

# SCOPING DECISION DOCUMENT

TRUNK HIGHWAY 371 – MAJOR CONSTRUCTION

MINNESOTA DEPARTMENT OF TRANSPORTATION

State Project Number: S.P. 1116-22

Trunk Highway Number: TH 371

The project proposes to improve approximately 16.0 miles of Trunk Highway 371 (Highway 371) from the intersection of Highway 371 and Crow Wing County Road 18 in Nisswa, Minnesota to the intersection of Highway 371 and Cass County Road 42 in Pine River, Minnesota. The project is located within Crow Wing County and Cass County, Minnesota.

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## **I. REPORT PURPOSE**

An Environmental Impact Statement (EIS) will be prepared for this project. The first step in the EIS process is “scoping”, the purpose of which is to focus the EIS on a small number of potentially feasible build alternatives and to determine which impact areas will be examined and at what level of detail they will be studied. The *Scoping Document* was distributed in November 2002 to local, state, and federal agencies, local libraries, and citizens/interest groups with an interest in the proposed project. The *Scoping Document* also contained a Draft Scoping Decision Document and asked for comments on that decision. This document, the *Final Scoping Decision Document*, documents public and agency comments on the draft and presents the Final Scoping Decision. The comments received during the official comment period helped to clarify and focus project issues and analyses, which will be conducted in the EIS. The process did result in the dismissal of alternatives that will not be retained for analysis in the Draft EIS and Final EIS.

## **II. PROJECT DESCRIPTION**

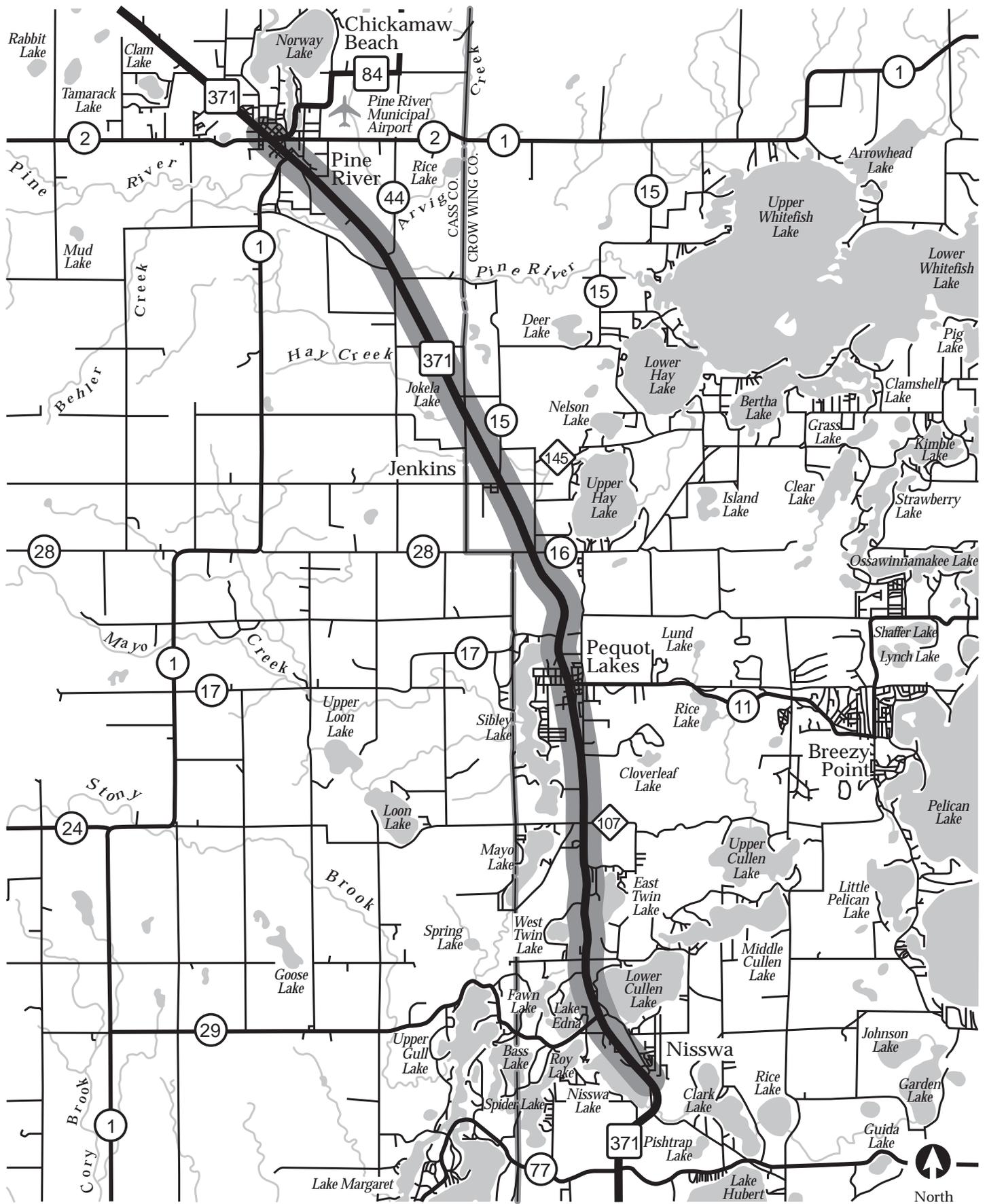
State Project Number: S.P. 1116-22  
Trunk Highway Number: TH 371

