U.S. Department of Transportation

Federal Railroad Administration
Federal Highway Administration

FINDING OF NO SIGNIFICANT IMPACT

AND SECTION 4(F) DETERMINATION

Willmar Rail Connector & Industrial Park Access Project

Kandiyohi County
City of Willmar and Willmar Township, Minnesota
May 2, 2017

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3. WILLMAR RAIL CONNECTOR & INDUSTRIAL ACCESS PROJECT EA/EAW

The Willmar Rail Connector & Industrial Access Project Environmental Assessment/Environmental Assessment Worksheet (EA/EAW) was approved by the Federal Highway Administration (FHWA) on January 26, 2017. The entire document is available for review on the project website: http://www.dot.state.mn.us/d8/projects/willmarwye/

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BACKGROUND

The Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and the Minnesota Department of Transportation (MnDOT) prepared a combined Environmental Assessment (EA) and Environmental Assessment Worksheet (EAW) for the Willmar Rail Connector & Industrial Access Project (Project) in compliance with the National Environmental Policy Act (NEPA) (42 U.S.C. § 4231 et seq.) and Minnesota Environmental Policy Act processes (M.S. 116D). MnDOT received $10 million in US Department of Transportation funds through the Transportation Investment Generating Economic Recovery (TIGER) competitive grant program. FRA is administering the TIGER grant funds for the Project.

BNSF Railway (BNSF) operates the Willmar Terminal in downtown Willmar. The Willmar Terminal is located at the intersection of the BNSF Morris, Marshall, and Wayzata Subdivisions. There is a direct connection between the Wayzata Subdivision to both the Morris and Marshall Subdivisions, but there is not a direct connection between the Morris and Marshall Subdivisions. Trains moving north-south on the Morris Subdivision between Fargo, ND (and origins north) and those moving to Kansas City, MO (and destinations south) on the Marshall Subdivision must enter the Willmar Terminal, reverse direction, and reposition locomotives and crews to transfer to the other Subdivision.

In switching between the subdivisions, trains create excess emissions and noise, consume rail yard and mainline capacity, occupy several at-grade crossings, and impede vehicular traffic within Willmar, including that of emergency responders. Additionally, Willmar has recently invested in infrastructure for the Willmar Industrial Park located on the western edge of the city with the goal of providing rail service to the park; there is currently no rail access to the site.

The Project includes a 2.8-mile railroad between the Marshall and Morris Subdivisions and a rail spur for the industrial park. Roadway modifications include a 2.5-mile realignment of Trunk Highway (TH) 12, construction of two bridges on TH 12 and TH 40 over the proposed rail line, and other local road connections. This Project is a public-private partnership with the City of Willmar, Kandiyohi County, Kandiyohi County/City of Willmar Economic Development Commission, and BNSF. MnDOT, led by MnDOT District 8, is the Project sponsor and responsible governmental unit (RGU) for the Willmar Rail Connector & Industrial Park Access Project. Partner agencies and organizations include the City of Willmar, Kandiyohi County, Kandiyohi County/City of Willmar Economic Development Commission, and

BNSF. As part of separate partnership agreements, MnDOT is the responsible agency for construction of all roadway related improvements, and BNSF is the responsible agency for construction of all railroad-related improvements.

STATEMENT OF PURPOSE AND NEED

Purpose

The purpose of the Project is to enhance railroad operations in the Willmar area and facilitate the movement of north-south rail freight through the State of Minnesota and beyond. The existing operations have a negative impact on the movement of motorized and non-motorized traffic and diminish quality of life in downtown Willmar. Additionally, the Project is intended to help advance economic development in Willmar by creating a desirable location for manufacturers with direct rail access to the Willmar Industrial Park. The purpose of the Project is summarized as follows:

- Improve rail operation efficiency in the Willmar Terminal
- Facilitate the movement of north-south rail freight through Willmar
- Reduce the number of train trips that cause lengthy traffic delays at at-grade rail crossings in Willmar
- Provide rail access to the Willmar Industrial Park to promote economic development as outlined in the City of Willmar's comprehensive plan
- Improve quality of life within the City of Willmar

Need

The identified needs for this Project are summarized below. Project needs include:

- Improve regional railroad operations due to lack of direct north-south railroad connection through Willmar
- Reduce impact of freight rail traffic fluctuations that can result in congestion/stacking on the railroad subdivisions approaching Willmar and within the Willmar Terminal
- Enhance national network operations and opportunities to avoid bottlenecks and population centers in Minneapolis and Chicago
- Improve railroad operations in the Willmar Terminal
- Reduce motorized and non-motorized user delays at existing at-grade railroad crossings
- Enhance motorized and non-motorized user safety at at-grade railroad crossings due to switching operations from trains moving north-south between Morris and Marshall Subdivisions
- Promote economic development within the City of Willmar
- Enhance quality of life (noise, emissions, safety, traffic delays, aesthetics) within the City of Willmar's downtown area

See Section II of the Environmental Assessment/Environmental Assessment Worksheet (EA/EAW) for the detailed discussion of Project need.

ALTERNATIVES

Section III of the EA/EAW describes the alternatives considered in greater detail. In addition to the No Build Alternative, Build Alternatives, as shown in **Table 1**, were considered for the four Project elements:

- New railroad connection (three alternatives considered)
- Roadway modifications to TH 12 due to new railroad connection (two alternatives considered)
- Railroad crossing of TH 40 (three sub-options considered)
- Railroad crossing of CSAH 55/1st Ave W (three sub-options considered)

Table 1 – Alternatives Considered for Analysis

Railroad Alternatives	Description	Result of Evaluation
RR-1	Connection west of CSAH 55 on existing MnDOT right of way	**Eliminated**
RR-2	Loop track east of Willmar Terminal	**Eliminated**
RR-3	Connection east of CSAH 55	**Evaluated as part of Selected Alternative**
TH 12 Alternatives	**Description**	**Result of Evaluation**
TH12-1	Roadway reconstruction alternative – bridge on existing TH 12 alignment	**Eliminated**
TH12-2	Roadway relocation alternative – realign TH 12	**Evaluated as part of Selected Alternative**
TH 40 Crossing Sub-Options	**Description**	**Result of Evaluation**
TH40-1	TH 40 grade separated crossing	**Evaluated as part of Selected Alternative**
TH40-2	TH 40 at-grade crossing	**Eliminated**
TH40-3	TH 40 – no crossing	**Eliminated**
CSAH 55/1st Ave W Crossing Sub-Options	**Description**	**Result of Evaluation**
CSAH 55/1st Ave-1	CSAH 55/1st Ave W at-grade crossing with quadrant interchange at TH 12/CSAH 55	**Eliminated**
CSAH 55/1st Ave-2	CSAH 55/1st Ave W closed with at-grade intersection at TH 12/CSAH 55 and new access road	**Evaluated as part of Selected Alternative**
CSAH 55/1st Ave-3	CSAH 55/1st Ave W closed with at-grade intersection at TH 12/CSAH 55 (no new access road)	**Eliminated**
No Build Alternative	**Description**	**Result of Evaluation**
No Build	No construction of the railroad connection or realignment of roadways	**Eliminated**

Due to railroad and roadway Project components, a multi-step process was followed for evaluating the alternatives. Screening criteria were applied for the various elements of the Project to better identify differences, benefits and impacts. If an alternative did not meet the defined purpose and need, it was eliminated from further study.

Each of the remaining alternatives was evaluated in the EA/EAW. The evaluation considered engineering and environmental factors. Engineering factors included constructability, maintenance, and cost. Environmental factors considered included the impacts that would occur to biological resources, historic and cultural resources, as well as socioeconomic impacts, changes in noise and vibration levels, conversion of prime farmland, and impacts to wetland and streams.

ALTERNATIVES ELIMINATED

Through the alternatives analysis process described in the EA/EAW, it was determined that some of the alternatives and sub-options did not fully address the purpose and need and were, therefore, eliminated.

Alternative RR-1 – Railroad Connection West of CSAH 55 on MnDOT Right of Way

This alternative used MnDOT right of way west of CSAH 55. This alternative was eliminated since the alignment would be within the Willmar Municipal Airport's runway protection zone (RPZ) and within the Willmar Municipal Area Joint Airport Zoning Board's Zoning Area A. Railroad improvements and an alignment in the RPZ were not supported by FAA or MnDOT Aeronautics. This alternative also did not provide a connection to the industrial park.

Alternative RR-2 – Loop Track East of Willmar Terminal

The second railroad alternative rejected created a loop track east of the Willmar Terminal. This alternative was eliminated because it continued to bring the north-south train traffic into and through the Willmar Terminal. Therefore, it would not reduce the number of train trips that cause traffic delays in downtown Willmar or improve safety at railroad crossings. Additionally, this alternative did not provide rail service to the industrial park.

Alternative TH12-1 – Roadway Reconstruction Alternative

This alternative reconstructed TH 12 on its existing alignment to accommodate a railroad grade separation. Approximately 4,000 feet of retaining walls would be needed (at a height up to 40 feet). This alternative was consistent with the purpose and need. However, elevating TH 12 on its current alignment over the new railroad connection would create a number of issues, including noise for Environmental Justice properties, driver safety on an elevated roadway, snow storage and maintenance on an elevated TH 12, visual impacts associated with raising TH 12, and additional costs associated with constructing and maintaining the grade separation of TH 12. For these reasons, Alternative TH 12-1 was eliminated.

Sub-Option TH40-2 – TH 40 At-Grade Crossing

This sub-option considered an at-grade railroad crossing at TH 40 as part of the roadway improvements. This sub-option was rejected as TH 40 serves as the primary connection to the airport for emergency responders. With an at-grade intersection, emergency response vehicles responding to emergency calls at the airport could be subject to additional delay by trains.

Sub-Option TH40-3 – TH 40 Closure

This sub-option considered terminating TH 40 in a cul-de-sac east of the proposed BNSF crossing. Without TH 40 in place trains could be parked on the railroad without occupying any at-grade crossings – thereby enabling the railroad to hold trains, change crews, and serve the industrial park. Without TH 40, alternate routes have the potential to add distance and travel time for emergency responders going to the airport. Due to the unacceptable travel time impacts for emergency responders, this sub-option was eliminated from consideration.

Sub-Option CSAH 55/1st Ave W-1 – CSAH 55/1st Ave W At-Grade Crossing and Quadrant Interchange at TH 12/CSAH 55

This sub-option considered an at-grade railroad crossing with the new railroad connection and CSAH 55/1st Avenue W and a grade-separated intersection with TH 12 and CSAH 55. Providing an at-grade crossing at CSAH 55/1st Avenue W was found to be inconsistent with FRA, FHWA and MnDOT practices with regard to limiting new at-grade railroad crossings. A technical analysis was prepared that considered safety, economic impacts, changes in distance and travel times, overall project crossings, roadway jurisdiction impacts, and other considerations. Upon completion of this analysis, the FRA and FHWA determined since the safety analysis for each option was similar and the other factors did not demonstrate a significant burden to users, that there was not enough benefit to support an at-grade crossing at 1st Avenue. For these reasons, this sub-option was not carried forward for further review.

Sub-Option CSAH 55/1st Ave W-3 – CSAH 55/1st Ave W Closed and At-Grade Intersection at TH 12/CSAH 55. No New Connection to Industrial Area

This sub-option considered eliminating the at-grade crossing between CSAH 55/1st Avenue W and the proposed railroad. This sub-option would require all traffic going into the industrial properties on CSAH 55/1st Avenue W to access the area via its current connection to existing TH 12. Without a connection at on realigned TH 12, traffic coming from the south and west destined for the industrial area would have to travel further and would have to backtrack to get to their destination. This additional circulation was not supported by the local agencies and business owners due to truck traffic delay and costs associated with additional miles of travel. As a result, this sub-option was removed from further consideration.

No-Build Alternative

Under the No-Build Alternative, the proposed railroad connection would not be constructed and there would be no modifications to the local, regional, and state transportation network. The No-Build Alternative was eliminated because it does not meet the Project purpose and need.

SELECTED ALTERNATIVE

The selected alternative evaluated in the EA/EAW includes the railroad and roadway alternatives and sub-options that are listed in **Table 2** and further described below. These alternatives best met the purpose and need of the Project. The selected alternative was the only build alternative carried forward for further analysis in Section IV of the EA/EAW.

Table 2 – Selected Alternative Components

Selected Alternatives and Sub-Options	Description
Railroad Alternative RR-3	Connection east of CSAH 55
TH 12 Alternative TH12-2	Roadway relocation alternative – realign TH 12
TH 40 Crossing Sub-Option TH40-1	TH 40 grade separated crossing
CSAH 55/1st Ave W Crossing Sub-Option CSAH 55/1st Ave-2	CSAH 55/1st Ave W closed with at-grade intersection at TH 12/CSAH 55 and new access road

The No-Build Alternative was evaluated as further described in Subsection F of the EA/EAW as a basis against which to compare the Build Alternatives in evaluation of environmental impacts, but was not identified as the selected alternative because it did not meet the Project purpose and need.

Alternative RR-3 – Railroad Connection East of CSAH 55

The selected rail alternative consists of an approximately 2.8-mile north-south railroad connection between the Morris and Marshall Subdivisions east of CSAH 55. This connection would eliminate the need to perform the switching operation in the Willmar Terminal for trains moving between the Morris and Marshall Subdivisions. This alignment would reduce the number of trains entering the Willmar Terminal, benefiting local, regional and national railroad service. It would also reduce occupation of at-grade crossings within and approaching the Willmar Terminal, reducing delay to motorized and non-motorized users, including emergency responders. This alternative is the only railroad alternative that meets the purpose and need of the Project. Thus, it was further evaluated as a component of the selected alternative.

Alternative TH12-2 – Roadway Relocation Alternative

The selected TH 12 alternative relocates TH 12 on a new alignment for approximately 2.5 miles. Realigning TH 12 to the south of its current alignment provides the opportunity to move the railroad overpass bridge further south, eliminating the need for retaining walls and a skewed bridge. This, in turn, reduces overall project costs, lowers long-term maintenance costs, improves traffic conditions and maintenance operations during winter storm events, and removes the visual impact associated with the expansive retaining walls. Realigning TH 12 to the south also provides a direct access to the industrial park. For these reasons, the TH 12 roadway relocation alternative was carried forward for additional study as part of the selected alternative.

Sub-Option TH40-1 – TH 40 Grade-Separated Crossing

The selected TH 40 sub-option provides a grade separation over the proposed railroad. Grade separating TH 40 at the new railroad connection prevents train operations from impacting motorized vehicle/non-motorized users and blocking traffic. This sub-option provides the best response time for emergency responders utilizing TH 40 between the urbanized area of Willmar and the airport. As a result, this sub-option was further evaluated as part of the selected alternative.

Sub-Option CSAH 55/1st Ave W-2 – CSAH 55/1st Ave W Closed, At-Grade Intersection at TH 12/CSAH 55, and New Connection to Industrial Area

The selected CSAH 55/1st Avenue W sub-option eliminates the at-grade crossing between CSAH 55/1st Avenue W with the proposed railroad. As previously stated, providing an at-grade crossing at CSAH 55/1st Avenue W was found to be inconsistent with FRA, FHWA and MnDOT practices with regard to limiting new at-grade railroad crossings. Since this sub-option provides a second access into and out of the industrial area and was supported by FHWA and FRA, it was incorporated into the selected alternative for further evaluation.

Benefits of Selected Alternative

The selected alternative provides a number of benefits. First, the new railroad connection will reduce the number of trains entering the Willmar Terminal, benefiting local, regional, and national railroad service and reducing delay to motorized and non-motorized users within the city. When compared to existing conditions and other evaluated alternatives, the selected alternative also reduces overall construction costs, lowers long-term maintenance costs, and improves traffic conditions and maintenance operations for TH 12 during winter storm events. The selected alternative provides direct rail access to the industrial park, and maintains the best response time for emergency responders between the urbanized area of Willmar and the airport.

Based upon the EA/EAW, included by reference with its appendices in this FONSI in its entirety, FHWA, FRA, and MnDOT have concluded that the selected alternative, including the mitigation measures for unavoidable impacts, will have no foreseeable significant impact on the quality of the natural and human environments. The selected alternative is best able to achieve the proposed action purpose and need without significant environmental impacts.

ENVIRONMENTAL CONSEQUENCES AND MITIGATION

The EA describes the existing conditions in the Project area and the potential impacts and mitigation that would result if the selected alternative is implemented. Information was gathered from various sources, including site observations, maps, aerial photography, and local state and federal agency data.

The following environmental factors were analyzed and recorded for the selected alternative:

- Land Use (including floodplain)
- Water Resources (including Section 401 and Section 404)
- Contamination/Regulated Waste
- Fish, Wildlife, Plant Communities and Sensitive Ecological Resources
- Historic Resources
- Construction Noise and Dust
- Social Impacts
- Right of Way
- Noise and Vibration

- Section 4(f)
- Section 7 – Endangered Species
- Visual

The following environmental factors were analyzed, and no impacts were recorded for the selected alternative:

- Air Quality
- Environmental Justice
- Section 6(f)

Land Use

Farmland:
Approximately 93 acres of farmland will be converted to railroad or road right of way under the build alternative. No mitigation will be required.

Airport Zones:
The build alternative encroaches into Airport Zones B and C, but avoids the runway protection zone and Zone A. To ensure compatibility with the Willmar Municipal Airport Zoning Ordinance, coordination with the FAA and Willmar Area Joint Airport Zoning Board will continue throughout design and during construction.

For airport zones, required mitigation includes MnDOT review with the FAA and Willmar Area Joint Airport Zoning Board of all structures, including lighting improvements, within the airport influence zones to ensure they are compatible with necessary height restrictions. MnDOT will supply construction data as part of the FAA Obstruction Evaluation/Airport Airspace Analysis – Notice of Proposed Construction or Alteration – Off Airport permit. Mitigation/minimization will comply with height restrictions identified in the zoning ordinances.

Floodplain:
The 100-year floodplain of Hawk Creek, unnamed tributaries to Hawk Creek, County Ditch 12 and County Ditch 46 are within the Project area. These floodplains are fairly well contained within the banks of the creek and ditches within the Project area. Approximately 2.9 acres of floodplain will be impacted at the following locations as identified in Figure 31 of the EA/EAW (see updated version in **Attachment 1 - Appendix C**):

- Proposed culvert under proposed Trunk Highway 12, west of 30th Avenue NW, over County Ditch 12 (Crossing “A”)
- Proposed railroad culvert on Hawk Creek east of CSAH 55 (Crossing “B”)
- Existing Bridge 34J28 on CSAH 55 over Hawk Creek (Crossing “C”)
- Existing bridge 91329 on Trunk Highway 40 over Hawk Creek (Crossing “D”)

- Proposed culvert under proposed Trunk Highway 12, between 1st Avenue and CSAH 55 (Crossing "E")
- Proposed railroad culvert on County Ditch 46 east of CSAH 55 (Crossing "F")
- Existing Bridge 8468 on TH 12 (Crossing "I").

A floodplain assessment has been updated and is included in **Attachment 1 - Appendix E**. The bridge and culvert crossings associated with the floodplain will be sized such that they do not create changes in the floodplain either upstream or downstream. Since there will be minimal impact to the floodplains that are within the regulatory threshold of up to 0.5 feet, no mitigation will be required. As part of final design, MnDOT's request for proposal for the design-build contract will indicate that the final design cannot raise the floodplain to a level (greater than 0.5 feet) that would require a permit. BNSF is in the process of finalizing the railroad plans. Those plans are consistent with the preliminary plans that did not include an increase in the floodplain.

Agency Finding:
Based on the mitigation measures discussed in this section, FHWA and FRA find that the proposed Project will not result in any significant impacts to land use including farmland, airport zones, and floodplains. No farmland or floodplain mitigation is required.

Water Resources

Surface Waters:
The build alternative will involve work in surface waters located within the Project corridor including Hawk Creek (County Ditch 10), unnamed tributaries to Hawk Creek, and County Ditch 46. Hawk Creek currently passes under existing TH 12, CSAH 55, and TH 40 via culvert bridges. The bridges at TH 12 and TH 40 will be replaced based on the MnDOT Bridge Preservation and Improvement Guidelines document due to existing structures being under-designed compared to current standards. The proposed railroad will cross Hawk Creek and County Ditch 46. Fifteen-foot diameter corrugated metal pipes (CMPs) are proposed at both of these crossings.

Impacts to tributaries within the Project corridor from roadway improvements and associated culvert installation are approximately 0.1 acres. Surface water impacts from the railroad and associated culvert installation are approximately 0.4 acres.

The DNR will not require a Public Waters Work permit for the work occurring within Hawk Creek because of its status as an altered DNR Public Water. Compensatory mitigation through the USACE is not anticipated for any work occurring within surface waters due to no loss of aquatic resource value or function when compared to the existing characteristics of the waterbodies.

MnDOT and BNSF will prepare and submit permit applications for County Ditch crossings to the Kandiyohi County Ditch Authority to petition for proposed changes to the County Ditch system, but no changes to the hydraulic capacity of the County Ditches are proposed.

Groundwater:
The Project is located within a wellhead protection area as identified by the Minnesota Department of Health (MDH). The east portion of the Project is in a high vulnerability Drinking Water Supply Management Area (DWSMA) and a small portion of the Project is located within a moderate vulnerability DWSMA. MDH guidance indicates that infiltration is not recommended in these areas. The Project's stormwater management reflects the MDH guidelines.

Thirty active and sealed wells are located within the Project area. MnDOT will ensure any wells impacted by the Project will be sealed by a licensed well contractor according to Minnesota Rules, Chapter 4725, or be relocated and coordinated with the Minnesota Pollution Control Agency (MPCA) and MDH.

Stormwater Management:
The Project must comply with the National Pollutant Discharge Elimination System/State Disposal System Construction Stormwater (NPDES) Permit requirements. For the roadway portions of the Project, rate control and infiltration volume will be provided for the net new impervious surface as required by the NPDES permit. The Project is also required to follow guidance set forth by the MDH on infiltration within wellhead protection areas. The Project will result in an increase in impervious of 29.5 acres and the east portions of the Project are located within high vulnerability wellhead protection areas. The roadway Project proposes to construct seven best management practices (BMPs), a combination of dry ponds and filtration basins that will meet the requirements of the NPDES permit and the MDH rules.

Stormwater runoff BMPs are required to accommodate railroad surface runoff resulting from stormwater events. MnDOT will ensure that BNSF implements railroad BMPs that will consist of vegetated/turf side slopes, turf swales and/or ditches, rip rap, filtration basins and equalizer culverts. MnDOT will ensure that BNSF directs stormwater runoff from railroad infrastructure to turf established side slopes and/or adjacent flat bottom ditches. The typical railroad ditch bottom widths proposed are 6 feet wide and will maintain minimal longitudinal slope.

The railroad will cross two agricultural drainage ditches (County Ditches 10 and 46) and also a tributary to County Ditch 10. These three crossings will be treated with nine filtration basins (four at each of the two ditch crossings and one at the tributary to County Ditch 10) to filter runoff prior to discharge into the existing ditches. The filtration basin BMPs will meet MPCA criteria.

Culverts along the Project have been sized to ensure high water levels will not adversely affect upstream infrastructure. One hundred-year high water levels (HWLs) have been determined for the pre- and post-development runoff scenarios. Post-development HWL rise relative to pre-development HWLs, as well as inundation times, have been determined following a 100-year event. Post development HWL and additional inundation times have been determined to be minimal relating to alteration of wetlands, infrastructure impacts, and agricultural impacts.

Water appropriation:
The installation or replacement of culverts within surface waters will require water appropriation. MnDOT will implement and will ensure that BNSF implements a dewatering plan, along with meeting all

requirements included in the Project SWPPP and NPDES Permit, during construction to ensure that the discharge does not adversely affect receiving waters and that the inlet and discharge points are adequately protected from erosion and scour. If dewatering rates exceed 10,000 gallons per day or a million gallons per year, MnDOT will require and ensure that BNSF requires their contractors to apply for a DNR Water Appropriation permit during the construction phase of the Project.

Wetlands and wet ditches:
Wetland and wet ditch impacts attributed to the railroad portion of this Project are approximately 2.5 acres of wetland (no wet ditch impacts), where 0.8 acres are under the jurisdiction of the USACE. Approximately 9.3 acres of wetland impacts and 0.1 acre of wet ditch impacts are attributed to the roadway portion of this Project, where 3.2 acres are under the jurisdiction of the USACE.

Two joint applications have been drafted for the BNSF portion (railroad) and the MnDOT portion (roadway) of the Project. Compensatory mitigation is not anticipated for impacts occurring to tributaries. Included in the applications are replacements plans of the affected wetland areas. Proposed replacement is consistent with the Section 404 permit and the current Wetland Conservation Act (WCA) regulatory requirements.

Wetland impacts will occur within Bank Service Area (BSA) 9 and Major Watershed 25 (Minnesota River-Yellow Medicine River).

Mitigation is required for the wetland impacts that result from both the roadway and the rail portions of the Project. MnDOT will replace wetlands impacted by the roadway portion of this Project at a 2:1 ratio through the debit of MnDOT bank credits. MnDOT will ensure that BNSF replaces wetlands impacted by the railroad portion of the Project at a 2:1 ratio through the purchase of credits from a bank within BSA 9.

Section 401:
Any waters determined to be under the jurisdiction of the USACE will also require Section 401 Water Quality Certification. As described in the EA/EAW, this will involve approximately 4.0 acres of USACE-regulated aquatic resources.

Section 404:
Fifty-eight water resources were identified within or near the Project area. The USACE issued an approved jurisdictional determination (JD) for delineated aquatic resources within the Project area. Twenty-seven delineated aquatic resources were determined to be non-jurisdictional and five delineated aquatic resources were determined to be jurisdictional by the USACE.

The jurisdiction of the remaining delineated aquatic resources has not yet been determined. On January 6, 2017 correspondence was received from the USACE regarding their preliminary findings about which wetlands and tributaries impacted by the Project would most likely be considered Waters of the United States (WOUS). Wetlands 1, 6, 7, 45, 47, 48, and 58 as well as tributaries 51 and 54 were suggested to be WOUS in addition to those indicated on the previous ADJ issued on August 25, 2015

Agency Finding:
Due to the limited impact the proposed Project will have on water resources, FHWA and FRA find that the proposed Project will not result in significant impacts on water resources and will require mitigation within the regulatory thresholds for surface water including surface water, groundwater, stormwater, water appropriation, wetlands and wet ditches.

For waters under the jurisdiction of the USACE, the USACE and the MPCA have a joint application form. Permits from the USACE, including General Permits and Letters of Permission, include pre-certification from the MPCA demonstrating compliance with Section 401 that may require mitigation commitments for MnDOT. For Section 404 compliance, the proposed Project will require two permits issued by the USACE, and the proposed Project will be subject to mitigation. The railroad portion of the Project will impact approximately 0.8 acres of USACE-regulated wetlands. The roadway portion of the Project will impact approximately 3.2 acres of USACE-regulated wetlands. Wetlands will be replaced/mitigated at a ratio of two to one for both the railroad and roadway portions of the Project. BNSF will be required to obtain a permit for the railroad portion of the Project and MnDOT will be required to obtain a permit for the roadway portion of the Project. Both the railroad and roadway portions are expected to qualify for a Letter of Permission permit.

Contamination/Regulated Waste

There is a low likelihood of encountering contaminated materials as a result of construction activities. No known contaminated groundwater or soil were identified in the Project area. Any potentially contaminated materials encountered during construction will be handled and treated in accordance with applicable state and federal regulations. It is not anticipated that construction work would release contaminated dust particles to the surrounding populace; however, minimization measures will avoid, control, and manage these efforts.

It is anticipated that two houses and associated accessory structures located adjacent to the TH 40/CSAH 55 intersection will be demolished and removed. MnDOT will contract with experts in regulated waste to inspect the properties for the presence of regulated or contaminated materials. MnDOT will implement standard measures to help avoid, control and manage potential effects from contaminated materials, such as preparing and implementing a project-specific scope of work, site-specific health and safety plan, and hazardous material management plan. Any regulated or contaminated materials identified will be disposed of in accordance with applicable federal, state and local regulations in advance of Project construction.

MnDOT will properly dispose of all solid wastes generated by construction of the proposed Project in a permitted, licensed solid waste facility. MnDOT will utilize the Minnesota Duty Officer (Duty Officer), which is a single answering point system for all state agencies required to respond to hazardous materials incidents in Minnesota. If any contaminated spills or leaks occur during construction, MnDOT will require the contractor to notify the Duty Officer and work with the MPCA to contain and remediate contaminated soil/materials in accordance with state and federal standards.

MnDOT will also direct concrete, asphalt, and other potentially recyclable construction materials that result from Project demolition to the appropriate storage, crushing or renovation facility for recycling.

Agency Finding:
FHWA and FRA find that the proposed Project will result in the low likelihood of encountering contaminated materials. Since the wastes generated by construction of the proposed Project will be disposed of properly following completion of the proposed Project and the construction impacts will be subject to mitigation, there will not be significant impacts associated with contamination and regular waste.

Fish, Wildlife, Plant Communities and Sensitive Ecological Resources

The majority of the Project area has been previously disturbed, drained and used for agriculture. Any wildlife displaced would likely relocate to suitable nearby areas, including lands immediately adjacent to the Project area. Prairie remnants outside the Project area will be avoided in the Project design. Vegetation impacts include herbaceous and tree impacts. The areas likely to be impacted include wind breaks adjacent to farmsteads and along fence lines, areas adjacent to Hawk Creek and an unnamed tributary to Hawk Creek located west of CSAH 55.

MnDOT will undertake and will ensure that BNSF undertakes protection measures to include: design the Project to avoid impacts to any identified Areas of Environmental Sensitivity (AES); protect and preserve vegetation from damage in accordance with MnDOT Spec 2572.3; prohibit vehicle and construction activities, including the location of field offices, storage of equipment and other supplies at least 25 feet outside the AES to be preserved, also in accordance with MnDOT spec 2572.3; use redundant sediment/erosion control BMPs for protection of areas of environmental sensitivity; and use native seed mixes for revegetation of disturbed soils not proposed for mowed turf grass.

Agency Finding:
Due to the limited impact the proposed Project will have on ecological resources, FHWA and FRA finds that the Project will not result in significant impacts on ecological systems and MnDOT will undertake and ensure that BNSF undertakes recommended protection measures listed above.

Historic Resources

One site (the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge RR Corridor Historic District), previously determined to be eligible for listing in the National Register, was evaluated by MnDOT's Cultural Resource Unit (CRU) for potential impacts due to the proposed Project.

Agency Finding:
FHWA and FRA find that the proposed rail portion of the Project will extend off the existing main line and will constitute the only direct effect to the historic district. No mitigation is proposed. FHWA through consultation with the Minnesota Historic Preservation Office (MnHPO) determined that the Project will not result in an adverse effect to the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge RR Corridor Historic District because it will constitute a minor change in visual and historic character for a corridor that is hundreds of miles long.

Construction Noise and Dust

Construction related activities will result in temporary noise level increases associated with construction equipment and pile driving. Elevated noise levels are, to a degree, unavoidable for this type of project. MnDOT will require and ensure that BNSF requires that construction equipment be properly muffled and in proper working order. MnDOT will require its contractors to comply with applicable local noise restrictions and ordinances to the extent that is reasonable. MnDOT will ensure that BNSF and its contractors will comply with applicable local noise restrictions and ordinances. MnDOT will provide advance notice to the City of Willmar for any construction activities that produce abnormally loud noises, such as use of high-impact equipment, pile driving, pavement sawing or air hammering.

MnDOT will ensure that dust generated during construction will be minimized by MnDOT and BNSF through standard dust control measures such as applying water to exposed soils and limiting the extent and duration of exposed soil conditions. MnDOT will ensure that construction contractors are required to control dust and other airborne particulates in accordance with MnDOT and BNSF specifications in place at the time of Project construction. During construction, particulate emissions will temporarily increase due to the generation of fugitive dust associated with activities such as grading and other soil disturbance. MnDOT will ensure that MnDOT and BNSF adhere to BMPs for dust control, which may include the following measures as appropriate for the Project area:

- Minimize the duration and extent of areas being exposed or regraded at any one time.
- Spray construction areas and haul roads with water, especially during periods of high wind or high levels of construction activity.
- Minimize the use of vehicles on unpaved surfaces when feasible.
- Tarp trucks hauling soil, sand, and other loose materials or require trucks to maintain at least two feet of freeboard.
- Pave, apply water as needed, or apply (non-toxic) soil stabilizers on unpaved access roads, parking areas and staging areas at construction sites.
- Use water sweepers to sweep paved access roads, parking areas and staging areas at construction sites.
- Use water sweepers to sweep streets if visible soil material is carried onto adjacent public streets.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- Enclose, cover, water or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- Limit traffic speeds on unpaved roads to 15 miles per hour.
- Utilize appropriate erosion control measures to reduce silt runoff to public roadways.
- Replant vegetation as quickly as possible to minimize erosion in disturbed areas.
- Use alternative fuels for construction equipment when feasible.
- Minimize equipment idling time.
- Maintain properly tuned equipment.

Agency Finding:
FHWA and FRA find that because the construction impacts will cease following completion of the proposed Project and the construction impacts will be mitigated through the measures listed above, the proposed Project will not result in significant impacts associated with construction.

Social Impacts

Consideration of effects to the social and economic environment include: an assessment of the community characteristics and cohesion, protected groups of people, environmental justice, public facilities and services, changes in travel patterns, relocations of residences or businesses, economic impacts, land use, growth and economic development and changes to pedestrian or bicycle facilities.

No impacts were identified with regard to community characteristics and cohesion, protected groups of people, environmental justice, and public facilities and services. Expected changes in growth and economic development are anticipated to be positive due to additional modes and highways serving the Willmar Industrial Park located just west of CSAH 5.

Permanent changes in pedestrian and bicycle facilities are not anticipated as a result of the Project. Temporary occupancy/use during construction is expected and is discussed in the Section 4(f) Determination section within this document.

No businesses will be relocated. Two residential property acquisitions will require the property owners to relocate. Their impacts are discussed in the Right of Way section of this document.

Vehicular travel patterns have the potential to shift slightly as a result of the Project due to the realignment of TH 12 and closure of CSAH 55/1st Avenue W at the new railroad connection. For some businesses located along existing TH 12, the new alignment will divert traffic from the front of their business and will require users to access their sites from a local roadway connection rather than TH 12. The Project design includes new access road connections for those whose access will be closed or who are located off a public street that is modified.

Another shift in travel will occur along 45th Street which will require users of the township roadway to travel an additional 2,400 feet to the west in order to access TH 12. Traffic impacts are expected to be minimal due to low traffic volumes. No mitigation is anticipated.

Agency Finding:
FHWA and FRA find that the proposed Project will provide a positive long-term social impact for residents, businesses, and the greater Willmar community. By relocating this train movement and eliminating the switching operation, delays for rail traffic will be reduced in the Willmar Terminal and corresponding delays for automobile traffic and non-motorized users will be reduced at the at-grade rail crossings that presently are occupied by switching trains. Associated quality of life improvements include: decreased noise, vibration, and delay in travel time overall within the community; improved air quality due to reductions in train and motor vehicle idling; and improved emergency response travel time reliability.

Right of Way

The Project is expected to require acquisition of approximately 302 acres of permanent right of way and approximately 20 acres of temporary easement across portions of 43 parcels. Much of the property is owned and has been committed for Project use by the partner agencies (City of Willmar, BNSF Railway, and MnDOT).

Agency Finding:

FHWA and FRA find that the proposed Project will result in seven total parcel acquisitions including parcels with three residential properties. Two of the property acquisitions will require the property owner to relocate. One of the acquisitions allowed for the home to be relocated within the property due to its size. MnDOT will ensure that the Uniform Relocation and Real Property Acquisition Act of 1970, as amended by the Surface Transportation Uniform Relocation Assistance Act of 1987 and 49 CFR, Part 24, and effective April 1989 will be followed for the Project by MnDOT and BNSF, to compensate landowners for property acquired for this Project.

Noise and Vibration

Traffic noise levels were modeled at 32 representative receptor locations throughout the Project corridor. In general, the analysis determined that construction of the Project will result in increases in highway traffic noise levels compared to existing conditions. Changes in daytime traffic noise levels are projected to vary from a 14.1 dBA reduction to a 9.1 dBA increase from existing to future (2040) build conditions. A noise barrier analysis was completed on a total of four potential locations along the corridor. None of the four potential barriers were found to meet all three reasonableness factors that must be met for a noise abatement measure to be considered reasonable: the MnDOT noise reduction design goal of at least 7 dBA at a minimum of one benefited receptor; a cost effectiveness threshold of $43,500 per individual benefited receptor; and receive support from 50 percent or greater of all possible voting points from benefited receptors. Therefore, no noise barriers are proposed for roadway traffic noise.

For train noise analysis, the Federal Transit Administration (FTA) general noise assessment identified moderate impacts at four receptors related to the at-grade crossing of the existing mainline near 45th Street: R13–R16. No severe impacts were identified. The dominant noise source at receptors R13–R16 was the locomotive warning horn for the mainline at-grade crossing.

Mitigation measures for the moderate impact at the four receptors were evaluated. However, noise barriers are infeasible for mitigating noise at receptors near at-grade crossings (where locomotive warning horns are used) because the roadway creates a large gap in the barriers. This gap greatly diminishes the noise reduction of the barriers. In addition to feasibility concerns, noise mitigation measures for a small number of receptors are not cost effective. Therefore, noise mitigation measures are not proposed for train noise.

Train vibration screening distances were determined using information in the FTA Transit Noise and Vibration Impact Assessment Guidance Manual. The project includes diesel locomotive trains in an area with residential receptors; therefore, a screening distance of 200 feet was identified and applied to the

proposed rail alignment. No vibration-sensitive receptors were identified within the vibration screening buffer, so no further vibration assessments were performed. No mitigation is proposed.

Agency Finding:
FHWA and FRA find that the proposed Project will not result in significant noise or vibration effects.

Section 4(f) Determination

Section 4(f) of the U.S. Department of Transportation Act (DOT Act) of 1966 (49 U.S.C. 303) states that both FRA and FHWA cannot approve the use of land from publicly owned parks, recreational areas, wildlife, and waterfowl refuges or public and private historic sites unless the following conditions apply: (1) there is no feasible and prudent alternative to the use of the property; and (2) the action includes all possible planning to minimize harm to the property resulting from use. Temporary occupancy of a Section 4(f) resource may not be considered a use if certain conditions are met: duration is temporary; no change in ownership of property; minor scope of work; no anticipated permanent adverse physical impacts; no interference with the activities or purpose of the resource; property will be fully restored to pre-project condition or better; and there is documented agreement from the official with jurisdiction over the resource (23 C.F.R. 774.13(d)). Section 4(f) also authorizes the agency to make a de minimis impact determination, after taking into account any measures to minimize harm to the Section 4(f) resource, if there is a no adverse effect finding under Section 106 of the National Historic Preservation Act (Section 106) for a historic property, or if there is a determination that the Project would not adversely affect the activities, features, and attributes of a park, recreation area, wildlife or waterfowl refuge protected under Section 4(f).

Evaluation of the Project has determined that although there are two Section 4(f) resources that would be impacted by all Project build alternatives, the Project does not require the use of a Section 4(f) resource.

As discussed in the Historic section, the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District is an active rail corridor that has previously been determined eligible for listing in the National Register of Historic Places. Therefore, it is a Section 4(f) resource. Although the proposed Project would impact the historic property, the impact has been determined to have no adverse effect under Section 106 because the construction of the Project rail line extending from the historic rail corridor main line will not alter the existing location/alignment, materials, workmanship, design, feeling and association of the main line. Because there is no adverse effect to the resource, the EA/EAW proposed a de minimis impact finding. The Minnesota Historic Preservation Office (MnHPO), the official with jurisdiction over the Section 4(f) resource, has been informed of FHWA's de minimis impact finding as part of the EA/EAW public and agency comment period. There were no comments received related to this Section 4(f) resource during the public comment period. MnHPO has provided a letter of concurrence for the FHWA determination, dated April 3, 2017 (see **Attachment 2**). The de minimis process is now complete. No mitigation will be provided.

The second Section 4(f) resource that will be impacted by the Project is a recreational trail located along the east side of CSAH 5 that is owned and operated by Kandiyohi County. The 10-foot wide trail, which is

approximately 0.9 miles long, will be subject to a temporary occupancy due to the construction of the CSAH 5 and realigned TH 12 intersection. To provide a new roadway crossing for the trail, the Project will include installing pedestrian ramps, painting crosswalks, and incorporating pedestrian countdown timers at the new roadway intersection. As detailed in the EA/EAW, the temporary occupancy is not considered a use under Section 4(f) because during construction of the intersection, the trail will remain open, a temporary connection (bypass/detour) will be provided on the trail to ensure users can continue to travel through the area, and all other criteria for a temporary occupancy exception are satisfied. Written concurrence from Kandiyohi County was appended to the EA/EAW as the owner of the resource. There were no public comments received related to this Section 4(f) park resource during the 30-day public comment period.

Agency Finding:
For the reasons stated above, FHWA and FRA find that the proposed Project will result in a de minimis impact to the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District and a temporary occupancy of a recreational trail located along the east side of CSAH 5 in Kandiyohi County, but it will not result in a Section 4(f) use of those resources.

Section 7 – Endangered Species

As stated in the EA/EAW, MnDOT's Office of Environmental Stewardship (OES), is FHWA's designated representative to review Section 7 resources within Minnesota for federally-listed threatened species. There is one species, the northern long-eared bat (Myotis septentrionalis) identified within Kandiyohi County. Although no critical habitat has been designated for this species, removal of trees can result in a loss of habitat. Approximately 0.5 acres of tree removal will occur as part of the Project.

Agency Finding:
FHWA and FRA find that the proposed Project "may affect, but will not cause prohibited incidental take" of the northern long-eared bat. MnDOT in coordination with OES staff noted that the Project will occur within the northern long-eared bat's range, but there are no documented maternity roosts and/or hibernacula within the Project area. No tree removals will occur within 0.25-mile of a known hibernaculum or within 150 feet from a maternity roost tree. USFWS did not object or rebut the conclusion reached by OES staff.

The Project will utilize the following minimization measures to prevent effects to the bat. MnDOT will ensure that winter tree removal (November 1 to March 31) will occur in order to avoid possible impacts to the species during the pup rearing season (June 1 through July 31). Disturbed areas will be revegetated using native seed mixes per DNR, MnDOT, and USFWS guidance. In addition, the Project will utilize bio-netting or natural netting for erosion control, which would reduce the risk of bat or other wildlife entrapment. MnDOT and BNSF have agreed to these requests for construction and MnDOT will ensure that these measures will be noted in construction documents and requests for proposals for construction.

Visual

The Project area landscape consists of level terrain, resulting in views of farmsteads and open agricultural fields extending into the horizon in many areas. The Marshall and Morris BNSF Subdivisions and TH 12 currently provide linear visual references. The selected railroad will introduce a new visual resource to the Project area; however, the view will be fairly limited to adjacent properties (limited number of residences in the Project area) and will likely be visible from nearby transportation routes. The grade separations will result in bridges measuring approximately 30 feet in height above current terrain levels similar to other nearby overpasses.

Road users will experience a change while traveling on realigned TH 12. However, the new views will be similar to current views of the agricultural areas outside of the City of Willmar. The nearest home is approximately 600 feet from the new TH 12 and CSAH 55 intersection.

The Project will introduce new light sources due to intersection lighting at the overpasses and rail connection. With the agricultural setting and few residences in the area, the new lighting sources are not anticipated to create a major impact. Several industrial businesses along CSAH 55/1st Avenue W are currently lit. MnDOT will ensure its roadway lighting standards are followed which require the use of full cutoff luminaires to restrict backlight.

Agency Finding:

Due to the distant location of the remaining residences and already lighted industrial area on CSAH 55/1st Avenue W, FHWA and FRA find that the proposed Project will result in minimal light and visual impacts. MnDOT will ensure that lighting will be directed downward towards the road or railroad and full cutoff luminaire lighting heads will be used to minimize light pollution.

COMMENTS AND COORDINATION

During preparation of the EA/EAW, early coordination and consultation was initiated with agencies, stakeholder groups, and the public to incorporate their comments and concerns into the development and analysis of the Project purpose and need, alternatives, and potential environmental impacts. Public coordination included stakeholder meetings, briefings, and presentations are detailed in the EA/EAW.

An open house and public hearing were held on the EA/EAW on February 23, 2017 from 5:00 pm to 7:00 pm at MnDOT District 8 in Willmar, MN. Approximately 83 people signed the attendance sheet. A number of individuals provided oral and written comments on the document the evening of the public open house/hearing. A copy of the public hearing transcript (which includes the comments on the environmental document) is found in **Attachment 1 – Appendix B**.

In addition to comments received at the meeting, additional comments were received from the public and agencies regarding the EA/EAW during the official public comment period. The official comment period was from February 6, 2017 through March 8, 2017.

In total, 28 agencies and individuals provided comments. The following is a summary of general comments received during the public comment period. The corresponding number in parenthesis quantifies the number of similar comments received.

- Attendees expressed general support for the Project and the selected alternative. (5)
- Some attendees preferred other TH 12 alternatives and CSAH 55/1st Avenue West sub-options that were not selected. (5)
- There was support from several residents, businesses, agencies, and elected officials for Sub-Option CSAH 55/1st Ave-1 to maintain an at-grade crossing of 1st Avenue West across the new railroad connection. (9)
- Concern from agriculture/farm related businesses that trucks will be impeded from entering and exiting the businesses along CSAH 55/1st Avenue West due to the closure at the new railroad connection. (2)
- There was concern over extended mileage and decreased safety for heavy commercial trucks associated with the selected alternative. (2)
- Some people expressed concern with a one-track railroad concept and would have preferred the railroad include a second track to prevent backups and idling/parking of trains that would result in trains going into the Willmar Yard and turning around as they do today – thereby maintaining current problems with crossing occupancy. (7)
- For a property owner whose driveway will be relocated from the state highway TH 12 to 45th Street (a township road), there was concern that township will not plow the new 45th Street road segment as often or thoroughly as the state highway is currently maintained. (1)
- The City of Willmar and Kandiyohi County stated concerns associated with roadway jurisdictional and turnback issues. (2)
- General concern for business impacts associated with loss of visibility and access to existing businesses along the existing TH 12 roadway. (3)
- Increase in train noise for a residential property due to the relocation of the 45th Street public railroad crossing to the west. (2)
- A decrease in quality of life for residents in the general vicinity of the new railroad connection. (2)
- General concern for farmland and property impacts associated with the Project. (2)

All comments received were considered, addressed and responded to by MnDOT. Comments and the response to comments are included in **Attachment 1 – Appendix B**, and have been posted on the Project website.

ENVIRONMENTAL COMMITMENTS

Applicable Regulations and Permits

The selected alternative was chosen after the potential impacts were evaluated, and the ability to mitigate impacts was considered. The following Federal regulations, statutes, and orders apply to the Project:

- Clean Water Act of 1977 (33 USC § 1251-1376)
- Endangered Species Act (50 CFR 17)
- Executive Order 11988, Floodplain Management (42 Federal Register 26951)
- Executive Order 11990, Protection of Wetland (42 Federal Register 26961)
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 Federal Register 7629)
- Federal Railroad Administration Procedures for Considering Environmental Impacts (64 Federal Register 28545)
- National Environmental Policy Act of 1969 (42 USC § 4231 et seq.)
- Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR 1500-1508)
- Section 4(f) of the U.S. Department of Transportation Act of 1966 (49 USC § 303)
- Section 6(f) of the Land and Water Conservation Act of 1965 (16 USC § 460)
- Section 106 of the National Historic Preservation Act, as amended (16 USC § 470) (54 U.S.C. § 306108)
- Section 404 of the Federal Water Pollution Control Act (33 USC § 1344)
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC § 61)
- Use of Locomotive Horns at Highway-Rail Grade Crossings, Final Rule (40 CFR 222 and 229)
- Federal Highway Administration's Procedures for Abatement of Highway Traffic Noise and Construction Noise (23 CFR 772)

In addition to the federal regulations, statutes, and orders, the Project is subject to agency approvals and permits.

Mitigation

Mitigation describes any action taken to reduce the adverse effects of potential impacts. The order of precedence for dealing with impacts is listed below:

- Avoiding the impact altogether by not taking a certain action or parts of an action
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation; rectifying the impact by repairing, rehabilitating, or restoring the affected environment
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action
- Compensating for adverse impacts by replacing or providing substitute resources or environments

The following sections describe the list of commitments to mitigation that are being committed to as part of this Project.

Land Use

Airport Zones:

The build alternative encroaches into Airport Zones B and C, but avoids the runway protection zone and Zone A. To ensure compatibility with the Willmar Municipal Airport Zoning Ordinance, MnDOT will continue to coordinate with the FAA and Willmar Area Joint Airport Zoning Board throughout design and during construction. MnDOT will supply construction data as part of the FAA Obstruction Evaluation/Airport Airspace Analysis – Notice of Proposed Construction or Alteration – Off Airport permit. Mitigation/minimization will comply with height restrictions identified in the zoning ordinances and obtain permits in advance of construction.

Floodplain:

Impacts to the floodplains will stay within the regulatory threshold of up to 0.5 feet as final design is completed to ensure no mitigation is needed. As part of final design, MnDOT's request for proposal for the design-build contract will indicate that the final design cannot raise the floodplain to a level (greater than 0.5 feet) that would require a permit. BNSF is in the process of finalizing the railroad plans. Those plans are consistent with the preliminary plans that did not include an increase in the floodplain.

Water Resources

Groundwater:

Nearby wells have been inventoried and mapped as described in **Figure 34** of the EA/EAW. MnDOT will ensure that any wells impacted by the Project will be sealed by a licensed well contractor according to Minnesota Rules, Chapter 4725, or be relocated and coordinated with the MPCA and MDH.

Stormwater Management:

Figure 35 in the EA/EAW identifies the proposed stormwater treatment BMPs for the proposed Project. For the roadway portions of the Project, rate control and infiltration volume will be provided by MnDOT for the net new impervious surface as required by the NPDES permit. As part of the roadway Project, MnDOT will construct seven best management practices (BMPs) via a combination of dry ponds and filtration basins that will meet the requirements of the NPDES permit and the MDH rules. MnDOT will ensure that railroad BMPs will be implemented by BNSF consisting of vegetated/turf side slopes, turf swales and/or ditches, rip rap, filtration basins and equalizer culverts.

Water appropriation:

MnDOT will implement and will ensure that BNSF implements a dewatering plan, along with meeting all requirements included in the Project SWPPP and NPDES Permit, during construction to ensure that the discharge does not adversely affect receiving waters and that the inlet and discharge points are adequately protected from erosion and scour. If dewatering rates exceed 10,000 gallons per day or a million gallons per year, MnDOT will require and ensure that BNSF requires their contractors to apply for a DNR Water Appropriation permit during the construction phase of the Project.

Section 401:

In Minnesota, The USACE and the MPCA have a joint application form. Permits from the USACE, including General Permits and Letters of Permission, include pre-certification from the MPCA

demonstrating compliance with Section 401. If any mitigation measures are identified in the permitting process, MnDOT will ensure they are implemented.

Section 404:
The proposed method of wetland compensatory mitigation follows the approach outlined in the St. Paul District Policy for Wetland Compensatory Mitigation in Minnesota and the Minnesota WCA Rules. Wetland impacts will occur within Bank Service Area (BSA) 9 and Major Watershed 25 (Minnesota River-Yellow Medicine River). Mitigation for impacts associated with the roadway portion of this Project will be replaced at a 2:1 ratio through the debit of MnDOT bank credits and impacts associated with the railroad portion of the Project will be replaced at a 2:1 ratio through the purchase of credits from a bank within BSA 9. MnDOT will be responsible for wetland mitigation associated with the roadway portion of the Project and will ensure that BNSF is responsible for wetland mitigation impacts associated with the railroad portion of the Project.

Contamination/Regulated Waste
MnDOT will require and ensure that BNSF requires that any potentially contaminated materials encountered during construction will be handled and treated in accordance with applicable state and federal regulations. It is not anticipated that construction work would release contaminated dust particles to the surrounding populace; however, minimization measures will avoid, control, and manage these efforts.

For building demolition, MnDOT will contract with experts in regulated waste to inspect the properties for the presence of regulated or contaminated materials. MnDOT will implement standard measures to help avoid, control and manage potential effects from contaminated materials, such as preparing and implementing a project-specific scope of work, site-specific health and safety plan, and hazardous material management plan. Any regulated or contaminated materials identified will be disposed of in accordance with applicable federal, state and local regulations in advance of Project construction.

MnDOT will dispose and ensure that BNSF disposes of all solid wastes generated by construction of the proposed Project properly in a permitted, licensed facility. MnDOT will direct concrete, asphalt, and other potentially recyclable construction materials that result from Project demolition to the appropriate storage, crushing or renovation facility for recycling.

If any contaminated spills or leaks occur during construction, MnDOT will require the contractor to notify the Duty Officer and work with the MPCA to contain and remediate contaminated soil/materials in accordance with state and federal standards. MnDOT will ensure that BNSF requires its contractor to work the MPCA to contain and remediate contaminated soil/materials in accordance with state and federal standards.

Fish, Wildlife, Plant Communities and Sensitive Ecological Resources
While impacts to sensitive species are not anticipated, MnDOT will ensure that MnDOT and BNSF implement the following protection measures:

- Design the Project to avoid impacts to any identified Areas of Environmental Sensitivity (AES).

- Protect and preserve vegetation from damage in accordance with MnDOT Spec 2572.3.
- Prohibit vehicle and construction activities, including the location of field offices, storage of equipment and other supplies at least 25 feet outside the AES to be preserved, also in accordance with MnDOT spec 2572.3.
- Use redundant sediment/erosion control BMPs for protection of areas of environmental sensitivity.
- Use of native seed mixes for revegetation of disturbed soils not proposed for mowed turf grass.

Construction Noise and Dust

To minimize construction noise disturbances, MnDOT has made the following commitments:

- MnDOT will require and ensure that BNSF will require that construction equipment be properly muffled and in proper working order.
- MnDOT will require its contractors to comply with applicable local noise restrictions and ordinances to the extent that is reasonable.
- MnDOT will ensure that BNSF and its contractors will comply with applicable noise restrictions and ordinances.
- MnDOT will provide and ensure that BNSF will provide advanced notice to the City of Willmar for construction activities that produce abnormally loud noises, such as use of high-impact equipment, pile driving, pavement sawing or air hammering.

MnDOT will require and ensure that BNSF requires construction contractors to control dust and other airborne particulates in accordance with MnDOT and BNSF specifications in place at the time of Project construction. MnDOT will ensure that MnDOT and BNSF adhere to BMPs for dust control, which may include the following measures as appropriate for the Project area:

- Minimize the duration and extent of areas being exposed or regraded at any one time.
- Spray construction areas and haul roads with water, especially during periods of high wind or high levels of construction activity.
- Minimize the use of vehicles on unpaved surfaces when feasible.
- Tarp trucks hauling soil, sand, and other loose materials or require trucks to maintain at least two feet of freeboard.
- Pave, apply water as needed, or apply (non-toxic) soil stabilizers on unpaved access roads, parking areas and staging areas at construction sites.
- Use water sweepers to sweep paved access roads, parking areas and staging areas at construction sites.
- Use water sweepers to sweep streets if visible soil material is carried onto adjacent public streets.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- Enclose, cover, water or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- Limit traffic speeds on unpaved roads to 15 miles per hour.

- Utilize appropriate erosion control measures to reduce silt runoff to public roadways.
- Replant vegetation as quickly as possible to minimize erosion in disturbed areas.
- Use alternative fuels for construction equipment when feasible.
- Minimize equipment idling time.
- Maintain properly tuned equipment.

Right of Way

MnDOT will ensure that the Uniform Relocation and Real Property Acquisition Act of 1970, as amended by the Surface Transportation Uniform Relocation Assistance Act of 1987 and 49 CFR, Part 24, and effective April 1989 will be followed by MnDOT and BNSF for the Project, to compensate landowners for property acquired for this Project. Relocation assistance will be provided by MnDOT if necessary. MnDOT will ensure that for temporary impacts, MnDOT and BNSF will ensure that land features will be returned to match their prior condition.

Section 4(f) Resources

During construction of the CSAH 5 and realigned TH 12 intersection, a temporary connection (bypass/detour) will be provided by MnDOT on the trail to ensure users can continue to travel through the area.

Section 7 – Endangered Species

MnDOT will ensure that the Project includes minimization measures to prevent effects to the bat. Winter tree removal (November 1 to March 31) will occur in order to avoid possible impacts to the species during the pup rearing season (June 1 through July 31). Disturbed areas will be revegetated using native seed mixes per DNR, MnDOT, and USFWS guidance. In addition, the Project will utilize bio-netting or natural netting for erosion control, which would reduce the risk of bat or other wildlife entrapment. MnDOT and BNSF have agreed to these requests for construction and these measures will be noted in construction documents and requests for proposals for construction.

Visual

MnDOT will ensure that lighting will be directed downward towards the road or railroad and full cutoff luminaire lighting heads will be used to minimize light pollution.

FRA CONCLUSION

FRA finds that the January 2017 EA/EAW prepared by MnDOT and FHWA for the Willmar Rail Connector & Industrial Park Access Project, satisfies the requirements of FRA's Procedures for Considering Environmental Impacts (64 FR 28545, May 26, 1999) and NEPA (42 USC § 4321 *et seq.*). FRA has determined that the Willmar Rail Connector & Industrial Park Access Project, as presented in assessed in the EA/EAW, will have no foreseeable significant impact on the quality of the human and natural environment. This Finding of No Significant Impact is based on the information presented in the attached EA/EAW, which was independently evaluated by the FRA and determined to adequately and accurately discuss the purpose and need, environmental issues, impacts of the proposed Project, and the appropriate mitigation measures. As the Project sponsor, MnDOT is responsible for fully implementing the environmental commitments and mitigation measures identified herein for the highway portion of the Project. MnDOT is also responsible for ensuring that BNSF, as a Project partner and the entity for overseeing the construction of the railroad improvements, fully implements the environmental commitments and mitigations for the railroad portion of the Project. The EA/EAW and Section 4(f) de minimis evaluation provide sufficient evidence and analysis for FRA to determine that an Environmental Impact Statement is not required for the Project as presented.

Jamie Rennert
Office Director
Federal Railroad Administration

5/2/17
Date

This document has been prepared in May 2017 by the Minnesota Department of Transportation in accordance with FRA's Procedures for Considering Environmental Impacts by the Office of Railroad Policy and Development, with assistance from the Office of Chief Counsel.

For further information regarding this document contact:

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FHWA CONCLUSION

FEDERAL HIGHWAY ADMINISTRATION
MINNESOTA DIVISION
FINDING OF NO SIGNIFICANT IMPACT & SECTION 4(f) DETERMINATION

Minnesota State Project Number 3403-74
US Trunk Highway 12
In the Willmar Township and the City of Willmar
Kandiyohi County, Minnesota

FHWA finds that the elements of the Willmar Rail Connector & Industrial Access Project which require FHWA funding and the environmental impacts caused thereby have been adequately identified and assessed in the January 2017 EA/EAW as prepared by MnDOT and FHWA. Therefore, pursuant to 23 CFR 771.121(c), FHWA hereby finds that the Willmar Rail Connector & Industrial Park Access Project will not cause significant environmental impacts.

The proposed Project consists of reconstructing approximately two and one half miles of US Trunk Highway 12 and construction of two bridges over the proposed rail line, and other road modifications.

The Federal Highway Administration has determined that the proposed improvements, as described in the Environmental Assessment (EA) will have no significant impacts to the human or natural environment. This Finding of No Significant Impact (FONSI) is based upon the attached EA which has been independently evaluated by FHWA and determined to adequately discuss the need, environmental issues, and impacts of the proposed Project and appropriate mitigation measures.

The EA released to the public on February 6, 2017 included FHWA's intent to make a Section 4(f) de minimis impact determination regarding the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District (HE-MPC-16387). The Minnesota Historic Preservation Office (MnHPO), the agency with jurisdiction over the railroad, concurred with FHWA's assessment of Project impacts to the railroad. Therefore, it is FHWA's determination that the proposed Project will constitute a Section 4(f) de minimis impact to the railroad because the features, attributes, and activities qualifying the railroad for protection under Section 4(f) are not adversely affected.

