

Record of Decision Attachment 1

Blazing Star State Trail, Myre-Big Island State Park to Hayward Environmental
Assessment Worksheet

Public Review Period – December 23 to January 22, 2014

Public Comments Received

From: [Travis Oliver](#)
To: [*Review, Environmental \(DNR\)](#)
Subject: Blazing Star EAW
Date: Wednesday, December 25, 2013 11:50:45 AM

Hi I am writing this because I live in Albert Lea, MN and the extension of the Blazing Star Trail would be a really great thing for this community, I travel the trail tons of times during the year and I know it like the back of my hand, It is actually getting quite boring sad to say, so and extension of the trail would be very interesting to the community and me.

I've heard in the past that the trail was suppose to go from Albert Lea, MN all the way to Rochester, MN. But nothing has ever happened it was all just "talk", so please complete this trail ASAP so there is somewhat more to do in the community area.

Also I'm getting ready to go to school to be a DNR Officer or Forest Ranger, and I would really like to help in the creation of the Blazing Star Trail, as I know it would look good on a job skill's requirement for a application with the DNR in the future.

My name is Travis C Oliver, and Thank You for your time.

You can contact me at:

travisoliver89@gmail.com
1-507-481-4535

From: [Adam Burg](#)
To: [*Review, Environmental \(DNR\)](#)
Subject: Blazing Star EAW
Date: Monday, December 30, 2013 1:23:58 PM

To whom it may concern:

In regards to the Blazing Star State Trail project, and proposed bridge in particular:

1. Are you considering a timber bridge structure? Timber blends well with the natural environment and has the same life expectancy as other materials.
2. Does the proposed bridge need to span 100', or can there be pile-supported approaches leading up to a center span? Timber foundations could potentially have the most minimal impact to the environment. Pile-supported construction techniques, (top-down construction), can be employed, which means the boardwalk/bridge can be built from the deck of the structure, therefore keeping men and machinery off of the natural floor.

Thanks for your time.

Regards,

Adam Burg | Sales Representative
Signature Bridge Inc.
36445 Biltmore Place, Unit B-1
Willoughby, OH 44094
(o) 440.953.3106 | (f) 440.953.3109
www.signaturebridge.com



Please consider the environment before printing this email.

From: [Tamela Drake](#)
To: [*Review, Environmental \(DNR\)](#)
Subject: Blazing Star EAW
Date: Tuesday, December 31, 2013 9:49:53 AM

TO: Ronald Wieland

Thanks for the opportunity to say how excited I am about the project to extend the Blazing Star State Trail from Myre-Big Island State Park to Hayward.

The more we do to promote outdoor activities the healthier the community will be.

Having great bike trails that have destination cities along the way will attract visitors to our area. So happy this project is moving forward. Equally excited about connecting Albert Lea to Austin.

We need longer bike trails in the area. This is a great start.

Tamela Drake
404 Robin Rd
Albert Lea, MN 56007

From: [Rick Dyc](#)
To: ["Review Environmental \(DNR\)"](#)
Subject: Blazing Star EAW
Date: Tuesday, January 07, 2014 6:53:54 AM

Good morning,

We are a manufacturer of prefabricated aluminum pedestrian bridges, docks and fishing piers. We do a number of projects with various federal, state and local parks departments. Our systems are durable, low maintenance and cost effective in a wide range of applications. I've provided a couple links below for convenience.

www.GatorBridge.com

www.GatorDock.com

I wanted to see if your department might be interested in learning a little more about our systems and how they apply to your need to cross Albert Lea Lake.

Please let me know if you might have a few minutes for a future visit or know of others I should reach out to.

Thanks,

Rick

Rick Dyc
Regional Sales Manager – Great Lakes & Midwest
GatorDock™ & GatorBridge™
Direct: 770-850-4921 | Cell: 678-206-5401
Toll Free: 1-800-256-8857 | Fax: 770-933-8363
rdyc@cmilc.com | gatordock.com | gatorbridge.com

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From: pagskaar@cox.net
To: [*Review, Environmental \(DNR\)](#)
Subject: Blazing Star EAW
Date: Saturday, January 11, 2014 8:29:48 PM

From: Gwen Hanson
To: environmentalrev.dnr@state.mn.us
Sent: Friday, January 03, 2014 11:36 AM
Subject: Blazing Star EAW

Dear Sir,

I am anxiously awaiting for the Blazing Star Trail to cross Albert Lea Lake. The trail to Hayward will be used often for biking and walking. My friends and I are so excited to finally plan on biking and walking on it.