Minnesota Department of Transportation (Mn/DOT) proposes improvements to Highway 371 in Cass County and Crow Wing County, Minnesota. The project corridor extends from Crow Wing County Road 18 in the City of Nisswa, Minnesota to approximately Cass County Road 42 in the City of Pine River, Minnesota. The total length of the project corridor is approximately 16.0 miles (see Figure 1).

Highway 371 is a major north-south route on the State of Minnesota Trunk Highway System. Locally and regionally, Highway 371 connects citizens and communities to jobs, retail centers, and recreational/tourist destinations. Tourist travel along this segment of Highway 371 creates high seasonal traffic peaks. These peaks commonly cause traffic delays, congestion, and safety hazards. The major considerations to be addressed in the planning and design of this project include potential community impacts to four urban areas (Nisswa, Pequot Lakes, Jenkins, and Pine River), the Paul Bunyan Regional Trail, scattered residential and commercial developments, and potential environmental resource impacts, such as wetlands, lakes, rivers, and wildlife habitat.

## **III. PURPOSE AND NEED**

Purpose and Need for the proposed improvements to Highway 371 from Nisswa to Pine River were discussed extensively in the Scoping Document and will be repeated here. The interested reader may refer to pages 6 through 16 of the Scoping Documents for that discussion.



## **IV. PROJECT SCHEDULE**

The following is the anticipated project schedule for completion of the Highway 371 North Scoping Study and EIS:

Fall 2002	Federal Notice of Intent
November 2002	Release of Scoping Document/Draft Scoping Decision Document for public comment; begin the 30-day comment period
December 5, 2002	Public Scoping Meeting
January 2003	Final Scoping Decision Document
Winter 2003	State EIS Preparation Notice
Summer 2003	Distribute Draft EIS for agency/public comment; start of Draft EIS comment period
Summer 2003	Public Hearing on Draft EIS
Fall 2003	Identification of Preferred Alternative by Mn/DOT and FHWA
Winter 2004	Distribute Final EIS
Winter 2004	Federal Highway Administration Record of Decision
2008	Begin Right-of-Way Acquisition Process
2010-2011	Anticipated Construction

## **V. ALTERNATIVES**

The purpose of this section is to identify which of the alternatives presented in the Scoping Document will be dismissed and which will be retained for further review in the EIS. This initial screening is based on the information presented in Section VI of the Scoping Document, which includes an assessment of how each alternative addresses the purpose and need of the project, as well as an overview of some of the social, economic, and environmental issues associated with each alternative. The preliminary findings presented in the Scoping Document were reviewed by various federal, state, and local agencies involved in the project, as well as the public. All comments on the alternatives were reviewed and considered prior to finalizing the scoping decision.

