RECEIVED - DMC

MAR 2 1 2006

SEQ #

U.S. Department
of Transportation
**Federal Transit
Administration**

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

March 15, 2006

Mr. Michael Schadauer
Project Manager
Northstar Project Office
155 Fifth Avenue South, Suite 755
Minneapolis, Minnesota 55401

Re: Finding of No Significant Impact
For the Northstar Corridor Rail Project

Dear Mr. Schadauer:

Based on our review of the Environmental Assessment dated December 22, 2005 and the Findings of Fact and Conclusions/Final 4(f) Evaluation dated February 23, 2006, we have issued a Finding of No Significant Impact (FONSI) and 4(f) Determination for the Northstar Corridor Rail Project.

A copy of the FONSI is enclosed. A notice of the availability of the FONSI must be sent by the Minnesota Department of Transportation (MnDOT) to the affected units of Federal, State, and local government, and the document shall be made available upon request by the public, in accordance with 23 C.F.R. Section 771.121(b). The MnDOT may also want to send copies to all the consulting parties.

Thank you for your cooperation in meeting the requirements of the National Environmental Policy Act. If you have any questions, please contact Bill Wheeler of my staff at (312) 886-1621.

Sincerely,

Marisol R. Simon
Regional Administrator

Enclosure

Finding of No Significant Impact and 4(f) Determination

Project Name: Northstar Corridor Rail Project

Project Location: Hennepin County (downtown Minneapolis), Anoka County, Sherburne County, Minnesota

Grant Applicant: Minnesota Department of Transportation

Project Description

The Northstar Commuter Rail (the "Project") consists of two modal elements: commuter rail and light rail transit (LRT). The commuter rail component will begin in downtown Minneapolis and extend northwest through Hennepin, Anoka, and Sherburne counties to Big Lake, Minnesota, a total distance of approximately 40.1 miles. The majority of the route is on the Burlington Northern Santa Fe (BNSF) Chicago to Seattle transcontinental line.

With the planned capacity improvements, the entire commuter rail route will be double-tracked, allowing commuter trains to run concurrently with the 35 to 60 freight trains per day. The Federal Railroad Administration (FRA) Class 4 track will allow passenger speeds up to 79 miles per hour and freight speeds up to 60 miles per hour. Five commuter trains will run in the peak direction on weekday mornings and afternoons at half-hour intervals. Three commuter trains will run in the reverse-peak direction during those periods. One commuter train will run in each direction during midday. There are a total of 18 commuter trains per weekday, nine in each direction. There will be three commuter trains in each direction, or six trains per day, on weekends and holidays. The Project will have a total of six stations. The stations will be located in downtown Minneapolis, Fridley, Coon Rapids-Riverdale, Anoka, Elk River and Big Lake. All stations, except the downtown Minneapolis Station, will contain park and ride lots.

The LRT component includes a four block connection from the Downtown Minneapolis Intermodal Station to the Hiawatha LRT Warehouse District Station. The connection will provide a transit link from the Northstar Corridor to downtown Minneapolis and beyond to the Hubert H. Humphrey Metrodome, Minneapolis-St. Paul International Airport, and the Mall of America. The LRT connection will conform to Hiawatha LRT design standards. The intermodal station will offer vertical circulation, with a stairway, escalator, and elevator between the commuter rail platform on the lower level and the LRT platform on the Fifth Street Bridge (one level above).

Originally, a Record of Decision (ROD) for this project was issued by the Federal Transit Administration (FTA) on December 12, 2002. The decision was based on the Northstar Corridor Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation dated March 2002. The proposed action covered by the ROD was for the implementation of 81.8 miles of commuter rail line on existing BNSF right-of-way between downtown Minneapolis and Rice, Minnesota. A Section 106 Programmatic Agreement (PA) was included as an attachment to the ROD. The PA was signed by the FTA, the Minnesota Historic Preservation Office (MnSHPO), the Minnesota Department of Transportation (MnDOT), the Minneapolis Heritage Preservation Commission, and

the St. Cloud Heritage Preservation Commission. The PA provided mitigation measures for the design of specific stations, bridges and LRT elements for this project.

Subsequent to the issuance of the ROD, major changes to the project were proposed which include making the terminus at Big Lake, moving the maintenance facility to the Big Lake Station, and changing the location of the downtown Minneapolis Intermodal Station to 5th Street. Because of these proposed changes, the MnDOT conducted an Environmental Assessment (EA) that evaluated the Project to ensure that the changes would not cause negative environmental impacts.

Environmental Effects and Mitigation

The MnDOT will construct the Project in accordance with the design features and mitigation measures presented in the Environmental Assessment dated December 22, 2005, and the Findings of Fact and Conclusions/Final 4(f) Evaluation dated February 23, 2006. The ROD and FEIS mitigation measures are incorporated by reference. This Finding of No Significant Impact (FONSI) only addresses measures as a result of the EA and the revised preferred alternative.

