Appendix B1 – Substantive Comment Letters and Responses

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 26 2016

REPLY TO THE ATTENTION OF: E-19J

Ryan Hixson
Area Engineer
Federal Highway Administration
380 Jackson Street, Suite 500
St. Paul, Minnesota 55101

Richard Dalton
Environmental Coordinator
Minnesota Department of Transportation
1500 West County Road B2
Roseville, Minnesota 55113

Re: I-35W North Corridor Preliminary Design Project Environmental Assessment – Roseville, New Brighton, Arden Hills, Mounds View, Shoreview, Lexington, Blaine, Lino Lakes; Anoka and Ramsey Counties; Minnesota

Dear Messrs. Hixson and Dalton:

The U.S. Environmental Protection Agency reviewed the above-mentioned project document dated August 2016. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The I-35W North Corridor is a major freeway that connects the growing north suburban area of the Twin Cities to greater Minnesota, downtown Minneapolis, and beyond. The construction limits of the I-35W North Corridor Preliminary Design Project extend from south of the County Road (CR) C interchange at the south end of the corridor to north of the Sunset Avenue (CR 53) overpass at the north end of the corridor, passing through eight developed and developing communities. The Minnesota Department of Transportation (MnDOT) and partners completed several transportation studies involving the I-35W North corridor. According to the Draft Environmental Assessment (EA), the proposed I-35W North Corridor Preliminary Design Project is a continuation of previous efforts and moves the project one step further toward construction.

The EA identified a number of factors justifying the need for the I-35W North Corridor Project:

- Pavement conditions along the project segment of I-35W are deteriorating and reaching the end of their service life;
- Traffic congestion on a number of segments along I-35W exists during morning and afternoon peak travel times. Congestion is expected to increase, both in terms of location and duration, as additional growth and development occurs in communities throughout the project corridor, further reducing mobility along the corridor;
- As traffic congestion increases, travel times and the variability in travel times on I-35W are also likely to increase, requiring travelers to increase their "planning time" with each trip to account for potential delays;

- A number of operational challenges associated exists with the current transit advantages (bus-only shoulders) on the I-35W project corridor; transit travel times are anticipated to increase in the future with increasing congestion and slower travel speeds. There are no other time-saving advantages along the I-35W project corridor that would encourage carpooling, except for the ramp meter bypass lanes at Lexington Avenue and 95th Avenue;
- Consideration of lower-cost/high-benefit mobility improvements;
- Consideration of bridge preservation activities; and
- Need for consistency with state and region transportation plans.

The EA analyzes impacts from three build alternatives and a no build alternative. Each build alternative includes constructing a new travel lane on northbound and southbound I-35W in the center median between CR C and Lexington Avenue. The difference between the three build alternatives lies in the use and operation of the proposed additional north- and southbound travel lane:

- General purpose lane alternative: the general purpose lanes would not have a restriction on use and would be accessible to all vehicles at all times of the day;
- High occupancy vehicle (HOV) lane alternative: HOV lane use would be restricted to carpools, transit vehicles, and motorcycles during morning and afternoon peak periods. A fee would not be charged to carpoolers using the HOV lane. During non-peak periods, the HOV lane would not have use restrictions;
- MnPASS lane alternative: the MnPASS lanes would be priced and restricted to carpools, toll-paying vehicles, transit vehicles, and motorcycles during morning and afternoon peak periods. During non-peak periods, the MnPASS lanes would not have use restrictions. MnPASS lanes would operate similarly to existing MnPASS lanes in the Twin Cities.

The MnPASS lane alternative was identified as the Preferred Alternative because it best addresses the purpose and need for the project, is the most cost-effective investment, and is consistent with state and regional transportation plan policies and objectives. The I-35W North Corridor Project Preferred Alternative consists of the following:

- Rehabilitate the pavement on I-35W from CR C in Roseville to north of Sunset Avenue in Lino Lakes, including interchange ramps;
- Construct a new northbound and southbound MnPASS lane within the center median of I-35W from CR C in Roseville to Lexington Avenue in Blaine;
- Reconstruct the I-35W Bridges at the BNSF Railway and CR C in Roseville and at CR I in Shoreview and Mounds View; and
- Construct an auxiliary lane along westbound TH 10 west of I-35W; and
- Construct buffer lanes at the I-694 interchange.

Pursuant to our review of the EA and appendices, EPA has the following comments arranged by topic.

Project Features

The Preferred Alternative includes: Construct auxiliary lanes at *various locations* along the I-35W project corridor, construct an auxiliary lane along westbound TH 10 west of I-35W, and construct buffer lanes at the I-694 interchange. **A1**

Recommendations: EPA recommends the following should be addressed: What is meant as "various locations?" Why is an auxiliary lane proposed along westbound TH 10 but not along eastbound TH 10? What is meant by "buffer lanes at the I-694 interchanges?" Are buffer lanes proposed at the I-694 for both directions of travel? EPA requests this information be added to the Final EA or the Finding of No Significant Impact (FONSI). **A1**

The EA indicates there are five park and ride lots in the project area, the largest being the 95th Avenue Park and Ride in Blaine. The EA was silent on whether any of the park and ride lots will be impacted, temporarily or permanently, by the Preferred Alternative. **A2**
Recommendations: EPA recommends potential impacts to the park and ride lots should be addressed. If temporary loss of parking spaces at any of the park and ride lots will occur during construction, the EA should discuss whether sufficient parking will be available, based on current use trends. EPA requests this information be added to the Final EA or FONSI.

Section 5 of the EA is an Environmental Assessment Worksheet (EAW). The EAW was developed under the Minnesota Environmental Policy Act as part of MnDOT's environmental review process whereby information about the potential environmental effects of a proposed project as well as proposed mitigation are disclosed. Section 5.6.2, *Complete Description of the Proposed Project*, indicates the project includes demolition, removal, and reconstruction of *five* bridges along the I-35W corridor. This statement contrasts with Section 1.3.2 of the EA, *Preferred Alternative*, which states that the I-35W Bridges at the BNSF Railway and CR C in Roseville and at CR I in Shoreview and Mounds View will be re-constructed. **A3**
Recommendations: EPA recommends the number of bridges along the I-35W corridor that will undergo demolition, removal, and reconstruction should be clarified in the Final EA or the FONSI. If the August 2016 EA does not include the construction of the five bridges listed in Section 5.6.2 and, therefore, does not include analysis of respective impacts, EPA recommends the analysis of potential impacts from demolition to reconstruction to natural resources and the human environment is incorporated into the Final EA.

Environmental Justice (EJ)
EPA acknowledges the discussion in the *Tolling and Traffic Impacts* section (page 6-12) regarding potential impacts as a result of the tolled lanes to low-income and minority populations, including toll exemptions (such as transit and carpools). While EPA agrees there is a general improvement of Level of Service (LOS) for all lanes, we disagree with the conclusion that there are no adverse impacts to communities with EJ concerns. The EA states that because LOS improves in all lanes (both general purpose and toll lanes) compared to the No Build Alternative, there is no adverse impact to drivers (including low-income and minority populations). However, Section 5.18.2, *Effect on Traffic Congestion*, outlines a difference in LOS between the toll lanes and the general purpose lanes during both AM and PM peak hours under the Preferred Alternative (in particular, see the comparisons in Tables 5.14 and 5.15), indicating there are potentially worse travel times in the general purpose lanes during peak hours compared to the toll lanes. This translates to a benefit to drivers who are able to pay a toll and a potential burden to low-income populations who may not be able to either pay the toll or acquire a transponder (which usually requires a bank account and a deposit). Therefore, EPA finds the distribution of benefits as a result of the proposed project to be inequitable by providing improved travels times during peak hours to higher-income populations. **A4**

Recommendations: EPA recommends MnDOT and FHWA review the *Promising Practices for EJ Methodologies in NEPA Reviews* published by the Federal Interagency Working Group (IWG) on Environmental Justice; recommendations from this report should be incorporated into EJ analyses, as appropriate. We recommend the Final EA should acknowledge there is a benefit to non-low-income populations via the toll lane by providing faster travel times to those who can pay the toll, which may result in a disproportionately high and adverse impact to communities with EJ concerns. The Final EA should clarify whether there are programs that help subsidize tolling fees or organize ride-sharing for low-income populations, particularly if the toll is part of the commute to employment. **A4**

Air Quality and Diesel Emissions Reduction

The EA indicates the I-35W North Corridor project area is designated as being in attainment with the National Ambient Air Quality Standards for all air pollutants. Because Section 5.9.1, *Describe Existing Land Use, Plans, and Zoning*, indicates that several parks and trails are located in the project area within approximately one-half mile of I-35W and because EPA expects construction equipment used during the proposed project will emit diesel emissions, we recommend the protective measures outlined in the enclosure, *EPA's Suggested Construction Emission Controls*, be evaluated and applicable measures become commitments in the FONSI in an effort to improve health outcomes and lower the project's greenhouse gas footprint. **A5**

Scientific and Natural Area (SNA)

The Blaine Preserve SNA is located adjacent to the I-35W corridor. The EA indicates work proposed at this location will be confined to the existing right-of-way and will not result in direct or indirect impacts to this property. **A6**

Recommendations: EPA recommends adding a commitment to the FONSI to inform contractors that the SNA should be not disturbed by installing signage and fencing designed to keep construction out of this area.