Thank you for all of your effort,
Gwen Hanson
2910 Campus Dr.
Albert Lea, Mn. 56007

From: Gerhard Skaar <pagskaar@cox.net>
Sent: Wednesday, January 15, 2014 10:03 AM
To: *Review, Environmental (DNR)
Subject: Blazing Star EAW

BLAZING STAR EAW

Lakes and rivers, open plains and deep forests, paved trails, horse trails, and off-road areas ... Minnesota has a wealth of parks and trails and we Minnesotans enjoy them. Nearly 60 percent said, in a 2004 survey, that outdoor recreation is very important to their lives. We hike, bike, camp, ski, fish, hunt, go boating, and more. Every park and trail user knows the benefits of natural outdoor space, but the benefits of our parks, trails, and green spaces extend far beyond those who use them; they touch the lives of every person who lives and works in Minnesota. Improving our physical and psychological health, strengthening our communities, making our state and its cities more attractive places to live and work, protecting the environment ... the benefits of parks and trails are comprehensive for Minnesota residents, communities, the economy, and the environment. This important part of who we are as a state and its residents faces a number of challenges today: increased usage, limited resources, new kinds of users with a variety of interests, aging infrastructure, competing demands for land use, and a complex network of agencies, organizations, and funding sources.

Recreational Use and Visitor Services Impact

There may be short term impacts on visitors during the construction activity - trails and other nearby facilities may be closed during the construction or parking areas being used for staging equipment may not be available for public use.

Long term impacts for visitors of the Blazing Star Trail will be positive - the extended trail will improve access and safety for visitors along adjoining trails and other facilities, and restored native communities will enhance visitor experiences.

Archaeological and Historic Properties

The Blazing Star Trail will pass near the properties of two of the original permanent settlers in Freeborn County. Endre Gulbrandson and his good friend, Peder Lunde, were two of the pioneers in Hayward Township. Both are buried in the Hayward Cemetery. The existing Hayward Hardware building can be traced back to the Gulbrandson family and the Lunde Creek is named after Peder Lunde.

Gary Skaar
13 Cheras Ct.
Pensacola, FL
pagskaar@cox.net
850-449-0071

From: [Schnell, Tracy \(DOT\)](#)
To: [Wagar, Joel D \(DNR\)](#); [*Review, Environmental \(DNR\)](#)
Cc: [Schoenfelder, Mark \(DOT\)](#); [Pates, Gregory \(DOT\)](#); [Hutton, Robert \(DOT\)](#); [Schnell, Tracy \(DOT\)](#)
Subject: No Significant Impact - EAW for Blazing Star State Trail, Myre-Big Island Park to Hayward
Date: Wednesday, January 15, 2014 1:41:33 PM

This proposal appears to have no significant impact on MnDOT roadways and is acceptable to MnDOT.

EAW from Minnesota Department of Natural Resources to extend the Blazing Star State Trail eastward for 2.4 miles from Myre-Big Island State Park to Hayward in Freeborn County.

Thanks,



STATE HISTORIC PRESERVATION OFFICE

January 13, 2014

Mr. Ronald Wieland
Environmental Review Planner
500 Lafayette Road
St. Paul, MN 55155

RE: EAW- Blazing Star Trail, Myre-Big Island State Park to Hayward
Hayward Twp, Freeborn County
SHPO Number: 2014-0703

Dear Mr. Wieland:

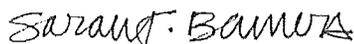
Thank you for the opportunity to comment on the above project. It is being reviewed pursuant to the responsibilities given the Minnesota Historical Society by the Minnesota Historic Sites Act and the Minnesota Field Archaeology Act.

We understand that a Phase I cultural resources survey has been completed for this project. We look forward to receiving and reviewing the results of this survey and to further consultation regarding any historic properties that were identified during the investigation.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36CFR800, procedures of the Advisory Council on Historic Preservation for the protection of historic properties. If this project is considered for federal assistance, or requires a federal license or permit, it should be submitted to our office by the responsible federal agency.

If you have any questions regarding our review of this project, please contact Kelly Gragg-Johnson at (651) 259-3455.

