

# Appendix A

## Correspondence

## Stolte, Aaron

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**From:** Leete, Peter (DOT) <peter.leete@state.mn.us>  
**Sent:** Monday, February 26, 2018 11:21 AM  
**To:** Stolte, Aaron  
**Cc:** Brown, Greg; Dumont, Claudia (DOT); Kunkel, Beth; Stangler, Michael (DOT); Straumanis, Sarma (DOT); Smith, Christopher E (DOT); Joyal, Lisa (DNR); Orne, Benjamin G MVP; Horton, Becky (DNR); Stewig, Joe (DNR); Hoaglund, Erica (DNR); Edgeton, Tim (DNR); Bedell, James (DNR)  
**Subject:** DNR Comments on MnDOT Early Notification Memo, I-94 land addition (Clearwater to Albertville) SP8680-173 Wright County  
**Attachments:** SP 8680-173 - TH94 Albertville to Clearwater ENM.pdf; DNRbasemap(SP8680-173).pdf; AES (w veg protection sheet).pdf; AIS Construction best practices.pdf

**Categories:** External

Hi Aaron,

This email is the DNR response for your project records. I have not sent this Early Notification Memo (ENM) out for full DNR review. The following comments are based on information provided in the submitted documents regarding the proposed additional lane on I-94 between Albertville and Clearwater, Wright County. Please incorporate the following comments into final designs and special provisions as they are developed:

1. For MnDOT planning purposes, attached to this email is a map of the project area (DNRbasemap.pdf) showing nearby locations of DNR areas concern (if they exist), such as Public Waters (in blue), waterbodies designated as infested with aquatic invasive species (AIS), snowmobile Trails (in pink), and various green shaded polygons for Sites of Biodiversity Significance. This map may be shared or included in project documentation, as all information is from publically available data layers. Most of this information is also available on the MnDOT georilla website (<http://georilla/metrogis/#>) in the natural resources catalog (DNR ENM).

The Natural Heritage Information System (NHIS) database has been reviewed, though in order to prevent the inadvertent release of a rare features location, those details are not shown on the map. Comments on potential impacts to rare features listed in the NHIS comments are below. If you have questions regarding proposed work near any of the data shown, please give me a call.

2. My understanding is that the additional lane will into the median, and not widen existing outside inslopes of I-94. Thus it is unknown if the project will impact any Public Waters in the project area. The MnDOT structures in or near Public waters are located at:
  - An Unnamed Wetland (#86035400) is bisected by local roads and I-94 at approximately RP 185. It is unknown if the MnDOT centerline culvert (#640684) at this location will require work.
  - Locke Lake (#86016800). The OHW for Locke lake is 960.2 (NGVD29). Should work extend to the lake side of I-94, no fill will be allowed below this elevation. Also be awarer that there there is the Locke Lake Public Access adjacent to MnDOT right of way at this location too.
  - The Silver Creek culvert (bridge #91089) also acts as the outlet control for Locke Lake water levels. Be aware that any work to this crossing will have to mimic existing conditions.
  - Otter Creek at approximately RP191.7. It is unknown if the MnDOT centerline culverts (#640720 & 640719) at this location will require work.

Should plans include in-water work at any of the above locations, please contact me as further review may be required. Resetting aprons or replacing 'in kind' (no change to length, diameter, invert elevations) typically will not require field review, though be aware the project may need to be reviewed/authorized under GP2004-0001

and that the design and timing of the work will need to follow DNR standards, including fish passage requirements and work exclusions dates. We typically limit work in the water (Work Exclusion dates) to allow for undisturbed fish migration and spawning. No work in the water will be allowed from March 15 through June 15. While we may revise these dates for a particular project, there may still be limitations on the types of work during this time.

Please be aware that the MPCA NPDES general permit for authorization to discharge stormwater associated with construction activities (permit MN R10001) recognizes the DNR “work in water restrictions” during specified fish migration and spawning time frames for areas adjacent to water. During the restriction period, all exposed soil areas that are within 200 feet of the water’s edge and drain to these waters, must have erosion prevention stabilization activities initiated immediately after soil disturbing activity has ceased (and be completed within 24 hours).

3. Please remind contractors that a separate water use permit is required for withdrawal of more than 10,000 gallons of water per day or 1 million gallons per year from surface water or ground water. GP1997-0005 (temporary water appropriations) covers a variety of activities associated with road construction and should be applied if applicable. An individual appropriations permit may be required for projects lasting longer than one year or exceeding 50 million gallons. Information is located at: [http://www.dnr.state.mn.us/waters/watermgmt\\_section/appropriations/permits.html](http://www.dnr.state.mn.us/waters/watermgmt_section/appropriations/permits.html)
4. The Minnesota Natural Heritage Information System (NHIS) has been queried to determine if any rare plant or animal species, native plant communities, or other significant natural features are known to occur within an approximate one-mile radius of the project area. There were many rare features identified in this query, primarily located along the Mississippi River Corridor. In order to prevent the inadvertent release of the location of specific listed or rare species contained in the NHIS, I have not identified the species or their location on the attached ‘DNRbasemap.pdf’. If these details are needed for documentation, please contact me. Please note that the following rare features were identified in the query and *may* be impacted by the proposed project. Suggested avoidance and/or protection measures are also identified:
  - a. The segment from approximately RP 188 through RP 190 is the area that I-94 is closest to the river. This area includes natural communities that are considered a Site of Biodiversity Significance. These are ranked as ‘high’ quality, with its Pin Oak – Bur Oak Woodland composition. ‘High’ sites contain very good quality occurrences of the rarest species, high-quality examples of rare native plant communities, and/or important functional landscapes.

This area should be identified as an ‘Area of Environmental Sensitivity’ on plans. See the attached AES best practices guidance. The concern along this segment is that soil disturbance, incidental herbicide exposure, hydrologic alterations, tree disturbance, competition from non-native, sod-forming grasses, introduction of weed seeds, or shading by encroaching shrubs can all lead to degradation of these sites. The attached guidance is based on your spec 2572.3, and includes protection measures of areas such as these. The following Best Practices should suffice:

- Design the project to avoid impacts to any identified Area of Environmental Sensitivity.
- Protect and preserve vegetation from damage in accordance with MnDOT Spec 2572.3
- Revegetate disturbed soils with native species suitable to the local habitat. Revegetation of disturbed soils should include native mixes in areas that are not proposed for mowed turf grass. Please utilize the native recommendations developed by BWSR ([http://www.bwsr.state.mn.us/native\\_vegetation/](http://www.bwsr.state.mn.us/native_vegetation/)) or MnDOT in the ‘Vegetation Establishment Recommendations’ – dated November 13, 2015 (<http://www.dot.state.mn.us/environment/erosion/seedmixes.html>). In addition, for meeting DNR concerns, revegetation may include woody vegetation (trees and shrubs) in addition to grasses and/or forbs. Please contact your Districts representatives for the Erosion Control & Stormwater Management Unit, Roadside Vegetation Management Unit, and the Districts Maintenance staff to help determine appropriate permanent revegetation plans

- Additionally, any use of Category 3 or 4 erosion control blanket shall be limited to ‘bio-netting’ or ‘naturalnetting’ types (category 3N or 4N), and specifically not allow plastic mesh netting.

The Natural Heritage Information System (NHIS) is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. If information becomes available indicating additional listed species or other rare features, further review may be necessary.

5. The northern long-eared bat (*Myotis septentrionalis*), federally listed as threatened and state-listed as special concern, can be found throughout Minnesota. During the winter this species hibernates in caves and mines, and during the active season (approximately April-October) it roosts underneath bark, in cavities, or in crevices of both live and dead trees. Pup rearing is during June and July. Activities that may impact this species include, but are not limited to, any disturbance to hibernacula and destruction/degradation of habitat (including tree removal).

The U.S. Fish and Wildlife Service (USFWS) has published a final 4(d) rule that identifies prohibited take. To determine whether you need to contact the USFWS, please refer to the USFWS Key to the Northern Long-Eared Bat 4(d) Rule (see links below). Please note that the NHIS does not contain any known occurrences of northern long-eared bat roosts or hibernacula within an approximate one-mile radius of the proposed project.

Links: USFWS Key to the Northern Long-Eared Bat 4(d) Rule for Non-Federal Activities  
<http://www.fws.gov/midwest/endangered/mammals/nleb/KeyFinal4dNLEB.html>  
 USFWS Key to the Northern Long-Eared Bat 4(d) Rule for Federal Actions  
<http://www.fws.gov/midwest/endangered/mammals/nleb/KeyFinal4dNLEBFedProjects.html>  
 USFWS Northern Long-eared Bat Website  
<http://www.fws.gov/midwest/endangered/mammals/nleb/index.html>  
 USFWS Northern Long-eared Bat Fact Sheet  
<http://www.fws.gov/midwest/endangered/mammals/nleb/nlebFactSheet.html>

6. Locke Lake and Fish Lake have been designated as infested with aquatic invasive species due to the presence of Eurasian water milfoil. These basins should be identified as ‘designated infested waters’ on project plans and provisions. No work should be allowed in them if avoidable (including pumping water for construction purposes). Should work be required, I have attached best practices that have been developed for construction equipment to prevent their spread. Should water be required for construction purposes, waters that are not designated as infested should be identified for such use.

This ENM has not been circulated to DNR field staff for comment. I will let you know if any additional comments on design requirements are returned to me due to this email.

DNR folks, if I’ve missed anything, or have any suggestions for MnDOT to consider, please respond ASAP to Aaron, and myself.

**Peter Leete**

Transportation Hydrologist (DNR-MnDOT Liaison) | Division of Ecological & Water Resources

**Minnesota Department of Natural Resources**

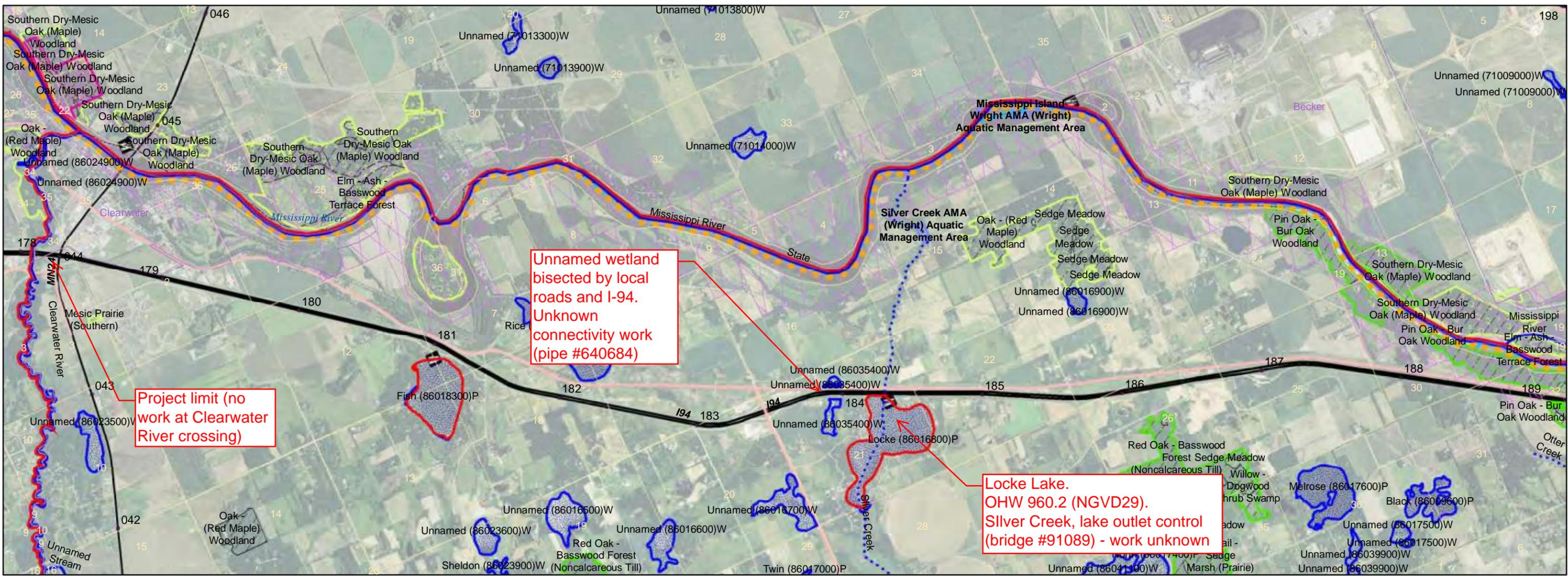
Office location: MnDOT Office of Environmental Stewardship

395 John Ireland Blvd., MS 620

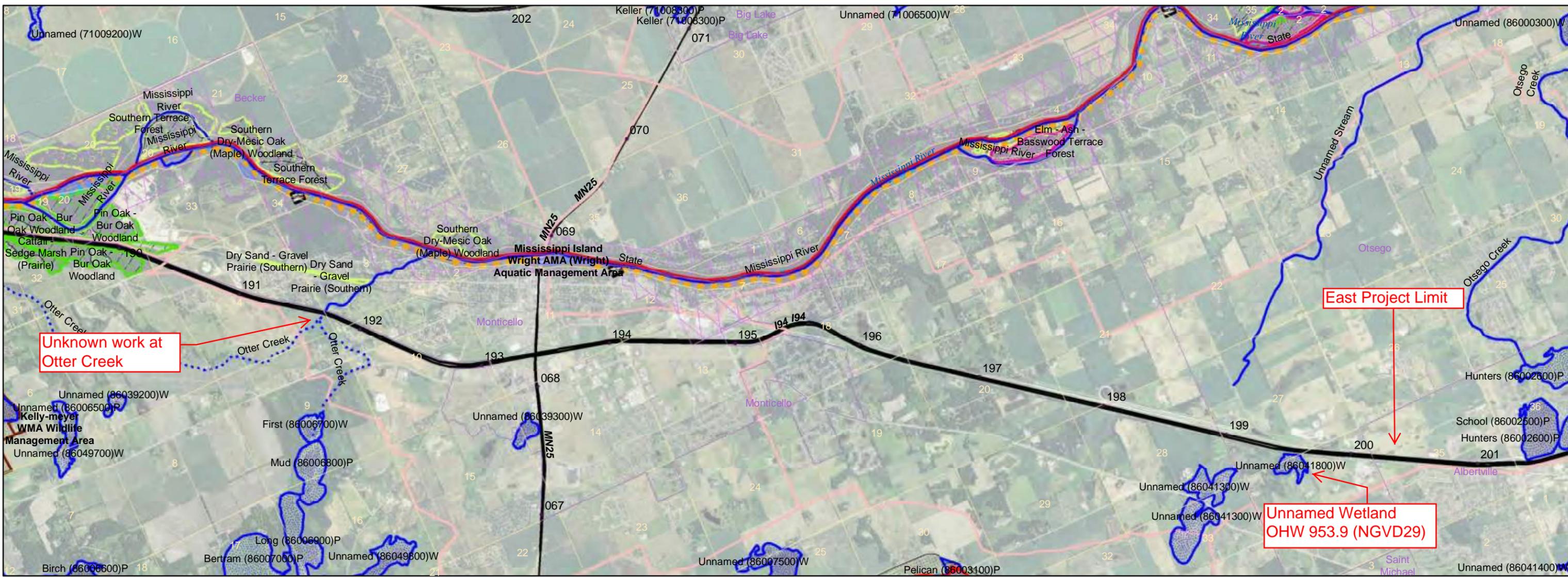
St. Paul, MN 55155

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Email: [peter.leete@state.mn.us](mailto:peter.leete@state.mn.us)



- I-94 Lane Addition between Clearwater and Albertville (SP8680-173)**
- ▬ Designated Infested (Aquatic Invasive Species - AIS)
  - Designated Infested (Aquatic Invasive Species - AIS)
  - ▬ Public Water Watercourse
  - ▬ Public Ditch/Altered Natural Watercourse
  - Public Waters Basins
  - Public Access - Carry-In
  - Public Access - Trailer Launch
  - Aquatic Management Area - AMA
  - Scientific and Natural Area - SNA
  - State Wild & Scenic River
  - Wild and Scenic River Districts
  - ▬ Minnesota Water Trails
  - ▬ Local Snowmobile Trails
  - Site of Biodiversity Significance - High
  - Site of Biodiversity Significance - Moderate
  - DNR Native Plant Communities (w/description)



- I-94 Lane Addition between Claerwater and Albertville (SP8680-173)**
- Designated Infested (Aquatic Invasive Species - AIS)
  - Designated Infested (Aquatic Invasive Species - AIS)
  - USFWS Waterfowl Production Areas (Current)
  - Public Water Watercourse
  - Public Ditch/Altered Natural Watercourse
  - Public Waters Basins
  - Public Access - Trailer Launch
  - Aquatic Management Area - AMA
  - Scientific and Natural Area - SNA
  - Wildlife Management Area - WMA
  - State Wild & Scenic River
  - Wild and Scenic River Districts
  - Minnesota Water Trails
  - Local Snowmobile Trails
  - Site of Biodiversity Significance - High
  - Site of Biodiversity Significance - Moderate
  - DNR Native Plant Communities (w/description)

# Protection Measures for Areas of Environmental Sensitivity (AES)

An Area of Environmental Sensitivity (AES) is a generic term to be utilized on plans to identify an area as containing unique characteristics that needs specific protection during construction. These areas may be any area that is identified for added protection due to habitat, wildlife, cultural resources/properties, ecological significance, geological features, visual quality, or its sensitivity to disturbance.

Areas identified on plans as an AES shall not be disturbed during construction. Commonly the actual area to be protected is adjacent to the right of way corridor and the AES identifier is utilized as a buffer. The concern is that soil disturbance, incidental herbicide exposure, hydrologic alterations, tree disturbance, competition from non-native, sod-forming grasses, introduction of weed seeds, or shading by encroaching shrubs can all lead to degradation of these sites.

MnDOT projects must adhere to processes and application of measures consistent with, but limited to, the MnDOT Highway Project Development Process Handbook (HPDP), 2014 Standard Specifications For Construction; Section 2572 (Protection and Restoration of Vegetation), and Section 2101 (Clearing and Grubbing), of which key aspects are listed below:

## Examples of an Area of Environmental Sensitivity:

Not all Areas of Environmental Sensitivity (AES) are equal. Many may have stringent levels of regulatory protection on their own, such as Threatened and Endangered Species. However, identifying a site as an AES is to be considered as a generic “stay out of this area” for construction purposes and does not have to reveal the reason for the designation.

Typical examples are:

- Wetlands that are not permitted for construction activities.
- Open Water (such as DNR Public Waters, and other perennial streams and waterbodies)
- Trout Lakes and Streams along with their source springs.
- Calcareous Fens. These are identified in ‘native plant communities’ though due to their unique relationship with groundwater. Impacts to groundwater may also require separate analysis and protection.
- Impaired waters, Special Waters, and/or Outstanding Resource Value Waters (ORVW) as designated by the MPCA. <http://pca-gis02.pca.state.mn.us/CSW/index.html>.
- Wooded areas with Specimen Trees, or other permanent vegetation designated for preservation.
- Prairie remnants, including but not limited to areas adjacent to Railroad Rights-of-way Prairies.
- ‘Sites of Biodiversity Significance’ areas designated by the DNR Biological Survey. These sites contain varying levels of native biodiversity such as high quality ‘Native Plant Communities’, rare plants, rare animals, and/or animal aggregations. [http://www.dnr.state.mn.us/eco/mcbs/biodiversity\\_guidelines.html](http://www.dnr.state.mn.us/eco/mcbs/biodiversity_guidelines.html).
- ‘Native Plant Community’ areas designated by the DNR Biological Survey. Native plant communities are classified and described by considering vegetation, hydrology, landforms, soils, and natural disturbance regimes. <http://www.dnr.state.mn.us/npc/index.html>.
- Federal or State listed species, and their habitat.
- Historical sites
- Any natural scenic elements, such as geological features not to be disturbed as designated by project planners, project managers, or project inspectors

## Best Practices:

1. Design the project to avoid impacts to identified Area of Environmental Sensitivity.
2. Design and construction should incorporate protection and/or enhancement of adjacent AES features.
3. Label identified Areas of Environmental Sensitivity on all plans.
4. Drainage into Areas of Environmental Sensitivity may also have limitations on impacts.

## In situations where work in or adjacent to an AES is authorized:

1. Prior to in-water work in an AES, check to see if a Mussel Survey is required.
2. Protect and preserve vegetation from damage in accordance with MnDOT Spec 2572.3
3. Prohibit vehicle and construction activities, including the location of field offices, storage of equipment and other supplies at least 25 feet outside the dripline of trees or other identified Area of Environmental Sensitivity to be preserved, also in accordance with MnDOT spec 2572.3
4. In areas where there are large or numerous separate of areas to protect, it may be preferred to identify those areas that are OK to be utilized, and have all other areas designated off limits for parking, staging, and/or stockpiling of materials.