Sensitive Plant Species

Section 5.13.4, *Sensitive Plant Species*, two aggregate areas of sensitive plant species were identified in the general project vicinity containing a number of plant species currently under various levels of state protection. Even though no rare plant species were identified within preliminary construction limits, another survey for late-flowering plant species was slated to be completed before the end of the 2016 growing season. **A7**

Recommendations: EPA recommends the results of the 2016 late-flowering species survey be added to the Final EA or FONSI. Additionally, we recommend results of coordination with the Minnesota Department of Natural Resources (MnDNR) are added to the Final EA. We recommend that any measures identified by MnDNR to avoid, minimize, or mitigate impacts to any sensitive species become a commitment in the FONSI.

Upland Vegetation

Section 6.5.3 of the EA, *Determinations under Section 7*, indicates the proposed project may affect, but will not cause incidental take of the Northern Long-Eared Bat. The analysis indicates project implementation of this project will involve work on, or the replacement of, several bridges as well as two to three acres of tree clearing, not considered to be incidental take based on the final 4(d) rule for the northern long-eared bat as published on January 14, 2016 and **A8**

effective beginning February 16, 2016. Nevertheless, EPA recommends tree mitigation become a commitment to reduce impacts of tree loss.

Recommendations: EPA recommends voluntary tree mitigation as trees provide valuable habitat and protect water quality, in part, by stabilizing soils in a watershed. Mitigation might include, but is not limited to, replanting native tree species adjacent to a water body or assisting local, county, or state agencies with any ongoing or planned reforestation activities. Coordination with MnDNR would provide information regarding appropriate native tree species and might serve as a purchasing source. We ask that any voluntary mitigation measures to be undertaken to compensate for the loss of trees be added as a commitment in the FONSI. **A8**

If vegetation will be removed, EPA strongly recommends that it is not disposed of by burning, as burning vegetation increases air impacts. Woody vegetation can be mulched for use by the community in yards, parks, commercial areas, etc. **A9**

Non-native, Invasive and Noxious Species

The EA indicates noxious weeds (e.g., spotted knapweed, Canada thistle, leafy spurge, common tansy, wild parsnip, and purple loosestrife) have been identified along the I-35W project corridor. **A10**

Recommendations: EPA recommends adding a commitment to the FONSI that, at a minimum, equipment will be washed before it enters and leaves the I-35W corridor and before entering and leaving identified areas of noxious weeds.

Wildlife Resources

The EA indicates Blanding's turtles, a state-listed threatened species, have been reported in the project vicinity and may be encountered during construction. EPA commends MnDOT for planning to provide MnDNR's Blanding's Turtle Fact Sheet to all contractors working on-site so appropriate measures can be followed if turtles are encountered during construction. Preliminary construction limits extend out to the existing right-of-way fence in the vicinity of the I-35W/CR H and I-35W/CR I interchanges. The EA contains a commitment that any existing right-of-way fence that is removed and replaced will be installed to prevent turtles from passing under the fence. **A11**

Recommendations: EPA assumes this avoidance measure covers right-of-way fencing that may be temporarily installed. We encourage a commitment be added to the FONSI to install fencing as soon as possible (e.g., within same workday) to prevent turtles from passing under the fence.

Fishery Resources

The EA indicates MnDNR Public Waters are located within 500 feet of the project limits and that work in these areas or adjacent to these areas needs to include the re-establishment of native vegetation suitable to the local habitat. **A12**

Recommendations: EPA recommends a native species list typical for this eco-region be included as an appendix to the EA. We recommend a commitment to re-establish native vegetation suitable to the local habitat be added to the FONSI.

Pollinators and Native Plant Species

On May 26, 2016, MnDOT was a signatory to a six-state memorandum of agreement to improve pollinator habitat along Interstate 35, a key migratory corridor for Monarch butterflies.[1] **A13**

[1] http://www.dot.state.mn.us/pollinators/

Recommendations: EPA recommends the Final EA address how the proposed project will improve pollinator habitat and any commitments to implement pollinator-friendly techniques should be committed to in the FONSI. EPA acknowledges incorporating native plant and wildflower species into project design may impact the overall project cost. Agencies can use Federal funds for pollinator-friendly vegetation management practices.[7] For more information, visit: http://www.fhwa.dot.gov/hep/guidance/noxweeds.cfm or contact Deirdre Remley, Environmental Specialist, at (202) 366-0524 (deirdre.remley@.dot.gov, of the Office of Project Development and Environmental Review.] **A13**

Green Components

The EA indicates the proposed project will include installing lighting, restriping/painting lanes, and constructing pedestrian ramps, signals, and crosswalks that comply with the provisions of the Americans with Disabilities Act of 1990.

Recommendations: EPA encourages use of energy-efficient materials:

- Solar-powered lighting and use of paint low in volatile organic compounds when striping traffic lanes;
- Recycled materials to replace carbon-intensive Portland Cement in concrete as "supplementary cementitious material;" **A14**
- Recycled materials in pavement applications, such as crushed recycled concrete, recycled asphalt pavement, and rubberized asphalt concrete. In some circumstances, on-site asphalt can be re-used (e.g., cold in-place recycling or full depth reclamation);
- Permeable pavement for pedestrian ramps, accessible pedestrian signals, crosswalks, etc., where technically feasible. Recent studies in northern climates have indicated that permeable pavement is often less expensive than traditional concrete and storm sewer use, requires no special maintenance, and is not as susceptible to freeze-thaw cycles compared to traditional concrete, if built correctly.[2]

We recommend green components that can be added to the proposed project are committed to in the FONSI.

Aquatic Resources

EPA commends efforts to reduce impacts to aquatic resources by proposing to add lanes in the median, focusing impacts on lower-quality wetlands (e.g., median wetland ditches) when compared to wetlands located to the outside of the existing lanes. Reducing lane widths and the inside shoulder width resulted in additional wetland avoidance. As a result of minimization efforts, wetland impacts were reduced from approximately 40 acres under the base design to approximately 22.6 acres. **A15**

Stormwater management

The EA indicates impervious surface area will increase by approximately 33 acres. Research from the Center for Watershed Protection indicates that negative impacts to streams are evident at levels of 10 percent impervious cover in a stream's watershed.[3] Compared to other land uses and impervious surfaces, roadway runoff tends to have higher levels of sediment, metals, salts, **A16**

[2] For a success story involving permeable pavement (and associated bioretention), see the following internet link for the Morton Arboretum's "green" parking lot and stormwater management design: http://www.mortonarb.org/sustainable-practices/environmental-parking.html.
[3] http://chesapeakestormwater.net/2012/03/technical-bulletin-no-3-implications-of-the-impervious-cover-model/

litter, and deicing materials. The excess runoff, combined with pollutants, directly impacts local water resources. Traditionally, the focus of managing stormwater runoff from roadways has been to remove it as quickly as possible in order to ensure public safety and the integrity of the road system. Green infrastructure (GI) represents an opportunity to change the historic stormwater management paradigm for roads while still achieving public safety and roadway integrity. Green infrastructure has also been shown to cost less to install and maintain than traditional systems[4].

Recommendations: EPA acknowledges the EA indicates a stormwater management system to support proposed roadway improvements, including best management practices (BMPs) for water quality treatment, volume control, and rate control, will be designed and constructed to meet or exceed regulatory requirements. Because the project discharges to impaired waters, wet detention basins will be constructed up-stream of filtration/infiltration basins to provide pretreatment of runoff before reaching water bodies. EPA strongly recommends construction of GI (e.g., bioswales, bioretention, etc. using native plant species) along rights-of-way within interchange areas, park and ride lots, etc. as a method to increase infiltration, prevent erosion, and prevent further impacting water quality in impaired waterbodies. MnDNR can provide assistance regarding native plant selection. **A16**

The EA indicates the existing box culvert at Rice Creek, as well as other culvert replacements, will be replaced in-kind.

