



Minnesota Department of Natural Resources

Natural Heritage and Nongame Research Program, Box 25
500 Lafayette Road

St. Paul, Minnesota 55155-40__

Phone: (651) 259-5107 Fax: (651) 296-1811 E-mail: sarah.hoffmann@dnr.state.mn.us



May 10, 2006

Ms. Jacqueline Corkle
SRF Consulting Group, Inc.
One Carlson Parkway, Suite 150
Plymouth, MN 55447

Re: Request for Natural Heritage information for vicinity of proposed CSAH 81 Reconstruction, Hennepin County

NHNRP Contact #: ERDB 20060855

| Township | Range | Section(s) |
|----------|-------|--------------------|
| .29N | 24W | 6 |
| 118N | 21W | 4, 5, 9, 16 |
| 119N | 21W | 18, 19, 29, 30, 32 |
| 119N | 22W | 11, 13, 14 |

Dear Ms. Corkle,

The Minnesota Natural Heritage database has been reviewed to determine if any rare plant or animal species or other significant natural features are known to occur within an approximate one-mile radius of the area indicated on the map enclosed with your information request. Based on this review, there are 6 known occurrences of rare species or native plant communities in the area searched (for details, see enclosed database printout and explanation of selected fields). However, based on the nature and location of the proposed project I do not believe it will affect any known occurrences of rare features.

The Natural Heritage database is maintained by the Natural Heritage and Nongame Research Program, a unit within the Division of Ecological Services, Department of Natural Resources. It is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. Its purpose is to foster better understanding and protection of these features.

Because our information is not based on a comprehensive inventory, there may be rare or otherwise significant natural features in the state that are not represented in the database. A county-by-county survey of rare natural features is now underway, and has been completed for Hennepin County. Our information about native plant communities is, therefore, quite thorough for that county. However, because survey work for rare plants and animals is less exhaustive, and because there has not been an on-site survey of all areas of the county, ecologically significant features for which we have no records may exist on the project area.

The enclosed results of the database search are provided in two formats: short record report and long record report. To control the release of locational information, which might result in the damage or destruction of a rare element, both printout formats are copyrighted.

The short record report provides rare feature locations only to the nearest section, and may be reprinted, unaltered, in an Environmental Assessment Worksheet, municipal natural resource plan, or report compiled by your company for the project listed above. If you wish to reproduce the short record report for any other purpose, please contact me to request written permission. **The long record report includes more detailed locational information, and is for your personal use only. If you wish to reprint the long record report for any purpose, please contact me to request written permission.**

Please be aware that review by the Natural Heritage and Nongame Research Program focuses only on *rare natural features*. It does not constitute review or approval by the Department of Natural Resources as a whole. If you require further information on the environmental review process for other natural resource-related issues, you may contact your Regional Environmental Assessment Ecologist, Wayne Barstad, at (651) 772-7940.

DNR Information: 651-296-6157 • 1-888-646-6367 • TTY: 651-296-5484 • 1-800-657-3929



An invoice in the amount of \$78.81 will be mailed to you under separate cover within two weeks of the date of this letter. You are being billed for map and database search and staff scientist review. Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources.

Sincerely,

Lisa Joyal

FOR

Sarah D. Hoffmann
Endangered Species Environmental Review Coordinator

encl: Database search results
Rare Feature Database Print-Outs: An Explanation of Fields

Minnesota Natural Heritage & Nongame Research Program
 Short Record Report of Element Occurrences within 1 mile radius of:
 CSAH 81 Reconstruction
 Multiple TRS
 Hennepin County

| Element Name and Occurrence Number | Federal Status | MN Status | State Rank | Global Rank | Last Observed Date |
|---|----------------|-----------|------------|-------------|--------------------|
| Hennepin County, MN | | | | | |
| <u>Colonial Waterbird Nesting Area</u> (Colonial Waterbird Nesting Site) #987 Location Description: T118N R21W S8, T118N R21W S6, T118N R21W S5, T118N R21W S7 | | N/A | SNR | GNR | 1998 |
| <u>Colonial Waterbird Nesting Area</u> (Colonial Waterbird Nesting Site) #1024 Location Description: T119N R22W S13 | | N/A | SNR | GNR | 2001 |
| <u>Decodon verticillatus</u> (Waterwillow) #1 Location Description: T118N R21W S9, T118N R21W S10, T118N R21W S4, T118N R21W S2, T118N R21W S3, T119N R21W S33, T119N R21W S34 | | SPC | S3 | G5 | 1953-08-12 |
| <u>Decodon verticillatus</u> (Waterwillow) #2 Location Description: T118N R21W S15, T118N R21W S11, T118N R21W S10, T118N R21W S14, T29N R24W S5 | | SPC | S3 | G5 | 1946-08-07 |
| <u>Etheostoma microperca</u> (Least Darter) #16 Location Description: T29N R24W S6, T29N R24W S5 | | SPC | S3 | G5 | 1931-05-14 |
| <u>Haliaeetus leucocephalus</u> (Bald Eagle) #2310 Location Description: T118N R21W S3 | LT,PDL | SPC | S3B,S3N | G5 | 2005-03-31 |