5. Walk the perimeter of a sensitive area with the grading foreman so that all personnel understand and agree on the hard edge of the sensitive area.
6. Redundant sediment/erosion control Best Management Practices (BMP's) may be required for protection of areas of environmental sensitivity.
7. Revegetate disturbed soils with native species suitable to the local habitat. Revegetation plans may include woody vegetation (trees and shrubs) in addition to grasses and/or forbs.
8. Coordinate with MnDOT Office of Environmental Stewardship and/or the DNR if an Area of Environmental sensitivity is accidentally disturbed or damaged.
9. Relocate plants if harm is unavoidable (see Information on Transplanting Wildflowers and Other Plants).

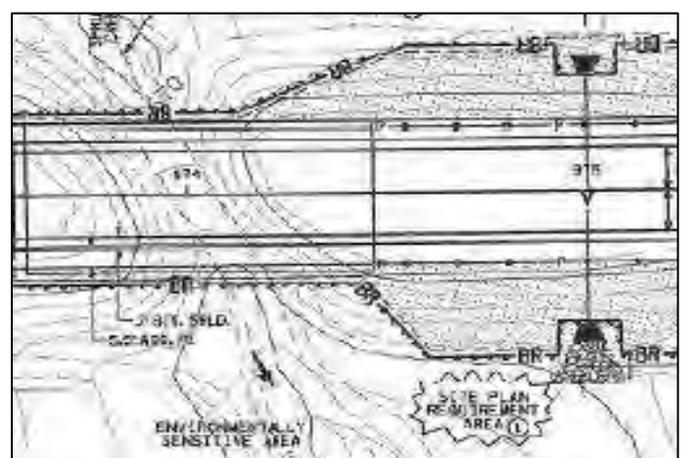
**For more information:**

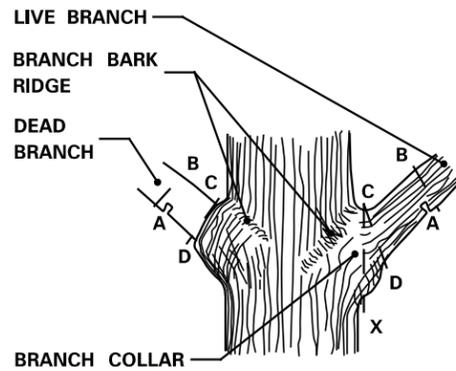
MnDOT Highway Project Development Process (HPDP): <http://www.dot.state.mn.us/planning/hpdp/environment.html>

MnDOT 2014 Standard specifications: <http://www.dot.state.mn.us/pre-letting/spec/>

DNR Sites of Biodiversity Significance: [http://www.dnr.state.mn.us/eco/mcbs/biodiversity\\_guidelines.html](http://www.dnr.state.mn.us/eco/mcbs/biodiversity_guidelines.html)

DNR Rare Species Guide: <http://www.dnr.state.mn.us/rsg/index.html>



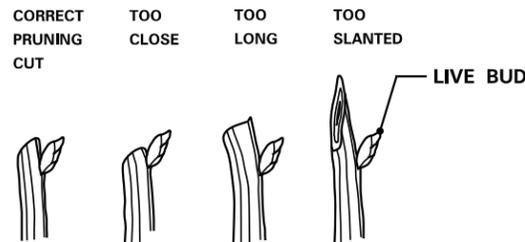


- STEPS TO PRUNING WITH PRUNING SAW:**
1. CUT PART WAY THROUGH THE BRANCH AT POINT A.
  2. CUT COMPLETELY THROUGH BRANCH FROM POINT B TO A.
  3. AT BRANCH COLLAR CUT FROM POINT C TO D.

INCORRECT CUT FROM POINT C TO X (TOO CLOSE) WILL RESULT IN DISCONTINUOUS CALLUS FORMATION AFTER ONE SEASON OF GROWTH.

CORRECT CUT FROM POINT C TO D (LEAVING BRANCH COLLAR BUT NOT THE STUB FROM POINT B TO A) WILL RESULT IN CONTINUOUS DOUGHNUT SHAPED CALLUS FORMATION AFTER ONE SEASON OF GROWTH.

**BRANCHES PRUNED AT TRUNK**  
(SHIGO METHOD)

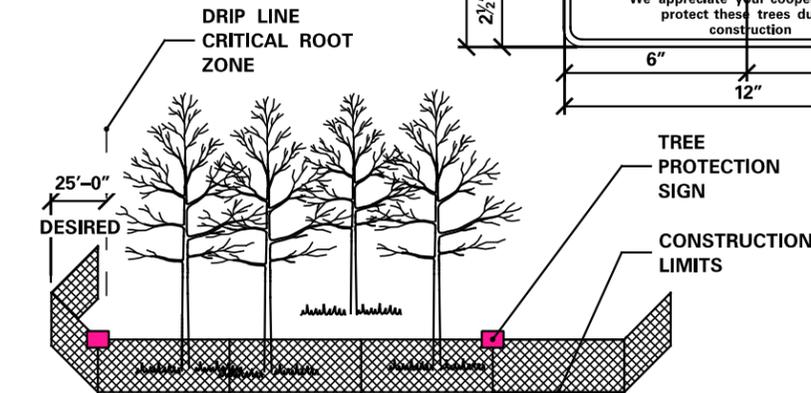
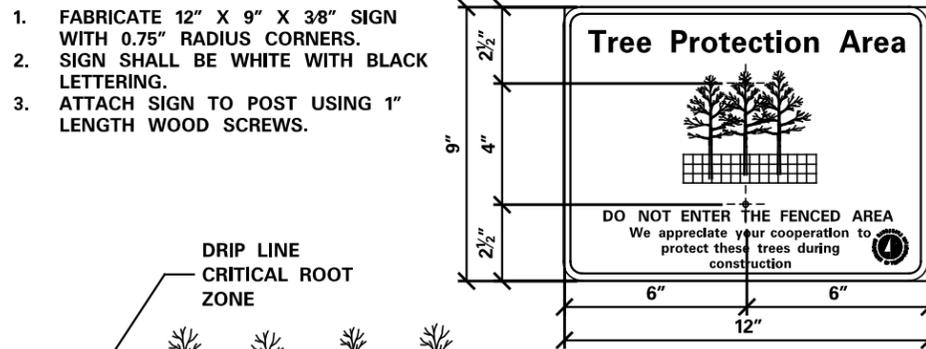


- PRUNING NOTES:**
1. PRUNE USING CLEAN AND SHARP SCISSOR-TYPE PRUNER OR PRUNING SAW.
  2. THE BEST TIME TO PRUNE IS LATE DORMANT SEASON OR EARLY SPRING.
  3. AVOID PRUNING OAKS IN APRIL, MAY, JUNE OR JULY.
  4. IF PRUNING IS NECESSARY OR IF WOUNDS OCCUR TO OAK TREES IN APRIL, MAY, JUNE OR JULY, IMMEDIATELY PAINT CUT SURFACE OR WOUND WITH LATEX PAINT OR SHELLAC.

**BRANCHES PRUNED TO LIVE BUD**

**PRUNING**

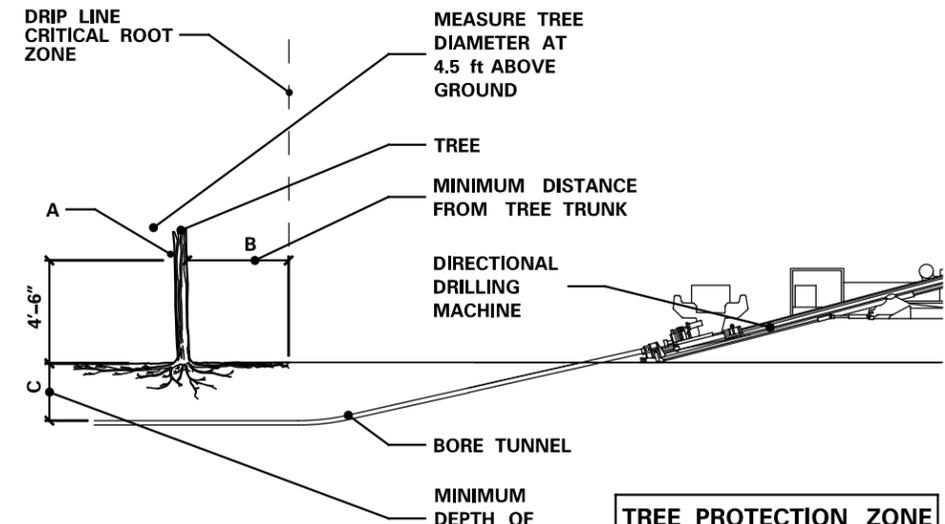
(MnDOT 2571.3K2a9 and 2571.3E1)



1. FURNISH AND INSTALL TEMPORARY FENCE AT THE TREE'S DRIPLINE OR CONSTRUCTION LIMITS AS SPECIFIED, PRIOR TO ANY CONSTRUCTION.
2. WHEN POSSIBLE PLACE FENCE 25 FEET BEYOND THE DRIPLINE.
3. PLACE TREE PROTECTION SIGNS ALONG FENCE AT 50' INTERVALS.

**TEMPORARY FENCE**

(MnDOT 2572.3A1)



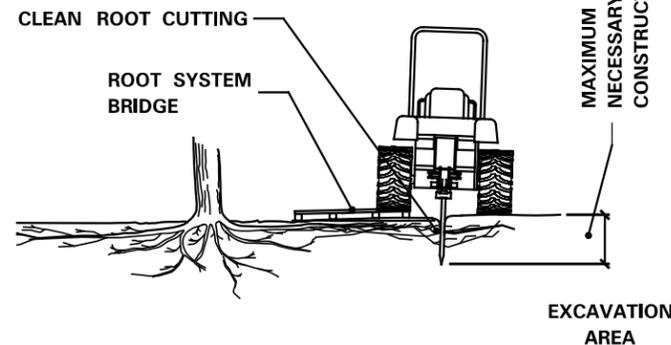
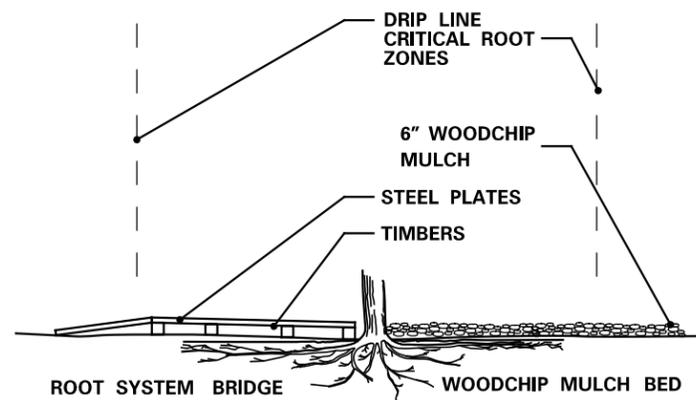
NOTE:

1. (A) IS THE DIAMETER OF TREES MEASURED 4-6 FEET ABOVE THE GROUND AND IS TERMED THE "DIAMETER AT BREAST HEIGHT," (DBH).
2. USING A TREE DIAMETER TAPE, WRAP THE TAPE AROUND THE GIRTH OF THE TREE, AT THE DBH, BEING CAREFUL NOT TO TWIST THE TAPE.

TREE PROTECTION ZONE		
A	B	C
< 2"	2'	2'
2-4"	4'	2.5'
> 4-9"	6'	2.5'
> 9-14"	10'	3'
> 14-19"	12'	3.25'
> 19"	15'	4'

**UTILITY CONSTRUCTION**

(MnDOT 2572.3A5)



IF CONSTRUCTION VEHICLES MUST PASS OVER ROOT ZONES, THE CONTRACTOR MUST EITHER:

1. CONSTRUCT ROOT SYSTEM BRIDGES WITH STEEL PLATE SUPPORTED ON WOOD TIMBERS PLACED RADIALLY TO THE TREE TRUNK.
- OR
2. PLACE A 6 INCH LAYER OF WOODCHIP MULCH OVER A TYPE III GEOTEXTILE (MnDOT 3733).

1. WHEN DESIGNATED IN THE PLAN OR DIRECTED BY THE ENGINEER, PRIOR TO EXCAVATION, ALL TREE ROOTS WILL BE CLEANLY CUT BY A VIBRATORY PLOW OR OTHER APPROVED ROOT CUTTER.
2. THE TREE ROOTS WILL BE CUT CLEANLY TO THE MAXIMUM DEPTH NECESSARY FOR CONSTRUCTION.
3. IMMEDIATELY, AND CLEANLY CUT DAMAGED AND EXPOSED ROOTS.
4. ROOT ENDS EXPOSED BY EXCAVATION ACTIVITIES SHALL BE IMMEDIATELY COVERED WITH A 6" LAYER OF ADJACENT SOIL.

**OTHER VEGETATION PROTECTION MEASURES**

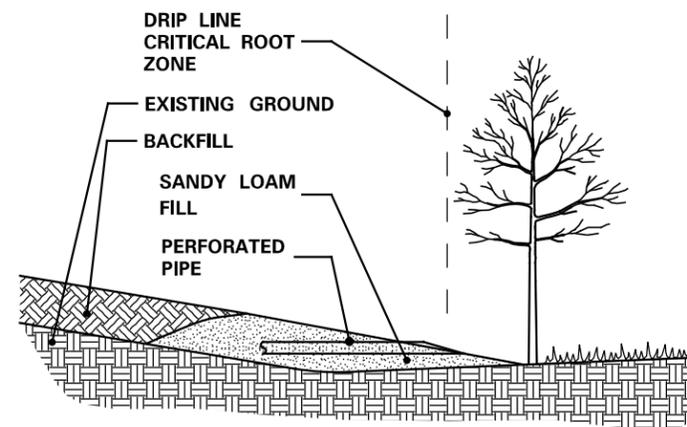
(MnDOT 2572.3A12)

**CLEAN ROOT CUTTING**

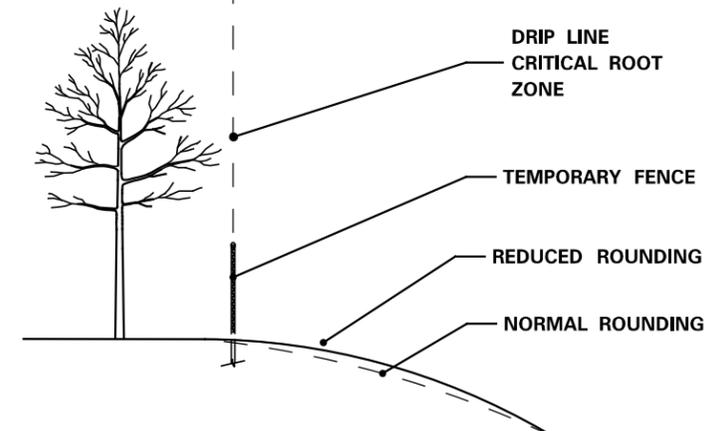
(MnDOT 2572.3A2)

**SANDY LOAM TOPSOIL**

(MnDOT 2572.3A4)



1. ANY FILL REQUIRED WITHIN THE DRIPLINE OF TREES, IS UNCOMPACTED SANDY LOAM TOPSOIL (WITH A COARSE SAND COMPONENT).
2. EXCESSIVE FILL MAY REQUIRE INSTALLING PERFORATED PIPE WITH AT LEAST ONE DAYLIGHTED END OPENING AS AN AERATION SYSTEM.



SIGNIFICANT TREES NEAR THE PROPOSED CONSTRUCTION LIMITS WILL BE IDENTIFIED IN THE PLAN OR BY THE ENGINEER AND WILL BE PRESERVED BY THE CONTRACTOR.

1. PLACE THE TEMPORARY FENCE.
2. REDUCE SLOPE ROUNDING WHERE ROOT ZONES ARE DISTURBED BY NORMAL SLOPE ROUNDING.
3. VARY BACKSLOPE STEEPNESS TO AVOID TREE LOSS OR UNNECESSARY ROOT DAMAGE.

**SLOPE ROUNDING**

DATE PRINTED:  
JANUARY / 01 / 2013

PROJECT MANAGER  
DAVID LARSON

DRAWN BY  
OFFICE OF ENVIRONMENTAL STEWARDSHIP



STATE OF MINNESOTA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF ENVIRONMENTAL STEWARDSHIP  
ENV. PLANNING AND DESIGN UNIT  
TRANSPORTATION BUILDING  
ST. PAUL, MINNESOTA 55155-1899

**PROTECTION AND RESTORATION OF VEGETATION**

STATE PROJECT 9210-99

(T.H. 60)

SHEET NO. 100 OF XX SHEETS



# Best Practices for Preventing the Spread of Aquatic Invasive Species

*All equipment<sup>1</sup> being transported on roads or placed in Waters of the State shall be free of prohibited and regulated invasive species and unlisted non-native species (any other species not native to Minnesota)*

1. **Project plans or documents should identify Designated Infested Waters<sup>2</sup>** located in or near the project area.
2. **Prior to transportation along roads into or out of any worksite, or between water bodies within a project area, all equipment** must be free of any aquatic plants, water, and prohibited invasive species.
  - A. **Drain** all water from equipment where water may be trapped, such as tanks, pumps, hoses, silt curtains, and water-retaining components of boats/barges (see Figures 5 & 6) **AND**
  - B. **Remove** all visible aquatic remnants (plants, seeds and animals). Removal of mud & soil is not required at all sites, though is encouraged as a Best Practice. Removal of mud and soil may be required on sites designated as infested (see #4).
3. **Prior to placing equipment into any waters**, all equipment must be free of aquatic plants and non-native animals.

4. **Additional measures are required on Designated Infested Waters to remove and kill prohibited species such as zebra mussels, quagga mussels, New Zealand mudsnails, faucet snails, or spiny waterfleas.**

Note: The DNR is available to train site inspectors and/or assist in these inspections. Contact the appropriate Regional Invasive Species Specialist: [www.mndnr.gov/invasives/ais/contacts.html](http://www.mndnr.gov/invasives/ais/contacts.html)

- A. For day use equipment (in contact with the water for 24 hours or less); Perform #2 above or,
- B. For in-water exposure greater than 24 hours: Perform #2 above, and inspect all equipment for the prohibited invasive species present (see Figure 1).

Then choose one of the following three: **on-site treatment**, **off-site treatment**, or **customized alternative**.

## On-Site Treatment

**Remove** by handscraping or powerwashing (minimum 3000 psi) all accessible areas (Figures 1 and 2) **AND**

**Kill** Prohibited Aquatic Invasive Species in non-accessible areas using one or more of the following four techniques:

- **Hot Water (minimum 140°F) for ten seconds** (Figure 2) for zebra mussels, quagga mussels, New Zealand mudsnails, faucet snails **OR**
- **Air Dry** (Figures 3 & 4)
  - Spiny waterfleas – air dry for a minimum of 2 days
  - New Zealand mudsnails – air dry for a minimum of 7 days
  - zebra or quagga mussels, faucet snails – air dry for a minimum of 21 days **OR**
- **Freezing Temperatures**
  - zebra mussels - expose to continuous temperature below 32°F for 2 days **OR**
- **Crush**
  - Crush rock, concrete, or other debris by running it through a crushing plant to kill prohibited species

## Off-Site Treatment

Under certain conditions, the DNR will allow transportation of equipment off-site after partial removal of prohibited species (for example, after “removal” has been done and equipment will be taken to a facility to complete final treatment [i.e., “kill”]) This is a ‘one-way pass’ to allow transport to a storage area or disposal facility. This option can only be utilized if the receiving site is at least 300 feet from riparian areas, wetlands, ditches, stormwater inlets or treatment facilities, seasonally-flooded areas, or other waters of the state. To be allowed to use the off-site treatment option you must do the following:

- Read, complete, and comply with the appropriate authorization form for transportation of Prohibited Invasive Species at [www.mndnr.gov/invasives/ais\\_transport.html](http://www.mndnr.gov/invasives/ais_transport.html) (Note that a completed form is required to be in every vehicle that is transporting equipment containing infested species) **AND**
- Complete on-site treatment described in 4B above prior to re-use in or adjacent to water.



**Figure 1. Invasive species may not be readily visible on equipment. Some species are less than 1/4 inch in size.**

Photo credit: Brent Wilber, Lunda Construction



**Figure 2. Removal of aquatic remnants is required before transporting.**

Photo credit: Peter Leete, DNR

# Best Practices for Preventing the Spread of Aquatic Invasive Species

## Contact a DNR Invasive Species Specialist for authorization of a customized alternative

There may be situations due to time of year, length of exposure, type of equipment, or site conditions that a DNR Invasive Species Specialist could approve alternative methods or requirements for treatment. Contact the appropriate Regional Invasive Species Specialist:  
[www.mndnr.gov/invasives/contacts.html](http://www.mndnr.gov/invasives/contacts.html)

## 5. Temporary appropriations of water from Designated Infested Waters to utilize elsewhere (such as for dust control, landscaping, bridge washing, etc.) is not allowed except by permit, thus should be avoided.

