

## Appendix I Public Notices





**September 8, 2008**  
**Minnesota Environmental Quality Board Notice of Intent**





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# EQB MONITOR

## ENVIRONMENTAL ASSESSMENT WORKSHEETS

EAW Comment Deadline: October 8, 2008

### New EAW Form & AUAR Guidance Now Posted

The EQB has posted revised versions of the EAW form and the Alternative Urban Areawide Review (AUAR) process guidance at its website. These versions supersede all previous versions and should now be used when initiating an EAW or AUAR (except for feedlots EAWs which have their own custom form). The new EAW form and AUAR guidance can be accessed and downloaded from: [www.eqb.state.mn.us/EnvRevGuidanceDocuments.htm](http://www.eqb.state.mn.us/EnvRevGuidanceDocuments.htm). The EAW form is available in two formats: as an rtf file for electronic preparation or as a pdf file that can be printed and filled out as a paper form.

The guidance document *EAW Guidelines* has not been updated at this time. Although some of its content is outdated, that document (February 2000 edition) still contains useful information and should be consulted when completing the EAW form. It is available at the same website location as the EAW form. An updated version is planned to accompany the next revision of the EAW form (date uncertain).

Any questions about the new form or guidance should be directed to the EQB staff at 651-201-2492.

The *EQB Monitor* is a biweekly publication of the Environmental Quality Board that lists descriptions and deadlines for Environmental Assessment Worksheets, Environmental Impact Statements, and other notices. The *EQB Monitor* is posted on the Environmental Quality board home page at <http://www.eqb.state.mn.us/>.

Upon request, the *EQB Monitor* will be made available in an alternative format, such as Braille, large print, or audio tape. For TTY, contact Minnesota Relay Service at 800-627-3529 and ask for Department of Administration. For information on the *EQB Monitor*, contact:

Minnesota Environmental Quality Board  
658 Cedar St., 300 Centennial Office Building  
St. Paul, MN 55155-1388  
Phone: 651-201-2480  
Fax: 651-296-3698  
<http://www.eqb.state.mn.us>

**Project Title: McDonough Farms Development**

**Description:** The McDonough Farms Development includes the conversion of approximately 51.4 acres of agricultural land use to warehouse/light industrial use located between Interstate 35 and County Road 76 (Acorn Trail) in Section 1, Wells Township, Rice County, approximately one mile north of Faribault, Minnesota. Development of warehousing/light industry started on the site in 2006 with Met-Con (82,723 sq. ft), a storage/warehouse building (6,720 sq ft) and Malt-O-Meal (149,940 sq ft) previously constructed. Additional projects are proposed including an approximate 130,000-135,000 sq ft assembly and metal fabrication building for a total of approximately 374,383 sq ft of warehouse/light industrial use.

**RGU:** Rice County

**Contact Person:**

Julie Runkel  
Planning Director  
Rice County Planning and Zoning  
320 NW 3<sup>rd</sup> Street  
Faribault, MN 55021  
Phone: 507-332-6113  
Fax: 507-332-6227  
Email: jrunkel@co.rice.mn.us

**Project Title: R & R Thier Feedlot Expansion**

**Description:** R & R Thier Feedlots, Inc., located in Section 26 of Olney Township, Nobles County, is proposing to expand its existing 2,920-animal unit (AU) site of beef finishing cattle by 2,080 AUs, for a total of 5,000 AUs of beef finishing cattle. The existing cattle AUs are currently housed in a 100-foot by 720-foot total confinement barn and eight open lots with runoff controls. An existing above-ground, fiberglass-lined steel tank stores the runoff from existing lots. The proposed expansion will include the construction of ten open lots with runoff controls, and a retention pond to collect any manure contaminated runoff. A perimeter draintile will be constructed around the proposed retention pond.

