Minnesota Department of Transportation

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December 17, 2002

To Whom It May Concern:

SUBJECT: ADEQUACY DETERMINATION; FINAL ENVIRONMENTAL IMPACT STATEMENT; NORTHSTAR CORRIDOR RAIL PROJECT; RICE TO MINNEAPOLIS, MINNESOTA

The Final Environmental Impact Statement (FEIS) for the above referenced project was published in March, **2002.** The **Notice of Availability** of the above referenced FEIS was published in the **EQB Monitor** on April 1, 2002. During the 30 day FEIS review period, nine comment letters were received, and are responded to below.

The Preferred Alternative is the implementation of an 8 1.8-mile commuter rail line on the existing Burlington Northern Santa Fe (BNSF) track between downtown Minneapolis and Rice, Minnesota. There will be eleven stations along the commuter rail line. The downtown Minneapolis multi-modal station at 5th Street North and 5th Avenue North will also include a connection to the Hiawatha Light Rail Transit (LRT) line. Track capacity improvements, a vehicle maintenance and layover facility, LRT connection from 3rd Avenue North to 6th Avenue North, which includes an LRT station, as well as feeder bus improvements are also included in the-proposed action. The Preferred Alternative is more fully described in the FEIS.

COMMENT SUMMARY

A total of nine letters commenting on the FEIS were received. Cornmentors included:

- U.S. Environmental Protection Agency (EPA)
- U.S. Department of the Interior
- Minnesota Department of Agriculture (MDA)
- Minnesota Pollution Control Agency (MPCA)
- Metropolitan Council of the Twin Cities (Metropolitan Council)
- City of Minneapolis
- City of Fridley
- Burlington Northern Santa Fe Railroad (BNSF)
- Leech Lake Band of Ojibwe

Letters received from the EPA, Department of Agriculture, MPCA, Metropolitan Council and the City of Fridley indicated that specific concerns that were raised related to the DEIS had been

sufficiently addressed in the FEIS, and that no further comment was warranted. The Leech Lake Band of Ojibwe indicated that they do not have concerns regarding sites of religious or cultural importance in the project area.

A meeting was held with City of Minneapolis staff on May 9, 2002, to discuss their comments on the FEIS. Many of the comments were editorial in nature and would not change the outcome of the evaluation in the FEIS. An additional comment related to the potential for new development near the Downtown Minneapolis station in the future, and the effects this development could have on the design of the station. The location for the Downtown Minneapolis station was selected because it is best suited to existing land use patterns. Mn/DOT will engage in an interactive planning process with the City of Minneapolis regarding future land use patterns. If the land use pattern of the area changes before station construction begins, Mn/DOT will re-evaluate the need for additional environmental documentation for the Downtown Minneapolis station. The City of Minneapolis also noted that a master planning process, relative to the Minneapolis Northeast station, has been discussed and not officially initiated as stated in the FEIS.

The letter received from BNSF expressed concerns that certain track improvements were not included in the FEIS. These track improvements were removed because they presented significant environmental impacts to wetlands, 4(f) resources and state-threatened wildlife species. Mn/DOT studies also indicate that these track improvements would not be necessary for commuter rail/freight function; however, Mn/DOT has proposed track improvements to provide equivalent functionality. Mn/DOT will continue to work with BNSF to reach an agreement on this issue. The list of track improvements listed in the FEIS is believed to be comprehensive; however, if any of the final track improvements differ from those evaluated in the FEIS, additional environmental analysis and documentation will be done as appropriate.

The Department of Interior expressed three primary concerns regarding Section 4(f) issues. The first concern was the lack of a signed agreement with the State Historic Preservation Office (SHPO) in regards to historic resources. Since publication of the FEIS, the Programmatic Agreement has been signed. A second point of concern the Department of the Interior noted was that the FEIS did not indicate that the SHPO concurs with Mn/DOT's determination of no adverse effects regarding the Elk River Maintenance Facility site. The SHPO has concurred with Mn/DOT's evaluation and this comment is included in the Federal Transit Administration's (FTA) Record of Decision, which is contained in this distribution.

The last item of concern of the Department of Interior related to a final agreement with BNSF regarding track improvements. As stated above, the list of track improvements listed in the FEIS is believed to be comprehensive. However, if any of the final track improvements differ from those evaluated in the FEIS, additional environmental analysis and documentation, including a Section 4(f) Evaluation, will be done as appropriate.

These issues were resolved through a letter issued to the Department of the Interior, and a response letter dated August 22, 2002, which concurred with Section 4(f) approval for the project

Letters and' responses to comments from the City of Minneapolis, and the Department of the Interior are included in the Federal Transit Administration's (FTA) Record of Decision, which is contained in this distribution.

DETERMINATION

As the Responsible Governmental Unit for the above referenced project, the Minnesota Department of Transportation has determined that the FEIS is adequate. In reaching this decision Mn/DOT considered the following factors:

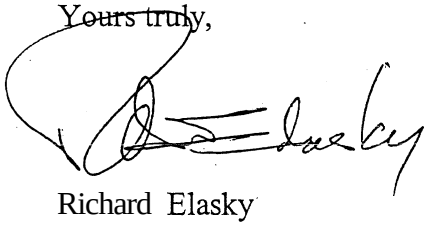
1. During the project development process, and within both the Draft and Final Environmental Impact Statements, Mn/DOT considered all the issues associated with this project, which were raised during the scoping process. All issues for which information could reasonably be obtained have been analyzed.

2. The FEIS provided responses to all substantive comments, which were received during the Draft EIS review and public comment period.

3. The FEIS was prepared in compliance with the procedures of Minnesota Statutes 116D, and Minnesota Rules, Chapter 4410.

This Determination of Adequacy concludes the Minnesota State Environmental Review Process.

Yours truly,



Richard Elasky

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