Sincerely,



Sarah J. Beimers, Manager
Government Programs and Compliance





Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us | Equal Opportunity Employer

January 22, 2014

Mr. Ronald Wieland
Environmental Review Planner
Minnesota Department of Natural Resources
500 Lafayette Road
St. Paul, MN 55155

Re: Blazing Star State Trail Environmental Assessment Worksheet

Dear Mr. Wieland:

Thank you for the opportunity to review and comment on the Environmental Assessment Worksheet (EAW) for the Blazing Star State Trail project (Project) located in the cities of Albert Lea and Hayward, Minnesota. The Project consists of extension of the trail by 2.4 miles. Minnesota Pollution Control Agency (MPCA) staff has reviewed the EAW and have no comments at this time.

We appreciate the opportunity to review this 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 EAW, please contact me at 651-757-2508.

Sincerely,

A handwritten signature in blue ink that reads "Karen Kromar".

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

KK:bt

cc: Craig Affeldt, MPCA, St. Paul
Bob Finley, MPCA, Mankato

From: [Jim Stiles](#)
To: [*Review, Environmental \(DNR\)](#)
Subject: We support Myrie Big Island State Park to Hayward Bike Trail
Date: Wednesday, January 22, 2014 3:19:51 PM

Dear DNR Staff: We own small business in Austin, MN, and are members of Izaak Walton League and Audobon. What a beautiful gem we have in our area. I am always amazed by the beauty of the lakes around Myrie Big Island and to connect the park to Hayward would be a beautiful bike ride. There are no reasons not to do this. Hayward Mn also has one of the best sausage maker in the State, Nicks Meats. I would like to say also that voters in this part of the state overwhelmingly supported the Clean Land and Water Legacy Amendment. This would be an extremely scenic trail. Please do it! And to have it so close to Interstate 35 would be awesome.

Jim and Merlene Stiles Austin, MN.

From: [Wingert, Sarah E MVP](#)
To: [*Review, Environmental \(DNR\)](#)
Subject: Blazing Star EAW (UNCLASSIFIED)
Date: Wednesday, January 22, 2014 4:15:50 PM

Classification: UNCLASSIFIED
Caveats: NONE

Dear Mr. Wieland:

We have received the Environmental Assessment Worksheet (EAW) entitled Blazing Star State Trail, Myre-Big Island State Park to Hayward dated December 20, 2013. Thank you for the opportunity to comment on this project.

Based on the EAW, the project proposes to permanently discharge fill material into approximately 1.2 acres of Albert Lea Lake, temporarily discharge fill into approximately 0.3 acre of Albert Lea Lake, and permanently discharge fill in 0.9 acre of wetlands. As such, as the EAW noted, this proposal will be subject to the Corps of Engineers' jurisdiction under Section 404 of the Clean Water Act (CWA Section 404). Waters of the United States include navigable waters, their tributaries, and adjacent wetlands (33 CFR § 328.3). Information about the Corps permitting process can be obtained online at <http://www.mvp.usace.army.mil/Missions/Regulatory.aspx>.

Based on this preliminary proposed impact information, the project would be eligible for a Corps letter of permission, which is an abbreviated individual permit review. We will expect the upcoming permit application to contain more detailed information on proposed lake and wetland impacts, avoidance and minimization measures, and mitigation. Please note that individual permits may take up to 120 days or longer to process, so we advise that the application be submitted as early as possible. Timeframes are based on several factors, such as Corps workload, permit type, and the types of issues under review, such as impacts to historic properties, on-site mitigation, etc.

Based on past conversations with the MnDNR, we are under the impression that a cultural resources survey is being completed for this section of the Blazing Star State Trail. Under Section 106 of the National Historic Preservation Act, the Corps is required to consider impacts to historic properties while reviewing permit applications. When complete, the cultural resources survey should be forwarded to the Corps as soon as possible so we can review it and initiate coordination with the SHPO, if needed. Section 106 compliance is a critical part of our permit review process because it can delay our permit issuance if there are unresolved issues, such as mitigation for unavoidable impacts to historic properties.