Recommendations: EPA recommends 3-sided box culverts or open-bottom culverts; these are preferred from both an environmental and fisheries standpoint as they preserve the natural stream channel and maintain favorable habitat, natural processes, and aquatic organism passage. If a non-open bottom culvert is used, (such as a four-sided box culvert or a pipe), we recommend that it is embedded a minimum of two feet (and at least 25% for round pipe culverts) into the bottom of the channel. We recommend a commitment to use 3-sided box culverts or open-bottom culverts is added to the FONSI. **A17**

We appreciate the opportunity to provide input early in the decision-making process. If you have any questions, feel free to contact me or Kathy Kowal of my staff at kowal.kathleen@epa.gov or 312/353-5206.

Sincerely,

Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Enforcement and Compliance Assurance

Enclosure: *EPA's Suggested Construction Emission Controls*
cc: Jerome Adams, MnDOT

[4] For more examples of GI and information regarding economic and structural performance, visit EPA's GI webpage at https://www.epa.gov/green-infrastructure/what-green-infrastructure.

EPA's Suggested Construction Emission Controls

Diesel emissions and fugitive dust from project construction may pose environmental and human health risks and should be minimized. In 2002, EPA classified diesel emissions as a likely human carcinogen, and in 2012 the International Agency for Research on Cancer concluded that diesel exhaust is carcinogenic to humans. Acute exposures can lead to other health problems, such as eye and nose irritation, headaches, nausea, asthma, and other respiratory system issues. Longer term exposure may worsen heart and lung disease.[1] Per Executive Order 13045 on Children's Health,[2] EPA recommends the lead agency and project proponent pay particular attention to worksite proximity to places where children live, learn, and play, such as homes, schools, and playgrounds. Construction emission reduction measures should be strictly implemented near these locations in order to be protective of children's health.

Mobile and Stationary Source Diesel Controls

Purchase or solicit bids that require the use of vehicles that are equipped with zero-emission technologies or the most advanced emission control systems available. Commit to the best available emissions control technologies for project equipment in order to meet the following standards.

- On-Highway Vehicles: On-highway vehicles should meet, or exceed, the EPA exhaust emissions standards for model year 2010 and newer heavy-duty, on-highway compression-ignition engines (e.g., long-haul trucks, refuse haulers, shuttle buses, etc.).[3]
- Non-road Vehicles and Equipment: Non-road vehicles and equipment should meet, or exceed, the EPA Tier 4 exhaust emissions standards for heavy-duty, non-road compression-ignition engines (e.g., construction equipment, non-road trucks, etc.).[4]
- Low Emission Equipment Exemptions: The equipment specifications outlined above should be met unless: 1) a piece of specialized equipment is not available for purchase or lease within the United States; or 2) the relevant project contractor has been awarded funds to retrofit existing equipment, or purchase/lease new equipment, but the funds are not yet available.

Consider requiring the following best practices through the construction contracting or oversight process:

- Use onsite renewable electricity generation and/or grid-based electricity rather than diesel-powered generators or other equipment.
- Use ultra-low sulfur diesel fuel (15 ppm maximum) in construction vehicles and equipment.

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[1] https://www3.epa.gov/region1/eco/diesel/health_effects.html

[2] Children may be more highly exposed to contaminants because they generally eat more food, drink more water, and have higher inhalation rates relative to their size. Also, children's normal activities, such as putting their hands in their mouths or playing on the ground, can result in higher exposures to contaminants as compared with adults. Children may be more vulnerable to the toxic effects of contaminants because their bodies and systems are not fully developed and their growing organs are more easily harmed. EPA views childhood as a sequence of life stages, from conception through fetal development, infancy, and adolescence.

[3] http://www.epa.gov/otaq/standards/heavy-duty/hdci-exhaust.htm

[4] http://www.epa.gov/otaq/standards/nonroad/nonroadci.htm

- Use catalytic converters to reduce carbon monoxide, aldehydes, and hydrocarbons in diesel fumes. These devices must be used with low sulfur fuels.
- Use electric starting aids such as block heaters with older vehicles to warm the engine.
- Regularly maintain diesel engines to keep exhaust emissions low. Follow the manufacturer's recommended maintenance schedule and procedures. Smoke color can signal the need for maintenance (e.g., blue/black smoke indicates that an engine requires servicing or tuning).
- Retrofit engines with an exhaust filtration device to capture diesel particulate matter before it enters the construction site.
- Repower older vehicles and/or equipment with diesel- or alternatively-fueled engines certified to meet newer, more stringent emissions standards (e.g., plug-in hybrid-electric vehicles, battery-electric vehicles, fuel cell electric vehicles, advanced technology locomotives, etc.).
- Retire older vehicles, given the significant contribution of vehicle emissions to the poor air quality conditions. Implement programs to encourage the voluntary removal from use and the marketplace of pre-2010 model year on-highway vehicles (e.g., scrappage rebates) and replace them with newer vehicles that meet or exceed the latest EPA exhaust emissions standards.

Fugitive Dust Source Controls

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative, where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

Occupational Health

- Reduce exposure through work practices and training, such as turning off engines when vehicles are stopped for more than a few minutes, training diesel-equipment operators to perform routine inspection, and maintaining filtration devices.
- Position the exhaust pipe so that diesel fumes are directed away from the operator and nearby workers, reducing the fume concentration to which personnel are exposed.
- Use enclosed, climate-controlled cabs pressurized and equipped with high-efficiency particulate air (HEPA) filters to reduce the operators' exposure to diesel fumes. Pressurization ensures that air moves from inside to outside. HEPA filters ensure that any incoming air is filtered first.
- Use respirators, which are only an interim measure to control exposure to diesel emissions. In most cases, an N95 respirator is adequate. Workers must be trained and fit-tested before they wear respirators. Depending on the type of work being conducted, and if oil is present, concentrations of particulates present will determine the efficiency and type of mask and respirator. Personnel familiar with the selection, care, and use of respirators must perform the fit testing. Respirators must bear a NIOSH approval number.

Comment Letter B: MPCA (Page 1 of 2)

Minnesota Pollution Control Agency

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September 27, 2016

Mr. Richard Dalton
Environmental Coordinator
MnDOT Metro District
1500 West County Road B2
Roseville, MN 55113

Re: I-35W North Corridor Project Environmental Assessment/Environmental Assessment Worksheet

Dear Mr. Dalton:

Thank you for the opportunity to review and comment on the Environmental Assessment (EA)/ Environmental Assessment Worksheet (EAW) for the I-35W North Corridor project (Project) located in Anoka and Ramsey counties, Minnesota. The Project consists of pavement rehabilitation of the highway and construction of new auxiliary lanes. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, the MPCA staff has the following comments for your consideration.

Water Resources (Item 11)
This is an extensive Project that will impact numerous wetlands along the I-35 route. The direct and indirect impacts are addressed through sequencing (avoiding, minimizing, and mitigating). All impacted wetlands will be replaced at a 2:1 ratio, in the same (or near) Bank Service Area and total suspended solid reduction methods include in-water and other appropriate best management practices.

Air (Item 16)
Air Quality Conformity
The proposed Project is included in both Metro Council's 2040 Transportation Policy Plan and the current 2017-2020 Transportation Improvement Programs. The two plans were found to conform to the relevant sections of the Federal Conformity Rule and the applicable sections of the Minnesota State Implementation Plan for air quality. The Project is eligible for federal funding.

NAAQS Criteria Pollutants
The adverse impacts the Project could have on air quality have been analyzed in this EAW by providing a detailed qualitative analysis of the NAAQS criteria pollutants including: Ozone, PM, SO2, NO2, lead, and CO. The MPCA does not anticipate this project having a significant negative impact on these pollutants.

Carbon Monoxide (CO) Hot-Spot Analysis
CO evaluation was performed by evaluating the worst-operating (hot-spot) intersections in the Project area. A U. S. Environmental Protection Agency (EPA) approved hot-spot screening method was used to determine which intersections needed hot-spot analysis. None of the intersections on the I-35W North Corridor surpasses the threshold traffic volumes of 79,400. Intersections with traffic volumes below this threshold are not expected to result in CO concentrations that exceed state or federal standard. Therefore, a detailed CO hot-spot modeling is not required for the Project.