### **ALTERNATIVES DISMISSED FROM FURTHER REVIEW**

The following project alternatives from the Scoping Document will not be evaluated in the EIS and are dropped from further consideration:

### **Alternative 3 – Capacity Expansion on New Highway Corridor**

As mentioned in the Scoping Document, Alternative 3 fails to address the capacity, safety, and design deficiency concerns associated with the existing Highway 371 alignment because it has minimal traffic benefit, results in increased travel distances/times, is much more costly, and has greater potential for environmental impacts. Appendix A contains a memorandum that documented the scoping process that evaluated options considered under Alternative 3, based on their effectiveness to satisfy the purpose and need objectives.

## **ALTERNATIVES RETAINED FOR FURTHER REVIEW**

### **Alternative 1 – No-Build Alternative**

As noted in the Alternatives section of the Scoping Document, Alternative 1 is not a suitable solution for addressing the purpose and need objectives of the project. However, in accordance with federal and state regulations, the No-Build Alternative will be retained throughout the scoping and EIS analysis process and will serve as a baseline for comparison of the build alternatives.

### **Alternative 2 – Construct Four-Lane Highway on Existing Alignment**

Alternative 2 is viable for addressing all the existing capacity, safety, and design deficiencies concerns associated with the existing Highway 371 corridor. Therefore, Alternative 2 will be retained for further analysis in the EIS.

The scoping decision relative to the three community bypass options discussed as part of Alternative 2 in the Scoping Document is as follows:

#### Pequot Lakes Bypass Option

As a result of additional traffic analysis including an origin-destination survey (completed fall 2002) and comments received on the Scoping Document, it is recommended that an eastern bypass of Pequot Lakes be carried forward into the Draft EIS for further consideration and analysis.