If use of Designated Infested Waters is unavoidable, permit information is located at [www.mndnr.gov/waters/watermgmt\\_section/appropriations/permits.html](http://www.mndnr.gov/waters/watermgmt_section/appropriations/permits.html)



**Figure 3. Drying will also kill aquatic organisms. Lay out materials to dry in the proper time. Drying times vary by species. Inspect after drying period is over.**  
Photo credit: Dwayne Stenlund, MnDOT



**Figure 4. Drying techniques must not trap water. This equipment will not dry adequately.**  
Photo credit: Peter Leete, DNR



**Figure 5. Pumping from designated infested waters for use elsewhere on the project is prohibited without a permit.**  
Photo credit: Peter Leete, DNR



**Figure 6. Drain all water from equipment where water may be trapped. Remove drain plugs and drain hoses prior to transport.**  
Photo Credit: Peter Leete, DNR

## Document Information

[www.mndnr.gov/waters/watermgmt\\_section/pwpermits/gp\\_2004\\_0001\\_manual.html](http://www.mndnr.gov/waters/watermgmt_section/pwpermits/gp_2004_0001_manual.html)

Best Practices for Meeting DNR GP 2004-0001 (published 5/11, updated 12/12) – Chapter 1/Page 8

More on the DNR Invasives Species Program can be found at: [www.mndnr.gov/AIS](http://www.mndnr.gov/AIS)

<sup>1</sup> **'Equipment'** is defined as any implement utilized in construction. This includes boats, barges, heavy machinery, light machinery, or other material that may be moved on-site or off-site, including but not limited to rock (riprap) or timber for temporary workpads, backhoes, pumps, hoses, worksite isolation materials (eg, sheet pile or jersey barriers), boats, barges, temporary staging materials, erosion prevention products, sediment control products (eg, silt curtain), water trucks that take water from open bodies of water (eg, dust control), or dewatering components.

<sup>2</sup> **List of Designated Infested Waters:** [http://files.dnr.state.mn.us/eco/invasives/infested\\_waters.pdf](http://files.dnr.state.mn.us/eco/invasives/infested_waters.pdf)

## DNR Contact Information



DNR Ecological and Water Resources lists area office staff at [www.mndnr.gov/waters](http://www.mndnr.gov/waters)

DNR Ecological and Water Resources  
500 Lafayette Road, Box 32, St. Paul, MN  
55155-4032, (651)259-5700 or 5100

DNR Ecological and Water Resources website provides information at [www.mndnr.gov](http://www.mndnr.gov) or by calling (651) 259-5700 or 5100.

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## DNR Information Center

Twin Cities: (651) 296-6157  
Minnesota toll free: 1-888-646-6367  
Telecommunication device for the deaf (TDD): (651) 296-5484  
TDD toll free: 1-800-657-3929

Equal opportunity to participate in and benefit from programs of the Minnesota Department of Natural Resources is available regardless of race, color, national origin, sex, sexual orientation, marital status, status with regard to public assistance, age, or disability. Discrimination inquiries should be sent to Minnesota DNR, 500 Lafayette Road, St. Paul, MN 55155-4049; or the Equal Opportunity Office, Department of the Interior, Washington, DC 20240.

*This information is available in an alternative format on request*

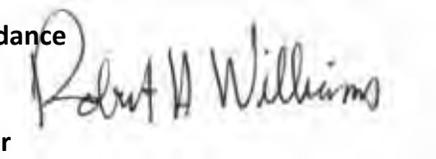
## Memo

**To:** Claudia Dumont, Project Manager  
Greg Brown, Project Designer  
Beth Kunkel, Report Writer

**CC:** Todd Grugel, ADA Design and Construction Guidance  
Mark Motschke, D3b Building Supervisor

**From:** Robert H. Williams, Rest Area Program Manager

**Date:** 18 January 2018



### RE: Response to Early Notification Memo (SP 8680-173)

Thank you for the opportunity to review and respond to the Early Notification Memo (ENM) for the work planned for I-94 in Wright and Stearns Counties. I understand the work will include an unbonded concrete overlay on I-90 and may include construction of concrete ramps at CSAH 8 and TH24. The project will occur adjacent to the Enfield rest area on eastbound I-94 at ref. pt. 186.9 and this response relates to rest area impacts.

#### Enfield Rest Area

- **Temporary Rest Area Closure:** It is not clear if the project as currently described would require temporary closure of the Enfield rest area. Any closures should be kept to a minimum. If public access to the rest area is closed temporarily, coordinate closure with me and the District 3b Building Supervisor, Mark Motschke.
- **Ramps:** It is advised that the condition of the deceleration and acceleration ramps as well as the parking pavements at the rest area be assessed. Since the project scope already includes interchange ramp construction it may be advisable to include corrective work to those pavements. Such work may be eligible for NHFP funds being managed by Maureen Jensen.
- **Accessibility:** The work of this project occurs adjacent to this rest area therefore the following CFR applies.

*49 CFR 27.75 requires that Interstate rest area facilities be made accessible to handicapped persons, including wheelchair users, when Federal financial assistance is used to improve the rest area, or when the roadway adjacent to or in the near vicinity of the rest area is constructed, reconstructed or otherwise altered with Federal financial assistance.*

Though curb ramps and the accessible routes to the rest area building were corrected under earlier projects, **it is advised that ADA Group confirm compliance with PROWAG and Minnesota Building Code.**

**Fuller Lake Rest Area:**

- **Accessibility:** The work of this project begins approximately two miles east of the Fuller Lake rest area on westbound I-94. I do not interpret 49 CFR 27.75, summarized earlier, as being applicable to this situation since this project is not in the immediate vicinity of the Fuller Lake rest areas. In any case, any accessibility deficiencies at Fuller Lake will be addressed in the upcoming project, SP 7380-254.

Again, thank you for the opportunity to respond to this ENM. Please let me know if you have any questions.

## **Stolte, Aaron**

---

**From:** Kunkel, Beth  
**Sent:** Monday, February 19, 2018 7:12 AM  
**To:** Stolte, Aaron  
**Subject:** FW: TH 94 SP 8680-173 Updated ENM 12.7.2018 – CMMT Response

---

**From:** Dumont, Claudia (DOT) [mailto:[claudia.dumont@state.mn.us](mailto:claudia.dumont@state.mn.us)]  
**Sent:** Sunday, February 18, 2018 2:30 PM  
**To:** Kunkel, Beth <[Beth.Kunkel@kimley-horn.com](mailto:Beth.Kunkel@kimley-horn.com)>  
**Subject:** FW: TH 94 SP 8680-173 Updated ENM 12.7.2018 – CMMT Response

Hi Beth,  
The response went to Matt by mistake. Please see below. Thanks!

---

**From:** Indihar, Matthew (DOT)  
**Sent:** Friday, February 16, 2018 2:00 PM  
**To:** Dumont, Claudia (DOT) <[claudia.dumont@state.mn.us](mailto:claudia.dumont@state.mn.us)>  
**Subject:** FW: TH 94 SP 8680-173 Updated ENM 12.7.2018 – CMMT Response

---

**From:** Canino, Mary (DOT)  
**Sent:** Monday, February 5, 2018 10:47 AM  
**To:** Indihar, Matthew (DOT) <[matthew.indihar@state.mn.us](mailto:matthew.indihar@state.mn.us)>  
**Cc:** Schiller, Eric (DOT) <[eric.schiller@state.mn.us](mailto:eric.schiller@state.mn.us)>; Boben, Carolyn (DOT) <[carolyn.boben@state.mn.us](mailto:carolyn.boben@state.mn.us)>  
**Subject:** TH 94 SP 8680-173 Updated ENM 12.7.2018 – CMMT Response

**ENM Due Date:**  
**Letting Date:** January 1, 2020  
**T number:** T3A415  
**Report Writer:** Matt Indihar  
**Project Manager:** Matt Indihar  
**Project Designer:**

### **TH 94 SP 8680-173 Updated ENM 12.7.2018 – CMMT Response**

The Contaminated Materials Management Team (CMMT) reviewed the Minnesota Pollution Control Agency (MPCA) and Minnesota Department of Agriculture (MDA) databases to check for known contaminated sites in the project area. The databases searched included: leaking underground storage tank facilities, landfills, salvage yards, voluntary investigation and cleanup (VIC) sites, Superfund sites and dump sites. A review of these MPCA files is a component of a Phase I Environmental Site Assessment (Phase I ESA). A complete Phase I ESA includes at least two other components: research on historic land use, and site reconnaissance. It should be noted that the MPCA database files are continually being updated. Although this information is the most up-to-date available, some of the information may be incomplete or inaccurate. There is also a possibility that undiscovered contaminated and/or regulated materials exist in the project area.

Based on the database review, one leaking underground storage tank sites is located within approximately 500 feet of the project area.

Given the nature and location of the project area, and based on the HPDP threshold criteria as summarized below, this project has low risk of impacting potentially contaminated sites. Therefore, no additional evaluation of the project area for potential contamination is necessary:

1. The project may involve acquisition of right-of-way.
2. Project excavation and grading will be relatively minor for resurfacing work. More extensive excavation work is associated with culvert replacement. However, because the culvert replacement work is primarily in rural, more undeveloped portions of this project, this decreases the chances of encountering contaminants that may have originated from an off-site source and migrated into the right of way.
3. The project is in a rural, minimally developed area. This decreases the chances of encountering contaminants that may have originated from an off-site source and migrated into the right of way.
4. The project may require groundwater dewatering.

**At a minimum a regulatory file review is needed. Depending on the results of the regulatory file review, a low duration Phase I Environmental Site Assessment and/or a Phase II Drilling Investigation may need to be completed for this project.**

Please provide all excavation locations and depths as the areas are finalized. They will be re-evaluated as we obtain the information. If new information obtained indicates the project may be impacted by a contaminated site, the project will be evaluated, and soil and groundwater testing completed, as appropriate. If necessary, a plan will be developed for properly handling and treating contaminated soil and/or groundwater during construction in accordance with all applicable state and federal requirements.

Based on our review of the Early Notification Memo and subsequent additional evaluations noted above and MnDOT's commitment to implementation of any necessary management of contaminated materials during construction, the project will not have a high risk of causing direct or indirect impacts to human health or sensitive environmental resources due to encountering contaminated materials.

Mary Canino, PG  
Consultant for Office of Environmental Stewardship  
Minnesota Department of Transportation  
395 John Ireland Blvd  
St. Paul, MN 55155  
Office: 651-366-4293 (Mon & Thur)  
Cell: 612-599-5234  
[mary.canino@state.mn.us](mailto:mary.canino@state.mn.us)



September 24, 2018

Andrew Horton  
Fish and Wildlife Biologist  
U.S. Fish and Wildlife Service  
Minnesota-Wisconsin ES Field Office  
4101 American Blvd East  
Bloomington, MN 55425-1665

**S.P. 8680-173, I-94**

Wright County, Minnesota

Notification of Determination – May affect, not likely to adversely affect – northern long-eared bat (*Myotis septentrionalis*)

No Effect Determination – Rusty-patched bumble bee (*Bombus affinis*)

**Project Description:** The proposed project will resurface (e.g., overlay) westbound lanes of Interstate 94 from approximately Monticello to Clearwater, Minnesota. Additional activities include: shoulder upgrades; ditch grading; cable median guardrail replacement; temporary lane construction; crossover construction; culvert pipe repairs or replacement; and associated activities. Up to approximately 2 acres of trees may be cleared throughout the project corridor. Minor bridge work may occur.



Action Area identified for the proposed project.

**Conservation Measures:**

Required Avoidance and Minimization Measures (AMMs) - Northern long-eared bat:

- **General AMM 1:** Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental

commitments, including all applicable AMMs. *Notify contractor(s) during the pre-construction meeting. Bat sightings (including sick, injured, and/or dead bats) on the project must be reported to OES wildlife ecologist (651-366-3605).*

- **Lighting AMM 1 & AMM 2:** Direct temporary lighting, if used, away from wooded areas during the bat active season (April 1 to Oct 31, inclusive). If installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable. *Please contact Susan Zarling (MnDOT Lighting Engineer) at 651-234-7052 with questions about approved products.*
- **Tree Removal AMM 2:** Restrict all tree clearing activities to when NLEB are not likely to be present. *Winter tree clearing required – tree clearing allowed November 1 to March 31, inclusive.*
- **Tree Removal AMM 3:** Tree removal must be limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).
- **Tree Removal AMM 4:** Tree removal must not remove documented NLEB roosts, or trees within 0.25 miles of roosts; or documented foraging habitat any time of the year.

Additional Conservation Measures:

- If rolled erosion control products (EG erosion control blanket) are to be utilized, must be limited to 'bio-netting', 'natural-netting' (category 3N or 4N) woven type products, and specifically not allow welded plastic mesh netting. See Best Practices for Meeting GP 2004-0001 (page 25), at [http://www.dnr.state.mn.us/waters/watermgmt\\_section/pwpermits/gp\\_2004\\_0001\\_manual.html](http://www.dnr.state.mn.us/waters/watermgmt_section/pwpermits/gp_2004_0001_manual.html) and DNR's factsheet at <http://files.dnr.state.mn.us/eco/nongame/wildlife-friendly-erosion-control.pdf>.
- Revegetation of disturbed soils must follow D4 Vegetation Establishment Recommendations ([http://www.dot.state.mn.us/environment/erosion/pdf/vegetation/D3\\_2016.pdf](http://www.dot.state.mn.us/environment/erosion/pdf/vegetation/D3_2016.pdf)), and use native mixes in areas that are not proposed for mowed turf grass. For additional information, visit: <http://www.dot.state.mn.us/environment/erosion/seedmixes.html>

**Species List for the Project County**

According to the official County Distribution of Minnesota's Federally-Listed Threatened, Endangered, Proposed, and Candidate Species list (revised in January 2018), maintained by the Service, the project county is within the range of the following:

*Revised January 2018*

County	Species	Status	Habitat
Wright	<a href="#">Northern long-eared bat</a> <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.
	<a href="#">Rusty patched bumble bee</a> <i>Bombus affinis</i>	Endangered	Grasslands with flowering plants from April through October, underground and abandoned rodent cavities or clumps of grasses above ground as nesting sites, and undisturbed soil for hibernating queens to overwinter.

MnDOT consults the Minnesota Department of Natural Resources Natural Heritage Information System (Copyright 2018 State of Minnesota, Department of Natural Resources), and other resources as available, to determine if proposed projects may affect listed species.

## Endangered Species Act – Section 7 Consultation

Section 7 of Endangered Species Act of 1973, as amended (Act), requires each Federal agency to review any action that it funds, authorizes or carries out to determine whether it may affect threatened, endangered, proposed species or listed critical habitat. Federal agencies (or their designated representatives) must consult with the U.S. Fish and Wildlife Service (Service) if any such effects may occur as a result of their actions. Consultation with the Service is not necessary if the proposed action will not directly or indirectly affect listed species or critical habitat. If a federal agency finds that an action will have no effect on listed species or critical habitat, it should maintain a written record of that finding that includes the supporting rationale.

### Notice of Determination

Northern long-eared bat – May affect, not likely to adversely affect

No documented NLEB hibernacula and/or roost trees are documented within the project Action Area ([https://files.dnr.state.mn.us/eco/ereview/minnesota\\_nleb\\_township\\_list\\_and\\_map.pdf](https://files.dnr.state.mn.us/eco/ereview/minnesota_nleb_township_list_and_map.pdf)).

This project review relies on the USFWS Programmatic Biological Opinion for FHWA, FRA, FTA Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.). The review was completed using the U.S. Fish and Wildlife Service's Information for Planning and Consultation (IPaC) system (Consultation Code: 03E19000-2018-I-1466). The U.S. Fish and Wildlife Service's concurrence verification letter is attached (Attachment 1).

### No Effect Determinations

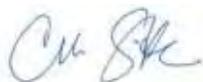
No Effect Determination – Rusty-patched bumble bee (*Bombus affinis*)

Rusty-patched bumble bee – *No effect determination.*

No documented occurrences for this species exist within the Action Area. Suitable habitat is not anticipated to be impacted by the proposed project. **Therefore, MnDOT on behalf of the FHWA has made a determination of no effect for this species.**

Please contact me if there are questions or concerns.

Thank you,



Digitally signed by Christopher E Smith

Date: 2018.09.24 17:10:14 -05'00'

**Christopher E. Smith, M.Sc., C.W.B.**

Wildlife Ecologist | Protected Species Coordinator

### **Minnesota Department of Transportation**

Office of Environmental Stewardship

395 John Ireland Blvd., M.S. 620

St. Paul, Minnesota 55155

O: 651-366-3605

[mndot.gov](http://mndot.gov)





## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Minnesota-Wisconsin Ecological Services Field Office

4101 American Blvd E

Bloomington, MN 55425-1665

Phone: (952) 252-0092 Fax: (952) 646-2873

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>



In Reply Refer To:

September 24, 2018

Consultation Code: 03E19000-2018-I-1466

Event Code: 03E19000-2018-E-03186

Project Name: S.P. 8680-173, I-94

Subject: Concurrence verification letter for the 'S.P. 8680-173, I-94' project under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated to verify that the S.P. 8680-173, I-94 (Proposed Action) may rely on the concurrence provided in the February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 et seq.).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, may affect, but is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*).

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities: If your initial bridge/structure assessments failed to detect Indiana bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or Northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

---

## Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

### Name

S.P. 8680-173, I-94

### Description

The proposed project will resurface (e.g., overlay) westbound lanes of Interstate 94 from approximately Monticello to Clearwater, Minnesota. Additional activities include: shoulder upgrades; ditch grading; cable median guardrail replacement; temporary lane construction; crossover construction; culvert pipe repairs or replacement; and associated activities. Up to approximately 2 acres of trees may be cleared throughout the project corridor. Minor bridge work may occur.

---

## Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the threatened Northern long-eared bat. Therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 et seq.) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

## Qualification Interview

1. Is the project within the range of the Indiana bat<sup>[1]</sup>?

[1] See [Indiana bat species profile](#)

Automatically answered

No

2. Is the project within the range of the Northern long-eared bat<sup>[1]</sup>?

[1] See [Northern long-eared bat species profile](#)

Automatically answered

Yes

3. Which Federal Agency is the lead for the action?

A) Federal Highway Administration (FHWA)

4. Are all project activities limited to non-construction<sup>[1]</sup> activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include any activities that are greater than 300 feet from existing road/rail surfaces<sup>[1]</sup>?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

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6. Does the project include any activities within 0.5 miles of an Indiana bat and/or NLEB hibernaculum<sup>[1]</sup>?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

7. Is the project located within a karst area?

No

8. Is there any suitable<sup>[1]</sup> summer habitat for Indiana Bat or NLEB within the project action area<sup>[2]</sup>? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [national consultation FAQs](#).

Yes

9. Will the project remove any suitable summer habitat<sup>[1]</sup> and/or remove/trim any existing trees within suitable summer habitat?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

Yes

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

No

---

11. Have presence/probable absence (P/A) summer surveys<sup>[1][2]</sup> been conducted<sup>[3][4]</sup> within the suitable habitat located within your project action area?

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

[4] Negative presence/probable absence survey results obtained using the [summer survey guidance](#) are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

No

12. Does the project include activities within documented NLEB habitat<sup>[1][2]</sup>?

[1] Documented roosting or foraging habitat - for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

13. Will the removal or trimming of habitat or trees occur within suitable but undocumented NLEB roosting/foraging habitat or travel corridors?

No

14. Will any tree trimming or removal occur within 100 feet of existing road/rail surfaces?

Yes

---

15. Will the tree removal alter any documented Indiana bat or NLEB roosts and/or alter any surrounding summer habitat within 0.25 mile of a documented roost?  
No
16. Will any tree trimming or removal occur between 100-300 feet of existing road/rail surfaces?  
No
17. Are all trees that are being removed clearly demarcated?  
Yes
18. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing permanent lighting?  
No
19. Does the project include maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins)?  
No
20. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?  
No
21. Does the project include slash pile burning?  
No
22. Does the project include any bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?  
Yes
23. Is there any suitable habitat<sup>[1]</sup> for Indiana bat or NLEB within 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.

Yes

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24. Has a bridge assessment<sup>[1]</sup> been conducted within the last 24 months<sup>[2]</sup> to determine if the bridge is being used by bats?

[1] See [User Guide Appendix D](#) for bridge/structure assessment guidance

[2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

Yes

#### SUBMITTED DOCUMENTS

- BridgeReports.pdf <https://ecos.fws.gov/ipac/project/UZCTGYMQQVGOLLB2XBOJ3V262Y/projectDocuments/14056537>

25. Did the bridge assessment detect any signs of bats roosting in/under the bridge (bats, guano, etc.)?

Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

No

26. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing permanent lighting?

No

27. Does the project include the removal, replacement, and/or maintenance of any structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

No

28. Will the project involve the use of temporary lighting during the active season?

Yes

29. Is there any suitable habitat within 1,000 feet of the location(s) where temporary lighting will be used?

Yes

---

30. Will the project install new or replace existing permanent lighting?

Yes

31. Is there any suitable habitat within 1,000 feet of the location(s) where permanent lighting will be installed or replaced?

Yes

32. Does the project include percussives or other activities (not including tree removal/trimming or bridge/structure work) that will increase noise levels above existing traffic/background levels?

Yes

33. Will the activities that use percussives (not including tree removal/trimming or bridge/structure work) and/or increase noise levels above existing traffic/background levels be conducted during the active season<sup>[1]</sup>?