Records Printed = 6



Minnesota Department of Transportation

Office of Environmental Services
395 John Ireland Boulevard, MS 620
St. Paul, MN 55155-1899

Fax: 651/ 284-3754
Phone: 651/ 284-3750

June 6, 2006

Jacqueline Corkle
SRF Consulting Group, Inc.
One Carlson Parkway North
Suite 150
Minneapolis, MN 55447-4443



RE: No Effect Determination (Federal Threatened and Endangered Species)
S.P. 27-681-27, County State Aid Highway 81
Roadway Expansion, Bus Rapid Transit
Cities of Robbinsdale, Crystal, Brooklyn Park, Osseo and Maple Grove
Hennepin County

Dear Ms. Corkle:

In response to your request, the proposed action has been reviewed for potential effects to federally-listed threatened and endangered (T&E) species, candidate species and listed critical habitat. As a result of this review, a determination of no effect has been made. Note, since the proposed action is not scheduled to begin for several years, this project will need to be re-evaluated closer to the time of construction.

If a Federal agency authorizes, funds, or carries out a proposed action, the responsible Federal agency, or its delegated agent, is required to evaluate whether the proposed action "may affect" listed species. If it is determined that the action "may affect" a listed species, then the responsible Federal agency shall request Section 7 consultation with the U. S. Fish and Wildlife Service. If the consultation shows "no effect" on the listed species, further consultation is not necessary.

Listed Species

According to the County Distribution of Minnesota's Federally-Listed Threatened, Endangered, Proposed and Candidate Species list maintained by the U.S. Fish and Wildlife Service, Hennepin County is within the distribution range of the bald eagle (Haliaeetus leucocephalus) and the Higgins eye pearlmyssel (Lampsilis higginsii), both federally-listed species.

Factors considered in making the determination of no effect are described below:

Scope of Action

The proposed action involves both the expansion of the existing roadway and the development of a bus rapid transit route, all within a fully developed urban corridor.

Critical Habitat

There is no listed critical habitat within the action area.

Known Occurrences

According to the information provided by the Natural Heritage Database (updated 3-6-06) maintained by the Minnesota Department of Natural Resources and the U.S. Fish and Wildlife Service (Twin Cities ES Field Office), there are no known occurrences of federally-listed T&E or candidate species within the action area. As such, the proposed action has little to no potential to have any measurable influence on federally-listed T&E species, candidate species or on the habitat for which they depend

If modifications are made or new information becomes available which indicates that listed species may be affected, please contact this office. This review was completed for federally-listed T&E and candidate species only. For information on state-listed T&E species, contact the Endangered Species Environmental Review Coordinator, Natural Heritage and Nongame Research Program, Minnesota Department of Natural Resources (651) 259-5107.

Sincerely,

Handwritten signature of Jason Alcott

Jason Alcott
Natural Resource Specialist, Senior

cc: Gerry Larson file

From: "Yanta, Joseph J MVP" <joseph.j.yanta@usace.army.mil>
To: "Barbara Walther" <bwalther@srfconsulting.com>
CC: "Kady Dadlez" <kdadlez@srfconsulting.com>
Date: 6/16/2008 2:03 PM
Subject: RE: CSAH 81 - Osseo/Brooklyn Park/Crystal

Yes, a Corps permit would be required for these proposed impacts. Both Wetlands W-2 and W-1 Greenhaven should be considered jurisdictional.