A copy of the Environmental Assessment Worksheet will be posted on the Minnesota Pollution Control Agency Web site, at the following: <http://www.pca.state.mn.us/news/eaw/index.html>

**RGU:** Minnesota Pollution Control Agency

**Contact Person:**

Nancy Drach  
Planner Principal  
Environmental Review and Feedlot Section  
Regional Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155-4194  
Phone: 651-297-18236  
Email: [nancy.drach@state.mn.us](mailto:nancy.drach@state.mn.us)

**Project Title: TH 95 Improvement Project Environmental Assessment**

**Description:** The Environmental Assessment (EA) documenting the impacts of the proposed action for the Trunk Highway (TH) 95 Project located in the City of Princeton and Mille Lacs County is available for review. The proposed scope of the project includes reconstructing TH 95 as a four-lane divided roadway from approximately 2,060 feet east of 13<sup>th</sup> Avenue to approximately 1,730 feet west of Mille Lacs County State Aid Highway 31. Left and right turn lanes, frontage roads, and storm water management improvements are also proposed as part of the preferred alternative. Copies of the EA are being distributed to those agencies on the current MEQB document review list and others. The comment period will begin on **September 8, 2008** and will extend through **October 8, 2008**.

Copies of the EA, which documents the purpose and need of the project, alternatives considered, and the anticipated social, economic, and environmental impacts, are available for public review beginning September 8<sup>th</sup> at the following locations:

- Princeton City Hall, 705 2<sup>nd</sup> Street North, Princeton, Minnesota 55371
- Mille Lacs County Highway Department, 565 8<sup>th</sup> Street NE, Minnesota 556353
- Princeton Area Library – 100 4<sup>th</sup> Avenue South, Princeton, Minnesota 55371
- East Central Regional Library – Cambridge Branch, 244 South Birch Street, Cambridge, MN 55008

The EA can be made available in alternative formats to individuals with disabilities by calling Mark Karnowski, Princeton City Administrator at 763-389-2040 or to individuals who are hearing or speech impaired by calling the Minnesota Relay Service at (800)627-3529 or 651-296-9930 TTY.

To afford an opportunity for all interested persons, agencies and groups to comment on the EA, an open house/public hearing meeting has been scheduled for Thursday, September 25, 2008, at the Princeton City Hall, 705 2<sup>nd</sup> Street North, in the City of Princeton. The open house will begin at 6:00 p.m. and the official public hearing will start at 6:30 p.m. Representatives from the City of Princeton, Mille Lacs County, along with their consultant Short Elliott Hendrickson Inc. (SEH), will be present to answer questions during the meeting. Individuals with a disability who need a reasonable accommodation to participate in the public meeting, please contact the City Administrator or through the Minnesota Relay Service at the telephone numbers listed above, as soon as possible.

**Project Proposer:** Mille Lacs County

**RGU:** Minnesota Department of Transportation

**Contact Person:**

Mark Karnowski  
Princeton City Administrator  
705 2<sup>nd</sup> Street North  
Princeton, MN 55371  
Phone: 763-389-2040  
Email: [mark@princetonmn.org](mailto:mark@princetonmn.org)

**Project Title: Settlers Ridge**

**Description:** Settlers Ridge and Settlers Glen are made up of a total of 97.24 acres located in Section, 1, Township 34, Range 26, Livonia Township in Sherburne County, Minnesota. 97.24 acres will be divided into 32 single family residential lots at least 2.5 acres in size and one outlot. The lots will be served by individual private wells and septic systems.

**RGU:** Sherburne County

**Contact Person:**

Lynn Waytashek  
Assistant Zoning Administrator  
13880 Highway 10  
Elk River, MN 55330  
Phone: 763-241-2900  
Fax: 763-241-2910  
Email: [Lynn.Waytashek@co.sherburne.mn.us](mailto:Lynn.Waytashek@co.sherburne.mn.us)

**Project Title: City of Ironton Water Tower Demolition**

**Description:** The City of Ironton anticipates demolishing and removing their old elevated water storage tank (water tower) which is no longer in service. The structure will be completely demolished and removed from the existing site. The water tower is located south of Town Line Road (Twp. Rd. 220) between Irene Ave and Viola Ave.

**RGU:** City of Ironton

**Contact Person:**

Rosemary Caddy  
City Clerk-Treasurer  
P.O.Box 97  
Ironton, MN 56455-0097  
Phone: 218-546-5625

**Project Title: Chandler 115 kV Transmission Line**

**Description:** Great River Energy, wholesale power supplier to Nobles Cooperative Electric and 27 other distribution cooperatives in Minnesota and Wisconsin, is planning to reconstruct and upgrade 1 mile of existing 69 kV (69,000 volt) overhead electric transmission line to a 115 kV (115,000 volt) transmission line. The line is located along the south side of Section 18, T105N, R42W of Fenton Township in Murray County. Due to the age and reliability concerns of this segment of line, it is imperative that it be built as soon as possible. Due to ongoing load growth in the area along with additional interconnections for wind generation, the line will be permitted, designed and constructed to 115 kV standards. It will continue to operate at 69 kV until the adjoining transmission systems are upgraded to 115kV.