[1] Coordinate with the local Service Field Office for appropriate dates.

Yes

34. Will any activities that use percussives (not including tree removal/trimming or bridge/structure work) and/or increase noise levels above existing traffic/background levels be conducted during the inactive season<sup>[1]</sup>?

[1] Coordinate with the local Service Field Office for appropriate dates.

Yes

35. Are all project activities that are not associated with habitat removal, tree removal/trimming, bridge or structure removal, replacement, and/or maintenance, lighting, or use of percussives, limited to actions that DO NOT cause any stressors to the bat species, including as described in the BA/BO (i.e. activities that do not involve ground disturbance, percussive noise, temporary or permanent lighting, tree removal/trimming, nor bridge/structure activities)?

Examples: lining roadways, unlighted signage, rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

36. Will the project raise the road profile above the tree canopy?

No

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37. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) consistent with a Not Likely to Adversely Affect determination in this key?

Automatically answered

Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and are not within documented habitat

38. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) and/or increase noise levels above existing traffic/background levels consistent with a No Effect determination in this key?

Automatically answered

Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the inactive season

39. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the bridge has been assessed using the criteria documented in the BA and no signs of bats were detected

40. General AMM 1

Will the project ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

Yes

41. Lighting AMM 1

Will all temporary lighting be directed away from suitable habitat during the active season?

Yes

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## 42. Lighting AMM 2

Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society<sup>[1][2]</sup> to rate the amount of light emitted in unwanted directions?

[1] Refer to [Fundamentals of Lighting - BUG Ratings](#)

[2] Refer to [The BUG System-A New Way To Control Stray Light](#)

Yes

## 43. Lighting AMM 2

Will the permanent lighting be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

## Project Questionnaire

1. Have you made a No Effect determination for all other species indicated on the FWS IPaC generated species list?

Yes

2. Have you made a May Affect determination for any other species on the FWS IPaC generated species list?

No

3. How many acres<sup>[1]</sup> of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

2

4. Please describe the proposed bridge work:

Minor repairs

5. Please state the timing of all proposed bridge work:

Unknown. Likely April-November.

## Avoidance And Minimization Measures (AMMs)

These measures were accepted as part of this determination key result:

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## GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

## LIGHTING AMM 1

Direct temporary lighting away from suitable habitat during the active season.

## LIGHTING AMM 2

When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.

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## Determination Key Description: FHW A, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on March 16, 2018. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered Indiana bat (*Myotis sodalis*) and the threatened Northern long-eared bat (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

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April 16, 2018

Beth Kunkel, Environmental Planner  
Kimley-Horn and Associates  
2550 University Ave W #238n  
St Paul, MN 55114

Re: S.P. 8680-173  
I-94 Improvements from TH 24 to near Monticello

Dear Ms. Kunkel,

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 2005 Section 106 Programmatic Agreement (PA) between the FHWA and the Minnesota State Historic Preservation Office.

Per your ENM, as we understand, the Minnesota Department of Transportation (MnDOT) proposes an improvement project (State Project 8680-173) on both eastbound and westbound Interstate Highway (I-) 94 from Minnesota Trunk Highway (TH) 24 in Clearwater to 0.3 miles east of Bridge No. 86802 in Monticello (see Figure 1). Project activities consist of pavement repair and overlay; construction of ramps, shoulders, storm water facilities; road and median grading; and guardrail replacement. The project will also accommodate the addition of a third travel lane in both directions of I-94, though the specific location of the lanes has not been decided. The third travel lane may be added along a larger, 21.8-mile section of I-94, specifically from the project's northern terminus in Clearwater to milepost 200.133 west of Albertville. As such, the environmental review of the project encompasses this larger section of I-94. Project activities are expected to remain within the I-94 right-of-way. A map of the proposed project limits is enclosed.

#### Consultation

We have consulted with tribes who have previously expressed an interest in being contacted when a project is proposed within this geographic area. Tribal notification and request for consultation was sent to the Lower Sioux Indian Community on February 27, 2018. They did not respond within the requested consultation time period.

#### Area of Potential Effects

Our office has defined the area of potential effect (APE) for both history/architecture and archaeology as the proposed construction limits, all of which is within existing MnDOT right-of-way. The APE is defined as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. Once the APE was established, we examined the SHPO database for the list of previously recorded resources in the area.

#### *Archaeological resources*

Based on a review of the database, there was one previously identified archaeological site

identified adjacent to the APE as part of the "Cultural Resources Survey and Evaluation of Portions of the Mississippi River Crossing Project in Stearns, Wright, and Sherburne Counties" (URS/BRW, 2002) survey. Artifacts associated with a mill constructed by Herman Woodworth in 1856 and the former Fremont City townsite were located southwest of the I-94 and County State Aid Highway 24 interchange and southeast of the Clearwater River (Site 21-WR-136). The site is adjacent to the eastbound I-94 exit ramp to CSAH 24, which at this time has not been identified on the project area map for any work. However, if project activities are defined along the exit ramp and within the plans additional review of the site may be necessary. We have enclosed the site form associated with this resource.

Two additional surveys have been undertaken along the I-94 corridor within the project area including the '1972 Trunk Highway Reconnaissance Survey' (David Nystuen, 1972) and the "Phase I Survey of AT&T Communications Corridor in Stearns, Wright, and Hennepin Counties" (Kim Breakey, 1990). No archaeological sites were identified within the portions of the present archaeology APE included in these surveys.

#### *History-architecture*

The MnDOT cold region pavement research test facility, referred to as MnROAD, is located south of the project termini but within the larger section of I-94 included in the environmental review. As MnROAD utilizes a portion of westbound I-94 roadway as part of its facility, it is located within the project's APE. Although most Interstate Highway System resources are exempt from review under Section 106 of the National Historic Preservation Act (Section 106), the MnROAD facility was identified as having the potential to be a nationally and exceptionally significant feature of the Interstate Highway System. As a result, the facility is excluded from the 2005 Section 106 Exemption Regarding Effects to the Interstate Highway System and is therefore subject to Section 106 review.

In order to determine if the MnROAD facility is eligibility for listing in the National Register of Historic Places (National Register) we requested historical consultants Mead & Hunt to prepare a Phase II evaluation on the property. The MnROAD facility was evaluated for the National Register of Historic Places (National Register) under *Criteria A, B, and C* as part of the proposed I-94 improvement project (State Project 8680-173). As the MnROAD facility is not yet 50 years of age and for the purposes of the evaluation, the consultant's followed the National Park Service guidance for applying the Criteria Considerations. Based on their findings, the MnROAD pavement research facility is recommended not eligible for the National Register. Because the MnROAD facility does not have significance, *Criterion Consideration G* was not applied. As more historical perspective on recent and current pavement research is achieved, it is recommended MnROAD be reevaluated when it reaches 50 years of age. Our office reviewed the Phase II evaluation and agree with the consultant's determination that the MnROAD facility (SHPO inventory number WR-OTS-007) is not eligible for the National Register. A copy of the Phase II evaluation is enclosed and will be sent to the Minnesota Historic Preservation Office for their record.

#### Findings and next steps

Based on the proposed project activities, it is our office's finding that there will be no historic properties affected by the project as currently proposed. As final plans are developed, if there are any substantial changes following the issuance of our findings letter please let us know so we can provide additional review. Substantial changes include additional road widening, right-of-way acquisition, and/or any direct impacts to adjacent properties. Additionally, our office would like to review project plans if work along the eastbound I-94 exit ramp to CSAH 24 beyond mill and overlay of the ramp is proposed. If you have any questions or concerns, please call me at

651-366-3603 or email at Katherine.Haun-Schuring@state.mn.us.

Sincerely,

A handwritten signature in cursive script that reads "Katherine Haun Schuring". The signature is written in black ink on a white background.

Katherine Haun Schuring, Historian  
MnDOT Cultural Resources Unit  
Office of Environmental Services (OES)

Enclosures

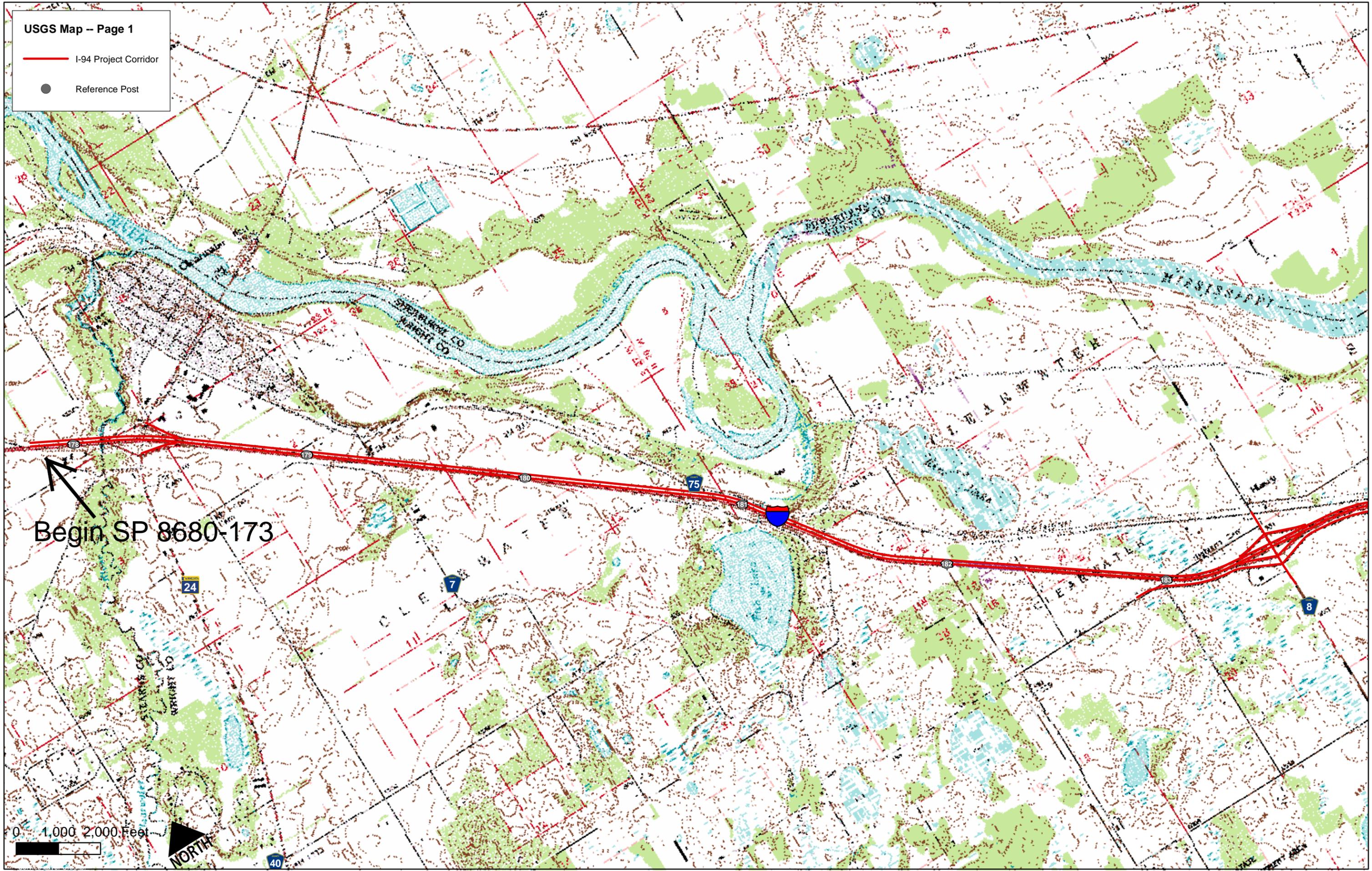
cc: MnDOT CRU project file  
Aaron Stottle, Kimley-Horn  
Claudia Dumont, Project Manager  
Greg Brown, Project Designer

USGS Map -- Page 1

-  I-94 Project Corridor
-  Reference Post

Begin SP 8680-173

0 1,000 2,000 Feet



- I-94 Project Corridor
- Reference Post

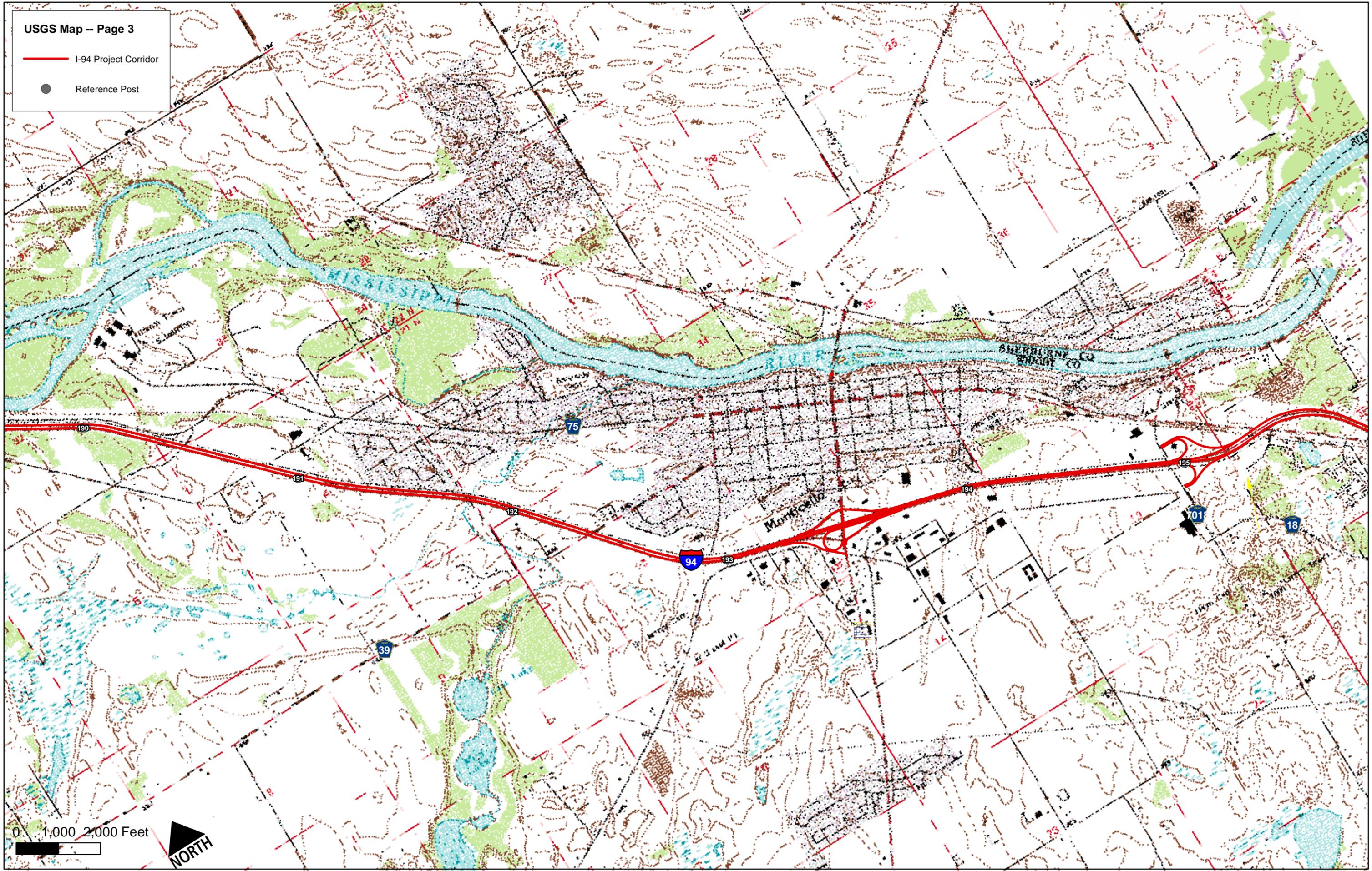


0 1,000 2,000 Feet



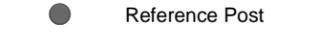
USGS Map -- Page 3

- I-94 Project Corridor
- Reference Post



0 1,000 2,000 Feet



-  I-94 Project Corridor
-  Reference Post



End SP 8680-173



0 1,000 2,000 Feet



## MINNESOTA ARCHAEOLOGICAL SITE FORM

OFFICE OF THE STATE ARCHAEOLOGIST  
Fort Snelling History Center, St. Paul, MN 55111 (612) 725-2411  
5434

STATE HISTORIC PRESERVATION OFFICE  
345 Kellogg Boulevard W., St. Paul, MN 55102 (612) 296-

OSA License #: 02-018-A

SHPO RC #:

Date(s) of Fieldwork: May 7, 2002

 New Site  Site Update

SITE #: 21-WR-136

Site Name: Fremont City townsite

Field #: Beech Property Historic

**LOCATIONAL INFORMATION** (attach USGS topographic quad and sketch map with site location outlined)

County: Wright

City/Twp. Name: Clearwater

SHPO Region: 4s

USGS 7.5' Quadrangle Map (name and year): Clearwater, Minn. 1991

Township: 122 North

Range: 27 West

Section: 3

1/4 Sections (at least 2): NE NW NE

Township:

Range:

Section:

1/4 Sections (at least 2):

UTM Site Coordinates (use 1927 datum; identify center point only):

Zone 15

Easting ~~416969~~  
417000Northing ~~5028765~~  
5029080

Other locational information: The site is located along the Clearwater River southwesterly of the Interstate 94 (I-94) ramp to Trunk Highway 24 (TH 24) and north of County Road 145 (CR 145).

**SITE CHARACTERISTICS**

Acreage: 1.71

Site Dimensions (both horizontal and vertical, in metric): 98 m by 92 m, 67 cmbgs

Features (/all that apply):  earthwork  depressions  foundation  Other  none  
describe: Depression with scattered historic debris

Site Description (/all that apply and describe):

Single artifact  artifact scatter  lithic scatter  Earthwork/mound  
 Structural ruin  rock alignment  rock art  Cemetery/burial

Standing structure (SHPO structure # if known):  other: 

Describe: 169 historic artifacts of glass, nails, brick, mortar, ceramics, bone, and metal

Inferred Site Function (must specify): May be either part of a homestead or a mill within the limits of former Fremont City

Current Land Use (/all that apply):

Cultivated  woodland  Commercial  Unknow  
 Fallow  recreational  Industrial  other: \_\_\_\_\_  
 Grassland  road  residential

Surface Visibility:

 Excellent  good  fair  Poor  None

Degree of Disturbance (/and describe):

 Minimal  moderate  heavy  Destroyed  Unassessed  
describe disturbance type(s): Neglect

Current Threats to Site:

 Erosion  Development  agricultural  none known  Other: Road Construction

SITE #: 21-WR-136 Site Name: Fremont City townsite Field #: Beech Property Historic

**CULTURAL/TEMPORAL AFFILIATION** (/all that apply; level of certainty: 1=confirmed; 2=probable):

**Period:** \_\_\_\_\_ indeterminate \_\_\_\_\_ Contact (1650-1837)  
 \_\_\_\_\_ Pre-Contact (9500 BC - 1650 AD) 1 Post-Contact (1837-1945)

**Pre-Contact Context:** (if unable to discern specific context, / here N/A )

*Paleoindian Tradition* \_\_\_\_\_ indeterminate \_\_\_\_\_ Folsom \_\_\_\_\_ Lanceolate Point  
 \_\_\_\_\_ Clovis \_\_\_\_\_ Eastern Fluted \_\_\_\_\_ Other \_\_\_\_\_

*Archaic Tradition* \_\_\_\_\_ indeterminate \_\_\_\_\_ Prairie \_\_\_\_\_ Riverine  
 \_\_\_\_\_ Shield \_\_\_\_\_ Lake-Forest \_\_\_\_\_ Other \_\_\_\_\_

*Woodland Tradition* \_\_\_\_\_ indeterminate \_\_\_\_\_ Fox Lake \_\_\_\_\_ Laurel  
 \_\_\_\_\_ Early \_\_\_\_\_ Transitional \_\_\_\_\_ Lake Benton  
 \_\_\_\_\_ Brainerd \_\_\_\_\_ Kathio \_\_\_\_\_ Psinomaní/Sandy Lake  
 \_\_\_\_\_ Black Duck \_\_\_\_\_ Havana Related \_\_\_\_\_ Southeastern MN Late \_\_\_\_\_  
 \_\_\_\_\_ Other \_\_\_\_\_

*Plains Village* \_\_\_\_\_ indeterminate \_\_\_\_\_ Cambria \_\_\_\_\_ Other \_\_\_\_\_  
 \_\_\_\_\_ Great Oasis \_\_\_\_\_ Big Stone

*Mississippian Tradition* \_\_\_\_\_ indeterminate \_\_\_\_\_ Silvernale \_\_\_\_\_ Other \_\_\_\_\_

*Oneota Tradition* \_\_\_\_\_ indeterminate \_\_\_\_\_ Blue Earth \_\_\_\_\_ Orr \_\_\_\_\_ Other \_\_\_\_\_

**Contact Context:** (if unable to discern specific context, / here N/A )

*American Indian* \_\_\_\_\_ indeterminate \_\_\_\_\_ Eastern Dakota \_\_\_\_\_ Other \_\_\_\_\_  
 \_\_\_\_\_ Ojibwe \_\_\_\_\_ Western Dakota