The EA provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required.

David J. Scott, P.E.
Assistant Division Administrator
Federal Highway Administration – Minnesota Division

5/4/17
Date

FINDINGS OF FACT
and
CONCLUSIONS

WILLMAR RAIL CONNECTOR & INDUSTRIAL ACCESS PROJECT

State Project No. 3403-74

Prepared by:
Minnesota Department of Transportation

May 2, 2017

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FINDINGS OF FACT AND CONCLUSIONS

WILLMAR RAIL CONNECTOR & INDUSTRIAL ACCESS PROJECT

Located in:
City of Willmar and Willmar Township
Kandiyohi County, Minnesota

1.0 STATEMENT OF ISSUE

The proposed project will construct a new 2.8-mile railway between the Marshall and Morris Subdivisions of the BNSF Railway and a rail spur for industrial park access. Roadway modifications include a 2.5-mile realignment of US Trunk Highway (TH) 12, construction of two bridges over the proposed rail line, and other local road modifications.

Preparation of an Environmental Assessment Worksheet (EAW) is required for this project under Minnesota Rules 4410.4300, Subpart 22.A, for construction of a road on a new location over one mile in length. The Minnesota Department of Transportation (MnDOT) is the project proposer. MnDOT is also the Responsible Governmental Unit (RGU) for review of this project, as per Minnesota Rules 4410.4300, Subpart 22.A.

MnDOT's decision in this matter shall be either a negative or a positive declaration of the need for an environmental impact statement. MnDOT must order an Environmental Impact Statement (EIS) for the project if it determines the project has the potential for significant environmental effects.

Based upon the information in the record, which comprises the Environmental Assessment/Environmental Assessment Worksheet (EA/EAW) for the proposed project, related studies referenced in the EA/EAW, written comments received, responses to the comments, and other supporting documents included in this Findings of Fact and Conclusions document, MnDOT makes the following Findings of Fact and Conclusions:

2.0 ADMINISTRATIVE BACKGROUND

2.1 The Minnesota Department of Transportation is the Responsible Governmental Unit and project proposer for the Willmar Rail Connector & Industrial Access Project. A combined Federal Environmental Assessment and State Environmental Assessment Worksheet (EA/EAW) has been prepared for this project in accordance with Minnesota Rules Chapter 4410 and the National Environmental Policy Act (NEPA) (42 USC 4321 et. seq.). The EA/EAW was developed to assess the impacts of the project and other circumstances in order to determine if an Environmental Impact Statement (EIS) is indicated.

2.2 The EA/EAW was filed with the Minnesota Environmental Quality Board (EQB) and circulated for review and comments to the required EAW distribution list. A "Notice of Availability" was published in the EQB Monitor on February 6, 2017. A press release was distributed to local media outlets and legal notices were published in the Willmar Tribune on February 8, 2017. **Appendix A** contains copies of the affidavits of publication for the legal notices. A notice was also published on the project web page **http://www.dot.state.mn.us/d8/projects/willmarwye**. These notices provided a brief description of the project and information on where copies of the EA/EAW were available and invited the public to provide comments that would be used in determining the need for an EIS on the proposed project.

2.3 A public hearing/open house meeting was held on February 23, 2017 at the MnDOT District 8 Office (2505 Transportation Road) in Willmar. Additional information pertaining to the publication of the EA/EAW and the public hearing/open house meeting is located in **Appendix A**.

2.4 The EA/EAW was made available for public review at four locations: Willmar Public Library (Willmar), MnDOT District 8 Office (Willmar), MnDOT Library (St. Paul), and Environmental Conservation Library (Minneapolis). The document was also posted for review on the project website listed in Section 2.2. Comments were received through March 8, 2017.

2.5 Twenty-eight agency and public citizen comments were received during the EA/EAW comment period. All comments received during the EA/EAW comment period were considered in determining the potential for significant environmental impacts. Comments received during the comment period and responses to substantive comments are provided in **Appendix B**.

3.0 FINDINGS OF FACT

3.1 Project Description

3.1.1 Existing Conditions: Willmar is a regional hub on the BNSF Railway (BNSF) network. The Willmar Terminal is the confluence of three BNSF Subdivisions – the Marshall, Morris and Wayzata. The Marshall Subdivision runs southwest from the City of Willmar to the South Dakota border and further to the east to Sioux City, Iowa. The Morris Subdivision runs from Willmar to East Breckenridge, Minnesota. The Wayzata Subdivision runs from Minneapolis to Willmar, where it connects with the Morris and Marshall Subdivisions in the Willmar Terminal. While there is a direct connection between the Wayzata Subdivision to both the Morris and Marshall Subdivisions, there is not a direct connection between the Morris and Marshall Subdivisions. Trains moving north-south on the Morris and Marshall Subdivisions must pull into the Willmar Terminal, reverse direction, and reposition locomotives and crews. This switching operation to transfer trains between the Morris and Marshall Subdivisions, creates excess train emissions and noise, consumes rail yard and mainline capacity, occupies several at-grade crossings, and impedes the flow of vehicular traffic within Willmar.

Trunk Highway (TH) 12 runs parallel to the BNSF Morris Subdivision at the northwest corner of Willmar. TH 12 is currently a two-lane roadway with a posted speed limit of 55 miles per hour (mph). The existing roadway section typically has 12-foot driving lanes and 10-foot wide paved shoulders. TH 40 is currently an east-west two-lane roadway connecting the Willmar Municipal Airport to Willmar. TH 40 has 12-foot driving lanes and two-foot paved shoulders. Kandiyohi County State Aid Highway (CSAH) 55 is a two-lane roadway that runs north-south between TH 23 and 1st Avenue West. From there, CSAH 55/1st Avenue West heads east towards TH 12. CSAH 55 has 12-foot driving lanes and varying shoulder widths.

3.1.2 Proposed Project: The recommended alternative as identified in the EA/EAW includes a 2.8-mile railway consisting of a mainline connection, grading for a future siding, industrial park access spur line, access roads and mainline extension between the Marshall and Morris Subdivisions of the BNSF railway in the western portion of the City of Willmar and Willmar Township. Roadway modifications include a 2.5-mile realignment of Trunk Highway (TH) 12, construction of two bridges on TH 12 and TH 40 over the proposed rail line, new local access road between the realigned TH 12 and 1st Avenue West, and other road modifications to County State Aid Highway 55, 1st Avenue West, and 45th Street NW. A more detailed description of the proposed project components is included in Section III.F.2. (starting on page 32) of the EA/EAW.

3.2 Additional Information Regarding Items Discussed in the EA/EAW Since It Was Published

Since the EA/EAW was published, the following information pertaining to the project has been added or updated:

3.2.1 The recommended alternative layout (Figure 22) has been updated to reflect design changes based on updated information and continued discussions with partner agencies. A number of figures have also been updated with the recommended improvements, and are included in **Appendix C**. The layout modifications are minor and did not result in increased environmental impacts. The following modifications were made to the layout:

- Roadway modifications to the segment of 1st Avenue W located between the new alignment of TH 12 and CSAH 55/45th Street NW have been updated. The proposed improvements are shown to consist of an aggregate surface, not paved roadway surface, to match the existing roadway surface. Also, the proposed cul-de-sac has been relocated approximately 700 feet to the east to maintain access to adjacent farmland. Roadway removals will be limited to the separation of this roadway segment from the new TH 12 alignment (approximately 50 feet).

- The existing segments of TH 12 that will no longer serve a trunk highway purpose will receive a mill and overlay as part of this project. The segments are: from the new 45th Street NW connection to the existing 45th Street NW/TH 12 intersection; and from the new 1st Avenue W connection to the east of the existing TH 12/CSAH 5 intersection. These segments are being considered for turnback as a local roadway.

- The east-west portion of CSAH 55/1st Avenue W that will no longer serve a state aid purpose will receive a mill and overlay as part of this project. This segment is being considered for turnback as a local roadway.

- Additional driveway connections have been shown on CSAH 55 and 45th Street NW to maintain existing field accesses.

3.2.2 Filtration basins and other storm water best management practices will be constructed to address infiltration and water quality treatment and areas sensitive to additional discharge from the road right of way. Seven stormwater BMPs (a combination of dry ponds and filtration basins) will be used to meet water quality and rate control requirements of the City of Willmar and NPDES stormwater permit for roadway improvements. Previously, nine BMPs were identified. See updated **Figure 35: Stormwater Treatment** in **Appendix C**, for the revised BMP locations as described below.

Proposed stormwater BMPs along CSAH 55 have been reduced from four to two BMPs. BMPs 5640 and 5461 have been eliminated. BMPs 5700 and 5721 are both proposed as filtration basins.

The stormwater BMP located adjacent to the new TH 12 alignment and the new local access road to 1st Avenue W has also been revised. This location was previously identified as dry pond 5733. It has been updated as filtration basin 5023.

3.2.3 Information related to floodplain impacts has been updated and identified in **Figure 31: Proposed Floodplain Impacts and Crossings** in **Appendix C**. Also see **Appendix E** for updated floodplain assessment and hydraulic risk analysis documentation.

Crossing "A" was previously shown as a new 48-inch round culvert at the location of the new TH 12 alignment over County Ditch 12. Crossing "A" has been revised, proposing two 42-inch round culverts at this location.

The southern-most crossing "B" was previously shown as a new 72" CMP round culvert under the new railway. Crossing "B" has been revised to a 60" CMP round culvert.

Crossing "C" was previously identified as Bridge 94149 over Hawk Creek (County Ditch 10) and was proposed to be extended approximately 25 feet to account for shoulder widening on CSAH 55. This information has been revised, referring to Crossing C as Bridge 34J28. The existing Bridge 34J28 on CSAH 55 is sufficient and no modifications are needed for the shoulder widening on CSAH 55. The existing bridge is a 12-foot by 8-foot box culvert.

Crossing "D" (Bridge 91329) was previously identified as an existing 14-foot by 10-foot box culvert over Hawk Creek on TH 40. The existing bridge type and size have been revised to a 15-foot, 4-inch by 9-foot, 3-inch steel pipe arch. In-kind replacement for this culvert is proposed as previously identified.

Additionally, two pipes will be constructed under proposed Trunk Highway 12 (labeled Crossing "G" and "H"). These culverts will be outside of the FEMA floodplain, but require a Risk Assessment due to their size (anticipated size is greater than 48 inches).

Crossing "I" was previously shown as a 12-foot by 8-foot box culvert replacement. Based upon further review, the existing 12-foot by 6-foot Bridge #8468 was determined to have no structural or design issues. In order to reduce project impacts related to floodplain and existing utilities, replacement of the structure is no longer proposed.

Culverts/hydraulic crossings have been sized to ensure high water levels will not adversely affect upstream infrastructure. The 100-year high water levels (HWLs) have been determined for the pre- and post-development runoff scenarios. Post development HWL rises relative to pre-development HWLs have been determined following a 100-year event. Additionally, inundation times that would result due to the additional water level rise have been calculated. Post development HWL and additional inundation times have been determined insignificant relating to alteration of wetlands, infrastructure impact, and agricultural impact.

3.2.4 Information related to the physical effects and alterations of surface waters has been updated to reflect design changes. **Table 15** of the EA/EAW has been updated as follows:

	Definition	Wetland Impacts (acres)	Tributary Impacts (acres)	Wet Ditch Impacts (acres)	Total Impact (acres)
All Aquatic Resources	Wetlands, tributaries, roadside wet ditches, stormwater features, conveyance systems, and ditches	11.8*	0.5	0.2	12.5
WCA Regulated Wetlands	Natural Wetlands (WCA does not regulate incidental wetlands such as wet ditches)	11.8*	No Regulation	No Regulation	11.8
USACE Jurisdictional Resources	Wetlands, tributaries, roadside wet ditches, stormwater features, conveyance systems and ditches which connect to a water of the U.S.	3.8*	0.5	0.1	4.4
*Some resources may fall under regulation by WCA and the USACE. Not all aquatic resource impacts require mitigation.					

The US Army Corps of Engineers (USACE) Section 404 and Minnesota Wetland Conservation Act (WCA) joint permit applications for replacement plans have been drafted as separate applications for the BNSF and the MnDOT portions of the project. These applications will be submitted for review, comment and approval. Wetland impacts for both portions of the project occur within Bank Service Area (BSA) 9 and Major Watershed 25 (Minnesota River – Yellow Medicine River). The proposed method of wetland compensatory mitigation follows the approach outlined in the St. Paul District Policy for Wetland Compensatory Mitigation in Minnesota and the Minnesota WCA Rules, which requires 2:1 mitigation ratios for

replacement, if within the same BSA. Wetland mitigation for the rail will most likely be mitigated through the purchase of wetland bank credits from bank accounts in BSA 9. Wetland impacts from the roadway portions of this project will be mitigated for through the debit of MnDOT wetland bank credits. Aquatic resource impacts have changed with regards to updates in design. The rail project will impact approximately 2.5 acres of aquatic resources and will purchase approximately 5.0 acres of mitigation credits, where at least 1.5 acres of those credits will be USACE approved. The road project will impact approximately 9.5 acres of aquatic resources and will purchase approximately 19.0 acres of mitigation credits, where at least 6.4 acres of those credits will be USACE approved. Both the railway and roadway portions are expected to qualify for a Letter of Permission.

Wetland impacts occurring from both the roadway and the rail projects total approximately 11.8 acres, where 9.3 acres of wetland impacts occur from roadway construction or modification and 2.5 acres of wetland impacts occur from the construction of the new rail line. The Wetland Assessment and Two Part Finding document and corresponding impact figures have been updated to reflect changes to wetland impacts and is included in **Appendix E.**

3.2.5 On January 6, 2017 correspondence was received from the USACE regarding their preliminary interpretation about which wetlands and tributaries impacted would most likely be considered Waters of the United States (WOUS) in the final Approved Jurisdictional Determination (AJD) [see **Appendix D** for correspondence]. Wetlands 1, 6, 7, 45, 47, 48, and 58 as well as tributaries 51 and 54 were suggested to be WOUS in addition to those indicated on the previous ADJ that was issued on August 25, 2015. The formal ADJ for these additional resources has not been issued by the USACE.

3.2.6 A pre-application meeting was held on February 14, 2017 with the WCA Local Government Unit (LGU) for Kandiyohi County in order to review the proposed railway design in regard to wetland impacts, changes to inundation, and the potential to cause changes to wetland types. Slight changes to the railway drainage measures were requested and were incorporated into the joint permit application.

3.2.7 A pre-application conference call was held on February 8, 2017 with the Kandiyohi County Ditch Authority to introduce and review the project in regard to impacts to the County ditch systems. Permit applications are being prepared separately for the BNSF and the MnDOT portions of the project, but will be submitted concurrently for review by the County Ditch Authority. The permit applications will be presented and reviewed at the same public hearing that will be held by the Kandiyohi County Ditch Authority.

3.2.8 Cover types, both before and after the project, have been slightly modified to reflect changes to the design. **Table 9** of the EA/EAW has been updated as follows for cover types within the general project area.

Cover Type	Before (acres)	After (acres)
Cultivated crops	89	0
Wooded/forest	0.5	0
Wetland	15	3
Impervious/developed	69	98.5
Pasture/hay	11	0
Stormwater BMP	0	5.5
Deep water/streams	0.5	0.5
Lawn/landscaped	0	77.5
Total	**185**	**185**

3.2.9 Updated right of way acquisition estimates have been prepared since the EA/EAW was released. The following table provides updated numbers to **Table 23** in the EA/EAW for both permanent and temporary acquisitions. **Figure 41** and **Figure 42** have been updated to show the property that would be needed to construct the Project.

Right of Way Impacts (Total and Strip Acquisitions)

Type of Acquisition	Acres	Number of Property Owners
Permanent Right of Way / Permanent Easement	302.4	17
Temporary Easement	19.7	16

3.3 Findings Regarding Criteria for Determining the Potential for Significant Environmental Effects

Minnesota Rules 4410.1700 provides that an environmental impact statement shall be ordered for projects that have the potential for significant environmental effects. In deciding whether a project has the potential for significant environmental effects, the following four factors described in Minnesota Rules 4410.1700, Subp.7 shall be considered:

A. type, extent, and reversibility of environmental effects;

B. cumulative potential effects. The RGU shall consider the following factors: whether the cumulative potential effect is significant; whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect; the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect; and the efforts of the proposer to minimize the contributions from the project;

C. the extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority. The RGU may rely only on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the project; and

D. the extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.

MnDOT's key findings with respect to each of these criteria are set forth below:

3.3.1 Type, Extent, and Reversibility of Impacts

MnDOT finds that the analysis completed during the EA/EAW process is adequate to determine whether the project has the potential for significant environmental effects. The EA/EAW describes the type and extent of impacts anticipated to result from the proposed project. In addition to the information in the EA/EAW, the additional information described in Section 3.2 of this Findings of Fact and Conclusions document as well as the public/agency comments received during the public comment period (see **Appendix B**) were taken into account in considering the type, extent and reversibility of project impacts. Following are the key findings regarding potential environmental impacts of the proposed project and the design features included to avoid, minimize, and mitigate these impacts:

3.3.1.1 Land Use: The project is compatible with the City of Willmar's future plans for the area and the planned industrial park development. A large portion of the land is currently leased, with the project partners (City of Willmar and BNSF) owning a number of farmed parcels. Approximately 93 acres of farmland will be converted to railroad or road right of way. The project will not prohibit farming on non-converted lands.

To ensure compatibility with the Willmar Municipal Airport Zoning Ordinance, coordination with the FAA and Willmar Area Joint Airport Zoning Board will continue throughout design and during construction. This includes review of all structures, including lighting improvements, within the airport influence zones to ensure they are compatible with necessary height restrictions. Construction data will be supplied as part of the FAA Obstruction Evaluation/Airport Airspace Analysis – Notice of Proposed Construction or Alteration – Off Airport permit.

3.3.1.2 Water Resources:

Surface Waters: The project will involve work in surface waters located within the project corridor including Hawk Creek, unnamed tributaries to Hawk Creek, County Ditch 10, and County Ditch 46. Hawk Creek currently passes under existing TH 12, CSAH 55 and TH 40 via culvert bridges. The bridges at TH 12 and TH 40 will be replaced based on the MnDOT Bridge Preservation and Improvement Guidelines document due to existing structures being under-designed compared to current standards. The proposed railway will cross

Hawk Creek and County Ditch 46. Fifteen-foot diameter corrugated metal pipes (CMPs) are proposed at both of these crossings.

Impacts to tributaries within the project corridor from roadway improvements and associated culvert installation are approximately 0.1 acres. Surface water impacts from the railway and associated culvert installation are approximately 0.4 acres. The DNR will not require a Public Waters Work permit for the work occurring within Hawk Creek because of its status as an altered DNR Public Water. Compensatory mitigation through the USACE is not anticipated for any work occurring within surface waters due to no loss of aquatic resource value or function when compared to the existing characteristics of the waterbodies. Permit applications for County Ditch crossings will be prepared and submitted to the Kandiyohi County Ditch Authority to petition for proposed changes to the County Ditch system, but no changes to the hydraulic capacity of the County Ditches are proposed.

Groundwater: The project is located within a wellhead protection area as identified by the Minnesota Department of Health (MDH). The east portion of the project is in a high vulnerability Drinking Water Supply Management Area (DWSMA) and a small portion of the project is located within a moderate vulnerability DWSMA. MDH guidance indicates that infiltration is not recommended in these areas. The project's stormwater management reflects the MDH guidelines.

Thirty active and sealed wells are located within the project area. Any wells impacted by the project will be sealed by a licensed well contractor according to Minnesota Rules, Chapter 4725, or be relocated and coordinated with the MPCA and MDH.

Stormwater Management: For the roadway portions of the project, rate control and infiltration volume will be provided for the net new impervious surface as required by the National Pollutant Discharge Elimination System (NPDES) Construction Stormwater permit. The project is also required to follow guidance set forth by the Minnesota Department of Health on infiltration within wellhead protection areas. The project will result in an increase in impervious of 29.5 acres and the east portions of the project are located within high vulnerability wellhead protection areas. The roadway project proposes to construct seven best management practices (BMPs), a combination of dry ponds and filtration basins that will meet the requirements of the NPDES permit and the MDH rules.

Stormwater runoff BMPs are proposed to accommodate railway surface runoff resulting from stormwater events. Railway BMPs to be implemented will consist of vegetated/turf side slopes, turf swales and/or ditches, rip rap, filtration basins and equalizer culverts. Stormwater runoff from proposed railway infrastructure will be directed to turf established side slopes and/or adjacent flat bottom ditches. The typical railway ditch bottom widths proposed are 6' wide and will maintain minimal longitudinal slope.

The railway will cross two agricultural drainage ditches (County Ditches 10 and 46) and also a tributary to County Ditch 10. These three crossings will be treated with nine filtration basins (four at each of the two ditch crossings and one at the tributary to County Ditch 10) to filter runoff prior to discharge into the existing ditches. The filtration basin BMPs will meet MPCA criteria.

Culverts along the project have been sized to ensure high water levels will not adversely affect upstream infrastructure. 100-year high water levels (HWLs) have been determined for the pre- and post-development runoff scenarios. Post-development HWL rise relative to pre-development HWLs, as well as inundation times, have been determined following a 100-year event. Post development HWL and additional inundation times have been determined to be minimal relating to alteration of wetlands, infrastructure impacts, and agricultural impacts.

Water appropriation: The installation or replacement of culverts within surface waters will require water appropriation. A dewatering plan, as well as information included in the project SWPPP and NPDES Construction Stormwater Permit, will be utilized during construction to ensure that the discharge does not adversely affect receiving waters and that the inlet and discharge points are adequately protected from erosion and scour. If dewatering rates exceed 10,000 gallons per day or a million gallons per year, the contractor will apply for a DNR Water Appropriation permit during the construction phase of the project.

Wetlands and wet ditches: Wetland and wet ditch impacts attributed to the railway portion of this project are approximately 2.5 acres of wetland (no wet ditch impacts), where 0.8 acres are under the jurisdiction of the USACE. Approximately 9.3 acres of wetland impacts and 0.1 acre of wet ditch impacts are attributed to the roadway portion of this project, where 3.2 acres are under the jurisdiction of the USACE.

Two joint applications have been drafted for the BNSF portion and the MnDOT portion of the project. Compensatory mitigation is not anticipated for impacts occurring to tributaries. Included in the applications are replacements plans of the affected wetland areas. Proposed replacement is consistent with the Section 404 permit and the current Wetland Conservation Act (WCA) regulatory requirements. Wetland impacts will occur within Bank Service Area (BSA) 9 and Major Watershed 25 (Minnesota River-Yellow Medicine River) for both portions of the project. Mitigation for impacts associated with the roadway portion of this project will be replaced at a 2:1 ratio through the debit of MnDOT bank credits and impacts associated with the railway portion of the project will be replaced at a 2:1 ratio through the purchase of credits from a bank within BSA 9. Both Local Government Units (LGUs), Kandiyohi County and MnDOT, have reviewed the project and have discussed the proposed replacement plans in pre-application meetings.

Floodplain: The 100-year floodplain of Hawk Creek, unnamed tributaries to Hawk Creek, County Ditch 12 and County Ditch 46 are within the project area. These floodplains are fairly well contained within the banks of the creek and ditches within the project area. Approximately 2.9 acres of floodplain will be impacted at the following locations as identified in Figure 31 of the EA/EAW (see updated version in **Appendix C**:

- Proposed culvert under proposed Trunk Highway 12, west of 30th Avenue NW, over County Ditch 12 (Crossing “A”)
- Proposed culvert on Hawk Creek east of CSAH 55 (Crossing “B”)
- Existing bridge 91329 on Trunk Highway 40 over Hawk Creek (Crossing “D”)
- Proposed culvert under proposed Trunk Highway 12, between 1st Avenue and CSAH 55 (Crossing “E”)

- Proposed railroad culvert on County Ditch 46 east of CSAH 55 (Crossing "F")

The bridge and culvert crossings associated with the floodplain will be sized such that they minimize changes in the floodplain either upstream or downstream. Based on the model, the stage increase of the floodplain will be less than 0.5 feet; therefore, there will be minimal floodplain impacts as a result of the project. The impact to the floodplain will be minimal and within the regulatory threshold, so no mitigation will be required. A floodplain assessment has been updated and is included in **Appendix E**. It is anticipated that there will be no net increase; however, there is some flexibility to increase this up to 0.5 feet should changes in floodplain impacts occur in final design.

3.3.1.3 Contamination: There is a low likelihood of encountering contaminated materials as a result of construction activities. No known contaminated groundwater or soil were identified in the project area. Any potentially contaminated materials encountered during construction will be handled and treated in accordance with applicable state and federal regulations.

It is anticipated that three houses and associated accessory structures located adjacent to the TH 40/CSAH 55 intersection will be demolished and removed. MnDOT will contract with experts in regulated waste to inspect the properties for the presence of regulated or contaminated materials. MnDOT will implement standard measures to help avoid, control and manage potential effects from contaminated materials, such as preparing and implementing a project-specific scope of work, site-specific health and safety plan, and hazardous material management plan. Any regulated or contaminated materials identified will be disposed of in accordance with applicable federal, state and local regulations in advance of project construction.

All solid wastes generated by construction of the proposed project will be disposed of properly in a permitted, licensed solid waste facility. Project demolition of concrete, asphalt, and other potentially recyclable construction materials will be directed to the appropriate storage, crushing or renovation facility for recycling. Any contaminated spills or leaks that occur during construction would be the responsibility of the contractor, who will notify the Duty Officer and work with the MPCA to contain and remediate contaminated soil/materials in accordance with state and federal standards.

3.3.1.4 Fish, Wildlife, Plant Communities and Sensitive Ecological Resources: The majority of the project area has been previously disturbed, drained and used for agriculture. Any wildlife displaced would likely relocate to suitable nearby areas, including lands immediately adjacent to the project area. Prairie remnants outside the project area will be avoided in the project design. Vegetation impacts include herbaceous and tree impacts. The areas likely to be impacted include wind breaks adjacent to farmsteads and along fence lines, areas adjacent to Hawk Creek and an unnamed tributary to Hawk Creek located west of CSAH 55.

Protection measures include: design the project to avoid impacts to any identified Areas of Environmental Sensitivity (AES); protect and preserve vegetation from damage in accordance with MnDOT Spec 2572.3; prohibit vehicle and construction activities, including the location of field offices, storage of equipment and other supplies at least 25

feet outside the AES to be preserved, also in accordance with MnDOT spec 2572.3; use redundant sediment/erosion control BMPs for protection of areas of environmental sensitivity; and use of native seed mixes for revegetation of disturbed soils not proposed for mowed turf grass.

3.3.1.5 Historic: One site (the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge RR Corridor Historic District), previously determined to be eligible for listing in the National Register, was evaluated by MnDOT's Cultural Resource Unit (CRU) for potential impacts due to the proposed project. The proposed construction of the railroad line that would extend off the existing main line would constitute the only direct effect to the historic district. It was determined that the proposed project would not result in an adverse effect to the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge RR Corridor Historic District.

3.3.1.6 Visual: The project area landscape consists of level terrain, resulting in views of farmsteads and open agricultural fields extending into the horizon in many areas. The Marshall and Morris BNSF subdivision railroad lines and TH 12 currently provide linear visual references. The railway will introduce a new visual resource to the project area; however, the view will be fairly limited to adjacent properties (limited number of residences in the project area) and will likely be visible from nearby transportation routes. The grade separations will result in bridges measuring approximately 30 feet in height above current terrain levels similar to other nearby overpasses.

Road users will experience a change while traveling on realigned TH 12. However, the new views will be similar to current views of the agricultural areas outside of the City of Willmar. The nearest home is approximately 600 feet from the new TH 12 and CSAH 55 intersection.

The project will introduce new light sources due to intersection lighting at the overpasses and rail connection. With the agricultural setting and few residences in the area, the new lighting sources are not anticipated to create a major impact. Several industrial businesses along CSAH 55/1st Avenue W are currently lit. Due to the distant location of the remaining residences and already lighted industrial area on CSAH 55/1st Avenue W, the project will have minimal light and visual impacts.

3.3.1.7 Construction Noise and Dust: Construction related activities will result in temporary noise level increases associated with construction equipment and pile driving. Elevated noise levels are, to a degree, unavoidable for this type of project. MnDOT will require that construction equipment be properly muffled and in proper working order. MnDOT and its contractors will comply with applicable local noise restrictions and ordinances to the extent that is reasonable. Advanced notice to the City of Willmar will be provided of any abnormally loud construction activities such as use of high-impact equipment, pile driving, pavement sawing or air hammering. High-impact noise construction activities will be limited in duration to the greatest extent possible.

Dust generated during construction will be minimized through standard dust control measures such as applying water to exposed soils and limiting the extent and duration of exposed soil conditions. Construction contractors will be required to control dust and

other airborne particulates in accordance with MnDOT and BNSF specifications in place at the time of project construction. During construction, particulate emissions will temporarily increase due to the generation of fugitive dust associated with activities such as grading and other soil disturbance. The following dust control measures will be considered as appropriate:

- Minimize the duration and extent of areas being exposed or regraded at any one time.
- Spray construction areas and haul roads with water, especially during periods of high wind or high levels of construction activity.
- Minimize the use of vehicles on unpaved surfaces when feasible.
- Tarp trucks hauling soil, sand, and other loose materials or require trucks to maintain at least two feet of freeboard.
- Pave, apply water as needed, or apply (non-toxic) soil stabilizers on unpaved access roads, parking areas and staging areas at construction sites.
- Use water sweepers to sweep paved access roads, parking areas and staging areas at construction sites.
- Use water sweepers to sweep streets if visible soil material is carried onto adjacent public streets.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- Enclose, cover, water or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- Limit traffic speeds on unpaved roads to 15 miles per hour.
- Utilize appropriate erosion control measures to reduce silt runoff to public roadways.
- Replant vegetation as quickly as possible to minimize erosion in disturbed areas.
- Use alternative fuels for construction equipment when feasible.
- Minimize equipment idling time.
- Maintain properly tuned equipment.

3.3.1.8 Social Impacts: Vehicular travel patterns have the potential to shift slightly as a result of the project due to the realignment of TH 12 and closure of CSAH 55/1st Avenue W at the new railroad connection. For some businesses located along existing TH 12, the new alignment will divert traffic from the front of their business and will require users to access their sites from a local roadway connection rather than TH 12. Another shift in travel will occur along 45th Street which will require users of the township roadway to travel an additional 2,400 feet to the west in order to access TH 12. Traffic impacts are expected to be minimal due to low traffic volumes.

The project will provide a positive long-term social impact for residents, businesses, and the greater Willmar community. By relocating this train movement and eliminating the switching operation, delays for rail traffic will be reduced in the Willmar Terminal and corresponding delays for automobile traffic and non-motorized users will be reduced at the at-grade rail crossings that presently are occupied by switching trains. Associated quality of life improvements include: decreased noise, vibration, and delay in travel time; improved air quality due to reductions in train and motor vehicle idling; and improved emergency response travel time reliability.

3.3.1.9 Considerations Relating to Pedestrians and Bicyclists: The project will not negatively impact any existing non-motorized transportation facility or activity on a permanent basis. The project will create a new intersection with realigned TH 12 and CSAH 5, temporarily impacting the trail; however the trail will remain open during construction (see Section 4(f) discussion in Section 3.3.1.14). Because the project area consists primarily of agricultural and industrial uses outside of the urbanized area, it was determined that additional bicycle and pedestrian facilities are not appropriate. Sidewalk and/or trail facilities may be installed in the future with development should the area urbanize and there is greater demand for these facilities.

3.3.1.10 Environmental Justice: An Environmental Justice (EJ) analysis was completed as part of the EA/EAW. There are concentrations of both minority and low-income populations within the study area. These EJ populations are generally located in the residential subdivisions north of the existing TH 12 alignment, within close proximity to 30th Street (CSAH 5), which include the Parkwood Estates manufactured home community. All adverse impacts (on EJ and non-EJ populations alike) as described throughout this document will be effectively mitigated, minimized, or avoided. Therefore, the project will not result in disproportionately high and adverse effects on EJ populations.

The EA/EAW notes that both EJ and non-EJ populations in the study area will benefit from the project, as it will provide a positive long-term social impact for Willmar residents, businesses, and the greater Willmar community. By relocating train movements and eliminating the switching operation, corresponding delays in automobile traffic will be anticipated to be reduced in the Willmar Terminal and adjacent railroad crossings. Associated quality of life improvements will also result, such as decreased noise, vibration, delay time on trips and improved air quality, emergency response reliability and traveler accessibility/mobility. Based on the EJ analysis, and taking into account benefits to EJ populations, the proposed action will not result in disproportionately high and adverse effects on minority or low-income populations.

3.3.1.11 Economics: This section describes the potential effects of the project on economic activity, including a review of potential changes in local tax revenue related to the project, potential impacts to local businesses resulting from changes in roadway access, operational changes to the existing freight rail network, the effect of the project on economic development within the City of Willmar, and the effect of capital investment related to Project construction on employment.

Property Tax Revenue: The project will result in the acquisition of privately-owned property for additional right of way for rail and roadway improvements. The property tax revenue associated with these acquisitions represents a very small proportion of the overall county, city, and school district tax base and overall economic effect of the project is expected to be minimal.

Travel Time Impacts to Local Businesses: The project will result in the modification of the local roadway network. The economic effect of these roadway modifications will be changes in access to local businesses (particularly the businesses along CSAH 55/1st Avenue W and TH 12), which may affect travel distance and time for customers, employees, and shippers. The project will result in a slight increase in travel distance (0.4

miles) for businesses along CSAH 55/1st Avenue W, and an increase in travel time of just over one minute. Changes to some of the businesses located along TH 12 are slightly longer. These changes were determined to be minimal.

Freight Rail: The proposed railway connection will improve local and regional rail system operational efficiency, train velocity and fluidity, and rail network optionality and connectivity and therefore will not have an adverse economic impact on freight rail operators or shippers.

City of Willmar Economic Development: Significant infrastructure investments have been made to establish an industrial park on the former airport site and support planned growth and development in Willmar. The project's railway component would allow for a spur line to serve the industrial park, making it possible for the industrial park to be served by all three major freight modes (air, rail and truck) and allowing it to serve as a regional transshipment hub. This is expected to bring new business and employment opportunities into Willmar, benefiting the area's economy.

In addition to the economic effects described above, construction of the project will represent a substantial capital investment in the regional economy that will increase employment, earnings, and economic output during the short-term construction period.

3.3.1.12 Right of Way Impacts: As stated in the EA/EAW and updated in Section 3.2.9 of this document, the project is expected to require acquisition of approximately 302 acres of permanent right of way and approximately 20 acres of temporary easement across portions of 43 parcels. Much of the property is owned and has been committed for project use by the partner agencies (City of Willmar, BNSF Railway, and MnDOT). For private property, seven total parcel acquisitions are anticipated including parcels with two residential properties. One parcel includes relocating the home on another portion of the property. The Uniform Relocation and Real Property Acquisition Act of 1970, as amended by the Surface Transportation Uniform Relocation Assistance Act of 1987 and 49 CFR, Part 24, and effective April 1989 will be followed for the project, to compensate landowners for property acquired for this project.

3.3.1.13 Noise and Vibration: There is no new information related to noise and vibration. The following summarizes the findings from the EA/EAW.

Traffic noise levels were modeled at 32 representative receptor locations throughout the project corridor. In general, the analysis determined that construction of the project will result in increases in traffic noise levels compared to existing conditions. Changes in daytime traffic noise levels are projected to vary from -14.1 dBA to 9.1 dBA from existing to future (2040) build conditions. A noise barrier analysis was completed on a total of four potential locations along the corridor. Of the four barriers analyzed, noise barriers were not found to be feasible and reasonable and are not proposed.

For train noise analysis, the Federal Transit Administration (FTA) general noise assessment identified moderate impacts at four receptors related to the at-grade crossing of the existing mainline near 45th Street: R13–R16. No severe impacts were identified. The

dominant noise source at receptors R13–R16 was the locomotive warning horn for the mainline at-grade crossing. Mitigation measures for the moderate impact at the four receptors were evaluated. However, noise barriers are unfeasible for mitigating noise at receptors near at-grade crossings (where locomotive warning horns are used) because the roadway creates a large gap in the barriers. This gap greatly diminishes the noise reduction of the barriers. In addition to feasibility concerns, noise mitigation measures for a small number of receptors are not cost effective. Therefore noise mitigation measures are not proposed.

Train vibration screening distances were determined using information in the FTA Transit Noise and Vibration Impact Assessment Guidance Manual. The project includes diesel locomotive trains in an area with residential receptors; therefore, a screening distance of 200 feet was identified and applied to the proposed rail alignment. No vibration-sensitive receptors were identified within the vibration screening buffer, so no further vibration assessments were performed.

3.3.1.14 Section 4(f) Resources: There are two Section 4(f) resources impacted by the project. As discussed in the Historic section, the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District is an active rail corridor that has previously been determined eligible for listing in the National Register of Historic Places. Therefore, it is a Section 4(f) resource. Although the proposed project would impact the historic property, the impact has been determined to have "no adverse effect" because the construction of the project rail line extending of the historic rail corridor main line will not alter the existing location/alignment, materials, workmanship, design, feeling and association of the main line. The Minnesota Historic Preservation Office (MnHPO), the official with jurisdiction over the Section 4(f) resource, has been informed of FHWA's de minimis impact finding as part of the EA/EAW public and agency comment period. There were no comments received related to this Section 4(f) resource during the 30-day public comment period. MnHPO has provided a letter of concurrence for the FHWA determination (see **Attachment 2**). The de minimis process is now complete. No mitigation will be provided.

The second Section 4(f) resource that will be impacted by the project is a recreational trail located along the east side of CSAH 5 that is owned and operated by Kandiyohi County. The 10-foot wide trail, which is approximately 0.9 miles long, will be subject to a temporary occupancy as a result of the construction of the CSAH 5 and realigned TH 12 intersection. To provide a new roadway crossing for the trail, the project will include installing pedestrian ramps, painting crosswalks, and incorporating pedestrian countdown timers at the new roadway intersection. As detailed in the EA/EAW, the temporary occupancy is not considered a use under Section 4(f) because during construction of the intersection, the trail will remain open, a temporary connection (bypass/detour) will be provided on the trail to ensure users can continue to travel through the area, and all other criteria for a temporary occupancy exception are satisfied. Written concurrence from Kandiyohi County was appended to the EA/EAW as the owner of the resource. There were no public comments received related to this Section 4(f) park resource during the 30-day public comment period.

3.3.1.15 Section 6(f) Resources: There are no lands or facilities within the project that have been planned, developed, or improved with LAWCON funds. Therefore, there will be no Section 6(f) impacts.

3.3.1.16 Section 7 Endangered Species: As stated in the EA/EAW, MnDOT's Office of Environmental Stewardship (OES), is FHWA's designated representative to review Section 7 resources within Minnesota for federally-listed threatened species. There is one species, the northern long-eared bat (Myotis septentrionalis) identified within Kandiyohi County. Although no critical habitat has been designated for this species, removal of trees can result in a loss of habitat. Approximately 0.5 acres of tree removal will occur as part of the project.

Staff from OES determined that the project "may affect, but will not cause prohibited incidental take" of the northern long-eared bat. OES staff noted that the project will occur within the northern long-eared bat's range, but there are no documented maternity roosts and/or hibernacula within the project area. No tree removals will occur within 0.25-mile of a known hibernaculum or within 150 feet from a maternity roost tree. USFWS did not object or rebut the conclusion reached by OES staff.

As recommended by OES staff, the project will include minimization measures to prevent effects to the bat. Winter tree removal (November 1 to March 31) will occur in order to avoid possible impacts to the species during the pup rearing season (June 1 through July 31). Disturbed areas will be revegetated using native seed mixes per DNR, MnDOT, and USFWS guidance. In addition, the project will utilize bio-netting or natural netting for erosion control, which would reduce the risk of bat or other wildlife entrapment. MnDOT and BNSF have agreed to these requests for construction and these measures will be noted in construction documents and requests for proposals for construction.

3.3.1.17 Section 401: Any waters that are determined to be under the jurisdiction of the USACE will also require Section 401 Water Quality Certification. As described in the EA/EAW, this will involve approximately 4.0 acres of USACE-regulated aquatic resources. In Minnesota, The USACE and the MPCA have a joint application form. Permits from the USACE, including General Permits and Letters of Permission, include pre-certification from the MPCA demonstrating compliance with Section 401.

3.3.1.18 Section 404: Fifty-eight water resources were identified within or near the project area. The USACE issued an approved jurisdictional determination (JD) for delineated aquatic resources within the project area. Twenty-seven delineated aquatic resources were determined to be non-jurisdictional and five delineated aquatic resources were determined to be jurisdictional by the USACE.

The jurisdiction of the remaining delineated aquatic resources has not yet been determined. On January 6, 2017 correspondence was received from the USACE regarding their preliminary findings about which wetlands and tributaries impacted by the Project would most likely be considered Waters of the United States (WOUS). Wetlands 1, 6, 7, 45, 47, 48, and 58 as well as tributaries 51 and 54 were suggested to be WOUS in addition to those indicated on the previous ADJ issued on August 25, 2015.

The USACE indicated that the railway and roadway are two separate projects, and will require two permits. The railway portion of the project will impact approximately 0.8 acres of USACE-regulated wetlands. The roadway portion of the project will impact approximately 3.2 acres of USACE-regulated wetlands. Both the railway and roadway portions are expected to qualify for a Letter of Permission.

3.3.1.19 Indirect Effects: The Project is consistent with long-term plans for the City of Willmar and Kandiyohi County that are intended to provide orderly growth and development in the western limits in the City of Willmar. It is anticipated that construction of the railway will promote growth and development of the planned industrial park on the former airport site (located between realigned TH 12 and TH 40 and west of CSAH 5). Growth of the industrial park has the potential to impact air, water, and other natural systems. An environmental assessment for the former airport site was completed by the City of Willmar in 2010 as part of the FFA land release to the City.

Possible indirect effects would likely occur in both the No Build Alternative and Recommended Alternative due to the public investments already made in the project area. However, the Project and its future rail spur may increase the attractiveness of the industrial park, leading to a shortened build-out timeframe. For future actions, including industrial park development, there would be regulations and permits that would have to be followed and obtained as that development occurs, minimizing the indirect impacts associated with the Project.

3.3.1.20 Summary finding with respect to these criteria: MnDOT finds that the project, as it is proposed, does not have the potential for significant environmental effects based on the type, extent, and reversibility of impacts to the resources evaluated in the EA/EAW and in the Findings summary above. Project impacts will be mitigated as described in the EA/EAW and in the Findings above.

3.3.2 Cumulative Potential Effects of Related or Reasonably Foreseeable Future Projects

Three roadway improvement projects outside of the project area were identified in the EA/EAW. MnDOT will be completing a mill and overlay of TH 23 in 2017. In addition, Kandiyohi County intends to construct a grade separation of the BNSF Marshall line just south and west of the project. Kandiyohi County will also be reconstructing portions of CSAH 5 and CSAH 15 in 2018.

Activities that are expected to occur within the project area include the development of a new industrial park between the proposed railway and CSAH 5 from just south of the realigned TH 12 to TH 40. Exact timing and site plans have yet to be developed for the area, but the City's Comprehensive Plan and land use maps identify the area as future industrial park. It is expected that the industrial park will be fully developed by 2040.

All of the reasonably foreseeable future projects mentioned above were considered in the EA/EAW (see Section IV.A.19., pages 99-107.) No potentially significant cumulative effects from the proposed project and other reasonably foreseeable future actions were identified. This project is not believed to cause any anticipated adverse environmental impacts that have not been addressed. Future projects, including the industrial park development, will be required to meet all applicable regulations and permits.

3.3.3 Extent to Which the Environmental Effects are Subject to Mitigation by Ongoing Public Regulatory Authority

3.3.3.1 The mitigation of environmental impacts will be designed and implemented in coordination with regulatory agencies (including the coordination and approvals described in Section 3.3.1 above) and will be subject to the plan approval and permitting processes. Permits and approvals that have been obtained or may be required prior to project construction include those listed in **Table 1**.

3.3.3.2 The permits listed in **Table 1** include general and specific requirements for mitigation of environmental effects of the project. Therefore, MnDOT finds that the environmental effects of the project are subject to mitigation by ongoing regulatory authority.

Table 1– Agency Approvals and Permits

Unit of Government	Type of Application/Permit	Status
Federal		
Federal Highway Administration (FHWA)	Environmental Assessment Approval	Complete
	EIS Need Decision	Pending
	Section 4(f) temporary occupancy concurrence	Complete
	Section 4(f) De Minimis	Complete
MnDOT CRU on behalf of FHWA	Section 106 determination	Complete
	Tribal Consultation	Complete
MnDOT OES on behalf of FHWA	Section 7 (Endangered Species Act)	Complete
Federal Railroad Administration (FRA)	Compliance with NEPA and related environmental laws and regulations	Pending
U.S. Army Corps of Engineers	Section 404 Permit (Letter of Permission) for roadway	To be obtained
	Section 404 Permit (Letter of Permission) for railway	To be obtained
Federal Aviation Administration	Obstruction Evaluation / Airport Airspace Analysis – Notice of Proposed Construction or Alteration – Off Airport	To be obtained

Unit of Government	Type of Application/Permit	Status
State		
MnDOT	Environmental Assessment/Environmental Assessment Worksheet Approval	Complete
	EIS Need Decision	Pending
	Wetland Conservation Act Replacement Plan for roadway.	To be obtained
	Staff Approved Geometric Layout	To be obtained
	Preliminary Construction Plans	To be obtained
Minnesota Department of Natural Resources	License to Cross Public Lands and Waters	To be obtained by contractor, if necessary
	Construction Dewatering	To be obtained by contractor, if necessary
	NHIS Review	Complete
Minnesota Pollution Control Agency	Section 401 Certification	To be obtained
	National Pollutant Discharge Elimination System (NPDES CSW) Permit for roadway.	To be obtained
	National Pollutant Discharge Elimination System (NPDES CSW) Permit for railway.	To be obtained
Local		
City of Willmar	Municipal Consent/Project Approval	To be obtained
Kandiyohi County	Project Approval	To be obtained
	County Ditch Drainage and Hydraulic Capacity Design Approval	To be obtained
	Wetland Boundary/Type Approval	Complete
	Wetland Conservation Act Replacement Plan for railway.	To be obtained
Private		
BNSF	Railroad Agreement	To be obtained
	Railroad Permit	To be obtained

3.3.4 Extent to Which Environmental Effects can be Anticipated and Controlled as a Result of Other Environmental Studies

3.3.4.1 MnDOT has extensive experience in roadway construction. Many similar projects have been designed and constructed throughout the area encompassed by this governmental agency. Design and construction staff is familiar with the project area. BNSF has extensive experience in railway construction and has completed previous projects near the project area.

3.3.4.2 No problems are anticipated which MnDOT staff have not encountered and successfully solved many times on similar projects in or near the project area. MnDOT finds that the environmental effects of the project can be anticipated and controlled as a result of the assessment of potential issues during the environmental review process and MnDOT's experience in addressing similar issues on previous projects. No problems are anticipated which BNSF staff have not encountered and successfully solved on similar projects. Like MnDOT, BNSF finds the environmental effects of the project can be anticipated and controlled.

4.0 CONCLUSIONS

1. The Minnesota Department of Transportation has jurisdiction in determining the need for an environmental impact statement on this project.

2. All requirements for environmental review of the proposed project have been met.

3. The EA/EAW and the permit development processes to date related to the project have generated information which is adequate to determine whether the project has the potential for significant environmental effects.

4. Areas where potential environmental effects have been identified will be addressed during final design of the project. Mitigation will be provided where impacts are expected to result from project construction, operation, or maintenance. Mitigative measures will be incorporated into project design, and have been or will be coordinated with local, state and federal agencies during the permit processes.

5. Based on the criteria in Minnesota Rules part 4410.1700, subp. 7, the project does not have the potential for significant environmental effects.

6. An Environmental Impact Statement is not required for the Willmar Rail Connector & Industrial Access Project.

7. Any findings that might properly be termed conclusions and any conclusions that might properly be called findings are hereby adopted as such.

Based on the Findings of Fact and Conclusions contained herein and on the entire record:

The Minnesota Department of Transportation hereby determines that the Willmar Rail Connector & Industrial Access Project will not result in significant environmental impacts, and that the project does not require the preparation of an environmental impact statement.

For Minnesota Department of Transportation

5/2/2017

Lynn Clarkowski, PE
MnDOT Chief Environmental Officer

APPENDIX A – Public Involvement: EA/EAW Comment Period

Public Hearing Record – Page A-1

EQB Notice of Availability – Page A-2

Public Hearing Certificate of Compliance – Page A-4

Newspaper Legal Notice and Affidavit of Publication – Page A-5

News Release – Page A-7

Newspaper Article for Public Hearing – Page A-9

Public Hearing Record

A public hearing and open house for Willmar Rail Connector & Industrial Access Project was held as follows:

Thursday, February 23, 2017, 5:00 P.M. to 7:00 P.M.
MnDOT District 8 Office, 2505 Transportation Road, Willmar, MN

Eighty-three individuals signed in for the public hearing/open house meeting. The purpose of the meeting was to provide an update on the project and receive comments on the EA/EAW. Upon completion of a brief presentation at the public hearing, attendees were invited to provide comments through one of two ways: written comments (on comment cards provided at the meeting) and oral statements to a certified court reporter. Copies of all written and oral testimonies are included in **Appendix B** along with responses to substantive comments.

Staff from MnDOT and their consultant were on hand at the public hearing/open house meeting to discuss the project and to answer questions. Several informational items regarding the project were made available at the meeting including the following:

- Open House display boards
  - Welcome board
  - Project summary
  - Project process
  - Project area map
  - Purpose and need
  - Environmental review process
  - Preliminary design alternatives
  - Alternative 1
  - Alternative 2A
  - Recommended Alternative
- Table-top copy of Recommended Alternative Layout for review and comments
- Open House handouts
  - Comment and feedback form
  - Project summary
  - Public Comment Period/Public Hearing overview
- Open House sign-in sheet
- Public Hearing sign-in sheet for court reporter
- Public Hearing PowerPoint Presentation

Following a project presentation to the audience by consulting staff and time for public comments, the open house format resumed so attendees could ask questions to MnDOT and consulting staff. It was made clear to those in attendance that these conversations were not considered part of the official public hearing record, but rather an opportunity to continue discussing the project with staff and others in attendance.

Included on the following pages are copies of the newspaper legal notices and Minnesota Environmental Quality Board (EQB) Monitor publication that announced the availability of the EA/EAW and provided details of the public hearing/open house meeting.

EQB Notice of Availability

The *EQB Monitor*

520 Lafayette Road North, Saint Paul, MN 55155 - www.eqb.state.mn.us
EQB.Monitor@state.mn.us - (651)-757-2873

Publication Date: February 6, 2017
Vol. 41, No. 6

Publication Schedule: Mondays at 8:00 AM
Submission Deadline: View 2017 Schedule
Use the EQB Monitor Submission Form

The *EQB Monitor* is a weekly publication announcing environmental review documents, public comment periods and other actions of the Environmental Quality Board. For more information on environmental review, please visit the EQB website.

You can manage your subscription to the *EQB Monitor* here. Be sure to add MNEQB@public.govdelivery.com to your address book or safe sender list.

Check the EQB Calendar for more details on *Monitor* deadlines and Board Meetings. Meeting minutes, agendas and additional notices are also posted on the EQB Website. You can also find us on Twitter and Facebook.

In this publication:

- Environmental Assessment Worksheets
- Environmental Assessment/Environmental Assessment Worksheets
- Environmental Impact Statement Need Decisions
- Environmental Assessments
- Notices

Project Title: Willmar Rail Connector & Industrial Access Project

Comment Deadline: March 8, 2017

Project Description: The Minnesota Department of Transportation (MnDOT), along with its partners, the City of Willmar, Kandiyohi County, Kandiyohi County and City of Willmar Economic Development Commission, and BNSF Railway are proposing to construct a new railway connection in the City of Willmar and Willmar Township. The proposed project includes a 2.8-mile railway connection between the Morris and Marshall Subdivisions consisting of a mainline connection, siding, industrial park access spur line, access roads, and mainline extension. Roadway modifications include a 2.5-mile realignment of Trunk Highway (TH) 12, construction of two bridges on TH 12 and TH 40 over the proposed rail line, new local access road between the realigned TH 12 and 1st Avenue West, and other road modifications to County State Aid Highway 55, 1st Avenue West, and 45th Street NW.

An open house and public hearing will be held Thursday, February 23, from 5:00 p.m. to 7:00 p.m. at the Minnesota Department of Transportation office at 2505 Transportation Road in Willmar. A formal presentation will begin at 5:30 p.m. Copies of the Environmental Assessment/Environmental Assessment Worksheet (EA/EAW) which documents the purpose and need of the project, along with anticipated social, economic, and environmental impacts are available for public viewing on the project website http://www.dot.state.mn.us/d8/projects/willmarwye, at the open house, and during business hours at the following locations from February 6, 2017 through March 8, 2017:

- Willmar Public Library, 410 Fifth Street SW, Willmar, MN 56201
- MnDOT District 8 Office, 2505 Transportation Road, Willmar, MN 56201
- MnDOT Library, 395 John Ireland Boulevard, St. Paul, MN 55155
- Environmental Conservation Library, Hennepin County Library, 300 Nicollet Mall, Minneapolis, MN 54401

Written comments will be accepted at the public hearing or via mail, prior to the close of the 30-day public comment period on March 8, 2017, to Paul Rasmussen, Project Manager, 2505 Transportation Road, Willmar, MN, 56201-2207. To request this document in an alternative format, please contact MnDOT at

651-366-4718 or 1-800-657-3774 (Greater Minnesota). Individuals who are hearing or speech impaired may contact the Minnesota Relay service toll-free at 1-800-627-3529 (TTY, Voice or ASCII) or 711. You may also email your request to ADArequest.dot@state.mn.us.

Responsible Governmental Unit (RGU): Minnesota Department of Transportation

RGU Contact Person:
Paul Rasmussen
Project Manager
2505 Transportation Road
Willmar, MN, 56201
320-214-6320
p.rasmussen@state.mn.us

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION

..... CERTIFICATE OF COMPLIANCE.....

MINNESOTA PROJECT NO._____ STATE PROJECT NO.__3403-74_____

TRUNK HIGHWAY NO. __12_____ **OR** LOCAL AGENCY ROUTE NO._____
(CSAH, MSAS, Other)

Being that section of the highway between 7th Avenue NW To 28th Street and From Morris Subdivision of BNSF just west of 45th Street NW To BNSF Marshall Subdivision just east of County State Aid Highway (CSAH) 55 in Kandiyohi County, the State of Minnesota.

In conformance with the requirements of SECTION 128, TITLE 23, UNITED STATES CODE, the undersigned does hereby certify that

_____ the public has been afforded an opportunity for a public hearing, **or**

__X__ a public hearing was held

and that consideration has been given to the social and economic effects of the project, its impact on the environment, and its consistency with the goals and objectives of such urban planning as has been promulgated by the community.

The public was advised of the

_____ objectives of such a hearing, the procedures for requesting a hearing, the deadline for the submission of such a request, **or**

__X__ time, place, and objectives of the hearing

by notices published in news media having a general circulation within the area of said project. Affidavit(s) of such publication is (are) enclosed herewith.

_____ The deadline date for the submission of a request for a hearing was _____20__, **or**

__X__ The hearing was held on February 23, 2017 in Willmar, Minnesota.
(City, Township, Other)

Signed Jon Huseby this 27 day of Feb 20 17
Mn/DOT District Engineer

OR

Signed _____ this _____ day of _____ 20 __
Local Agency Title:

Newspaper Legal Notice

(February 8, 2017)

PUBLIC HEARING AND AVAILABILITY OF THE ENVIRONMENTAL ASSESSMENT/ENVIRONMENTAL ASSESSMENT WORKSHEET FOR THE WILLMAR RAIL CONNECTOR & INDUSTRIAL ACCESS PROJECT (WILLMAR WYE) (SP 3403-74)

The Minnesota Department of Transportation (MnDOT) encourages the public to attend an open house and public hearing for the proposed Willmar Rail Connector & Industrial Access (Willmar Wye) Project, SP 3403-74. The proposed project is located in the City of Willmar and Willmar Township, Kandiyohi County, Minnesota. The open house and public hearing will be held Thursday, February 23, from 5:00 p.m. to 7:00 p.m. at the Minnesota Department of Transportation office at 2505 Transportation Road in Willmar. A formal presentation will begin at 5:30 p.m.

The purpose of the open house and public hearing is to inform the public about the project and encourage the public to comment and ask questions. Maps, drawings, and other pertinent information, including the Environmental Assessment/Environmental Assessment Worksheet (EA/EAW), will be available for public inspection. The EA/EAW documents the project's purpose and need along with anticipated social, economic, and environmental impacts. The EA/EAW also includes impacts to resources protected by Section 106 of the National Historic Preservation Act and Federal Highway Administration's Section 4(f) regulations. The tentative schedules for right-of-way acquisition and construction will be discussed during the open house. Those in attendance will be able to discuss the project with MnDOT officials and submit written comments or present comments orally to a recorder. All project comments will become part of the official public hearing record and will be considered when making future project-related decisions.

The proposed scope of the project includes a 2.8-mile railway consisting of a mainline connection, siding, industrial park access spur line, access roads and mainline extension between the Marshall and Morris Subdivisions of the BNSF railway in the western portion of the City of Willmar and Willmar Township. Roadway modifications include a 2.5-mile realignment of Trunk Highway (TH) 12, construction of two bridges on TH 12 and TH 40 over the proposed rail line, new local access road between the realigned TH 12 and 1st Avenue West, and other road modifications to County State Aid Highway 55, 1st Avenue West, and 45th Street NW. This project has wetland impacts, encroaches on the 100-year floodplain, and requires the acquisition of right of way.

Copies of the EA/EAW are available for public viewing from February 6, 2017 through March 8, 2017 during business hours at the following locations and on the project website: http://www.dot.state.mn.us/d8/projects/willmarwye

Willmar Public Library
410 Fifth Street SW
Willmar, MN 56201

MnDOT District 8 Office
2505 Transportation Road
Willmar, MN 56201

MnDOT Library
395 John Ireland Boulevard
St. Paul, MN 55155

Environmental Conservation Library
Hennepin County Library-Minneapolis Central
300 Nicollet Mall
Minneapolis, MN 54401

Comments on the EA/EAW can be mailed, prior to the close of the 30-day public comment period on March 8, 2017, to Paul Rasmussen, Project Manager, 2505 Transportation Road, Willmar, MN 56201-2207. Comments will also be accepted via e-mail to p.rasmussen@state.mn.us.

To request an ASL or foreign language interpreter, or other reasonable accommodation, call Janet Miller at 651-366-4720 or 1-800-657-3774 (Greater Minnesota), 711 or 1-800-627-3529 (Minnesota Relay). You also may send an email to ADArequest.dot@state.mn.us. Please request at least one week in advance, if possible.

State of Minnesota, } ss.

COUNTY OF KANDIYOHI,

STEVE AMMERMANN, *being duly sworn, on oath states as follows:*

1. I am the publisher of the West Central Tribune, or the publisher's designated agent. I have personal knowledge of the facts stated in this affidavit, which is made pursuant to Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:
Wednesday, February 8, 2017

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: $14.68 (inch rate)

5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Kandiyohi County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

BY: _____

TITLE: Publisher

Subscribed and sworn to before me on this 8th *day of* **February, 2017.**

_____
Notary Public, Kandiyohi County, Minn.

BRIANA E JENSEN
NOTARY PUBLIC
STATE OF MINNESOTA
MY COMM. EXP 1-31-19

News Release

DEPARTMENT OF TRANSPORTATION

News Release

February 6, 2017

Contact: Mandi Lighthizer-Schmidt, Public Affairs Coordinator, District 8
Office: 320-214-6426
mandi.lighthizer-schmidt@state.mn.us

Environmental Assessment Released for the Willmar Rail Connector & Industrial Access (Willmar Wye) Project

Public hearing set for February 23rd in Willmar

Willmar, Minn. – The Minnesota Department of Transportation invites the public to attend an open house and public hearing regarding the proposed Willmar Wye project in the city of Willmar and Willmar Township. The proposed project includes a 2.8-mile railway connection between the BNSF Morris and Marshall Subdivisions consisting of a mainline connection, siding, industrial park access spur line, access roads, and mainline extension. Roadway modifications include a 2.5-mile realignment of Highway 12, construction of two bridges on Highway 12 and Highway 40 over the proposed rail line, new local access road between the realigned Highway 12 and 1st Avenue West, and other road modifications to County Road 55, 1st Avenue West, and 45th Street NW.