A copy of the Environmental Assessment (EA) for the project is available at the Murray County Auditor's Office, and Murray County Environmental Services' Office.

The EA is also available on the Murray County website: <http://murray-countymn.com>

**RGU:** Murray County

**Contact Person:**

Jean Christoffels  
Zoning Administrator  
Murray County  
2500 28<sup>th</sup> Street  
P.O. Box 57  
Slayton, MN 56172  
Phone: 507-836-6148 Ext. 160  
Fax: 507-836-8904  
Email: [jchristoffels@co.murray.mn.us](mailto:jchristoffels@co.murray.mn.us)

## **EAW NEED DECISIONS**

The noted responsible governmental unit has made a decision regarding the need for an EAW in response to a citizen petition.

- Roseville City Council, Applewood Pointe at Langton Lake. Denied.

## **EIS NEED DECISIONS**

The responsible governmental unit has determined the following projects do not require preparation of an EIS. The dates given are, respectively, the date of the determination and the date the EAW notice was published in the *EQB Monitor*.

- Sauk Rapids Township, Kraemer Sauk Rapids Quarry, August 27, 2008, (June 16, 2008).

## **SCOPING EAW and DRAFT SCOPING DECISION DOCUMENT**

**Project Title:** Keetac Mine Expansion Project

**Description:** U. S. Steel proposes to restart and idled production line and expand the mine pit at its Keetac taconite mine and processing facility. The proposed project would increase Keetac's iron pellet production output by 3.6 million long tons to a total output of 9.6 million long tons per year.

The Department of Natural Resources (DNR) and the U. S. Army Corps of Engineers (USACE) are going to prepare a joint Environmental Impact Statement (EIS) that will satisfy both state and federal environmental

review requirements for the project. The DNR and USACE invite comments on the proposed EIS scope during the 30-day scoping period that concludes Wednesday, October 8, 2008, at 4:30 p.m.

The DNR will hold a public scoping meeting on Wednesday, October 1, 2008, beginning at 6:30 p.m., at the Nashwauk-Keewatin High School, 400 Second Street, Nashwauk, Minnesota.

Public review copies of the Scoping EAW and Draft Scoping Decision Document have been placed at the following locations:

DNR Library  
500 Lafayette Road, St. Paul

DNR Regional Headquarters  
1201 East Highway 2, Grand Rapids

Duluth Public Library  
520 West Superior Street, Duluth

Minneapolis Public Library – Technology and Science  
250 Marquette Avenue, Minneapolis

Hibbing Public Library  
2020 E 5<sup>th</sup> Avenue, Hibbing

Keewatin Public Library  
125 3<sup>rd</sup> Avenue West, Keewatin

The Scoping EAW/Draft Scoping Decision Document can also be viewed on DNR's website at [www.dnr.state.mn.us/input/environmentalreview/keetac/index.html](http://www.dnr.state.mn.us/input/environmentalreview/keetac/index.html).

Please address any comments to the contact below, or send an email to [environmental.review@dnr.state.mn.us](mailto:environmental.review@dnr.state.mn.us). Please include the words, "Keetac Mine Expansion Project" in the subject line of the email. All emails should include a name and legal mailing address.

**RGU:** Minnesota Department of Natural Resources

**Contact Person:**

Erik Carlson  
Principal Planner  
Environmental Policy and Review Unit  
MN Department of Natural Resources  
Division of Ecological Services  
500 Lafayette Road, Box 25  
St. Paul, MN 55155-4025  
Phone: 651-259-5162  
Fax: 651-297-1500

## NOTICE OF EIS PREPARATION

**Project Title:** Southwest Transitway

**Description:** The Federal Transit Administration (FTA) and the Hennepin County Regional Railroad Authority (HCRRA) are planning to prepare an environmental impact statement (EIS) for the proposed Southwest Transitway Project, a 14-mile corridor of transportation improvements that links Eden Prairie, Minnetonka,

Edina, Hopkins, St. Louis Park, and Minneapolis neighborhoods and downtown Minneapolis. The EIS will be prepared in accordance with the National Environmental Policy Act (NEPA), Minnesota Environmental Policy Act (MEPA) as well as provisions of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The purpose of this Notice of Intent (NOI) is to alert interested parties regarding the plan to prepare the EIS to provide information on the nature of the proposed transit project, to invite participation in the EIS process, including comments on the scope of the EIS, including the project purpose and need, the alternatives to be studied, and the potential social, economic, environmental and transportation impacts to be evaluated.