Mobile Source Air Toxics (MSAT)
An annual average daily traffic (AADT) range of 140,000 to 180,000 is projected in the affected freeway segments of the Project. Since the traffic volumes for the Project are above the threshold of 140,000 vehicles per day, a quantitative MSAT analysis is required. Two quantitative assessments of MSAT emissions were conducted for the Project. One was based on trend analysis while the second was based

Comment Letter B: MPCA (Page 2 of 2)

on project impact analysis, both using an EPA approved MOVES model. The MSAT compounds evaluated included: acrolein, benzene, 1,3, Butadiene, diesel particulate matter, formaldehyde, naphthalene, and polycyclic organic matter. The trend analysis results provided showed that emissions inventories for all the priority MSATs listed above decreased significantly in 2040 compared to the based year of 2014. The overall project impact analysis showed a general MSAT emission increase of less than 0.1% in 2040 compared to no-build scenario. Based on the two quantitative assessments provided in this EAW, the MPCA does not anticipate that the Project will cause a significant problem in terms of MSAT emissions.

Transportation (Item 18)
Traffic congestion and poor levels of service exist currently on a number of segments along I-35W during the morning and afternoon peak periods each day. This congestion is expected to increase, both in terms of location and duration as additional growth and development occur in the communities along the Project corridor. The current increase in congestion will reduce mobility for all users in the I-35W corridor. However, the construction of the Project is expected to contribute to reduction in congestion compared to no-build alternative. The implementation of MnPASS lane will improve travel time reliability, better travel time savings, increase in person throughput as well as improvement in air quality.

Traffic disruption will occur during construction of the Project. Lane closures will be required during each construction phasing and seasons. Temporary closures of trail crossings under I-35W, at County Roads (CR) C and I, will also occur. MnDOT must prepare a detailed transportation management plan to manage all the traffic disruptions and detours during the final design of the Project especially since the Project will have up to three construction seasons. MnDOT should also coordinate with cities and counties in the corridor regarding detours and construction phasing. A detailed public engagement plan should also be prepared as part of the Project. Pedestrian and bicycle detour routes should also be provided for trial closures at CR C and I during construction phasing. For questions, please contact Innocent Eyoh at 651-757-2347.

We appreciate the opportunity to review the Project. Please provide the notice of decision on the need for an Environmental Impact Statement. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this EA/EAW, please contact me via email at Karen.kromar@state.mn.us or via telephone at 651-757-2508.

Sincerely,

Karen Kromar

Karen Kromar
Planner Principal
Environmental Review Unit
Resource Management and Assistance Division

KK:bt

cc: Dan Card, MPCA, St. Paul
Innocent Eyoh, MPCA, St. Paul

Comment Letter C: Metropolitan Council (Page 1 of 2)

September 26, 2016

Mr. Richard Dalton, P.E
Environmental Coordinator
MnDOT Metro District
1500 West County Road B2
Roseville, MN 55113

RE: I-35W Environmental Assessment (EA) North Corridor Preliminary Design Project
Metropolitan Council Review No.21600-1
Metropolitan Council District 10 and 11

Dear Mr. Dalton:

The Metropolitan Council received the EA for the preliminary design project on I-35W in Anoka and Ramsey Counties. The proposed project includes pavement rehabilitation on I-35W from County Road C in Roseville to Sunset Avenue (County Road 52) in Lino Lakes, construction of MnPASS lanes from County Road C to Lexington Avenue in Blaine, construction of auxiliary lanes in I-35W/Trunk Highway 10 commons and I-694 interchange, and construction of a westbound auxiliary lane on TH 10 from I-35W to 93rd Lane. The project also proposes construction of stormwater basins and eight noise walls.

Council staff has conducted a review of this EA to determine its adequacy and accuracy in addressing regional concerns and the potential for significant environmental impact. An Environmental Impact Statement (EIS) is not necessary for regional purposes. We provide the following technical comments regarding the project or document.

Environmental Services *(Roger Janzig, 651-602-1700)*
This project extends through the cities of Roseville, New Brighton, Arden Hills, Mounds View, Shoreview, Lexington, Blaine, and Lino Lakes. The construction of a new MnPASS lane on I-35W may have potential impacts on multiple Metropolitan Council Interceptors in multiple locations. To assess the potential impacts to our interceptor system, prior to initiating this project, preliminary plans should be sent to Scott Dentz, Interceptor Engineering Manager (651-602-4503) at the Metropolitan Council Environmental Services for review and comment.

Regional Parks *(Jan Youngquist, 651-602-1029)*
There are several regional parks and trails that are located within .5 mile of the I-35W project area as identified in the Metropolitan Council's *2040 Regional Parks Policy Plan* (RPPP). These regional parks and trails include: Long Lake Regional Park, Rice Creek North Regional Trail, Highway 96 Regional Trail, Tony Schmidt Regional Park, East Anoka County Regional Trail, and Bunker-Chain of Lakes Regional Trail.

The EA identifies a need to impact the Rice Creek Water Trail, which is part of the Rice Creek North Regional Trail Corridor. The Rice Creek North Regional Trail Corridor is owned and operated by Ramsey County and is governed by the Council's RPPP. The impact appears to meet the criteria to be deemed a temporary occupancy, but to not be considered a Section 4(f) use. Council staff recommends that MnDOT coordinate the closures of the Rice Creek Water Trail with Ramsey County to minimize impacts to public recreation.

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METROPOLITAN COUNCIL

Transportation *(Russ Owen, 651-602-1724)*
The Council supports the implementation of MnPASS in the I-35W North project area given its strong tie to regional transportation policy.

Given the traffic impacts likely during construction of this project, every effort should be made to limit the length of time of construction. I-35W is one of the most heavily traveled roadways in the metropolitan area and a lengthy construction period will have enormous impacts on the traveling public and the movement of goods through the area. Investing additional resources to complete the project in a timelier manner with also reduce impact of diverting traffic on the local system, construction noise, and dust. Coordination with other agencies to limit construction on parallel routes that will likely be used as alternate routes during construction is also encouraged. **C3**

The permits and approvals on page 5-9 should include a controlled access approval from the Council. Typically this is requested at the time of a FONSI. **C4**

This concludes the Council's review of the EA. The Council will not take formal action on the EA. If you have any questions or need further information, please contact Russ Owen, Principal Reviewer, at 651-602-1724.

Sincerely,

LisaBeth Barajas, Manager
Local Planning Assistance

CC: Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division
Steve O'Brien, MHFA
Marie McCarthy, Metropolitan Council District 10
Sandy Rummel, Metropolitan Council District 11
Eric Wojchik, Sector Representative
Russ Owen, Principal Reviewer
Raya Esmaeili, Reviews Coordinator

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Comment Letter D: Ramsey County (Page 1 of 1)

RAMSEY COUNTY
Public Works

September 28, 2016

Richard Dalton
MnDOT Waters Edge
1500 w. County Road B2
Roseville, MN 55113

I-35W NORTH MNPASS STUDY ENVIRONMENTAL ASSESSMENT

Dear Mr. Dalton:

Ramsey County Public Works strongly supports MnDOT's efforts to complete the I-35W MnPASS project and appreciates the opportunities to be involved to this point. We look forward to working with you through the completion of this important project.

We have reviewed the Environmental Assessment and have the following comments:

- **Section 5.8, EAW Item 8: Permits and Approvals Required (also Section 6.2.2, Pages 6-7 and 6-8)-** Ramsey and Anoka Counties should be added to the list of approvals needed, as the potential for permits to work within their rights of way, cooperative agreements for cost participation, detour agreements, etc. are likely to be needed. This is referenced in section 6.2.2.
- **Section 5.9.1, EAW Item 9.a.ii. Plans-** The hyperlink shown for the Ramsey Conservation District *2010 Groundwater Protection Plan* is not functional. Also, the plan was not formally adopted by the Ramsey County Board of Commissioners.
- **Table 5-23, Present and Reasonable Foreseeable Projects in the Study Area (Page 5-63)-** Construction of the minor arterial roadway through Rice Creek Commons (formerly TCAAP) will be done in 2017 and 2018; nothing will be done in the remainder of the 2016 construction season.
- **Table 5-23, Present and Reasonable Foreseeable Projects in the Study Area (Page 5-63)-** Ramsey and Anoka counties have had discussions about adding ramps to the County Road J/I-35W interchange (Anoka CSAH 1; Ramsey CSAH 32) to allow access to northbound I-35W and to allow southbound I-35W to exit at this location and Anoka County has developed a concept layout for it. While this is not an imminent project, it is possible that it will be developed in the relatively near future.
- **Section 6.6.4 What Section 4(f) resources are located in the project area?** The discussion of the County Road I trail should identify it as being under the jurisdiction of the City of Shoreview east of I-35W and the City of Mounds View west of I-35W. Bothe cities are referenced in the discussion of the limited use permit for the crossing of MnDOT right of way.
- **Figure A.10, in Appendix A-** The layout for the roundabout shown in this figure is no longer current and could be replaced by the revised layout when it is approved my MnDOT State Aid.