The open house and public hearing will be held on February 23, 2017 from 5:00 p.m. to 7:00 p.m. at the Minnesota Department of Transportation District Office, 2505 Transportation Road, in Willmar. The event will provide an opportunity for citizens to review the proposed project and potential environmental impacts, make comments, and ask questions. MnDOT officials will be available to answer questions. There will be a formal presentation starting at 5:30 p.m. followed by a time for public comments.

The Environmental Assessment/Environmental Assessment Worksheet (EA/EAW) document states the purpose and need of the project along with the anticipated social, economic, and environmental impacts. The document is available on the project website at http://www.dot.state.mn.us/d8/projects/willmarwye.

Copies of the EA/EAW also are available upon request in alternative formats to individuals with disabilities. The documents also are available for public viewing during business hours at the following locations:

- Willmar Public Library, 410 Fifth Street SW, Willmar, MN 56201-3298
- MnDOT District 8 Office, 2505 Transportation Road, Willmar, MN 56201-2207
- MnDOT Library, 395 John Ireland Boulevard, MS 155, Room 175, St. Paul, MN 55155
- Environmental Conservation Library, Hennepin County Library – Minneapolis Central, Government Documents – 2nd Floor, 300 Nicollet Mall, Minneapolis, MN 54401-1992

-MORE-

Written comments can be mailed, prior to the close of the 30-day public comment period on March 8, 2017, to Paul Rasmussen, Project Manager, Minnesota Department of Transportation, 2505 Transportation Road, Willmar, MN 56201-2207.

To request this document in an alternative format, please contact the Affirmative Action Office at (651) 366-4718 or 1-800-657-3774 (Greater Minnesota); 711 or 1-800-627-3529 (Minnesota Relay). You may also send an email to ADArequest.dot@state.mn.us.

For Minnesota statewide travel information visit www.511mn.org, call 5-1-1 or log on to www.mndot.gov.

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www.mndot.gov

Newspaper Article for Public Hearing

Public meeting slated Thursday on the Willmar Wye

By Shelby Lindrud on Feb 22, 2017 at 9:12 a.m.

WILLMAR — A public meeting will be held on the Willmar Wye railroad bypass project starting at 5 p.m. Thursday at the Minnesota Department of Transportation District 8 Headquarters in Willmar.

A presentation will be given at 5:30 p.m., with the public having the opportunity to give comments. The open house will continue following the public comment period.

This public meeting and open house is part of the environmental review process. Written public comments will also be accepted through March 8.

The Willmar Wye, officially known as the Willmar Rail Connector and Industrial Park Access project, will connect the Morris and Marshall BNSF Subdivision with a new rail line, which will allow trains to travel from one subdivision to the next without having to switch around engines in Willmar. The project also includes rail access into the Willmar Industrial Park.

The wye is a partnership project between BNSF, the city of Willmar, Kandiyohi County, MnDOT, United States Department of Transportation and the Kandiyohi County and City of Willmar Economic Development Commission.

The project is estimated to cost around $46 million. A TIGER grant of $10 million from the DOT has already been awarded to the project.

Published in West Central Tribune, February 22, 2017

APPENDIX B - EA/EAW Comments and Responses

The EA/EAW for the Willmar Rail Connector & Industrial Access Project was distributed on February 6, 2017 to agencies and organizations on the official distribution list, as well as additional agencies/organizations that had either requested a copy of the document, and/or that could be affected by the proposed project. The comment period for the EA/EAW officially closed at the end of the business day on March 8, 2017. A public hearing and open house to receive comments on the proposed project and EA/EAW was held on February 23, 2017 (see **Appendix A** to further details). At the public hearing, attendees were invited to provide comments through one of two ways: written comments and oral statements.

- Written Statements: Attendees were invited to submit written comments through March 8, 2017 on cards provided at the open house, in letter, or via e-mail.
- Oral Statements: Statements were recorded by a certified court reporter.

During the public review and comment period, FHWA and MnDOT received comments on the EA/EAW from a total of 28 agencies and individuals, including 10 oral statements that were received at the public hearing.

Consistent with state and federal environmental review rules, substantive comments received are responded to in this appendix, as part of the Findings of Fact and Conclusions for the project record. Specifically, responses have been prepared for substantive statements pertaining to analysis conducted for and documented in the EA/EAW, including: incorrect, incomplete or unclear information; permit requirements; content requirements. These comments and responses are included on the following pages. Written comments agreeing with the EA/EAW project information, general opinions, statements of fact, or statements of preference were not formally responded to, are also included.

Following the comments and responses is the official transcript of the public hearing. Responses to comments provided during the public hearing are included in the Comments and Responses to Those Comments section.

Comments and Responses to Those Comments – Page B-1

Public Hearing Transcript – Page B-38

Comments and Responses to Those Comments

This section contains the comments and written responses to all comments received from the following individuals/agencies during the public comment period:

- City of Willmar
- Kandiyohi County
- Minnesota Department of Natural Resources
- David Hallberg
- Fernando Alvarado
- State Representative David Baker
- William Fry
- Larry Clark
- Errol Bluhm
- Kurt Schimek
- David Peterson
- Clinton Raasch
- Dane Kallevig
- Aaron Larson
- Carol Laumer
- Steve Ahmann
- Darrin and Amber Brouwer
- Doug Ohden
- Gary Ascheman
- Congressman Collin Peterson
- Governor Mark Dayton
- Rollie Nissen
- US Environmental Protection Agency
- Jim Heidecker
- Richard Heidecker
- Jason and Sadie Fussy
- Kandiyohi County & City of Willmar Economic Development Commission
- Minnesota Pollution Control Agency

Comments	Response
City of Willmar	1. With the inclusion of federal funding for the project, federal agencies (Federal Railroad Administration [FRA] and Federal Highway Administration [FHWA]) have the right to guide decisions based on federal best practices, policies and guidelines. A technical analysis was prepared regarding the 1st Avenue crossing (Appendix C of EA/EAW) that considered safety, economic impacts, change in distance and travel times, overall project crossings, roadway jurisdiction impacts, and other considerations. Upon completion of this analysis, the FRA and FHWA determined since the safety analysis for each option was similar and the other factors did not demonstrate a significant burden to users, that there was not enough benefit to support an at-grade crossing at 1st Avenue. Based upon feedback from the property owners and businesses located along 1st Avenue and input from local agencies, the new local road connection between realigned TH 12 and the businesses located along CSAH 55/1st Avenue was identified as the best alternate to the existing crossing. The proposed connection minimizes traffic delay and additional miles of travel required to the extent practicable. The new road maintains two access points into the 1st Avenue industrial area. 2. Roads that would be turned back to the city are proposed to be resurfaced as part of this project. Additional discussion between MnDOT, Kandiyohi County and the City of Willmar related to turnback issues will occur outside of the environmental process. 3. The project has been revised since the original TIGER application based on a reduction in funding, changes in train activity, and additional evaluation of the original design. While the removal of the 1st Avenue crossing is a deviation from the original concept, it still meets the overall project purpose and need to improve safety, reduce delays, and enhance quality of life within the City of Willmar.

MAYOR AND COUNCIL

City Office Building
Box 755
Willmar, Minnesota 56201

320-235-4913
FAX 320-235-4917

February 22, 2017

Paul Rasmussen
Project Manager; MN DOT District 8
2505 Transportation Road
Willmar, MN 56201

Dear Mr. Rasmussen:

The City of Willmar is in receipt of the Environmental Assessment for the Willmar Rail Connector and Industrial Access Project (Willmar WYE). After reviewing the document, the City appreciates the opportunity to offer the following comments, which received unanimous approval by the City Council at their meeting of 2/21/17.

It is noted that the recommended alternative, described in the document on page 32 and shown in figure 22, closes First Avenue NW and eliminates the railroad crossing that had originally been planned as an at-grade crossing. The City of Willmar has concerns about that alternative as we believe that it creates significant negative impacts to both existing businesses and the Industrial Park due to access restrictions and increases in truck route lengths. Another concern of the City is that if First Avenue NW is severed as proposed and a new link to US 12 is constructed, neither segment will remain part of the County State Aid Road system, but will revert back to the City as municipal streets, thereby increasing maintenance costs and creating future obligations for the City. **1** **2**

The City of Willmar wishes to go on record as advocating for the project as it was shown and put forth in the TIGER application. Application documents showed First Avenue NW with an at-grade crossing, and that was one of the reasons that the City supported the project. We recognize that other benefits to the City still remain in the form of reduced train traffic and switching in the downtown yards, as well as access to the expanded Industrial Park by virtue of a switch and access track. The City believes this is a great project representing a public-private partnership and will continue to support it, but asks that the City's preferences be taken into consideration in the final design. **3**

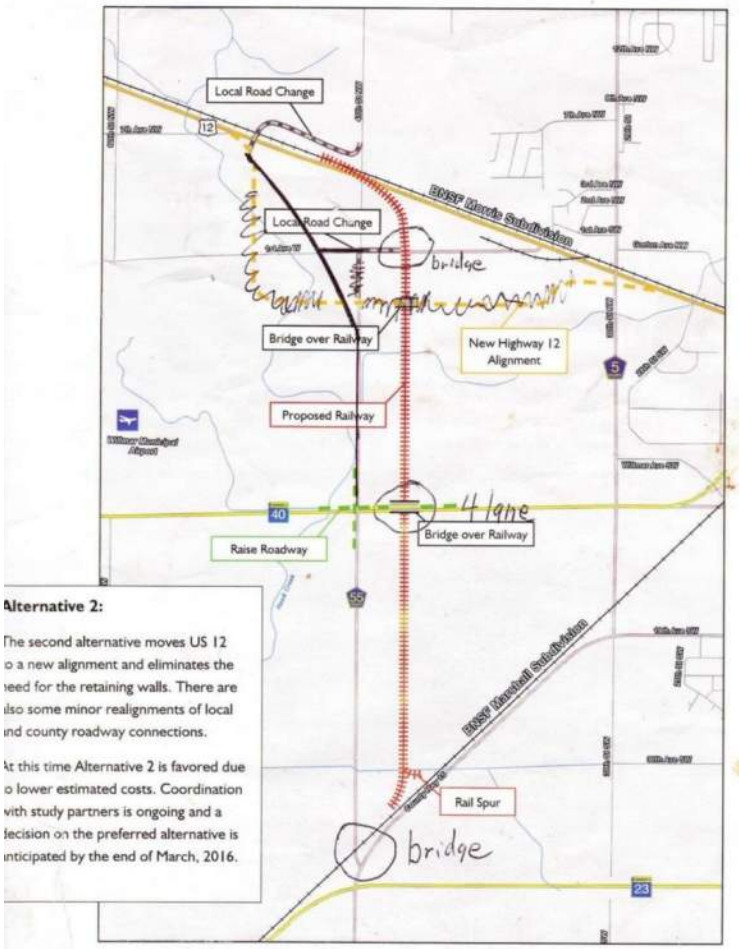
Sincerely,

Marvin Calvin
Mayor, City of Willmar

cc: City Council Members; Michael McGuire, Interim City Administrator; Bruce D. Peterson, Director of Planning and Development Services; and Sean Christensen, Public Works Director

Comments	Response
Kandiyohi County Kandiyohi County Where The Lakes Begin Health and Human Services Building Suite 2020 2200 23rd Street NE, Willmar, MN 56201-9423 Phone 320-231-6215 Fax 320-231-7899 February 7, 2017 Paul Rasmussen Project Manager MnDOT District 8 2505 Transportation Road Willmar, Mn 56201 Dear Mr. Rasmussen, Kandiyohi County appreciates the opportunity to comment on the Environmental Assessment for the Willmar Rail Connector and Industrial Access Project (Willmar Wye). The Recommended Alternative as described on page 32 and further shown in the Figure 22 layout closes 1st Ave. and eliminates the RR crossing. In support of our local business and constituents, we ask that the regulatory agencies reconsider their decision to eliminate the 1st Ave. RR crossing, as it has negative financial impacts to both the local industrial park business due to increase trucking expense and for Kandiyohi County as it eliminates our ability to receive state aid revenue for this section of highway as it no longer meets the eligibility requirements for state aid funding. **1** Kandiyohi County's position is to ensure the final product provides a long term solution of a westerly bypass of Willmar for both RR and heavy commercial traffic, good industrial park access, and safety for the travelling public. In conclusion, we feel this is a great public, private partnership project and continue to support it. Sincerely, Roger Imdieke Chair, County Board of Commissioners Cc: Commissioner Steve Ahmann Commissioner Jim Butterfield Commissioner Harlan Madsen Commissioner Rollie Nissen An Equal Opportunity Employer	1. While the removal of a 1st Avenue connection to CSAH 55 would result in an increase in vehicle miles traveled and travel time, the Federal Railroad Administration (FRA) and Federal Highway Administration (FHWA) determined the increases did not demonstrate a significant burden from existing conditions for businesses and highway users. FHWA and FRA maintain the safety risks associated with establishing new at-grade railroad crossings exceed other potential impacts that may occur with the closure of 1st Avenue. The project does create roadway jurisdictional issues for both the county and city. Additional discussion related to turnback and state aid funding issues will occur outside of the environmental process.

Comments	Response
MN Department of Natural Resources DEPARTMENT OF NATURAL RESOURCES **Division of Ecological & Water Resources** **21371 Highway 15 South** **New Ulm, MN 56073** March 1, 2017 Paul Rasmussen MnDOT District 8 2505 Transportation Road Willmar, MN 56201-2207 Subject: Willmar Rail Connector & Industrial Access Project Environmental Assessment Worksheet Kandiyohi County, Minnesota Dear Mr. Rasmussen: The Minnesota Department of Natural Resources (MNDNR) appreciates the opportunity to review and comment on the Willmar Rail Connector & Industrial Access Project. Page 36, paragraph 8 indicates: Culvert sizes included in this document may be adjusted during the final design and permitting phase of the project." Page 50, paragraph 2 indicates: "it is anticipated that there will be no net increase [in flood elevations], however there is some flexibility to increase this up to 0.5 feet should changes in FP impact occur in final design." Due to the proximity to a major population center with significant potential for damage from flooding, the project goal should be no net increase in design flood stage. If a 0.5-foot stage increase is noted for all crossings, the potential cumulative effect over the three mainstem crossings could result in additional issues. Crossing conditions should be designed to limit stage increase and floodplain fill as much as possible in order to minimize potential upstream impacts. **1** Page 65 indicates the Stormwater Pollution Prevention Plan would be included in the construction plan package. The MNDNR encourages the use of redundant sediment and erosion control Best Management Practices (BMP's) to ensure that erosion and sediment transport is minimized within the system and ultimately to Hawk Creek. The design and locations of the filtration basins and dry ponds should take into account the increase over time of intense episodic precipitation events. **2** Please contact me directly at 507-359-6073 if you have any questions concerning this letter or in regards to the project in general. Sincerely, Kevin Mixon Regional Environmental Assessment Ecologist	1. The proposed project FEMA floodplain impacts and culvert crossings will be designed to minimize stage increase and floodplain fill. The maximum threshold for floodplain impacts is 0.5-feet. However, no stage increase is acceptable that would cause flooding or increase the likelihood of flooding of an adjacent property or infrastructure. Cumulative impacts of multiple crossings were taken into consideration when the hydraulics analysis was completed. 2. The project will be required to comply with the Minnesota Pollution Control Agency (MPCA) Construction General Permit requirements. One of these requirements is to maintain a natural vegetation buffer or use redundant sediment and erosion control BMPs when a buffer is not feasible. The Stormwater Pollution Prevention Plan (SWPPP) for this project will engage these practices and provide levels of redundancy to ensure minimization of any surrounding water resources impact. Ultimately, where vegetation protection and erosion prevention techniques can be augmented to prevent sediment transport; these practices will be designed. However, when this is not possible the proposed ditches adjacent to the linear project components will be maximized as sediment traps and assist in overall project sediment control management. Ditch checks and other velocity control devices will be utilized for controlling flow and enabling sediment deposition before it travels downstream to Hawk Creek. Additionally, the proposed permanent stormwater BMPs will be utilized during construction for redundant temporary erosion and sediment control measures. The proposed BMPs were analyzed using National Oceanic and Atmospheric Administration (NOAA) Atlas 14 precipitation frequency estimates. Along with project BMPs, a stabilized emergency overflow will be required per MnDOT requirements for each discharge location. The elevation of the overflows will be established to provide adequate separation between the proposed roadway and railroad infrastructure to mitigate for future more intense rainfall and provide a resilient stormwater management system. Solid SWPPP design, diligent oversight, effective communication, and thorough documentation are the most important elements to ensure that overall project environmental compliance is achieved during and after the construction process is complete.

Comments	Response
David Hallberg #1 **From: David Hallberg** **Sent:** Friday, February 10, 2017 9:04 PM **To:** Rasmussen, Paul (DOT) **Subject: The 3 bridge solution** Makes no sense to have two crossings so close together on the north end **der Consideration** are improvements on TH 40. The potential Kandiyohi County grade separation at the southern limits of the project ted herein reflects current concept. Some elements subject to change based on final design considerations.  	In response to the roadway alignment and geometric mark-ups on the map: 1st Avenue A grade separated crossing at 1st Avenue was explored, but determined not to be acceptable due to property impacts to the adjacent business. Highway 12 Alignment As stated in the EA/EAW, the recommended alternative (which includes the realignment of Hwy 12) was selected due to the project risks associated with grade separating Hwy 12 from the new railroad on the current Hwy 12 alignment. Additional project costs with elevating Hwy 12 on 30-foot walls and maintenance concerns associated with snow removal were part of the rationale for realigning Hwy 12. The alignment proposed by black line on the map would not allow for Hwy 12 to continue – it would only serve County State Aid Highway (CSAH) 55. The recommended alternative that realigns Hwy 12 would serve both Hwy 12 and CSAH 55 traffic. TH 40 Traffic volumes on Hwy 40 are well below the planning-level threshold for a four-lane roadway. Additional travel lanes are not needed. Outside of Project Area – CSAH 55 Kandiyohi County The “bridge” shown on the southern end of the comment map is under consideration by Kandiyohi County as a separate project.

Comments	Response
David Hallberg #2 **From: David Hallberg** Sent: Monday, February 27, 2017 8:05 PM To: Rasmussen, Paul (DOT) **Subject: Willmar Wye Comments** I'm excited about this Willmar Rail Connector & Industrial Access Project. It will be great for the railroad. It will be great for the city of Willmar if the RR puts two tracks in. It will be even greater for the area when the spur is operating in the industrial park. BUT, for those of us that live west of the project it is a huge obstacle. It's in the way. We need a comprehensive road plan that gives good access to the city of Willmar and the under utilized Hwy 23 bypass. It would be best if there was no new at grade crossings. The Alternative 2 plan for Hwy 12 has too many curves a adds another intersection with co. road 5....not a good plan. **1** **2** The Railroad has to contribute more: **3** 2 tracks assurance of the spur help pay for rerouting of traffic GOOD LUCK, David C. Hallberg 12533 75th ave NW Pennock, MN 56279	1. The proposed project would not add any new at-grade crossings. Hwy 40 and Hwy 12 will go over the railroad via bridges so roadway traffic from the west will not be impacted by railroad operations. The existing connection to 1st Avenue will be closed, with traffic from the west utilizing the realigned Hwy 12 and the new local access road. The roadway network, under the recommended alternative, provides good access to the City of Willmar and provides an easy connection to TH 23. Past plans that called for a bypass of the city have been rendered obsolete by the relocation of the airport (bypass alignment would be in the airport runway protection zone where roadways are not allowed). The recommended alternative provides a connection that highway users could utilize to avoid going through the City of Willmar). 2. The existing intersection of Hwy 12 and CSAH 5 will be modified with the new intersection being relocated to the south. The existing intersection will only serve local traffic once the highway is realigned. Since the new intersection will include the Hwy 12 traffic, the existing intersection is expected to see a reduction in highway through traffic volumes and will primarily serve north-south traffic (see the Traffic Memo in Appendix B of the EA/EAW). The curves on the realigned Hwy 12 will be designed to meet state standards for a design speed of 60 miles per hour. 3. BNSF is a partner in the project. When federal funding received for the grant was below the amount requested, BNSF asked that the siding (2nd track) not be constructed (would include preserving right of way and completing gradin work for future tracks). The Federal Railroad Administration (FRA) agreed with the request and indicated the project would be considered consistent with the grant application. The partners in the project (MnDOT, BNSF, Kandiyohi County, City of Willmar, and the City of Willmar/Kandiyohi County Economic Development Commission) are in negotiations regarding a threshold (number of trains) which would trigger the construction of the siding. Once the threshold is reached for a to-be-determined duration, the siding would be constructed. The negotiations are continuing beyond the duration of the environmental process, but will include the siding construction issue. BNSF will be contributing financially to the project. Estimated total project contributions are included on page 38 of the EA/EAW. Final contributions and partner agreements are in process.

Comments	Response
Fernando Alvarado **From: Fernando Alvarado** Sent: Thursday, February 23, 2017 12:24 PM To: Rasmussen, Paul (DOT) Cc: Marv Calvin **Subject: Support of 1st Avenue crossing and Willmar Wye** Dear Mr. Rasmussen, It has been interesting to learn about the Willmar Wye and the collaboration of all the governmental groups, City of Willmar, Kandiyohi County, Minnesota State Legislature and the Federal Government - legislature and departments. In addition business entities such as the Willmar Economic Development, the Willmar Lakes Area Chamber of Commerce and Burlington Northern Santa Fe Railway. A monumental task which should go into the books as a shining example of what good communication represents with cooperation and collaboration. It is ironic that the TIGER Grant and I fail to recall the first initials in the acronym but the last …GER, ... Generate Economic Recovery has the potential to adversely affect some local businesses. We have an at grade crossing at 1st Avenue that is up for discussion as remaining viable. If we went to the "who was there first" I believe you would find the road was and the railroad followed. It was developed for economic purposes to supply a quick, safe and easy route for the local businesses. Those businesses supply product for the local lumber industry as well as our local turkey industry. Significant businesses that would be adversely affected by the intent of the TIGER Grant. Leaving the at grade crossing would continue to allow economic success for those businesses that economically contribute to this area and surrounding areas in a significant manner. **1** It was recently brought to the public's attention that this at grade crossing does not get much use by the public. Safety figures do not show a significant concern at this crossing due to this low use. However, again the economic impact to those businesses that use this economic artery would be significantly impacted adversely should this artery be closed. Believing the intent would be to provide success for all who would be in the area of the Willmar Wye it does not make common sense to close or hamper those businesses that have successfully used this economic path for decades. As a family man of two daughters I have learned that even though you may see that they have similar goals on many things, their paths are different. Rules have to be adapted, understanding has to be granted. As my wife and I have learned (sometimes the hard way) my children know what they are doing. Through collaboration and cooperation, communications and understanding we have learned that one way does not work successfully for each. These tenants have served my family well. Willmar, and Kandiyohi County know and understand the impact the closing of this crossing will have to these businesses and like a parent we have to trust and believe their understanding that the impact of leaving this crossing viable will have a positive outcome. So in that positive vain I would encourage and ask that you allow the 1st Avenue crossing to remain open. It will continue to …Generate Economic Recovery and fulfill the tenants of this collaborative project across many levels. If you wish to share or read this you have my permission to do so. Your time is appreciated, Fernando Alvarado	1. While the removal of a 1st Avenue connection would result in an increase in vehicle miles traveled and travel time costs as noted in the CSAH 55/1st Avenue Study – found in Appendix C of the EA/EAW – both the Federal Railroad Administration (FRA) and Federal Highway Administration (FHWA) determined the increases did not demonstrate a significant burden from existing conditions for businesses and the travelling public. FHWA and FRA maintain the safety risks associated with establishing new railroad crossings (regardless of the rail or road being their first) exceed other potential impacts that may occur with the closure of 1st Avenue. Under the recommended alternative, existing businesses will remain in place. They will have a new access point from the west, but will maintain their existing eastern access. The new western access point will be off of Hwy 12 slightly further to the east than today, but will serve all of the businesses on 1st Avenue. Existing businesses will be able to continue to operate and will continue to contribute to the economic wellbeing of the area.

Comments	Response
State Representative David Baker **From: David Baker** **Sent:** Sunday, February 26, 2017 4:45 PM **To:** Rasmussen, Paul (DOT); Huseby, Jon A (DOT); Charlie Zelle **Cc:** Marvin Calvin; Bruce Peterson; Ken Warner; Tchourumoff, Alene (GOV) **Subject: Willmar WYE feedback** **Hi Paul. I would like to officially add this e-mail to your public comments being received by the Public for the Willmar Wye rail project.** **I want to strongly urge MNDOT and all authorities to INSIST on the at-grade crossing be allowed to stay in the final plan.** **Removing this 'already existing' road pathway for vital business needs is critical for the local economy.** **let's remember the road, (First Ave) already exists! The railway is a new convenience designed to improve rail service from North Dakota to the Marshall-Souix City connection. This will greatly help the flow of trains in many ways, and to see the local businesses be hurt financially is truly not right!** 1 **If the rail was already there when these businesses were established then I would suggest they would not have set up their operations in a location that didn't allow easy access for the type of vehicles they need.** 2 **You have seen letters sent to the Federal Rail Authority from** **Governor Mark Dayton** **U.S. Sen Amy Klobuchar** **U.S. Sen Al Franken** **U.S. Rep Colin Peterson** **State Rep Dave Baker** **Mayor Marv Calvin** **and other local officials demanding we be heard. MNDOT must stand up for our community and not close the at-grade crossing on the north end of this project.** **I will fight hard for this crossing to remain open and happy to take calls from members that are in opposition of this request. 320-894-5774 (c)** **Thanks for allowing me to comment on this very important crossing.** **Regards.** **State Rep David Baker** **Willmar-Kandiyohi County**	1. With the inclusion of federal funding for the project, federal agencies (Federal Railroad Administration [FRA] and Federal Highway Administration [FHWA]) have the right to guide decisions based on federal best practices, policies and guidelines. A technical analysis was prepared regarding the 1st Avenue crossing (Appendix C of EA/EAW) that considered safety, economic impacts, change in distance and travel times, overall project crossings, roadway jurisdiction impacts, and other considerations. While the removal of a 1st Avenue connection would result in an increase in vehicle miles traveled and travel time costs as noted in the CSAH 55/1st Avenue Study both the FRA and FHWA determined the increases did not demonstrate a significant burden from existing conditions for businesses and the travelling public. FHWA and FRA maintain the safety risks associated with establishing new railroad crossings (regardless of the rail or road being their first) exceed other potential impacts that may occur with the closure of 1st Avenue. 2. FRA and FHWA policies discuss creating roadway crossings at existing railroad lines. The policies do not specifically discuss new railways crossing existing roadways (an uncommon circumstance). However, general practices and guidelines from the federal agencies do not support creating at-grade crossings, and in fact, encourage their elimination when feasible. With the inclusion of federal funding for the project, the federal agencies have the right to guide decisions based on federal best practices, policies and guidelines. As noted above, the removal of the 1st Avenue connection will result in an increase in vehicle miles traveled and travel time, FHWA and FRA determined the increases did not demonstrate a significant burden from existing conditions for businesses and the travelling public. Based upon feedback from the property owners and businesses located along 1st Avenue and input from local agencies, the new local road connection between realigned TH 12 and the businesses located along CSAH 55/1st Avenue was identified as the best alternate to the existing crossing. The proposed connection minimizes traffic delay and costs associated with additional miles of travel required to the extent practicable. The new road maintains two access points into the 1st Avenue industrial area.

Comments	Response
Mr. William Fry (Verbal Comments at Public Hearing) Well, good evening. My name is William Fry, Bill Fry for short. I live here in Willmar, 1504 Country Club Drive NE. Give you a little bit of background. I worked for the railroad for 41-plus years. I am now retired. I retired here in Willmar, moved up here in 2006. Other than that, I've been traveling around the country since 1973. I grew up in Aberdeen, South Dakota, lived in about 13 different areas traveling with the railroad. I want to say I am an expert on railroad operations. I have testified in federal, state courts for both the railroad, the plaintiffs and the defendants on railroad operations. I want to make clear that I am for this project; however, it needs to go back to the way it was originally written. When they applied for the grants, there was two tracks proposed in here. And I know some people I recognize that have been to some of these meetings. Those two tracks mean a big thing. One track is going to cost nothing but congestion and it's not going to accomplish our goals of keeping trains out of Willmar. With one track there, the only places to meet are Clara City -- everybody should know where that is, about 20 miles south -- and Kerkhoven, which is approximately 20 miles west. What it will end up being is a standoff. A train will come in there and park to make meets. Without another additional track for that train to get around, where is the train going to go? Back to Willmar. And it will have defeated - we'll have spent $40 million for one parking spot. It's like putting a one-way bridge on Highway 12 and trying to get through, everybody taking their turn. It just doesn't work. You need two tracks there to make this project work. It's a phenomenal project, it's an expensive one, but we need two tracks there. And if we don't get two tracks immediately, you're going to hear the rumor that we're going to grade for it, we'll build it in the future. I can tell you many places right now where they've graded for tracks and have never built. It just has to be done that way or the project is no good. Well, three tracks would be very nice, trust me. Even with two tracks there. No. One is the proposal now. It was originally proposed with two tracks, and the railroad backed out and said they didn't want to spend that much money right now. Well, let's not spend any money until we get the two tracks back, guys. That's what we need.	When first discussing the project, and before funding was received, BNSF, MnDOT, the City of Willmar, Kandiyohi County, and the City of Willmar and Kandiyohi County Economic Development Commission had submitted the TIGER application with the main railway and a siding (2nd track). Since the application, the number of trains has decreased and federal funding from the TIGER grant was less than asked for as part of the application that was submitted. When federal funding received for the grant was below the amount requested, BNSF asked that the siding (2nd track) not be constructed (the project would include preserving right of way and completing grading work for future tracks). The Federal Railroad Administration (FRA) agreed with the request and indicated that the project would be considered consistent with the grant application. The partners in the project (MnDOT, BNSF, Kandiyohi County, City of Willmar, and the City of Willmar/Kandiyohi County Economic Development Commission) are in negotiations regarding a threshold (number of trains) which would trigger the construction of the siding. Once the threshold is reached for a to-be-determined duration, the siding would be constructed. The negotiations are continuing beyond the duration of the environmental process, but will include the siding construction issue. It is expected that there will be times when trains are parked on the new alignment to change crews or to perform maintenance for those going north to south between the Marshall and Morris Subdivisions. Even with one track, the project still provides the opportunity to improve conditions in the downtown area by removing the switching operation for a majority of the trains. Should the parking of trains occur on the railway connection, it would not impact roadway traffic due to the proposed overpasses at Hwy 12 and Hwy 40.

Comments	Response
Does that answer your question? Excuse me one minute. My estimate is that with one track, we'll see approximately 25 percent of the trains using it. The other 75 percent will continue into Willmar. With two tracks, it will probably be 95 percent of the trains would use it and five percent still going to Willmar. I would like to make one more comment. We had a meeting Tuesday night with the city council members. There was Mr. John Huseby at the -- what was his name? I don't want to pronounce it wrong. Huseby? He was there, and he was asked by Mr. Christianson twice if trains would ever stop on that track. His answer was no. I want to say he spoke the wrong answer. I don't know where he got that information, but trains will be stopped on that track. **William Fry (Written Comments)** To Whom it concerns, I am against this project unless it is done as it was presented to the taxpayers originally. One single track will not work. This project was originally given with TWO railroad tracks to be put in immediately. For the sake of saving some money, it has been changed to one single track. This will not work and do what it was originally designed to accomplish. One of the main reasons fo the State, County and City to be involved as to take trains out of Willmar for safety, noise reduction and congestion. With only one track, trains will still come into Willmar that could by-pass but the single track will be blocked with other traffic. My estimate is that only about 25% of the trains that could possibly use this by-pass would. The other 75% would still come into Willmar because of only having one track for a meet/pass plan. Has anyone done a study on this? Do not spend taxpayer money without benefit for the taxpayers. I want to be clear. I am for this project if it is done with TWO track immediately. Do all at the same time because it’s already taken 100 years to get this close. There would be no incentive on the RR’s position to spend money.	

Comments	Response
Larry Clark (Verbal Comments at Public Hearing) I live at 2510 NW 30th Street. I'm Larry Clark. I understand what he's talking about with the one track, but if they put the second track there, which I believe they really should have so if two trains would meet coming from the west going down to the Clara City line and the other one coming up, that it should not become a parking lot for another train to sit there, and what my fear is is that if it becomes a parking lot because the railroad sees whoever is in control of the train traffic. Well, we can always run into Willmar back the same way we used to go. This is going to be a waste of money if we do it with that process going up. And who's going to monitor that process to make sure that's not a parking lot for a train out there? I mean, you can go into the town of Benson and you'll see trains on the tracks there for 15 minutes, 20 minutes. They'll pay the fine versus moving the train. The fine is minimal; it's nothing. So even if they did fine them for putting the train on that as a parking lot for a train, what good is it? Something's got to be done to make sure there is no train sitting on that as a parking lot. I just hope somebody has got this in mind and plan to monitor that and really police it and enforce it.	See response to William Fry on page B-9.
Errol Bluhm (Verbal Comments at Public Hearing) My name is Errol Bluhm. I live at 3201 SE 15th Avenue in Willmar. First comment is I like the use of your politically correct term environmental justice populations. Sounds to me like a bunch of bird (unintelligible). I know what you're talking about. My comments come more in the form of a question, and I guess you already told me you're not going to give me an answer to my question, but I want to put this question on everybody's mind. Maybe there is more depth to this than I've been given at this time, but both of these -- all three of these alternatives are going to make some changes. **1** Number one alternative is the most direct. Obviously, looking at the maps over there and up on the board, there is the least amount of change that's going to have to be made. I know that you're saying that it would be a significant cost for a long bridge and retaining wall and all that kind of stuff, but without a doubt it's the most direct route. **2** Both of the other alternatives, 2A and 2B, would require significant rerouting and the need for purchase of right-of-way land from private landowners. And according to the information that you provided up there, that would be about 175 acres. I don't know why there is a difference. You also cited more farmland that would be affected. But one or the other, at least 175 acres would have to be acquired. Is the projected cost of all that private land acquisition included in the proposals for Alternative 2A and 2B, and how much of that cost would be paid by taxpayers? **3**	1. The EA/EAW section III.C. provides an evaluation of the different impacts between Alternative TH12-1 (maintaining Hwy 12 on its current alignment via a new bridge) and Alternative TH12-2 (reconstructing Hwy 12 on a new alignment). In this evaluation it was determined that Alternative TH12-1 would require about 50 percent less right of way, among other benefits. However, other concerns and project risks were also identified, including issues related to constructing a longer bridge span with high retaining walls. These issues would result in increased impacts to noise for nearby properties, road safety during winter conditions, snow storage and maintenance, visual impacts, and overall project costs. For these reasons as outlined in the EA/EAW, Alternative TH12-2 on a new alignment was pursued. 2. The identified right of way impact of 293 acres includes approximately 93 acres of farmland. Of the 293 acres, 118 acres are owned by the project's partner agencies. Most of this land is currently leased for farming practices. It is correct approximately 175 acres will have to be acquired to construct the project. 3. The total project costs identified in the EA/EAW includes right of way acquisition costs. BNSF Railway will be responsible for right of way associated with the railroad and MnDOT will be responsible for right of way associated with road improvements not currently owned by the partner agencies.

Comments	Response
Kurt Schimek (Verbal Comments at Public Hearing) My name is Kurt Schimek. I live at 1660 36th Street SE. I am the general manager and I've worked at Farm Service Elevator for over 20 years at 3939 County Road 55, also known as 1st Avenue there on the map. Along with the feed mill, we also have other ag companies such as Pals, Pals Propane, Willmar Logistics and Willmar Poultry Farms at our ag business along County Road 55, 1st Avenue. We estimate we have over 20,000 trucks per year that enter or leave our facility that head west and then south onto 55. That translates to ten trucks per hour during business hours. These trucks haul beef, grain, feed ingredients, barn equipment and propane. We would like to express our strong opinion of the safety of ten trucks pulling on and off again on Highway 12 to come in and out of our ag site and then leave our ag site as far more dangerous than a railroad at-grade crossing. Again, with the current proposal, ten trucks per hour during business hours by getting on and off Highway 12 for a short amount of time and a short distance fully loaded, then exiting it, in and out, to get out of our facility. These numbers do not include our neighboring businesses also along 55, 1st Avenue, that work with large semis as part of their business or consider the small vehicles, the cars and trucks of our employees and customers driving to come in and out of our business. **1** We strongly encourage all parties involved to consider and weigh the safety of the at-grade crossing versus the safety of numerous semis that will be need to come on and off the new Highway 12. Finally, we have advised since the inception that the Wye Project be placed on the west side of 55 or directly on top of the existing 55 and not on the east, and that the bridge be placed on the current Highway 12 which would be further west to allow the train to go underneath Highway 12, and then allow the trains to go directly towards 55 before turning south. If you want me to explain that on the map, I can do that. **2** This plan would eliminate the need for an at-grade crossing altogether and make the most economic sense for the taxpayers. This plan will provide four wins: Number one, safety; number two, a win for the taxpayers; three, a win for the citizens of Willmar; and four, the railroad. This alternative is not too close to the airport as the height of the bridge will be higher than the height of the train, so that argument doesn't have any legitimacy to it. We would recommend further research into this option. We agree with a project moving forward, but it needs a little more research.	1. The 1st Avenue technical analysis (Appendix C of EA/EAW) evaluated the likelihood and severity of a railway crash at 1st Avenue/CSAH 55 as compared to the likelihood and severity of crashes on the highway network if an at-grade intersection of the railway was determined unacceptable. The difference between options was less than one crash per year. Due to the higher severity of crashes associated with at-grade railway/roadway crossings – even if the risk is low – FRA and FHWA believe that it is better to eliminate or prevent the creation of an at-grade roadway and railway intersection when other options exist. To minimize the likelihood of highway crashes, the roadway design includes turn lanes onto and off of Hwy 12, CSAH 55 and the new local access roadway. This enables the trucks (and other vehicles) to safely exit and enter Hwy 12 at specific locations in a dedicated lane. Hwy 12 will also have acceleration lanes so that the heavier vehicles can get up to speed before merging onto the highway. 2. An alternative railway route west of CSAH 55 was originally evaluated, but was eliminated from consideration due to its proximity to the Willmar Municipal Airport. The proposed alignment would have interfered with the Federal Aviation Administration's (FAA's) Runway Protection Zone (RPZ), and would not have been supported or approved by the FAA. Additionally, this alternative would not provide a connection to the new industrial park, and would not be supportive of the economic development planned for by the City of Willmar and Kandiyohi County as identified in the purpose and need of the EA/EAW.

Comments	Response
David Peterson (Verbal Comments at Public Hearing) My name is David Peterson. I live at 1800 127th Avenue in Svea. And Bill pretty much covered what my comments were. I guess that's why he got to go first. But in addition to that, I mean, some of the others brought up -- like Bill said, I also worked on the railroad for a number of years as a yardmaster and in charge of the local movements of trains, and I also would state that what Bill said would very, very, almost absolutely happen. And if there's crews that are short on time, they will bring a train in there. If it has to have work done on it, it will park there and it will sit and it will be right back to if there's more crews that are short on time, the trains will come right into Willmar without that extra track that was in the original proposal. **1** And along with that, if the railroad is allowed to cut their expenses because of a downturn in business, are they giving -- are they removing their resistance to the at-grade crossing? Because they do put in at-grade crossings. They put one in downtown Delano here a few years back right in the middle of a main track and the siding. I mean, if the railroad does not have a strong resistance to it, it can be done. **2** And on the other part of that, too, if you go with the route that you're talking now and you want to have them enter Highway 12, are there acceleration and turning lanes built into it? I mean, when you look at Highway 23, when they built the four lanes on that, I've noticed more recently that since the last couple of years Cold Spring Granite moved out of town, and after 23, when they built 23, there was no acceleration or turning lanes, but now there are. **3** You know, when you say this is your preferred option, have they looked at those options for, like the previous speaker said, for the trucks that are pulling out and slowing down traffic. And like Bill and some of the other comments about the railroad says, well, we'll grade it and we will build it. And somebody mentioned Benson, how they block the trains there. It's probably well before I was born that the railroad planned on putting in that signal, automatic crossing that goes from the Morris Subdivision to the Watertown or Aberdeen Subdivision, and I think they just finally got it done, but it had nothing to do with, you know, traffic or whatever, just the money that they wanted to spend. And I think most of us know who owns that toy railroad and I think the money isn't really an issue if they want to spend it.	1. See response to William Fry on page B-9. 2. BNSF supports the recommended alternative – they do not support an at-grade intersection at 1st Avenue for safety reasons and due to the fact that a reasonable alternative access exists for linking 1st Avenue and Hwy 12 and CSAH 55. Decisions at other at-grade intersections are made on a case by case situation. 3. Acceleration lanes and turn lanes are included in the project at the Hwy 12/new local access road and Hwy 12/CSAH 55 intersections.

Comments	Response
Mr. Clinton Raasch (Verbal Comments at Public Hearing) They plan on bringing 45th along on the north side of the track there, and then they're taking Highway 12 away from me so I have no exposure for my business, and kind of ruin my -- I got a hill for selling cars. It's going to ruin that. My sign out in front, it's not going to be able to be seen. And when they take 12 away, they're going to bring a different highway to me and bring 45th behind Highway 12 through the intersection and turn that into a township road which is not going to be plowed on a, you know, hourly basis. **1** My business is a 24-hour business and my road needs to be plowed, you know. It's been plowed by the county. And the township will never -- they don't take care of 45th. I have had to go down and help many stranded people on 45th in the past 18 years. It's usually done with a road grader and it's -- the road grader has got too many roads to take care of, so it takes a long time. **2** And the crossing that they're proposing, they're going to change it into a commercial crossing which is going to cause all kinds of horn noise at night, so I won't be able to rest. **3** And also, they're proposing putting -- our road's fed into the corner to get into that crossing at an angle, so we can't see west at all. And I've tried to tell them over and over that it's not acceptable. The road's coming to that crossing got to be able to see just as good to the west as they are to the east. There's been one person killed in that intersection already, and it is extremely unsafe. You cannot look to the west if you're looking to the southeast to approach that crossing. So I've talked to them, and so far every proposal still shows them dumping me into that crossing at an angle just the way it is right now, and it can't be done that way. So that's the end. **4** The other impact it's going to be, during all this construction, it's going to cause a large loss of work. My customers ain't going to drive through tore up roads to get to me. It's going to have a huge impact on my business. **5** And also, there's a drainage ditch that goes through my neighbor's driveway and our driveway that will be affected, how the lay of the land is going to be, so that's got to be done so it drains properly. **6**	1. Comment noted. The realignment of Hwy 12 will shift traffic patterns and will reduce traffic volumes on the former Hwy 12 roadway segments that remain in place. 2. Comment noted. The issue of plowing will be brought to the attention of the township. 3. It is correct that the location of the 45th Street NW public crossing will be shifted approximately ½ mile to the west, converting the existing private crossing into a public crossing. The resulting horn use at the public crossing will be shifted west to this location. Mitigation measures for train noise were evaluated and determined to not meet the cost effective criteria for the moderate impact identified in the analysis. Noise barriers were found to be ineffective as the openings required for driveway access eliminate any benefit that would be provided by a wall. 4. The project team will continue to explore the intersection sight lines and visibility in greater detail during the final design phase of the project. The current location is consistent with sight line standards, but will be reviewed for visibility. 5. Property access will be maintained during road construction. Additional information will be provided related to construction staging prior to construction commencing. 6. Stormwater drainage has been addressed and is discussed in detail in Section IV.A.11 of the EA/EAW. Two stormwater facilities are proposed adjacent to 45th Street to address drainage issues related to the road realignment of Hwy 12 and 45th Street.

Comments	Response
Mr. Dane Kallevig (Verbal Comments at Public Hearing) I just wanted to mention that from the presentation I didn't hear any discussion about 911 access and the impact this project has on the emergency service to people who have intersections that have been changed. I am in a zone where it would impact access with longer distance, and 911 emergency service is important, and it was not addressed. **1** **2** The other thing I want to mention is with change in access to property, will there be an impact on property values and how is the county and the tax authorities going to address those impacts? Will we see changes in property values from the project? **3**	1. Emergency response service should be similar under the recommended alternative to current conditions. Both Hwy 12 and Hwy 40 will have grade separated crossings with the railway, which will eliminate any delays associate with train traffic. Emergency responders coming from Willmar would utilize either of these routes to get to properties within the project area. It is acknowledged that access will change for some parcels, but the relocated access is in the same general vicinity as it is today with the exception of parcels currently located on existing Hwy 12. The realignment of Hwy 12 to the south is anticipated to have the most impact in terms of emergency response. A few of the properties will now be off of local roads that connect into the realigned Hwy 12 rather than directly off it. For these properties, there will be an increase in emergency response times. Major changes in travel time; however are not expected. 2. Changes in access should not impact most properties in terms of value within the project area. Commercial properties that lose highway frontage may experience a decrease in property values. Properties will be assessed and values will be assigned. Changes in highway frontage (where access modifications will directly impact properties) will be a part of the right of way acquisition process. 3. Most parcels not directly impacted by the project are not anticipated to have changes in property values. Parcels directly impacted by the project – where property is acquired for the project – would be anticipated to have a change in property value (due to a reduction in the size of the property). Commercial properties with changes in highway frontage/visibility may also have a change in value.

Comments	Response
Mr. Steve Ahmann (Verbal Comments at Public Hearing) I just want to say that I support the concept and the long-term planning for the benefit of Burlington Northern and the residents of the city of Willmar for future expansion into the industrial park. One of my concerns is I believe that some alternatives might want to be considered, and those are based on costs to the taxpayers. Number one would be the relocation of the railroad to as close to County Road 55 as possible and also to extend the construction area that was earlier outlined in the construction zone to include the area further south of Willmar connecting to State Highway 23 intersection and County Road 55. That should be included in the financial overview of costs. **1** Also, I believe Highway 12 should be kept in its current location and build a 30-foot high retaining wall, which it will only be, I believe, at the highest point. The other areas of the retaining will not be as high. I don't think the impact to the community will be severe. It should also maintain our current infrastructure that the city and the state, the utility companies have put in along Highway 12 for lighting, street lighting, everything. It will be an asset to maintain that versus just tearing it out for the cumbersome rerouting of Highway 12 further south. Cost at this particular time should not be the primary -- shouldn't be the primary issue of going forward with it or not going forward with it. I would prefer that this project be done in an appropriate way that is best for traffic, best for businesses, and best for the community. **2** Furthermore, the second rail must, I repeat, must be included. Otherwise, the benefit to the city of Willmar and its residents with noise traffic and future traffic cannot be guaranteed. It must be part of the project, eliminate, and give some benefit to the taxpayers of the city of Willmar who support this project. It seems that the taxpayers of Willmar are not going to be directly benefited if we don't get the second line put in. The traffic will continue downtown, and we are not assured of that, and there is nothing that I can see right now that assures the city of Willmar will have any authority to have Burlington Northern install the second track at any future date. **3** As I understand through previous years on the city council, that it is very, very cumbersome to dictate to the railroad corporations what we need. It is somewhat more cumbersome and difficult than dealing with Congress, as many people can attest. I wish that would change, but that seems to be the situation we're in right now. I appreciate all the input and all the hard work from everyone. The hearts are in the right place. It's just a matter of now doing the right thing for the long-term benefit. And I am also concerned about the dissecting of the newly acquired development land south of current Highway 12 that is not -- that will cost the city future funds for improvement and long-term maintenance that currently, in the current Highway 12 position, will not be associating or giving us further -- additional taxpayer funds to maintain and improve in the future. **4**	1. The railway could not be located closer to CSAH 55 due to its tie-in points on the Morris and Marshall Subdivisions. Moving the railway closer to CSAH 55 would directly impact multiple commercial properties and would require their relocation. Areas west off CSAH 55 were rejected due to their proximity to the new Willmar Municipal Airport and potential interference issues with the Federal Aviation Administration's (FAA's) Runway Protection Zone (RPZ). Areas further to the south – with a new rail grade separation near TH 23 – are under consideration by Kandiyohi County. The county has preliminary plans completed for grade separating the railway, but is short of the funding necessary to complete construction. The county is actively searching for additional funding. 2. See response to Errol Bluhm comment #1 on page B-11. 3. See response to William Fry on page B-9. 4. The realignment of Hwy 12 will improve access to the City's future industrial park and could benefit development of the adjacent land. The roadway segments of the former Hwy 12 alignment will be resurfaced and become local streets that will serve local businesses. Additional discussion related to roadway turnback with the City of Willmar and Kandiyohi County will occur outside of the environmental process.

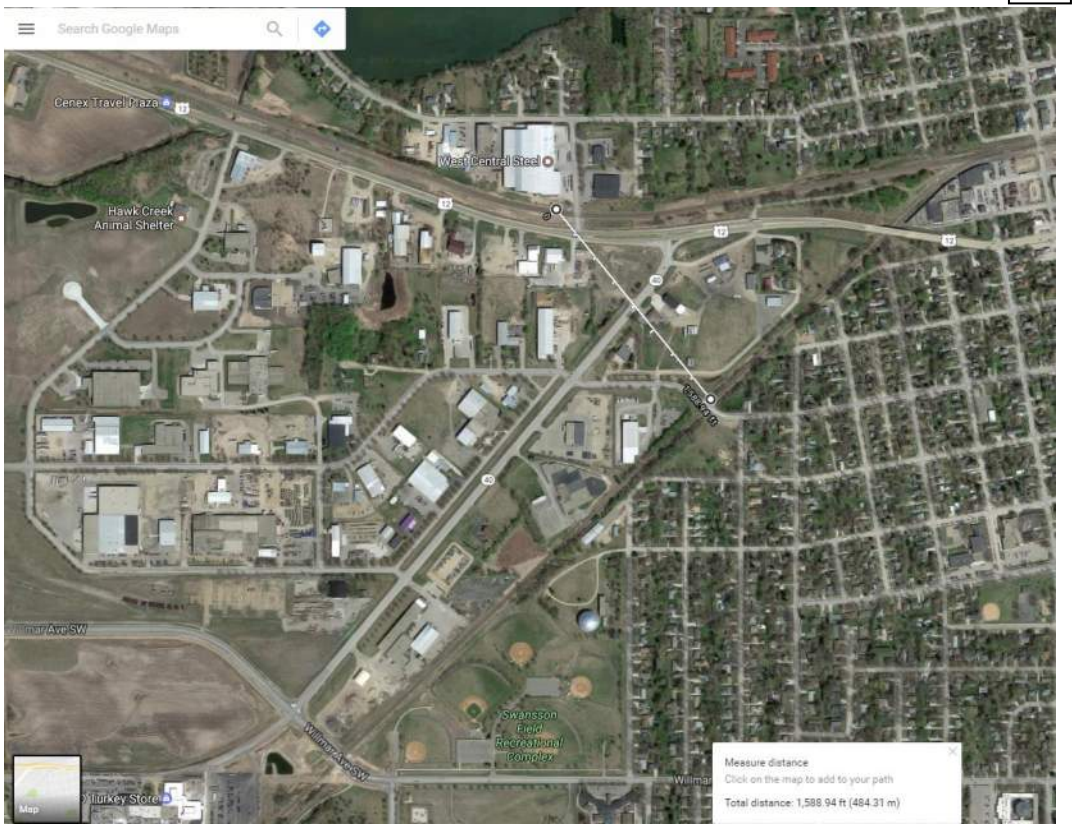
Comments	Response
Mr. Aaron Larson (Verbal Comments at Public Hearing) Aaron Larson, 219 Anthony Street SE, Willmar. I'm a member of the -- former member of the City of Willmar Planning Commission. I strongly encourage and support MnDOT and BNSF to add two rail lines back into the project. I believe for the project to be successful for the long term, there needs to be two tracks for the rail bypass. Also, for the significant amount of public investment in the project, that BNSF should hold up to their end of the bargain and have two tracks as was originally proposed in the project. **Aaron Larson (Written Comments)** I strongly encourage and support MnDOT and BNSF to add 2 rail lines back into the project. I believe for the project to be a success for the long term, there needs to be two tracks for the rail bypass. Also, for the significant amount of public investment in the project, BNSF should hold up their end of the deal and build 2 tracks as originally planned.	See response to William Fry on page B-9.
Ms. Carol Laumer (Verbal Comments at Public Hearing) My one comment is if the project moves forward, a quiet zone should be installed at the time of all this work going into place so we're not getting that again. Number two, I don't know the industry, but according to the people that spoke regarding two tracks, that needs to be looked at. Number three, with the decreased number of trains, I see that this project should be scrapped and not using my taxpaying dollars for this. And then number four is find an alternate way and less expensive cost for the industrial park that's needed.	1. There are no new at-grade crossings proposed that would require the use of train horns. However, the location of the 45th Street NW public crossing will be shifted approximately ½ mile to the west, resulting in horn use to also be shifted west. Mitigation measures for train noise were evaluated and determined to not meet the cost effective criteria for the moderate impact identified in the analysis. The City of Willmar can pursue a quiet zone for this new crossing in the future, but that is considered to be a separate project and is not considered a mitigation measure for noise associated with train horns. 2. See response to William Fry on page B-9. 3. Comment noted. 4. A future connection to the City's planned industrial park is one of the purposes of the project. It is also intended to alleviate traffic issues and improve railroad operations associated with train switching within the Willmar Terminal. The recommended alternative was the only alternative that met all of the purpose and need items identified for the project.

Comments	Response
Darrin and Amber Brouwer (Written Comments) You never responded to my last comment card. 1. Your website listed on slide presentation doesn't work. – www.dot.state.mn.us/d8/willmarwye a. Should be 8/projects/will… 2. Quality of Life – Decrease of quality of life for those who live in town, why has no one ever contacted us who live where it is moving to? 3. Hwy 12 re-aligned will benefit residents living North of Hwy 12, but what about those living south of it or around where it is moving to? 4. What is next step? Last meeting they said next step in process with the timeline for it. 5. What about new contention now between not all parties being in agreement because of effect on businesses along 1st Avenue (Elevator/Pals/Etc.)? Will they come with a new plan or alternative? 6. Why did no one contact us after our last comment card?	1. The presentation website was incorrect. The other materials provided the correct address. We apologize for the error. 2. Residents and businesses in the study area have been notified of the project multiple times via previous mailings, open house notices, group meetings, and newspaper articles. MnDOT staff had additional contact with property owners directly impacted by the project. 3. The realignment of Hwy 12 is expected to alter travel patterns for residents and businesses in the area. The new Hwy 12 and railway alignments will impact some properties as noted in the EA/EAW. It will require the additional acquisition of private property, it will result in changes in access for some properties, and there will be changes in noise for some properties. Overall, the community will benefit from the project for the reasons outlined in the EA/EAW; however, it is acknowledged that some individuals/properties may be negatively impacted as noted above and in the EA/EAW. 4. The next steps include completing the environmental review and preliminary design phase. Municipal consent and agreements with partner agencies will be completed over the spring and summer 2017. Final construction plans will begin near the end of 2017 once a contractor is selected for the design-build process. Construction is anticipated to begin spring 2018. 5. The final decision regarding 1st Avenue will be determined upon completion of the environmental review process. Once the final decision is made, the partner agencies will work together to implement the final decision. 6. We apologize that there was no follow-up from the previous comment card. Since then, MnDOT staff has reached out for further discussion.

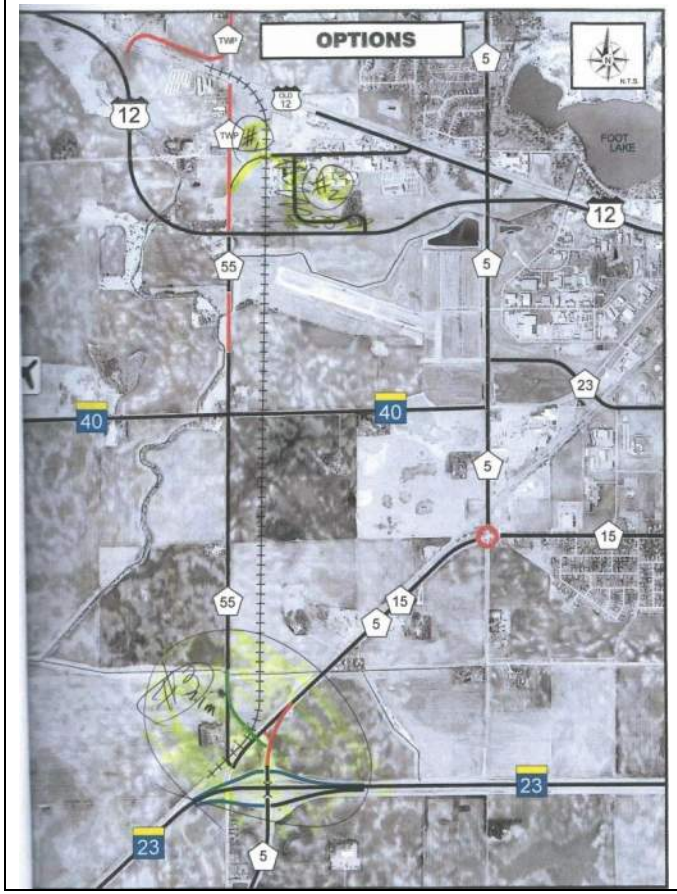
Comments	Response
Doug Ohden **From:** Doug Ohden **Sent:** Monday, March 06, 2017 8:55 AM **To:** Rasmussen, Paul (DOT) **Subject:** Comments on the Willmar rail WYE Dr. Mr Rassmussen Just voicing my opinion on the willmar rail spur project. My vote goes to alternate #1 as I feel it is by far the most simple and cost effective way. Bringing Hwy. 12 down south of Farm service elevator will make the already heavy truck traffic more concentrated. **1** Also please keep in mind the life flight helicopter service at the airport west of town. **2** Please keep an eye on this project as Willmar has screwed up every area road project it has done for the last 25 years. If you don't believe me I will more than gladly drive you around and show you. Thank you Doug Ohden	1. See response to Errol Bluhm comment #1 on page B-11. 2. Emergency response services were considered during the alternatives analysis. One of the primary issues identified by emergency responders was maintaining roadway access between the hospital and the airport via Hwy 40. With the proposed overpass of TH 40 over the new railway, railroad operations will not interfere with emergency response times to the airport.

Comments	Response
Gary Ascheman **From:** Gary Ascheman **To:** Rasmussen, Paul (DOT) **Subject:** BNSF reroute Alternatives Paul, have we looked at all the options to turn these trains? Looks like the BNSF in Benson only needed about 1,215 feet to make a direction change. That is if Google measurement is about right. I see some opportunities to make a similar direction change just on the west side of Willmar with a LOT less track and out of the airport restrictions and a lot less farmland being impacted. If you're interested. Snapshot #1 below shows the Benson BNSF rail curve that let's Morris route either to continue south east or change directions to the south West. Note estimated distance. **1** 	1. Multiple options were explored as part of this project and are described in the Section III, Alternatives, of the EA/EAW. In addition, BNSF has been evaluating a new railway connection between the Morris and Marshall Subdivisions for over a decade. Each option has a number of benefits and impacts. The recommended alternative was selected in order to divert railway traffic away from the downtown area, minimize impacts to business and residential properties, and provide a connection to the City's industrial park. 2. BNSF Railway determined the turning radius required for the new railway connection based on the speed and length of expected trains and current railroad design standards. Other locations, including the Benson track, were built with previous standards that are no longer applicable per BNSF operational requirements. 3. The location shown in snapshots #2 and #3 would impact multiple business properties and road crossings. As stated in the previous response, the turning radius may not be acceptable for BNSF Railway per current design standards. Grade separating Hwy 12, Hwy 40, and the railroad would expand the construction limits well beyond the radius line shown in the snapshots. It is anticipated that this location would result in significantly more social and environmental impacts due to the proximity to businesses, residences, and roadways. The recommended alternative was selected in order to divert railway traffic away from the downtown area, minimize impacts to business and residential properties, and provide a connection to the city's planned industrial park.