*EuroAmerican* \_\_\_\_\_ indeterminate \_\_\_\_\_ British \_\_\_\_\_ other: \_\_\_\_\_  
 \_\_\_\_\_ French \_\_\_\_\_ Initial US

**Post-Contact Context:** (if unable to discern specific context, / here \_\_\_\_\_ )

\_\_\_\_\_ Indian Communities & Reservations (1837-1934) \_\_\_\_\_ St. Croix Triangle Lumbering (1830s-1900s)  
X Early Agriculture & River Settlement (1840-1870) \_\_\_\_\_ Railroads & Agricultural Development (1870-1940)  
 \_\_\_\_\_ Northern MN Lumbering (1870-1930s) \_\_\_\_\_ Iron Ore Industry (1880s-1945)  
 \_\_\_\_\_ Tourism & Recreation (1870-1945) \_\_\_\_\_ Urban Centers (1870-1940)

Dating Methods (/all that apply):

X artifact style/cross dating \_\_\_\_\_ radiocarbon \_\_\_\_\_ historic accounts \_\_\_\_\_ Andreas atlas (1874)

\_\_\_\_\_ Sanborn maps (list years): \_\_\_\_\_ X plat maps (list years): 1894

\_\_\_\_\_ other(s) (specify): \_\_\_\_\_

Specify context dates (if radiometric, cite lab no. and uncalib. date; note if AMS): N/A

**MATERIALS PRESENT** Material Classes (/all that apply):

<u>Ceramics</u>	<u>Lithics</u>	<u>Biological Remains</u>	<u>Other Materials</u>
_____ Aboriginal	_____ projectile points	<u>X</u> animal	<u>X</u> Glass
<u>X</u> EuroAmerican	_____ other flaked stone	_____ human	<u>X</u> Metal
	_____ debitage	_____ unidentified	_____ FCR
	_____ ground/pecked stone	_____ floral	<u>X</u> Other <u>Plastic, mortar</u>

Additional information (e.g., temper, raw material, etc.): Albany Slip stoneware, ironstone, and probable cow bone

SITE #: 21-WR-136 Site Name: Fremont City township Field #: Beech Property Historic

Major Exotic Materials (e.g., exotic relative to local area; /all that apply): N/A

Catlinite  native copper  Hixton orthoquartzite

Knife River Flint  obsidian  other: \_\_\_\_\_

Diagnostic Type/Info (e.g., Brainerd ceramics, machine-cut nails; describe decoration, function, manufact., etc.):

Ceramic None

Lithic None

Glass None

Metal None

Other None

Additional information: Albany Slip stoneware and augmented head machine cut nails along with ironstone fragments and a wire nail suggests late nineteenth century/early twentieth century

### ENVIRONMENTAL DATA

Major Drainage System

Cedar River  Des Moines River  Lake Superior  Minnesota River

Mississippi River (N of MN River)  Red River  Rainy River

Mississippi River (S of MN River)  Missouri River  St. Croix River

Watershed Index Map no. (MnDNR, Division of Waters): 17

Distance to Existing Water Source (per USGS topographic map, in feet or miles): The site is located adjacent to (within 50 feet) of the Clearwater River.

Ancient/Former Water Feature (name, type and distance to such feature): Same as above

Topographic Setting (/all that apply):

<u>Upland</u>	<u>Riverine</u>	<u>Lacustrine</u>
<input type="checkbox"/> general upland	<input type="checkbox"/> Alluvial fan	<input type="checkbox"/> Inlet/outlet
<input type="checkbox"/> bluff edge	<input checked="" type="checkbox"/> Terrace	<input type="checkbox"/> Peninsula
<input type="checkbox"/> Hilltop	<input type="checkbox"/> Stream-stream junction	<input type="checkbox"/> Island
<input type="checkbox"/> glacial beach ridge	<input type="checkbox"/> Bluff-base	<input type="checkbox"/> Isthmus
<input type="checkbox"/> Wetland	<input type="checkbox"/> Cave/rockshelter	<input type="checkbox"/> Shoreline
<input type="checkbox"/> other: _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

### HISTORIC SITES ONLY:

Historic setting:  Rural  Urban  other: \_\_\_\_\_

Type(s):  Industrial  Commercial  domestic  government  other: Unknown

Historic transportation route (e.g., road, waterway, rail); identify type, direction & distance: Access to site by way of township road (present-day TH 24), in place by 1894.

### OWNERSHIP INFORMATION

Ownership Type (/all that apply):

federal  State  Local  tribal  Private  unknown

Land Owner (name and address): Robert Beech, 21764 Quincy St. NE, East Bethel 55011

Significant historic owner(s) and period(s) of ownership, if known: N/A

Year and Source of Ownership Information (e.g., plat map, recorder's office, etc.): 2002, Mn/DOT /SRF Consulting Group, Inc.

SITE #: 21-WR-136 Site Name: Fremont City townsite Field #: Beech Property Historic

### INVESTIGATOR/REPORTER INFORMATION

Type(s) of Investigation (*/all that apply*):

Reconnaissance  Evaluation  data recovery  Other \_\_\_\_\_

Methods/techniques employed (*/all that apply*):

Informant report  small diameter soil coring (~1" diameter)  
 Surface survey  Geomorphological survey (*specify*): \_\_\_\_\_  
 Shovel testing  Geophysical survey (*specify*): \_\_\_\_\_  
 excavation units  other(s): \_\_\_\_\_

Informant Name and Address: N/A

Artifact Repository (*name and accession nos.*): MHS, 2002.164.01-.12

Report Citation: 2002, Michael Justin, Barbara J. Bielefeldt, Christine Wiltberger, Betsy H. Bradley, Evelyn M. Tidlow, and Chad Kirvan. *Cultural Resources Survey and Evaluation of Portions of the Mississippi River Crossing Project in Stearns, Wright, and Sherburne Counties, Minnesota.*

Major Bibliographic Reference(s) to Site: N/A

Principal Investigator (*name and affiliation*): Michael Justin, URS/BRW

### ADDITIONAL NOTES (*use space below or attach extra sheets, as needed*)

Shovel testing during the Phase I archaeological survey for the Mississippi River Crossing Project resulted in the identification of an historic site (21WR136). The site is located south and west of the I-94 and CSAH 24 intersection, and adjacent to and on the southeast side of the Clearwater River. Archaeologists excavated a total of 19 shovel tests of which 10 contained historic artifacts. A historic depression was located in an area of overgrown mature trees and shrubs and not readily evident. The depression measured about two feet deep, and roughly square in shape. Bricks were observed at several areas around the perimeter of the depression. Archaeologist also noted a borrow area and possible smaller depression that may be associated with the historic depression. The area immediately to the southwest of Shovel tests 1-3 had been disturbed (stripped of topsoil). Along the edge of the stripped area miscellaneous debris was noted, but not collected. A 1957 aerial photo depicted a structure at this location (Edwards 1968).

The artifacts recovered from shovel testing included domestic, architectural, personal, and faunal materials. One shovel test placed in the center of the depression came upon the articulated remains of a large mammal. Several of the bones were collected for identification purposes. The shovel test was not completely excavated to preserve as much of the articulated bone as possible. In addition, a machinery piece was identified on the surface within the lower area to the north surrounding the level terrace upon which Site 21WR136 was identified. The limited artifact sample from Site 21WR136 can provide only a very broad date range. The small number of widely temporal diagnostic artifacts suggests a period of occupation around the late nineteenth to early twentieth century.

Archaeologist conducted additional research for the vicinity following the completion of fieldwork at Site 21WR136 and discovered the Town of Fremont City had been founded in this location in 1856. A telephone interview conducted with a local resident, David Agnew of Clearwater, who has long had interest in the townsite confirmed that this was the former location of the town (personal communication 2002). Agnew indicated that construction of CR 145 had crossed through the location of the former mill in the town. This likely was the mill that Herman Woodworth had constructed by 1856.

SITE #: 21-WR-136 Site Name: Fremont City townsite Field #: Beech Property Historic

In addition to the mill, Mr. Agnew reported that a number of houses previously existed in the vicinity of the mill and that the depressions at Site 21WR136 were most likely associated with one of these houses. A former town house that had burned about 20 years ago stood in the cleared and stripped area of the site. Other town homes were located to the south of CR 145.

Site 21WR136 appears to have a clear association with the mid-nineteenth century town of Fremont City. The recovered artifacts date to the late nineteenth/early twentieth century, however further excavations most probably would uncover artifacts dating closer to the mid-nineteenth century time period, as indicated by the historical data and oral history. The boundaries for Site 21WR136 have not been clearly established. It is expected that the site likely continues some distance south of CR 145. Following completion of the research phase, Mn/DOT CRU staff were consulted about the need to conduct additional Phase I survey in the APE to the south of CR 145 and possibly a Phase II evaluation. It was decided, at this stage of the project, that additional Phase I survey would be required if the area was chosen as the preferred alternative for the bridge construction. Site 21WR136 was recommended as potentially eligible for the NRHP and should be formally evaluated if it will be disturbed by construction. The site is an early intact town site containing intact features and artifact deposits. Further investigation of the site will likely yield data pertaining to the development and settlement of this town, and provide information about the specific settlers who made Fremont City their home in the mid-nineteenth century.

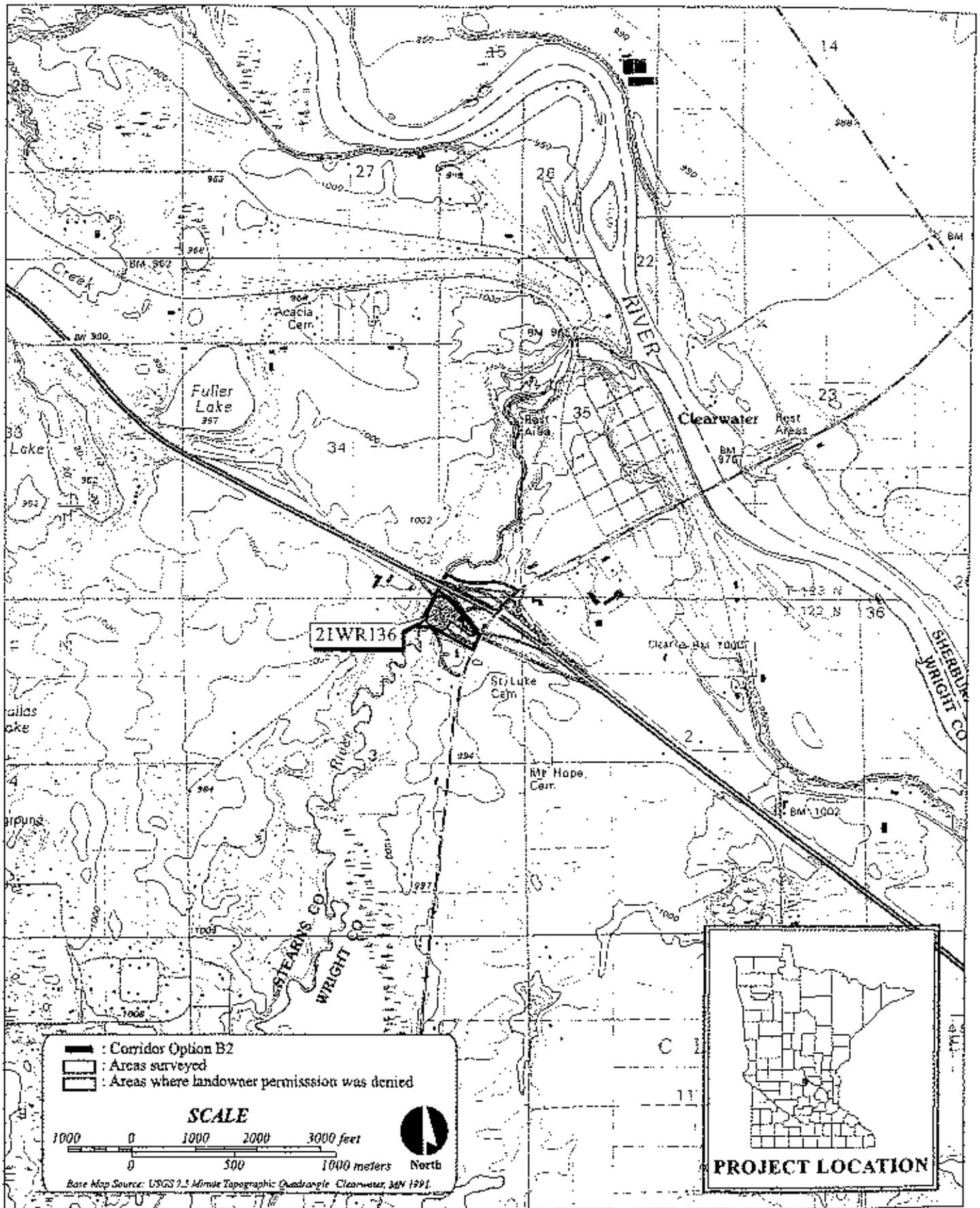
Edwards, R. J.

1968 *Soil Survey of Wright County, Minnesota*. U.S. Department of Agriculture, Soil Conservation Service, Washington D.C.

**MAPS** (attach USGS topographic quad and sketch map with site location outlined)

USGS 7.5' Quadrangle Clearwater, Minn., 1991, Plan map of Site 21WR136, and detailed map of the depression attached.

Form Completed by (name and date): Barbara J. Bielefeldt, October 29, 2002



Area B4/B2 illustrating the archaeological survey area and the area where permission was denied.

## MEMORANDUM

To: Katherine Haun Shuring  
From: Beth Kunkel  
Kimley-Horn and Associates, Inc.  
Date: 10-10-2018  
Subject: S.P. 8680-173  
I-94 Improvements from TH 24 to near Monticello Project Followup

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Dear Katie,

This memo is in response to the MnDOT Cultural Resources Unit findings letter dated April 16, 2018. The letter indicates that if “substantial changes” including “right-of-way acquisition” are added to the project scope, that CRU should be notified. The CRU letter evaluated information from the Early Notification Memo provided on December 6<sup>th</sup> of 2017. Since this date two right-of-way acquisition areas have been identified for stormwater ponds. The two parcels identified are listed below:

- Parcel (#204000073403) located in Clearwater Township northwest of the Grover Ave NW bridge over I-94 (Pond 3 Parcel)
- Parcel (#155800332300) located in Monticello northwest of the 120<sup>th</sup> Street Northeast bridge over I-94 (Pond 6 Parcel)

The proposed pond locations, parcel boundaries, and preliminary construction limits are shown below in aerial photos. Due to the preliminary nature of the engineering completed to date, the full extents of acquisition required for these ponds has not been finalized. The project team requests that CRU evaluate the entire parcel in which potential acquisition is proposed unless you tell me you have any concern for either area taking extraordinary effort, then we can try to refine the study area.

In order to aid in an expedited review of the areas, we have provided aerial photos that document recent (within the last ten years) visible disturbance. The following information provides documentation of that analysis.

Pond 3 is proposed on a privately-owned parcel and contains a recently constructed transmission line (see Photo 1). According to historic aerial imagery, the parcel appears to have undergone grading and/or was used for staging during construction of the transmission line in 2011, see Photo 2.

Pond 6 is proposed on a parcel owned by the Northern States Power Company (see Photo 3) The location is the site of a previous alignment of County Highway 75 (see Photo 4).

Photo 1: Pond 3 Location (Aerial Date 5-14-2018)



Photo 2: Pond 3 Location Showing Disturbance (Aerial Date 5-16-2011)



Photo 3: Pond 6 Location (Aerial Date 5-14-2018)

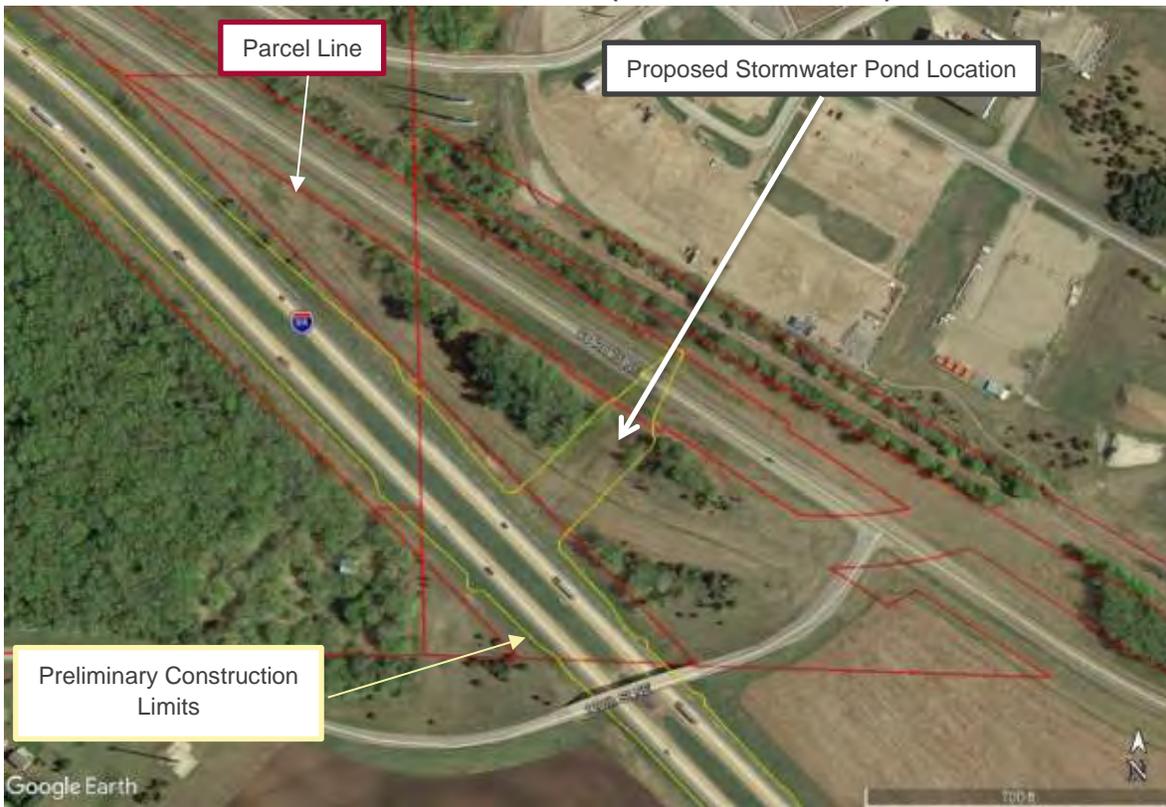
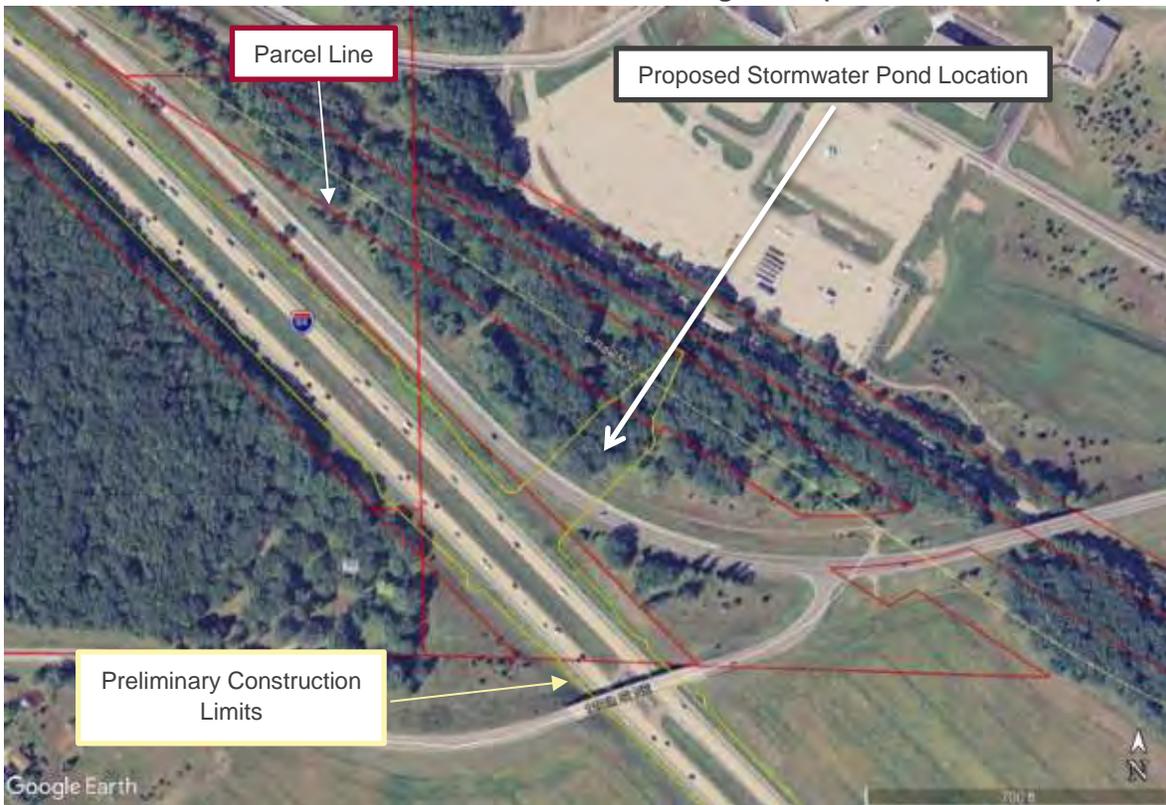


Photo 4: Pond 6 location relative to old CSAH 75 alignment (Aerial Date 5-16-2011)



## Stolte, Aaron

---

**From:** Kunkel, Beth  
**Sent:** Monday, February 12, 2018 8:03 AM  
**To:** Stolte, Aaron  
**Subject:** FW: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

---

**From:** Wasko, Peter (DOT) [mailto:peter.wasko@state.mn.us]  
**Sent:** Thursday, December 07, 2017 12:31 PM  
**To:** Kunkel, Beth <Beth.Kunkel@kimley-horn.com>  
**Cc:** Crawford, John <John.Crawford@kimley-horn.com>  
**Subject:** RE: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

☺...ok no comments from me!