Although we have not made a final jurisdictional determination under the new guidelines for these reaches of Shingle Creek, I think we will consider it a Relatively Permanent Water (RPW) that is a tributary to a Navigable Water of the United States (Mississippi River). Wetlands abutting an RPW are jurisdictional. Wetland W-2 is historically part of (and is still connected to) the larger marsh abutting Shingle Creek (we generally consider still-connected portions abutting), and W-1 Greenhaven still clearly abuts Shingle Creek.

-----Original Message-----

From: Barbara Walther [mailto:bwalther@srfconsulting.com]
Sent: Monday, June 16, 2008 1:20 PM
To: Yanta, Joseph J MVP
Cc: Kady Dadlez
Subject: CSAH 81 - Osseo/Brooklyn Park/Crystal

Hi Joe,

I am writing to request your concurrence that a Section 404 permit will be required for wetland/water impacts for the CSAH 81 reconstruction project in Brooklyn Center, Osseo and Crystal. Attached to aid your review you will find the draft language being prepared for the Environmental Assessment (EA) as well as the figures depicting the project and locations of the wetlands. Figures 4B, 4F and 4G show wetland locations. Most of the wetland areas flow into Shingle Creek, and I believe that impacts to these wetlands would fall under Corps of Engineers jurisdiction.

At this time, I simply need your concurrence that a 404 permit will be needed. If you are able to then complete a Jurisdictional Determination, that would be helpful to include in the files for future permitting. Let me know if you need additional information to complete the JD.

Thanks in advance for your assistance with the review of this project.

Barbara L. Walther, PWS
Senior Environmental Scientist
MN Certified Wetland Delineator

SRF Consulting Group, Inc.
One Carlson Parkway, Suite 150
Minneapolis, MN 55447
(763) 475-0010 x 6896
(763) 475-2429 fax

From: "Elizabeth ABEL" <Elizabeth.ABEL@dot.state.mn.us>
To: <jcorkle@srfconsulting.com>
Date: 6/13/2006 9:05:30 am
Subject: SP 27-681-27, CSAH 81 reconstruction

Jackie,

To summarize our discussion on the phone this morning, the project will need a Phase I architectural history identification survey. If the Phase I survey identifies any properties that are potentially eligible for the National Register of Historic Places, a Phase II National Register evaluation of those properties would also be required. Generally, we have consultants combine Phase I and II reporting to save time and costs. No archaeological work is needed.

The county can opt to do an 80/20 split if the contract is run through the Mn/DOT CRU (the consultant bills the county directly for 20% of the costs and Mn/DOT for the remaining 80%). It takes approximately 1 to 1 1/2 months for Mn/DOT to process a contract, and for an 80/20 split with a local government, Mn/DOT requires proof that the 20% local portion of the funds has been encumbered. If the county wishes to contract directly for the work, they'll be responsible for 100% of the survey costs. However, the consultant **MUST** contact the Mn/DOT CRU regarding the area of potential effects (APE) prior to the start of any work as we will not review projects where Mn/DOT has not approved the APE. We also request that the consultant consult with our office regarding their recommendations for any Phase II evaluations prior to starting the Phase II work. Hope this is helpful. If you have any questions, please don't hesitate to e-mail or call me.

Liz

Elizabeth J. Abel
Historical Archaeologist/Historian
Minn. Dept. of Transportation
Office of Environmental Services, Cultural Resources Unit
395 John Ireland Blvd., Mail Stop 620
St. Paul, MN 55155-1899
Office: ~~651/284-3244~~ 651-366-3604
Fax: ~~651/282-9834~~
e-mail: elizabeth.abel@dot.state.mn.us



Minnesota Department of Transportation

Transportation Building
395 John Ireland Boulevard
Saint Paul, Minnesota 55155-1899

May 12, 2008

Direct Line: (651) 366-3604
Mail Stop 620

Mr. Dennis A. Gimmestad
Government Programs & Compliance Officer
State Historic Preservation Office
Minnesota Historical Society
345 Kellogg Boulevard W.
St. Paul, MN 55101

Re: S.P. 27-681-27 (CSAH 81 reconstruction, TH 100 to CSAH 30)
Cities of Robbinsdale, Crystal, Brooklyn Park, Maple Grove, and Osseo, Hennepin County
SHPO No. 2008-0400

Dear Mr. Gimmestad:

Since I last corresponded with your office on March 4, 2008, regarding our review of the above-referenced project, Hennepin County has revised the scope of the proposed undertaking. The County will not be constructing the bus rapid transit (BRT) route within the Burlington Northern Santa Fe Railway right of way that parallels CSAH 81. The project now consists solely of CSAH 81 roadway reconstruction beginning at 47th Avenue North in Robbinsdale (see enclosed layouts).