Comments	Response
Snapshot #2 shows a possible curve site with a potential curve diameter of about 1589 feet.	

Comments	Response
Snapshot #3 shows an estimated curve with a diameter of about 1589 feet to let the trains either route South West or North West. Consider putting the HWY 12 Bridge over the curve and route HWY 40 up and over the new bridge. I am sure there are pros and cons but this seems to keep it simple and a lot less expensive. Not sure if there is room or a need for a second track. Not trying to crash anyone's parade but was this ever considered an option for that area? **3**  Open to discussion. Thanks Gary J. Ascheman Administrative Manager Farm Service Elevator Company	

Comments	Response
Congressman Collin Peterson COLLIN C. PETERSON 7TH DISTRICT, MINNESOTA COMMITTEE ON AGRICULTURE RANKING MEMBER 2204 RAYBURN HOUSE OFFICE BUILDING WASHINGTON, DC 20515 TELEPHONE: (202) 225-2165 FAX: (202) 225-1593 INTERNET: www.house.gov/collinpeterson CONGRESS OF THE UNITED STATES HOUSE OF REPRESENTATIVES WASHINGTON, DC 20515 March 7, 2017 Paul Rasmussen MnDOT District 8 2505 Transportation Road Willmar, MN 56201-2207 Dear Paul: As the Willmar Wye Project nears its construction phase, I write in support of design option "2a" which preserves the at-grade crossing on First Avenue in Willmar. This design enjoys broad support from the businesses and residents of the city and surrounding area. First Avenue is a low-volume local road that provides access to several of Willmar's major agricultural businesses. By closing the at-grade crossing and rerouting vehicles along the avenue, these businesses could be put at financial risk. Additionally, it is the assessment of the Minnesota Department of Transportation that an at-grade design achieves the same safety measures and construction costs as a non at-grade alternative. Preserving the at-grade crossing on First Avenue best fulfills the Willmar Wye's stated purpose to "encourage economic growth" in the region by protecting Willmar's businesses. For that reason, I request that First Avenue be kept open. Sincerely, Collin C. Peterson Member of Congress DISTRICT OFFICES 714 LAKE AVENUE SUITE 107 DETROIT LAKES, MN 56501 (218) 847-5056 FAX: (218) 847-5109 1420 EAST COLLEGE DRIVE MARSHALL, MN 56258 (507) 537-2299 FAX: (507) 537-2298 324 3RD STREET SW SUITE 4 WILLMAR, MN 56201 (320) 235-1061 FAX: (320) 235-2651	With the inclusion of federal funding for the project, federal agencies (Federal Railroad Administration [FRA] and Federal Highway Administration [FHWA]) have the right to guide decisions based on federal best practices, policies and guidelines. A technical analysis was prepared regarding the 1st Avenue crossing (Appendix C of EA/EAW) that considered safety, economic impacts, change in distance and travel times, overall project crossings, roadway jurisdiction impacts, and other considerations. While the removal of a 1st Avenue connection would result in an increase in vehicle miles traveled and travel time as noted in the CSAH 55/1st Avenue Study both the FRA and FHWA determined the increases did not demonstrate a significant burden from existing conditions for businesses and the travelling public. FHWA and FRA maintain the safety risks associated with establishing new railroad crossings (regardless of the rail or road being their first) exceed other potential impacts that may occur with the closure of 1st Avenue. FRA and FHWA policies discuss creating roadway crossings at existing railroad lines. The policies do not specifically discuss new railways crossing existing roadways (an uncommon circumstance). However, general practices and guidelines from the federal agencies do not support creating at-grade crossings, and in fact, encourage their elimination when feasible. With the inclusion of federal funding for the project, the federal agencies have the right to guide decisions based on federal best practices, policies and guidelines. Based upon feedback from the property owners and businesses located along 1st Avenue and input from local agencies, the new local road connection between realigned TH 12 and the businesses located along CSAH 55/1st Avenue was identified as the best alternate to the existing crossing. The proposed connection minimizes traffic delay and costs associated with additional miles of travel required to the extent practicable. The new road maintains two access points into the 1st Avenue industrial area.

Comments	Response
Rollie Nissen I have 3 suggestions: (See map #1) Do not eliminate the 1st Ave Connection to County 55. The traffic count at that at grade crossing will mostly be commercial traffic from the elevator, PALS, and Quam Construction. It would give those businesses better and easier access to the south and west (and eventually to the east if we can find funding to finally complete the westerly bypass (#3 on map). #2 Eliminate the service road indicated on the map (#2). I have not talked to anyone who sees this as viable option. Truckers hate it! The turkey feed trucks leaving Farm Service are top heavy and could easily tip on that curvy road. Also access to and from Hwy 12 will be more difficult and probably create a bottleneck. #3 Find the money to finally complete #3. It is not currently an option for the county to fund that alone.  	1. With the inclusion of federal funding for the project, federal agencies (Federal Railroad Administration [FRA] and Federal Highway Administration [FHWA]) have the right to guide decisions based on federal best practices, policies and guidelines. A technical analysis was prepared regarding the 1st Avenue crossing (Appendix C of EA/EAW) that considered safety, economic impacts, change in distance and travel times, overall project crossings, roadway jurisdiction impacts, and other considerations. Upon completion of this analysis, the FRA and FHWA determined since the safety analysis for each option was similar and the other factors did not demonstrate a significant burden to users, that there was not enough benefit to support an at-grade crossing at 1st Avenue. 2. With the removal of 1st Avenue at the new railway connection, the proposed access road connecting 1st Avenue to Hwy 12 maintains a second access in and out for businesses for the industrial area. Based upon feedback from the property owners and businesses located along 1st Avenue and input from local agencies, the new local road connection between realigned TH 12 and the businesses located along CSAH 55/1st Avenue was recommended to reduce concerns with truck traffic delay and additional miles of travel required. The road will be designed to accommodate truck traffic at a travel speed of 30 miles per hour. 3. MnDOT is working with Kandiyohi County to identify potential funding opportunities for the proposed county project. MnDOT is limited in its abilities to participate on a non-trunk highway project; however there are other funding programs that are being explored.

Comments	Response
Governor Mark Dayton **STATE OF MINNESOTA** Office of Governor Mark Dayton 130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155 March 8, 2017 Mr. Patrick Warren Acting Administrator Federal Railroad Administration 1200 New Jersey Avenue SE Washington, DC 20590 Dear Mr. Warren: I appreciate your agency's support in the implementation of the TIGER supported Willmar Wye Project in Willmar, Minnesota. I write to express my continued support for the City of Willmar and Kandiyohi County's interest in keeping the grade crossing at First Avenue open. First Avenue directly serves some large agricultural businesses. The new rail line bypass created by this project will cross First Avenue at-grade, which is a low volume local road. Minnesota's Department of Transportation hired a consultant to analyze the options to either keep the First Avenue crossing open or close the First Avenue crossing and re-route vehicle traffic. The consultants found that both options could achieve a safe design and construction costs would be roughly the same. In light of local concerns and Minnesota Department of Transportation's safety analysis, I encourage you to authorize your staff to keep First Avenue open. Sincerely, Mark Dayton Governor cc: U.S. Senator Amy Klobuchar U.S. Senator Al Franken U.S. Representative Collin Peterson Marv Calvin, Mayor of Willmar Roger Imdieke, Chair of Kandiyohi County Board Charles Zelle, Commissioner of Minnesota Department of Transportation Voice: (651) 201-3400 or (800) 657-3717 Fax: (651) 797-1850 MN Relay (800) 627-3529 Website: http://governor.state.mn.us An Equal Opportunity Employer Printed on recycled paper containing 15% post consumer material and state government printed	Please refer to the response to Representative Collin Peterson on page B-23.

Comments	Response
US Environmental Protection Agency UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590 MAR 0 7 2017 REPLY TO THE ATTENTION OF: E-19J David Scott Federal Highway Administration Cray Plaza 380 Jackson Street, Suite 500 St. Paul, Minnesota 55101 Paul Rasmussen Minnesota Department of Transportation District 8 2505 Transportation Road Willmar, Minnesota 56201 **Re: Willmar Rail Connector & Industrial Access Project Draft Environmental Assessment, City of Willmar, Kandiyohi County, Minnesota** Dear Mr. Scott and Mr. Rasmussen: The U.S. Environmental Protection Agency has reviewed the Draft Environmental Assessment (EA) for the project referenced above. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act. The Federal Highway Administration (FHWA) is the lead agency for this project under NEPA. The Minnesota Department of Transportation (MnDOT) is the project proponent. The proposed action includes: (1) construction of 2.8 miles of mainline railroad track connecting two existing railroad subdivisions with associated grade separations, spur lines, sidings and access roads, and (2) relocating 2.5 miles of U.S. highway and associated local roadway modifications. EPA offers the following recommendations for your consideration in the NEPA process. **Waters** The proposed project would impact approximately 4 acres of jurisdictional waters. The EA discusses measures to avoid and minimize impacts, and states that impacts would be mitigated through use of wetland banks. While we offer the following comments to inform the EA process, EPA reserves its right to provide additional comments when more information is available during the future Clean Water Act (CWA) Section 404 permitting process. In addition to complying with the CWA Section 404 (b)(1) Guidelines and the 2008 Compensatory Mitigation Rule, we recommend the following practices. **Recommendations for the Subsequent NEPA Document** We recommend committing to the following best practices for unavoidable construction in or near wetlands, as appropriate: **1**	1. Six of the eight impacted jurisdictional resources are currently utilized for farming practices or are mowed roadside ditch areas. As described in the EA/EAW, the recommended alternative was designed to avoid the larger portions of these resources and the majority of the construction activity will be occurring at the edges. Of the other two resources impacted by the recommended alternative, wetland number 1 is located within the roadway median along existing TH 12 and wetland 58 is located as a wetland fringe along Hawk Creek south of TH 40. The proposed work at wetland 1 will tie the new TH 12 to the existing alignment where construction activity will occur along the existing roadway. The proposed work at wetland 58 will replace the existing bridge under TH 40. Construction activities within or near areas of environmental sensitivity will utilize Best Management Practices (BMPs) to avoid unnecessary impacts where practicable. Given the length of the rail and roadway corridors, there will be opportunities to avoid adjacent and incidental wetlands while accessing the construction areas. The project will be required to comply with the National Pollutant Discharge Elimination System (NPDES) Construction Stormwater permit which requires that areas of environmental sensitivity are protected with a natural, 50-foot buffer or redundant BMPs. The project will also be subject to a permit from the Army Corps of Engineers for impacts to wetlands. As part of the permit, activities and measures will be identified for minimizing impacts to wetlands. Work within wetlands will be limited to the extent of the construction limits and nearby wetland areas will be protected with appropriate perimeter control BMPs. Winter construction in wetlands will not likely be feasible.

Comments	Response
• Use long-reach excavators to avoid driving or staging in wetlands. • Perform unavoidable construction in wetlands during frozen ground conditions, if feasible. • Use easily-removed materials for construction of temporary access roads and staging areas (e.g., swamp/timber mats) in lieu of materials that sink (e.g., stone, rip-rap, wood chips). • Use swamp/timber mats or other alternative matting to distribute the weight of the construction equipment, which will minimize soil rutting and compaction. • Use vehicles and construction equipment with wider tires or rubberized tracks, or use low-ground-pressure equipment to further minimize impacts during construction access and staging. • Place mats under construction equipment to contain any spills. **Air Quality** The proposed project would result in temporary fugitive dust and diesel exhaust emissions from construction activities, such as material hauling and use of heavy machinery. Temporary emissions from construction have the potential to impact human health, especially in sensitive populations, such as the elderly, children, and those with impaired respiratory systems. **Recommendations for the Subsequent NEPA Document** • Identify and commit to specific measures to reduce emissions, including those listed in the enclosed Construction Emission Control Checklist. **2** • In line with Executive Order 13045 on children's health, pay particular attention to worksite proximity to places where children live, learn, and play, such as homes, schools, daycare centers, and playgrounds. Construction emission reduction measures should be strictly implemented near these locations in order to protect children's health. **3** **Socioeconomics and Environmental Justice** The EA briefly discusses impacts on businesses from the realignment of Trunk Highway 12. Page 109 explains that one business owner expressed concern over changes that would divert traffic from the front of existing businesses. **Recommendations for the Subsequent NEPA Document** Add further details on the impacts from proposed roadway changes to existing businesses. For example, (1) describe businesses that would lose frontage traffic or be otherwise impacted, (2) clarify whether there would be any associated disproportionate impacts to businesses with environmental justice concerns, and (3) if appropriate, consider measures to mitigate impacts. **4** **Climate Resiliency** The U.S. Global Change Research Program's *National Climate Assessment*[1] section on the Midwest provides a useful starting place for analyzing changing climate conditions. It provides [1] U.S. Global Change Research Program, 2014 National Climate Assessment, available at: http://nca2014.globalchange.gov/report 2	2. A list of potential strategies to reduce air quality impacts during construction is provided on pages 92-93 of the EA/EAW. This list includes similar measures as provided by the US EPA enclosure. The project will implement strategies as needed during construction. 3. There are limited subject places related to children's health located within the project area. Homes are located in the project area, but there are no schools, daycare centers or playgrounds. 4. The identified businesses were not part of an Environmental Justice population. There are a couple businesses impacted by the rerouting of Hwy 12. The businesses include a surplus warehouse, an auto repair shop, and a mini storage. Traffic will change in front of most of these businesses and they will be served by local roadways rather than Hwy 12. The auto repair business will still have some visibility from Hwy 12, but the mini storage and the warehouse will not. 5. Minnesota's climate requires transportation infrastructure to withstand a wide spectrum of weather events, from cold and ice to heat and flooding. There is an increased likelihood that the project area will experience more heavy rain/flooding events, warmer winters, new species ranges, droughts, and high heat due to climate change. Hawk Creek may experience increased flooding due to heavy rain events. The project is being designed using Atlas 14 estimates (per MnDOT standards) to manage stormwater and reduce flooding risks along the Hawk Creek floodplain. In addition, all infrastructure is being designed using MnDOT and BNSF best management practices to ensure the project will meet its useful life. 6. Pages 77-78 of the EA/EAW recommend the use of native seed mixes for revegetation of disturbed soils. The use of native seed mixes was identified to benefit the Poweshiek skipperling and Regal Fritillary butterflies. These mixes will also benefit other pollinators, including honey bees.

Comments	Response
an in-depth look at climate change impacts on the U.S. now and in the future. The report was produced by a team of over 300 experts guided by a 60-member Federal Advisory Committee and was extensively reviewed by the public and experts, including federal agencies and a panel of the National Academy of Sciences. The report finds that, in the Midwest, extreme heat, heavy downpours, and flooding will affect infrastructure, health, air and water quality, and more. **Recommendations for the Subsequent NEPA Document** • Assess ongoing and anticipated effects of climate change relevant to the project study area and the proposed project. Consider readily available information in the *National Climate Assessment*. • Based on the project team's assessment of climate change impacts, assess whether the proposed project is likely to be resilient to changing climate conditions. If needed, incorporate resiliency and adaptation measures, such as enhanced stormwater management.	
5	
Pollinators The 2014 Presidential Memorandum entitled, "Creating a Federal Strategy to Promote the Health of Honey Bees and Other Pollinators," responds to evidence of steep declines in certain pollinator populations. Projects with re-seeding components present an opportunity to support pollinators. **Recommendation for the Subsequent NEPA Document:** Consider planting native pollinator-friendly species in areas that would be disturbed by construction. Coordinate species selection with state and local experts.	
6	
If you have any questions or would like to discuss our recommendations, please contact Jen Blonn Tyler, the lead reviewer for this project, at 312-886-6394 or tyler.jennifer@epa.gov. When the subsequent NEPA document is available, please send one hard copy and one CD to the mail address above. Sincerely, Kenneth A. Westlake Chief, NEPA Implementation Section Office of Enforcement and Compliance Assurance Enclosure: Construction Emission Control Checklist 3	

Comments	Response
Enclosure **U.S. Environmental Protection Agency** **Construction Emission Control Checklist** **Mobile and Stationary Source Diesel Controls** Purchase or solicit bids that require the use of vehicles that are equipped with zero-emission technologies or the most advanced emission control systems available. Commit to the best available emissions control technologies for project equipment in order to meet the following standards. • On-Highway Vehicles: On-highway vehicles project should meet, or exceed, the U.S. EPA exhaust emissions standards for model year 2010 and newer heavy-duty, on-highway compression-ignition engines (e.g., long-haul trucks, refuse haulers, shuttle buses, etc.).[2] • Non-road Vehicles and Equipment: Non-road vehicles and equipment should meet, or exceed, the U.S. EPA Tier 4 exhaust emissions standards for heavy-duty, non-road compression-ignition engines (e.g., construction equipment, non-road trucks, etc.).[3] • Locomotives: Locomotives servicing infrastructure sites should meet, or exceed, the EPA Tier 4 exhaust emissions standards for line-haul and switch locomotive engines where possible.[4] • Low Emission Equipment Exemptions: The equipment specifications outlined above should be met unless: 1) a piece of specialized equipment is not available for purchase or lease within the United States; or 2) the relevant project contractor has been awarded funds to retrofit existing equipment, or purchase/lease new equipment, but the funds are not yet available. Consider requiring the following best practices through the construction contacting or oversight process: • Use onsite renewable electricity generation and/or grid-based electricity rather than diesel-powered generators or other equipment. • Use ultra-low sulfur diesel fuel (15 ppm maximum) in construction vehicles and equipment. • Use catalytic converters to reduce carbon monoxide, aldehydes, and hydrocarbons in diesel fumes. These devices must be used with low sulfur fuels. • Use electric starting aids such as block heaters with older vehicles to warm the engine. • Regularly maintain diesel engines to keep exhaust emissions low. Follow the manufacturer's recommended maintenance schedule and procedures. Smoke color can signal the need for maintenance (e.g., blue/black smoke indicates that an engine requires servicing or tuning). • Retrofit engines with an exhaust filtration device to capture diesel particulate matter before it enters the construction site. [2] http://www.epa.gov/otaq/standards/heavy-duty/hdci-exhaust.htm [3] http://www.epa.gov/otaq/standards/nonroad/nonroadci.htm [4] http://www.epa.gov/otaq/standards/nonroad/locomotives.htm 4	

Comments	Response
• Repower older vehicles and/or equipment with diesel- or alternatively-fueled engines certified to meet newer, more stringent emissions standards (e.g., plug-in hybrid-electric vehicles, battery-electric vehicles, fuel cell electric vehicles, advanced technology locomotives, etc.). • Retire older vehicles, given the significant contribution of vehicle emissions to the poor air quality conditions. Implement programs to encourage the voluntary removal from use and the marketplace of pre-2010 model year on-highway vehicles (e.g., scrappage rebates) and replace them with newer vehicles that meet or exceed the latest U.S. EPA exhaust emissions standards. **Fugitive Dust Source Controls** • Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative, where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions. • Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions. • When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph. **Occupational Health** • Reduce exposure through work practices and training, such as turning off engines when vehicles are stopped for more than a few minutes, training diesel-equipment operators to perform routine inspection, and maintaining filtration devices. • Position the exhaust pipe so that diesel fumes are directed away from the operator and nearby workers, reducing the fume concentration to which personnel are exposed. • Use enclosed, climate-controlled cabs pressurized and equipped with high-efficiency particulate air (HEPA) filters to reduce the operators' exposure to diesel fumes. Pressurization ensures that air moves from inside to outside. HEPA filters ensure that any incoming air is filtered first. 5	

Comments	Response
Jim Heidecker **From: Jim Heidecker** Date: March 8, 2017 at 8:12:54 AM To: Paul Rasmussen **Subject: Willmar WYE** To whom it may concern, I as a land owner will be severely affected by this project. At our Westside Storage mini storage facility we will not only loose drive by visibility and great access, It will now be a "backstage view" and difficult access at best, which will be difficult to explain how to get to the facility to the average customer. **1** It will also split our field there into small odd shaped pieces that are inefficient and difficult to farm with modern large farm equipment. Not only that, it will now make our Hwy 12 development frontage not very desirable. **2** Then there is our Farm by the industrial park that will be split into pieces, again making it more difficult and inefficient also the building site destroyed. **3** On the other hand the plan does make sense for the highway and rail system. The initial plan with the barrier walls and long bridge was not a very good plan to me. The plan 2b does seem to make the most sense I agree with getting rid of the at-grade RR crossing. **4** The people against 2b seem to think it is more difficult to make the turns to get semis to the elevator etc. If a person looks at it with an open mind, you realize that currently semis heading east on 12 turning on 55 make a almost 180 degree turn to go west on 55 to the elevator. We know this as we have hauled millions of bushels of corn to FSE over the decades and it is an unsafe difficult turn which will be alleviated by the 2b plan. Thank you for considering my comments, Jim Heidecker	1. It is acknowledged that directions to the storage facility and the view from Hwy 12 will change. From the north and west, access will be provided by the new Hwy 12/45th Street intersection using the existing Hwy 12 (that will be converted to a local roadway). From the south and east, access will be provided by new Hwy 12/CSAH 55 intersection, heading north on existing 45th Street, and west on the existing Hwy 12 (that will be converted to a local roadway). The facility will be visible from the new Hwy 12. 2. It is acknowledged that the project will result in the acquisition of private property, and that some properties are being divided. MnDOT is required to follow the Uniform Relocation and Real Property Acquisition Act, which requires agencies to compensate property owners based on fair market values for the required acquisitions and impacts to current property operations. Fair market values are determined by independent property appraisals. MnDOT staff will work with the owners through the property acquisition process regarding these concerns and to ensure the property owners are fairly compensated for the project's impacts. 3. See response to comment #2 above. 4. Comment noted.

Comments	Response
Richard Heidecker **From: Richard Heidecker** Date: March 8, 2017 at 8:19:20 AM MST To: Paul Rasmussen **Subject: Willmar wye** To whom it may concern, I as a land owner will be severely affected by this project. At our Westside Storage mini storage facility we will not only loose drive by visibility and great access, It will now be a "backstage view" and difficult access at best, which will be difficult to explain how to get to the the facility to the average customer. It will also split our field there into small odd shaped pieces that are inefficient and difficult to farm with modern large farm equipment. Not only that, it will now make our Hwy 12 development frontage not very desirable. Then there is our Farm by the industrial park that will be split into pieces, again making it more difficult and inefficient also the building site destroyed. On the other hand the plan does make sense for the highway and rail system. The initial plan with the barrier walls and long bridge was not a very good plan to me. The plan 2b does seem to make the most sense I agree with getting rid of the at-grade RR crossing. The people against 2b seem to think it is more difficult to make the turns to get semis to the elevator etc. If a person looks at it with an open mind, you realize that currently semis heading east on 12 turning on 55 make a almost 180 degree turn to go west on 55 to the elevator. We know this as we have hauled millions of bushels of corn to FSE over the decades and it is an unsafe difficult turn which will be alleviated by the 2b plan. Thank you for considering my comments, Richard Heidecker	See response to Jim Heidecker on page B-31.

Comments	Response
Jason and Sadie Fussy **From: Jason Fussy** Date: March 8, 2017 at 10:48:17 PM MST To: Paul Rasmussen **Subject: Willmar Wye Comments** Following are my comments referring to the public hearing of the Willmar Wye project. My name, and address are at the end of the statement. I have been a resident of Willmar for approximately 18 years. I did not grow up in this area, but decided to make this city my home. I previously lived on the north side of Willmar between the RR tracks and the race track (924 Olaf Ave). After getting married and having several children, me and my wife decided to move outside of the city limits and away from the hussle and bussle of Willmar. We were looking for a peaceful and inviting place to raise our family. We purchased land which is located on the west side of Cty Rd 55 and North of Hwy 40 in 2008 and built a home that summer. We have lived in this establishment up to the present date. We have enjoyed a quiet and serene sense of living in this area up until now. We have dealt with semi trucks utilizing Cty Rd 55 for all 8+ years we have lived here, but they are definitely tolerable, and we knew this would be occurring when we bought the property and built. Tolerable, this is the word I use since the so called future extreme of the Willmar Wye project will surpass this standard by many times. Some of the following reasons are why I am against the Willmar Wye project. These reasons are from a person/family that will be directly affected by a project that does not make sense. When I look at the "Project Benefits" I cannot argue with the fact it will reduce the number of trains traversing through downtown Willmar, Delay and emissions savings for travelers by reducing wait times, or that it will Improve Quality of life for residents of the north side of Willmar. What I do not agree with is the following: - Encourage Economic growth. This has been tried time and time again in Willmar and has not succeeded. What makes a train/spur into an undeveloped section of industrial park an attractive setting for a new business to develop in Willmar. This town has not succeeded in Economic growth and development for many years, and it is not because there was not a train available for shipping opportunities. It is the quality of the city that brings this down and sets Willmar as a NON attractive site for business development. This has been years in the making for many years and this **1**	1. Comment noted. The industrial park and its service by the rail spur has been something the city and county have jointly been working on together to implement over the past decade. The EA/EAW notes that these are long-term plans. 2. The project will reduce the number of trains going into and out of the Willmar Yard, which will reduce exposure for crashes for automobiles, pedestrians and bicyclists. It is not a stretch to say that exposure will decrease with the project since all crossings on the new alignment will be grade separated and there will be fewer trains in downtown, where there are at-grade intersections. 3. Comment noted. 4. The EA/EAW document reviews possible social and environmental impacts related to the proposed project. Quality of life benefits for residents within the city of Willmar and north of the existing railroad line were identified. The rural setting for the project area limits the potential impacts to additional populations. There are few residential properties in the project area. Potential impacts to these properties were analyzed, and while some impacts may occur due to increased noise, change in viewshed, or change in traffic patterns, these impacts were found not to require mitigation. 5. A benefit-cost analysis was completed for the project and was included as Appendix E in the EA/EAW. The benefit-cost analysis indicated a benefit over 2 (anything over 1 is considered to have higher benefits than costs). The benefit-cost analysis took into account the lower train volumes. Benefits would be expected to increase if train volumes were higher. 6. There are a number of factors that account for the safety of a roadway. The new Hwy 12 alignment and the proposed roadway curves will be designed to meet current trunk highway standards. It was also discussed in the EA/EAW that the straight roadway alternative (keeping Hwy 12 on its present alignment on walls) had safety concerns due to being elevated, having a skewed bridge, and winter maintenance (snow removal and blowing and drifting conditions). 7. The recommended alternative is currently a single track. In the future, a second track could be constructed if it meets thresholds

Comments	Response
will not fix this problem. - Improving safety for travelers by reducing at-grade crossing exposure is just reaching into the dark to try and find another reason for justifying this project. There are safety measures taken at the crossings that are utilized right now, and other safety options could be added at a cost much, much, much lower than what this project would cost. Bottom line is that this is not a legitimate reason. **2** - Increasing multimodal opportunities for shippers is also a farce. This can be argued time and time again, but we still fall back on my reasoning for the false comment on Encouraging Economic Growth. **3** Personal reasons that would pertain to the Project Benefits mainly deal with the promotion of "Quality of Life". I agree the quality of life for people on the north side of Willmar would be improved. Since I lived there for 5 years, I cannot argue this. What I do not understand is that it will decrease the quality of life for others (including myself and my family that tried to escape this reduction of quality of life in the first place). The people that will incur a reduction in the "Quality of Life" are being ignored. We have asked what will be done to correct the reduction in quality of life for us, along with the reduction in our property value that will occur with the building of this railroad and possible rerouting of Hwy 12. Nothing has been done, and we have actually been told that because so many (north side of Willmar) will benefit from this, that you are more or less insignificant to the concerns of the project. It is frustrating when I hear this and see that it is the same thing that has happened to our country in past years. It seems as though the reason it does not matter is that we do not matter. The "good" of the project trumps the fact of doing the right thing. Thus quality of life is better for the north side of Willmar, but the reduction in quality of life for the people being directly affected by this project needs to be addressed. **4** I look at this project as a true waste of tax payer money. I have argued and been vocal about the wasteful spending of our government in the past, and this is a true example of wasteful spending. I could name 50 things that could be done with this 40+ million dollars that would benefit the citizens of our state and country more than building a RR bypass and rerouting Hwy 12. I also look at it thinking that the amount of trains that will be coming into Willmar at this present date has declined with the different options that are present with the transfer of oil to refineries. This reduction in traffic will definitely reduce the advantages of this project from the day it initially started planning. Also, why oh why are we considering taking a straight road (Hwy 12) and putting multiple curves in the layout of this highway. This does not make sense and could also cause an increase in future accidents, especially with icy MN conditions. A straight road is safer than a road **5** **6**	that are currently under discussion by the project partners. 8. Those properties that are directly impacted by the project will be compensated through the right of way acquisition process as discussed in the EA/EAW. Properties where there are no direct impacts from the project were studied with regard to noise, change in viewshed, access and traffic. No mitigation (other than some access changes) was noted. Noise barriers were not found to be cost effective, traffic patterns were within capacities of existing roadways, and there is little that can be done to mitigate for changes in the viewshed – there will be a new highway and a new railway where previously there was not.

Comments	Response
with curves, which has been proven for many years. Once again, wasted tax payers dollars are at stake with this project. **7** If this project does go through, I would hope that this project reduces cost by having one track for the entire length of Cty Rd 55 to try and save some costs. I also think that the people that will be directly affected by a railroad outside of their front doors will be compensated for the reduction of property value along with the reduction in "Qualtiy of Life". If this continues, there are things that need to be addressed either on a personal level or possibly taking a legal stand on this project. **8** I truly hope this project does not take place for reasons above, and will revere this stand throughout the planning of this project. Thank you	

Comments	Response
Kandiyohi Willmar EDC	No Substantive Comments

EDC
Kandiyohi County & City of Willmar
ECONOMIC DEVELOPMENT COMMISSION

2017 FEB 13 AM 11:00

February 9, 2017

Mr. Paul Rasmussen
Project Manager
MnDOT District 8
2505 Transportation Road
Willmar, MN 56201

Dear Mr. Rasmussen:

The Kandiyohi County and City of Willmar Economic Development Commission (EDC) appreciates the opportunity to comment on the Environmental Assessment for the Willmar Rail Connector and Industrial Access Project (Willmar Wye). The proposed project includes a 2.8 mile connection between the BNSF Morris and Marshall Subdivisions and a 2.5 mile realignment of Highway 12. Two bridges would be constructed on Highway 12 and Highway 40.

The $48.4 million project also provides vital spur line access to the City of Willmar's Industrial Park. Significant funding for the project is coming from a variety of sources, including BNSF ($16 million), MnDOT ($17.5 million), U.S. Department of Transportation's TIGER Grant ($10 million), Local Road Improvement Program ($3.8 million), Kandiyohi County $459,000, and the City of Willmar $646,000 (Right-of-Way).

Our position is that the final product provides a long-term solution of a westerly bypass of Willmar for both railroad and heavy commercial truck traffic, good industrial park access, and safety for employees of local businesses and the traveling public. The EDC feels this is a great public-private partnership project and we continue to fully support it.

Sincerely,

Robert P. Carlson, President
EDC Joint Operations Board

c: Roger Imdieke, Chair, County Board of Commissioners
Marvin Calvin, Mayor, City of Willmar

www.kandiyohi.com | 320.235.7370 | 866.665.4556 | 222 20th Street SE | P.O. Box 1783 | Willmar, MN 56201

ATWATER | BLOMKEST | KANDIYOHI | LAKE LILLIAN | NEW LONDON | PENNOCK | PRINSBURG | RAYMOND | SPICER | SUNBURG | WILLMAR

Comments	Response
MPCA **Minnesota Pollution Control Agency** 520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300 800-657-3864 | Use your preferred relay service | info.pca@state.mn.us | Equal Opportunity Employer March 2, 2017 Mr. Paul Rasmussen Project Manager Minnesota Department of Transportation 2505 Transportation Road Willmar, MN 56201 RE: Willmar Rail Connector & Industrial Access Environmental Assessment/Environmental Assessment Worksheet Dear Mr. Rasmussen: Thank you for the opportunity to review and comment on the Environmental Assessment/ Environmental Assessment Worksheet (EA/EAW) for the Willmar Rail Connector & Industrial Access project (Project) located in the city of Willmar, Kandiyohi County, Minnesota. The Project consists of construction of a railway and spur. Minnesota Pollution Control Agency (MPCA) staff has reviewed the EA/EAW and have no comments at this time. We appreciate the opportunity to review this project. **Please provide the notice of decision on the need for an Environmental Impact Statement.** Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this EA/EAW, please contact me via email at Karen.kromar@state.mn.us or via telephone at 651-757-2508. Sincerely, Karen Kromar Planner Principal Environmental Review Unit Resource Management and Assistance Division KK:bt cc: Dan Card, MPCA, St. Paul Randy Hukriede, MPCA, Willmar Ken Westlake, U.S. Environmental Protection Agency	No Substantive Comments

WILLMAR WYE RAIL CONNECTOR AND INDUSTRIAL PARK ACCESS PROJECT PUBLIC HEARING

TAKEN ON: THURSDAY, FEBRUARY 23, 2017

COMMENCING AT: 5:30 P.M.

TAKEN AT: MN Department of Transportation
2505 Transportation Road
Willmar, Minnesota 56201

Taken on 2/23/17 By Charles G. Williamson

MS. JACK CORKLE: Good evening everyone. Thank you for joining us tonight. We are here for the Willmar Wye Project, which is a roadway and highway project, and I'm going to give a short presentation on the environmental document. It's part of the federal process that we're required to go through because the project has some federal funding. So I'm going to talk about some stuff that may not be as interesting as other elements of the project, but I do have to talk about all the impacts associated with the project, so I'm going to try to do that fairly quickly here this evening.

So we've got the open house. The public hearing will start at 5:30. We'll go beyond 6:00, if we need to, to collect all of the comments, and then we can go back to the open house format after that and we can ask questions and have more of a conversation.

So that's sort of the general overview. I will give a little bit more instructions later on. But we did have a sign-in sheet for people that wanted to talk tonight, and if you do want to talk tonight,

I would appreciate you grabbing one of those numbers because then we can correspond for our court reporter taking the official comments. They can make sure that we've got names and addresses officially documented correctly.

So if you do want to talk tonight publicly, there is a number out in the back that you can grab. If you're uncomfortable speaking in front of the group, after everybody that's done speaking in front of the group with the microphone at the podium, you can come up and talk to the court reporter and give your comments just to him outside of the group. So we give you a couple different options to submit your comments tonight. So thank you.

Thank you for coming tonight. We are here for the Willmar Wye industrial project, and this is really a roadway and railway project that connects the Morris and Marshall subdivisions and provides access to Willmar's industrial park.

There are a number of agencies that have been working together

collaboratively on this project. We have the City of Willmar, Kandiyohi County, MnDOT, we have the Kandiyohi County and City of Willmar Economic Development Commission. Federal Highway Administration has also been involved, as has the Federal Railroad Administration and the Burlington Northern Santa Fe Railway.

We have had a number of public engagement activities throughout the course of this project over the past year and even prior to that, prior to the project getting the federal funding; there has been a number of open house meetings; there has been presentations throughout the community; there were some focus groups that were held with targeted groups; we had some popup events; we were at the Farmers Market and at the county fair; there has been radio interviews and presentations; we've had one-on-one meetings with property owners throughout the area; and then tonight we are having our official public hearing.

Overall, in terms of the project's schedule, we are currently in the preliminary

design and environmental review, so tonight is kind of the key part of the environmental review process. Design is going to continue into early 2019 with construction starting in 2018 and going in through 2020. And part of the project and part of the reason why we have some overlap between the construction and the design is that this project is going to be done design/build, so there is going to be some design packages while they're doing the construction, and then public engagement will be occurring throughout the course of the project.

Upcoming events and major milestones: Right now we are in the EA, or the environmental document. We are in the public comment period. That continues until March 8th. So if you don't want to make a comment tonight or you want to talk to a neighbor or somebody in the community and you still want to provide additional comments, you can do that until March 8th. And that's, again, on the document.

We've got the public hearing tonight. We will be going to the City of

Willmar for municipal consent, which means city approval of the project later this spring. We will get all of the agreements between all the partners completed this summer, and then we will start the letting process for the design/build process at the end of the year and with construction starting in the spring of 2018 and completing in the fall of 2020 with the roadway portion of the project. Or excuse me, with the railway portion of the project.

So the environmental review process is a very formalized process that we go through. We have to explain the purpose and the need for the project. In other words, why are you doing what you're proposing to do? We have to develop and evaluate a number of alternatives, we have to assess what the environmental impacts are to those different alternatives, and then identify mitigation for any of the impacts that we may cause as a result of a particular alternative.

So then we have the public and agency review and comment. So this is the

opportunity to say you missed an impact or there's something else you need to take into consideration before you finalize what you're going to do.

We will then formally respond to the comments that are here and that are given to us until March 8th, and that's done through -- in another environmental document, and then after everything has been addressed, there's signoff from the federal agencies.

So going back to the beginning of the process, what is the project purpose?

So the purpose of the project is to improve the rail operation efficiency in the Willmar terminal, facilitate the movement of north-south rail freight through the city of Willmar, to reduce the number of train trips that cause the delays to traffic at at-grade crossings in Willmar, to provide rail access to the Willmar industrial park, and to improve the quality of life within the city of Willmar.

The needs and terms of it are very similar to the project purpose, and again, it's really facilitating regional railroad

operations due to the lack of north-south connectivity. Right now if a train is on the Morris Subdivision, which is the northern rail line, we're up here, and they want to get them to the southern rail line, they have to go into the terminal and turn around. They have to have the engine get moved from one end of the train to the other, and then they have to go back out through town. So the idea of putting in the new railway is to prevent those trains from having to go into the downtown area.

So it's going to help reduce some freight/rail traffic fluctuations that can result in congestion and stacking in the different railway subdivisions. It will enhance national train flows through the network, it will improve railroad operations in the Willmar terminal, it will reduce some of the delays right now that cars have to wait for and pedestrians have to wait for in the downtown at the at-grade crossings, it will help promote some of the economic development in terms of the city's industrial park and again reduce some of those trains in

the downtown area to enhance the quality of life.

As part of the process, we had to look at a number of alternatives. We looked at roadway and railway alternatives. We also looked at doing nothing. So we have to compare whatever recommended project we come forward with against the do nothing alternative.

So in terms of the railway alternatives, we had looked at an alignment further to the west of the one that's been proposed. MnDOT had some old highway right-of-way through that area. That alternative got rejected because it was too close to the new airport. We can't have objects in the flight zone path that are that close, and so that alternative was not viable.

We looked at a loop track east of the existing rail yard where the trains would still have to come into the rail yard and turn around and come out. So trains are still having to come into the downtown, they're still going to go through those

at-grade crossings, and so that alternative was rejected. And so then we came up with the alternative that you see on the boards tonight and that were included in the environmental document. It's approximately 2.8 miles of new track.

We then looked at Highway 12 alternatives. One alternative kept Highway 12 where it is today. With that alternative, however, Highway 12 had to be put up on walls in order to make the railroad work and to get rid of the at-grade railway crossings, and so that ended up with Highway 12 being up approximately 30 feet in the air.

We also looked at two new Highway 12 -- or excuse me, one new Highway 12 alignment, and that was 2.5 miles of new roadway, and that's what's shown on the maps.

We also looked at alternatives for Highway 40. So Highway 40 runs east-west out to the airport, and a couple of those alternatives looked at whether or not we would allow an at-grade crossing with the new railway or if we should cul-de-sac Highway 40. Those alternatives were rejected, and

instead we're going to put a bridge over the railway so that Highway 40 will continue out to the airport.

Then we looked at a couple of options for 1st Avenue or the County Highway 55 when it turns east-west. I think that's probably of interest tonight. So we looked at whether or not that at-grade intersection could remain or if another alternative needed to be looked at.

We also looked -- we did do a quick look at whether or not we could put a bridge or a grade-separated crossing in that area, and that really impacted the existing properties that were right next to the railway and then would've ended up requiring acquisition of most of those properties immediately adjacent.

So the alternative that did get recommended was to close the existing access and provide an alternative access to 1st Avenue off of Highway 12. So instead of accessing 1st Avenue like we do today, you would get onto Highway 12 from either direction and then follow up to 1st Avenue.

So alternative 1, I kind of went through these, Highway 12 stays on its current location. It has a longer bridge on Highway 12 with the railway. The highway is on 30-foot retaining walls. It does require the realignment of 45th Street, which is consistent across the different alternatives. There is 2.8 miles of new railway which is consistent across all of the alternatives, and it does also include the conversion of a current private railroad crossing to a public crossing at that new 45th Street at the northern end. That is also consistent across the alternative.

Alternative 2A, this alternative left the at-grade in at 1st Avenue and then also created what we call quadrant interchange, a quadrant interchange at the northern end of the Highway 55 and the Highway 12 option that provided some mobility from traffic on Highway 12 to easier -- to more easily access Highway 55.

This alternative had about 2.5 miles of new Highway 12, it resulted in simpler bridges, and it got rid of those high

retaining walls, and it does, like I had mentioned before, include that realignment of 45th Street and has the 2.8 miles of new railway and it converts that private railway crossing into a public crossing. The public crossing under all the alternatives would have gates and bells so that there will be the extra safety measures for that at-grade crossing.

Alternative 2B is what we're calling the recommended alternative. So this alternative is very similar to Alternative 2A. The primary difference is that the 1st Avenue is provided via a new connection versus the existing connection that exists today.

In terms of the impacts associated with the recommended alternative, there is a number of areas that we needed to document. Those areas included land use. So the whole project itself disturbs about 140 acres of land. It does avoid for the most part the airport runway protection zones. We're not in the immediate landing path of the runway. We do have some considerations in terms of

height that we're making sure that we're under, and we are under that.

In terms of land conversion, we're using the former airport site, so that is city-owned land that would now go towards the project and it will result in approximately 90 acres of land that is currently being farmed will now either be roadway or railway.

The project or the proposed process what is shown for both the railway in that area is consistent with the city and the county comprehensive plans with regard to future growth and economic development with the new industrial park.

In terms of water resources, we have about 30 acres of new impervious surface, so that's land that would get either hard-surfaced that currently is not. There is approximately 11 acres of water resources that are impacted, so that's either wetlands, creeks or ditches. There is approximately -- of those 11 acres, approximately four of those are Army Corps of Engineers jurisdictional wetlands or ditches. So essentially an Army Corps wetland has a

little bit higher meaning or value than a regular wetland because it flows into public water bodies of the United States. So four of the 11 acres fall into that category.

There is approximately three acres of floodplain that are going to be impacted that are mitigated, and there will be a couple of wells that will have to be sealed for properties near Highway 40 and County Road 55 that are being acquired with those. The current wells there will have to be closed and sealed.

Other additional water resource impacts. There are some culvert replacements and extensions along Hawk Creek, which is also known as County Ditch 10, County Ditch 12, County Ditch 46, and there is an unnamed tributary east of County Highway 55 that is also impacted.

We will be using filtration basins and ditch checks for the new storm water runoff to meet Minnesota Pollution Control Agency requirements. The project will not have wet ponds as you sometimes see along highways, and part of the reason for that is

our proximity to the airport. Having open water is not good for waterfowl or it attracts waterfowl, which is not a good combination with airplanes. So you won't see big ponds out there.

In terms of fish and wildlife resources, a majority of the area has been previously disturbed, either drained for agricultural use or was in use for the airport, so there is not a lot of natural habitat left out there.

There are some native prairie remnants and some federal wildlife lands outside of the immediate project area. We have a couple of butterflies that have the right habitat in there, but we don't anticipate the project to impact them. They were not found out on site anywhere, it's just the habitat that could potentially support them.

And then as part of the project in terms of the mitigation, we will be using native prairie grasses as part of our turf reestablishment to make sure that we are not spreading any evasive species and we can help

with the prairie growth in the area.

Section 4F resources. Section 4F resources are parks or historic resources. The Morris Subdivision Sub, so that's the northern portion or the northern railway alignment, is considered historic and it is eligible for listing on the National Register of Historic Places.

The types of improvements that we're doing, we're essentially connecting into the existing line at grade and creating a new bridge. We're not changing the elevation of the railway or the tracks or doing any highering or lowering, so the State Historic Preservation Office has indicated that there will not be an adverse effect associated with the project to that rail line.

There is a recreational trail along County Highway 55 -- or excuse me, along County Highway 5, and we will be disturbing that to put in a new intersection with Highway 12, so that is going to be a temporary impact to that recreational resource. We will have a detour during the

project so that people can still use the trail, so it will still be open during construction.

In terms of roadway and access changes, the big one is that we are realigning Highway 12, so we have 2.5 miles of new highway. We are closing the 1st Avenue access. We have a new access to 1st Avenue that is going to be -- excuse me, there's a cul-de-sac that's changed to 1st Avenue west of County Highway 55 as well. And then we have the new access road to 1st Avenue that will be east of the railroad tracks.

New Highway 12 will divert some traffic away from existing businesses along the corridor or it's being shifted. Local access will have to be provided via 45th Street for businesses on the north and then coming up via Highway 12 and County 55 from the south. And it will result in improved traffic and safety operations near the Willmar terminal. So we'll have fewer trains coming through the at-grade intersections.

One of the bigger changes, as

we've noted before, is the closure of 1st Avenue. The Federal Highway Administration and the Federal Railroad Administration do not support the creation of any new at-grade railroad crossings due to safety reasons, and we were required to demonstrate that the proposed change -- we had to note whether or not the changes that's recommended for the new frontage road, whether that would be a significant burden or a significant change from existing conditions.

Several factors were considered when we went through that process to evaluate what the change would be if 1st Avenue was closed. We looked at safety, we looked at travel time, we looked at some economic impacts in terms of delay for businesses or people getting to and from those locations, as well as some jurisdictional issues.

There were similar safety benefits for all of the sub-options that were looked at. So that was the Alternative 2A.

Alternative 2B, and one that didn't even -- and one that we called 2C, which is not presented here tonight, which

had no new access to 1st Avenue. You had to use the access off of current Highway 12 in order to get there.

The travel time, distance and time did not demonstrate any significant burden or differences between the different alternatives. There is approximately a half a mile additional distance and about a minute and a half of travel time compared to existing conditions between 1st Avenue and 19th Avenue and south 55, and there is approximately a mile additional distance and about 1.6 minutes of additional travel time compared to existing conditions for the area between the 45th Street intersection and 1st Avenue.

Federal Highway and Federal Railroad determined that the new access road provides a reasonable alternative based on what was found in terms of the travel time and the safety and impacts for it with closing 1st Avenue.

In terms of right-of-way impacts, the right-of-way impacts is the amount of land that would be needed to construct the

project that's not already under ownership.

So the permanent easement or right-of-way acquisition is about 290 acres. Approximately 118 or 120 acres is already owned by the partner agencies, either by Burlington Northern or by the City of Willmar, and then the remaining approximately 175 acres of land are privately owned. We're going to need approximately 19 acres of temporary easements in order to construct the projects.

We are requiring the removal of two homes at the intersection of Trunk Highway 40 and County Highway 55. There is three homes that are in the existing intersection. One of those homes is going to be relocated, the other two will be torn down.

We also looked at noise as part of the study, and so we studied both roadway and train noise and vibrations. Traffic noise barriers were not found to be reasonable or feasible with the realignment of the Highway 12.

Train horn use at realigned 45th

Street will create new noise because right now it's a private crossing, so the horns don't have to sound. With the public crossing, they do, so that will be an increase in noise. But noise barriers are not considered feasible for mitigating noise at at-grade crossings, so there won't be any changes to it.

The one thing, the noise will occur during construction activities. There will be some pile driving associated with the bridge work and the grading. MnDOT by statute is not required to follow local noise ordinances but will try to do so. So there will be limited night construction. Those types of activities will be avoided as much as possible.

The other thing to note in terms of the noise is that the realignment of Highway 12 actually does provide a noise benefit to the residents living north of Highway 12 near the County 5 intersection.

Air quality. The project is not anticipated to have a major impact in terms of air quality. There is not a ton of

congestion in terms of what's considered a hot spot where you have an intersection of 60 or 80,000 vehicles a day, and there is not general congestion on most of Highway 12 at this point, so there is not going to be a big change in terms of air quality in the area.

We think the benefits, there will be some to the Willmar yard, but again, it's not a significant number or increase.

In terms of visual impacts, there will be a change in the area. The view shed will be different than it is today. Highway 12 will be on a new alignment and there is going to be a new railway. So those changes will occur. So there will be some elevation that's going to be noticed, especially associated with the bridges.

In terms of contamination and regulated waste, no known contaminated sites were identified. If we find some during construction, there are procedures and rules that we need to follow which we will in order to mitigate and remove the soils.

The removal and relocation of those two buildings that I had talked about

earlier, those two residential structures, will likely require the removal of regulated waste. So that's things like lead, asbestos that have mercury that can be found in some older homes. So MnDOT will be working with a consultant to access the properties and determine what materials, if any, are on site, and then, again, we will follow the appropriate procedures and regulations to get rid of those.

Environmental justice. This is low income and minority populations, and the understanding is to make sure that there is not a disproportionate impact to those individuals.

The study of the area does indicate that there are environmental justice populations within the project area. Those populations are mostly concentrated north of existing Highway 12. The realignment of Highway 12 will actually improve noise conditions for those residents and there's really no other impacts that are anticipated for those populations as part of the project.

Indirect cumulative impacts are

things that might not directly be associated the project but are expected to occur over time or kind of added them together. So essentially, the timing of development in and near the industrial park could be a little bit faster with the project. The idea was to enhance the economic viability of the area and help promote the industrial park with eventual access to the railway.

Additional farmland would be removed from agricultural use if that is the case. Even if it's only temporarily now being in agricultural use, it is a change. It's likely that additional wetlands would likely need to be filled and it's likely that there would be impacts to other aquatic resources, such as ditches.

There was a historic building that had a removal, a hangar building from the old airport. Let's see. And those are the big things that would happen as a result of the project and other activities that have recently occurred or would continue to occur.

There are a number of permits and approvals that are needed in order to

actually construct this project. So we need approval from the Federal Highway Administration; the Federal Railroad Administration; the Army Corps of Engineers, and that's the wetland impacts that we talked about earlier; the Federal Aviation Administration. Again, that's looking at the heights of some of our structures in terms of the bridge. The Pollution Control Agency in terms of how we treat our storm water and additional runoff. The Minnesota Department of Natural Resources will be doing some work in the creeks in order to extend those culverts, so we'll need to get some permits for that. And we need the approval of the City of Willmar, working with Kandiyohi County and some of the ditches that are required. Burlington Northern, there is some agreements with them in terms of access to different properties, and then MnDOT in terms of working in some of its right-of-way for part of the project.

So we will transition to the public hearing. And I think I went through most of this earlier, but I'll give a quick

synopsis. There are a couple of new folks that came into the room.

If you could fill in a registration so that we can get a number so that we can make sure that names are officially recorded and mailing addresses. So when you come up to speak, please give your name and address for the record. And if you can, focus your comments related to the environmental document and the alternatives that have been presented within the environmental document.

I think in terms of the people that have signed up thus far, we think five minutes should be -- speak for five minutes. If we get too many folks -- I want to make sure that everybody has a chance to speak, and we might have to decrease that time, but we will try to do it -- we'll give folks a few minutes to talk about what they'd like.

If you would like to provide comments but are uncomfortable in front of doing it in front of the group, we invite you to come up and talk to the court reporter and you can give your comments to him and not

have to speak in front of the group. And then after that we will revert back to the open house meeting with the rest of the group.

If you would like to provide written comments, you can do so as well. Those can be submitted tonight or they can be submitted up until March 8th, and you can submit those until 4:00 p.m. You can send them to Paul Rasmussen, -- and I'll leave this slide up for folks tonight -- you can mail them via regular mail if you like, you can e-mail them or you can fax them.

As we go through the public hearing tonight, the public hearing is to collect comments. We can't have a dialogue as part of the public hearing, so we won't be answering questions. It's really to collect comments on the document in the project. We will be happy to talk to you once we revert back to the open house portion of the meeting.

So once everybody gets done speaking in front of the group that wants to speak in front of the group, we will revert

back to the side table and then we can answer questions and have that dialogue, but the purpose of the public hearing is to just record the comments on the project and the environmental document. Okay. I know it's very formal, but it's the process we have to follow.

So thank you. And if the person that has number one is willing to speak, we'd appreciate that. Thank you.

MR. WILLIAM FRY: Jack, could you put up this big one up there? I know you had a slide on that. I'd like to have that up there since I'm speaking.

MS. JACK CORKLE: There we go. And can I have you sign in and mic up?

MR. WILLIAM FRY: Well, good evening. My name is William Fry, Bill Fry for short. I live here in Willmar, 1504 Country Club Drive NE.

Give you a little bit of background. I worked for the railroad for 41-plus years. I am now retired. I retired here in Willmar, moved up here in 2006. Other than that, I've been traveling around

the country since 1973. I grew up in Aberdeen, South Dakota, lived in about 13 different areas traveling with the railroad. I want to say I am an expert on railroad operations. I have testified in federal, state courts for both the railroad, the plaintiffs and the defendants on railroad operations.

I want to make clear that I am for this project; however, it needs to go back to the way it was originally written. When they applied for the grants, there was two tracks proposed in here. And I know some people I recognize that have been to some of these meetings.

Those two tracks mean a big thing. One track is going to cost nothing but congestion and it's not going to accomplish our goals of keeping trains out of Willmar.

With one track there, the only places to meet are Clara City -- everybody should know where that is, about 20 miles south -- and Kerkhoven, which is approximately 20 miles west.

What it will end up being is a

standoff. A train will come in there and park to make meets. Without another additional track for that train to get around, where is the train going to go? Back to Willmar. And it will have defeated -- we'll have spent $40 million for one parking spot. It's like putting a one-way bridge on Highway 12 and trying to get through, everybody taking their turn. It just doesn't work. You need two tracks there to make this project work.

It's a phenomenal project, it's an expensive one, but we need two tracks there. And if we don't get two tracks immediately, you're going to hear the rumor that we're going to grade for it, we'll build it in the future. I can tell you many places right now where they've graded for tracks and have never built. It just has to be done that way or the project is no good.

Any questions anyone? I'll be willing to answer any question that I know of railroad operations. Yes.

UNIDENTIFIED SPEAKER: When you say two tracks, are you making two additional

tracks to the existing one, so there will be a total of three tracks?

MR. WILLIAM FRY: No. Well, three tracks would be very nice, trust me. Even with two tracks there. No. One is the proposal now. It was originally proposed with two tracks, and the railroad backed out and said they didn't want to spend that much money right now. Well, let's not spend any money until we get the two tracks back, guys. That's what we need.

Does that answer your question? Excuse me one minute. My estimate is that with one track, we'll see approximately 25 percent of the trains using it. The other 75 percent will continue into Willmar. With two tracks, it will probably be 95 percent of the trains would use it and five percent still going to Willmar. Yes.

MS. JACK CORKLE: Well, can we -- this isn't supposed to be a dialogue, so --

MR. WILLIAM FRY: Can't answer questions?

MS. JACK CORKLE: No, you can't. You can make your statement and then other

people get to make their statement.

MR. WILLIAM FRY: Come on!

MS. JACK CORKLE: No.

MR. WILLIAM FRY: Well, I made my dialogue and I'll answer any questions afterwards for anybody who would like them. If the state ever has any questions, I would like to address those, and they can call me. I put my name on here.

I would like to make one more comment. We had a meeting Tuesday night with the city council members. There was Mr. John Huseby at the -- what was his name? I don't want to pronounce it wrong.

UNIDENTIFIED SPEAKER: Huseby.

MR. WILLIAM FRY: Huseby? He was there, and he was asked by Mr. Christianson twice if trains would ever stop on that track. His answer was no. I want to say he spoke the wrong answer. I don't know where he got that information, but trains will be stopped on that track.

There are some railroad people in there. If anybody has any questions of them afterwards, they will be happy to back up

that, I'm sure.

Thanks everybody.

MS. JACK CORKLE: We have speaker number two that wanted to give a comment on the project? Anybody else? We can skip speaker number two. Anybody else that would like to make a public comment for the record? Number three? Okay. Yup.

MR. LARRY CLARK: I live at 2510 NW 30th Street. I'm Larry Clark. I understand what he's talking about with the one track, but if they put the second track there, which I believe they really should have so if two trains would meet coming from the west going down to the Clara City line and the other one coming up, that it should not become a parking lot for another train to sit there, and what my fear is is that if it becomes a parking lot because the railroad sees whoever is in control of the train traffic. Well, we can always run into Willmar back the same way we used to go.

This is going to be a waste of money if we do it with that process going up. And who's going to monitor that process to

make sure that's not a parking lot for a train out there?

I mean, you can go into the town of Benson and you'll see trains on the tracks there for 15 minutes, 20 minutes. They'll pay the fine versus moving the train. The fine is minimal; it's nothing. So even if they did fine them for putting the train on that as a parking lot for a train, what good is it?

Something's got to be done to make sure there is no train sitting on that as a parking lot. I just hope somebody has got this in mind and plan to monitor that and really police it and enforce it.

Thank you.

MS. JACK CORKLE: Number four? Number five?

MR. ERROL BLUHM: My name is Errol Bluhm. I live at 3201 SE 15th Avenue in Willmar. First comment is I like the use of your politically correct term environmental justice populations. Sounds to me like a bunch of bird (unintelligible). I know what you're talking about.

My comments come more in the form of a question, and I guess you already told me you're not going to give me an answer to my question, but I want to put this question on everybody's mind. Maybe there is more depth to this than I've been given at this time, but both of these -- all three of these alternatives are going to make some changes.

Number one alternative is the most direct. Obviously, looking at the maps over there and up on the board, there is the least amount of change that's going to have to be made. I know that you're saying that it would be a significant cost for a long bridge and retaining wall and all that kind of stuff, but without a doubt it's the most direct route.

Both of the other alternatives, 2A and 2B, would require significant rerouting and the need for purchase of right-of-way land from private landowners. And according to the information that you provided up there, that would be about 175 acres. I don't know why there is a difference. You also cited more farmland that would be

affected. But one or the other, at least 175 acres would have to be acquired.

So my question is this: Is the projected cost of all that private land acquisition included in the proposals for Alternative 2A and 2B, and how much of that cost would be paid by taxpayers?

Thank you.

MR. KURT SCHIMEK: My name is Kurt Schimek. I live at 1660 36th Street SE. I am the general manager and I've worked at Farm Service Elevator for over 20 years at 3939 County Road 55, also known as 1st Avenue there on the map.

Along with the feed mill, we also have other ag companies such as Pals, Pals Propane, Willmar Logistics and Willmar Poultry Farms at our ag business along County Road 55, 1st Avenue. We estimate we have over 20,000 trucks per year that enter or leave our facility that head west and then south onto 55. That translates to ten trucks per hour during business hours. These trucks haul beef, grain, feed ingredients, barn equipment and propane.

We would like to express our strong opinion of the safety of ten trucks pulling on and off again on Highway 12 to come in and out of our ag site and then leave our ag site as far more dangerous than a railroad at-grade crossing.

Again, with the current proposal, ten trucks per hour during business hours by getting on and off Highway 12 for a short amount of time and a short distance fully loaded, then exiting it, in and out, to get out of our facility.

These numbers do not include our neighboring businesses also along 55, 1st Avenue, that work with large semis as part of their business or consider the small vehicles, the cars and trucks of our employees and customers driving to come in and out of our business.

We strongly encourage all parties involved to consider and weigh the safety of the at-grade crossing versus the safety of numerous semis that will be need to come on and off the new Highway 12.