---

**From:** Kunkel, Beth [mailto: Beth.Kunkel@kimley-horn.com]  
**Sent:** Thursday, December 07, 2017 12:30 PM  
**To:** Wasko, Peter (DOT) <peter.wasko@state.mn.us>  
**Cc:** Crawford, John <John.Crawford@kimley-horn.com>  
**Subject:** RE: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

yes

---

**From:** Wasko, Peter (DOT) [mailto:peter.wasko@state.mn.us]  
**Sent:** Thursday, December 07, 2017 12:30 PM  
**To:** Kunkel, Beth <Beth.Kunkel@kimley-horn.com>  
**Cc:** Crawford, John <John.Crawford@kimley-horn.com>  
**Subject:** RE: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

Beth,

I'm assuming that Kimley-Horn is also addressing the air quality impacts as part of the environmental process..

Peter Wasko, INCE  
Minnesota Department of Transportation  
Office of Environmental Stewardship  
Environmental Modeling and Testing Unit Chief  
Mailstop 660  
6000 Minnehaha Avenue  
Saint Paul, MN 55111  
651-366-5801  
[Peter.Wasko@state.mn.us](mailto:Peter.Wasko@state.mn.us)

---

**From:** Kunkel, Beth [<mailto:Beth.Kunkel@kimley-horn.com>]  
**Sent:** Thursday, December 07, 2017 12:22 PM  
**To:** Leete, Peter (DOT) <[peter.leete@state.mn.us](mailto:peter.leete@state.mn.us)>; Smith, Christopher E (DOT) <[christopher.e.smith@state.mn.us](mailto:christopher.e.smith@state.mn.us)>; Boben, Carolyn (DOT) <[carolyn.boben@state.mn.us](mailto:carolyn.boben@state.mn.us)>; Vogel, Mark (DOT) <[mark.vogel@state.mn.us](mailto:mark.vogel@state.mn.us)>; Voigt, Paul (DOT) <[paul.voigt@state.mn.us](mailto:paul.voigt@state.mn.us)>; Roseen, Melvin (DOT) <[melvin.roseen@state.mn.us](mailto:melvin.roseen@state.mn.us)>; Wasko, Peter (DOT) <[peter.wasko@state.mn.us](mailto:peter.wasko@state.mn.us)>; Straumanis, Sarma (DOT) <[sarma.straumanis@state.mn.us](mailto:sarma.straumanis@state.mn.us)>; Tiedeken, Nicklas (DOT) <[nick.tiedeken@state.mn.us](mailto:nick.tiedeken@state.mn.us)>; Carson, Tara (DOT) <[tara.carson@state.mn.us](mailto:tara.carson@state.mn.us)>; MN\_DOT\_CulturalResources <[CulturalResources.dot@state.mn.us](mailto:CulturalResources.dot@state.mn.us)>; Williams, Robert H (DOT) <[robert.williams@state.mn.us](mailto:robert.williams@state.mn.us)>; VanWagner, Richard (DOT) <[rick.vanwagner@state.mn.us](mailto:rick.vanwagner@state.mn.us)>; MN\_DOT\_OFCVOPermits <[OFCVOPermits.dot@state.mn.us](mailto:OFCVOPermits.dot@state.mn.us)>; Carter, Douglas (DOT) <[douglas.carter@state.mn.us](mailto:douglas.carter@state.mn.us)>; Thomas, Dustin (DOT) <[dustin.thomas@state.mn.us](mailto:dustin.thomas@state.mn.us)>; Milkert, Anjani (DOT) <[minnie.milkert@state.mn.us](mailto:minnie.milkert@state.mn.us)>; [joe.w.campbell@dot.gov](mailto:joe.w.campbell@dot.gov); Moynihan, Debra (DOT) <[debra.moynihan@state.mn.us](mailto:debra.moynihan@state.mn.us)>  
**Cc:** Dumont, Claudia (DOT) <[claudia.dumont@state.mn.us](mailto:claudia.dumont@state.mn.us)>; Stangler, Michael (DOT) <[mike.stangler@state.mn.us](mailto:mike.stangler@state.mn.us)>; Brown, Greg <[Greg.Brown@kimley-horn.com](mailto:Greg.Brown@kimley-horn.com)>  
**Subject:** ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)  
**Importance:** High

Good afternoon reviewers!

On behalf of Claudia Dumont, project manager in MnDOT District 3, the attached ENM review is requested for the unbonded concrete overlay and/or reconstruction of I-94 between Albertville and Clearwater. To aid your review we have included in the attachment the existing/known information we have at this time. This request is also saved in Projectwise at the link below.

**Please provide your responses to me by January 19, 2018 and copy Claudia Dumont and Mike Stangler.**

If you have any project questions, please let me know.  
Thanks you in advance for your prompt responses!

Beth

**PW link:**

[pw://pw8i.ad.dot.state.mn.us:cadp/Documents/Projects/D3\\_BAX/094/8680/173/Predesign/Consultant/From&space;Consultant/2017-12-07&space;ENM&space;Request/](http://pw8i.ad.dot.state.mn.us:cadp/Documents/Projects/D3_BAX/094/8680/173/Predesign/Consultant/From&space;Consultant/2017-12-07&space;ENM&space;Request/)

***Beth Kunkel, PWS***

**Kimley-Horn** | 2550 University Avenue West, Suite 238N, St. Paul, MN 55114  
Direct: 651-643-0455 | Mobile: 651-485-9662 |

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## Memo

**To:** Claudia Dumont  
Project Manager

**From:** Rick VanWagner  
Railroad Safety and Coordination Project Manager

**Date:** Month Day, Year

**RE:** Early Notification Memo  
S.P. 8680-173 (I-94) (unbonded concrete overlay)  
I-94 from TH 24 to Monticello, Wright County, MN

The Freight & Commercial Vehicle Operation's Railroad Safety and Coordination Office has reviewed the Early Notification Memo for the above referenced project on I-94. The tracks parallel to I-94 are owned and operated on by the BNSF Railway Company. The contact person for the railroad is Rich Scott and can be reached @ (763) 782-3492 or by email [richard.scott2@bnsf.com](mailto:richard.scott2@bnsf.com)

Any work within the railroad right of way will have operational concerns by the railroad. This project will not require a construction and maintenance agreement between Mn/DOT and the BNSF Railway Company unless the project scope of work changes and the project will encroach the railroad right-of-way.

If you have any additional questions, or require further information, please contact this office.

## Stolte, Aaron

---

**From:** Kunkel, Beth  
**Sent:** Monday, February 12, 2018 8:06 AM  
**To:** Stolte, Aaron  
**Subject:** FW: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

---

**From:** Vogel, Mark (DOT) [mailto:[mark.vogel@state.mn.us](mailto:mark.vogel@state.mn.us)]  
**Sent:** Monday, December 11, 2017 1:53 PM  
**To:** Kunkel, Beth <[Beth.Kunkel@kimley-horn.com](mailto:Beth.Kunkel@kimley-horn.com)>  
**Subject:** RE: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

Hi Beth, I see there are several bridges listed, if any of them will be rehabilitated in any way (guardrail replace on top, repaint, deck replace, ect) I need to be contacted to have the bridge assessed for asbestos and other regulated materials. This does not include culverts with bridge numbers.

I see there is work on culverts, please get in contact with me if plans indicate the culverts are Asbestos Bonded (AB) culverts or if culverts are observed to have a thick black coating. I will hire a consultant to investigate for asbestos.

Treated wood must be disposed of at a Minnesota MPCA permitted mixed municipal solid waste landfill or MPCA permitted industrial landfill. This material needs documentation showing the landfill received the material. Use Spec Prov 2104.

MV

---

**From:** Kunkel, Beth [mailto:[Beth.Kunkel@kimley-horn.com](mailto:Beth.Kunkel@kimley-horn.com)]  
**Sent:** Thursday, December 07, 2017 12:22 PM  
**To:** Leete, Peter (DOT) <[peter.leete@state.mn.us](mailto:peter.leete@state.mn.us)>; Smith, Christopher E (DOT) <[christopher.e.smith@state.mn.us](mailto:christopher.e.smith@state.mn.us)>; Boben, Carolyn (DOT) <[carolyn.boben@state.mn.us](mailto:carolyn.boben@state.mn.us)>; Vogel, Mark (DOT) <[mark.vogel@state.mn.us](mailto:mark.vogel@state.mn.us)>; Voigt, Paul (DOT) <[paul.voigt@state.mn.us](mailto:paul.voigt@state.mn.us)>; Roseen, Melvin (DOT) <[melvin.roseen@state.mn.us](mailto:melvin.roseen@state.mn.us)>; Wasko, Peter (DOT) <[peter.wasko@state.mn.us](mailto:peter.wasko@state.mn.us)>; Straumanis, Sarma (DOT) <[sarma.straumanis@state.mn.us](mailto:sarma.straumanis@state.mn.us)>; Tiedeken, Nicklas (DOT) <[nick.tiedeken@state.mn.us](mailto:nick.tiedeken@state.mn.us)>; Carson, Tara (DOT) <[tara.carson@state.mn.us](mailto:tara.carson@state.mn.us)>; MN\_DOT\_CulturalResources <[CulturalResources.dot@state.mn.us](mailto:CulturalResources.dot@state.mn.us)>; Williams, Robert H (DOT) <[robert.williams@state.mn.us](mailto:robert.williams@state.mn.us)>; VanWagner, Richard (DOT) <[rick.vanwagner@state.mn.us](mailto:rick.vanwagner@state.mn.us)>; MN\_DOT\_OFCVOPermits <[OFCVOPermits.dot@state.mn.us](mailto:OFCVOPermits.dot@state.mn.us)>; Carter, Douglas (DOT) <[douglas.carter@state.mn.us](mailto:douglas.carter@state.mn.us)>; Thomas, Dustin (DOT) <[dustin.thomas@state.mn.us](mailto:dustin.thomas@state.mn.us)>; Milkert, Anjani (DOT) <[minnie.milkert@state.mn.us](mailto:minnie.milkert@state.mn.us)>; [joe.w.campbell@dot.gov](mailto:joe.w.campbell@dot.gov); Moynihan, Debra (DOT) <[debra.moynihan@state.mn.us](mailto:debra.moynihan@state.mn.us)>  
**Cc:** Dumont, Claudia (DOT) <[claudia.dumont@state.mn.us](mailto:claudia.dumont@state.mn.us)>; Stangler, Michael (DOT) <[mike.stangler@state.mn.us](mailto:mike.stangler@state.mn.us)>; Brown, Greg <[Greg.Brown@kimley-horn.com](mailto:Greg.Brown@kimley-horn.com)>  
**Subject:** ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)  
**Importance:** High

Good afternoon reviewers!

On behalf of Claudia Dumont, project manager in MnDOT District 3, the attached ENM review is requested for the unbonded concrete overlay and/or reconstruction of I-94 between Albertville and Clearwater. To aid your review we have included in the attachment the existing/known information we have at this time. This request is also saved in Projectwise at the link below.

**Please provide your responses to me by January 19, 2018 and copy Claudia Dumont and Mike Stangler.**

If you have any project questions, please let me know.

Thanks you in advance for your prompt responses!

Beth

**PW link:**

[pw://pw8i.ad.dot.state.mn.us:cadp/Documents/Projects/D3\\_BAX/094/8680/173/Predesign/Consultant/From&space;Consultant/2017-12-07&space;ENM&space;Request/](pw://pw8i.ad.dot.state.mn.us:cadp/Documents/Projects/D3_BAX/094/8680/173/Predesign/Consultant/From&space;Consultant/2017-12-07&space;ENM&space;Request/)

***Beth Kunkel, PWS***

**Kimley-Horn** | 2550 University Avenue West, Suite 238N, St. Paul, MN 55114  
Direct: 651-643-0455 | Mobile: 651-485-9662 |

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## Memo

**To:** Beth Kunkel – Report Writer  
Kimley-Horn, Environmental Lead

**From:** Paul Voigt   
NRS/Program Coordinator- Horticulturist

**Date:** February 9, 2018

**Subject:** SP 8680-173 TH 94 vegetation review for ENM

I reviewed the areas along T.H. 94 at the locations described in the ENM to determine potential impacts to the vegetation based on the information you supplied in your Early Notification Memo dated December 7<sup>th</sup>, 2017. The following are my observations and recommendations based on Google Earth and GIS reviews of the areas.

### Project Description:

This project includes a repair of the existing concrete, construction of concrete ramps in various locations, bituminous outside and concrete inside shoulders, replacing centerline median drains, installation of stormwater treatment facilities to accommodate new pavement sections, median grading in various locations to accommodate raised roadway profiles, potentially some reconstruction under some bridges, and replacement of impacted and non-compliant guardrail. At this time there are several alternatives being looked at related mainly to the addition of a third lane in each direction.

### Vegetation:

The woody vegetation in and around the proposed project consists of mostly naturally occurring native and non-native trees and shrubs, both coniferous and deciduous with scattered areas within the project that contain planted landscape vegetation of varying types. The majority of woody vegetation appears to be located primarily near the edge of right of way or off right of way on private properties. The herbaceous vegetation consists of both native and non-native vegetation, with varying degrees of mowing and maintenance depending on the location.

### Potential Impacts:

Based on the work being proposed, there are not likely to be any impacts to rare species, rare native plant communities, or notable trees or other valued woody vegetation from this project. Proper erosion control and reseeding practices where soil disturbance occurs will be important with a project of this type. Seed mix recommendations can best be satisfied by reviewing the District's "Vegetation Establishment Recommendations" letter. These letters can be found at:  
<http://www.dot.state.mn.us/environment/erosion/seedmixes.html>.

In terms of project staging and equipment routes to and from the work areas, those areas near or under trees (on or off Right of Way) **should not become staging or transport areas** for equipment or materials.

Activities of that nature compact soils resulting in the potential for long term health impacts to those trees. In order to minimize the overall impacts to other nearby vegetation due to project creep, where there are trees and/or shrubs directly adjacent to the limits of construction that warrant protection, the placement of temporary fence along the limits of construction is highly recommended (based on MnDOT Standard Specification 2572.3A.1). When requiring the use of temporary fence, it should be clearly called for in the construction plans, and the Standard Plan 5-297.302 (see image on last page) should be included in the plan package.

**Vegetation Replacement:**

A general discussion of vegetation protection and replacement can be found in:  
[HPDP Vegetation Subject Guidance.](#)

For more specific recommendations please contact the Roadside Vegetation Management unit once construction limits are clearly defined. As project initiation draws near and construction limits have been defined a site visit could be made if one is deemed necessary. At this time, such a site visit is not anticipated.

**Noxious Weeds:**

Minnesota State listed noxious weeds can be found at the following web address:  
<http://www.mda.state.mn.us/plants/pestmanagement/weedcontrol/noxiouslist.aspx>

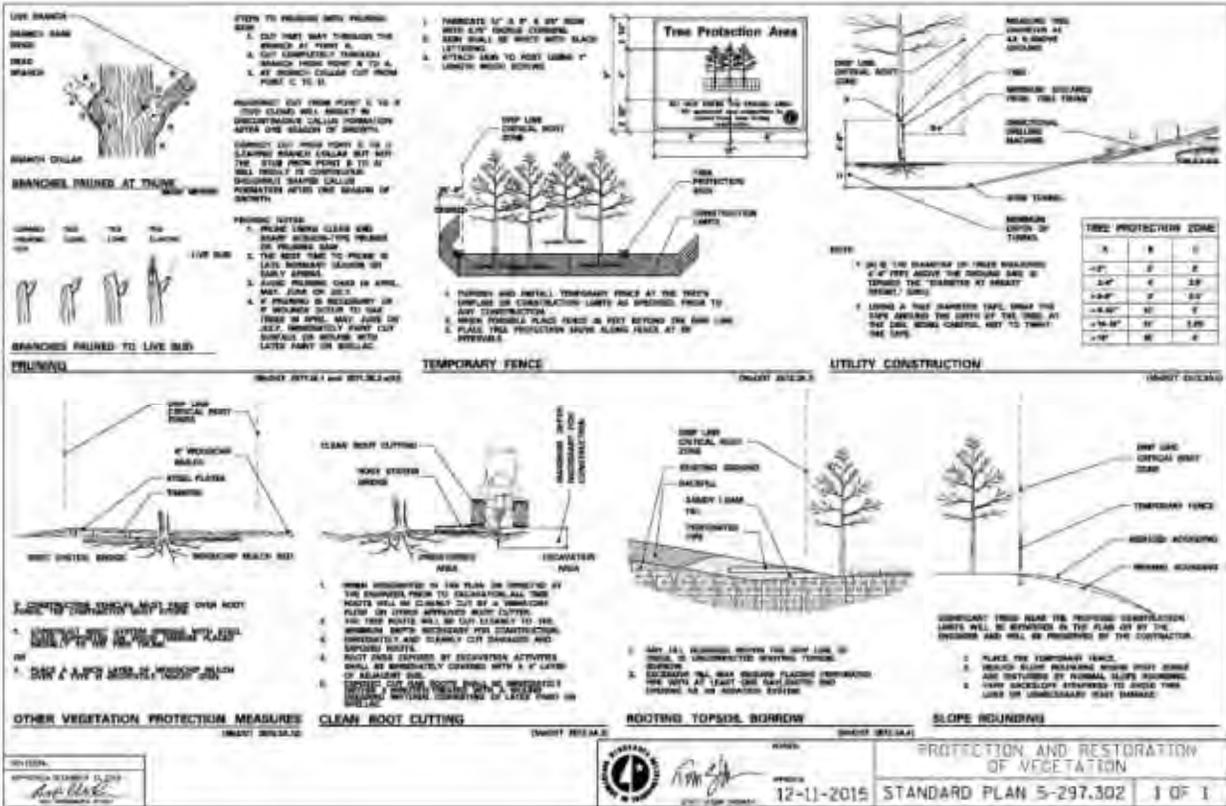
While I am not aware of specific locations within the limits of this project, noxious weeds are likely present within the project limits. Following are general guidelines that can help to limit the spread of noxious weeds during the construction phase:

- identify where weeds are present
- prioritize these areas for weed control before construction begins
- prevent movement of soil harboring a strong seed bank (soil under a weed infestation)
- prevent the spread of reproductive weed parts (seed and roots) by cleaning equipment before it is moved from one site to another.
- post construction, monitor for noxious weeds and control as necessary.

**P6 Scheduling and Activities:**

Unless the scope of work for this project changes, further review of the project will NOT be needed. Project activities **VGT1020, VGT1030, and VGT1040 should not be included in the project schedule.** If these activities are already included in the schedule, they should be removed at this time.

CONTINUE TO FOLLOWING PAGE



Standard Plan 5-297.302 – Protection & Restoration of Vegetation

Thank you for the opportunity to review this project for vegetation concerns. Please feel free to contact me if you have any other questions.

Cc. Claudia Dumont, Mike Stangler

## **Stolte, Aaron**

---

**From:** Tiedeken, Nicklas (DOT) <nick.tiedeken@state.mn.us>  
**Sent:** Saturday, March 24, 2018 4:25 PM  
**To:** Stolte, Aaron  
**Subject:** RE: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

**Categories:** External

Thanks Aaron

IT generally looks pretty good. I did not see anything that stood out as needing adjustment.  
Nick

---

**From:** Stolte, Aaron [mailto:Aaron.Stolte@kimley-horn.com]  
**Sent:** Wednesday, February 21, 2018 3:53 PM  
**To:** Tiedeken, Nicklas (DOT) <nick.tiedeken@state.mn.us>  
**Subject:** RE: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

Hi Nick,

Just writing to check-in and see if you've had a chance to review this project yet. This project will require permits from the USACE, MnDOT (as the WCA LGU) and the DNR which will be discussed in the EA. We seem to be getting closer to a preferred alternative which results in little to no wetland impacts (other than median locations). Is there any other information related to water permits you'd like us to cover in the EA? We are not on an extremely pressing timeline in terms of letting but we would like to have the environmental document pulled together by the end of March. Feel free to give me a call if you have any questions.