We appreciate the opportunity to comment on the EA and look forward to working with MnDOT as the project progresses. Please contact me at 651-266-7114 or by e-mail at joseph.lux@co.ramsey.mn.us if you have questions or would like to discuss our comments.

Sincerely,

Joseph Lux
Senior Transportation Planner

1425 Paul Kirkwold Drive
Arden Hills, MN 55112
Phone: 651-266-7100
www.co.ramsey.mn.us

Public Hearing Comment Form: Danielle Schumerth (Page 1 of 1)

We all have a stake in A to B

Comment Card

I-35W North Preliminary Design Environmental Assessment

Your feedback is important. The Environmental Assessment document for the I-35W North Preliminary Design states the purpose and the need of the project along with the anticipated social, economic, and environmental impacts. Please write your comments below and leave this sheet in the comment box today, send in U.S. mail, or provide electronically via email. Written comments on the Environmental Assessment document will be accepted until September 28 and may be sent to:

U.S. Mail: Minnesota Department of Transportation
Attn: Rick Dalton, Environmental Coordinator
1500 County Road B2 West, Roseville, MN 55113

Email: richard.dalton@state.mn.us

Name: Danielle Schumerth **Address:** 2425 County Rd. C2 W.
Phone: _____ **Email:** schumerth.d.m@gmail.com

We welcome your comments:

I truly think that you need to utilize more trees along the highway. They not only provide numerous environmental benefits, but they reduce noise ALOT & beautify the area. I see you may be putting in noise barriers/sound walls. That's great, but even if they aren't voted in trees would still greatly benefit those neighborhoods, as well as commuters, especially in more industrial sections of your project. The trees growing in front of sound walls along I-35 E in Apple Valley/Eagan look ~~on~~ good - you don't feel so trapped by concrete & they hide the ugliness of the walls. I also think planting site-appropriate trees along your ponds will greatly improve water quality & beauty, but they will help keep more geese out of them. I am a professional forester & have done many urban plantings in my career & am available to bounce ideas around with.

E1

** Leaving contact information is always optional,*
but we would love to keep you up to speed as the process continues.

Comment Letter A: US EPA

Comments

A1 The Preferred Alternative includes: Construct auxiliary lanes at various locations along the I-35W project corridor, construct an auxiliary lane along westbound TH 10 west of I-35W, and construct buffer lanes at the I-694 interchange.

EPA recommends that the following should be addressed: What is meant as "various locations?" Why is an auxiliary lane proposed along westbound TH 10 but not along eastbound TH 10? What is meant by "buffer lanes at the I-694 interchange?" Are buffer lanes proposed at the I-694 for both directions of travel?

A2 The EA indicates there are five park and rides lots in the project area, the largest being the 95th Avenue Park and Ride in Blaine. The EA was silent on whether any of the park and ride lots will be impacted, temporarily or permanently, by the Preferred Alternative.

A3 Section 5 of the EA is an Environmental Assessment Worksheet (EAW). The EAW was developed under the Minnesota Environmental Policy Act as part of MnDOT's environmental review process whereby information about the potential environmental effects of a proposed project, as well as proposed mitigation are disclosed. Section 5.6.2, Complete Description of the Proposed Project, indicates that the project includes demolition, removal, and reconstruction of five bridges along the I-35W corridor. This statement contrasts with Section 1.3.2 of the EA, Preferred Alternative, which states that the I-35W Bridges at the BNSF Railway and CR C in Roseville and at CR I in Shoreview and Mounds View will be reconstructed.

A4 EPA acknowledges the discussion in the Tolling and Traffic Impacts section (page 6-12) regarding potential impacts as a result of the tolled lanes to low-income and minority populations, including toll exemptions (such as transit and carpools). While EPA agrees that there is a general improvement of Level of Service (LOS) for all lanes, we disagree with the conclusion that there are no adverse impacts to communities with EJ concerns. The EA states that because the LOS improves in all lanes (both general purpose and toll lanes) compared to the No Build Alternative, there is no adverse impact to drivers (including low-income and minority populations). However, Section 5.18.2, Effect on Traffic Congestion, outlines a difference in LOS between the toll lanes and the general purpose lanes during both AM and PM peak hours under the Preferred Alternative (in particular, see the comparisons in Tables 5.14 and 5.15), indicating there are potentially worse travel times in the general purpose lanes during peak hours compared to the toll lanes. This translates to a benefit to drivers who are able to pay a toll and a potential burden to low-income populations who may not be able to either pay the toll or acquire a transponder (which usually requires a bank account and a deposit). Therefore, EPA finds the distribution of benefits as a

result of the proposed project to be inequitable by providing improved travel times during peak hours to higher-income populations.

EPA recommends MnDOT and FHWA review the Promising Practices for EJ Methodologies in NEPA Reviews published by the Federal Interagency Working Group (IWG) on Environmental Justice; recommendations from this report should be incorporated into EJ analyses, as appropriate. We recommend the Final EA should acknowledge there is a benefit to non-low-income populations via the toll lane by providing faster travel times to those who can pay the toll, which may result in disproportionately high and adverse impacts to communities with EJ concerns. The Final EA should clarify whether there are programs that help subsidize tolling fees or organize ride-sharing for low-income populations, particularly if the toll is part of the commute to employment.

A5 The EA indicates the I-35W North Corridor project area is designated as being in attainment with the National Ambient Air Quality Standards for all pollutants. Because Section 5.9.1, Describe Existing Land Use, Plans, and Zoning, indicates that several parks and trails are located in the project area within approximately one-half mile of the I-35W and because EPA expect construction equipment used during the proposed project will emit diesel emissions, we recommend the protective measures outlined in the enclosure, EPA's Suggested Construction Emissions Controls, be evaluated and applicable measures become commitments in the FONSI in an effort to improve health outcomes and lower the project's greenhouse gas footprint.

A6 The Blaine Preserve SNA is located adjacent to the I-35W corridor. The EA indicates work proposed at this location will be confined to the existing right of way and will not result in direct or indirect impacts to this property.

EPA recommends adding a commitment to the FONSI to inform contractors that the SNA should not be disturbed by installing signage and fencing designed to keep construction out of this area.

A7 Section 5.13.4, Sensitive Plant Species, two aggregate areas of sensitive plant species currently under various levels of state protection. Even though no rare plant species were identified within preliminary construction limits, another survey for late-flowering plant species was slated to be completed before the end of the 2016 growing season.

EPA recommends that the results of the 2016 late-flowering species survey be added to the Final EA or FONSI. Additionally, we recommend results of coordination with the Minnesota Department of Natural Resources (MnDNR) are added to the Final EA. We recommend that any measures identified by MnDNR to avoid, minimize, or mitigate impacts to any sensitive species become a commitment in the FONSI.

A8 Section 6.5.3 of the EA, Determinations under Section 7, indicates the proposed project may affect, but will not cause incidental take of the northern long-eared

bat. The analysis indicates project implementation of this project will involve work on, or the replacement of, several bridges as well as two to three acres of tree clearing, not considered to be incidental take based on the final 4(d) rule for the northern long-eared bat as published on January 14, 201 and effective beginning February 16, 2016. Nevertheless, EPA recommends tree mitigation become a commitment to reduce impacts of tree loss.

EPA recommends voluntary tree mitigation as trees provide valuable habitat and protect water quality, in part, by stabilizing soils in a watershed. Mitigation might include, but is not limited to, replanting native tree species adjacent to a water body or assisting local, county, or state agencies with any ongoing or planned reforestation activities. Coordination with MnDNR would provide information regarding appropriate native tree species and might serve as a purchasing source. We ask that any voluntary mitigation measures to be undertaken to compensate for the loss of trees be added as a commitment in the FONSI.

A9 If vegetation will be removed, EPA strongly recommends that it is not disposed of by burning, as burning vegetation increases air impacts. Woody vegetation can be mulched for use by the community in yards, parks, commercial areas, etc.

A10 The EA indicates noxious weeds (e.g., spotted knapweed, Canada thistle, leafy spurge, comment tansy, wild parsnip, and purple loosestrife) have been identified along the I-35W project corridor. EPA recommends adding a commitment to the FONSI that, at a minimum, equipment will be washed before it enters and leaves the I-35W corridor and before entering and leaving identified areas of noxious weeds.

A11 The EA indicates Blanding's turtle, a state-listed threatened species, have been reported in the project vicinity and may be encountered during construction. The EPA commends MnDOT for planning to provide MnDNR's Blanding's Turtle Fact Sheet to all contractors working on-site so appropriate measures can be followed if turtles are encountered during construction. Preliminary construction limits extend out of the existing right of way fence in the vicinity of the I-35W/CR H and I-35W/CR I interchanges. The EA contains a commitment that any existing right of way fence that is removed and replaced will be installed to prevent turtles from passing under the fence.