**DATES:** Written comments on the scope of the EIS by all interested individuals and organizations, public agencies, and Native American Tribes on the scope of the EIS, including the purpose and need for the proposed action; alternatives that may be less costly or have less environmental or community impacts while achieving similar transportation objectives; and the identification of any significant social, economic, or environmental issues relating to the alternatives are invited. Public scoping meetings will be held to accept comments on the scope of the EIS. The scoping meetings will be composed of a one hour public open house followed by a formal public hearing hosted by the HCRRA and will be held at the following locations on the following dates:

Tuesday, October 7, 2008  
2:00 PM open house  
3:00 PM public hearing  
Hennepin County Government Center  
300 South 6<sup>th</sup> Street  
Minneapolis, MN 55487

Tuesday October 14, 2008  
5:00 PM open house  
6:00 PM public hearing  
St. Louis Park City Hall  
5005 Minnetonka Boulevard  
St. Louis Park, MN 55416

Thursday, October 23, 2008  
5:00 PM open house  
6:00 PM public hearing  
Eden Prairie City Hall  
8080 Mitchell Road  
Eden Prairie, MN 55344

The locations for all scoping meetings are accessible to persons with disabilities. Any individual who requires special assistance, such as a sign language interpreter, to participate in a scoping meeting should contact Ms. Katie Walker, AICP, Transit Project Manager, Hennepin County, Housing, Community Works & Transit, 417 North 5<sup>th</sup> Street, Suite 320, Minneapolis, MN 55401, Telephone: (612) 348-9260; e-mail: Katie.Walker@co.hennepin.mn.us. Requests for special assistance should be made two weeks in advance of the scheduled meeting.

Scoping materials will be available at the meetings and are available by clicking on the Southwest Transitway Web site at [www.southwesttransitway.org](http://www.southwesttransitway.org). Hard copies of the scoping materials are available from Ms. Katie Walker, AICP, at the 417 North 5<sup>th</sup> Street, Suite 320, Minneapolis, MN 55401, Telephone: (612) 348-2190; e-mail: Katie.Walker@co.hennepin.mn.us. An interagency scoping meeting will be scheduled with agencies having an interest in the proposed project.

In addition to receiving comments at the public hearings, the public may submit comments by e-mail, mail, fax, or via the Web site.

**ADDRESSES:**

**WRITTEN COMMENTS SHOULD BE SENT TO:** Ms. Katie Walker, AICP, Transit Project Manager, Hennepin County, Housing, Community Works & Transit, 417 North 5th Street, Suite 320, Minneapolis, MN

55401, Telephone: (612) 348-2190; e-mail: [Katie.Walker@co.hennepin.mn.us](mailto:Katie.Walker@co.hennepin.mn.us);; Fax: (612) 348-9710; or can be made at <[www.southwesttransitway.org](http://www.southwesttransitway.org)>. Comments will be accepted until 5:00 PM on November 7, 2008.

FOR FURTHER INFORMATION, CONTACT: Mr. David Werner at FTA, Region V, 300 West Adams Street, Suite 320, Chicago, Illinois 60606, Telephone: (312) 353-2789; e-mail: [David.Werner@dot.gov](mailto:David.Werner@dot.gov).

#### SUPPLEMENTARY INFORMATION:

The Proposed Project would provide for transit improvements within the Southwest Corridor, which extends approximately 14 miles from downtown Minneapolis to Eden Prairie through St. Louis Park, Hopkins, and Minnetonka. The proposed project was the subject of an Alternatives Analysis (AA), which recommended three light rail transit (LRT) alternatives and one Enhanced Bus alternative for inclusion in an Environmental Impact Statement (EIS). The proposed project would provide high-frequency (7.5 minute peak), bi-directional transit service 20 hours per day seven days per week. Stations are proposed at ½ to 1 mile intervals providing service to key activity centers including, but not limited to, downtown Minneapolis, the new Twins Baseball Stadium, the Walker Art Center, the Minneapolis Convention Center, Eat Street, Uptown, Calhoun Village/Commons, Methodist Hospital, Excelsior/Grand, Cargill, SuperValu, Opus, Golden Triangle, and the Eden Prairie Center Mall.