Finally, we have advised since the

inception that the Wye Project be placed on the west side of 55 or directly on top of the existing 55 and not on the east, and that the bridge be placed on the current Highway 12 which would be further west to allow the train to go underneath Highway 12, and then allow the trains to go directly towards 55 before turning south. If you want me to explain that on the map, I can do that.

This plan would eliminate the need for an at-grade crossing altogether and make the most economic sense for the taxpayers.

This plan will provide four wins: Number one, safety; number two, a win for the taxpayers; three, a win for the citizens of Willmar; and four, the railroad.

This alternative is not too close to the airport as the height of the bridge will be higher than the height of the train, so that argument doesn't have any legitimacy to it.

We would recommend further research into this option. We agree with a project moving forward, but it needs a little more research.

Thank you.

MS. JACK CORKLE: Number seven? Number eight? I saw somebody grab number eight. They didn't want to be number five originally.

MR. DAVID PETERSON: My name is David Peterson. I live at 1800 127th Avenue in Svea. And Bill pretty much covered what my comments were. I guess that's why he got to go first.

But in addition to that, I mean, some of the others brought up -- like Bill said, I also worked on the railroad for a number of years as a yardmaster and in charge of the local movements of trains, and I also would state that what Bill said would very, very, almost absolutely happen. And if there's crews that are short on time, they will bring a train in there. If it has to have work done on it, it will park there and it will sit and it will be right back to if there's more crews that are short on time, the trains will come right into Willmar without that extra track that was in the original proposal.

And along with that, if the railroad is allowed to cut their expenses because of a downturn in business, are they giving -- are they removing their resistance to the at-grade crossing? Because they do put in at-grade crossings. They put one in downtown Delano here a few years back right in the middle of a main track and the siding. I mean, if the railroad does not have a strong resistance to it, it can be done.

And on the other part of that, too, if you go with the route that you're talking now and you want to have them enter Highway 12, are there acceleration and turning lanes built into it? I mean, when you look at Highway 23, when they built the four lanes on that, I've noticed more recently that since the last couple of years Cold Spring Granite moved out of town, and after 23, when they built 23, there was no acceleration or turning lanes, but now there are.

You know, when you say this is your preferred option, have they looked at those options for, like the previous speaker

said, for the trucks that are pulling out and slowing down traffic.

And like Bill and some of the other comments about the railroad says, well, we'll grade it and we will build it. And somebody mentioned Benson, how they block the trains there.

It's probably well before I was born that the railroad planned on putting in that signal, automatic crossing that goes from the Morris Subdivision to the Watertown or Aberdeen Subdivision, and I think they just finally got it done, but it had nothing to do with, you know, traffic or whatever, just the money that they wanted to spend. And I think most of us know who owns that toy railroad and I think the money isn't really an issue if they want to spend it.

MS. JACK CORKLE: Number nine? Number 10? We're done. No more folks that signed up? Okay. Anybody else that didn't grab a number that wants to give a public comment?

Okay. So we will close the official public hearing portion. If anybody

would like to talk to the court reporter, we have a signup sheet for that as well, if you can just sign in your name and mailing address. Okay. And the rest of the group can come back and we can have a dialog.

Thank you.

MR. CLINTON RAASCH: They plan on bringing 45th along on the north side of the track there, and then they're taking Highway 12 away from me so I have no exposure for my business, and kind of ruin my -- I got a hill for selling cars. It's going to ruin that. My sign out in front, it's not going to be able to be seen.

And when they take 12 away, they're going to bring a different highway to me and bring 45th behind Highway 12 through the intersection and turn that into a township road which is not going to be plowed on a, you know, hourly basis.

My business is a 24-hour business and my road needs to be plowed, you know. It's been plowed by the county. And the township will never -- they don't take care of 45th. I have had to go down and help many

stranded people on 45th in the past 18 years. It's usually done with a road grader and it's -- the road grader has got too many roads to take care of, so it takes a long time.

And the crossing that they're proposing, they're going to change it into a commercial crossing which is going to cause all kinds of horn noise at night, so I won't be able to rest.

And also, they're proposing putting -- our road's fed into the corner to get into that crossing at an angle, so we can't see west at all. And I've tried to tell them over and over that it's not acceptable. The road's coming to that crossing got to be able to see just as good to the west as they are to the east. There's been one person killed in that intersection already, and it is extremely unsafe. You cannot look to the west if you're looking to the southeast to approach that crossing.

So I've talked to them, and so far every proposal still shows them dumping me into that crossing at an angle just the way

it is right now, and it can't be done that way. So that's the end.

The other impact it's going to be, during all this construction, it's going to cause a large loss of work. My customers ain't going to drive through tore up roads to get to me. It's going to have a huge impact on my business.

And also, there's a drainage ditch that goes through my neighbor's driveway and our driveway that will be affected, how the lay of the land is going to be, so that's got to be done so it drains properly.

But that's pretty much what I have to say, I guess.

MR. DANE KALLEVIG: I just wanted to mention that from the presentation I didn't hear any discussion about 911 access and the impact this project has on the emergency service to people who have intersections that have been changed. I am in a zone where it would impact access with longer distance, and 911 emergency service is important, and it was not addressed.

The other thing I want to mention

is with change in access to property, will there be an impact on property values and how is the county and the tax authorities going to address those impacts? Will we see changes in property values from the project?

That's about as concise as I can be right now.

MR. AARON LARSON: Aaron Larson, 219 Anthony Street SE, Willmar. I'm a member of the -- former member of the City of Willmar Planning Commission. I strongly encourage and support MnDOT and BNSF to add two rail lines back into the project. I believe for the project to be successful for the long term, there needs to be two tracks for the rail bypass.

Also, for the significant amount of public investment in the project, that BNSF should hold up to their end of the bargain and have two tracks as was originally proposed in the project.

And that concludes my statement. Thank you.

MS. CAROL LAUMER: My one comment is if the project moves forward, a quiet zone

should be installed at the time of all this work going into place so we're not getting that again.

Number two, I don't know the industry, but according to the people that spoke regarding two tracks, that needs to be looked at.

Number three, with the decreased number of trains, I see that this project should be scrapped and not using my taxpaying dollars for this.

And then number four is find an alternate way and less expensive cost for the industrial park that's needed.

MR. STEVE AHMANN: I just want to say that I support the concept and the long-term planning for the benefit of Burlington Northern and the residents of the city of Willmar for future expansion into the industrial park.

One of my concerns is I believe that some alternatives might want to be considered, and those are based on costs to the taxpayers.

Number one would be the relocation

of the railroad to as close to County Road 55 as possible and also to extend the construction area that was earlier outlined in the construction zone to include the area further south of Willmar connecting to State Highway 23 intersection and County Road 55. That should be included in the financial overview of costs.

Also, I believe Highway 12 should be kept in its current location and build a 30-foot high retaining wall, which it will only be, I believe, at the highest point. The other areas of the retaining will not be as high. I don't think the impact to the community will be severe.

It should also maintain our current infrastructure that the city and the state, the utility companies have put in along Highway 12 for lighting, street lighting, everything. It will be an asset to maintain that versus just tearing it out for the cumbersome rerouting of Highway 12 further south.

Cost at this particular time should not be the primary -- shouldn't be the

primary issue of going forward with it or not going forward with it. I would prefer that this project be done in an appropriate way that is best for traffic, best for businesses, and best for the community.

Furthermore, the second rail must, I repeat, must be included. Otherwise, the benefit to the city of Willmar and its residents with noise traffic and future traffic cannot be guaranteed. It must be part of the project, eliminate, and give some benefit to the taxpayers of the city of Willmar who support this project.

It seems that the taxpayers of Willmar are not going to be directly benefited if we don't get the second line put in. The traffic will continue downtown, and we are not assured of that, and there is nothing that I can see right now that assures the city of Willmar will have any authority to have Burlington Northern install the second track at any future date.

As I understand through previous years on the city council, that it is very, very cumbersome to dictate to the railroad

corporations what we need. It is somewhat more cumbersome and difficult than dealing with Congress, as many people can attest. I wish that would change, but that seems to be the situation we're in right now.

I appreciate all the input and all the hard work from everyone. The hearts are in the right place. It's just a matter of now doing the right thing for the long-term benefit.

And I am also concerned about the dissecting of the newly acquired development land south of current Highway 12 that is not -- that will cost the city future funds for improvement and long-term maintenance that currently, in the current Highway 12 position, will not be associating or giving us further -- additional taxpayer funds to maintain and improve in the future.

Thank you.

(Whereupon, the public hearing was at adjourned at 6:55 p.m.)

1 STATE OF MINNESOTA
CERTIFICATE
2 COUNTY OF HENNEPIN
3 I, CHARLES G. WILLIAMSON, hereby
certify that I reported the preceding Public
4 Hearing, on the 23rd day of February, 2017,
in Willmar, Minnesota;
5
That I was then and there a notary
6 public in and for the County of Hennepin,
State of Minnesota;
7
That the foregoing transcript is a
8 true and correct transcript of my
stenographic notes in said matter,
9 transcribed under my direction and control;
10
WITNESS MY HAND AND SEAL this _____ day of
11 _____, 2017.
12
13 Charles G. Williamson
Notary Public
14
15 CHARLES G WILLIAMSON
16 NOTARY PUBLIC - MINNESOTA
MY COMMISSION EXPIRES 01/31/20
17
18
19
20
21
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23
24
25

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APPENDIX C – Updated EA/EAW Figures

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Figure 34 – Project Area Wells

Figure 35 – Stormwater Treatment

Figure 36 – Wetland Delineation Map

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Figure 41 – Total Parcel Acquisitions

Figure 42 – Right of Way Impacts

Figure 43 – Highway Traffic Sound Receptors

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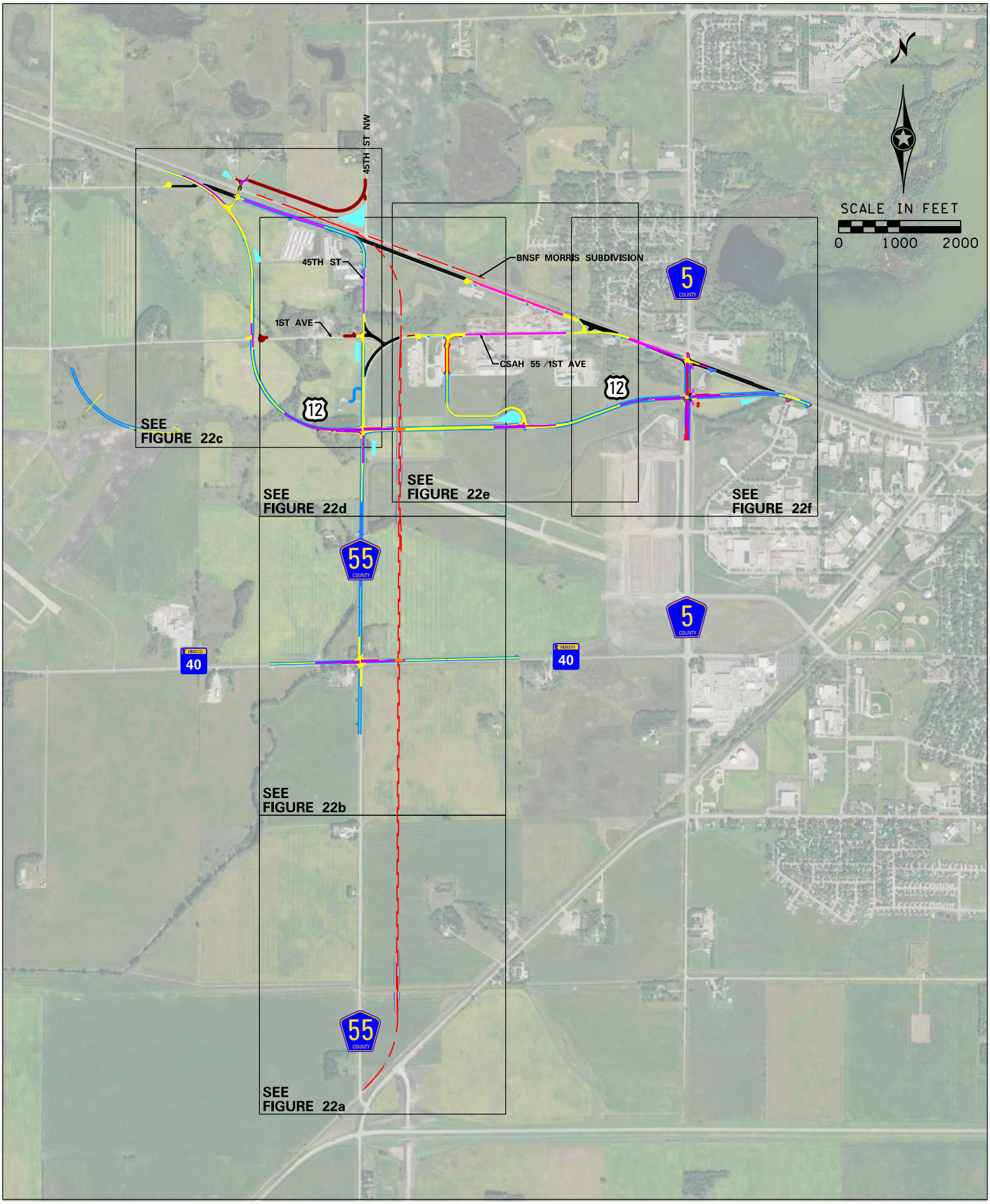

DEPARTMENT OF TRANSPORTATION

Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure 22 : Recommended Alternative Overview
Willmar, MN

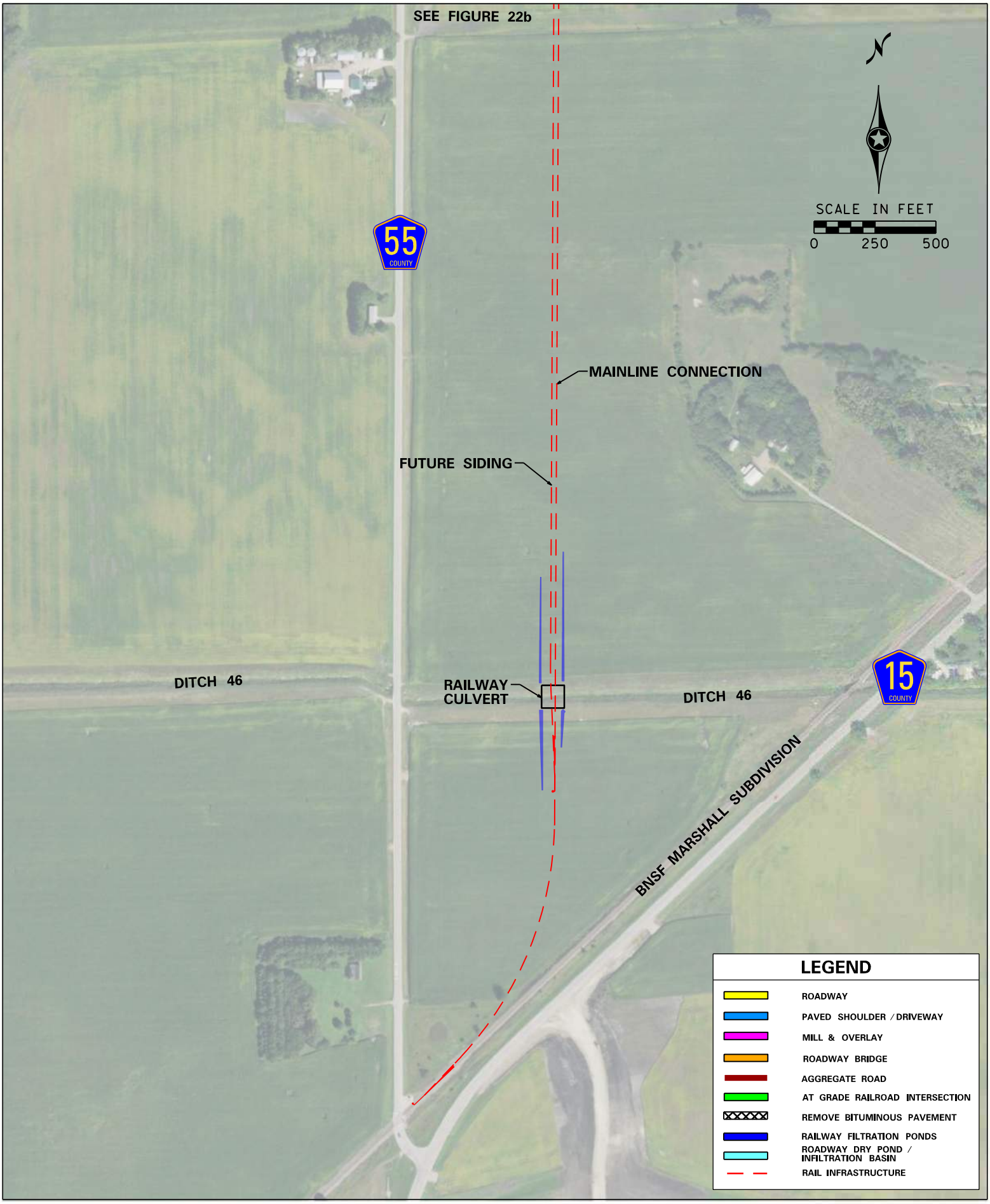

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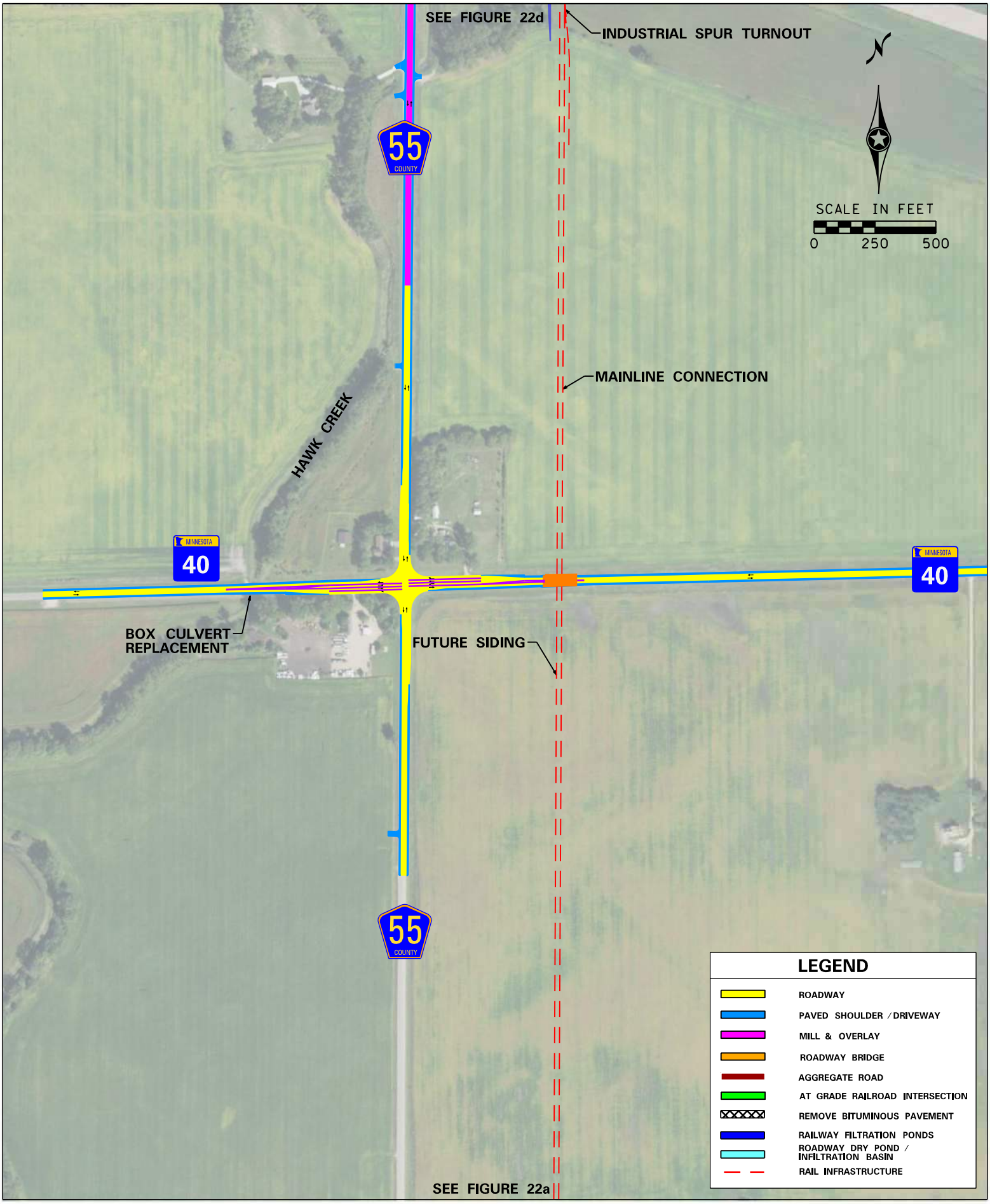
Figure 22a : Recommended Alternative
Willmar, MN



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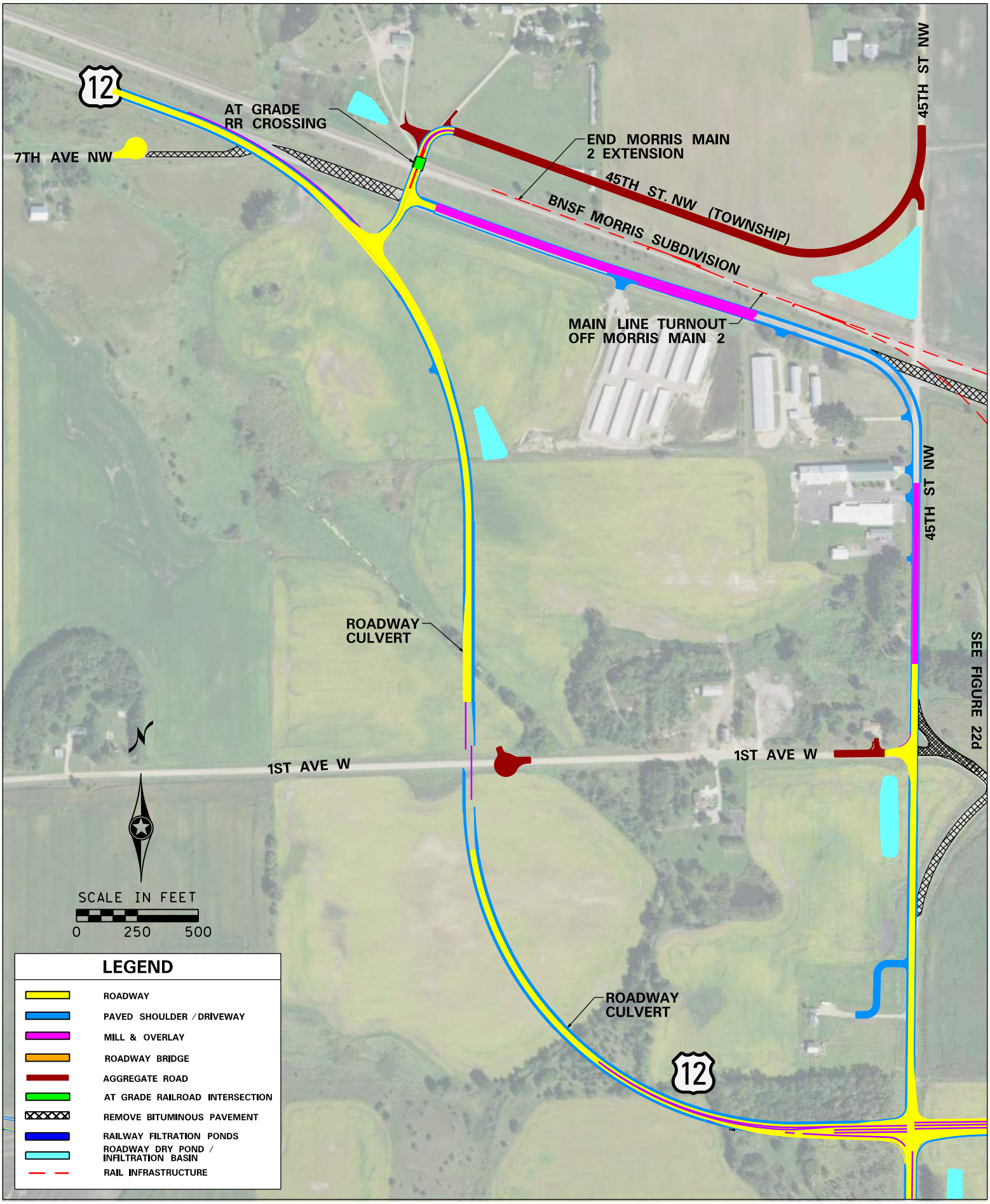
S.P. 3403-74
Figure 22b : Recommended Alternative
Willmar, MN



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Willmar Rail Connector & Industrial Access Project
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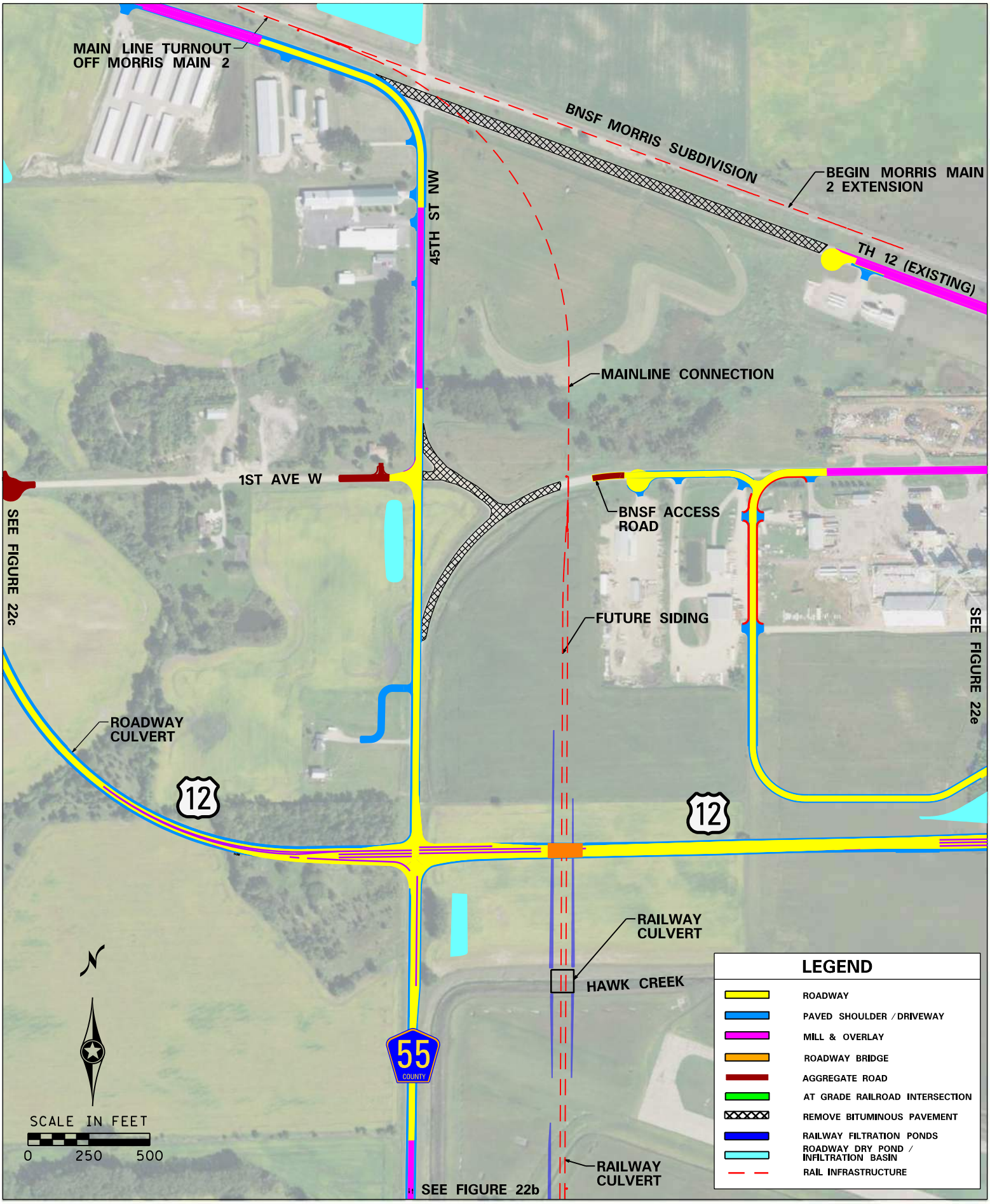
Figure 22c : Recommended Alternative
Willmar, MN



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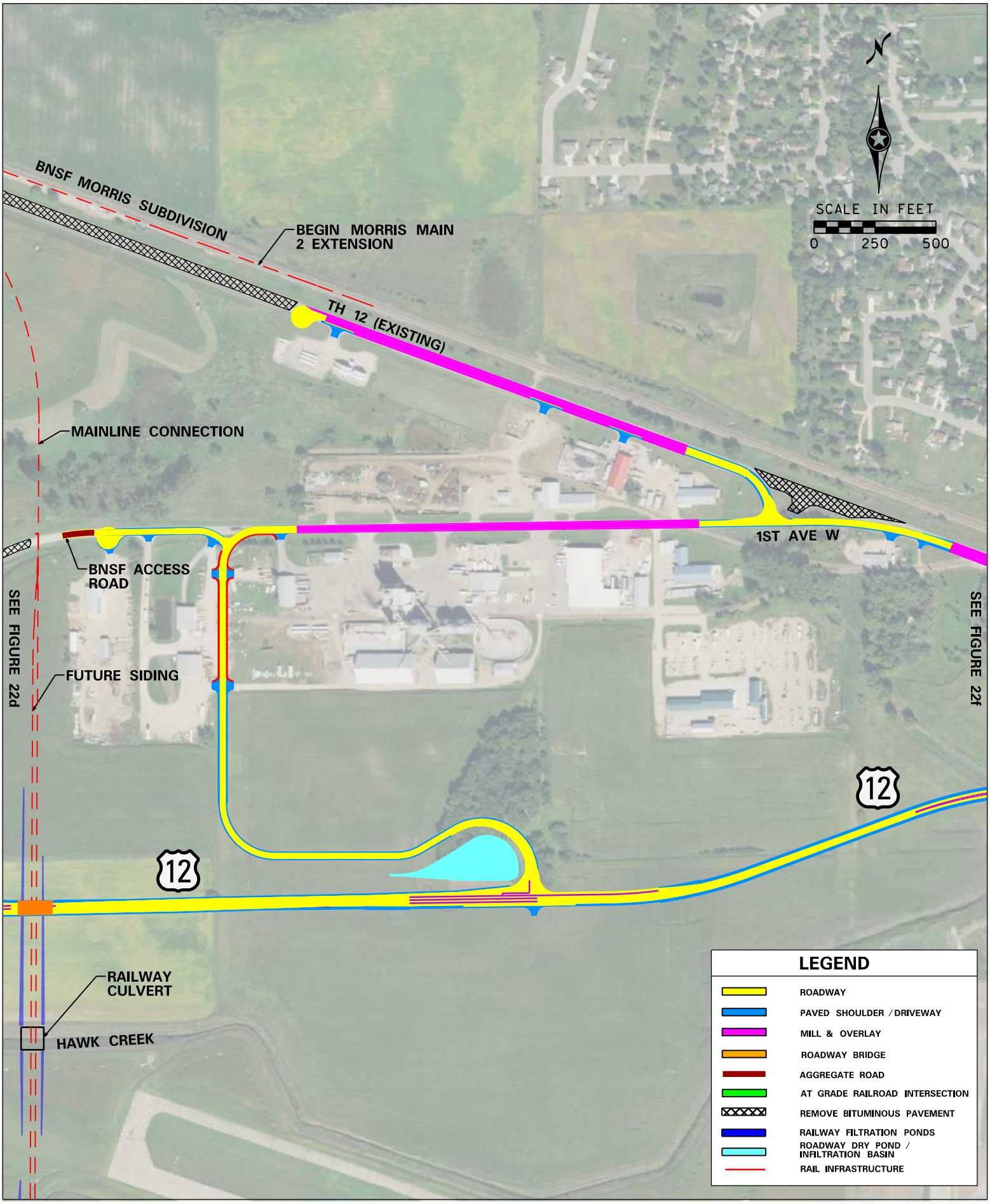
Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure 22d : Recommended Alternative
Willmar, MN



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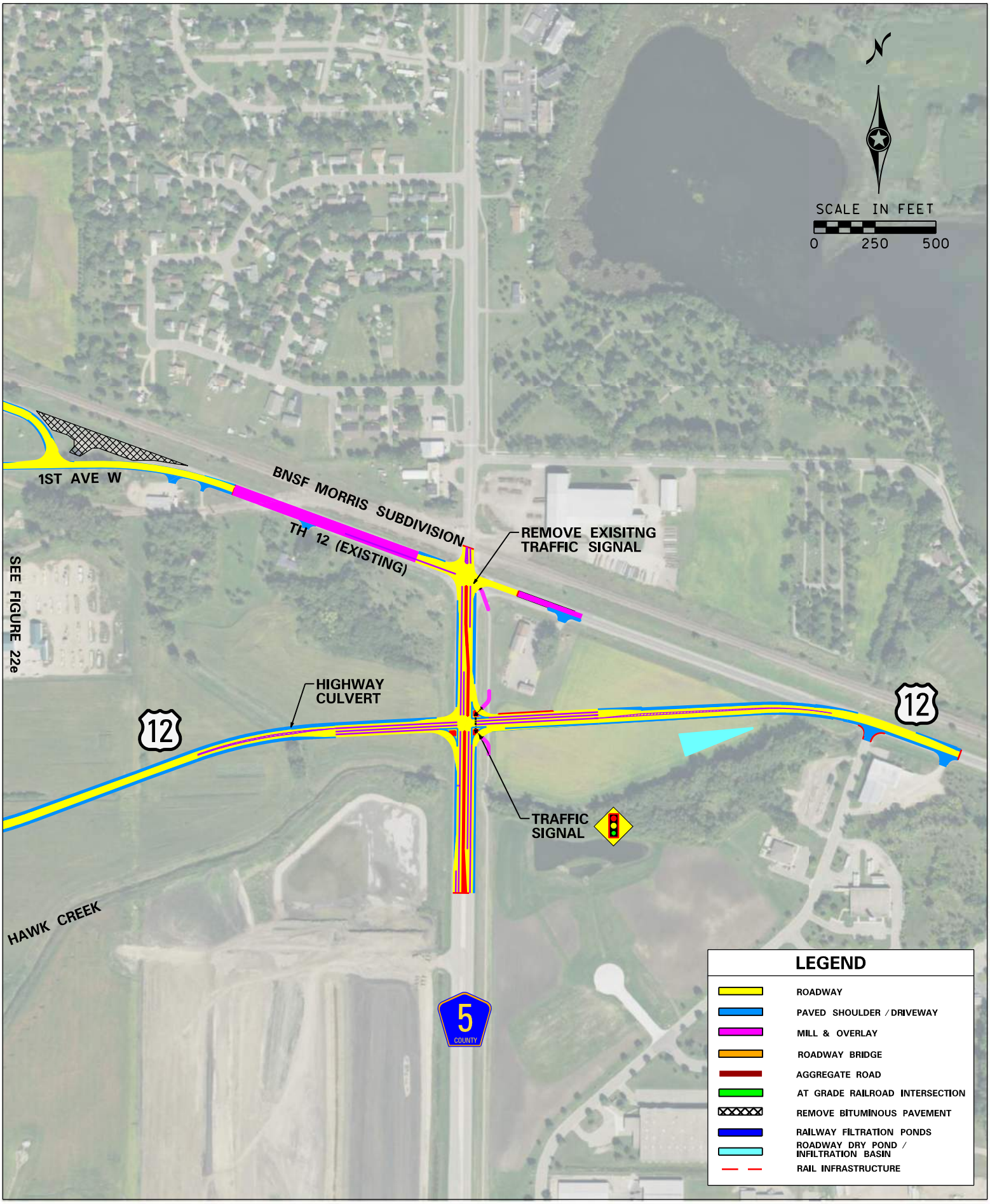
Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure 22e : Recommended Alternative
Willmar, MN



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Willmar Rail Connector & Industrial Access Project
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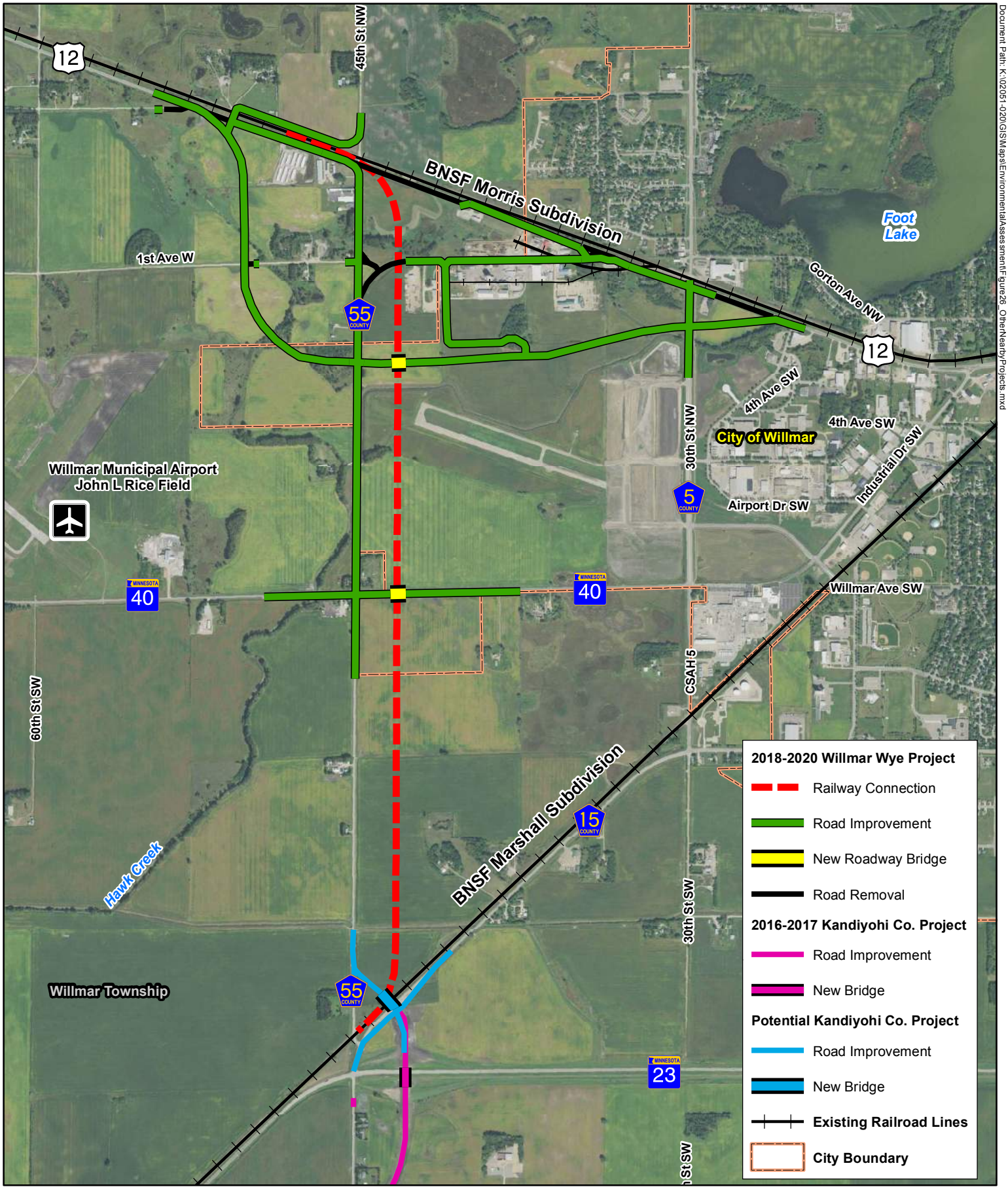
Figure 22f : Recommended Alternative
Willmar, MN



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Willmar Rail Connector & Industrial Park Access Project

S.P. 3403-74

Figure 26: Other Nearby Projects

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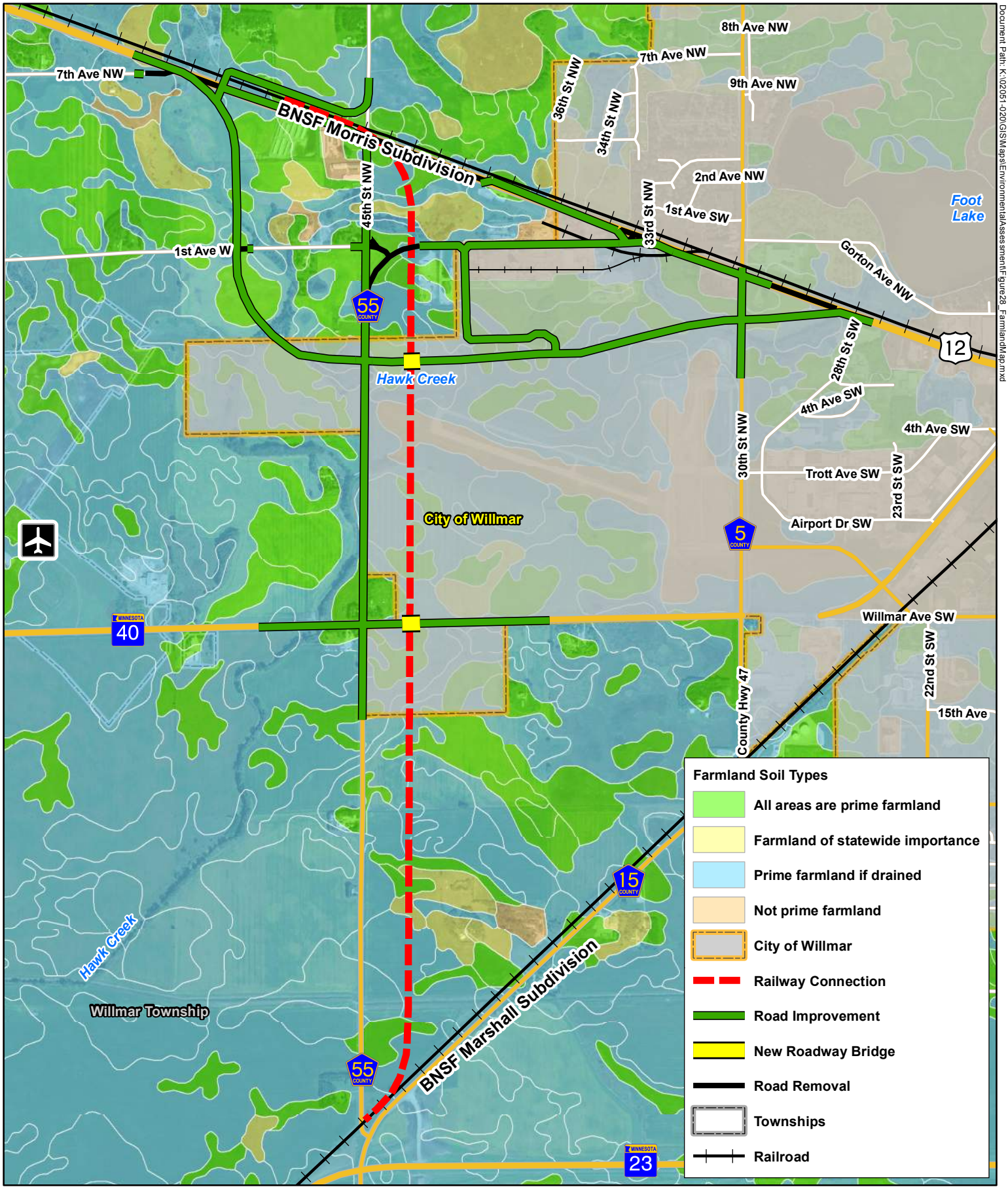
N

0 2,500 Feet



Willmar Rail Connector & Industrial Access Project

S.P. 3403-74

Figure 28: Farmland Soils

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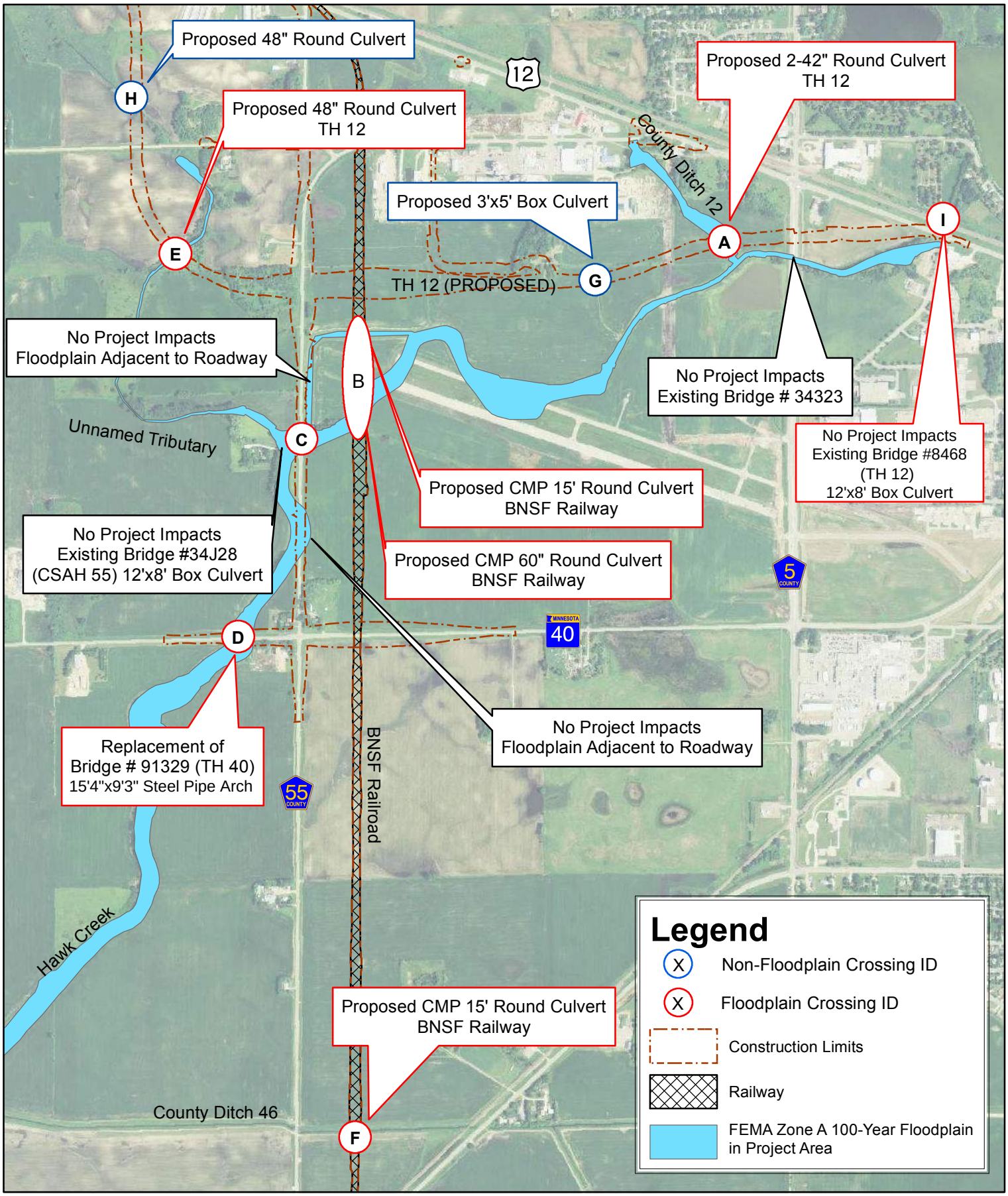

Willmar Rail Connector & Industrial Access Project

S.P. 3403-74

Figure 31: Proposed Floodplain Impacts and Crossings

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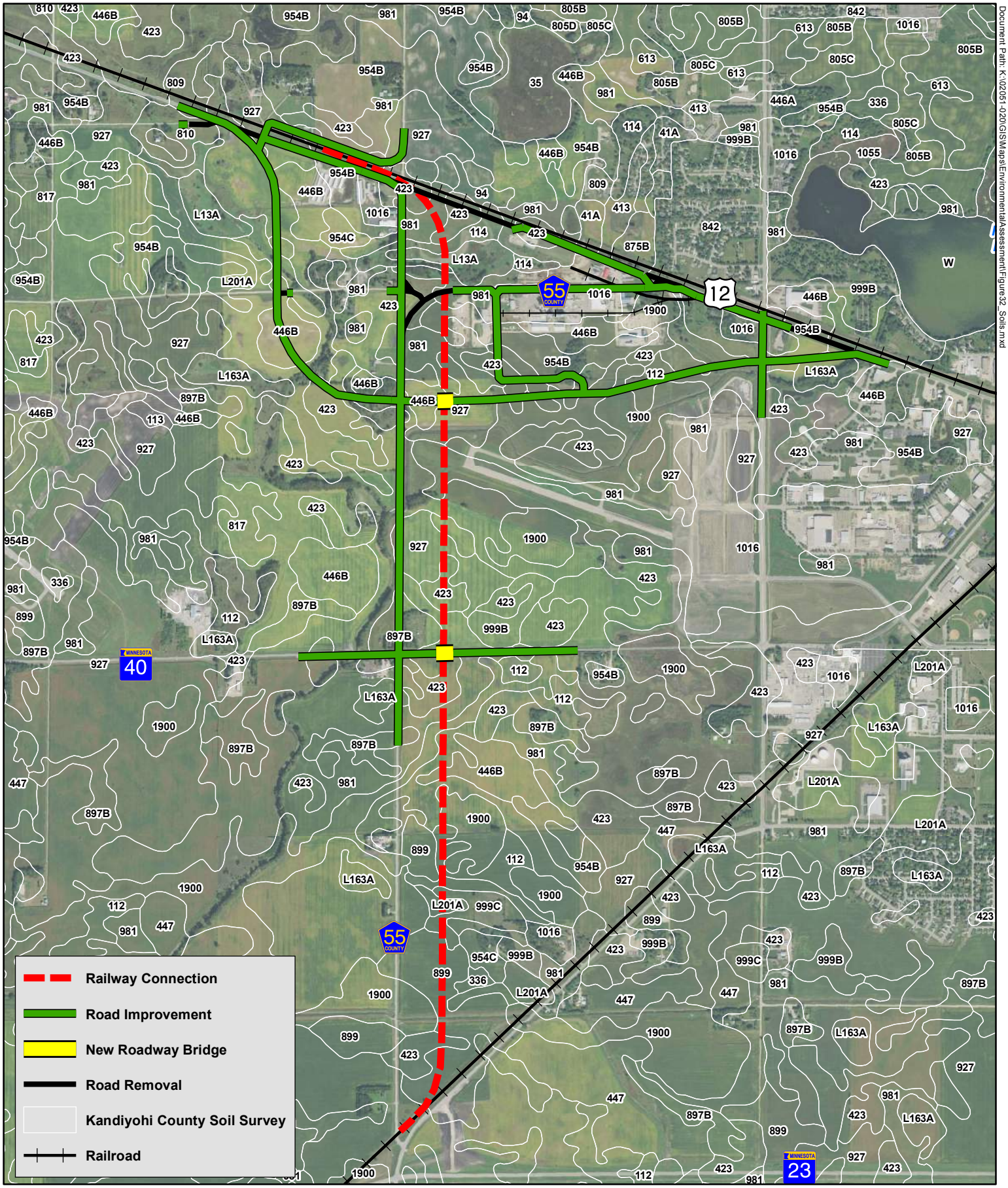
N

0 400 800 1,600

Feet



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S.P. 3403-74
Figure 32: Soil Survey of Kandiyohi County
Willmar, MN

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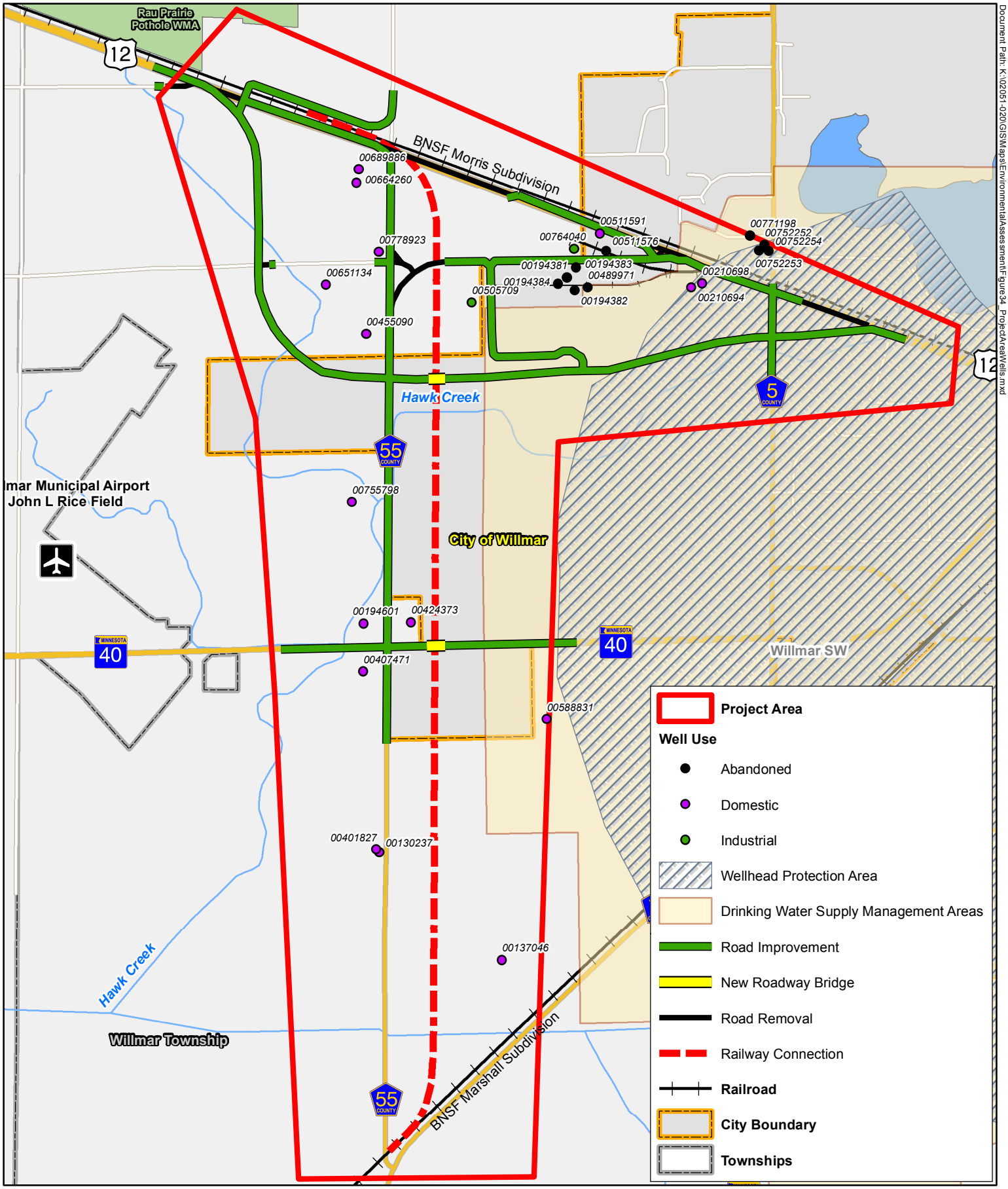

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Willmar Rail Connector & Industrial Access Project

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Figure 34: Project Area Wells

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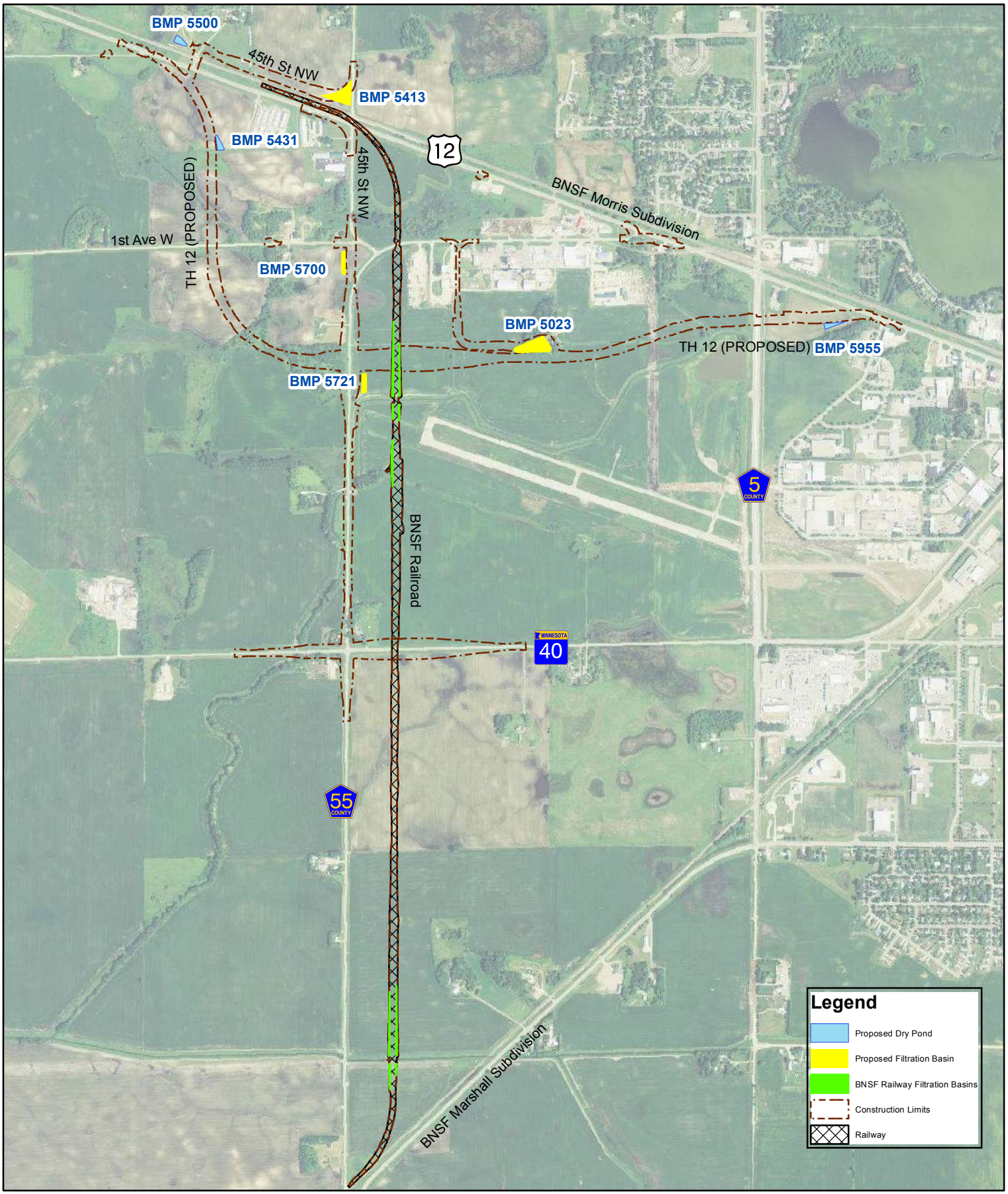

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Figure 35: Stormwater Treatment