Thanks,

Aaron

### **Aaron Stolte**

**Kimley-Horn** | 2550 University Avenue West, Suite 238N, Saint Paul, MN 55114  
Direct: 612-326-9510 | Mobile: 651-491-4798 | [www.kimley-horn.com](http://www.kimley-horn.com)  
Celebrating 11 years as one of FORTUNE's 100 Best Companies to Work For

---

**From:** Kunkel, Beth  
**Sent:** Thursday, December 07, 2017 12:22 PM  
**To:** '[peter.leete@state.mn.us](mailto:peter.leete@state.mn.us)' <[peter.leete@state.mn.us](mailto:peter.leete@state.mn.us)>; '[Christopher.E.Smith@state.mn.us](mailto:Christopher.E.Smith@state.mn.us)' <[Christopher.E.Smith@state.mn.us](mailto:Christopher.E.Smith@state.mn.us)>; '[Carolyn.Boben@state.mn.us](mailto:Carolyn.Boben@state.mn.us)' <[Carolyn.Boben@state.mn.us](mailto:Carolyn.Boben@state.mn.us)>; '[mark.vogel@state.mn.us](mailto:mark.vogel@state.mn.us)' <[mark.vogel@state.mn.us](mailto:mark.vogel@state.mn.us)>; '[paul.voigt@state.mn.us](mailto:paul.voigt@state.mn.us)' <[paul.voigt@state.mn.us](mailto:paul.voigt@state.mn.us)>; '[melvin.roseen@state.mn.us](mailto:melvin.roseen@state.mn.us)' <[melvin.roseen@state.mn.us](mailto:melvin.roseen@state.mn.us)>; '[peter.wasko@state.mn.us](mailto:peter.wasko@state.mn.us)' <[peter.wasko@state.mn.us](mailto:peter.wasko@state.mn.us)>; '[sarma.straumanis@state.mn.us](mailto:sarma.straumanis@state.mn.us)' <[sarma.straumanis@state.mn.us](mailto:sarma.straumanis@state.mn.us)>; '[nick.tiedeken@state.mn.us](mailto:nick.tiedeken@state.mn.us)' <[nick.tiedeken@state.mn.us](mailto:nick.tiedeken@state.mn.us)>; '[tara.carson@state.mn.us](mailto:tara.carson@state.mn.us)' <[tara.carson@state.mn.us](mailto:tara.carson@state.mn.us)>; '[CulturalResources.dot@state.mn.us](mailto:CulturalResources.dot@state.mn.us)' <[CulturalResources.dot@state.mn.us](mailto:CulturalResources.dot@state.mn.us)>; '[robert.williams@state.mn.us](mailto:robert.williams@state.mn.us)' <[robert.williams@state.mn.us](mailto:robert.williams@state.mn.us)>; '[rick.vanwagner@state.mn.us](mailto:rick.vanwagner@state.mn.us)' <[rick.vanwagner@state.mn.us](mailto:rick.vanwagner@state.mn.us)>; '[OFCVOpermits.dot@state.mn.us](mailto:OFCVOpermits.dot@state.mn.us)' <[OFCVOpermits.dot@state.mn.us](mailto:OFCVOpermits.dot@state.mn.us)>; '[douglas.carter@state.mn.us](mailto:douglas.carter@state.mn.us)' <[douglas.carter@state.mn.us](mailto:douglas.carter@state.mn.us)>; '[dustin.thomas@state.mn.us](mailto:dustin.thomas@state.mn.us)' <[dustin.thomas@state.mn.us](mailto:dustin.thomas@state.mn.us)>; '[minnie.milkert@state.mn.us](mailto:minnie.milkert@state.mn.us)' <[minnie.milkert@state.mn.us](mailto:minnie.milkert@state.mn.us)>;

'[joe.w.campbell@dot.gov](mailto:joe.w.campbell@dot.gov)' <[joe.w.campbell@dot.gov](mailto:joe.w.campbell@dot.gov)>; '[Debra.Moynihan@state.mn.us](mailto:Debra.Moynihan@state.mn.us)' <[Debra.Moynihan@state.mn.us](mailto:Debra.Moynihan@state.mn.us)>

Cc: '[Claudia.Dumont@state.mn.us](mailto:Claudia.Dumont@state.mn.us)' <[Claudia.Dumont@state.mn.us](mailto:Claudia.Dumont@state.mn.us)>; '[mike.stangler@state.mn.us](mailto:mike.stangler@state.mn.us)' <[mike.stangler@state.mn.us](mailto:mike.stangler@state.mn.us)>; Brown, Greg <[Greg.Brown@kimley-horn.com](mailto:Greg.Brown@kimley-horn.com)>

**Subject:** ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

**Importance:** High

Good afternoon reviewers!

On behalf of Claudia Dumont, project manager in MnDOT District 3, the attached ENM review is requested for the unbonded concrete overlay and/or reconstruction of I-94 between Albertville and Clearwater. To aid your review we have included in the attachment the existing/known information we have at this time. This request is also saved in Projectwise at the link below.

**Please provide your responses to me by January 19, 2018 and copy Claudia Dumont and Mike Stangler.**

If you have any project questions, please let me know.

Thanks you in advance for your prompt responses!

Beth

**PW link:**

[pw://pw8i.ad.dot.state.mn.us:cadp/Documents/Projects/D3\\_BAX/094/8680/173/Predesign/Consultant/From&space;Consultant/2017-12-07&space;ENM&space;Request/](http://pw8i.ad.dot.state.mn.us:cadp/Documents/Projects/D3_BAX/094/8680/173/Predesign/Consultant/From&space;Consultant/2017-12-07&space;ENM&space;Request/)

***Beth Kunkel, PWS***

**Kimley-Horn** | 2550 University Avenue West, Suite 238N, St. Paul, MN 55114  
Direct: [651-643-0455](tel:651-643-0455) | Mobile: [651-485-9662](tel:651-485-9662) |

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--

Aaron Stolte

P: 651-491-4798

E: [aaron.stolte@gmail.com](mailto:aaron.stolte@gmail.com)

## MEMORANDUM

To: Katherine Haun Shuring  
From: Beth Kunkel  
Kimley-Horn and Associates, Inc.  
Date: 10-10-2018  
Subject: S.P. 8680-173  
I-94 Improvements from TH 24 to near Monticello Project Followup

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Dear Katie,

This memo is in response to the MnDOT Cultural Resources Unit findings letter dated April 16, 2018. The letter indicates that if “substantial changes” including “right-of-way acquisition” are added to the project scope, that CRU should be notified. The CRU letter evaluated information from the Early Notification Memo provided on December 6<sup>th</sup> of 2017. Since this date two right-of-way acquisition areas have been identified for stormwater ponds. The two parcels identified are listed below:

- Parcel (#204000073403) located in Clearwater Township northwest of the Grover Ave NW bridge over I-94 (Pond 3 Parcel)
- Parcel (#155800332300) located in Monticello northwest of the 120<sup>th</sup> Street Northeast bridge over I-94 (Pond 6 Parcel)

The proposed pond locations, parcel boundaries, and preliminary construction limits are shown below in aerial photos. Due to the preliminary nature of the engineering completed to date, the full extents of acquisition required for these ponds has not been finalized. The project team requests that CRU evaluate the entire parcel in which potential acquisition is proposed unless you tell me you have any concern for either area taking extraordinary effort, then we can try to refine the study area.

In order to aid in an expedited review of the areas, we have provided aerial photos that document recent (within the last ten years) visible disturbance. The following information provides documentation of that analysis.

Pond 3 is proposed on a privately-owned parcel and contains a recently constructed transmission line (see Photo 1). According to historic aerial imagery, the parcel appears to have undergone grading and/or was used for staging during construction of the transmission line in 2011, see Photo 2.

Pond 6 is proposed on a parcel owned by the Northern States Power Company (see Photo 3) The location is the site of a previous alignment of County Highway 75 (see Photo 4).

Photo 1: Pond 3 Location (Aerial Date 5-14-2018)

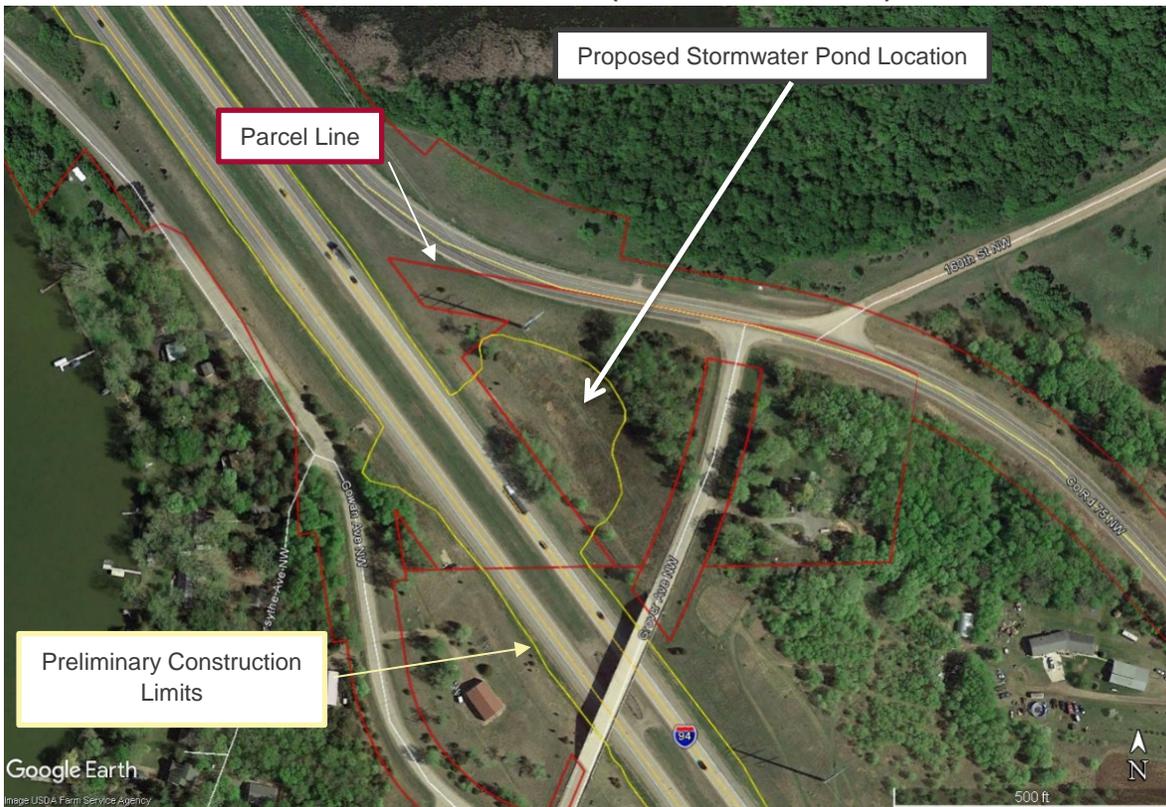


Photo 2: Pond 3 Location Showing Disturbance (Aerial Date 5-16-2011)

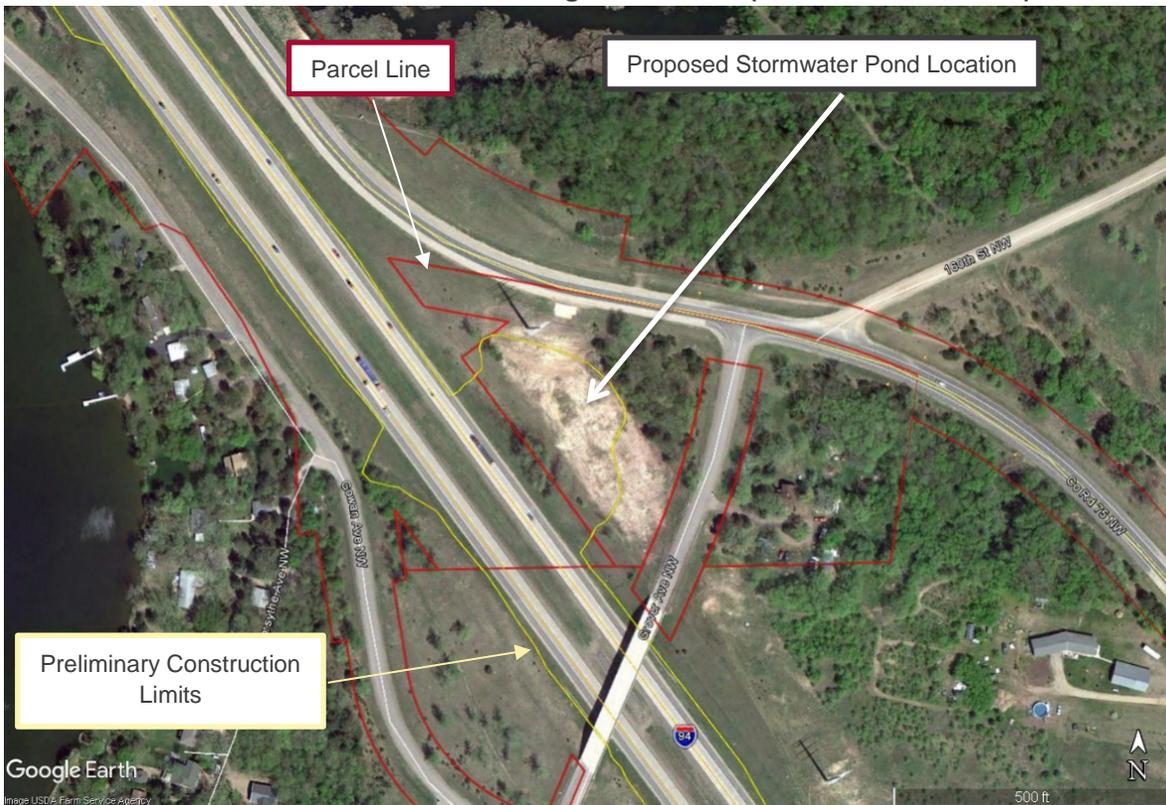


Photo 3: Pond 6 Location (Aerial Date 5-14-2018)

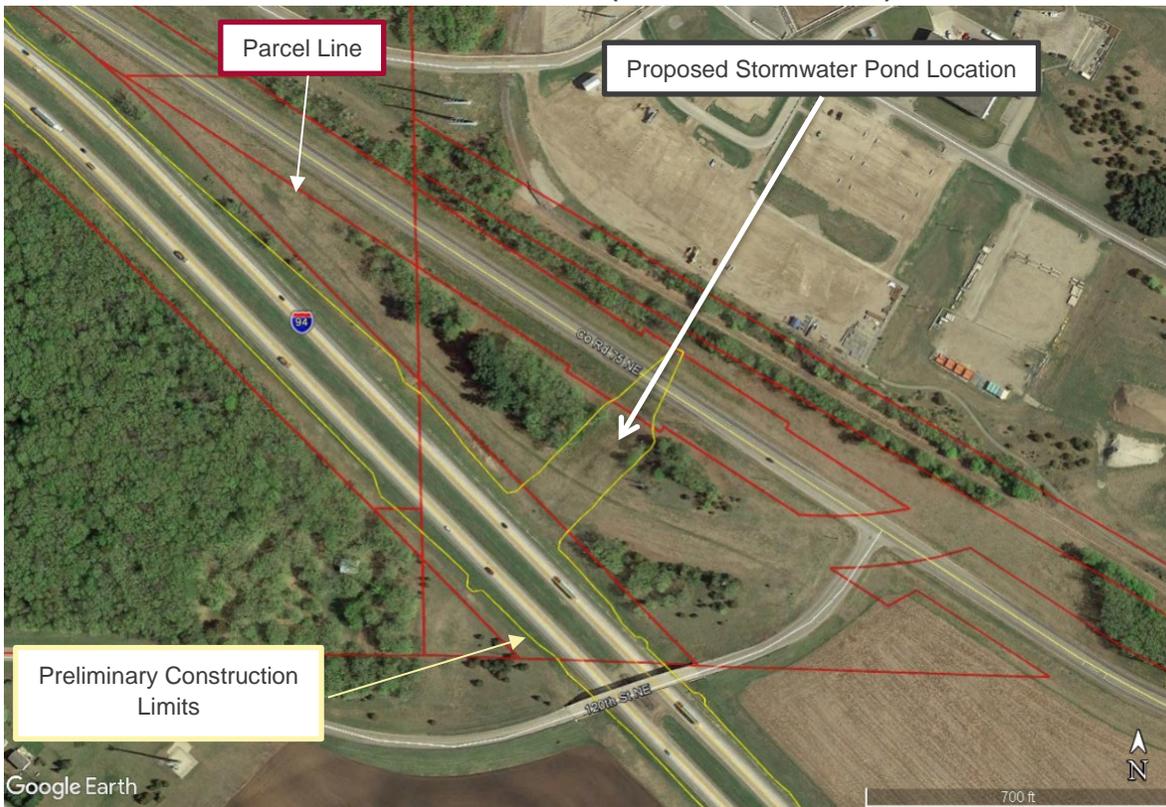
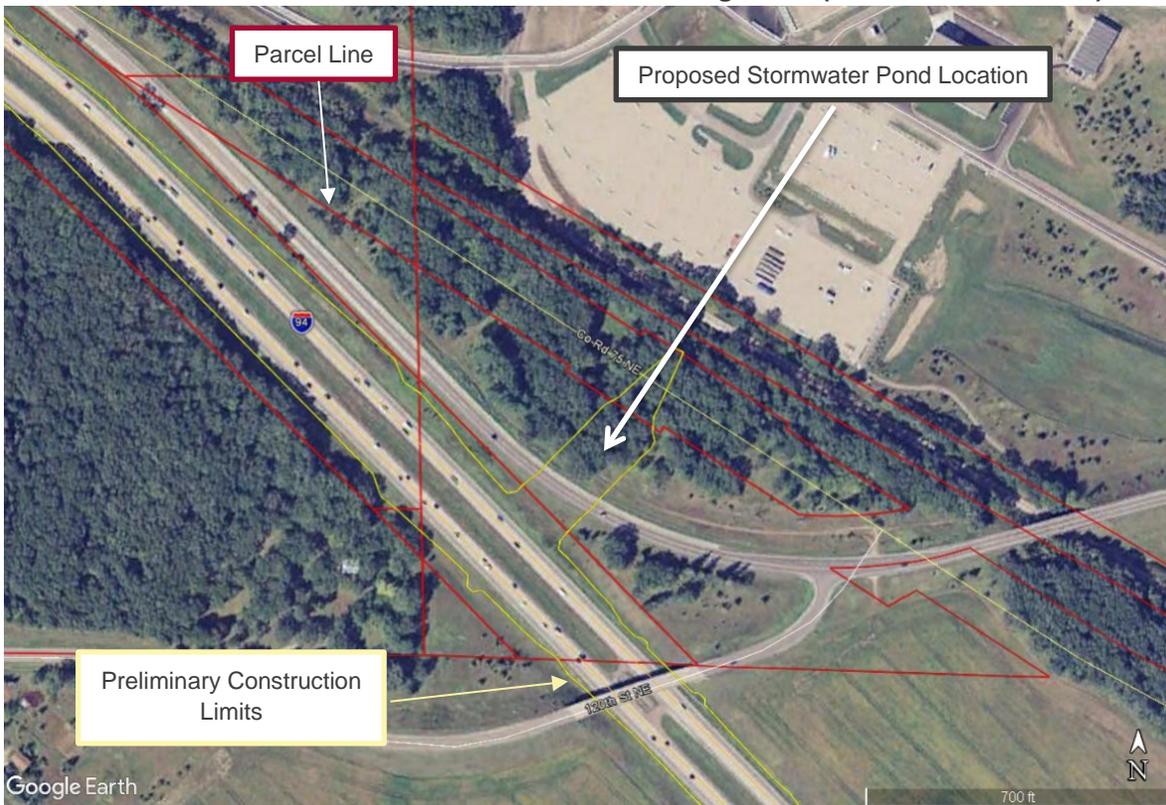


Photo 4: Pond 6 location relative to old CSAH 75 alignment (Aerial Date 5-16-2011)



## Stolte, Aaron

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**From:** Kunkel, Beth  
**Sent:** Monday, February 12, 2018 8:03 AM  
**To:** Stolte, Aaron  
**Subject:** FW: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

---

**From:** Wasko, Peter (DOT) [mailto:peter.wasko@state.mn.us]  
**Sent:** Thursday, December 07, 2017 12:31 PM  
**To:** Kunkel, Beth <Beth.Kunkel@kimley-horn.com>  
**Cc:** Crawford, John <John.Crawford@kimley-horn.com>  
**Subject:** RE: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

☺...ok no comments from me!

---

**From:** Kunkel, Beth [mailto:Beth.Kunkel@kimley-horn.com]  
**Sent:** Thursday, December 07, 2017 12:30 PM  
**To:** Wasko, Peter (DOT) <peter.wasko@state.mn.us>  
**Cc:** Crawford, John <John.Crawford@kimley-horn.com>  
**Subject:** RE: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

yes

---

**From:** Wasko, Peter (DOT) [mailto:peter.wasko@state.mn.us]  
**Sent:** Thursday, December 07, 2017 12:30 PM  
**To:** Kunkel, Beth <Beth.Kunkel@kimley-horn.com>  
**Cc:** Crawford, John <John.Crawford@kimley-horn.com>  
**Subject:** RE: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

Beth,

I'm assuming that Kimley-Horn is also addressing the air quality impacts as part of the environmental process..