We note the EAW indicates that additional alternatives for the Albert Lea Lake crossing and wetland crossings are being considered to reduce impacts, such as a longer bridge span in Albert Lea Lake and bridge crossings of wetlands. We appreciate the efforts MnDNR has made thus far in considering practicable ways to minimize impacts and look forward to reviewing additional information on the alternatives. Impacts to Albert Lea Lake and wetlands must be minimized to the maximum practicable extent before a Corps permit can be issued. In the EAW discussion, it was not clear to us why the trail crossing top width is proposed to be 20 feet, while the rest of the trail is proposed to be 14 feet; if this is correct, please make sure to explain this difference in your permit application. We also note the EAW mentioned needed access and haul roads. All access and haul road locations should be identified in your permit application, as well as the source of fill and stockpile areas (if applicable), so we can review for potential impacts to aquatic resources and cultural resources. Impacts to wetlands for temporary haul roads and other temporary fills should be avoided to the extent practicable.

We also note that mitigation plans for lake and wetland impacts are still being considered, with on-site compensatory mitigation and bank credits as options. We attached a document that identifies the information that is needed for an on-site compensatory mitigation plan. If dike removal to reconnect adjacent wetlands to Albert Lea Lake is the mitigation proposal for proposed lake fill in your upcoming permit application, please provide information on the nature of the settling ponds (whether any hazardous materials are present, any clean-up that is needed, etc). Generally, mitigation would need to

be constructed in advance or concurrent with the project impacts.

In addition to the above comments, please consider the following general information regarding our regulatory program as it relates to your project.

The Corps' evaluation of a Section 404 permit application involves multiple analyses, including (1) evaluating the proposal's impacts in accordance with the National Environmental Policy Act (NEPA) (33 CFR part 325), (2) determining whether the proposal is contrary to the public interest (33 CFR § 320.4), and (3) in the case of a Section 404 permit, determining whether the proposal complies with the Section 404(b)(1) Guidelines (Guidelines) (40 CFR part 230).

If the proposal requires a Section 404 permit application, the Guidelines specifically require that "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences" (40 CFR § 230.10(a)). Time and money spent on the proposal prior to applying for a Section 404 permit cannot be factored into the Corps' decision whether there is a less damaging practicable alternative to the proposal.

We have met with the MnDNR on this project previously; however, the MnDNR is welcome to request another pre-application consultation meeting with the Corps to discuss what is needed for the permit application and any outstanding issues, such as alternatives, mitigation, and the cultural resource review.

If you have any questions, need further information, or wish to request a pre-application consultation meeting, you may contact me using the information below.

Thank you,

Sarah Wingert
U.S. Army Corps of Engineers
St. Paul District Regulatory Branch
180 5th Street East, Suite 700
St. Paul, MN 55101-1678
sarah.e.wingert@usace.army.mil
651-290-5358

Classification: UNCLASSIFIED
Caveats: NONE

Section 106 compliance is a critical part of our permit review process because it can delay our permit issuance if there are unresolved issues, such as mitigation for unavoidable impacts to historic properties.

We note the EAW indicates that additional alternatives for the Albert Lea Lake crossing and wetland crossings are being considered to reduce impacts, such as a longer bridge span in Albert Lea Lake and bridge crossings of wetlands. We appreciate the efforts MnDNR has made thus far in considering practicable ways to minimize impacts and look forward to reviewing additional information on the alternatives. Impacts to Albert Lea Lake and wetlands must be minimized to the maximum practicable extent before a Corps permit can be issued. In the EAW discussion, it was not clear to us why the trail crossing top width is proposed to be 20 feet, while the rest of the trail is proposed to be 14 feet; if this is correct, please make sure to explain this difference in your permit application. We also note the EAW mentioned needed access and haul roads. All access and haul road locations should be identified in your permit application, as well as the source of fill and stockpile areas (if applicable), so we can review for potential impacts to aquatic resources and cultural resources. Impacts to wetlands for temporary haul roads and other temporary fills should be avoided to the extent practicable.

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Thank you,

Sarah Wingert
U.S. Army Corps of Engineers
St. Paul District Regulatory Branch
180 5th Street East, Suite 700
St. Paul, MN 55101-1678
sarah.e.wingert@usace.army.mil
651-290-5358



**US Army Corps
of Engineers**
St. Paul District

Requirements for submitting a complete Mitigation Bank Plan to the St. Paul District Corps of Engineers

All proposed compensatory mitigation plans, mitigation banks and in-lieu fee (ILF) programs submitted after June 9, 2008 must include a discussion of the following items. A compensatory mitigation plan cannot be approved by the Corps until the following items are included. These requirements are the result of the federal regulations entitled Compensatory Mitigation for Losses of Aquatic Resources released on April 10, 2008. These regulations are found at 33 CFR Part 332. Please provide the following information and a completed copy of this checklist with the submittal of a compensatory mitigation plan:

