locations
- Unknown materials may be encountered during construction that were not identified during the initial site investigations. A Construction Contingency plan (CCP) will be written and incorporated within the RAP, and it will discuss how to handle the unknowns that may be encountered.
- A spill kit will be kept near any storage tanks. Appropriate measures will be taken during construction to avoid spills that could contaminate groundwater or surface water in the project area.
- If a spill or leak were to occur during construction, the Project Engineer and Minnesota Duty Officer will be contacted and appropriate action to remediate will be taken immediately in accordance with MPCA guidelines and regulations in place at the time of project construction
- If any demolition of buildings or bridges is added to this project, coordinate with the Regulated Materials Unit and obtain necessary demolition approvals

Erosion Control

- A SWPPP will be developed for this project. All areas disturbed during construction would be revegetated in accordance with the SWPPP and related permitting requirements.
- MnDOT will revegetate disturbed soils with native seed mixes in areas that are not proposed for mowed turf grass using the guidance developed by the Minnesota Board of Water and Soil Resources or the Vegetation Establishment Recommendations (MnDOT 2015)

Water Quality/Stormwater

- The project will address stormwater management requirements by adding nine stormwater treatment areas that will be designed to meet water quality treatment requirements. The ponds will be maximized within the constraints of existing right-of-way to provide required treatment while avoiding wetlands and other resources of concern.

Section 404

- The necessary permits will be obtained from the US Army Corps of Engineers through continued coordination and review. Permits will be obtained by project segment dependent on the construction schedule.

Construction Noise

- High-impact noise construction activities will be limited in duration to the greatest extent possible. The use of pile drivers, jack hammers, and pavement sawing equipment will be prohibited during nighttime hours.

Traffic Noise

- Based on the noise wall analysis completed for the corridor, three noise walls met the feasibility and reasonableness criteria and are proposed as part of the project (Walls I1, O1, and S1). One existing noise wall will remain in-place and unchanged with the project.
- Conduct voting process for Wall S1 as part of the first phase of construction (Clearwater to Monticello). When the project's final design and public involvement process have been completed, MnDOT will make the final decision regarding noise wall installation.
- Voting for Walls I1 and O1 will be conducted when that phase of the project is funded and planned for construction.
- If conditions substantially change by the time the project reaches the final design stage, noise abatement measures may not be provided. If that occurs, receptors that would have received benefits from noise walls, and local officials will be notified of plans to eliminate or substantially modify a noise abatement measure prior to the final design process. This notification will explain any changes in site conditions, additional site information, any design changes implemented during the final design process, and noise wall feasibility and reasonableness.

Safety Rest Area Program

- Coordinate construction closures of the Enfield Rest Area and/or ramps on eastbound I-94 with Mark Motschke
- Assess conditions of the acceleration/deceleration ramps as well as parking pavement, may be eligible for NHFP funds
- Although the curb ramps and accessible routes to the building were corrected under an earlier project, MnDOT will confirm the rest area meets ADA compliance

Right-of-Way

- MnDOT will obtain permanent easements in the two locations where stormwater management will be create outside existing right-of-way