#### *Purpose and Need for the Project*

The intent of the Southwest Transitway Project is to improve mobility, further develop multi-modal options, and increase transportation choices for the traveling public. The overall goals of the proposed project are to: (1) improve mobility; (2) provide a cost-effective, efficient travel option; (3) protect the environment; (4) preserve and protect the quality of life in the study area and the region; and, (5) support economic development.

The Southwest Transitway was first identified as a potential transitway in the mid-1980s reflecting the projected strong growth for this area by the Metropolitan Council. Since the mid-1980s numerous studies by the Metropolitan Council, Mn/DOT, and Hennepin County have documented the transportation needs of the study area. These studies are available for review at the Southwest Transitway Web site <[www.southwesttransitway.org](http://www.southwesttransitway.org)> The Southwest Transitway is identified in the Metropolitan Council's Transportation Policy Plan (TPP) as a Tier 2 transitway. <[www.metrocouncil.org](http://www.metrocouncil.org)>.

With Southwest Transitway communities projected to encompass 25 percent of the regional employment base by 2030, the Twin Cities region needs to maintain the ability to travel to, from, and through Southwest Transitway communities efficiently, and at acceptable cost. The six communities that make up the Southwest Transitway study area need to accommodate additional transportation capacity while preserving the corridor's business advantages, environmental features, and quality of life for residents.

#### *Additional considerations supporting the project's need include:*

Declining mobility is being experienced by residents, workers and visitors to the study area. This is caused by travel resulting from the high employment and residential growth of the area, which is outstripping the capacity of the existing transportation system. Currently 27 percent of all regional trips begin or end in the corridor and 65 percent of the trips generated within the corridor stay in the corridor. The study area includes two of the region's largest employment centers, downtown Minneapolis with over 140,000 jobs, and Golden Triangle with over 50,000 jobs. Travel on area roadways has increased by 80 to 150 percent over the past 25 years. This has led to increasing congestion with no plans by the state, region or county to significantly expand the roadway system. The area is projected to continue to grow with a significant portion of the 1 million people and 500,000 jobs the region expects to add by 2030 locating within the study area.

Competitive, reliable transit options are not available for many study area choice riders and transit dependent

persons. Due to congested roadways and circuitous roadway networks, it is difficult to provide the significant travel time advantages that would attract choice riders to the transit system and to adequately serve transit-dependent people living in and around downtown Minneapolis attempting to access the growing job base in the study area. The study area roadway network is oriented north-south/east-west where development patterns have radiated outward from downtown Minneapolis on a diagonal. The number of transit-dependent people is growing in the study area, primarily in and around downtown Minneapolis. The roadway network through these neighborhoods is circuitous and has many one-way streets.

#### *Alternatives to be Considered*

After a two-year study of transit alternatives, three light rail transit routes (Build Alternatives) have been identified for further evaluation in the EIS to determine which would best serve the study area. Other alternatives currently under consideration include a future No-Build Alternative, and a Transportation Systems Management (TSM) Alternative, also known as Enhanced Bus.

#### *Build Alternatives to be Considered*

**Light Rail Transit 1A:** This alternative would operate from downtown Minneapolis to Eden Prairie (TH 5) via an extension of the Hiawatha LRT tracks on 5<sup>th</sup> Street past the downtown Minneapolis Intermodal Station to Royalston Avenue to the Kenilworth Corridor through Minneapolis and the HCRRA property through St. Louis Park, Hopkins, Minnetonka and Eden Prairie terminating at TH 5 and the HCRRA's property. Stations are proposed at Royalston Ave., Van White Blvd., Penn Ave., 21<sup>st</sup> St., West Lake St., Beltline Blvd., Wooddale Ave., Louisiana Ave., Blake Rd. downtown Hopkins, Shady Oak Rd., Rowland Rd., TH 62, and TH 5.