Peter Wasko, INCE  
Minnesota Department of Transportation  
Office of Environmental Stewardship  
Environmental Modeling and Testing Unit Chief  
Mailstop 660  
6000 Minnehaha Avenue  
Saint Paul, MN 55111  
651-366-5801  
[Peter.Wasko@state.mn.us](mailto:Peter.Wasko@state.mn.us)

---

**From:** Kunkel, Beth [<mailto:Beth.Kunkel@kimley-horn.com>]  
**Sent:** Thursday, December 07, 2017 12:22 PM  
**To:** Leete, Peter (DOT) <[peter.leete@state.mn.us](mailto:peter.leete@state.mn.us)>; Smith, Christopher E (DOT) <[christopher.e.smith@state.mn.us](mailto:christopher.e.smith@state.mn.us)>; Boben, Carolyn (DOT) <[carolyn.boben@state.mn.us](mailto:carolyn.boben@state.mn.us)>; Vogel, Mark (DOT) <[mark.vogel@state.mn.us](mailto:mark.vogel@state.mn.us)>; Voigt, Paul (DOT) <[paul.voigt@state.mn.us](mailto:paul.voigt@state.mn.us)>; Roseen, Melvin (DOT) <[melvin.roseen@state.mn.us](mailto:melvin.roseen@state.mn.us)>; Wasko, Peter (DOT) <[peter.wasko@state.mn.us](mailto:peter.wasko@state.mn.us)>; Straumanis, Sarma (DOT) <[sarma.straumanis@state.mn.us](mailto:sarma.straumanis@state.mn.us)>; Tiedeken, Nicklas (DOT) <[nick.tiedeken@state.mn.us](mailto:nick.tiedeken@state.mn.us)>; Carson, Tara (DOT) <[tara.carson@state.mn.us](mailto:tara.carson@state.mn.us)>; MN\_DOT\_CulturalResources <[CulturalResources.dot@state.mn.us](mailto:CulturalResources.dot@state.mn.us)>; Williams, Robert H (DOT) <[robert.williams@state.mn.us](mailto:robert.williams@state.mn.us)>; VanWagner, Richard (DOT) <[rick.vanwagner@state.mn.us](mailto:rick.vanwagner@state.mn.us)>; MN\_DOT\_OFCVOPermits <[OFCVOPermits.dot@state.mn.us](mailto:OFCVOPermits.dot@state.mn.us)>; Carter, Douglas (DOT) <[douglas.carter@state.mn.us](mailto:douglas.carter@state.mn.us)>; Thomas, Dustin (DOT) <[dustin.thomas@state.mn.us](mailto:dustin.thomas@state.mn.us)>; Milkert, Anjani (DOT) <[minnie.milkert@state.mn.us](mailto:minnie.milkert@state.mn.us)>; [joe.w.campbell@dot.gov](mailto:joe.w.campbell@dot.gov); Moynihan, Debra (DOT) <[debra.moynihan@state.mn.us](mailto:debra.moynihan@state.mn.us)>  
**Cc:** Dumont, Claudia (DOT) <[claudia.dumont@state.mn.us](mailto:claudia.dumont@state.mn.us)>; Stangler, Michael (DOT) <[mike.stangler@state.mn.us](mailto:mike.stangler@state.mn.us)>; Brown, Greg <[Greg.Brown@kimley-horn.com](mailto:Greg.Brown@kimley-horn.com)>  
**Subject:** ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)  
**Importance:** High

Good afternoon reviewers!

On behalf of Claudia Dumont, project manager in MnDOT District 3, the attached ENM review is requested for the unbonded concrete overlay and/or reconstruction of I-94 between Albertville and Clearwater. To aid your review we have included in the attachment the existing/known information we have at this time. This request is also saved in Projectwise at the link below.

**Please provide your responses to me by January 19, 2018 and copy Claudia Dumont and Mike Stangler.**

If you have any project questions, please let me know.  
Thanks you in advance for your prompt responses!

Beth

**PW link:**

[pw://pw8i.ad.dot.state.mn.us:cadp/Documents/Projects/D3\\_BAX/094/8680/173/Predesign/Consultant/From&space;Consultant/2017-12-07&space;ENM&space;Request/](http://pw8i.ad.dot.state.mn.us:cadp/Documents/Projects/D3_BAX/094/8680/173/Predesign/Consultant/From&space;Consultant/2017-12-07&space;ENM&space;Request/)

***Beth Kunkel, PWS***

**Kimley-Horn** | 2550 University Avenue West, Suite 238N, St. Paul, MN 55114  
Direct: 651-643-0455 | Mobile: 651-485-9662 |

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## Memo

**To:** Claudia Dumont  
Project Manager

**From:** Rick VanWagner  
Railroad Safety and Coordination Project Manager

**Date:** Month Day, Year

**RE:** Early Notification Memo  
S.P. 8680-173 (I-94) (unbonded concrete overlay)  
I-94 from TH 24 to Monticello, Wright County, MN

The Freight & Commercial Vehicle Operation's Railroad Safety and Coordination Office has reviewed the Early Notification Memo for the above referenced project on I-94. The tracks parallel to I-94 are owned and operated on by the BNSF Railway Company. The contact person for the railroad is Rich Scott and can be reached @ (763) 782-3492 or by email [richard.scott2@bnsf.com](mailto:richard.scott2@bnsf.com)

Any work within the railroad right of way will have operational concerns by the railroad. This project will not require a construction and maintenance agreement between Mn/DOT and the BNSF Railway Company unless the project scope of work changes and the project will encroach the railroad right-of-way.

If you have any additional questions, or require further information, please contact this office.

## Stolte, Aaron

---

**From:** Kunkel, Beth  
**Sent:** Monday, February 12, 2018 8:06 AM  
**To:** Stolte, Aaron  
**Subject:** FW: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

---

**From:** Vogel, Mark (DOT) [mailto:[mark.vogel@state.mn.us](mailto:mark.vogel@state.mn.us)]  
**Sent:** Monday, December 11, 2017 1:53 PM  
**To:** Kunkel, Beth <[Beth.Kunkel@kimley-horn.com](mailto:Beth.Kunkel@kimley-horn.com)>  
**Subject:** RE: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

Hi Beth, I see there are several bridges listed, if any of them will be rehabilitated in any way (guardrail replace on top, repaint, deck replace, ect) I need to be contacted to have the bridge assessed for asbestos and other regulated materials. This does not include culverts with bridge numbers.

I see there is work on culverts, please get in contact with me if plans indicate the culverts are Asbestos Bonded (AB) culverts or if culverts are observed to have a thick black coating. I will hire a consultant to investigate for asbestos.

Treated wood must be disposed of at a Minnesota MPCA permitted mixed municipal solid waste landfill or MPCA permitted industrial landfill. This material needs documentation showing the landfill received the material. Use Spec Prov 2104.

MV

---

**From:** Kunkel, Beth [mailto:[Beth.Kunkel@kimley-horn.com](mailto:Beth.Kunkel@kimley-horn.com)]  
**Sent:** Thursday, December 07, 2017 12:22 PM  
**To:** Leete, Peter (DOT) <[peter.leete@state.mn.us](mailto:peter.leete@state.mn.us)>; Smith, Christopher E (DOT) <[christopher.e.smith@state.mn.us](mailto:christopher.e.smith@state.mn.us)>; Boben, Carolyn (DOT) <[carolyn.boben@state.mn.us](mailto:carolyn.boben@state.mn.us)>; Vogel, Mark (DOT) <[mark.vogel@state.mn.us](mailto:mark.vogel@state.mn.us)>; Voigt, Paul (DOT) <[paul.voigt@state.mn.us](mailto:paul.voigt@state.mn.us)>; Roseen, Melvin (DOT) <[melvin.roseen@state.mn.us](mailto:melvin.roseen@state.mn.us)>; Wasko, Peter (DOT) <[peter.wasko@state.mn.us](mailto:peter.wasko@state.mn.us)>; Straumanis, Sarma (DOT) <[sarma.straumanis@state.mn.us](mailto:sarma.straumanis@state.mn.us)>; Tiedeken, Nicklas (DOT) <[nick.tiedeken@state.mn.us](mailto:nick.tiedeken@state.mn.us)>; Carson, Tara (DOT) <[tara.carson@state.mn.us](mailto:tara.carson@state.mn.us)>; MN\_DOT\_CulturalResources <[CulturalResources.dot@state.mn.us](mailto:CulturalResources.dot@state.mn.us)>; Williams, Robert H (DOT) <[robert.williams@state.mn.us](mailto:robert.williams@state.mn.us)>; VanWagner, Richard (DOT) <[rick.vanwagner@state.mn.us](mailto:rick.vanwagner@state.mn.us)>; MN\_DOT\_OFCVOPermits <[OFCVOPermits.dot@state.mn.us](mailto:OFCVOPermits.dot@state.mn.us)>; Carter, Douglas (DOT) <[douglas.carter@state.mn.us](mailto:douglas.carter@state.mn.us)>; Thomas, Dustin (DOT) <[dustin.thomas@state.mn.us](mailto:dustin.thomas@state.mn.us)>; Milkert, Anjani (DOT) <[minnie.milkert@state.mn.us](mailto:minnie.milkert@state.mn.us)>; [joe.w.campbell@dot.gov](mailto:joe.w.campbell@dot.gov); Moynihan, Debra (DOT) <[debra.moynihan@state.mn.us](mailto:debra.moynihan@state.mn.us)>  
**Cc:** Dumont, Claudia (DOT) <[claudia.dumont@state.mn.us](mailto:claudia.dumont@state.mn.us)>; Stangler, Michael (DOT) <[mike.stangler@state.mn.us](mailto:mike.stangler@state.mn.us)>; Brown, Greg <[Greg.Brown@kimley-horn.com](mailto:Greg.Brown@kimley-horn.com)>  
**Subject:** ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)  
**Importance:** High

Good afternoon reviewers!

On behalf of Claudia Dumont, project manager in MnDOT District 3, the attached ENM review is requested for the unbonded concrete overlay and/or reconstruction of I-94 between Albertville and Clearwater. To aid your review we have included in the attachment the existing/known information we have at this time. This request is also saved in Projectwise at the link below.

**Please provide your responses to me by January 19, 2018 and copy Claudia Dumont and Mike Stangler.**

If you have any project questions, please let me know.

Thanks you in advance for your prompt responses!

Beth

**PW link:**

[pw://pw8i.ad.dot.state.mn.us:cadp/Documents/Projects/D3\\_BAX/094/8680/173/Predesign/Consultant/From&space;Consultant/2017-12-07&space;ENM&space;Request/](pw://pw8i.ad.dot.state.mn.us:cadp/Documents/Projects/D3_BAX/094/8680/173/Predesign/Consultant/From&space;Consultant/2017-12-07&space;ENM&space;Request/)

***Beth Kunkel, PWS***

**Kimley-Horn** | 2550 University Avenue West, Suite 238N, St. Paul, MN 55114  
Direct: 651-643-0455 | Mobile: 651-485-9662 |

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## Memo

**To:** Beth Kunkel – Report Writer  
Kimley-Horn, Environmental Lead

**From:** Paul Voigt   
NRS/Program Coordinator- Horticulturist

**Date:** February 9, 2018

**Subject:** SP 8680-173 TH 94 vegetation review for ENM

I reviewed the areas along T.H. 94 at the locations described in the ENM to determine potential impacts to the vegetation based on the information you supplied in your Early Notification Memo dated December 7<sup>th</sup>, 2017. The following are my observations and recommendations based on Google Earth and GIS reviews of the areas.

### Project Description:

This project includes a repair of the existing concrete, construction of concrete ramps in various locations, bituminous outside and concrete inside shoulders, replacing centerline median drains, installation of stormwater treatment facilities to accommodate new pavement sections, median grading in various locations to accommodate raised roadway profiles, potentially some reconstruction under some bridges, and replacement of impacted and non-compliant guardrail. At this time there are several alternatives being looked at related mainly to the addition of a third lane in each direction.

### Vegetation:

The woody vegetation in and around the proposed project consists of mostly naturally occurring native and non-native trees and shrubs, both coniferous and deciduous with scattered areas within the project that contain planted landscape vegetation of varying types. The majority of woody vegetation appears to be located primarily near the edge of right of way or off right of way on private properties. The herbaceous vegetation consists of both native and non-native vegetation, with varying degrees of mowing and maintenance depending on the location.

### Potential Impacts:

Based on the work being proposed, there are not likely to be any impacts to rare species, rare native plant communities, or notable trees or other valued woody vegetation from this project. Proper erosion control and reseeding practices where soil disturbance occurs will be important with a project of this type. Seed mix recommendations can best be satisfied by reviewing the District's "Vegetation Establishment Recommendations" letter. These letters can be found at:  
<http://www.dot.state.mn.us/environment/erosion/seedmixes.html>.

In terms of project staging and equipment routes to and from the work areas, those areas near or under trees (on or off Right of Way) **should not become staging or transport areas** for equipment or materials.

Activities of that nature compact soils resulting in the potential for long term health impacts to those trees. In order to minimize the overall impacts to other nearby vegetation due to project creep, where there are trees and/or shrubs directly adjacent to the limits of construction that warrant protection, the placement of temporary fence along the limits of construction is highly recommended (based on MnDOT Standard Specification 2572.3A.1). When requiring the use of temporary fence, it should be clearly called for in the construction plans, and the Standard Plan 5-297.302 (see image on last page) should be included in the plan package.

**Vegetation Replacement:**

A general discussion of vegetation protection and replacement can be found in:  
[HPDP Vegetation Subject Guidance.](#)

For more specific recommendations please contact the Roadside Vegetation Management unit once construction limits are clearly defined. As project initiation draws near and construction limits have been defined a site visit could be made if one is deemed necessary. At this time, such a site visit is not anticipated.

**Noxious Weeds:**

Minnesota State listed noxious weeds can be found at the following web address:  
<http://www.mda.state.mn.us/plants/pestmanagement/weedcontrol/noxiouslist.aspx>

While I am not aware of specific locations within the limits of this project, noxious weeds are likely present within the project limits. Following are general guidelines that can help to limit the spread of noxious weeds during the construction phase:

- identify where weeds are present
- prioritize these areas for weed control before construction begins
- prevent movement of soil harboring a strong seed bank (soil under a weed infestation)
- prevent the spread of reproductive weed parts (seed and roots) by cleaning equipment before it is moved from one site to another.
- post construction, monitor for noxious weeds and control as necessary.

**P6 Scheduling and Activities:**

Unless the scope of work for this project changes, further review of the project will NOT be needed. Project activities **VGT1020, VGT1030, and VGT1040 should not be included in the project schedule.** If these activities are already included in the schedule, they should be removed at this time.

CONTINUE TO FOLLOWING PAGE

**LIVE BRANCH**  
BRANCH BARK RIDGE  
DEAD BRANCH  
BRANCH COLLAR  
BRANCHES PRUNED AT TRUNK (BRUGG METHOD)  
CORRECT PRUNING CUT  
TOO CLOSE  
TOO LONG  
TOO SLANTED  
LIVE BUD  
BRANCHES PRUNED TO LIVE BUD  
**PRUNING** (MnDOT 2571.3E.1 and 2571.3E.2 a)(9)

**STEPS TO PRUNING WITH PRUNING SAW:**  
1. CUT PART WAY THROUGH THE BRANCH AT POINT A.  
2. CUT COMPLETELY THROUGH BRANCH FROM POINT B TO A.  
3. AT BRANCH COLLAR CUT FROM POINT C TO D.  
INCORRECT CUT FROM POINT C TO X (TOO CLOSE) WILL RESULT IN DISCONTINUOUS CALLUS FORMATION AFTER ONE SEASON OF GROWTH.  
CORRECT CUT FROM POINT C TO D (LEAVING BRANCH COLLAR BUT NOT THE STUB FROM POINT B TO A) WILL RESULT IN CONTINUOUS DOUGLASS' SEALED CALLUS FORMATION AFTER ONE SEASON OF GROWTH.

**PRUNING NOTES:**  
1. PRUNE USING CLEAN AND SHARP SCISSOR-TYPE PRUNER OR PRUNING SAW.  
2. THE BEST TIME TO PRUNE IS LATE DOMINANT SEASON OR EARLY SPRING.  
3. AVOID PRUNING OAKS IN APRIL, MAY, JUNE OR JULY.  
4. IF PRUNING IS NECESSARY ON OAKS, PRUNING SHOULD OCCUR IN APRIL, MAY, JUNE OR JULY. IMMEDIATELY PAINT CUT SURFACE OR WOUND WITH LATEX PAINT OR SHELLAC.

**Tree Protection Area**  
1. FABRICATE 12" X 6" X 96" SIGN WITH 0.75" RADIUS CORNERS.  
2. SIGN SHALL BE WHITE WITH BLACK LETTERING.  
3. ATTACH SIGN TO POST USING 1" LENGTH WOOD SCREWS.  
DO NOT ENTER THE FENCED AREA. We appreciate your cooperation to protect these trees during construction.

**UTILITY CONSTRUCTION** (MnDOT 2572.3A.1)

**TEMPORARY FENCE** (MnDOT 2572.3A.2)

**ROOTING TOPSOIL BORROW** (MnDOT 2572.3A.4)

**CLEAN ROOT CUTTING** (MnDOT 2572.3A.3)

**OTHER VEGETATION PROTECTION MEASURES** (MnDOT 2572.3A.12)

**SLOPE ROUNDING** (MnDOT 2572.3A.1)

**REVISION:**  
APPROVED IN DECEMBER 16, 2015  
STATE ENGINEER

**REVISION:**  
APPROVED 12-11-2015  
STATE DESIGN ENGINEER

**PROTECTION AND RESTORATION OF VEGETATION**  
STANDARD PLAN 5-297.302 1 OF 1

	A	B	C
<2'	2'	2'	
2'-4'	4'	2.5'	
>4-8'	6'	2.5'	
>8-16'	10'	3'	
>16-30'	12'	3.25'	
>18'	15'	4'	

Standard Plan 5-297.302 – Protection & Restoration of Vegetation

Thank you for the opportunity to review this project for vegetation concerns. Please feel free to contact me if you have any other questions.

Cc. Claudia Dumont, Mike Stangler

## **Stolte, Aaron**

---

**From:** Tiedeken, Nicklas (DOT) <nick.tiedeken@state.mn.us>  
**Sent:** Saturday, March 24, 2018 4:25 PM  
**To:** Stolte, Aaron  
**Subject:** RE: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

**Categories:** External

Thanks Aaron

IT generally looks pretty good. I did not see anything that stood out as needing adjustment.

Nick

---

**From:** Stolte, Aaron [mailto:Aaron.Stolte@kimley-horn.com]  
**Sent:** Wednesday, February 21, 2018 3:53 PM  
**To:** Tiedeken, Nicklas (DOT) <nick.tiedeken@state.mn.us>  
**Subject:** RE: ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

Hi Nick,

Just writing to check-in and see if you've had a chance to review this project yet. This project will require permits from the USACE, MnDOT (as the WCA LGU) and the DNR which will be discussed in the EA. We seem to be getting closer to a preferred alternative which results in little to no wetland impacts (other than median locations). Is there any other information related to water permits you'd like us to cover in the EA? We are not on an extremely pressing timeline in terms of letting but we would like to have the environmental document pulled together by the end of March. Feel free to give me a call if you have any questions.

Thanks,

Aaron

### **Aaron Stolte**

**Kimley-Horn** | 2550 University Avenue West, Suite 238N, Saint Paul, MN 55114

Direct: 612-326-9510 | Mobile: 651-491-4798 | [www.kimley-horn.com](http://www.kimley-horn.com)

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**From:** Kunkel, Beth  
**Sent:** Thursday, December 07, 2017 12:22 PM  
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**Subject:** ENM review request for SP 8680-173 (I-94 Albertville to Clearwater)

**Importance:** High

Good afternoon reviewers!

On behalf of Claudia Dumont, project manager in MnDOT District 3, the attached ENM review is requested for the unbonded concrete overlay and/or reconstruction of I-94 between Albertville and Clearwater. To aid your review we have included in the attachment the existing/known information we have at this time. This request is also saved in Projectwise at the link below.

**Please provide your responses to me by January 19, 2018 and copy Claudia Dumont and Mike Stangler.**

If you have any project questions, please let me know.

Thanks you in advance for your prompt responses!

Beth

**PW link:**

[pw://pw8i.ad.dot.state.mn.us:cadp/Documents/Projects/D3\\_BAX/094/8680/173/Predesign/Consultant/From&space;Consultant/2017-12-07&space;ENM&space;Request/](http://pw8i.ad.dot.state.mn.us:cadp/Documents/Projects/D3_BAX/094/8680/173/Predesign/Consultant/From&space;Consultant/2017-12-07&space;ENM&space;Request/)

***Beth Kunkel, PWS***

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