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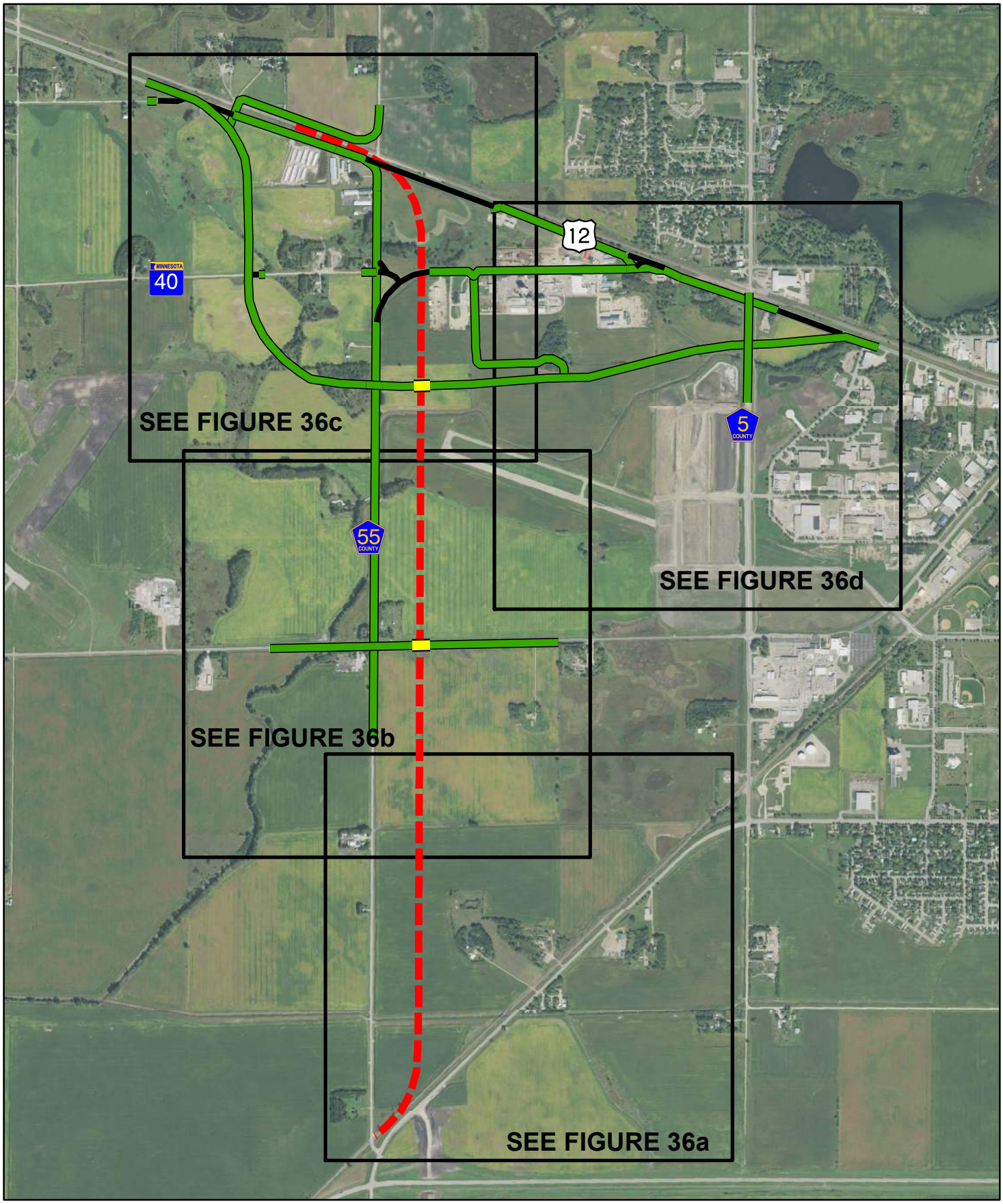
N

0 600 1,200

Feet



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Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure 36 Overview: Wetland Delineation
Willmar, MN

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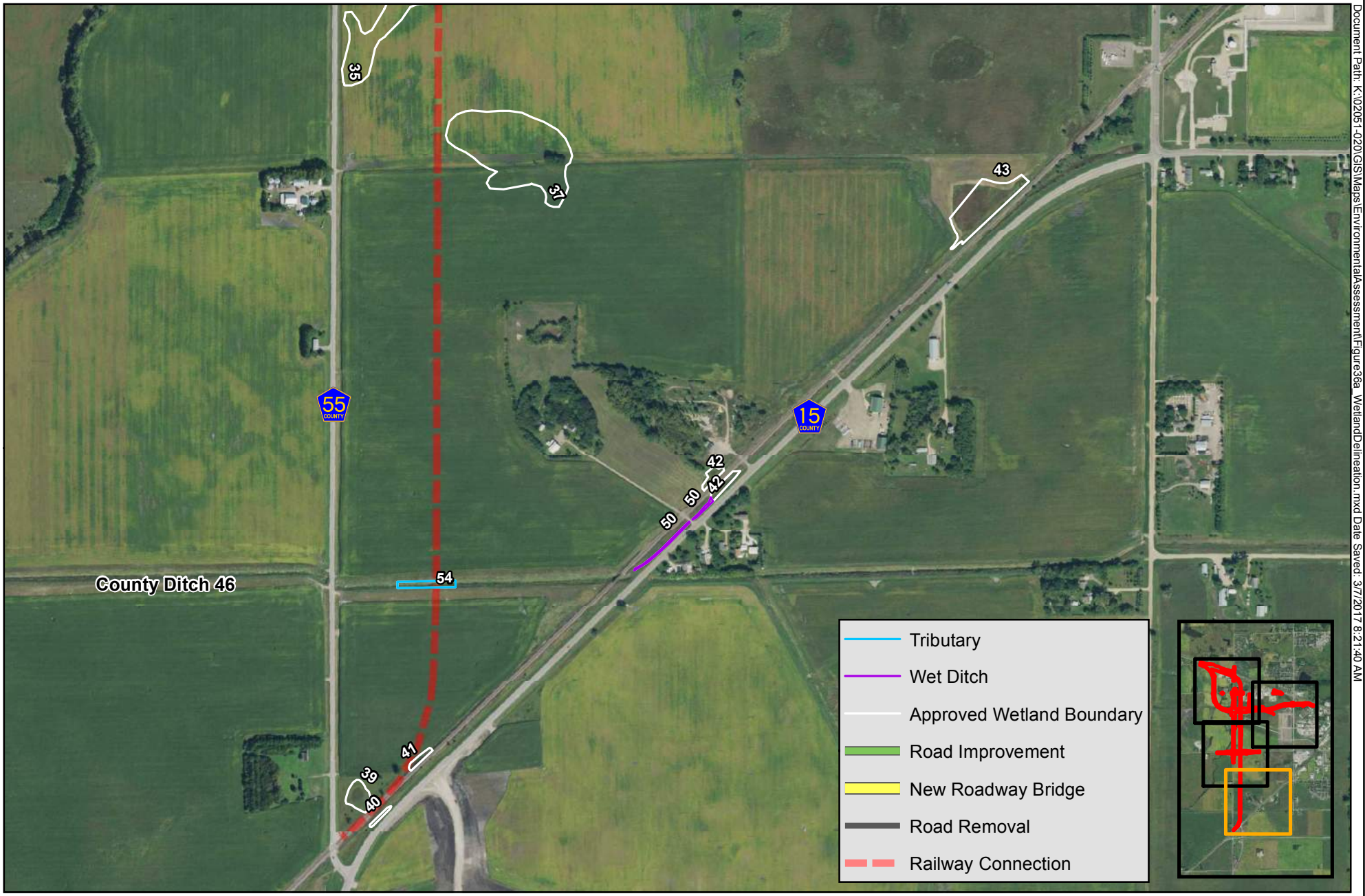

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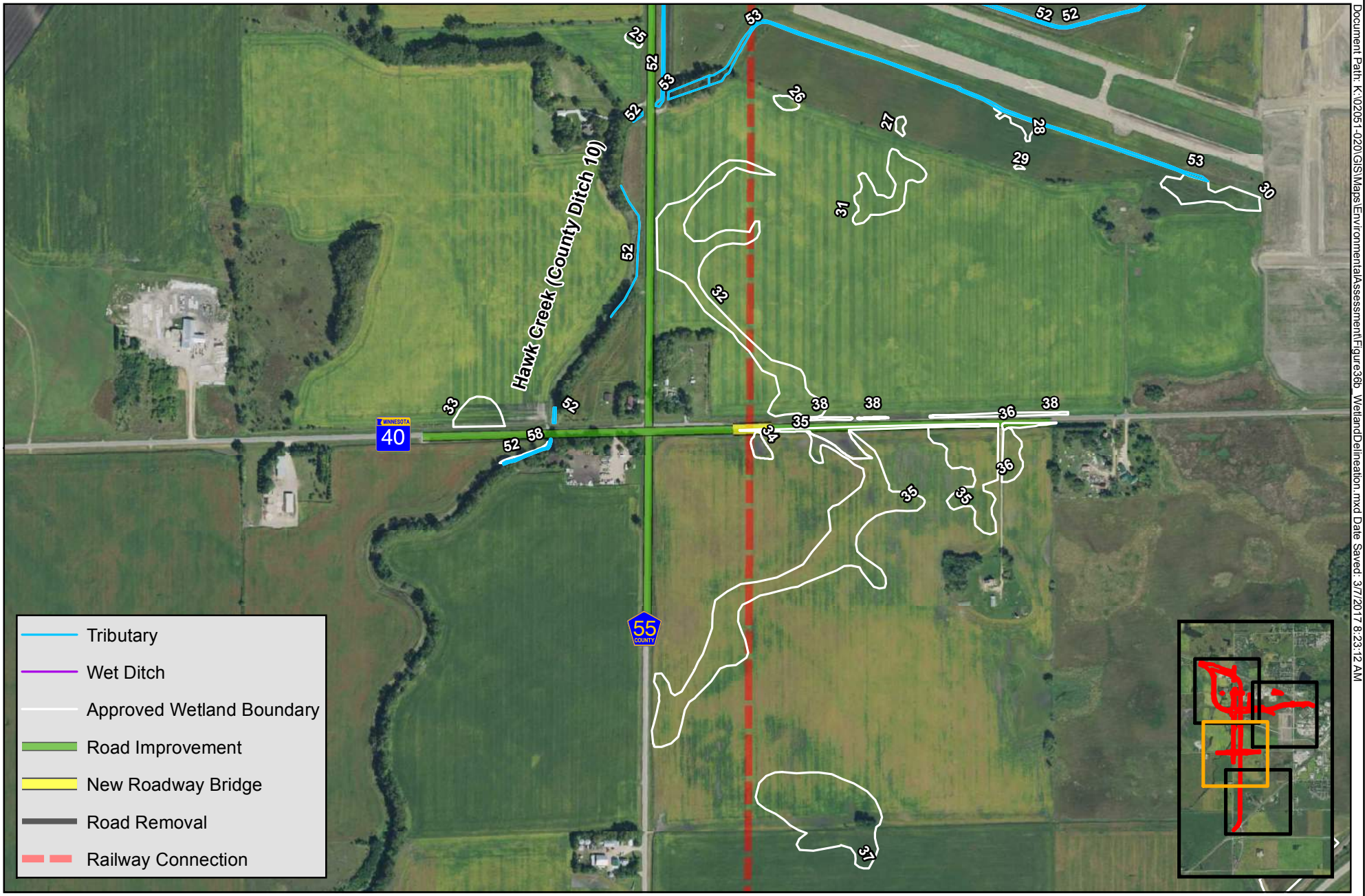
Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure 36a: Wetland Delineation
Willmar, MN

N

0 1,000 Feet



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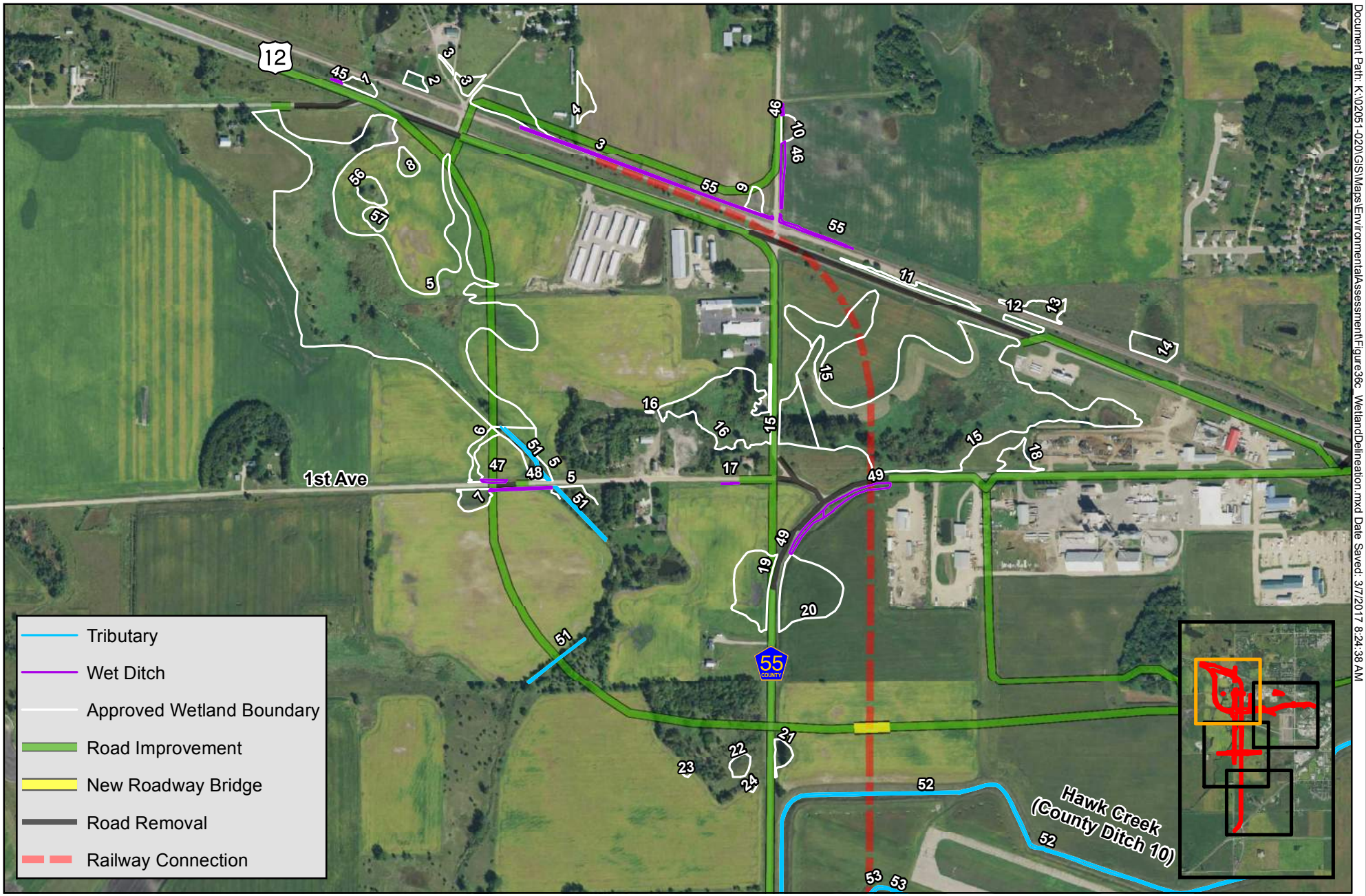
Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure 36b: Wetland Delineation
Willmar, MN

N

0 1,000 Feet



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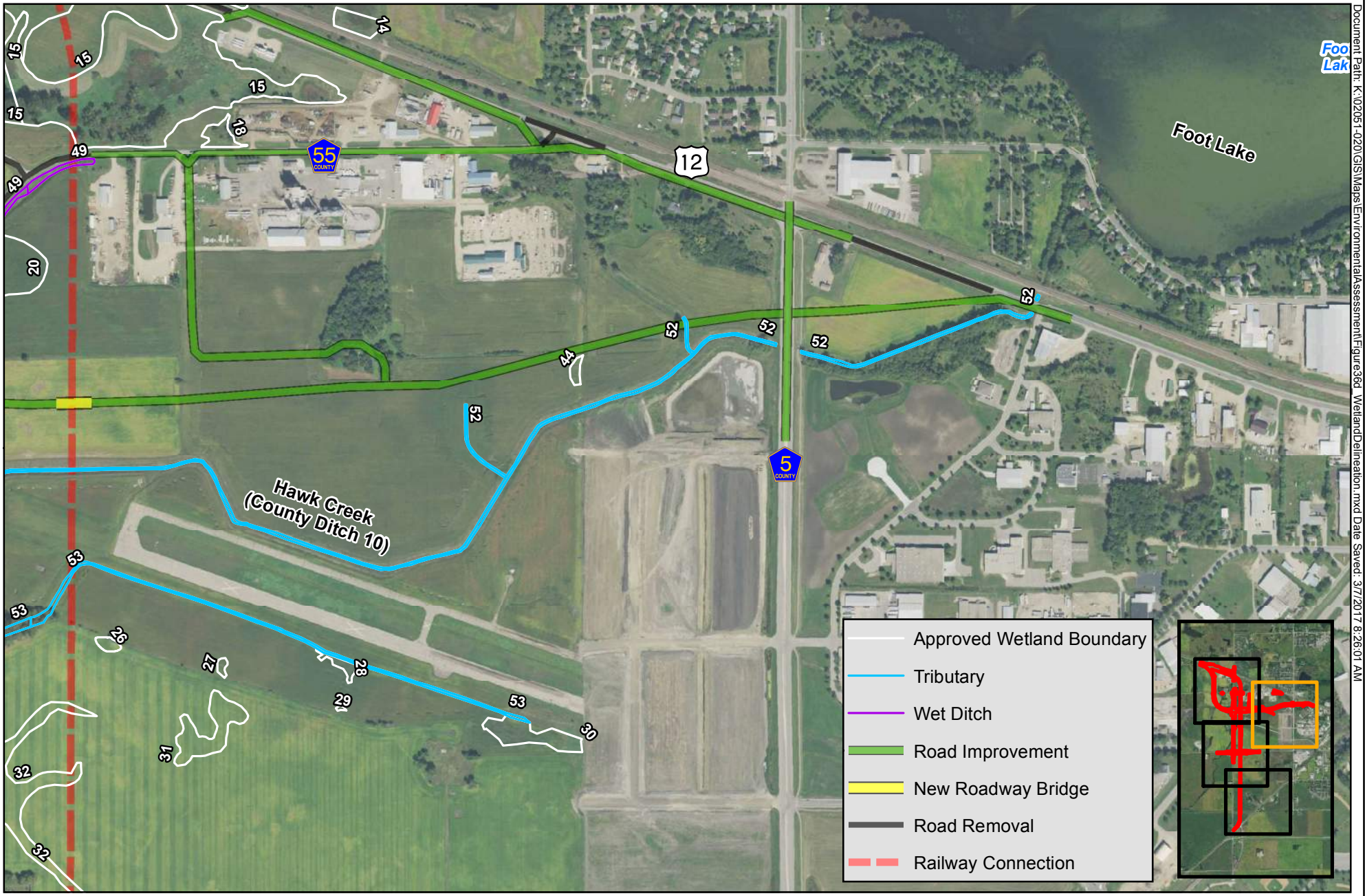
DEPARTMENT OF TRANSPORTATION

Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure 36c: Wetland Delineation
Willmar, MN

N

0 1,000 Feet



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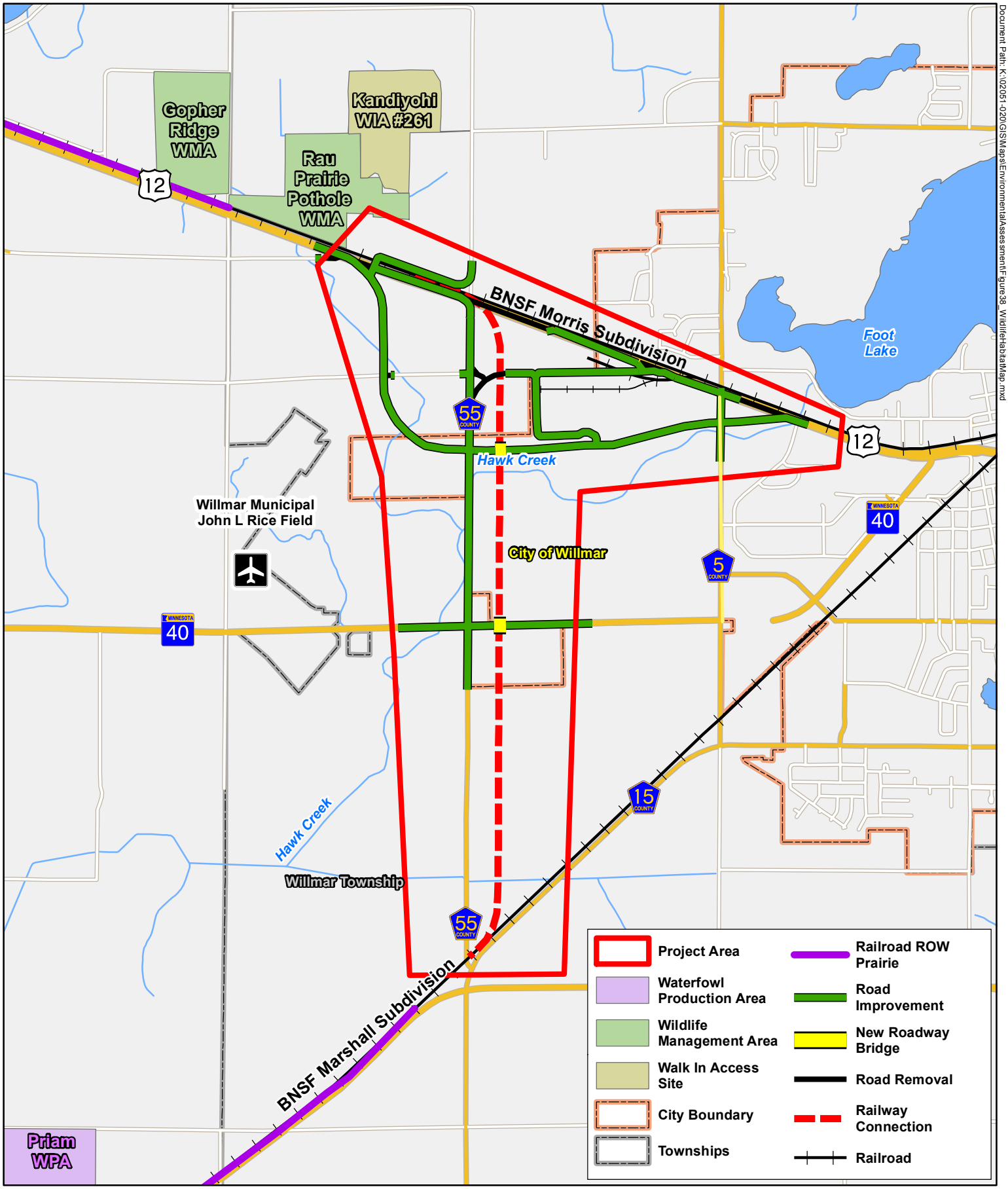
DEPARTMENT OF TRANSPORTATION

Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure 36d: Wetland Delineation
Willmar, MN

N

0 1,000 Feet



Document Path: K:\02051-020\GIS\Maps\EnvironmentalAssessment\Figure38_WildlifeHabitatMap.mxd

Willmar Rail Connector & Industrial Access Project

S.P. 3403-74

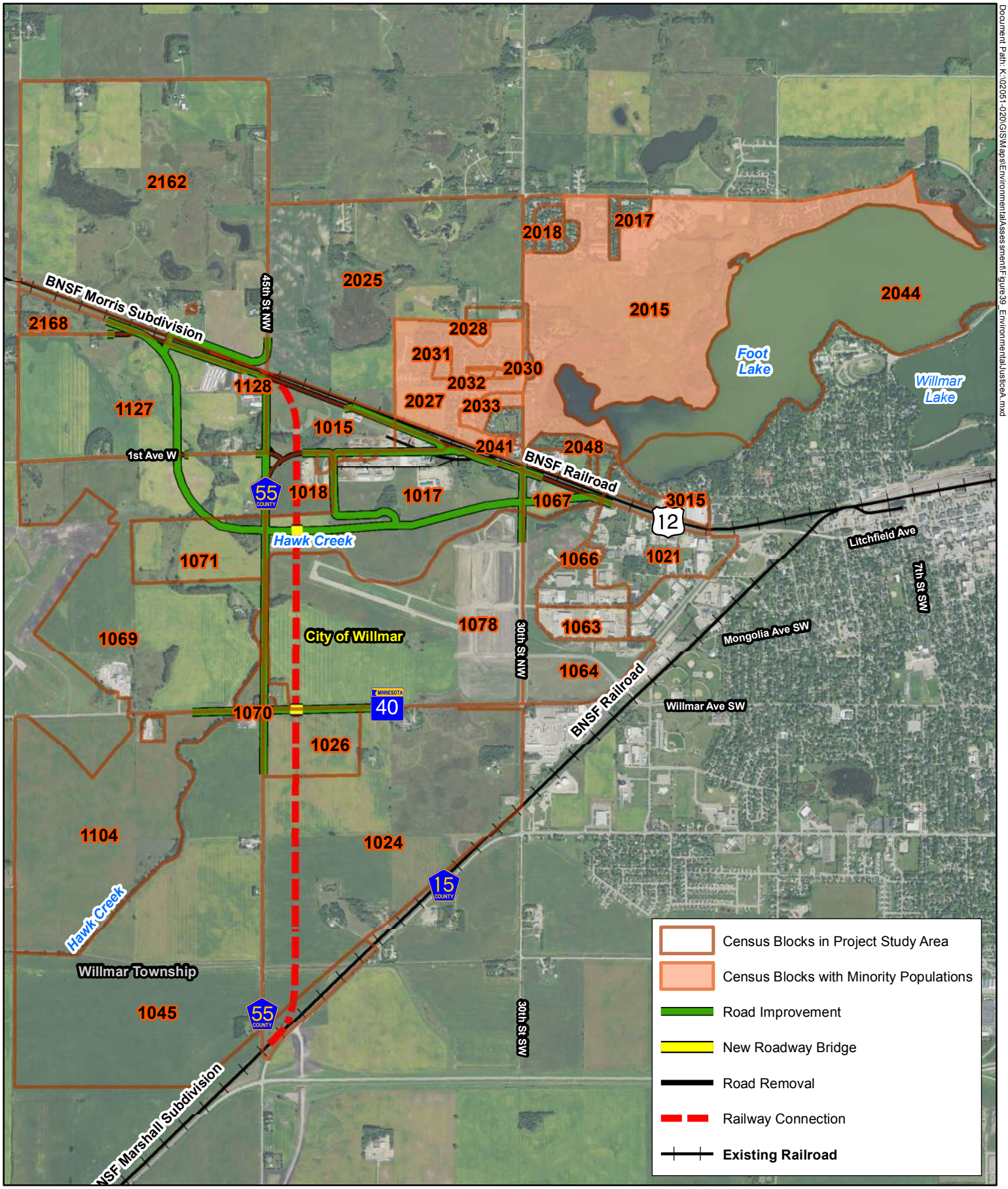
Figure 38: Wildlife Habitats

Willmar, MN

DEPARTMENT OF TRANSPORTATION

N

0 2,500 Feet



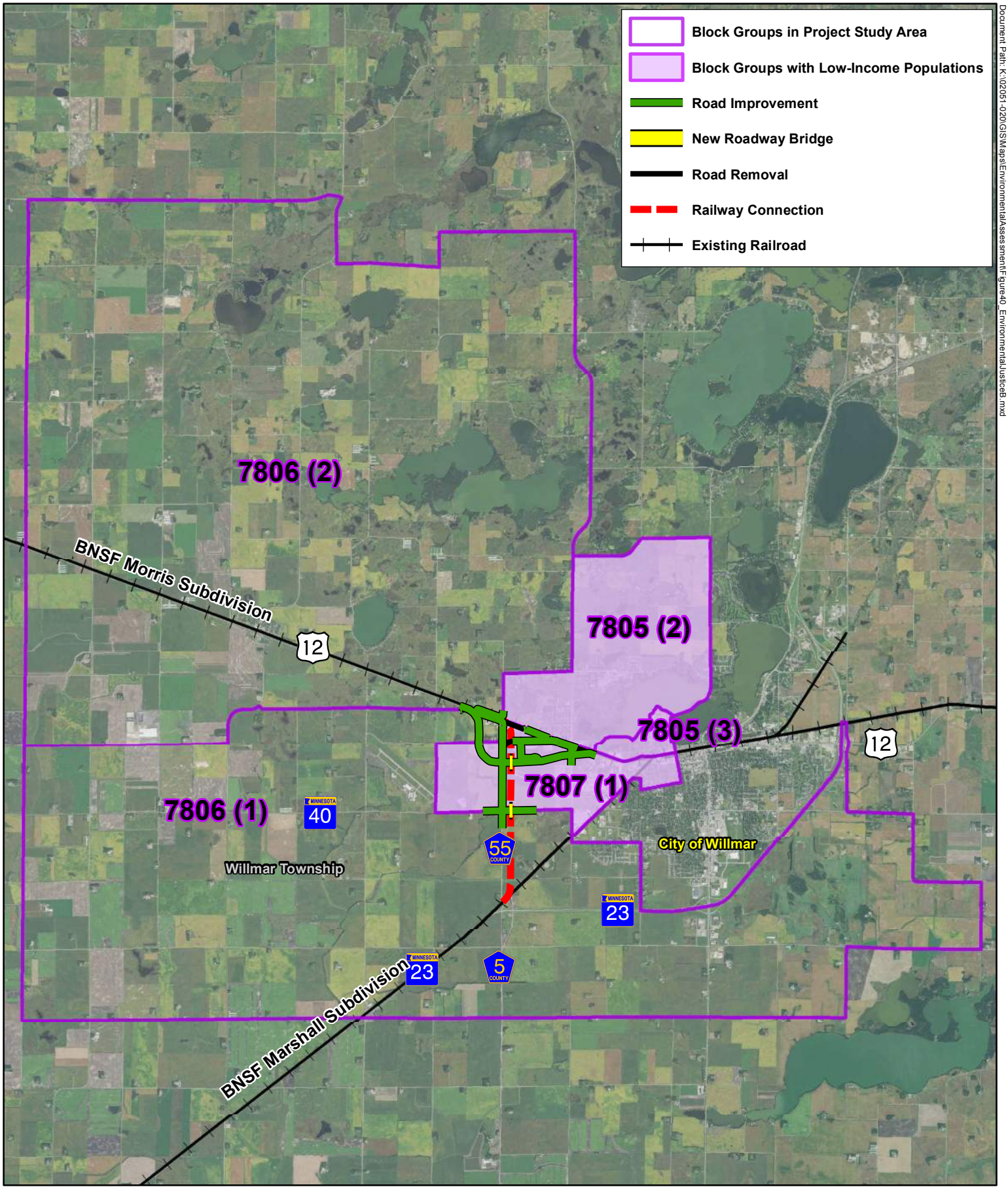
Document Path: K:\02051-020\GIS\Maps\Environmental\Assessment\Figure39_EnvironmentalJusticeA.mxd

DEPARTMENT OF TRANSPORTATION

Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure 39: Census Blocks with Minority Populations
Willmar, MN

N

0 2,500 Feet



Document Path: K:\02051-020\GIS\Maps\EnvironmentalAssessment\Figure40_EnvironmentalJusticeB.mxd

Willmar Rail Connector & Industrial Access Project

S.P. 3403-74

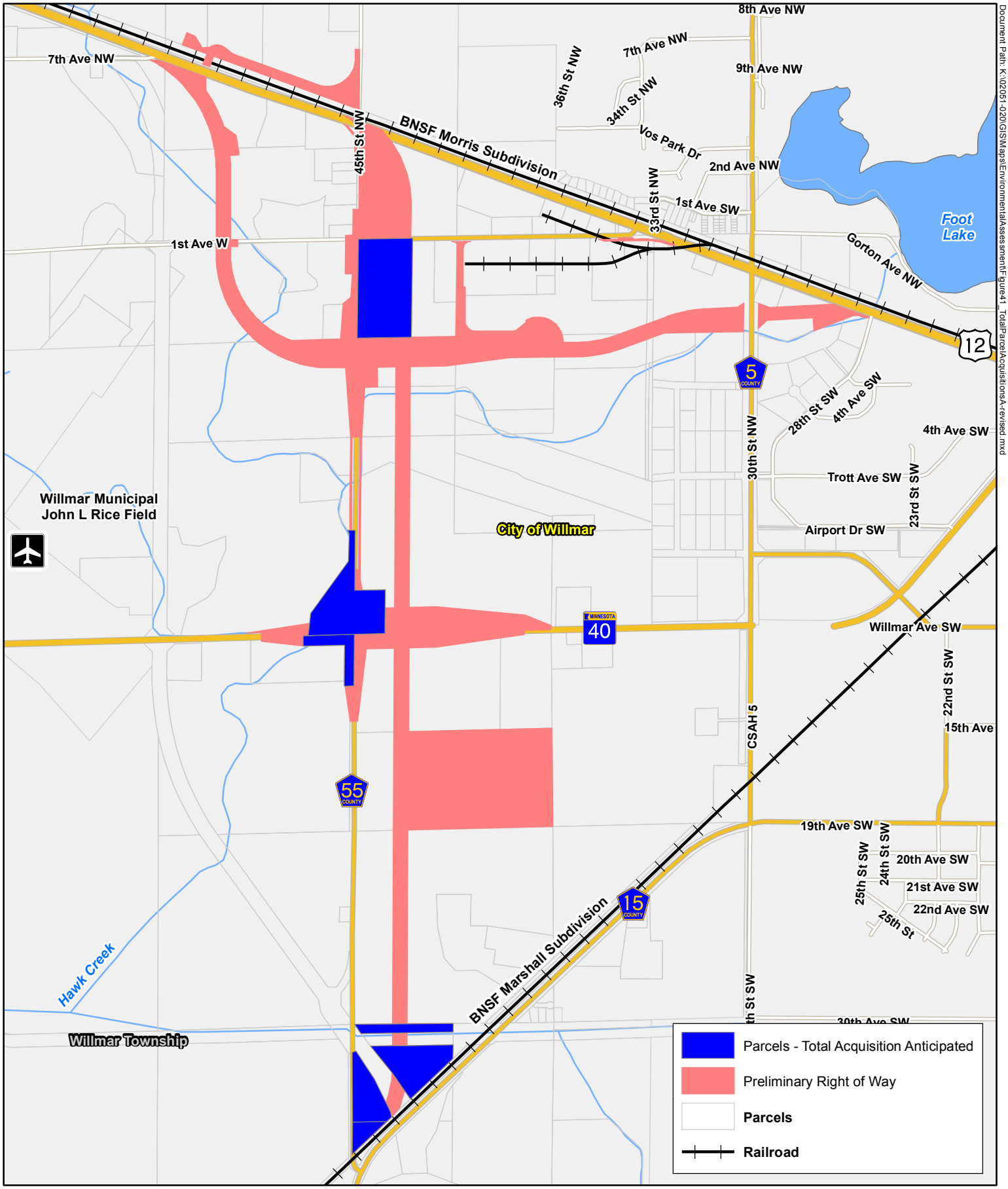
Figure 40: Census Block Groups with Low-Income Populations

Willmar, MN

DEPARTMENT OF TRANSPORTATION

N

0 9,600 Feet



Document Path: K:\02051-020\GIS\Maps\Environmental\Assessment\Figure41_TotalParcelAcquisitionsA-revised.mxd

Willmar Rail Connector & Industrial Access Project

S.P. 3403-74

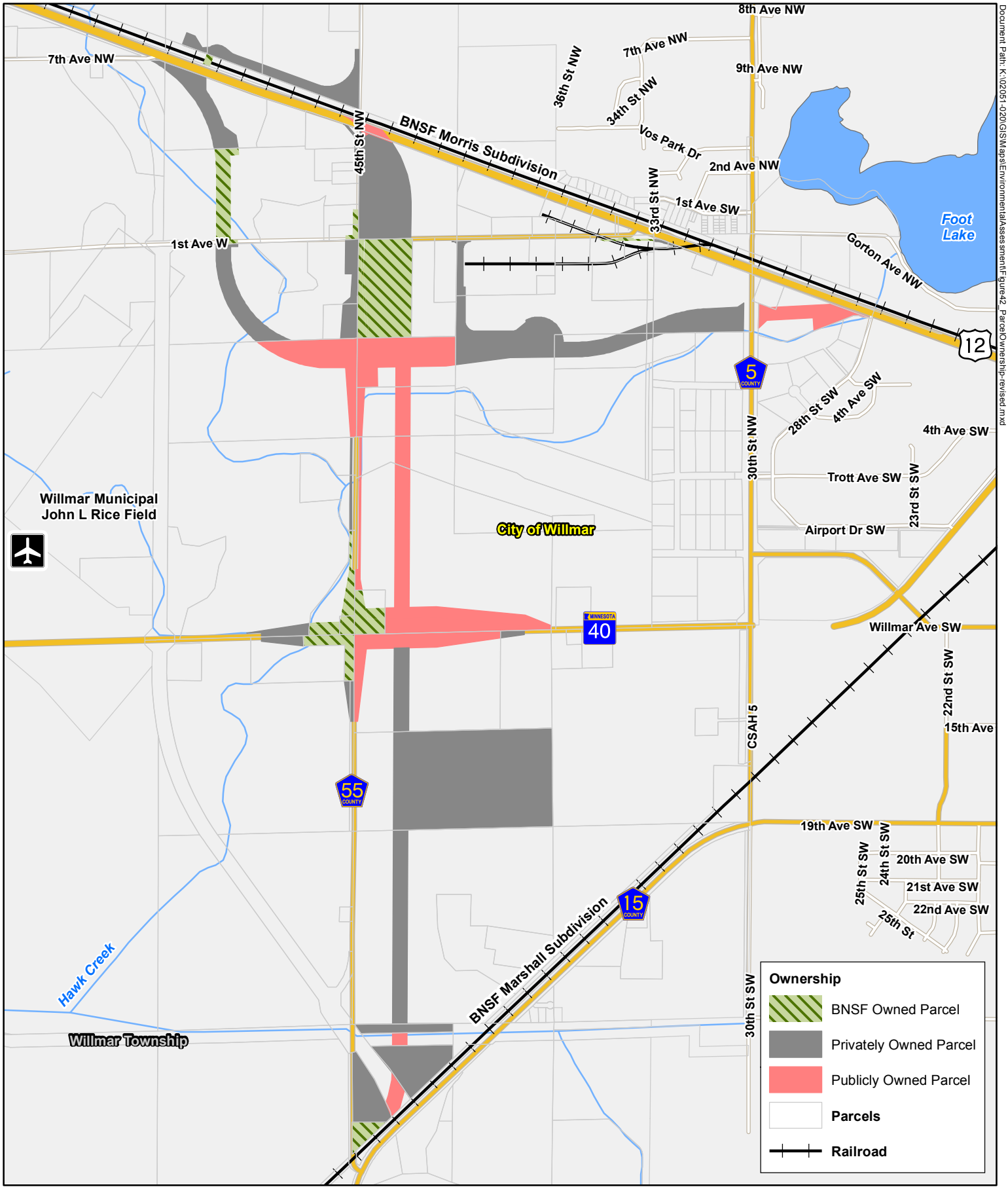
Figure 41: Total Parcel Acquisitions

Willmar, MN

DEPARTMENT OF TRANSPORTATION

N

0 2,000 Feet



Document Path: K:\02051-020\GIS\Maps\Environmental\Assessment\Figure42_ParcelOwnership-revised.mxd

Willmar Rail Connector & Industrial Access Project

S.P. 3403-74

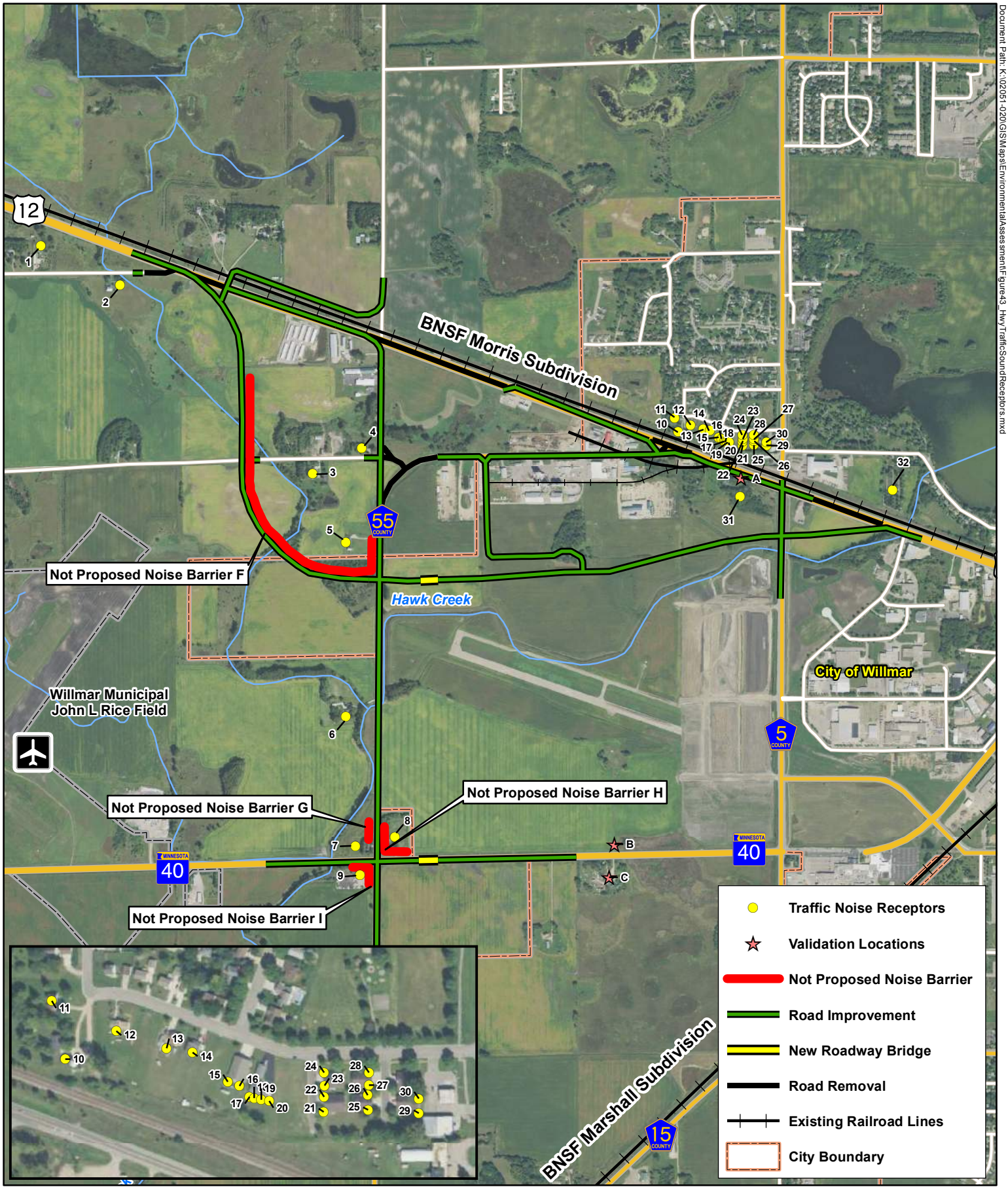
Figure 42: Right of Way Impacts

Willmar, MN

DEPARTMENT OF TRANSPORTATION

N

0 2,000 Feet



Document Path: K:\02051-020\GIS\Maps\EnvironmentalAssessment\Figure43_HwyTrafficSoundReceptors.mxd

Willmar Rail Connector & Industrial Access Project

S.P. 3403-74

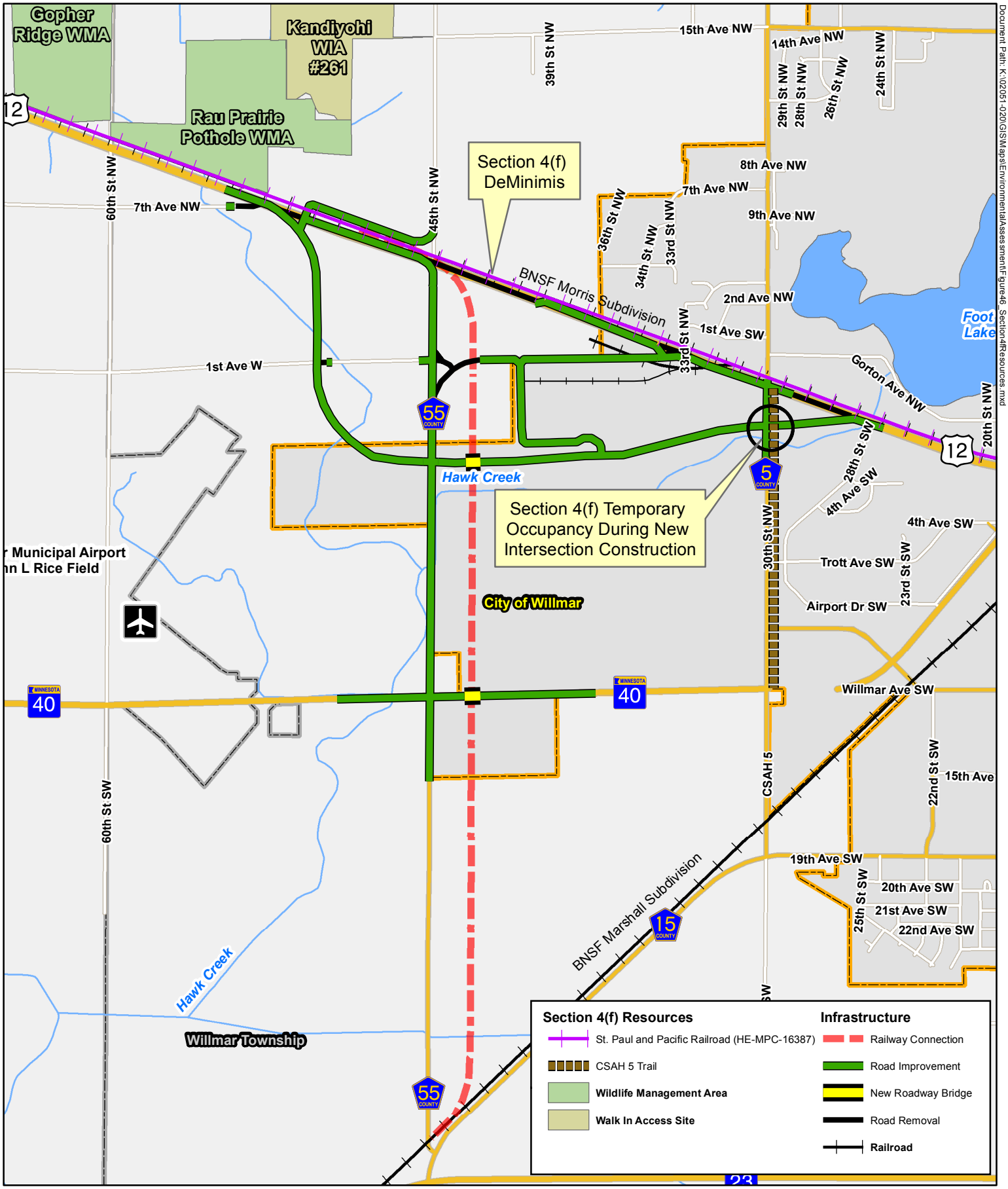
Figure 43: Highway Traffic Sound Receptors

Willmar, MN

DEPARTMENT OF TRANSPORTATION

N

0 1,500 Feet



Willmar Rail Connector & Industrial Access Project

S.P. 3403-74

Figure 46: Section 4(f) Resources

Willmar, MN

DEPARTMENT OF TRANSPORTATION

N

0 2,500 Feet

APPENDIX D – Recent Project Correspondence

USACE Correspondence Dated January 6, 2017 – Page D-1

Roxy Franta

From: Orne, Benjamin G CIV USARMY CEMVP (US) <Benjamin.G.Orne@usace.army.mil>
Sent: Friday, January 06, 2017 2:33 PM
To: Roxy Franta
Cc: Alison Harwood
Subject: RE: Willmar Rail Wetlands

Thanks Roxy. Here are my thoughts on jurisdiction for the remaining wetland and tributary sites that would be impacted by the proposed project. The ones labeled "(WOUS)" are jurisdictional. Only Wetlands 10 and 21 appear to be isolated and, therefore, may not be jurisdictional.

Wetland 1 (WOUS) – Wetland 1 is directly abutting Tributary 51, which is a seasonal RPW.
Wetland 6 (WOUS) – Wetland 6 is directly abutting Tributary 51, which is a seasonal RPW.
Wetland 7 (WOUS) – Wetland 7 is directly abutting Tributary 51, which is a seasonal RPW.
Wetland 10 – Isolated wetland.
Wetland 21 – Isolated wetland.
Wetland 45 (WOUS) – Wetland 45 is directly abutting Tributary 51, which is a seasonal RPW.
Wetland 47 (WOUS) – Wetland 47 is directly abutting Tributary 51, which is a seasonal RPW.
Wetland 48 (WOUS) – Wetland 48 is directly abutting Tributary 51, which is a seasonal RPW.
Tributary 51 (WOUS) – Tributary 51 is an unnamed tributary to Hawk Creek and is a seasonal RPW.
Tributary 54 (WOUS) – Tributary 54 is an unnamed tributary to Hawk Creek and is a seasonal RPW.
Wetland 58 (WOUS) – Wetland 58 is directly abutting Hawk Creek, which is a perennial RPW.

I will update the AJD to include the additional isolated wetlands. Please let me know if you have any questions or need me to look into any of the other wetland areas that were delineated.

Thanks, Ben

APPENDIX E – Updated Studies/Memoranda

Floodplain and Risk Assessments - Page E-1

Wetland Assessment and Two-Part Finding – Page E-39

FLOODPLAIN ASSESSMENT

FLOODPLAIN ENCROACHMENT			
Floodplain	**Crossing ID***	**Type of Encroachment**	**Length, ft**
Hawk Creek: 100-Year	B	Transverse (North RR Crossing)	150/190
Hawk Creek: 100-Year	D	Transverse (TH 40 Existing Bridge #91329)	175
County Ditch 46: 100-Year	F	Transverse (South RR Crossing)	150
Unnamed Creek: 100-Year	A	Transverse (TH12, west of 30th Avenue NW)	150
Unnamed Creek: 100-Year	E	Transverse (TH12, between 1st Avenue and CSAH 55)	150
Hawk Creek: 100-year	C	Transverse (CSAH 55 Existing Bridge 34J28) NO PROJECT IMPACTS	150
Hawk Creek: 100-year	I	Transverse (Existing Bridge #8468, TH12) NO PROJECT IMPACTS	150

**See figure for location*

TRANSVERSE or LONGITUDINAL ENCROACHMENT

1. There is no significant potential for interruption of a transportation facility which is needed for emergency vehicles or provides a community's only evacuation route.

   a. Is the roadway grade above the 100 year flood elevation? **YES**

Location of Crossing	Roadway Elevation	100 year flood elevation
BNSF Railroad North sta 104+95	1118.72	1113.9
TH 40 (bridge #91329)	1118.9	1110.28
BNSF Railroad South Sta 18+54	1118.72	1111.2
Proposed TH12, west of 30th Avenue NW	1122.0	1115.72
Proposed TH12, between 1st Avenue and CSAH 55	1121.5	1114.98
CSAH 55 (bridge #94149)	1120.0	1111.67
TH 12 (bridge #8468)	1124.3	1119.93

NO Frequency of overtopping **N/A**
Reason(s) why roadway grade will not be raised: **No overtopping for the design event**
Are there reasonable alternative routes available that are above the 100 year flood elevations? **YES**

b. If the 100 year flood elevation is not known, does roadway have a history of overtopping?
NO Reference and length of record **n/a**
YES Discuss correcting deficiency **n/a**

c. Describe how emergency services will be maintained during construction:
Emergency vehicles will continue to have access via the existing roadways

2. There is no significant impact on natural and beneficial floodplain values.

a. Impacts:

	Beneficial Impacts	**Adverse Impacts**
Fisheries	None	**N**
Wetlands	N	**N**
Plants	N	**N**
Open Space/Aesthetics	N	**N**
Public Access (boat/canoe)	N	**N**
Channel Changes	N	**N**
Boat Passage	N	**N**
Threatened/Endangered Species	N	**N**
Water Quality	N	**N**
Other	N	**N**

b. Minimization/Mitigation Measures: Wetland impacts due to the project will be mitigated. Water quality best management practices will be provided for the project impervious.

Project will be in compliance with all permit requirements, including NPDES, SWPPP, Minnesota DNR, Wetland Conservation Act, and US Army Corps of Engineers.

3. There is no significant increased risk of flooding.

a. Does the project result in any headwater or tailwater elevations that would endanger life or property? **NO**

Stage Increase **0.0**

b. Are there any special hydraulic features? What is their purpose? **N/A**

4. The project will not support and/or result in incompatible floodplain development.

   Reason(s) why project will not cause incompatible floodplain development:

   The two proposed culverts are needed for safe access of the railroad. Two new culverts are needed under proposed Trunk Highway 12. The project includes replacement in-kind of the existing bridge under Trunk Highway 40.

COORDINATION

Multiple permits will be required for the project, below is a list of the anticipated permits necessary:

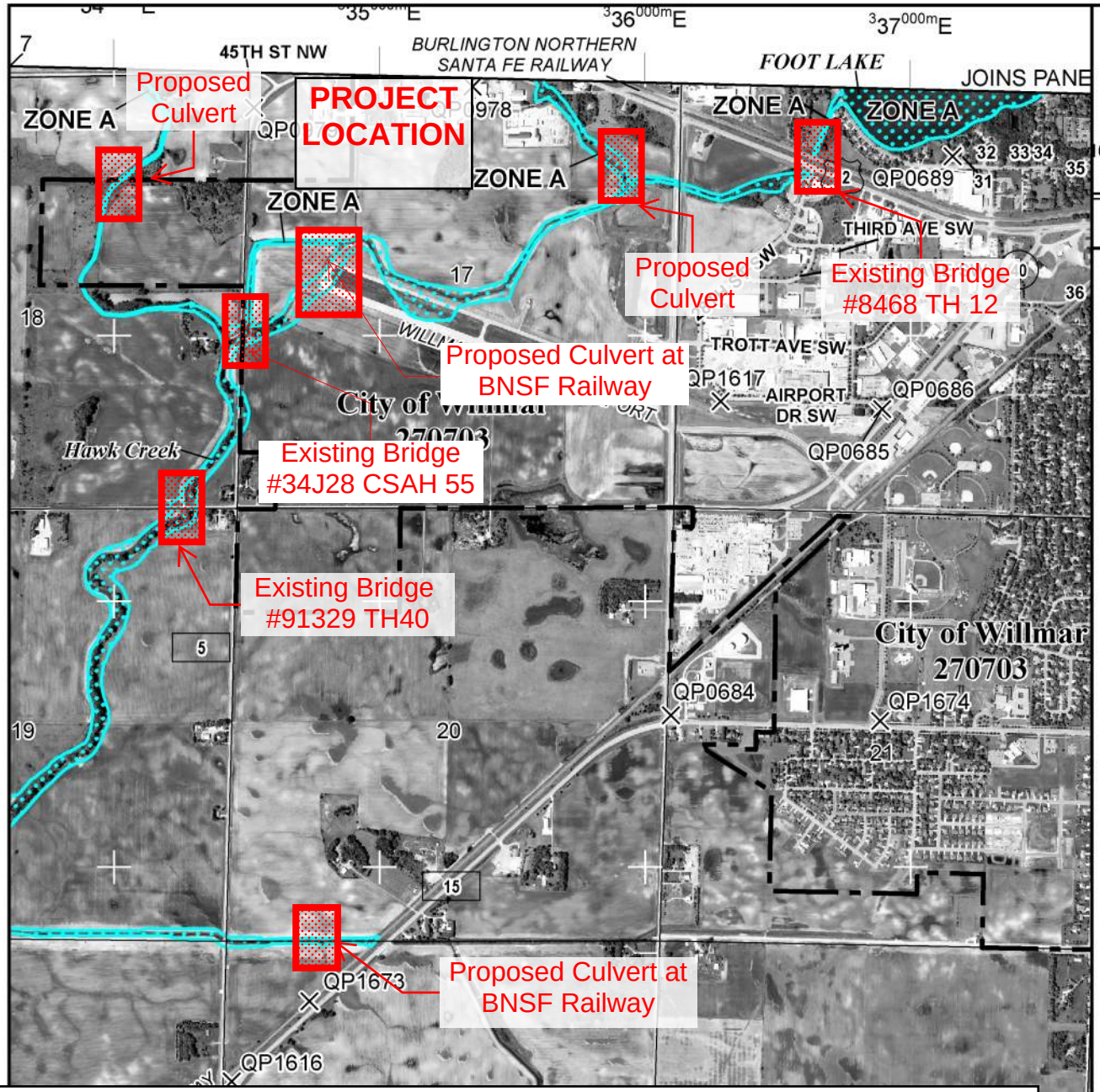
- Minnesota Pollution Control Agency Phase II NPDES CSW permit
- Minnesota Pollution Control Agency Section 401 Certification
- Minnesota Department of Natural Resources License to Cross
- Minnesota Department of Natural Resources Construction Dewatering (if necessary)
- US Army Corps of Engineers Section 404 Permit (Letter of Permission)
- Wetland Conservation Act Replacement Plan
- Kandiyohi County Ditch Drainage and Hydraulic Capacity Design Approval

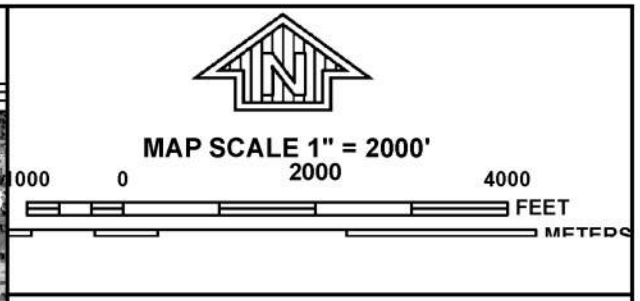
CONCLUDING STATEMENT

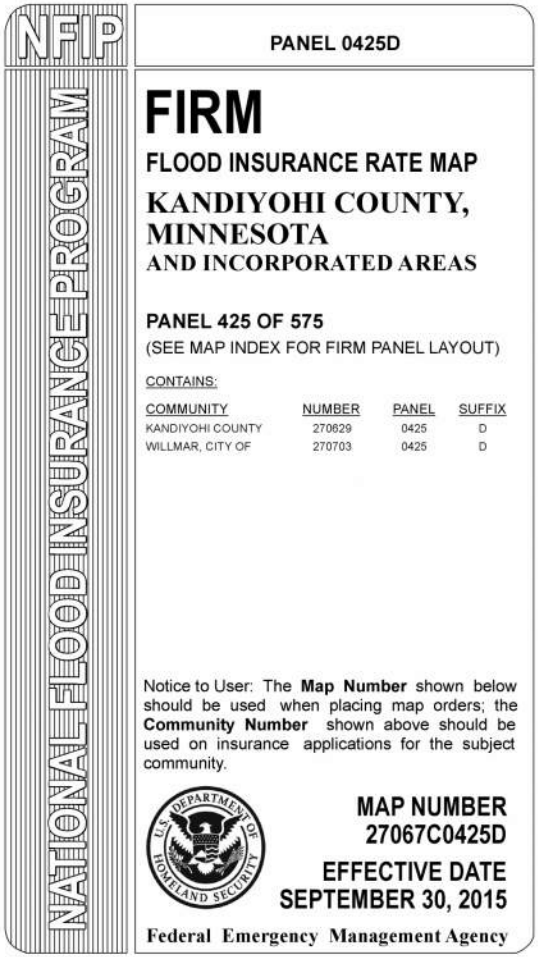
Based on the above assessment, no significant floodplain impacts are expected.