**Light Rail Transit 3A:** This alternative would operate from downtown Minneapolis to Eden Prairie (Mitchell Road/TH 5) via an extension of the Hiawatha LRT tracks on 5<sup>th</sup> Street past the downtown Minneapolis Intermodal Station to Royalston Avenue to the Kenilworth Corridor through Minneapolis, the HCRRA property in St. Louis Park and Hopkins, to new right-of-way through the Opus/Golden Triangle area, the Eden Prairie Major Center area terminating at TH 5 and Mitchell Road. Stations are proposed at Royalston Ave., Van White Blvd., Penn Ave., 21<sup>st</sup> St., West Lake St., Beltline Blvd. Wooddale Ave., Louisiana Ave., Blake Rd., downtown Hopkins, Shady Oak Rd., Opus, City West, Golden Triangle, Eden Prairie Town Center, SouthWest Station, and Mitchell Rd.

**Light Rail Transit 3C:** This alternative would operate from downtown Minneapolis to Eden Prairie (Mitchell Road/TH 5) via Nicollet Mall to Nicollet Avenue (tunnel from Franklin Avenue to 28<sup>th</sup> Street), the Midtown Corridor through Minneapolis, the HCRRA property in St. Louis Park and Hopkins, to new right-of-way through the Opus/Golden Triangle, the Eden Prairie Major Center area terminating at TH 5 and Mitchell Road. Stations are proposed at 4<sup>th</sup> St., 8<sup>th</sup> St., 12<sup>th</sup> St., Franklin Ave., 28<sup>th</sup> St., Lyndale Ave., Hennepin Ave., West Lake St., Beltline Blvd., Wooddale Ave., Louisiana Ave., Blake Rd., downtown Hopkins, Shady Oak Rd., Opus, City West, Golden Triangle, Eden Prairie Town Center, SouthWest Station, and Mitchell Rd.

#### *No-Build Alternative*

The No-Build Alternative contemplates roadway and transit facility and service improvements (other than the proposed project) planned, programmed and included in the Financially Constrained Regional Transportation Policy Plan to be implemented by the Year 2030. It includes minor transit service expansions and/or adjustments that reflect a continuation of existing service policies as identified by the Metropolitan Council. The No-Build Alternative serves as the NEPA baseline against which environmental effects of other alternatives, including the proposed project, will be measured.

#### *Transportation Systems Management (TSM) Alternative*

The TSM Alternative (Enhanced Bus) is designed to provide lower cost, operationally-oriented improvements to address the project's purpose and need as much as possible without a major transit investment. It includes minor modifications to the existing express service, and would augment Metro Transit and SouthWest Transit service between Minneapolis and Eden Prairie, Minnetonka, Hopkins, and St. Louis Park. This alternative will serve as the New Starts Baseline against which the cost-effectiveness of the proposed project will be measured, and includes improvements identified in the No-Build Alternative.

In addition to the above described alternatives, other additional reasonable transit alternatives identified through the scoping process that provide similar transportation benefits while reducing or avoiding adverse impacts will be evaluated for potential inclusion in the EIS. Because of the sensitive adjacent land uses located in many parts of this corridor, all alternatives will need to consider a full range of design and mitigation solutions to enlist the support of local communities for the completion of this line.

### *Probable Effects*

#### The EIS Process and the Role of Participating Agencies and the Public

The purpose of the EIS process is to explore in a public setting the effects of the proposed project and its alternatives on the physical, human, and natural environment. The FTA and the HCRRA will evaluate all significant environmental, social, and economic impacts of the construction and operation of the proposed project. Impact areas to be addressed include: transportation; land use, zoning, and economic development; secondary development; land acquisition, displacements, and relocations; cultural resource, including impacts on historical and archaeological resources and parklands/recreation areas; neighborhood compatibility and environmental justice; natural resource impacts including air quality, wetlands, water resources, noise, vibration; energy use; safety and security; wildlife and ecosystems, including endangered species. Measures to avoid, minimize, and mitigate all adverse impacts will be identified and evaluated.

Regulations implementing NEPA, as well as provisions of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), call for public involvement in the EIS process. Section 6002 of SAFETEA-LU requires that FTA and the HCRRA do the following: (1) Extend an invitation to other Federal and non-Federal agencies and Indian tribes that may have an interest in the proposed project to become "participating agencies," (2) provide an opportunity for involvement by participating agencies and the public in helping to define the purpose and need for a proposed project, as well as the range of alternatives for consideration in the EIS, and (3) establish a plan for coordinating public and agency participation in, and comment on, the environmental review process. An invitation to become a participating agency, with the scoping materials appended, will be extended to other Federal and non-Federal agencies and Native American tribes that may have an interest in the proposed project. It is possible that FTA and the HCRRA will not be able to identify all Federal and non-Federal agencies and tribes that may have such an interest. Any Federal or non-Federal agency or tribe interested in the proposed project that does not receive an invitation to become a participating agency should notify, at the earliest opportunity, the Project Manager identified above under ADDRESSES.