1. With elimination of the busway portion of the project, the Chucker Dental Office (HE-RBC-240) (which we are considering eligible for the National Register under Criterion C for the purposes of this review), the Hennepin County Library (Robbinsdale Library) (HE-RBC-024), the West Broadway Residential Historic District, and the Jones-Osterhaus Barn (HE-RBC-264) are outside the revised area of potential effects (APE).
2. The Minneapolis & Pacific (Soo Line) railroad corridor historic district (now Canadian Pacific) remains within the revised APE. The proposed undertaking will replace two roadway bridges carrying CSAH 81 over the rail corridor. The existing bridges are not listed in or eligible for the National Register of Historic Places. The new roadway bridges will not impact any of the significant historic features of the district. The impact of the new roadway bridges on the property's historic setting will be negligible given that the rail corridor historic district is several hundred miles in length. Our initial finding that the undertaking will result in no adverse effects to the Minneapolis & Pacific (Soo Line) railroad corridor historic district remains appropriate.
3. The Minneapolis & Northwestern (St. Paul, Minneapolis & Manitoba/Great Northern Osseo Branch) railroad corridor historic district (now BNSF) remains within the revised APE. With elimination of the BRT, any project impacts will result solely from roadway reconstruction. The corridor crosses through some roadway intersections that will be reconstructed as part of this project (see enclosed layouts). However, these crossings will remain at grade and on the same alignment and will not impact any of the significant historic features of the railroad corridor district. The impact of these crossing reconstructions on the property's historic setting

will be negligible given that the rail corridor historic district is several hundred miles in length. Our revised finding is that the undertaking will result in no adverse effects to the Minneapolis & Northwestern railroad corridor historic district.

Therefore, it is the finding of this office that the undertaking as revised will result in **no adverse effects** on historic properties. As per the terms of the 2005 PA, please provide your comments on our findings within 30 days of receipt.

Sincerely,



Elizabeth J. Abel
Historical Archaeologist/Historian
Cultural Resources Unit (CRU)

encs.

cc: Kady Dadlez, SRF Consulting Group, Inc.
Joe Hudak, Mn/DOT CRU
Mn/DOT CRU Project File
Mn/DOT CO File



MINNESOTA HISTORICAL SOCIETY
State Historic Preservation Office



June 9, 2008

Ms. Elizabeth Abel
Cultural Resources Unit
MN Dept. of Transportation
Transportation Building, MS 620
395 John Ireland Boulevard
St. Paul, MN 55155-1899

Re: S.P. 27-681-27. CSAH 81
CSAH 81 reconstruction from T.H. 100 to CSAH 30
Robbinsdale, Crystal, Brooklyn Park, Maple Grove & Osseo
Hennepin County
SHPO Number: 2008-0400

Dear Ms. Abel:

Thank you for your recent letter regarding effects to historic properties in the area of the above referenced project.

Your letter indicates that the bus rapid transit (BRT) route has been eliminated from the project, and that the project now consists solely of CSAH 81 roadway reconstruction beginning at 47th Avenue North in Robbinsdale.

With the elimination of the busway portion of the project, we concur with your determination that the project as revised will have **no adverse effects** on historic properties.

Contact our Compliance Section at 651-259-3455 with questions or concerns.

Sincerely,

Britta L. Bloomberg
Deputy State Historic Preservation Officer

cc: KADY DADLEZ, SRF



Recreation and Parks

5600 85th Ave. N., Brooklyn Park, MN 55443-1825 Phone 763-493-8333 Fax 763-493-8253
TDD 763-493-8392

February 22, 2007

Ms. Kady Dadlez
Planner
SRF Consulting Group, Inc.
One Carlson Parkway North, Suite 150
Minneapolis, MN 55447-4443

Re: CSAH Roadway Reconstruction and Transit Project

Dear Ms. Dadlez:

Based on your description of potential work in and around Greenhaven Park during our phone conversation and through your letter, I concur that the proposed work is temporary and does not impose an adverse impact to the park.

Thank you for your clear explanations of the current plan. Please keep me informed as this project continues to evolve. I can be reached at 763-493-8345 for additional discussion. I am also available to attend any future meetings as you see fit.

Sincerely,

Jay Lotthammer
Director, Recreation and Parks