ATTACHMENTS

Effective FEMA FIRMette for project area (September 30, 2015)
Proposed Floodplain Impacts and Crossings Figure
Hydraulic Analysis and Risk Assessments

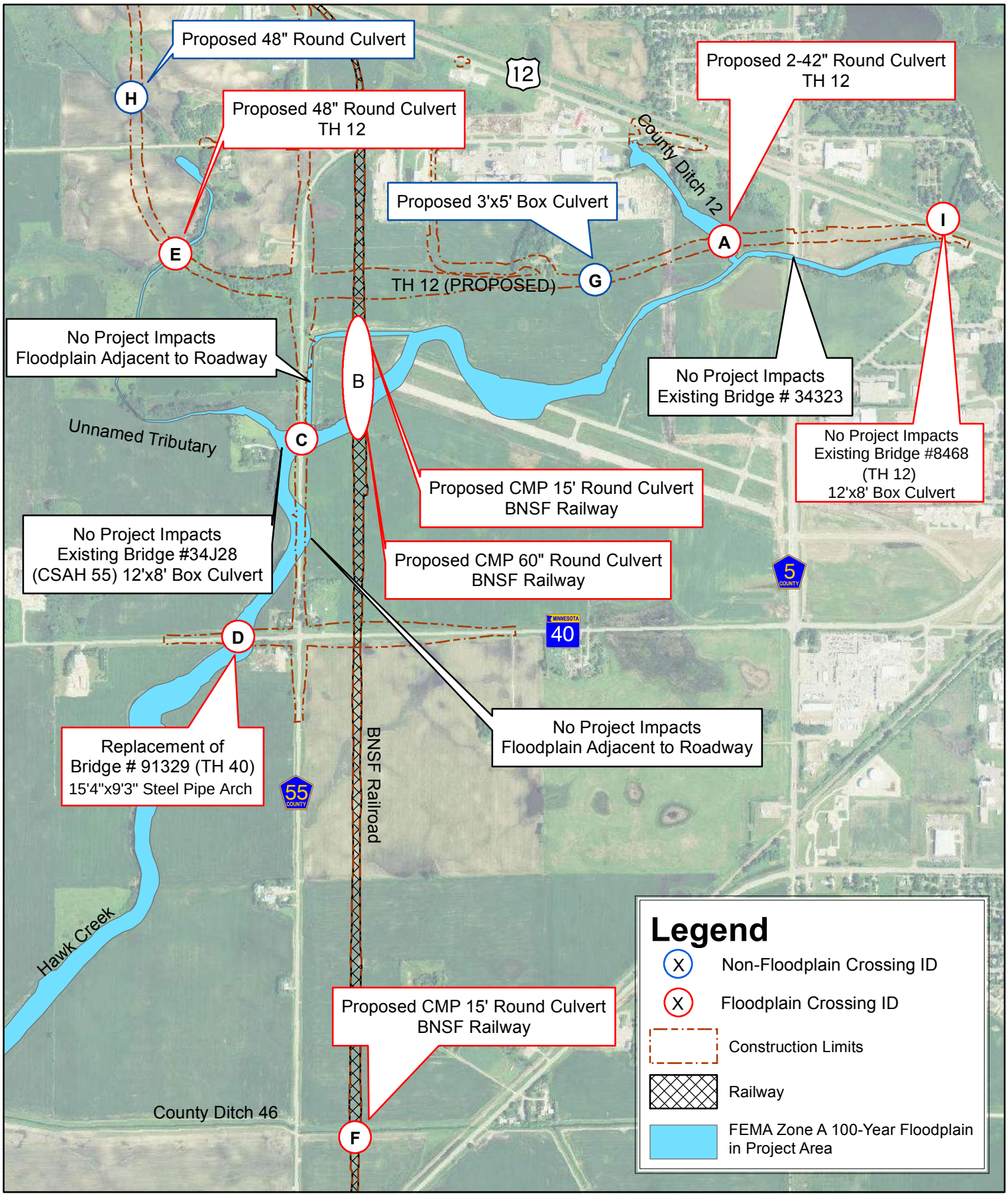






This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

FIGURE:
FEMA Floodplain Area
Willmar Wye Project
City of Willmar
SP 3403-74 September 2016



DEPARTMENT OF TRANSPORTATION

Willmar Rail Connector & Industrial Access Project

S.P. 3403-74

Proposed Floodplain Impacts and Crossings

Willmar, MN

N

0 400 800 1,600

Feet

Bridge Number TH12, CD 12

Date February 26, 2017

* Stream name	County Ditch 12
Drainage area	0.12 square miles
Flood of record	Unknown
Maximum observed highwater elevation	Unknown
* Design flood (50 - year frequency)	32 cfs
Road sag point elevation	1116.0
Design stage	1115.48
Total stage increase	-0.11 ft
* Headwater elevation	1115.37
Stage increase of the inplace condition	0 ft
Min. waterway opening below elevation	24.91 ft2 at el. 1115.37
Low member at or above elevation	N/A
Mean velocity through structure	1.3 fps
Main channel velocity	1.06 fps
Overtopping flood or Greatest flood (500 -year frequency)	52 cfs
Road sag point elevation	1122
Stage	1115.72
Total stage increase	-0.14 ft
* Headwater elevation	1115.58
Stage increase of the inplace condition	0 ft
Mean velocity through structure	1.72 fps
* Basic flood (100-year frequency)	52 cfs
Stage	1115.72
Total stage increase	-0.14 ft
* Headwater elevation	1115.58
Stage increase of the inplace condition	0 ft
Min. overflow area above sag point elev.	n/a
Mean overflow velocity	n/a
Mean velocity through structure	1.72 fps
Approximate flowline elevation	1113.5
Estimated pier scour elevation	N/A
Year frequency scour was calculated for	N/A
Skew	0
Scour Code	E

*Items to be shown on Grading Plan

*Elevation datum NAVD88 [adjusted]

RISK ASSESSMENT FOR ENCROACHMENT DESIGN

Date: 2/26/2017

District: 8 **County:** Kandiyohi **Vicinity of:** TH12, County Ditch 12

DATA REQUIREMENTS

1. Location of Crossing: Proposed TH12 **C.S.** 3403 **M.P.** 72

Sec. 17 **T** 119N **R** 35W

2. Name of Stream: County Ditch 12 **Bridge No. Old:** N/A **New:**

3. Current ADT: N/A **Projected ADT:** 6400

4. Practicable detour available ☑ Yes ☐ No

If no is checked, please explain:

If there is no practicable detour available, then the use of the road must be analyzed. Considerations such as emergency vehicle access, emergency supply and evacuation route, and the need for school bus, milk and mail routes should be studied. Factors to consider for this analysis include design frequency, depth, duration, and frequency of inundation if appropriate, and available funding.

5. Hydraulic Data: (Fill in as appropriate)

Elevation Datum: NAVD88

Q_2 =		cfs	HW_2 Elevation		ft
Q_5 =		cfs	HW_5 Elevation		ft
Q_{10} =	25	cfs	HW_{10} Elevation	1115.27	ft
Q_{25} =		cfs	HW_{25} Elevation		ft
Q_{50} =	32	cfs	HW_{50} Elevation	1115.37	ft
Q_{100} =	52	cfs	HW_{100} Elevation	1115.72	ft
Q_{500} =		cfs	HW_{500} Elevation		ft

Approximate Flowline Elevation: 1113.5 Ft

Design Frequency Event: ☐ 100-yr ☑ 50-yr ☐ 25-yr ☐ 10-yr

Reasons for selecting Design Frequency: Minnesota State Statute 6115.0231

6. Magnitude and Frequency of the smaller of "Overtopping" or "500 yr." (Greatest) flood: 100-year

7. Low member elevation: 1117.0 (top of culvert)

8. Minimum roadway overflow elevation if appropriate: 1122

9. Elevation of high risk property, i.e. residences: N/A

Other buildings

10. Horizontal location of overflow:

☐ At Structure (See 12) ☑ Not At Structure:

11. Type of proposed structure:

☐ Bridge (See 12) ☑ Culvert(s)

12	If the proposed structure is a bridge with the sag point located on the bridge and there is ice and debris potential, strong consideration should be given to using Q_{50} as design discharge with 3' of clearance between the 50 year tailwater stage and low member.	
1.	**BACKWATER DAMAGE** - Major flood damage in this context refers to shopping centers, hospitals, chemical plants, power plants, housing developments, etc.	**LTEC Design**
1a.	Is the overtopping flood greater than the 100 yr. flood? ☑ Yes (Go to 1b) ☐ No (Go to 1e)	
1b.	Is the overtopping flood greater than the "greatest" flood (500 yr. Frequency)? ☑ Yes (Go to 1d) ☐ No (Go to 1c)	
1c.	Is there major flood damage potential for the overtopping flood? ☐ No (Go to 1e)	☐ Yes (Go to 1e)
1d.	Is there major flood damage potential for the greatest flood (500 year frequency)? ☑ No (Go to 1e)	☐ Yes (Go to 1e)
1e.	Will there be flood damage potential to residence(s) or other buildings during a 100 yr. flood? ☐ Yes (Go to 1f) ☑ No (Go to 2)	
1f.	Could this flood damage occur even if the roadway crossing wasn't there? ☐ Yes (Go to 1g) ☐ No (Go to 1h)	
1g.	Could this flood damage be significantly increased by the backwater caused by the proposed crossing? ☐ Yes (Go to 1h) ☐ No (Go to 2)	
1h.	Could the stream crossing be designed in such a manner so as to minimize this potential flood damage? ☐ Yes (Go to 1i) ☐ No (Go to 2)	
1i.	Does the value of the building(s) and/or its contents have sufficient value to justify further evaluation of risk and potential flood damage? ☐ No (Go to 2)	☐ Yes (Go to 2)
2.	**TRAFFIC RELATED LOSSES**	
2a.	Is the overtopping flood greater than the "greatest" flood (500 yr. frequency)? ☑ Yes (Go to 3) ☐ No (Go to 2b)	
2b.	Does the ADT exceed 50 vehicles per day? ☐ Yes (Go to 2c) ☐ No (Go to 3)	
2c.	Would the (duration of road closure in days) multiplied by the (length of detour minus the length of normal route in miles) exceed 20? ☐ Yes (Go to 2d) ☐ No (Go to 3)	
2d.	Does the annual risk cost for traffic related costs exceed 10% of the annual capital costs? ☑ No (Go to 3) (See figures A and B – Appendix A(2) - for Assistance)	☐ Yes (Go to 3)

3. ROADWAY AND/OR STRUCTURE REPAIR COSTS	
3a. Is the overtopping flood less than a 100 year frequency flood? ☐ Yes (Go to 3b) ☑ No (Go to 3i)	
3b. Compare the Tailwater (TW) elevation with the roadway sag point elevation for the overtopping flood. Check the appropriate category. ☐ When TW is above the sag point (Go to 4) ☐ TW is between 0 and 0.5' below sag point (Go to 3c) ☐ TW is between 0.5' and 1.0' below sag point (Go to 3d) ☐ When TW is 1.0' and 2.0' below sag point (Go to 3e) ☐ When TW is more than 2.0' below sag point (Go to 3g)	
3c. Does the embankment have a good erosion resistant vegetative cover? ☐ Yes (Go to 3i) ☐ No (Go to 3d)	
3d. Is the shoulder constructed from erosion resistant material such as paved, coarse gravel, or clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3e)	
3e. Will the duration of overtopping for the 25-year flood exceed 1 hour? ☐ Yes (Go to 3f) ☐ No (Go to 3i)	
3f. Is the embankment constructed from erosion resistant material such as a clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3g)	
3g. Is the overtopping flood less than a 25-year frequency flood? ☐ Yes (Go to 3h) ☐ No (Go to 3i)	
3h. Will the cost of protecting the roadway and/or embankment from severe damage caused by overtopping exceed the cost of providing additional culvert or bridge capacity? ☐ No (Go to 3i);	☐ Yes (Go to 3i)
3i. Is there damage potential to the structure caused by scour, ice, debris or other means during the lesser of the overtopping flood or the 100 year flood? ☐ Yes (Go to 3j) ☑ No (Go to 4)	
3j. Will the cost of protecting the structure from damage exceed the cost of providing additional culvert or bridge water capacity? ☐ No (Go to 4); protecting abutments from scour by riprap.	☐ Yes (Go to 4)
4. Will the capital cost of the structure exceed $1,000,000? ☑ No (Go to 5);	☐ Yes (Go to 5)
5. In your opinion, are there any other factors that you feel should require further study through a risk analysis? ☑ No (Go to 6);	☐ Yes (Indicate)

6. If there are no ✓'s in the LTEC Design column on the right, proceed with the design, selecting the lowest acceptable grade line and the smallest waterway opening consistent with the constraints imposed on the project. The risk assessment has demonstrated that potential flood damage costs, traffic related costs, roadway and/or structure repair costs are minor and therefore disregarded for this project.

One or more ✓'s in the LTEC Design column indicates further analysis in the category checked may be required utilizing the LTEC design process or justification (below) why it is not required.

JUSTIFICATION:

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota:

Signature: _____

License Number: _____ Date: _____

Bridge Number 91329 (TH 40)

Date April 12, 2017

* Stream name	Hawk Creek
Drainage area	33.41 square miles
Flood of record	Unknown
Maximum observed highwater elevation	Unknown
* Design flood (100 - year frequency)	616 cfs
Road sag point elevation	1118.9
Design stage	1109.19
Total stage increase	1.62 ft
* Headwater elevation	1110.81
Stage increase of the inplace condition	1.62 ft
Min. waterway opening below elevation	185.52 ft2 at el. 1110.81
Low member at or above elevation	N/A
Mean velocity through structure	3.32 fps
Main channel velocity	2.37 fps
Overtopping flood or Greatest flood (500 -year frequency)	931 cfs
Road sag point elevation	1118.9
Stage	1110.38
Total stage increase	2.74 ft
* Headwater elevation	1113.12
Stage increase of the inplace condition	2.74 ft
Mean velocity through structure	3.69 fps
* Basic flood (100-year frequency)	616 cfs
Stage	1109.19
Total stage increase	1.62 ft
* Headwater elevation	1110.81
Stage increase of the inplace condition	1.62 ft
Min. overflow area above sag point elev.	n/a
Mean overflow velocity	n/a
Mean velocity through structure	3.32 fps
Approximate flowline elevation	1103.4
Estimated pier scour elevation	N/A
Year frequency scour was calculated for	N/A
Skew	0
Scour Code	E

*Items to be shown on Grading Plan

*Elevation datum NAVD88 [adjusted]

RISK ASSESSMENT FOR ENCROACHMENT DESIGN

Date: 4/12/2017

District: 8 **County:** Kandiyohi **Vicinity of:** Approx. 0.3 miles west of CSAH55 in Willmar, MN

DATA REQUIREMENTS

1. **Location of Crossing:** TH 40 **C.S.** _____ **M.P.** _____

   Sec. 17 **T** 119N **R** 35W

2. **Name of Stream:** Hawk Creek **Bridge No. Old:** 91329 **New:** _____

3. **Current ADT:** 1400 **Projected ADT:** _____

4. **Practicable detour available** ☑ Yes ☐ No

If no is checked, please explain: _____

If there is no practicable detour available, then the use of the road must be analyzed. Considerations such as emergency vehicle access, emergency supply and evacuation route, and the need for school bus, milk and mail routes should be studied. Factors to consider for this analysis include design frequency, depth, duration, and frequency of inundation if appropriate, and available funding.

5. **Hydraulic Data: (Fill in as appropriate)**

   Elevation Datum: NAVD88

Q_2 =		cfs	HW_2 Elevation		ft
Q_5 =		cfs	HW_5 Elevation		ft
Q_{10} =		cfs	HW_{10} Elevation		ft
Q_{25} =		cfs	HW_{25} Elevation		ft
Q_{50} =	496	cfs	HW_{50} Elevation	1109.78	ft
Q_{100} =	616	cfs	HW_{100} Elevation	1110.62	ft
Q_{500} =	931	cfs	HW_{500} Elevation	1112.67	ft

Approximate Flowline Elevation: 1103.4 Ft

Design Frequency Event: ☐ 100-yr ☑ 50-yr ☐ 25-yr ☐ 10-yr

Reasons for selecting Design Frequency: Minnesota State Statute 6115.0231

6. **Magnitude and Frequency of the smaller of "Overtopping" or "500 yr." (Greatest) flood:** 500-year

7. **Low member elevation:** 1113.4

8. **Minimum roadway overflow elevation if appropriate:** 1118.9 at station 406+00

9. **Elevation of high risk property, i.e. residences:** N/A

   Other buildings _____

10. **Horizontal location of overflow:**

    ☐ At Structure (See 12) ☑ Not At Structure:

11. **Type of proposed structure:**

    ☐ Bridge (See 12) ☑ Culvert(s)

12	If the proposed structure is a bridge with the sag point located on the bridge and there is ice and debris potential, strong consideration should be given to using Q_{50} as design discharge with 3' of clearance between the 50 year tailwater stage and low member.	
1.	**BACKWATER DAMAGE** - Major flood damage in this context refers to shopping centers, hospitals, chemical plants, power plants, housing developments, etc.	**LTEC Design**
1a.	Is the overtopping flood greater than the 100 yr. flood? ☑ Yes (Go to 1b) ☐ No (Go to 1e)	
1b.	Is the overtopping flood greater than the "greatest" flood (500 yr. Frequency)? ☑ Yes (Go to 1d) ☐ No (Go to 1c)	
1c.	Is there major flood damage potential for the overtopping flood? ☐ No (Go to 1e)	☐ Yes (Go to 1e)
1d.	Is there major flood damage potential for the greatest flood (500 year frequency)? ☑ No (Go to 1e)	☐ Yes (Go to 1e)
1e.	Will there be flood damage potential to residence(s) or other buildings during a 100 yr. flood? ☐ Yes (Go to 1f) ☑ No (Go to 2)	
1f.	Could this flood damage occur even if the roadway crossing wasn't there? ☐ Yes (Go to 1g) ☐ No (Go to 1h)	
1g.	Could this flood damage be significantly increased by the backwater caused by the proposed crossing? ☐ Yes (Go to 1h) ☐ No (Go to 2)	
1h.	Could the stream crossing be designed in such a manner so as to minimize this potential flood damage? ☐ Yes (Go to 1i) ☐ No (Go to 2)	
1i.	Does the value of the building(s) and/or its contents have sufficient value to justify further evaluation of risk and potential flood damage? ☐ No (Go to 2)	☐ Yes (Go to 2)
2.	**TRAFFIC RELATED LOSSES**	
2a.	Is the overtopping flood greater than the "greatest" flood (500 yr. frequency)? ☑ Yes (Go to 3) ☐ No (Go to 2b)	
2b.	Does the ADT exceed 50 vehicles per day? ☐ Yes (Go to 2c) ☐ No (Go to 3)	
2c.	Would the (duration of road closure in days) multiplied by the (length of detour minus the length of normal route in miles) exceed 20? ☐ Yes (Go to 2d) ☐ No (Go to 3)	
2d.	Does the annual risk cost for traffic related costs exceed 10% of the annual capital costs? ☑ No (Go to 3) (See figures A and B – Appendix A(2) - for Assistance)	☐ Yes (Go to 3)

3. ROADWAY AND/OR STRUCTURE REPAIR COSTS	
3a. Is the overtopping flood less than a 100 year frequency flood? ☐ Yes (Go to 3b) ☑ No (Go to 3i)	
3b. Compare the Tailwater (TW) elevation with the roadway sag point elevation for the overtopping flood. Check the appropriate category. ☐ When TW is above the sag point (Go to 4) ☐ TW is between 0 and 0.5' below sag point (Go to 3c) ☐ TW is between 0.5' and 1.0' below sag point (Go to 3d) ☐ When TW is 1.0' and 2.0' below sag point (Go to 3e) ☐ When TW is more than 2.0' below sag point (Go to 3g)	
3c. Does the embankment have a good erosion resistant vegetative cover? ☐ Yes (Go to 3i) ☐ No (Go to 3d)	
3d. Is the shoulder constructed from erosion resistant material such as paved, coarse gravel, or clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3e)	
3e. Will the duration of overtopping for the 25-year flood exceed 1 hour? ☐ Yes (Go to 3f) ☐ No (Go to 3i)	
3f. Is the embankment constructed from erosion resistant material such as a clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3g)	
3g. Is the overtopping flood less than a 25-year frequency flood? ☐ Yes (Go to 3h) ☐ No (Go to 3i)	
3h. Will the cost of protecting the roadway and/or embankment from severe damage caused by overtopping exceed the cost of providing additional culvert or bridge capacity? ☐ No (Go to 3i);	☐ Yes (Go to 3i)
3i. Is there damage potential to the structure caused by scour, ice, debris or other means during the lesser of the overtopping flood or the 100 year flood? ☐ Yes (Go to 3j) ☑ No (Go to 4)	
3j. Will the cost of protecting the structure from damage exceed the cost of providing additional culvert or bridge water capacity? ☐ No (Go to 4); protecting abutments from scour by riprap.	☐ Yes (Go to 4)
4. Will the capital cost of the structure exceed $1,000,000? ☑ No (Go to 5);	☐ Yes (Go to 5)
5. In your opinion, are there any other factors that you feel should require further study through a risk analysis? ☑ No (Go to 6);	☐ Yes (Indicate)

6. If there are no ✓'s in the LTEC Design column on the right, proceed with the design, selecting the lowest acceptable grade line and the smallest waterway opening consistent with the constraints imposed on the project. The risk assessment has demonstrated that potential flood damage costs, traffic related costs, roadway and/or structure repair costs are minor and therefore disregarded for this project.

One or more ✓'s in the LTEC Design column indicates further analysis in the category checked may be required utilizing the LTEC design process or justification (below) why it is not required.

JUSTIFICATION:

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota:

Signature: _____

License Number: _____ Date: _____

Bridge Number Approx 1000' west of

Date February 26, 2017

* Stream name	Tributary to Hawk Creek
Drainage area	2.59 square miles
Flood of record	Unknown
Maximum observed highwater elevation	Unknown
* Design flood (50 - year frequency)	68 cfs
Road sag point elevation	1121.5
Design stage	1114.69
Total stage increase	2.13 ft
* Headwater elevation	1116.82
Stage increase of the inplace condition	0 ft
Min. waterway opening below elevation	54.7 ft2 at el. 1116.82
Low member at or above elevation	N/A
Mean velocity through structure	1.24 fps
Main channel velocity	0.78 fps
Overtopping flood or Greatest flood (500 -year frequency)	89 cfs
Road sag point elevation	1121.5
Stage	1114.98
Total stage increase	3.16 ft
* Headwater elevation	1118.14
Stage increase of the inplace condition	0 ft
Mean velocity through structure	0.79 fps
* Basic flood (100-year frequency)	89 cfs
Stage	1114.98
Total stage increase	3.16 ft
* Headwater elevation	1118.14
Stage increase of the inplace condition	0 ft
Min. overflow area above sag point elev.	n/a
Mean overflow velocity	n/a
Mean velocity through structure	0.79 fps
Approximate flowline elevation	1112.4
Estimated pier scour elevation	N/A
Year frequency scour was calculated for	N/A
Skew	0
Scour Code	E

*Items to be shown on Grading Plan

*Elevation datum NAVD88 [adjusted]

RISK ASSESSMENT FOR ENCROACHMENT DESIGN

Date: 2/26/2017

District: 8 **County:** Kandiyohi **Vicinity of:** Approx 1000' west of CSAH 55 in WIllmar MN

DATA REQUIREMENTS

1. **Location of Crossing:** Proposed TH12 **C.S.** **M.P.**

   Sec. 17 **T** 119N **R** 35W

2. **Name of Stream:** Unnamed tributary to HAwk Creek **Bridge No. Old:** N/A **New:**

3. **Current ADT:** N/A **Projected ADT:** 6400

4. **Practicable detour available** ☑ Yes ☐ No

If no is checked, please explain:

If there is no practicable detour available, then the use of the road must be analyzed. Considerations such as emergency vehicle access, emergency supply and evacuation route, and the need for school bus, milk and mail routes should be studied. Factors to consider for this analysis include design frequency, depth, duration, and frequency of inundation if appropriate, and available funding.

5. **Hydraulic Data: (Fill in as appropriate)**

   Elevation Datum: NAVD88

Q_2 =		cfs	HW_2 Elevation		ft
Q_5 =		cfs	HW_5 Elevation		ft
Q_{10} =	39	cfs	HW_{10} Elevation	1115.35	ft
Q_{25} =		cfs	HW_{25} Elevation		ft
Q_{50} =	68	cfs	HW_{50} Elevation	1116.82	ft
Q_{100} =	89	cfs	HW_{100} Elevation	1118.14	ft
Q_{500} =		cfs	HW_{500} Elevation		ft

Approximate Flowline Elevation: 1112.4 Ft

Design Frequency Event: ☐ 100-yr ☑ 50-yr ☐ 25-yr ☐ 10-yr

Reasons for selecting Design Frequency: Minnesota State Statute 6115.0231 -

6. **Magnitude and Frequency of the smaller of "Overtopping" or "500 yr." (Greatest) flood:** 100-year

7. **Low member elevation:** 1115.9 (top of culvert)

8. **Minimum roadway overflow elevation if appropriate:** 1121.5

9. **Elevation of high risk property, i.e. residences:** N/A

   Other buildings

10. **Horizontal location of overflow:**

    ☐ At Structure (See 12) ☑ Not At Structure:

11. **Type of proposed structure:**

    ☐ Bridge (See 12) ☑ Culvert(s)

12	If the proposed structure is a bridge with the sag point located on the bridge and there is ice and debris potential, strong consideration should be given to using Q_{50} as design discharge with 3' of clearance between the 50 year tailwater stage and low member.	
1.	**BACKWATER DAMAGE** - Major flood damage in this context refers to shopping centers, hospitals, chemical plants, power plants, housing developments, etc.	**LTEC Design**
1a.	Is the overtopping flood greater than the 100 yr. flood? ☑ Yes (Go to 1b) ☐ No (Go to 1e)	
1b.	Is the overtopping flood greater than the "greatest" flood (500 yr. Frequency)? ☑ Yes (Go to 1d) ☐ No (Go to 1c)	
1c.	Is there major flood damage potential for the overtopping flood? ☐ No (Go to 1e)	☐ Yes (Go to 1e)
1d.	Is there major flood damage potential for the greatest flood (500 year frequency)? ☑ No (Go to 1e)	☐ Yes (Go to 1e)
1e.	Will there be flood damage potential to residence(s) or other buildings during a 100 yr. flood? ☐ Yes (Go to 1f) ☑ No (Go to 2)	
1f.	Could this flood damage occur even if the roadway crossing wasn't there? ☐ Yes (Go to 1g) ☐ No (Go to 1h)	
1g.	Could this flood damage be significantly increased by the backwater caused by the proposed crossing? ☐ Yes (Go to 1h) ☐ No (Go to 2)	
1h.	Could the stream crossing be designed in such a manner so as to minimize this potential flood damage? ☐ Yes (Go to 1i) ☐ No (Go to 2)	
1i.	Does the value of the building(s) and/or its contents have sufficient value to justify further evaluation of risk and potential flood damage? ☐ No (Go to 2)	☐ Yes (Go to 2)
2.	**TRAFFIC RELATED LOSSES**	
2a.	Is the overtopping flood greater than the "greatest" flood (500 yr. frequency)? ☑ Yes (Go to 3) ☐ No (Go to 2b)	
2b.	Does the ADT exceed 50 vehicles per day? ☐ Yes (Go to 2c) ☐ No (Go to 3)	
2c.	Would the (duration of road closure in days) multiplied by the (length of detour minus the length of normal route in miles) exceed 20? ☐ Yes (Go to 2d) ☐ No (Go to 3)	
2d.	Does the annual risk cost for traffic related costs exceed 10% of the annual capital costs? ☑ No (Go to 3) (See figures A and B – Appendix A(2) - for Assistance)	☐ Yes (Go to 3)

3. ROADWAY AND/OR STRUCTURE REPAIR COSTS	
3a. Is the overtopping flood less than a 100 year frequency flood? ☐ Yes (Go to 3b) ☑ No (Go to 3i)	
3b. Compare the Tailwater (TW) elevation with the roadway sag point elevation for the overtopping flood. Check the appropriate category. ☐ When TW is above the sag point (Go to 4) ☐ TW is between 0 and 0.5' below sag point (Go to 3c) ☐ TW is between 0.5' and 1.0' below sag point (Go to 3d) ☐ When TW is 1.0' and 2.0' below sag point (Go to 3e) ☐ When TW is more than 2.0' below sag point (Go to 3g)	
3c. Does the embankment have a good erosion resistant vegetative cover? ☐ Yes (Go to 3i) ☐ No (Go to 3d)	
3d. Is the shoulder constructed from erosion resistant material such as paved, coarse gravel, or clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3e)	
3e. Will the duration of overtopping for the 25-year flood exceed 1 hour? ☐ Yes (Go to 3f) ☐ No (Go to 3i)	
3f. Is the embankment constructed from erosion resistant material such as a clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3g)	
3g. Is the overtopping flood less than a 25-year frequency flood? ☐ Yes (Go to 3h) ☐ No (Go to 3i)	
3h. Will the cost of protecting the roadway and/or embankment from severe damage caused by overtopping exceed the cost of providing additional culvert or bridge capacity? ☐ No (Go to 3i);	☐ Yes (Go to 3i)
3i. Is there damage potential to the structure caused by scour, ice, debris or other means during the lesser of the overtopping flood or the 100 year flood? ☐ Yes (Go to 3j) ☑ No (Go to 4)	
3j. Will the cost of protecting the structure from damage exceed the cost of providing additional culvert or bridge water capacity? ☐ No (Go to 4); protecting abutments from scour by riprap.	☐ Yes (Go to 4)
4. Will the capital cost of the structure exceed $1,000,000? ☑ No (Go to 5);	☐ Yes (Go to 5)
5. In your opinion, are there any other factors that you feel should require further study through a risk analysis? ☑ No (Go to 6);	☐ Yes (Indicate)

6. If there are no ✓'s in the LTEC Design column on the right, proceed with the design, selecting the lowest acceptable grade line and the smallest waterway opening consistent with the constraints imposed on the project. The risk assessment has demonstrated that potential flood damage costs, traffic related costs, roadway and/or structure repair costs are minor and therefore disregarded for this project.

One or more ✓'s in the LTEC Design column indicates further analysis in the category checked may be required utilizing the LTEC design process or justification (below) why it is not required.

JUSTIFICATION:

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota:

Signature: _____

License Number: _____ Date: _____

Bridge Number North RR Crossing

Date September 9, 2016

* Stream name	Hawk Creek
Drainage area	33.41 square miles
Flood of record	Unknown
Maximum observed highwater elevation	Unknown
* Design flood (100 - year frequency)	616 cfs
Road sag point elevation	1118.72'
Design stage	1113.02
Total stage increase	0.48 ft
* Headwater elevation	1113.5
Stage increase of the inplace condition	0 ft
Min. waterway opening below elevation	503.01 ft2 at el. 1113.5
Low member at or above elevation	N/A
Mean velocity through structure	1.22 fps
Main channel velocity	1.61 fps
Overtopping flood or Greatest flood (500 -year frequency)	931 cfs
Road sag point elevation	1118.72'
Stage	1115.79
Total stage increase	0.66 ft
* Headwater elevation	1116.45
Stage increase of the inplace condition	0 ft
Mean velocity through structure	0.97 fps
* Basic flood (100-year frequency)	616 cfs
Stage	1113.02
Total stage increase	0.48 ft
* Headwater elevation	1113.5
Stage increase of the inplace condition	0 ft
Min. overflow area above sag point elev.	n/a
Mean overflow velocity	n/a
Mean velocity through structure	1.22 fps
Approximate flowline elevation	1106.5
Estimated pier scour elevation	N/A
Year frequency scour was calculated for	N/A
Skew	0 (north) 30 (south)
Scour Code	E

*Items to be shown on Grading Plan

*Elevation datum NAVD88 [adjusted]

RISK ASSESSMENT FOR ENCROACHMENT DESIGN

Date: 9/9/2016

District: 8 **County:** Kandiyohi **Vicinity of:** Northeast of intersection of CSAH55 and TH40 in Willmar MN

DATA REQUIREMENTS

1. Location of Crossing: BNSF RR sta 104+95 **C.S.** **M.P.**

Sec. 17 **T** 119N **R** 35W

2. Name of Stream: Hawk Creek **Bridge No. Old:** N/A **New:**

3. Current ADT: N/A **Projected ADT:** N/A

4. Practicable detour available ☑ Yes ☐ No

If no is checked, please explain:

If there is no practicable detour available, then the use of the road must be analyzed. Considerations such as emergency vehicle access, emergency supply and evacuation route, and the need for school bus, milk and mail routes should be studied. Factors to consider for this analysis include design frequency, depth, duration, and frequency of inundation if appropriate, and available funding.

5. Hydraulic Data: (Fill in as appropriate)

Elevation Datum: NAVD88

Q_2 =		cfs	HW_2 Elevation		ft
Q_5 =		cfs	HW_5 Elevation		ft
Q_{10} =		cfs	HW_{10} Elevation		ft
Q_{25} =		cfs	HW_{25} Elevation		ft
Q_{50} =	496	cfs	HW_{50} Elevation	1113.38	ft
Q_{100} =	616	cfs	HW_{100} Elevation	1114.42	ft
Q_{500} =	931	cfs	HW_{500} Elevation	1117.44	ft

Approximate Flowline Elevation: 1106.5 Ft

Design Frequency Event: ☑ 100-yr ☐ 50-yr ☐ 25-yr ☐ 10-yr

Reasons for selecting Design Frequency: Minnesota State Statute 6115.0231 - N/A to Railroad

6. Magnitude and Frequency of the smaller of "Overtopping" or "500 yr." (Greatest) flood: 500-year

7. Low member elevation: 1116.0 (top of culvert)

8. Minimum roadway overflow elevation if appropriate: Railroad sag point elevation is 1118.72 @ station 8+45

9. Elevation of high risk property, i.e. residences: N/A

Other buildings

10. Horizontal location of overflow:

☐ At Structure (See 12) ☑ Not At Structure:

11. Type of proposed structure:

☐ Bridge (See 12) ☑ Culvert(s)

12	If the proposed structure is a bridge with the sag point located on the bridge and there is ice and debris potential, strong consideration should be given to using Q_{50} as design discharge with 3' of clearance between the 50 year tailwater stage and low member.	
1.	**BACKWATER DAMAGE** - Major flood damage in this context refers to shopping centers, hospitals, chemical plants, power plants, housing developments, etc.	**LTEC Design**
1a.	Is the overtopping flood greater than the 100 yr. flood? ☑ Yes (Go to 1b) ☐ No (Go to 1e)	
1b.	Is the overtopping flood greater than the "greatest" flood (500 yr. Frequency)? ☑ Yes (Go to 1d) ☐ No (Go to 1c)	
1c.	Is there major flood damage potential for the overtopping flood? ☐ No (Go to 1e)	☐ Yes (Go to 1e)
1d.	Is there major flood damage potential for the greatest flood (500 year frequency)? ☑ No (Go to 1e)	☐ Yes (Go to 1e)
1e.	Will there be flood damage potential to residence(s) or other buildings during a 100 yr. flood? ☐ Yes (Go to 1f) ☑ No (Go to 2)	
1f.	Could this flood damage occur even if the roadway crossing wasn't there? ☐ Yes (Go to 1g) ☐ No (Go to 1h)	
1g.	Could this flood damage be significantly increased by the backwater caused by the proposed crossing? ☐ Yes (Go to 1h) ☐ No (Go to 2)	
1h.	Could the stream crossing be designed in such a manner so as to minimize this potential flood damage? ☐ Yes (Go to 1i) ☐ No (Go to 2)	
1i.	Does the value of the building(s) and/or its contents have sufficient value to justify further evaluation of risk and potential flood damage? ☐ No (Go to 2)	☐ Yes (Go to 2)
2.	**TRAFFIC RELATED LOSSES**	
2a.	Is the overtopping flood greater than the "greatest" flood (500 yr. frequency)? ☑ Yes (Go to 3) ☐ No (Go to 2b)	
2b.	Does the ADT exceed 50 vehicles per day? ☐ Yes (Go to 2c) ☐ No (Go to 3)	
2c.	Would the (duration of road closure in days) multiplied by the (length of detour minus the length of normal route in miles) exceed 20? ☐ Yes (Go to 2d) ☐ No (Go to 3)	
2d.	Does the annual risk cost for traffic related costs exceed 10% of the annual capital costs? ☑ No (Go to 3) (See figures A and B – Appendix A(2) - for Assistance)	☐ Yes (Go to 3)

3. ROADWAY AND/OR STRUCTURE REPAIR COSTS	
3a. Is the overtopping flood less than a 100 year frequency flood? ☐ Yes (Go to 3b) ☑ No (Go to 3i)	
3b. Compare the Tailwater (TW) elevation with the roadway sag point elevation for the overtopping flood. Check the appropriate category. ☐ When TW is above the sag point (Go to 4) ☐ TW is between 0 and 0.5' below sag point (Go to 3c) ☐ TW is between 0.5' and 1.0' below sag point (Go to 3d) ☐ When TW is 1.0' and 2.0' below sag point (Go to 3e) ☐ When TW is more than 2.0' below sag point (Go to 3g)	
3c. Does the embankment have a good erosion resistant vegetative cover? ☐ Yes (Go to 3i) ☐ No (Go to 3d)	
3d. Is the shoulder constructed from erosion resistant material such as paved, coarse gravel, or clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3e)	
3e. Will the duration of overtopping for the 25-year flood exceed 1 hour? ☐ Yes (Go to 3f) ☐ No (Go to 3i)	
3f. Is the embankment constructed from erosion resistant material such as a clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3g)	
3g. Is the overtopping flood less than a 25-year frequency flood? ☐ Yes (Go to 3h) ☐ No (Go to 3i)	
3h. Will the cost of protecting the roadway and/or embankment from severe damage caused by overtopping exceed the cost of providing additional culvert or bridge capacity? ☐ No (Go to 3i);	☐ Yes (Go to 3i)
3i. Is there damage potential to the structure caused by scour, ice, debris or other means during the lesser of the overtopping flood or the 100 year flood? ☐ Yes (Go to 3j) ☑ No (Go to 4)	
3j. Will the cost of protecting the structure from damage exceed the cost of providing additional culvert or bridge water capacity? ☐ No (Go to 4); protecting abutments from scour by riprap.	☐ Yes (Go to 4)
4. Will the capital cost of the structure exceed $1,000,000? ☑ No (Go to 5);	☐ Yes (Go to 5)
5. In your opinion, are there any other factors that you feel should require further study through a risk analysis? ☑ No (Go to 6);	☐ Yes (Indicate)

6. If there are no ✓'s in the LTEC Design column on the right, proceed with the design, selecting the lowest acceptable grade line and the smallest waterway opening consistent with the constraints imposed on the project. The risk assessment has demonstrated that potential flood damage costs, traffic related costs, roadway and/or structure repair costs are minor and therefore disregarded for this project.

One or more ✓'s in the LTEC Design column indicates further analysis in the category checked may be required utilizing the LTEC design process or justification (below) why it is not required.

JUSTIFICATION:

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota:

Signature: _____

License Number: _____ Date: _____

Bridge Number South RR Crossing

Date September 2, 2016

* Stream name	County Ditch 46
Drainage area	4.26 square miles
Flood of record	Unknown
Maximum observed highwater elevation	Unknown
* Design flood (100 - year frequency)	279 cfs
Road sag point elevation	1118.72'
Design stage	1111.24'
Total stage increase	0.16 ft
* Headwater elevation	1111.4'
Stage increase of the inplace condition	0 ft
Min. waterway opening below elevation	174.95 ft2 at el. 1111.4'
Low member at or above elevation	N/A
Mean velocity through structure	1.59 fps
Main channel velocity	1.44 fps
Overtopping flood or Greatest flood (500 -year frequency)	446 cfs
Road sag point elevation	1118.72'
Stage	1113.01'
Total stage increase	0.34 ft
* Headwater elevation	1113.35'
Stage increase of the inplace condition	0 ft
Mean velocity through structure	1.93 fps
* Basic flood (100-year frequency)	279 cfs
Stage	1111.24'
Total stage increase	0.16 ft
* Headwater elevation	1111.4'
Stage increase of the inplace condition	0 ft
Min. overflow area above sag point elev.	n/a
Mean overflow velocity	n/a
Mean velocity through structure	1.59 fps
Approximate flowline elevation	1104.3
Estimated pier scour elevation	N/A
Year frequency scour was calculated for	N/A
Skew	0
Scour Code	E

*Items to be shown on Grading Plan

*Elevation datum NAVD88 [adjusted]

RISK ASSESSMENT FOR ENCROACHMENT DESIGN

Date: 9/2/2016

District: 8 **County:** Kandiyohi **Vicinity of:** EAst of CSAH 55 in Willmar MN

DATA REQUIREMENTS

1. **Location of Crossing:** BNSF RR sta 18+54 **C.S.** **M.P.**

   Sec. 17 **T** 119N **R** 35W

2. **Name of Stream:** County Ditch 46 **Bridge No. Old:** N/A **New:**

3. **Current ADT:** N/A **Projected ADT:** N/A

4. **Practicable detour available** ☑ Yes ☐ No

If no is checked, please explain:

If there is no practicable detour available, then the use of the road must be analyzed. Considerations such as emergency vehicle access, emergency supply and evacuation route, and the need for school bus, milk and mail routes should be studied. Factors to consider for this analysis include design frequency, depth, duration, and frequency of inundation if appropriate, and available funding.

5. **Hydraulic Data: (Fill in as appropriate)**

   Elevation Datum: NAVD88

Q_2 =		cfs	HW_2 Elevation		ft
Q_5 =		cfs	HW_5 Elevation		ft
Q_{10} =		cfs	HW_{10} Elevation		ft
Q_{25} =		cfs	HW_{25} Elevation		ft
Q_{50} =	218	cfs	HW_{50} Elevation	1110.53	ft
Q_{100} =	279	cfs	HW_{100} Elevation	1111.37	ft
Q_{500} =	446	cfs	HW_{500} Elevation	1113.3	ft

Approximate Flowline Elevation: 1104.3 Ft

Design Frequency Event: ☑ 100-yr ☐ 50-yr ☐ 25-yr ☐ 10-yr

Reasons for selecting Design Frequency: Minnesota State Statute 6115.0231 - N/A to Railroad

6. **Magnitude and Frequency of the smaller of "Overtopping" or "500 yr." (Greatest) flood:** 500-year

7. **Low member elevation:** 1114.3 (top of culvert)

8. **Minimum roadway overflow elevation if appropriate:** Railroad sag point is 1118.72 @ station 8+45

9. **Elevation of high risk property, i.e. residences:** N/A
   Other buildings

10. **Horizontal location of overflow:**
    ☐ At Structure (See 12) ☑ Not At Structure:

11. **Type of proposed structure:**
    ☐ Bridge (See 12) ☑ Culvert(s)

12	If the proposed structure is a bridge with the sag point located on the bridge and there is ice and debris potential, strong consideration should be given to using Q_{50} as design discharge with 3' of clearance between the 50 year tailwater stage and low member.	
1.	**BACKWATER DAMAGE** - Major flood damage in this context refers to shopping centers, hospitals, chemical plants, power plants, housing developments, etc.	**LTEC Design**
1a.	Is the overtopping flood greater than the 100 yr. flood? ☑ Yes (Go to 1b) ☐ No (Go to 1e)	
1b.	Is the overtopping flood greater than the "greatest" flood (500 yr. Frequency)? ☑ Yes (Go to 1d) ☐ No (Go to 1c)	
1c.	Is there major flood damage potential for the overtopping flood? ☐ No (Go to 1e)	☐ Yes (Go to 1e)
1d.	Is there major flood damage potential for the greatest flood (500 year frequency)? ☑ No (Go to 1e)	☐ Yes (Go to 1e)
1e.	Will there be flood damage potential to residence(s) or other buildings during a 100 yr. flood? ☐ Yes (Go to 1f) ☑ No (Go to 2)	
1f.	Could this flood damage occur even if the roadway crossing wasn't there? ☐ Yes (Go to 1g) ☐ No (Go to 1h)	
1g.	Could this flood damage be significantly increased by the backwater caused by the proposed crossing? ☐ Yes (Go to 1h) ☐ No (Go to 2)	
1h.	Could the stream crossing be designed in such a manner so as to minimize this potential flood damage? ☐ Yes (Go to 1i) ☐ No (Go to 2)	
1i.	Does the value of the building(s) and/or its contents have sufficient value to justify further evaluation of risk and potential flood damage? ☐ No (Go to 2)	☐ Yes (Go to 2)
2.	**TRAFFIC RELATED LOSSES**	
2a.	Is the overtopping flood greater than the "greatest" flood (500 yr. frequency)? ☑ Yes (Go to 3) ☐ No (Go to 2b)	
2b.	Does the ADT exceed 50 vehicles per day? ☐ Yes (Go to 2c) ☐ No (Go to 3)	
2c.	Would the (duration of road closure in days) multiplied by the (length of detour minus the length of normal route in miles) exceed 20? ☐ Yes (Go to 2d) ☐ No (Go to 3)	
2d.	Does the annual risk cost for traffic related costs exceed 10% of the annual capital costs? ☑ No (Go to 3) (See figures A and B – Appendix A(2) - for Assistance)	☐ Yes (Go to 3)

3. ROADWAY AND/OR STRUCTURE REPAIR COSTS	
3a. Is the overtopping flood less than a 100 year frequency flood? ☐ Yes (Go to 3b) ☑ No (Go to 3i)	
3b. Compare the Tailwater (TW) elevation with the roadway sag point elevation for the overtopping flood. Check the appropriate category. ☐ When TW is above the sag point (Go to 4) ☐ TW is between 0 and 0.5' below sag point (Go to 3c) ☐ TW is between 0.5' and 1.0' below sag point (Go to 3d) ☐ When TW is 1.0' and 2.0' below sag point (Go to 3e) ☐ When TW is more than 2.0' below sag point (Go to 3g)	
3c. Does the embankment have a good erosion resistant vegetative cover? ☐ Yes (Go to 3i) ☐ No (Go to 3d)	
3d. Is the shoulder constructed from erosion resistant material such as paved, coarse gravel, or clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3e)	
3e. Will the duration of overtopping for the 25-year flood exceed 1 hour? ☐ Yes (Go to 3f) ☐ No (Go to 3i)	
3f. Is the embankment constructed from erosion resistant material such as a clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3g)	
3g. Is the overtopping flood less than a 25-year frequency flood? ☐ Yes (Go to 3h) ☐ No (Go to 3i)	
3h. Will the cost of protecting the roadway and/or embankment from severe damage caused by overtopping exceed the cost of providing additional culvert or bridge capacity? ☐ No (Go to 3i);	☐ Yes (Go to 3i)
3i. Is there damage potential to the structure caused by scour, ice, debris or other means during the lesser of the overtopping flood or the 100 year flood? ☐ Yes (Go to 3j) ☑ No (Go to 4)	
3j. Will the cost of protecting the structure from damage exceed the cost of providing additional culvert or bridge water capacity? ☐ No (Go to 4); protecting abutments from scour by riprap.	☐ Yes (Go to 4)
4. Will the capital cost of the structure exceed $1,000,000? ☑ No (Go to 5);	☐ Yes (Go to 5)
5. In your opinion, are there any other factors that you feel should require further study through a risk analysis? ☑ No (Go to 6);	☐ Yes (Indicate)

6. If there are no ✓'s in the LTEC Design column on the right, proceed with the design, selecting the lowest acceptable grade line and the smallest waterway opening consistent with the constraints imposed on the project. The risk assessment has demonstrated that potential flood damage costs, traffic related costs, roadway and/or structure repair costs are minor and therefore disregarded for this project.

One or more ✓'s in the LTEC Design column indicates further analysis in the category checked may be required utilizing the LTEC design process or justification (below) why it is not required.

JUSTIFICATION:

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota:

Signature: _____

License Number: _____ Date: _____

RISK ASSESSMENT FOR ENCROACHMENT DESIGN

Date: 02/27/2017

District: 8 **County:** Kandiyohi **Vicinity of:** STA 44+32 Willmar, MN

DATA REQUIREMENTS

1. **Location of Crossing:** TH 12 **C.S.** 3403 **M.P.** 71

   Sec. 7 **T** 1119N **R** 35W

2. **Name of Stream:** Unnamed **Bridge No. Old:** _____ **New:** _____

3. **Current ADT:** 6400 **Projected ADT:** _____

4. **Practicable detour available** ☑ Yes ☐ No

If no is checked, please explain: _____

If there is no practicable detour available, then the use of the road must be analyzed. Considerations such as emergency vehicle access, emergency supply and evacuation route, and the need for school bus, milk and mail routes should be studied. Factors to consider for this analysis include design frequency, depth, duration, and frequency of inundation if appropriate, and available funding.

5. **Hydraulic Data: (Fill in as appropriate)**

   Elevation Datum: NAVD88

Q_2 =	31.21	cfs	HW_2 Elevation	1118.02	ft
Q_5 =		cfs	HW_5 Elevation		ft
Q_{10} =	68.30	cfs	HW_{10} Elevation	1118.77	ft
Q_{25} =		cfs	HW_{25} Elevation		ft
Q_{50} =	150.74	cfs	HW_{50} Elevation	1120.12	ft
Q_{100} =	218.57	cfs	HW_{100} Elevation	1121.24	ft
Q_{500} =		cfs	HW_{500} Elevation		ft

Approximate Flowline Elevation: 1116.5 Ft

Design Frequency Event: ☐ 100-yr ☑ 50-yr ☐ 25-yr ☐ 10-yr

Reasons for selecting Design Frequency: According to MnDOT Drainage Manual

6. **Magnitude and Frequency of the smaller of "Overtopping" or "500 yr." (Greatest) flood:** 218.6 cfs;100 year

7. **Low member elevation:** 1119.5 (approximate top of culvert)

8. **Minimum roadway overflow elevation if appropriate:** 1121.5

9. **Elevation of high risk property, i.e. residences:** 1124

   Other buildings _____

10. **Horizontal location of overflow:**

    ☐ At Structure (See 12) ☑ Not At Structure:

11. **Type of proposed structure:**

    ☐ Bridge (See 12) ☑ Culvert(s)

12	If the proposed structure is a bridge with the sag point located on the bridge and there is ice and debris potential, strong consideration should be given to using Q_{50} as design discharge with 3' of clearance between the 50 year tailwater stage and low member.	
1.	**BACKWATER DAMAGE** - Major flood damage in this context refers to shopping centers, hospitals, chemical plants, power plants, housing developments, etc.	**LTEC Design**
1a.	Is the overtopping flood greater than the 100 yr. flood? ☑ Yes (Go to 1b) ☐ No (Go to 1e)	
1b.	Is the overtopping flood greater than the "greatest" flood (500 yr. Frequency)? ☐ Yes (Go to 1d) ☑ No (Go to 1c)	
1c.	Is there major flood damage potential for the overtopping flood? ☑ No (Go to 1e)	☐ Yes (Go to 1e)
1d.	Is there major flood damage potential for the greatest flood (500 year frequency)? ☐ No (Go to 1e)	☐ Yes (Go to 1e)
1e.	Will there be flood damage potential to residence(s) or other buildings during a 100 yr. flood? ☐ Yes (Go to 1f) ☑ No (Go to 2)	
1f.	Could this flood damage occur even if the roadway crossing wasn't there? ☐ Yes (Go to 1g) ☐ No (Go to 1h)	
1g.	Could this flood damage be significantly increased by the backwater caused by the proposed crossing? ☐ Yes (Go to 1h) ☐ No (Go to 2)	
1h.	Could the stream crossing be designed in such a manner so as to minimize this potential flood damage? ☐ Yes (Go to 1i) ☐ No (Go to 2)	
1i.	Does the value of the building(s) and/or its contents have sufficient value to justify further evaluation of risk and potential flood damage? ☐ No (Go to 2)	☐ Yes (Go to 2)
2.	**TRAFFIC RELATED LOSSES**	
2a.	Is the overtopping flood greater than the "greatest" flood (500 yr. frequency)? ☐ Yes (Go to 3) ☑ No (Go to 2b)	
2b.	Does the ADT exceed 50 vehicles per day? ☑ Yes (Go to 2c) ☐ No (Go to 3)	
2c.	Would the (duration of road closure in days) multiplied by the (length of detour minus the length of normal route in miles) exceed 20? ☐ Yes (Go to 2d) ☑ No (Go to 3)	
2d.	Does the annual risk cost for traffic related costs exceed 10% of the annual capital costs? ☐ No (Go to 3) (See figures A and B – Appendix A(2) - for Assistance)	☐ Yes (Go to 3)
3.	**ROADWAY AND/OR STRUCTURE REPAIR COSTS**	

3a.	Is the overtopping flood less than a 100 year frequency flood? ☐ Yes (Go to 3b) ☑ No (Go to 3i)	
3b.	Compare the Tailwater (TW) elevation with the roadway sag point elevation for the overtopping flood. Check the appropriate category. ☐ When TW is above the sag point (Go to 4) ☐ TW is between 0 and 0.5' below sag point (Go to 3c) ☐ TW is between 0.5' and 1.0' below sag point (Go to 3d) ☐ When TW is 1.0' and 2.0' below sag point (Go to 3e) ☐ When TW is more than 2.0' below sag point (Go to 3g)	
3c.	Does the embankment have a good erosion resistant vegetative cover? ☐ Yes (Go to 3i) ☐ No (Go to 3d)	
3d.	Is the shoulder constructed from erosion resistant material such as paved, coarse gravel, or clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3e)	
3e.	Will the duration of overtopping for the 25-year flood exceed 1 hour? ☐ Yes (Go to 3f) ☐ No (Go to 3i)	
3f.	Is the embankment constructed from erosion resistant material such as a clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3g)	
3g.	Is the overtopping flood less than a 25-year frequency flood? ☐ Yes (Go to 3h) ☐ No (Go to 3i)	
3h.	Will the cost of protecting the roadway and/or embankment from severe damage caused by overtopping exceed the cost of providing additional culvert or bridge capacity? ☐ No (Go to 3i);	☐ Yes (Go to 3i)
3i.	Is there damage potential to the structure caused by scour, ice, debris or other means during the lesser of the overtopping flood or the 100 year flood? ☐ Yes (Go to 3j) ☑ No (Go to 4)	
3j.	Will the cost of protecting the structure from damage exceed the cost of providing additional culvert or bridge water capacity? ☐ No (Go to 4); protecting abutments from scour by riprap.	☐ Yes (Go to 4)
4.	Will the capital cost of the structure exceed $1,000,000? ☑ No (Go to 5);	☐ Yes (Go to 5)
5.	In your opinion, are there any other factors that you feel should require further study through a risk analysis? ☑ No (Go to 6);	☐ Yes (Indicate)

6. If there are no ✓'s in the LTEC Design column on the right, proceed with the design, selecting the lowest acceptable grade line and the smallest waterway opening consistent

with the constraints imposed on the project. The risk assessment has demonstrated that potential flood damage costs, traffic related costs, roadway and/or structure repair costs are minor and therefore disregarded for this project.

One or more ✓'s in the LTEC Design column indicates further analysis in the category checked may be required utilizing the LTEC design process or justification (below) why it is not required.

JUSTIFICATION:

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota:

Signature: _____

License Number: _____ Date: _____

RISK ASSESSMENT FOR ENCROACHMENT DESIGN

Date: 02/27/2017

District: 8 **County:** Kandiyohi **Vicinity of:** STA. 107+15 Willmar, MN

DATA REQUIREMENTS

1. **Location of Crossing:** TH 12 **C.S.** 3403 **M.P.** 72

   Sec. 17 **T** 119N **R** 35W

2. **Name of Stream:** _____ **Bridge No. Old:** _____ **New:** _____

3. **Current ADT:** 6400 **Projected ADT:** _____

4. **Practicable detour available** ☑ Yes ☐ No

If no is checked, please explain: _____

If there is no practicable detour available, then the use of the road must be analyzed. Considerations such as emergency vehicle access, emergency supply and evacuation route, and the need for school bus, milk and mail routes should be studied. Factors to consider for this analysis include design frequency, depth, duration, and frequency of inundation if appropriate, and available funding.

5. **Hydraulic Data: (Fill in as appropriate)**

   Elevation Datum: NAVD88

Q_2 =	21.57	cfs	HW_2 Elevation	1113.42	ft
Q_5 =		cfs	HW_5 Elevation		ft
Q_{10} =	45.11	cfs	HW_{10} Elevation	1114.55	ft
Q_{25} =		cfs	HW_{25} Elevation		ft
Q_{50} =	89.36	cfs	HW_{50} Elevation	1115.60	ft
Q_{100} =	110.91	cfs	HW_{100} Elevation	1116.08	ft
Q_{500} =		cfs	HW_{500} Elevation		ft

Approximate Flowline Elevation: 1112.3 Ft

Design Frequency Event: ☐ 100-yr ☑ 50-yr ☐ 25-yr ☐ 10-yr

Reasons for selecting Design Frequency: According to MnDOT Drainage Manual

6. **Magnitude and Frequency of the smaller of "Overtopping" or "500 yr." (Greatest) flood:** 110.9 cfs;100 year

7. **Low member elevation:** 1115.3 (approximate top of culvert)

8. **Minimum roadway overflow elevation if appropriate:** 1116.80

9. **Elevation of high risk property, i.e. residences:** 1121

   Other buildings Commercial

10. **Horizontal location of overflow:**

    ☐ At Structure (See 12) ☑ Not At Structure:

11. **Type of proposed structure:**

    ☐ Bridge (See 12) ☑ Culvert(s)

12	If the proposed structure is a bridge with the sag point located on the bridge and there is ice and debris potential, strong consideration should be given to using Q_{50} as design discharge with 3' of clearance between the 50 year tailwater stage and low member.	
1.	**BACKWATER DAMAGE** - Major flood damage in this context refers to shopping centers, hospitals, chemical plants, power plants, housing developments, etc.	**LTEC Design**
1a.	Is the overtopping flood greater than the 100 yr. flood? ☑ Yes (Go to 1b) ☐ No (Go to 1e)	
1b.	Is the overtopping flood greater than the "greatest" flood (500 yr. Frequency)? ☐ Yes (Go to 1d) ☑ No (Go to 1c)	
1c.	Is there major flood damage potential for the overtopping flood? ☑ No (Go to 1e)	☐ Yes (Go to 1e)
1d.	Is there major flood damage potential for the greatest flood (500 year frequency)? ☐ No (Go to 1e)	☐ Yes (Go to 1e)
1e.	Will there be flood damage potential to residence(s) or other buildings during a 100 yr. flood? ☐ Yes (Go to 1f) ☑ No (Go to 2)	
1f.	Could this flood damage occur even if the roadway crossing wasn't there? ☐ Yes (Go to 1g) ☐ No (Go to 1h)	
1g.	Could this flood damage be significantly increased by the backwater caused by the proposed crossing? ☐ Yes (Go to 1h) ☐ No (Go to 2)	
1h.	Could the stream crossing be designed in such a manner so as to minimize this potential flood damage? ☐ Yes (Go to 1i) ☐ No (Go to 2)	
1i.	Does the value of the building(s) and/or its contents have sufficient value to justify further evaluation of risk and potential flood damage? ☐ No (Go to 2)	☐ Yes (Go to 2)
2.	**TRAFFIC RELATED LOSSES**	
2a.	Is the overtopping flood greater than the "greatest" flood (500 yr. frequency)? ☐ Yes (Go to 3) ☑ No (Go to 2b)	
2b.	Does the ADT exceed 50 vehicles per day? ☑ Yes (Go to 2c) ☐ No (Go to 3)	
2c.	Would the (duration of road closure in days) multiplied by the (length of detour minus the length of normal route in miles) exceed 20? ☐ Yes (Go to 2d) ☑ No (Go to 3)	
2d.	Does the annual risk cost for traffic related costs exceed 10% of the annual capital costs? ☐ No (Go to 3) (See figures A and B – Appendix A(2) - for Assistance)	☐ Yes (Go to 3)
3.	**ROADWAY AND/OR STRUCTURE REPAIR COSTS**	

3a.	Is the overtopping flood less than a 100 year frequency flood? ☐ Yes (Go to 3b) ☑ No (Go to 3i)	
3b.	Compare the Tailwater (TW) elevation with the roadway sag point elevation for the overtopping flood. Check the appropriate category. ☐ When TW is above the sag point (Go to 4) ☐ TW is between 0 and 0.5' below sag point (Go to 3c) ☐ TW is between 0.5' and 1.0' below sag point (Go to 3d) ☐ When TW is 1.0' and 2.0' below sag point (Go to 3e) ☐ When TW is more than 2.0' below sag point (Go to 3g)	
3c.	Does the embankment have a good erosion resistant vegetative cover? ☐ Yes (Go to 3i) ☐ No (Go to 3d)	
3d.	Is the shoulder constructed from erosion resistant material such as paved, coarse gravel, or clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3e)	
3e.	Will the duration of overtopping for the 25-year flood exceed 1 hour? ☐ Yes (Go to 3f) ☐ No (Go to 3i)	
3f.	Is the embankment constructed from erosion resistant material such as a clay type soil? ☐ Yes (Go to 3i) ☐ No (Go to 3g)	
3g.	Is the overtopping flood less than a 25-year frequency flood? ☐ Yes (Go to 3h) ☐ No (Go to 3i)	
3h.	Will the cost of protecting the roadway and/or embankment from severe damage caused by overtopping exceed the cost of providing additional culvert or bridge capacity? ☐ No (Go to 3i);	☐ Yes (Go to 3i)
3i.	Is there damage potential to the structure caused by scour, ice, debris or other means during the lesser of the overtopping flood or the 100 year flood? ☐ Yes (Go to 3j) ☑ No (Go to 4)	
3j.	Will the cost of protecting the structure from damage exceed the cost of providing additional culvert or bridge water capacity? ☐ No (Go to 4); protecting abutments from scour by riprap.	☐ Yes (Go to 4)
4.	Will the capital cost of the structure exceed $1,000,000? ☑ No (Go to 5);	☐ Yes (Go to 5)
5.	In your opinion, are there any other factors that you feel should require further study through a risk analysis? ☑ No (Go to 6);	☐ Yes (Indicate)

6. If there are no ✓'s in the LTEC Design column on the right, proceed with the design, selecting the lowest acceptable grade line and the smallest waterway opening consistent

with the constraints imposed on the project. The risk assessment has demonstrated that potential flood damage costs, traffic related costs, roadway and/or structure repair costs are minor and therefore disregarded for this project.