A comprehensive public involvement program will be developed and a Coordination Plan for public and interagency involvement will be created and posted on the project Web site at <[www.southwesttransitway.org](http://www.southwesttransitway.org)>.

The public involvement program includes a full range of involvement activities including the project Web site (referenced above); outreach to local officials, community and civic groups, and the public; and development and distribution of project newsletters. Specific mechanisms for involvement will be detailed in the public involvement program.

The public and participating agencies are invited to consider and comment on this preliminary statement of the purpose and need for the proposed Southwest Transitway project. Suggestions for modifications to the statement of purpose and need for the proposed project are welcome and will be given serious consideration. Comments on potentially significant environmental impacts that may be associated with the proposed project and alternatives are also welcome. There will be additional opportunities to participate in the scoping process at the public meetings announced in this notice.

The HCRRA will be seeking New Starts funding for the proposed project under 49 U.S.C. 5309 and, therefore, will be subject to New Starts regulations (49 CFR Part 611). The New Starts regulation requires a planning Alternatives Analysis that leads to the selection of a locally preferred alternative and the inclusion of the locally preferred alternative as part of the long-range transportation plan adopted by the Metropolitan Council. The New Starts regulation also requires the submission of certain project-justification information in support of a request to initiate preliminary engineering, and this information is normally developed in conjunction with the NEPA process. Pertinent New Starts evaluation criteria will be included in the Final EIS.

The EIS will be prepared in accordance with NEPA and its implementing regulations issued by the Council on Environmental Quality (40 CFR parts 1500-1508) and with the FTA/Federal Highway Administration regulations "Environmental Impact and Related Procedures" (23 CFR part 771). In accordance with 23 CFR 771.105(a) and 771.133, FTA will comply with all Federal environmental laws, regulations, and executive orders applicable to the proposed project during the environmental review process to the maximum extent practicable. These requirements include, but are not limited to, the environmental and public hearing provisions of Federal transit laws (49 U.S.C. 5301(e), 5323(b), and 5324), the project-level air quality conformity regulation of the U.S. Environmental Protection Agency (EPA) (40 CFR part 93), the Section 404(b)(1) guidelines of EPA (40 CFR part 230), the regulation implementing Section 106 of the National Historic Preservation Act (36 CFR Part 800), the regulation implementing Section 7 of the Endangered Species Act (50 CFR part 402), Section 4(f) of the Department of Transportation Act (23 CFR 771.135), and Executive Orders 12898 on environmental justice, 11988 on floodplain management, and 11990 on wetlands.

## **NOTICE OF PUBLIC HEARING and ENVIRONMENTAL ASSESSMENT (EA) AVAILABILITY FOR THE WEST BELTLINE PROJECT**

### **Steele County**

Notice is hereby given that a Public Hearing will be held at 7:15 p.m. on September 23 2008 at the Steele County Boardroom located at 630 Florence Avenue, Owatonna, Minnesota. The purpose of the meeting is to gather public comments regarding the construction of CSAH 7/39<sup>th</sup> Avenue/West Beltline project in western Owatonna.

The Public Hearing will be held within a 30-day comment period for the Environment Assessment (EA). The comment period begins on September 8, 2008 and ends on October 8, 2008. The EA will be available for viewing at the following locations:

<http://www.co.steele.mn.us/ENGIN/engin.html>

Steele County Highway Department  
Steele County Annex  
635 Florence Avenue  
Owatonna, MN 55060

Owatonna Public Library  
105 North Elm Avenue  
Owatonna, MN 55060

The preferred alternative consists of constructing a new, 10-ton, two-lane, collector, rural roadway connecting SW 18<sup>th</sup> Street and existing US Highway 14 West on the west side of Owatonna including an overpass of the DM&E Railroad.