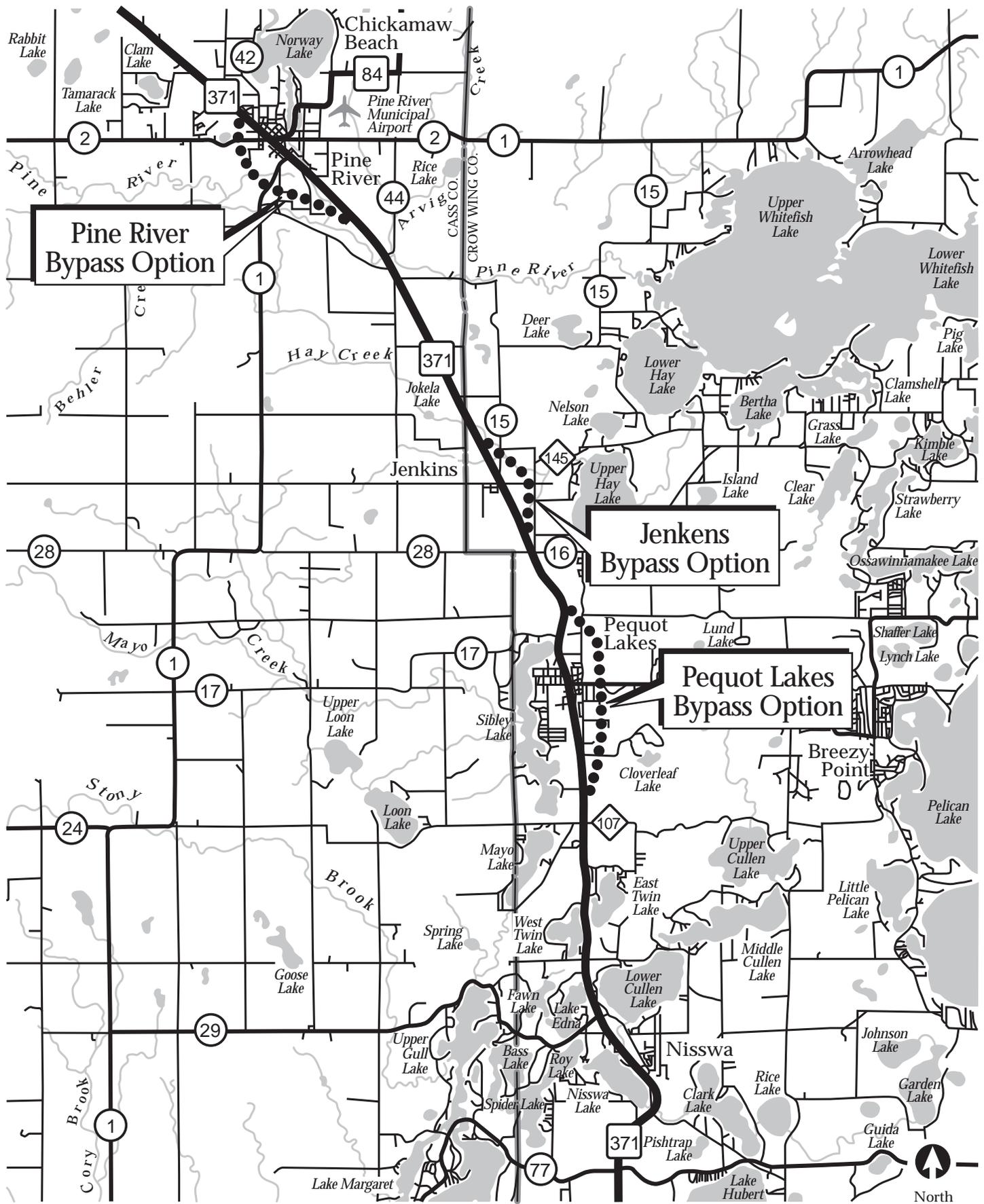
#### Jenkins Bypass Option

Based on the potential for impacts through downtown Jenkins associated with widening the existing alignment, as well as impacts to the Paul Bunyan Regional Trail, it is recommended that an eastern bypass of Jenkins be carried forward into the Draft EIS for further consideration and analysis.

#### Pine River Bypass Option

Based on comments received on the Scoping Document, and the potential for impacts through downtown Pine River associated with widening the existing alignment, as well as impacts to the Paul Bunyan Regional Trail, it is recommended that a western bypass of Pine River be carried forward into the Draft EIS for further consideration and analysis.

Figure 2 depicts Alternative 2 and the three bypass options that will be further evaluated in the EIS.



## **VI. SOCIAL, ECONOMIC, AND ENVIRONMENTAL IMPACT ASSESSMENT**

The following issues will be addressed in the EIS.

- Right-of-Way and Relocation
- Economic
- Social and Community
- Land Use
- Parks and Recreational Areas, Section 4(f)/6(f)
- Pedestrian and Bicycle Movements
- Environmental Justice
- Transit
- Utilities
- Cumulative/Secondary Impacts
- Historic and Archaeological Resources
- Noise
- Surface Water Drainage
- Water Quality
- Floodplains
- Water Body Modification
- Groundwater
- Wetlands
- Vegetation
- Wildlife
- State and Federal Threatened and Endangered Species
- Prime and Unique Farmlands
- Air Quality
- Visual Resources
- Soil and Water Contamination
- Construction Impacts
- Relationship of Short-term Uses versus Long-term Productivity
- Irreversible & Irrecoverable Commitment of Resources

### **SPECIAL REPORTS**

The following is a list of special reports that will be prepared and incorporated into the EIS.

- Traffic Analysis
- Noise Assessment
- Cultural Resources (Archaeological and Historical Sites)
- Environmental Site Assessment (Contaminated Properties)

## **VII. PUBLIC AND AGENCY INVOLVEMENT**

Mn/DOT is committed to public involvement/outreach at all levels in decision-making related to the Highway 371 North Improvement Project. Mn/DOT will continue to engage community organizations, area property owners, business owners, residents, and local, county, regional, state, and federal agencies in the development of the project.

A series of subgroup meetings will be held during the development of the Draft EIS to gather, discuss, and distribute corridor specific information. Mn/DOT is planning to hold subgroup meetings covering the following locations: Lakes Area Subgroup (Nisswa Lake, Cullen Lakes, and Twin Lakes area), Pequot Lakes Area, Jenkins Area, and Pine River/Wilson Township Area.

### **PERMITS/APPROVALS**

It is anticipated that federal, state, and other local permits/approvals may be required for the proposed action. It is probable that the following permits and approvals will be required (an updated list of permits/approvals will be included in the EIS):

- Section 404 Permit from the USCOE
- Section 401 Water Quality Certification from MPCA
- National Pollutant Discharge Elimination System (NPDES) from MPCA
- Protected Waters Permit from the MnDNR
- Wetland Conservation Act from Mn/DOT
- Municipal approval from the Cities of Nisswa, Pequot Lakes, Jenkins, and Pine River

## **VIII. LEVEL OF ACTION**

This project is considered a federal Class I action because there is the potential for significant environmental effects as documented in the Social, Economic, and Environmental Impact Assessment section. This project meets the mandatory EIS threshold test at Minnesota Rule 4410.4400, subpart 16. Mn/DOT is the RGU for this project.