One or more ✓'s in the LTEC Design column indicates further analysis in the category checked may be required utilizing the LTEC design process or justification (below) why it is not required.

JUSTIFICATION:

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota:

Signature: _____

License Number: _____ Date: _____

WETLAND ASSESSMENT & TWO PART FINDING

County: Kandiyohi
Watershed: Minnesota River - Granite Falls (No. 25)

WETLAND ASSESSMENT
The Wetland Assessment is attached (**Table 1**).

AVOIDANCE ALTERNATIVES
Several alternatives, including the No Build, were analyzed for the BNSF railway and the TH 12 realignment. These alternatives had varying levels of wetland impacts, which are summarized in the attached **Table 2**. Due to the size of the various project alternative locations, a wetland delineation was not conducted for each one. The National Wetlands Inventory was used to assist in estimating wetland impacts where field delineation data were not available. Each alternative that was reviewed is summarized below. Detailed descriptions of each alternative are available in Section III of the main document.

No Build Alternative:

Under the No Build Alternative, the proposed Willmar rail connection and industrial access connection would not be constructed and there would be no modifications to the local, regional and state transportation network. Instead, BNSF would continue to switch trains between the Morris and Marshall Subdivisions within the downtown Willmar Terminal. This would continue to perpetuate delays in regional and local railway service and limit opportunities to park trains for longer durations. Trains switching between the subdivisions would continue to occupy existing at-grade railway crossings within and approaching the Willmar Terminal resulting in continued delay and detouring of travel routes for motorized and non-motorized users, including emergency responders and school buses, which have time-sensitive travel. Unpredictability of train delays (not knowing if it is a switching train or a through train) would also be perpetuated.

Quality of life beyond transportation delays would continue to decrease within downtown Willmar. Due to the idling of trains and motorized vehicles, emissions would continue and likely increase in the future when train traffic increases. Additionally, opportunities to serve the new industrial park with rail service which is a key component of the city's planned economic development would be impractical and cost prohibitive.

Other Alternatives

Alternative 1 (RR1): Connection West of CSAH 55 on Existing MnDOT Right of Way

Alternative 1 involved the use of some MnDOT Right of Way that was no longer needed by MnDOT to construct the new BNSF rail line. This alternative would have kept switching trains out of the Willmar Terminal and would reduce the number of trains at at-grade crossings. The total amount of wetland impact that would have resulted

from this alternative was approximately 13.77 acres. In addition to the amount of wetland impact, the disadvantage of this alternative was that its proximity to the industrial park was not ideal and would have resulted in the need for additional railway service to that area. In addition, the transportation network between key local and regional destinations would be broken. For these reasons, Alternative 1 was rejected.

Alternative 2 (RR2): Loop Track East of Willmar Terminal

Alternative 2 created a loop track east of the Willmar Terminal. It would have been created on agricultural land west of US Highway 71 and north of the Wayzata Subdivision. This alternative would have resulted in 0.47 acre of wetland impact. The disadvantages of this alternative were that it would not provide access to the industrial park and would not reduce the train trips into downtown Willmar that ultimately delay traffic. Because Alternative 2 did not address all of the defined project needs, it was rejected.

Alternative 3 (TH12-1, RR3): Bridge on Existing TH 12 alignment, Railroad Connection East of CSAH 55

The Alternative 3 roadway alignment would have involved reconstruction of the existing TH 12 to accommodate a railway grade separation and would have included the following elements:

- reconstruction of TH 12 from 7th Ave West to approximately 1 mile to the east,
- raising TH 12 in the reconstructed area up on retaining walls to accommodate the new railway connection (maximum wall height would be 40 feet),
- construction of a skewed steel bridge on TH 12 over the new railway line,
- raising and reconstructing the TH 40 and CSAH 55 intersection to provide a grade-separated crossing for TH 40 over the proposed railway,
- realignment of CSAH 55 from south of the western leg of 1st Ave West to US 12,
- reconfiguration of the CSAH 55 and 1st Ave West intersection,
- disconnection of 45th Street NW south of TH 12 and construction of a cul-de-sac,
- construction of a new driveway off of CSAH 55 to the mini storage site,
- disconnection of 45th Street NW north of TH 12 and realigned with the new CSAH 55 intersection south of TH 12, and
- crossing of Hawk Creek (County Ditch 10).

Alternative 3 would have resulted in 10.72 acres of wetland impacts. Alternative 3 was rejected for various reasons, which are summarized below:

- wetland impacts associated with Alternative 3 were higher than other potential alternatives,
- the height of the raised TH 12 alignment and bridge raised safety concerns, particularly during winter when strong winds could cause visibility and ice issues, and
- the skewed bridge and retaining walls would increase maintenance and operations costs.

Alternative 4 (TH12-2, RR-3, CSAH 55/1st Ave-1): 1st Avenue At-Grade Railroad Crossing and TH 12/CSAH 55 Quadrant Interchange

Alternative 4 was very similar in design to the preferred alternative, but included an at-grade crossing of 1st Avenue at the proposed railway, raised TH 12 over CSAH 55, and created a quadrant interchange at TH12 and CSAH 55. This alternative would have resulted in 9.40 acres of wetland impact. The disadvantages of this alternative were that it would have involved an at-grade crossing of the proposed railroad at 1st Avenue. Because of the safety concerns related to at-grade railroad crossings, this alternative was rejected.

Alternative 5 (TH12-2, RR-3, CSAH 55/1st Ave-2) – 1st Avenue At-Grade Railroad Crossing and TH 12/CSAH 55 At-Grade Intersection

Alternative 5 was very similar in design to the preferred alternative, but included an at-grade crossing of the proposed railroad at 1st Avenue and an at-grade crossing at the intersection of TH 12 and CSAH 55. This alternative would have resulted in 10.34 acres of wetland impact. The disadvantages of this alternative were that it would have involved an at-grade crossing of the proposed railroad at 1st Avenue. Because of the safety concerns related to at-grade railroad crossings, this alternative was rejected.

Various sub-options were evaluated for each alternative (e.g., crossing alternatives and industrial park access routes), but none would have significantly affected the overall wetland impacts, so are not discussed in detail here.

MINIMIZATION MEASURES

In order to minimize impacts to wetlands, the northwest portion of the preferred TH 12 roadway realignment was shifted to the east approximately 1,000 feet in order to avoid crossing the largest spans of wetland in that area. This shift in alignment reduced the wetland impacts from the preferred alternative by approximately 3 acres. In other locations, equalizer culverts will be placed under the new roadway and railway to maintain the hydrology of the wetlands. In addition to this alignment shift, the BNSF rail line cross sections include 2:1 side slopes and the roadway cross sections include 3:1 slopes in order to minimize impacts to wetlands.

WETLAND IMPACTS

The preferred alternative includes a new BNSF rail line east of CSAH 55 and the realignment of TH 12 from approximately the intersection of TH 12 with 7th Avenue West south to a new intersection with CSAH 55 about 1,400 feet south of 1st Avenue West and reconnecting with the existing TH 12 at Airport Drive West. The existing 1st Avenue West and CSAH 55 intersection will be closed and 1st Avenue West will be removed between CSAH 55 and the new railway. A new roadway located east of the proposed railway will provide access into the industrial park from 1st Avenue West. Grade-separated crossings will be constructed over the new BNSF rail line at TH 12 and TH 40.

Various project elements contribute to the wetland impacts that result from this alternative, which are shown on the attached **Table 3**. These project elements are caused by construction associated with MnDOT, BNSF, and Kandiyohi County projects. Wetland impacts caused by the preferred alternative total 11.76 acres.

COMPENSATION (REPLACEMENT/ENHANCEMENTS)

It is anticipated that wetland impacts resulting from this project will be replaced at a 2:1 ratio, for a total of approximately 23.52 acres of replacement. This replacement will be achieved through the use of the MnDOT Road Bank for impacts that are associated with the TH 12 realignment and various other roadway improvements, and through the purchase of wetland credits from a US Army Corps-Approved wetland bank for impacts resulting from the BNSF rail line.

The specific siting of the wetland banks will follow the Wetland Conservation Act siting requirements. These requirements call for wetland replacement to be provided in the following priority order:

(1) onsite, or within the same minor watershed as the impacted wetlands;
(2) in the same watershed as the impacted wetlands;
(3) in the same county or wetland bank service area (BSA) as the impacted wetland; and
(4) in another wetland bank service area.

Based on current bank data from the Board of Water and Soil Resources, there are no banks available within the same minor or major watershed as the project. There is one bank available within Kandiyohi County, but it does not have enough credits available to cover all of the impacts. A few banks are available within the same bank service area as the project (BSA 9). Therefore, it is anticipated that mitigation will come from banks that meet siting criteria (3). If at the time the permit application is submitted no banks are available that meet siting criteria (3) and a bank in another service area must be used, the replacement ratio will increase to 2.5:1.

The proposed wetland replacement options are described below.

WETLAND REPLACEMENT OPTIONS	
	All Wetlands
Location	TBD
onsite, offsite	Offsite
Classification	TBD
Approx. Size, acres	23.52 (4.90 Rail; 18.62 road)
Topographic setting	TBD
Method of construction	N/A
Timetable	In-advance

CONCLUSION

Based upon the above factors and considerations, it is determined that there is no practicable alternative to the proposed construction in the identified wetlands, and the proposed action includes all practicable measures to minimize harm to the wetlands.

ATTACHMENTS

Table 1a – Preferred Alternative Wetland Assessment
Table 1b –Preferred Alternative Wetland Assessment
Table 2 – Wetland Avoidance Alternatives
Table 3 – Preferred Alternative Wetland Impacts
Figure A-E – Preferred Alternative Impact Figures

Table 1a: Willmar Preferred Alternative Wetland Assessment

	ID # 1	ID # 2	ID # 3	ID # 4	ID # 5	ID # 6	ID # 7	ID # 9	ID # 10	ID # 15	ID # 16	ID # 19
Classification (Type of wetland)	Type 3	Type 2	Type 3	Type 3	Type 3	Type 3	Type 2	Type 1	Type 1	Type 1/2/6	Type 2	Type 1
Approx. Basin Size, acres	0.33	0.26	1.80	0.49	31.70	0.38	0.52	0.39	0.35	26.43	4.80	2.13
Anticipated Encroachment Size, acres	0.02	0.04	1.30	0.01	1.98	0.10	0.04	0.32	0.01	0.96	0.08	0.87
Type of Impact: fill, excavation, drain	Fill	Fill	Fill	Fill	Fill	Fill	Fill	Cut	Fill	Fill, Cut	Fill	Fill
% Encroachment to Basin Size	6.10	15.40	72.22	2.04	6.24	26.32	7.69	82.05	2.86	3.63	1.67	40.85
Protected wetland? Y/N	N	N	N	N	N	N	N	N	N	N	N	N
Connection to other wetlands? Y/N	N	N	N	N	Y	Y	Y	Y	Y	N	N	N
Impacts to public water supply? Y/N	N	N	N	N	N	N	N	N	N	N	N	N
Water Quality impacts? ----recharge/discharge ----water pollution ----flooding ----sedimentation ----erosion	N	N	N	N	N	N	N	N	N	N	N	N
Impacts to fish/wildlife & habitat?	N	N	N	N	N	N	N	N	N	N	N	N
Impacts to recreational, cultural, or scientific uses?	N	N	N	N	N	N	N	N	N	N	N	N

Table 1b: Willmar Preferred Alternative Wetland Assessment

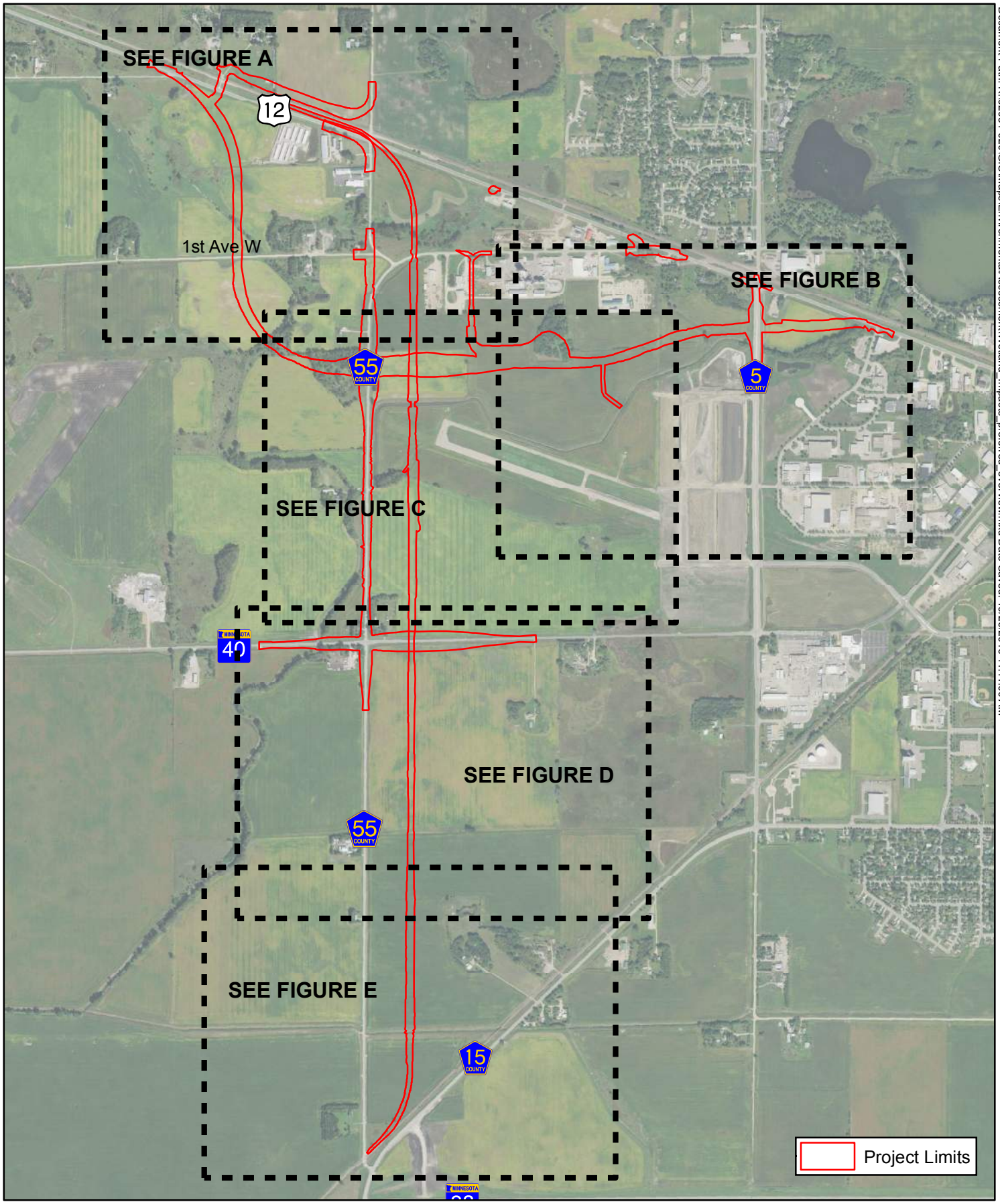
	ID # 20	ID # 21	ID # 24	ID # 32	ID # 33	ID # 34	ID # 35	ID # 36	ID # 38	ID # 39	ID # 58
Classification (Type of wetland)	Type 1	Type 2	Type 1	Type 1	Type 1	Type 1	Type 1	Type 1	Type 1	Type 2	Type 2
Approx. Basin Size, acres	3.10	0.38	0.07	7.60	1.13	0.39	17.15	0.90	0.48	0.54	0.10
Anticipated Encroachment Size, acres	0.40	0.38	0.01	1.49	0.18	0.39	2.45	0.17	0.45	0.10	0.01
Type of Impact: fill, excavation, drain	Fill	Fill, Cut	Fill	Fill	Fill	Fill	Fill	Fill	Fill	Fill, Cut	Fill
% Encroachment to Basin Size	12.90	100	14.29	19.61	15.93	100	14.29	18.89	93.75	18.52	10.00
Protected wetland? Y/N	N	N	N	N	N	N	N	N	N	N	N
Connection to other wetlands? Y/N	N	N	N	N	N	N	N	N	N	N	N
Impacts to public water supply? Y/N	N	N	N	N	N	N	N	N	N	N	N
Water Quality impacts? ----recharge/discharge ----water pollution ----flooding ----sedimentation ----erosion	N	N	N	N	N	N	N	N	N	N	N
Impacts to fish/wildlife & habitat?	N	N	N	N	N	N	N	N	N	N	N
Impacts to recreational, cultural, or scientific uses?	N	N	N	N	N	N	N	N	N	N	N

Table 2: Willmar Wetland Avoidance Alternatives

AVOIDANCE ALTERNATIVES – Anticipated Encroachment per Alternative, acres						
	No Build Alternative	Alternative #1	Alternative #2	Alternative #3	Alternative #4	Alternative #5
Wetland ID # 1	0	0	0	0	0	0
Wetland ID # 3	0	0	0	0.644	1.240	1.240
Wetland ID # 4	0	0	0	0	0.003	0.003
Wetland ID # 5	0	6.086	0	1.703	2.012	2.078
Wetland ID # 6	0	0.109	0	0	0.099	0.099
Wetland ID # 7	0	0.056	0	0	0.059	0.066
Wetland ID # 9	0	0	0	0.097	0.275	0.275
Wetland ID # 10	0	0	0	0.034	0.066	0.010
Wetland ID # 15	0	0	0	1.498	1.129	1.162
Wetland ID # 16	0	0	0	1.325	0.082	0.087
Wetland ID # 19	0	0	0	0.105	0.422	0.731
Wetland ID # 20	0	0	0	0.911	0.006	0.293
Wetland ID # 21	0	0	0	0.102	0.083	0.381
Wetland ID # 22	0	0	0	0	0.250	0.252
Wetland ID # 24	0	0	0	0	0	0.023
Wetland ID # 32	0	0	0	1.057	1.102	1.099
Wetland ID # 33	0	0	0	0	0.018	0.018
Wetland ID # 34	0	0	0	0.387	0.212	0.189
Wetland ID # 35	0	0	0	1.853	1.961	1.950
Wetland ID # 36	0	0	0	0.001	0.004	0.006
Wetland ID # 38	0	0	0	0.278	0.343	0.346
Wetland ID # 39	0	0	0	0.030	0.030	0.030
Wetland ID # 40	0	0.087	0	0	0	0
Wetland ID # 41	0	0.145	0	0	0	0
NWI Wetland # 1	0	5.043	0	0	0	0
NWI Wetland # 2	0	1.480	0	0	0	0
NWI Wetland # 3	0	0.398	0	0	0	0
NWI Wetland # 4	0	0.362	0	0	0	0
NWI Wetland # 5	0	0	0.473	0	0	0
Total, acres	**0**	**13.770**	**0.473**	**10.718**	**9.395**	**10.34**

Table 3: Willmar Preferred Alternative Wetland Impacts

WETLAND IMPACTS - Preferred Alternative										
	Anticipated Encroachment per Type of Wetland, acres									Total
	1	1L	2	3	4	5	6	7	8	
Wetland ID # 1				0.02						0.02
Wetland ID # 2			0.04							0.04
Wetland ID # 3				1.30						1.30
Wetland ID # 4			0.01							0.01
Wetland ID # 5			1.98							1.98
Wetland ID # 6	0.10									0.10
Wetland ID # 7	0.04									0.04
Wetland ID # 9	0.32									0.32
Wetland ID # 10	0.01									0.01
Wetland ID # 15							0.96			0.96
Wetland ID # 16			0.08							0.08
Wetland ID # 19	0.87									0.87
Wetland ID # 20	0.40									0.40
Wetland ID # 21			0.38							0.38
Wetland ID # 24	0.01									0.01
Wetland ID # 32	1.49									1.49
Wetland ID # 33	0.18									0.18
Wetland ID # 34	0.39									0.39
Wetland ID # 35	2.45									2.45
Wetland ID # 36	0.17									0.17
Wetland ID # 38	0.45									0.45
Wetland ID # 39	0.10									0.10
Wetland ID # 58			0.01							0.01
Total	**6.98**	**0.00**	**2.50**	**1.32**	**0.00**	**0.00**	**0.96**	**0.00**	**0.00**	**11.76**



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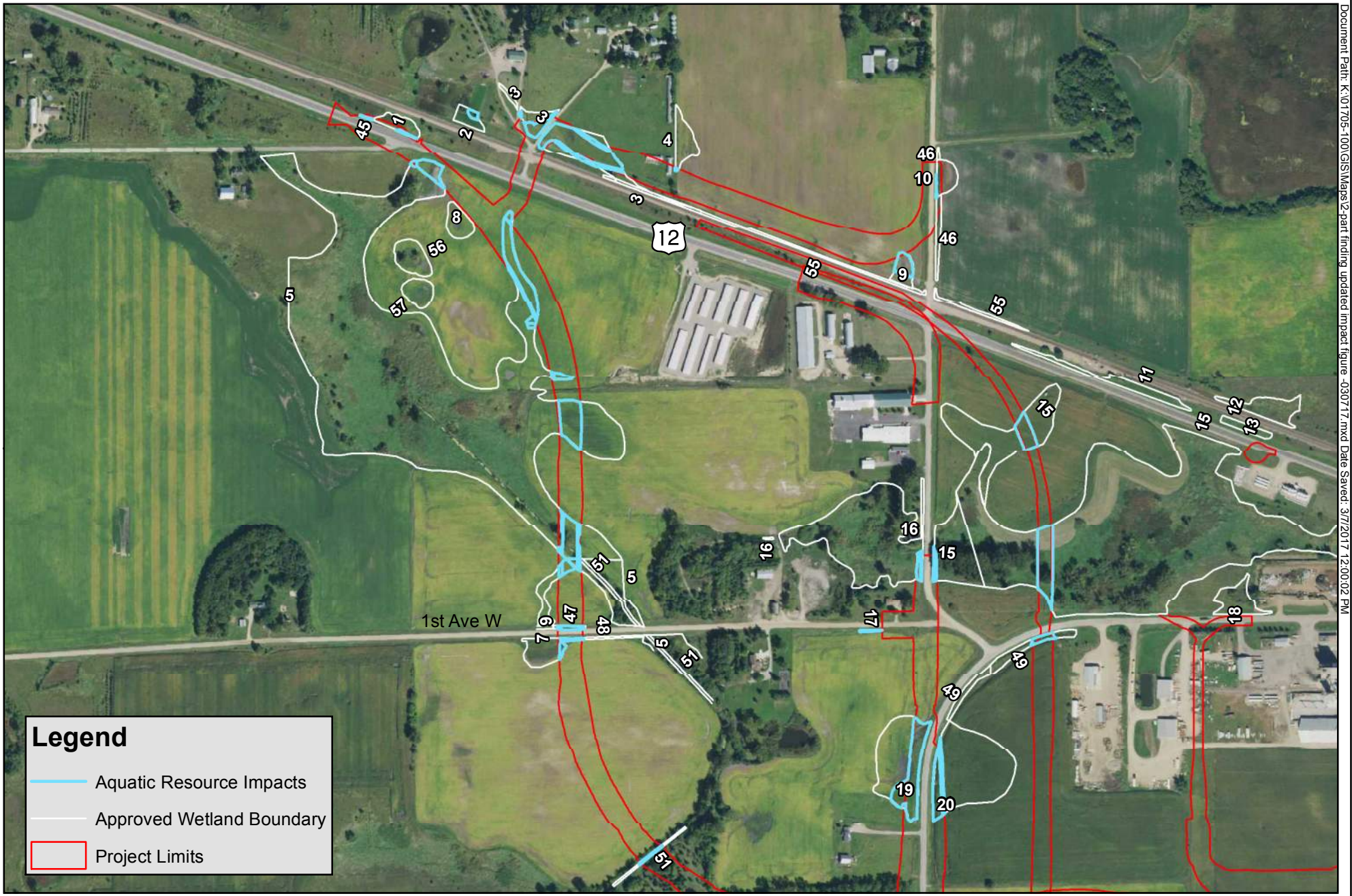
DEPARTMENT OF TRANSPORTATION

Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure A-E Overview: Aquatic Resource Impacts
Willmar, MN

N

0 1,000 Feet



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DEPARTMENT OF TRANSPORTATION

Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure A: Aquatic Resource Impacts
Willmar, MN

N
0 1,000 Feet
1 inch = 672 feet

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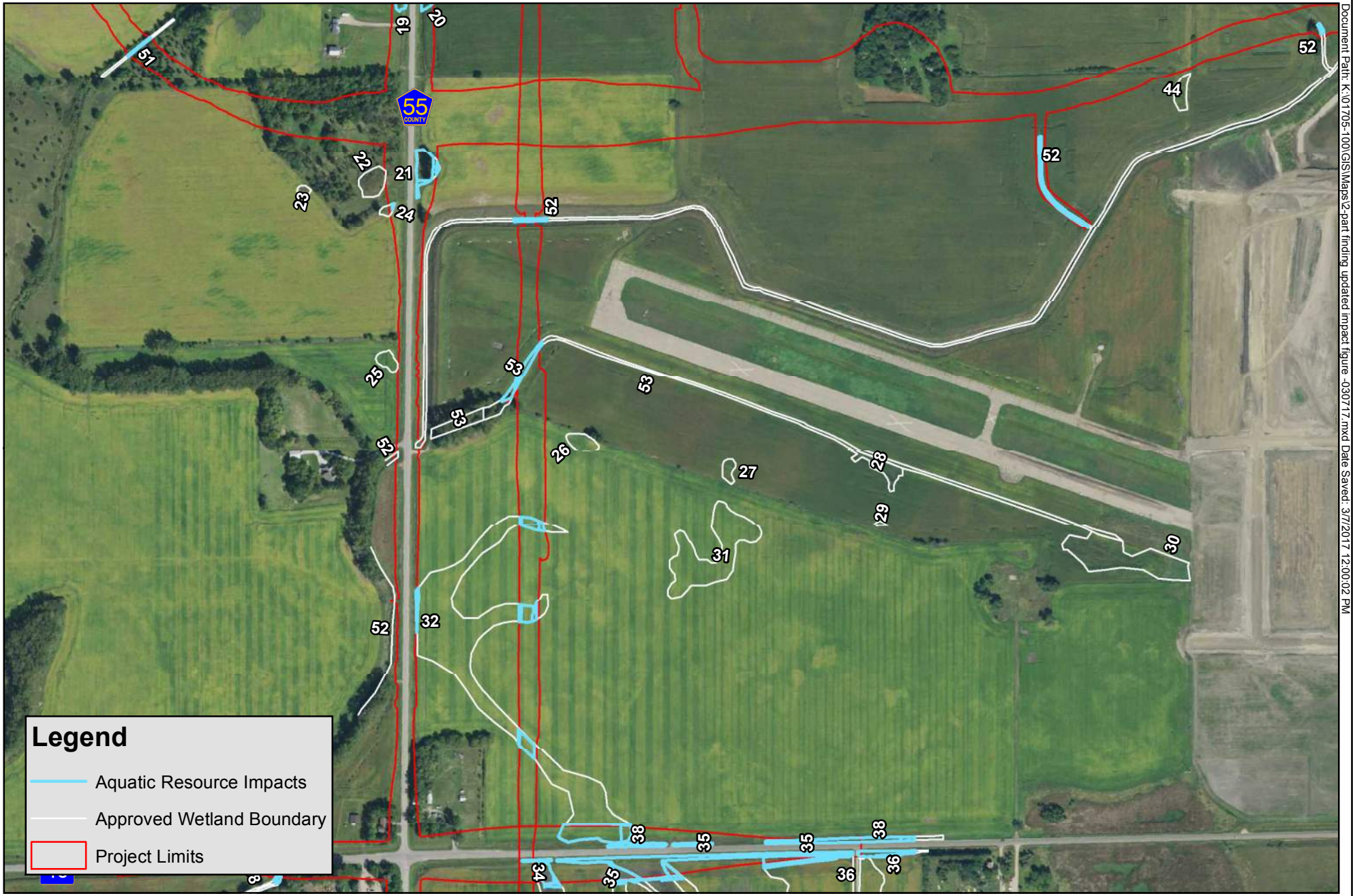
DEPARTMENT OF TRANSPORTATION

Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure B: Aquatic Resource Impacts
Willmar, MN

N
0 1,000 Feet
1 inch = 672 feet



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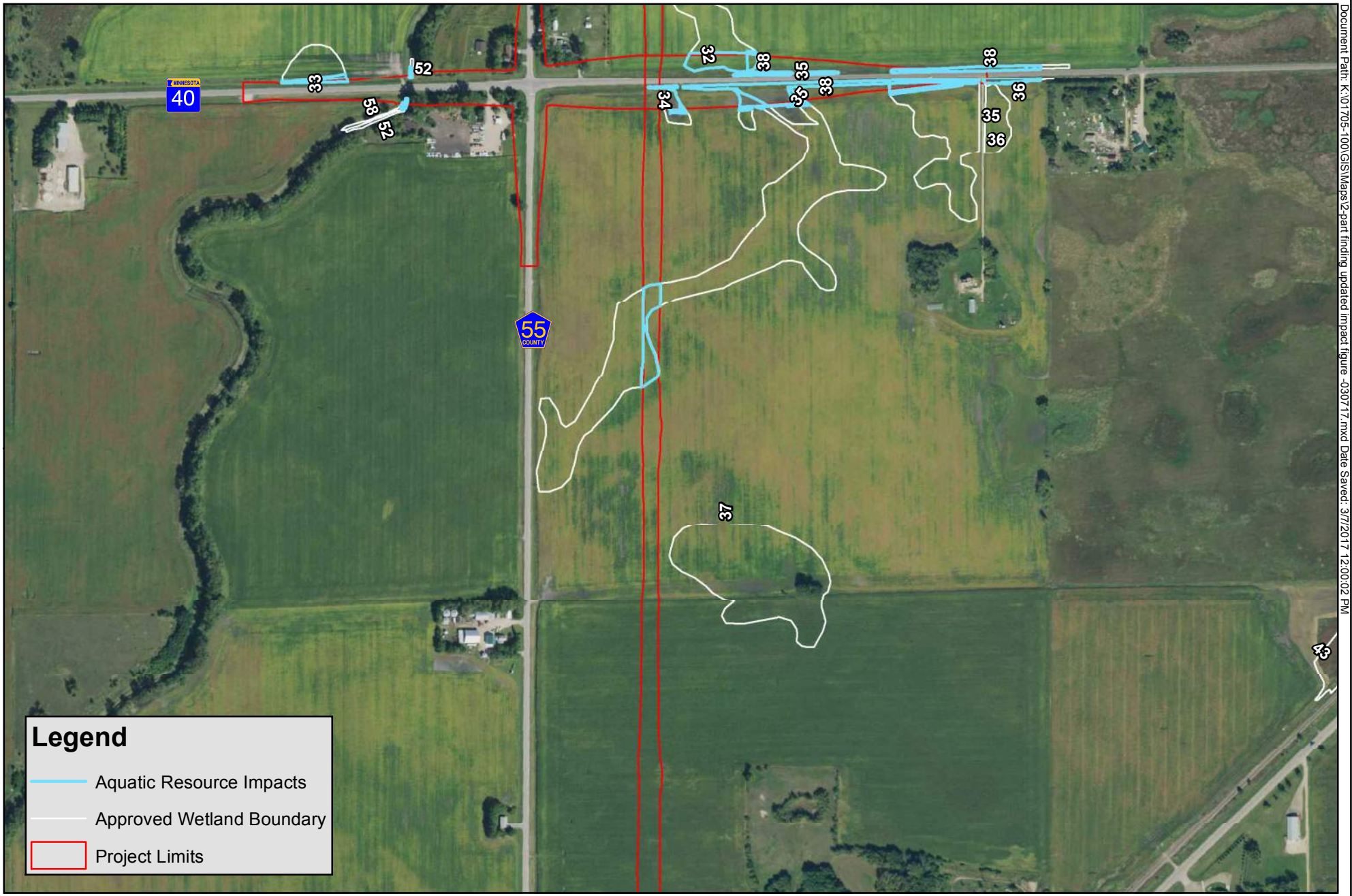
DEPARTMENT OF TRANSPORTATION

Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure C: Aquatic Resource Impacts
Willmar, MN

N

0 1,000 Feet
1 inch = 672 feet



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DEPARTMENT OF TRANSPORTATION

Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure D: Aquatic Resource Impacts
Willmar, MN

N

0 1,000 Feet
1 inch = 672 feet

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DEPARTMENT OF TRANSPORTATION

Willmar Rail Connector & Industrial Access Project
S.P. 3403-74
Figure E: Aquatic Resource Impacts
Willmar, MN

N

0 1,000 Feet
1 inch = 672 feet

Attachment 2 – Section 4(f) De Minimis Concurrence

U.S. Department of Transportation
Federal Highway Administration

Minnesota Division

380 Jackson Street
Cray Plaza, Suite 500
St. Paul, MN 55101-4802
651.291.6100
Fax 651.291.6000
www.fhwa.dot.gov/mndiv

April 3, 2017

Sarah Beimers
Government Programs & Compliance Manager
State Historic Preservation Office
Minnesota Historical Society
345 Kellogg Blvd. W.
St. Paul, MN 55101

Re: Request for Agreement with Assessment of Section 4(f) Impacts
S.P. 3403-74 (Willmar Rail Connector & Industrial Access Project
In the City of Willmar and Willmar Township
Kandiyohi County, Minnesota

Dear Ms. Beimers:

On October 17, 2016, the Federal Highway Administration (FHWA) made a preliminary Section 4(f) *de minimis* determination for the impacts of the above-referenced project on the **St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District (HE-MPC-16387)**. See attached correspondence dated October 6, 2016. As a historic resource, this property is subject to review under Section 4(f) of the U.S. Department of Transportation Act of 1966.

The Section 4(f) process is simplified when there are only *de minimis* (very minor impacts) to Section 4(f) properties. If the Federal Highway Administration (FHWA) makes a *de minimis* determination of a project's Section 4(f) impacts, the Section 4(f) process is satisfied and no further action is needed. The Section 4(f) procedures specified in 23 CFR 774.5(b) requires FHWA to consult the official with jurisdiction (OWJ) on the assessment of de minimis impacts to the historic property. The Minnesota Historic Preservation Office (MnHPO) is the OWJ over this historic property under Section 4(f).

An Environmental Assessment/Environmental Assessment Worksheet (EA/EAW) was prepared for the proposed Willmar Rail Connector & Industrial Access Project. As part of the environmental review process, the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District was determined eligible for listing in the National Register for Historic Places and identified for Section 106 review. On September 23, 2016, MnHPO concurred with the Minnesota Department of Transportation (MnDOT) Cultural Resources Unit determination that the proposed project would have "**no adverse effect**" on the historic property. Please refer to attachments regarding the previous Section 106 correspondence.

The proposed project includes tying a new north-south railroad connection between the Marshall Subdivision and the Morris Subdivision–the Section 4(f) property–into the existing main line near the current 45th Street NW at-grade crossing location. Approximately 4,000 feet of existing track would be replaced within the Morris Subdivision as part of the new railroad connection to the south. In addition, 45th Street NW north of the railroad corridor would be redirected to cross the railroad corridor approximately 2,000 feet to the west, eliminating the existing 45th Street NW at-grade crossing and converting an existing private at-grade crossing into a public at-grade crossing. The converted public at-grade crossing would be upgraded with an active warning system.

FHWA made its preliminary Section 4(f) *de minimis* determination for the historic property based on review of the project impacts and MnHPO's Section 106 finding of "no adverse effect." The discussion of Section 4(f) impacts in the EA/EAW served as FHWA's notice of intent to make the preliminary Section 4(f) *de minimis* impact finding for the historic property. FHWA's final determination is contingent on comments received during the EA/EAW 30-day public notice comment period (from February 6 through March 8, 2017) including comments from the OWJ. No public comments specific to the Section 4(f) historic property were received during the public comment notice period.

FHWA is unable to issue a Section 4(f) *de minimis* impact finding without your written agreement that this project will not temporarily or permanently adversely affect the historic property. To acknowledge that you have been notified of the intent to apply the Section 4(f) *de minimis* impact finding and your agreement that the historic property will not be adversely affected, please sign below and return the signed copy to me at the letterhead address by. Your prompt response of returning this letter with your completed signature block (below) ***by close of business on April 18, 2017***, is requested.

Sincerely,

Philip Forst
Environmental Specialist

As the official with jurisdiction over the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District, I hereby concur that the use and impacts associated with this project will not adversely affect the historic property for protection under Section 4(f). I understand that concurrence with the FHWA's assessment of the impact to St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District will result in the FHWA making a Section 4(f) *de minimis* determination for the impacts to the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District.

Sarah Beimers

Sarah Beimers
Government Programs & Compliance Manager
State Historic Preservation Office

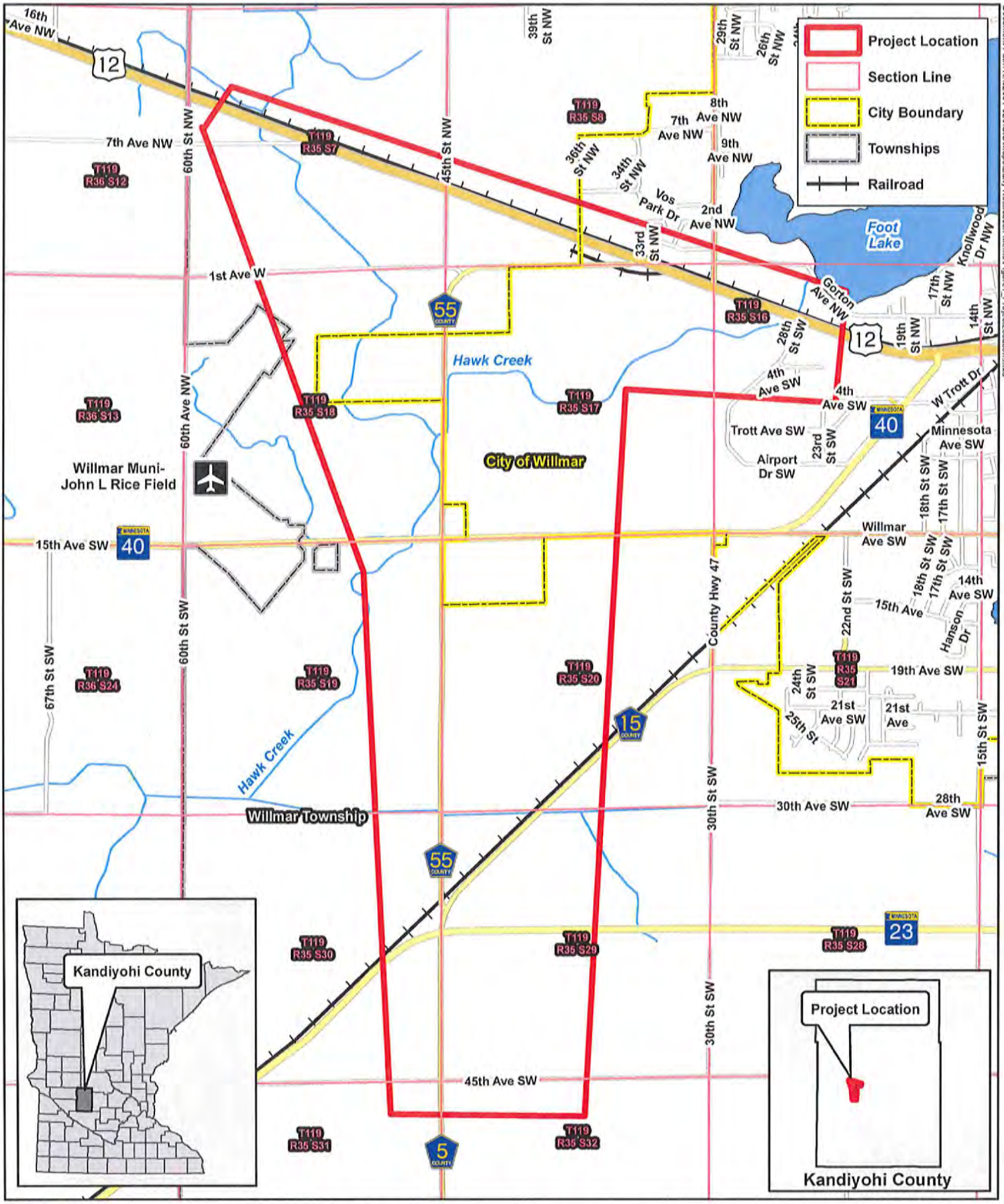
4/3/2017
Date

Enclosures

PJF

cc: 1 MnDOT - Moynihan, e-copy w/enclosures, debra.moynihan@state.mn.us
1 FHWA - Ginsberg, e-copy w/enclosures, abbi.ginsberg@dot.gov
1 FHWA – Scott, e-copy w/enclosures, david.scott@dot.gov

Enclosures



Willmar Wye Project Location
S.P. 3403-74
Willmar, MN

N

0 2,500 Feet

Minnesota Department of Transportation
District 8 Headquarters
2505 Transportation Road
Willmar, MN 56201

Office: 320-231-5195
Fax: 320-214-6305
800-657-3792

October 6, 2016

David Scott

Asst. Division Administrator
Federal Highway Administration
380 Jackson Street, Suite 500
St. Paul, Minnesota 55101-2904

In reply refer to:
De Minimis Preliminary Determination Request for
Minn. Proj. No. S.P. 3403-74 (TH 12)
From 7th Avenue NW To 28th Street AND
From Morris Subdivision of BNSF just West of 45th Street NW To BNSF Marshall Subdivision just East of CSAH 55 in Kandiyohi County

Dear Mr. Scott:

MnDOT recommends a de minimis preliminary determination by FHWA for the impacts of the above referenced project on the **St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District (HE-MPC-16387)**. Information supporting this recommendation is presented below.

1. General Project Information

SP: 3403-74
Federal Project No.:
Route: TH 12
From /To: From 7th Avenue NW To 28th Street AND
From Morris Subdivision of BNSF just west of 45th Street NW To BNSF Marshall Subdivision just east of CSAH 55
Description of Proposed Improvement:
Construction of a new 2.8-mile railway between the Marshall and Morris Subdivisions of the BNSF railway and a rail spur for industrial park access. Roadway modifications include a 2.5-mile realignment of Trunk Highway (TH) 12, construction of two bridges over the proposed rail line, and other road modifications.

2. Project Manager

Name: Paul Rasmussen
Title: Project Manager
Agency: MnDOT District 8
Address: 2505 Transportation Road, Willmar, MN 56201-2207
Phone: 320-214-6320
Email: p.rasmussen@state.mn.us

3. Description of the Section 4(f) Property.

The St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District (HE-MPC-16387) is an active rail corridor that has previously been determined eligible for listing in the National Register of Historic Places. The rail corridor was once part of the Great Northern Railway, and the period of significance for this and other Minnesota railroads was between 1862 and 1956. The property is a 203-mile long linear railroad corridor that extends between Breckenridge, MN, and Minneapolis, MN. The Minnesota Historic Preservation Office (MnHPO) is the official with jurisdiction (OWJ).

The subject railroad corridor is currently owned and operated by the Burlington Northern Santa Fe (BNSF) Railway as part of the Morris Subdivision, which extends between Breckenridge and Willmar. Within the city of Willmar, the railroad line connects to two other subdivisions (Marshall to the south and Wayzata to the east). The subject site is located west of the City of Willmar near the existing intersection of TH 12 and 45th Street NW. At this location, the railroad line runs adjacent to the north side of the TH 12 roadway.

The railroad corridor consists of a railroad line (steel tracks, wooden rail ties) and access road built upon a railroad embankment. Ditches run along each side of the railroad embankment. The railroad corridor runs adjacent to and at a similar elevation to TH 12. One main track exists at 45th Street NW, and extends to the west. Approximately 1,000 feet east of the 45th Street NW at-grade crossing, a second track ties into the main track. The access road ends prior to the second track, where it provides access to track switching mechanical and electrical equipment. Both tracks extend east into Willmar. In the subject area, a public at-grade crossing is located at 45th Street NW, and a private at-grade crossing is located approximately 2,000 feet to the west.

4. Impacts to the Section 4(f) Property.

The proposed project includes tying a new north-south railroad connection between the Marshall Subdivision and the Morris Subdivision–the Section 4(f) property–into the existing main line near the current 45th Street NW at-grade crossing location. Approximately 4,000 feet of existing track would be replaced within the Morris Subdivision as part of the new railroad connection to the south. In addition, 45th Street NW north of the railroad corridor would be redirected to cross the railroad corridor approximately 2,000 feet to the west, eliminating the existing 45th Street NW at-grade crossing and converting an existing private at-grade crossing into a public at-grade crossing. The converted public at-grade crossing would be upgraded with an active warning system.

MnDOT's Cultural Resource Unit (CRU) has reviewed the proposed project and determined that there would be "no adverse effects" to the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District as currently proposed. According to CRU's determination, the construction of the railroad line that will extend off the main line, which would constitute the only direct effect to the historic district, will not alter the existing location/alignment, materials, workmanship, design, feeling and association of the main line. While the presence of the new railroad line constitutes a minor change in setting, it is one that is in keeping with historic character of the main line, from which numerous branch lines, spur tracks, and switch tracks extended between 1862 and 1956, the period of significance for Minnesota railroads.

Other project components, including the crossing at TH 40, will be over 1.25 miles distant in a fairly level landscape; therefore will not be visible from the historic district. The realignment of TH 12 would result in the road no longer running next to the main line, which constitutes a minor visual change in a district that is hundreds of miles long. None of the propose project components will create increases in traffic, noise or vibrations, or affect air quality in the vicinity of the historic district.

5. **Coordination with Responsible Official with Jurisdiction (OWJ) Over the Section 4(f) Property:**

   MnHPO, the official with jurisdiction, has provided a letter stating that the proposed railroad connection, including consideration of the mitigation, will not adversely affect the activities, features and attributes that are important to the resource. See attached letter.

If FHWA agrees with the recommendation for a de minimis preliminary determination, please indicate by signature below. MnDOT understands that the de minimis preliminary determination is conditioned upon consideration of any comments received from the OWJ during the required comment period.

Sincerely,

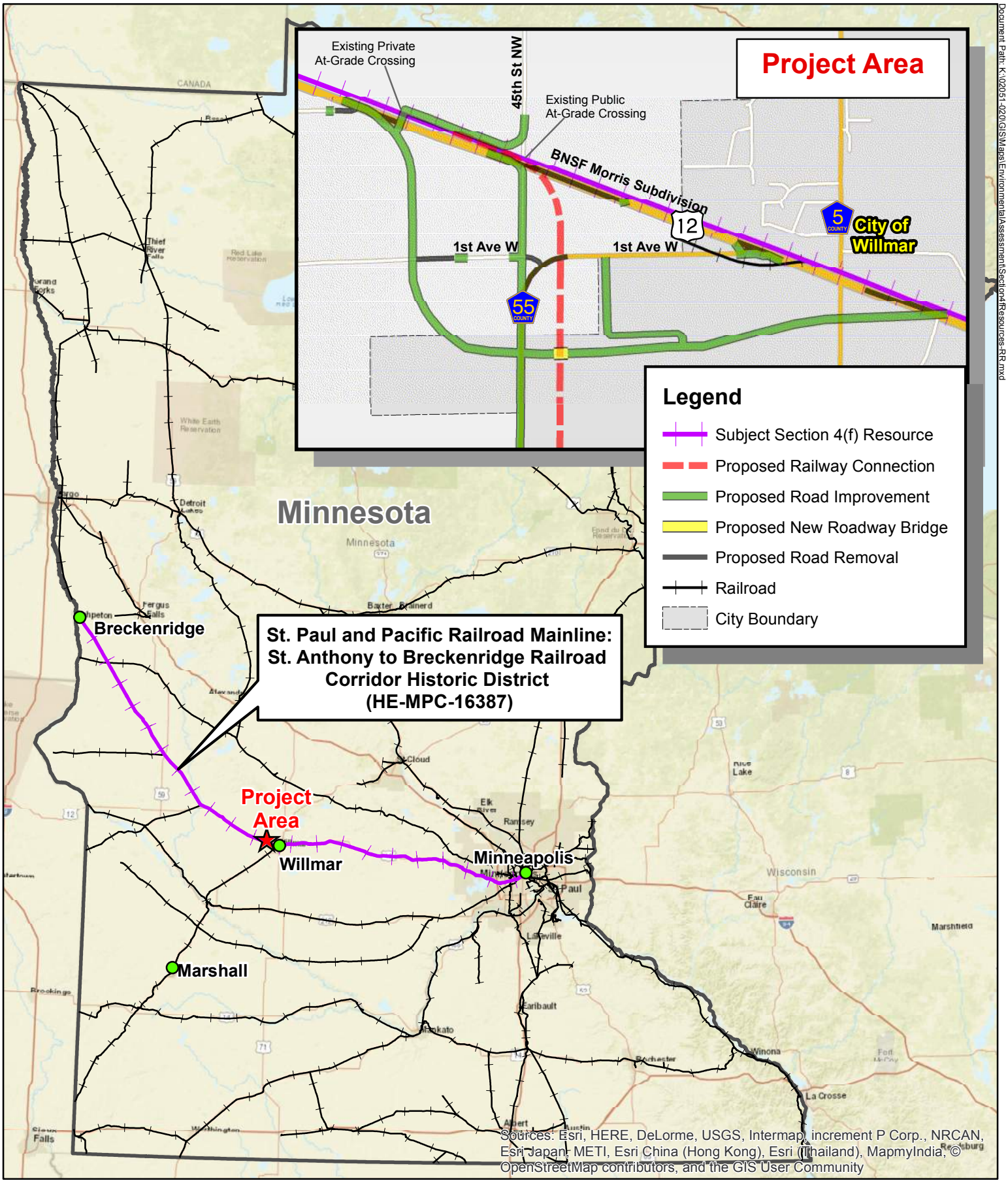
Paul Rasmussen

Project Manager

MnDOT District 8

De Minimis Preliminary Determination conditioned on results of note to OWJ and subsequent comment period:

FHWA Engineer _____ **Date** 10/17/2016



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Willmar Rail Connector & Industrial Access Project

S.P. 3403-74

Section 4(f) Resource: Historic Site

Willmar, MN

N

Minnesota Department of Transportation

Office of Environmental Stewardship
Mail Stop 620
395 John Ireland Boulevard
St. Paul, MN 55155-1899

Office Tel: (651) 366-3614
Fax: (651) 366-3603

August 16, 2016

Sarah Beimers, Government Programs & Compliance Manager
State Historic Preservation Office, Minnesota Historical Society
345 Kellogg Blvd. W., St. Paul, MN 55101

Re: S.P. 3403-74 (Willmar Connection and Industrial Access Project, City of Willmar and Willmar Township, Kandiyohi County, Minnesota), Architectural History & Archaeology Reports

Dear Ms. Beimers,

We have reviewed the above-referenced undertaking pursuant to our FHWA-delegated responsibilities for compliance with Section 106 of the National Historic Preservation Act, as amended (36 CFR 800), and as per the terms of the applicable Programmatic Agreements between the FHWA and the Minnesota Historic Preservation Office (MnHPO). This review fulfills MnDOT's responsibilities under Minnesota Statute 138 and 307.08.

The proposed project is to construct a rail connection between two existing BNSF Railway main track subdivisions: the Morris Subdivision, which parallels Trunk Highway (TH) 12, and the Marshall Subdivision, which parallels County Road (CR) 55/County State Aid Highway (CSAH) 15. The rail connection will consist of approximately 2.7 miles of new main track, and its configuration will include a single leg on the north, a north-south connection track, and a wye on the south.

A rail siding consisting of approximately 10,000 linear feet of new track will be constructed parallel to the proposed connection on the west to allow trains to pass one another, and an approximately 14-foot-wide access road paralleling and west of the siding will be built to allow BNSF crews to perform train inspections on the connection, provide access for track and signal maintenance, and accommodate replacing train crews.

The connection will result in new road crossings at 1st Avenue West/CR 55, TH 40, and TH 12. The road crossing at 1st Avenue West will be an at-grade crossing with active warning devices for crossing protection. The crossing at TH 40 will be a bridge over the new track, and the TH 40/CR 55 intersection located west of the rail line will be raised to meet the TH 40 overpass grade as it descends westward; three properties at this intersection may need to be acquired to allow for the bridge and grade raise. Two alternatives are currently under consideration for the TH 12 crossing, each of which will involve constructing a bridge over the rail line. The first is to follow the current alignment. The second involves re-routing TH 12 to the south to circumnavigate the northern rail-connection point. In addition to road crossings, railway bridges or culverts will be constructed to cross Hawk Creek/County Ditch No. 10, an unnamed tributary to Hawk Creek, and County Ditch No. 46.

The area of potential effects (APE) for architectural history is an irregularly shaped area which accommodates potential effects for either project alternative (see the attached report by Deco Cultural Services). The Phase I architectural history investigation identified a segment of one property previously considered eligible for listing in the National Register, the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge RR Corridor Historic District (HE-MPC-16387). One property, County Ditch No. 10 (KH-DTC-002), was identified as potentially eligible by our office prior to the Phase I survey. Beyond County Ditch No. 10, a total of 25 properties 45 years in age or older were surveyed, 24 of which were

recommended as not eligible for listing in the National Register. The remaining property, the Willmar and Sioux Falls Railway Company main line (XX-RRD-038), was recommended as potentially eligible. As a result of Deco's Phase II evaluations, County Ditch No. 10 and the Willmar and Sioux Falls Railway Company main line were recommended as not eligible for listing in the National Register of Historic Places. We agree with the consultant's recommendations, and therefore find the neither property is eligible for the National Register.

The St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge RR Corridor Historic District (HE-MPC-16387) is an active rail corridor that has previously been determined eligible.

The construction of the railroad line that will extend off the main line, which would constitute the only direct effect to the historic district, will not alter the existing location/alignment, materials, workmanship, design, feeling and association of the main line. While the presence of the new railroad line constitutes a minor change in setting, it is one that is in keeping with historic character of the main line, from which numerous branch lines, spur tracks, and switch tracks extended between 1862 and 1956, the period of significance for Minnesota railroads.

The crossing at 1st Avenue will be low in profile and at a distance of over ¼-mile from the historic district. The crossing at TH 40 will be over 1.25 miles distant in a fairly level landscape; therefore neither will be visible from the historic district.

Whether TH 12 follows its current alignment and a bridge is built over the main line or is realigned such that a segment approximately 1.5 miles in length no longer runs next to the main line, it would constitute a minor visual change in a district that is hundreds of miles long and in which highway bridges over the tracks are a common feature.

None of the proposed project components will create increases in traffic, noise, or vibrations, or affect air quality in the vicinity of the historic district.

A Phase I archaeological survey of the APE by HDR Engineering identified one historic farmstead site (21KH157) occupied from about 1905 to 1991by at least three different households. Phase I fieldwork indicated the presence of a low density of mostly recent artifacts in disturbed contexts. Because it was occupied by multiple households and lack integrity, this site is not eligible for listing in the National Register of Historic Places.

The finding of this office is that there will be **No Adverse Effects** to the St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge RR Corridor Historic District by the project as currently proposed. If the project scope changes, we will provide your office with the revised information to conduct an additional review.

Sincerely,

Craig Johnson
Cultural Resources Unit

Attachments

cc: MnDOT CRU Project File
Jack Corkle, WSB
Paul Rasmussen, MnDOT D. 8

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MINNESOTA HISTORIC PRESERVATION OFFICE

September 23, 2016

Mr. Craig Johnson
Cultural Resources Unit
MN Dept of Transportation
Transportation Building, MS 620
395 John Ireland Blvd
St. Paul, MN 55155-1899

RE: S.P. 3403-74, Willmar Connection and Industrial Access Project
Willmar & Willmar Twp, Kandiyohi County
MnHPO Number: 2016-3404

Dear Mr. Johnson:

Thank you for the opportunity comment on the above project. Information received on 17 August 2016 has been reviewed pursuant to the responsibilities given the State Historic Preservation Officer by the National Historic Preservation Act of 1966 and implementing federal regulations at 36 CFR 800, and per the terms of the 2014 Amended Programmatic Agreement between the Federal Highway Administration and the Minnesota State Historic Preservation Office.

As we understand it, the proposed undertaking is the construction of a rail connection between two existing BNSF Railway main track subdivisions. The rail connection includes 2.7miles of new main track with a single leg on the north, a north-south connection track, and a wye on the south. A rail siding and access road will also be built as part of this project.

We have completed our review of your correspondence dated August 16, 2016 along with the documentation provided in regards to your agency's determination of the area of potential effect (APE) for the Federal undertaking. We agree that this APE determination is generally appropriate to take into account the potential direct and indirect effects of the proposed undertaking as we currently understand it. As the project's scope of work is further defined, or if it is significantly altered from the current scope, additional consultation with our office may be necessary in order to revise the current APE.

We have reviewed the report *Phase I and II Architectural History Investigations for the Willmar Connection and Industrial Access Project, City of Willmar and Willmar Township, Kandiyohi County, Minnesota* (July 2016) prepared by Deco Cultural Services. We agree with your consultant's recommendation that twenty-five (25) of the twenty-six (26) properties identified within the APE for this project are ***not eligible*** for listing in the National Register of Historic Places (NRHP), including County Ditch No. 10 (KH-DTC-002) and the Willmar and Sioux Falls Railway Company Main Line (XX-RRD-038).

The St. Paul and Pacific Railroad Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District has previously been determined ***eligible*** for listing in the NRHP.

We have also reviewed the report *Phase I Archaeological Resources Survey for the Value Engineering Roadway Alternative 2, Willmar Wye Project, Kandiyohi County, Minnesota* (July 2016) prepared by HDR Engineering. One archaeological site, 21KH0157, was identified within the APE for this project. We agree with your consultant's recommendation that this site is ***not eligible*** for listing in the NRHP.

Based on information available to us at this time, we concur with your determination that construction of this rail connection and industrial access project will have **no adverse effect** on the National Register –eligible St. Paul and Pacific Mainline: St. Anthony to Breckenridge Railroad Corridor Historic District.

Please contact our Compliance Section at (651) 259-3455 if you have any questions regarding our review of this project.

Sincerely,

Sarah J. Beimers

Sarah J. Beimers, Manager
Government Programs and Compliance

cc: Phil Forst, FHWA
Dave Scott, FHWA