EPA assumes this avoidance measure covers right of way fencing that may be temporarily installed. We encourage a commitment be added to the FONSI to install fencing as soon as possible (e.g., within same workday) to prevent turtles from passing under the fence.

A12 The EA indicates MnDNR Public Waters are located within 500 feet of the project limits and that work in these areas or adjacent to these areas needs to include the re-establishment of native vegetation suitable to the local habitat.

EPA recommends a native species list typical for this eco-region be included as an appendix to the EA. We recommend a commitment to re-establish native vegetation suitable to the local habitat be added to the FONSI.

A13 On May 26, 2016, MnDOT was a signatory to a six-state memorandum of agreement to improve pollinator habitat along Interstate 35, a key migratory corridor for Monarch butterflies.

EPA recommends the Final EA address how the proposed project will improve pollinator habitat and any commitments to implement pollinator-friendly techniques should be committed to in the FONSI. EPA acknowledges incorporating native plant and wildflower species into project design may impact the overall project cost. Agencies can use Federal funds for pollinator-friendly vegetation management practices.

A14 The EA indicates the proposed project will include installing lighting, restriping/painting lanes, and construction pedestrian ramps, signals, and crosswalks that comply with the provisions of the Americans with Disabilities Act of 1990.

EPA encourages use of energy-efficient materials:

- Solar-powered lighting and use of paint low in volatile organic compounds when striping traffic lanes;
- Recycled materials to replace carbon-intensive Portland Cement in concrete as “supplementary cementitious material”;
- Recycled materials in pavement applications, such as crushed recycled concrete, recycled asphalt pavement, and rubberized asphalt pavement. In some circumstances, on-site asphalt can be re-used (e.g., cold-in-place recycling or full depth reclamation);
- Permeable pavement for pedestrian ramps, accessible pedestrian signals, crosswalks, etc., where technically feasible. Recent studies in northern climates have indicated that permeable pavement is often less expensive than traditional concrete and storm sewer use, requires no special maintenance, and is not as susceptible to freeze-thaw cycles compared to traditional concrete, if built correctly.

We recommend green components that can be added to the proposed project are committed to in the FONSI.

A15 EPA commends efforts to reduce impacts to aquatic resources by proposing to add lanes in the median, focusing impacts on lower-quality wetlands (e.g., median wetland ditches) when compared to wetlands located to the outside of the existing lanes. Reducing lane widths and the inside shoulder width resulted in additional wetland avoidance. As a result of minimization efforts, wetland impacts were reduced from approximately 40 acres under the base design to approximately 22.6 acres.

A16 The EA indicates impervious surface area will increase by approximately 33 acres. Research from the Center for Watershed Protection indicates that negative impacts to streams are evident at levels of 10 percent impervious cover in a stream's watershed. Compared to other land uses and impervious surfaces, roadway runoff tends to have higher levels of sediment, metals, salts, litter, and deicing materials. The excess runoff, combined with pollutants, directly impacts local water resources. Traditionally, the focus of managing stormwater runoff directly from roadways has been to remove it as quickly as possible in order to ensure public safety and the integrity of the road system. Green Infrastructure (GI) represents an opportunity to change the historic stormwater paradigm for roads while still achieving public safety and roadway integrity. Green infrastructure has also been shown to cost less to install and maintain than traditional systems.

EPA acknowledges the EA indicates a stormwater management system to support proposed roadway improvements, including best management practices (BMPs) for water quality treatment, volume control, and rate control, will be designed and constructed to meet or exceed regulatory requirements. Because the project discharges to impaired waters, wet detention basins will be constructed up-stream of filtration/infiltration basins to provide pretreatment of runoff before reaching water bodies. EPA strongly recommends construction of GI (e.g., bioswales, bioretention, etc. using native plant species) along rights of way within interchange areas, park and ride lots, etc. as a method to increase infiltration, prevent erosion, and prevent further impacting water quality in impaired waterbodies. MnDNR can provide assistance regarding native plant selection.

A17 The EA indicates the existing box culvert at Rice Creek, as well as other culvert replacements, will be replaced in-kind.

EPA recommends 3-sided box culverts or open-bottom culverts; these are preferred from both an environmental and fisheries standpoint as they preserve the natural stream channel and maintain favorable habitat, natural processes, and aquatic organism passage. If a non-open bottom culver is used, (such as a four-sided box culvert or pipe), we recommend that it is embedded a minimum of two feet (and at least 25% for round pipe culverts) into the bottom of the channel. We recommend a commitment to use 3-sided box culvert or open-bottom culvert is added to the FONSI.

Responses

A1 The intent of Chapter 1 of the EA/EAW was to provide a brief, reader-friendly summary of the information that was provided in detail in later chapters of the document. The location proposed auxiliary lanes is described in detail in Section 4.6.2 of the EA/EAW and in Section 3.1.2.4 of this Findings document.

The rationale for identifying the westbound TH 10 auxiliary lane as part of the project is described in the Alternatives Evaluation Report in Appendix C of the EA/EAW. The project includes construction of an auxiliary lane on westbound

TH 10 from I-35W to the 93rd Lane interchange. Merging traffic from the southbound I-35W exit ramp to westbound TH 10 reduces the capacity of the existing flyover ramp from northbound I-35W to westbound TH 10. This causes traffic queues to extend back from the flyover ramp onto northbound I-35W. The proposed auxiliary lane allows for two full lanes of capacity on the flyover ramp from northbound I-35W to westbound TH 10, improving traffic flow on northbound I-35W in the I-35W/TH 10 commons area.

An auxiliary lane on eastbound TH 10 west of I-35W was considered as part of the alternatives evaluation process. See the Alternatives Evaluation Report in Appendix C of the EA/EAW. An auxiliary lane on eastbound TH 10 would improve the traffic queues that occur at this location during the a.m. peak hour, delivering more traffic to southbound I-35W. This would increase congestion on southbound I-35W north and south of the eastbound TH 10 entrance, as well as further downstream at the TH 36 interchange in Roseville. Therefore, the eastbound TH 10 auxiliary lane was not included with the project.

A buffer lane is a lane that extends between consecutive loop ramps at an interchange. The northbound I-35W buffer lane at I-694 and auxiliary lane north of CR E2 are proposed because these improvements provide additional storage for queued vehicles and provide space outside of the general purpose lanes for weaving traffic entering and existing northbound I-35W. This additional space helps to remove the bottleneck on northbound I-35W at I-694 and improve traffic flow.

A buffer lane is not proposed on southbound I-35W because the 2040 peak hour volumes on the loop ramps at I-694 are substantially less than in the northbound direction. There is not a loop-to-loop weave problem on southbound I-35W at I-694. The CORSIM model for southbound I-35W shows that acceptable levels of service can be provided at this location without a similar buffer lane design.

A2 Existing park and ride lots in the project area are located outside of the MnDOT right of way and will not be affected, either temporarily or permanently, by the project.

A3 The intent of Chapter 1 of the EA/EAW was to provide a brief, reader-friendly summary of the information that was provided in detail in later chapters of the document. The Preferred Alternative description in Section 1.3.2 of the EA/EAW provides an overview of the major project features. The details of the Preferred Alternative are described in Section 4.6.2 of the EA/EAW and Section 5.6.2 of the EA/EAW.

The project includes the reconstruction of five bridges along the I-35W corridor as described below:

- Replace the southbound I-35W bridge over Rosegate and the BNSF Railway (MnDOT Bridge No. 9351).

- Replace the southbound I-35W bridge over CR C (MnDOT Bridge No. 9353).
- Replace the northbound I-35W bridge over Rosegate and the BNSF Railway (MnDOT Bridge No. 9352).
- Replace the northbound I-35W bridge over CR C (MnDOT Bridge No. 9354).
- Replace the I-35W bridge over CR I (MnDOT Bridge No 9603). The I-35W bridge over CR I is one continuous structure that carries both the northbound and southbound travel lanes.

A4 See Section 3.3.1.8 of this Findings document for a discussion of environmental justice.

A5 All construction equipment used on the project will be required to meet the emissions requirements identified in MnDOT's *Standard Specifications for Construction*.

A6 The Blaine Preserve SNA is located outside of the I-35W right of way. As noted in Section 5.13.4 of the EA/EAW, the project will not directly or indirectly impact the Blaine Preserve SNA. The Blaine Preserve SNA will be marked as an environmentally sensitive area on the project plans. The existing right of way fence that separates the Blaine Preserve SNA will not be affected by the project and will remain in place during project construction, keeping contractors out of this area.