- Mitigation objectives:** A description of the resource type(s) and quantities that will be restored, created, enhanced or preserved. A discussion of the resource functions and how these functions address the needs of the watershed or other geographic area of interest. The watershed approach is defined in the new Compensatory Mitigation for Losses of Aquatic Resources regulation at Part 332.3(c).
- Site selection:** A description of the factors considered during the site selection process. This should include consideration of the watershed needs, on-site alternatives where applicable and the practicability of accomplishing ecologically self-sustaining aquatic resource restoration, establishment, enhancement, and/or preservation at the compensatory mitigation site.
- Site protection instrument:** A description of the legal arrangements and documents including verification of site ownership that will be used to ensure the long-term protection of the compensatory mitigation site.
- Baseline information:** A description of the ecological characteristics of the proposed compensatory mitigation site and, in the case of an application for a DA Permit, the impact site. This may include descriptions of historic and existing plant communities, historic and existing hydrology, soil conditions, a map showing the locations of the impact and the mitigation sites(s) or the geographic coordinates for those site(s), and other site characteristics appropriate to the type of resource proposed as compensation. The baseline information should also include a delineation of the waters of the United States on the proposed compensatory mitigation project site. A perspective permittee planning to secure credits from a mitigation bank or an in-lieu fee program only needs to provide baseline information about the impact site, not the mitigation bank or the in-lieu fee project site.
- Determination of credits:** A description of the number of credits to be provided, including a brief explanation of the rationale for this determination (stream or wetland assessment method). For permittee-responsible mitigation, this should include an explanation of how the compensatory mitigation project will provide the required compensation for the unavoidable impacts to aquatic resources resulting from the permitted activity. For permittees intending to secure credits from an approved mitigation bank or in-lieu fee program, it should include the number and the resource type of credits to be secured and how these credit needs were determined.
- Mitigation work plan:** Detailed written specifications and work descriptions for the compensatory mitigation project, including, but not limited to, the geographic boundaries of the project; construction methods, timing, and sequence; source(s) of water, including connections to

existing waters and uplands; methods for establishing the desired plant community; plans to control invasive plant species; the proposed grading plan, including elevations and slopes of the substrate; soil management; and erosion control measures. For stream mitigation projects, the mitigation work plan may also include other relevant information, such as plan form geometry, channel form (e.g., typical channel cross-section), watershed size, design discharge, and riparian area plantings.

- Maintenance plan:** A description and schedule of maintenance requirements to ensure the continued viability of the resource once initial construction is completed.
- Performance standards:** Ecologically-based standards (hydrology, plant survival, habitat features, etc.) that will be used to determine whether the compensatory mitigation project is achieving its objectives.
- Monitoring requirements:** Provide a description of the parameters to be monitored and a monitoring schedule. The site attributes to be monitored and level of monitoring effort proposed should be sufficient to determine if the compensatory mitigation project is on track to meet the performance standards and provide the functional improvements described in the site objectives. The monitoring plan should also have provisions for determining whether adaptive management is needed at various points throughout the monitoring period. A schedule for reporting monitoring results to the district Corps must also be included.
- Long-term management plan:** A description of how the compensatory mitigation project will be managed after performance standards are achieved to ensure the long-term sustainability of the resource. The party responsible for the long-term management must be identified. In addition, if the nature of the long-term management proposed is sufficient to warrant funding dedicated to that task, a long-term financing mechanism must also be identified.
- Adaptive management plan:** This plan should address strategies to address unforeseen issues associated with site conditions or other components of the compensatory mitigation plan. This plan will guide decisions for revising the original construction plan and implement measures to address both foreseeable and unforeseen circumstances that adversely affect the success of the compensatory mitigation project. The plan must identify the party or parties responsible for implementing the adaptive management plan.
- Financial assurances:** A description of financial assurances that will be provided and how they are sufficient to ensure a high level of confidence that the compensatory mitigation project will be successfully completed and managed for the long-term, in accordance with the required ecological performance standard. The financial assurance can be in the form of performance bonds, escrow accounts, casualty insurance, letters of credit or other appropriate instruments approved by the Corps. For government agencies or a public authority, the Corps may accept a formal, documented commitment to funding the project or bank program as an acceptable assurance on a case-by-case basis (e.g., documentation that funds allocated by a legislature or from bonding are encumbered for a specific project).