## **IX. OFFICIAL PUBLIC AND AGENCY COMMENTS**

The official comment period began on November 11, 2002 and remained open until December 13, 2002. A public Scoping Meeting to receive comments on the Highway 371 North Improvement Project Scoping Document/Draft Scoping Decision Document was held as follows:

December 5, 2002, 5:30 p.m. to 8:00 p.m.  
Pequot Lakes High School  
4276 W Lake Street  
Pequot Lakes, MN 56472

Approximately 400 individuals attended the public scoping meeting. An informational handout was provided that described the proposed project and

summarized the open house exhibits that were available to provide additional information. Appendix B contains a copy of the informational handout that was distributed at the meeting. Attendees were invited to provide comments on the Scoping Document/Draft Scoping Decision document through one of two ways, oral statements to a tape recorder and/or written statements.

During the official comment period, a total of 97 comments/statements were received from citizens, business representatives, interest groups, and government agencies. The majority of the public comments were related to specific design details. Although these comments are not addressed in this document, they will be considered during the preliminary design phase of project development. Appendix C contains copies of all the comments received during the comment period.

Several comments were received that requested additional social, economic, or environmental resources be reviewed in the EIS or that a greater level of analysis be conducted for a particular resource while preparing the Draft EIS. The following is a list of these comments and Mn/DOT's response in terms of if or how they will be addressed in the EIS. Mn/DOT's responses are in italic text.

Air Quality – The Minnesota Pollution Control Agency (MPCA) suggested that a detailed air quality analysis be conducted for the EIS that would assess local carbon monoxide concentrations at key intersections located along the corridor.

*The scope of the project alternatives does not indicate that air quality impacts would be expected due to the relatively low traffic volumes on intersecting roadways. Furthermore, the project is not located in an area in which conformity requirements apply. Therefore, Mn/DOT does not anticipate the need to conduct a detailed air quality (“Hot Spot”) analysis at any intersection along the corridor.*

Secondary & Cumulative Impacts – The Minnesota Department of Natural Resources (MnDNR) and the Environmental Protection Agency (EPA) suggested that a thorough examination of the secondary and cumulative impacts of the highway improvement project be included in the EIS. Furthermore, it was suggested that a Secondary and Cumulative Impact Study be added to the list of Special Studies.

*A Secondary & Cumulative Effects Analysis (SCEA) was previously completed for the Highway 371 corridor. The findings of this report will be reviewed and incorporated into the Highway 371 North Improvement Project EIS. If necessary, the findings will be updated to reflect recent developments and new information to assist in the determination of potential secondary and cumulative effects of the project.*

Aggregate Resources – The MnDNR suggested that the impacts from the extraction of aggregate resources that would be necessary for the construction of the highway improvement project be assessed in the EIS.

*This item continues to be a policy issue between Mn/DOT and other state agencies that cannot be resolved on an individual project basis. The contract*

*bidding process allows contractors the flexibility in locating and obtaining acceptable aggregate resources. However, new and/or existing borrow sites are subject to environmental review under Minnesota Rule Chapter 4410.4300, subp. 12.*

Wetland Mitigation Plan – The EPA suggests a detailed wetland mitigation plan be incorporated into the EIS.

*Only general mitigation discussions are anticipated in the Draft EIS. However, the Final EIS will further discuss mitigation commitments and permit requirements. A conceptual wetland mitigation plan will be included in the Final EIS. This will indicate how and where wetland impacts associated with the preferred alternative will most likely be mitigated.*

Mussel Research – The MnDNR suggested that potential mussels in the Pine River and Norway Brook be fully assessed in the EIS.

*In accordance with normal sequencing measures, Mn/DOT will first attempt to avoid any potential impact to the Pine River and Norway Brook. This may include looking at several bridge design options to avoid impacting the stream channel. If stream bottom impacts become inevitable, an instream search for listed mussel species will be performed.*

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