A7 The survey for late-flowering plant species was completed by MnDOT staff in September 2016. No threatened or endangered plant species were identified within the project limits. A copy of the rare plant species report is available for review by contacting the MnDOT Project Manager.[9] See Appendix D of this Findings document for correspondence from the DNR.

A8 MnDOT is planning a separate landscaping project for the project corridor after road construction. The landscaping plans would identify the types and locations for plantings along the project corridor. Trees are typically one component of MnDOT highway landscaping projects, depending upon site specific constraints and other design requirements (e.g., roadside clear zone distances, available right of way).

[9] The rare plant species report is available for review by contacting the MnDOT Project Manager (Jerome Adams, jerome.adams@state.mn.us or 651-234- 7611).

A9 Disposal of woody vegetation will follow MnDOT *Standard Specifications for Construction*. Burning or burying of wood will not be permitted. Contractors will be allowed to use wood from removed trees for erosion and compaction control within the project limits.

A10 The I-35W North Corridor Project is expected to be let as a design-build project. Chapter 14 of the MnDOT design-build manual addresses vegetation management, including noxious weeds. The construction contractor will be required to follow all provisions in the design-build manual for the removal and disposal of noxious weeds.

A11 Four locations have been identified along the project where preliminary construction limits would affect existing right of way fencing:

- East side of I-35W between CR E2 and I-694;
- East side of I-35W between the TH 10/CSAH 10 south interchange and CR I interchange;
- East side of I-35W between the CR I interchange and the TH 10 North interchange; and
- West side of I-35W between the TH 10/CSAH 10 south interchange and CR H interchange adjacent to Rice Creek.

Temporary silt fencing will be installed during construction to prevent wildlife, including Blanding's turtle, from entering the construction area. Temporary silt fencing will be removed after the areas have been re-vegetated. New right of way fencing will be installed as soon as construction activities in these areas are complete. The bottom 6 inches to 12 inches of the fence will be buried to help prevent Blanding's turtle and other wildlife from entering onto the highway.

A12 Native seed mixes suitable to the local habitat, including native grasses and forbs, will be used for turf establishment as specified by the design-build manual and the DNR General Public Waters Work Permit (GP) 2004-0001. MnDOT's seed mixes and seeding manual is available for review on the MnDOT webpage at http://www.dot.state.mn.us/environment/erosion/seedmixes.html.

A13 Native seed mixes, including grasses and forbs, will be used along the I-35W project corridor to re-vegetate disturbed areas. Additional information regarding pollinators, the I-35 Monarch Highway, and MnDOT's efforts to restore native vegetation along roadsides, including innovative maintenance practices to maintain native vegetation along roadsides, is available on the MnDOT webpage at http://www.dot.state.mn.us/pollinators/.

A14 All materials used on the project will follow MnDOT *Standard Specifications for Construction*, including the use of LED lighting and low volatile organic compounds for pavement markings. Contractors will be allowed to re-use recycled materials in concrete and other pavement applications as specified in MnDOT's *Standard Specifications for Construction*. Accessibility

accommodations will be constructed at interchange ramp terminal intersections as listed in Section 6.1.2 of the EA/EAW. All ADA-related features will be designed following MnDOT ADA design guidance.

A15 Aquatic resource impacts have been updated based on design modifications incorporated into the project since completion of the EA/EAW. See Section 3.2.7 of this Findings document for a description of aquatic resource impacts.

A16 Section 5.11.2 of the EA/EAW describes the preliminary drainage design for the project, including proposed stormwater best management practices (BMPs). Changes to the preliminary drainage design since completion of the EA/EAW are described in Section 3.2.4, Section 3.2.5, and Section 3.2.6 of this Findings document. As noted in the EA/EAW, stormwater management for the project will be designed to meet or exceed Rice Creek Watershed District and National Pollutant Discharge Elimination System (NPDES) permitting requirements.

A17 The existing Rice Creek box culvert under I-35W will not be impacted by the project. The Rice Creek box culvert will be extended by approximately 20 feet to the west of I-35W to accommodate roadway widening. The proposed box culvert extension will match the existing Rice Creek box culvert design.

Comment Letter B: MPCA

Comments

B1 This is an extensive Project that will impact numerous wetlands along the I-35 route. The direct and indirect impacts are addressed through sequencing (avoiding, minimizing, and mitigating). All impacted wetlands will be replaced at a 2:1 ratio, in the same (or near) Bank Service Area and total suspended solid reduction methods include in-water and other appropriate best management practices.

B2 The proposed Project is included in both Metro Council's 2040 Transportation Policy Plan and the current 2017-2020 Transportation Improvement Program. The two plans were found to conform to the relevant sections of the Federal Conformity Rule and the applicable sections of the Minnesota State Implementation Plan for air quality. The Project is eligible for federal funding.

B3 The adverse impacts the Project could have on air quality have been analyzed in this EAW by providing a detailed qualitative analysis of the NAAQS criteria pollutants including: Ozone, PM, SO2, NO2, lead, and CO. The MPCA does not anticipate this project having a significant negative impact on these pollutants.

B4 Carbon Monoxide (CO) Hot-Spot Analysis. CO evaluation was performed by evaluating the worst-operating (hot-spot) intersections in the Project area. A U.S. Environmental Protection Agency (EPA) approved hot-spot screening method was used to determine which intersections needed hot-spot analysis. None of the intersections on the I-35W North Corridor surpasses the threshold traffic volumes of 79,000. Intersections with traffic volumes below this threshold are not expected

to result in CO concentrations that exceed state or federal standard. Therefore, a detailed CO hot-spot modeling is not required for the Project.

B5 Mobile Source Air Toxics (MSAT). An annual average daily traffic (AADT) range of 140,000 to 180,000 is projected in the affected freeway segments of the Project. Since the traffic volumes for the Project are above the threshold of 140,000 vehicles per day, a quantitative MSAT analysis is required. Two quantitative assessments of MSAT emissions were conducted for the Project. One was based on trend analysis while the second was based on project impact analysis, both using an EPA approved MOVES model. The MSAT compounds evaluated included: acrolein, benzene, 1,3, Butadiene, diesel particulate matter, formaldehyde, naphthalene, and polycyclic organic matter. The trend analysis results provided showed that emissions inventories for all the priority MSATs listed above decreased significantly in 2040 compared to the based year of 2014. The overall project impact analysis showed a general MSAT emission increase of less than 0.1% in 2040 compared to no-build scenario. Based on the two quantitative assessments provided in this EAW, the MPCA does not anticipate that the Project will cause a significant problem in terms of MSAT emissions.

B6 Traffic disruption will occur during construction of the Project. Lane closures will be required during each construction phasing and season. Temporary closures of trail crossings under I-35W at County Roads (CR) C and I will also occur. MnDOT must prepare a detailed transportation management plan to manage all the traffic disruptions and detours during the final design of the Project especially since the Project will have up to three construction seasons. MnDOT should also coordinate with cities and counties in the corridor regarding detours and construction phasing. A detailed public engagement plan should also be prepared as part of the Project. Pedestrian and bicycle detour routes should also be provided for trail closures at CR C and I during construction phasing.

B7 Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions.

Responses

B1 Changes in anticipated aquatic resource impacts since completion of the EA/EAW are summarized in Section 3.2.7 of this Findings document. Sequencing is summarized in Section 3.3.1.3 of this Findings document. There have been no changes in the wetland mitigation plan. Wetlands will be mitigated through USACE approved bank credits in the impact Bank Service Area (BSA). If credits are not available in the impact BSA, then credits from another BSA will be used. Compensatory mitigation requirements for wetland impacts will be replaced at a minimum 2:1 ratio. Compensatory mitigation for other aquatic resource impacts will be determined through the permitting process.

B2 Since the EA/EAW was completed, the project has been listed in MnDOT's 2017-2020 STIP and the Metropolitan Council's 2017-2020 TIP. The conformity determination is discussed in Section 3.2.9 of this Findings document.

B3 The comment is noted. The qualitative assessment of NAAQS criteria pollutants is described in Appendix H of the EA/EAW (*I-35W North Corridor Preliminary Design Project Air Quality Analysis Report*, April 26, 2016). The proposed project will not cause exceedances for any of the NAAQS criteria pollutants.

B4 The project does not affect any intersections within the project area. Therefore, no hotspot analysis or screening procedure was needed nor completed for the project.