The MnDOT is required to submit mitigation reports to the FTA on each mitigating measure listed below. The reports should be submitted when a mitigating action takes place. All parties involved in the mitigation must concur and sign the report. The MnDOT will implement the following mitigating measures to address environmental impacts from the Project:

1. Wetlands Mitigation.

The Project will impact approximately 2.12 acres of wetlands. The majority of the impact is associated with the track improvements along mile posts 15.1-21.1. The Big Lake Maintenance Facility also impacts .16 acres of wetlands. Land acquired for the Big Lake Maintenance Facility appears to have the capacity to fulfill all of the wetland mitigation requirements for this project. The MnDOT may also pursue utilization of wetland bank credits if the Big Lake Maintenance Facility site does not fulfill the wetlands mitigation requirements. The MnDOT must meet all federal and local requirements for mitigating wetland impacts.

2. Regional Wastewater System.

The Metropolitan Council's comments, dated February 9, 2006, requested to review the construction plans for the third rail line, the Minneapolis Intermodal Station, and the realignment of the light rail line to ensure that the Project will not impact the regional wastewater system. The MnDOT has submitted the requested information to the Metropolitan Council. The MnDOT should continue to work with the Metropolitan Council to ensure that the regional wastewater system is not negatively impacted.

3. Floodplains.

The proposed addition of a third mainline track between mileposts 15.1-21.1 would result in approximately 318 cubic yards of fill in the floodplain south of Trunk Highway 610, and approximately 100 cubic yards of fill in the floodplain near Locke Lake. Bridge and culvert

crossings and the rail profiles will be designed to accommodate the 100-year flood plain flows. Site specific flood impacts and mitigation will be prepared during final design, as required by local regulations. The MnDOT should work with all local agencies that have an interest in the affected floodplain to ensure that the Project does not adversely affect the surrounding area.

4. Transportation.

The Big Lake Station site plan includes an access road to County Road 43 (CR 43) which would be approximately 1,200 feet long. A proposed striped turn lane from CR 43 into the Big Lake Station would accommodate the flow of traffic. If the striped turn lane is built, the MnDOT should work with the City of Big Lake to ensure that the turn lane adequately mitigates traffic impacts. If another mitigation action is chosen, the MnDOT should work with the City of Big Lake and any involved parties to address and mitigate the traffic impacts.

Section 4(f) Determination

The Rice Creek West Regional Trail and the Mississippi River Regional Trail, both 4(f) properties located in the City of Fridley, will be temporarily impacted to add a third mainline track on the east side of the existing tracks between mile posts 15.1 and 21.1. Up to 350 feet of trail will be temporarily closed for up to eight weeks to build the bridge for the third mainline track. The track will open immediately upon completion of construction. The MnDOT expects that construction of the track, as well as the track itself, will be contained within the BNSF right-of-way. If construction and/or the track affect land outside of the BNSF right-of-way, the MnDOT will work with its project partners and the affected property owners to restore the impacted site. The FTA has determined there was no feasible and prudent alternative to the temporary use of 4(f) property. The action includes all planning to minimize harm to the property resulting from the use.

Environmental Findings

This environmental record constitutes the statement required by Federal Transit Law at 49 U.S.C. Section 5324(b) on the environmental impact of the proposal, adverse environmental effects that cannot be avoided, alternatives to the proposal, and irreversible and irretrievable impacts on the environment.

In accordance with 23 C.F.R. Sections 771.119 and 121, the FTA finds, on the basis of the environmental record that there are no significant impacts on the environment associated with the 40.1 mile Northstar Corridor Rail Project as it is described in the "Northstar Corridor Rail Project Environmental Assessment/ Draft 4(f) Evaluation" dated December 22, 2005, and the "Northstar Corridor Rail Project Findings of Fact and Conclusions/Final 4(f) Evaluation" dated February 23, 2006.

The FTA also finds, in accordance with Federal Transit Law at 49 U.S.C. Section 5324(b), that an adequate opportunity to present views was given to all parties with a significant economic, social, or environmental interest, that the preservation and the enhancement of the environment, and the interest of the community in which the project is located were considered; and that no significant adverse environmental effect is likely to result from the Project.

In accordance with Section 106 of the National Historic Preservation Act, the FTA has determined, with concurrence from the Minnesota Historic Preservation Office, that the Northstar Corridor Rail Project does not result in any additional historical properties being affected from what was proposed in the FEIS dated March 2002.

Marisol R. Simon, Regional Administrator
Federal Transit Administration

3-15-06
Date