B5 The comment is noted. The quantitative Mobile Source Air Toxics (MSAT) analysis is described in Appendix H of the EA/EAW (*I-35W North Corridor Preliminary Design Project Air Quality Analysis Report*, April 26, 2016). The air quality project impact analysis shows no meaningful difference between the No Build Alternative and Build Alternative. On a regional level, the project's projected air quality impacts are too small to be considered meaningful.

B6 A Transportation Management Plan (TMP) has been prepared for the project. MnDOT will be completing a traffic analysis to identify locations on the local system where traffic impacts are anticipated due to construction of I-35W. Mitigation measures will be developed to relieve traffic impacts in these locations and incorporated into the TMP. Refer to the response to Metropolitan Council comment C3 in this Findings document for additional information regarding the TMP.

A public engagement plan will be prepared during the design-build phase of the project.

Outreach and coordination with Anoka and Ramsey counties; cities along the project corridor; and other potentially affected parties (e.g., transit service providers, emergency service providers, etc.) will occur prior to and throughout project construction.

MnDOT will identify Temporary Pedestrian Access Routes (TPAR) for sidewalk and trail closures during the design-build phase of the project.

B7 MnDOT will acquire all necessary permits and approvals from MPCA and other regulatory agencies prior to construction.

Comment Letter C: Metropolitan Council

Comments

C1 The project extends through the cities of Roseville, New Brighton, Arden Hills, Mounds View, Shoreview, Lexington, Blaine, and Lino Lakes. The construction of a new MnPASS lane on I-35W may have potential impacts on multiple Metropolitan Council Interceptors in multiple locations. To assess the potential impacts to our interceptor system, prior to initiating this project,

preliminary plans should be sent to Scott Dentz, Interceptor Engineering Manager (651-602-4503) at the Metropolitan Council Environmental Services for review and comment.

C2 The EA identifies the need to impact the Rice Creek Water Trail, which is part of the Rice Creek North Regional Trail Corridor. The Rice Creek North Regional Trail Corridor is owned and operated by Ramsey County and is governed by the Council's RPPP. The impact appears to meet the criteria to be deemed a temporary occupancy, but to not be considered a Section 4(f) use. Council staff recommends that MnDOT coordinate the closures of the Rice Creek Water Trail with Ramsey County to minimize impacts to public recreation.

C3 Given the traffic impacts likely during construction of this project, every effort should be made to limit the length of time of construction. I-35W is one of the most heavily traveled roadways in the metropolitan area and a lengthy construction period will have enormous impacts on the traveling public and the movement of goods through the area. Investing additional resources to complete the project in a timelier manner will also reduce the impact of diverting traffic on the local system, construction noise, and dust. Coordination with other agencies to limit construction on parallel routes that will likely be used as alternate routes during construction is also encouraged.

C4 Permits and approvals on page 5-9 should include a controlled access approval from the Council. Typically this is requested at the time of a FONSI.

Responses

C1 MnDOT has been coordinating the proposed CR C sanitary sewer improvements with the City of Roseville and Metropolitan Council Environmental Services (MCES) staff. This coordination will continue through final design and construction. MnDOT will be performing a full subsurface utility engineering investigation to evaluate potential utility conflicts. MnDOT will provide a copy of the preliminary plans for the entire I-35W North Corridor Project to MCES for review and comment with respect to the MCES interceptor system.

C2 MnDOT will coordinate the temporary closure of the Rice Creek Water Trail with Ramsey County Parks. Measures to minimize and mitigate the temporary closure are identified in the Section 4(f) coordination letter with Ramsey County Parks. These measures include performing the Rice Creek culvert extension work when water levels are reduced (i.e., low-flow, cold weather periods), providing signs along Rice Creek and at trailheads to inform users of the construction activities, and communicating construction schedules so that information can be posted to the Ramsey County Parks website. MnDOT will consult with Ramsey County Parks if the culvert extension cannot be constructed during the low-flow, cold water period.

C3 MnDOT is committed to minimizing the length of time of construction to the extent feasible. Construction is anticipated to last up to four construction seasons. The design-build procurement process will provide incentives for construction contractors to minimize construction time.

MnDOT prepared a TMP for the project to identify staging options and traffic control. Alternative staging scenarios were evaluated, including regional travel demand modeling, an evaluation of road user costs (RUC), and cost-benefit analyses. The TMP identifies a traffic control and construction staging plan (e.g., lane restrictions, ramp closures, etc.) that will serve as a baseline condition for the construction contractor; however, the construction staging plan may be altered during the design-build phase of the project. The construction contractor will be required to follow all the time and traffic special provisions identified in the TMP.

Outreach and coordination with Anoka and Ramsey counties; cities along the project corridor; and other potentially affected parties (e.g., transit service providers, emergency service providers, etc.) will occur prior to and throughout project construction.

C4 Correction noted. The controlled access approval has been added to the list of permits and approvals. See Table 6 of this Findings document. MnDOT will request a controlled access approval from the Metropolitan Council following completion of the Federal and State environmental review processes for the project.

Comment Letter D: Ramsey County

Comments

D1 Ramsey and Anoka Counties should be added to the list of approvals needed, as the potential for permits to work within their rights of way, cooperative agreements for cost participation, detour agreements, etc. are likely to be needed. This is referenced in Section 6.2.2.

D2 The hyperlink shown for the Ramsey Conservation District 2010 Groundwater Protection Plan is not functional. Also, the plan was not formally adopted by the Ramsey County Board of Commissioners.

D3 Construction of the minor arterial roadway through Rice Creek Commons (formerly TCAAP) will be done in 2017 and 2018; nothing will be done in the remainder of the 2016 construction season.

D4 Ramsey and Anoka counties have had discussions about adding ramps to the County Road J/I-35W interchange (Anoka CSAH 1; Ramsey CSAH 32) to allow access to northbound I-35W and to allow southbound I-35W to exit at this location and Anoka County has developed a concept layout for it. While this is not an imminent project, it is possible that it will be developed in the relatively near future.

D5 The discussion of the County Road I trail should identify it as being under the jurisdiction of the City of Shoreview east of I-35W and the City of Mound View west of I-35W. Both cities are referenced in the discussion of the limited use permit for the crossing of MnDOT right of way.

D6 The layout for the roundabout shown in this figure is no longer current and could be replaced by the revised layout when it is approved by MnDOT State Aid.

Responses

D1 County right of way permits have been added to the List of Permits and Approvals (see Table 6 in this Findings document). MnDOT will coordinate with Ramsey County and Anoka County throughout final design to address all project-related agreements (e.g., cost participation agreements, detour agreements, etc.).

D2 It is understood that the Ramsey Conservation District 2010 Groundwater Protection Plan was not formally adopted by the Ramsey County Board of Commissioners. The Ramsey Conservation District 2010 Groundwater Protection Plan is available on the Ramsey County website at https://www.ramseycounty.us/sites/default/files/2010%20groundwater%20plan%20update%20conservation.pdf.

D3 Correction noted. Table 5.23 of the EA/EAW should read that construction of the minor arterial roadway through Rice Creek Commons will occur during the 2017 and 2018 construction seasons.

D4 The comment is noted. MnDOT is aware that Ramsey and Anoka counties are investigating the possibility of adding ramps to the I-35W/CR J interchange (Anoka CSAH 1/Ramsey CSAH 32). Table 5.23 in the EA/EAW identifies present and reasonably foreseeable projects in the study area. For purposes of the potential cumulative effects analysis, these are defined as programmed improvements.

D5 Correction noted. The EA/EAW should read that the trail along the north side of CR I is under the jurisdiction of the City of Mounds View west of I-35W and the City of Shoreview east of I-35W.

D6 The project layout figure illustrating the CR I/Rice Creek Parkway roundabout at CR I has been updated. See the project layout figures in Appendix C of this Findings document.

Public Hearing Comment Form: Danielle Schumerth

Comments

E1 I truly think that you need to utilize more trees along the highway. They not only provide numerous environmental benefits, but they reduce noise a lot and beautify the area. I see you may be putting in noise barriers/sound walls.

That's great, but even if they aren't voted in trees would still greatly benefit those neighborhoods, as well as commuters, especially in more industrial sections of your project. The trees growing in front of sound walls along I-35E in Apple Valley/Eagan look good – you don't feel so trapped by concrete and they hide the ugliness of the walls. I also think planting site-appropriate trees along your ponds will greatly improve water quality and beauty, but they will help keep more geese out of them.

Responses

E1 Native seed mixes, including grasses and forbs, will be used along the I-35W project corridor to re-vegetate disturbed areas. MnDOT is planning a separate landscaping project along the project corridor following road construction. The landscaping plans would identify the types and locations for plantings along the project corridor. The landscaping plan would follow all MnDOT *Standard Specifications for Construction* and any identified special provisions for landscaping projects.