Questions regarding this project can be directed to:

Anita Benson, P.E.  
Steele County Engineer  
Phone: 50-444-7670

## NOTICES

### Notification of Releases of Genetically Engineered Organisms

File Number	Company	Crop	Project	County
08-NO-084	Syngenta	Corn	Insect Resistance	Goodhue

For more information contact Mary Hanks, Minnesota Department of Agriculture, 625 Robert St N., St. Paul, MN 55155, 651/201-6277, [mary.hanks@state.mn.us](mailto:mary.hanks@state.mn.us).

### Public Meeting Notice – North Central Regional Landscape Committee Minnesota Forest Resources Council

The North Central Regional Landscape Committee of the Minnesota Forest Resources Council (MFRC) will meet on Wednesday, September 10, 2008, from 9:30 a.m. – 2:00 p.m. in Grand Rapids at the Forest History Center.

For more information, please contact Lindberg Ekola at (320) 256-8300 or go to the calendar on the MFRC website at <http://www.frc.state.mn.us>.

### Public Meeting Notice – Northeast Regional Landscape Committee Minnesota Forest Resources Council

The Northeast Regional Landscape Committee of the Minnesota Forest Resources Council (MFRC) will meet on Wednesday, September 24, 2008, from 9:30 a.m. – 3:00 p.m. in Duluth at the Natural Resources Institute (NRRI) building.

For more information, please contact Lindberg Ekola at (320) 256-8300 or go to the calendar on the MFRC website at <http://www.frc.state.mn.us>.



**September 23, 2008**  
**Federal Register Notice of Intent**



of American Statistical Association, June 1971). A 1964 California Driver Record Study prepared by the California Department of Motor Vehicles concluded that the best overall crash predictor for both concurrent and nonconcurrent events is the number of single convictions. This study used 3 consecutive years of data, comparing the experiences of drivers in the first 2 years with their experiences in the final year.

Applying principles from these studies to the past 3-year record of the 23 applicants, two of the applicants had a traffic violation for speeding, one of the applicants had a traffic violation for failure unsafe lane changes, one of the applicants had a traffic violation for following another vehicle too closely, and four of the applicants were involved in crashes. The applicants achieved this record of safety while driving with their vision impairment, demonstrating the likelihood that they have adapted their driving skills to accommodate their condition. As the applicants' ample driving histories with their vision deficiencies are good predictors of future performance, FMCSA concludes their ability to drive safely can be projected into the future.

We believe the applicants' intrastate driving experience and history provide an adequate basis for predicting their ability to drive safely in interstate commerce. Intrastate driving, like interstate operations, involves substantial driving on highways on the interstate system and on other roads built to interstate standards. Moreover, driving in congested urban areas exposes the driver to more pedestrian and vehicular traffic than exists on interstate highways. Faster reaction to traffic and traffic signals is generally required because distances between them are more compact. These conditions tax visual capacity and driver response just as intensely as interstate driving conditions. The veteran drivers in this proceeding have operated CMVs safely under those conditions for at least 3 years, most for much longer. Their experience and driving records lead us to believe that each applicant is capable of operating in interstate commerce as safely as he/she has been performing in intrastate commerce. Consequently, FMCSA finds that exempting these applicants from the vision standard in 49 CFR 391.41(b)(10) is likely to achieve a level of safety equal to that existing without the exemption. For this reason, the Agency is granting the exemptions for the 2-year period allowed by 49 U.S.C. 31136(e) and 31315 to 67 of the 23 applicants listed in the notice of August 12, 2008 (73 FR 46973).

We recognize that the vision of an applicant may change and affect his/her ability to operate a CMV as safely as in the past. As a condition of the exemption, therefore, FMCSA will impose requirements on the 23 individuals consistent with the grandfathering provisions applied to drivers who participated in the Agency's vision waiver program.

Those requirements are found at 49 CFR 391.64(b) and include the following: (1) That each individual be physically examined every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard in 49 CFR 391.41(b)(10), and (b) by a medical examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

#### Discussion of Comments

FMCSA received one comment in this proceeding. The comment was considered and discussed below.

Advocates for Highway and Auto Safety (Advocates) expressed opposition to FMCSA's policy to grant exemptions from the FMCSRs, including the driver qualification standards. Specifically, Advocates: (1) objects to the manner in which FMCSA presents driver information to the public and makes safety determinations; (2) objects to the Agency's reliance on conclusions drawn from the vision waiver program; (3) claims the Agency has misinterpreted statutory language on the granting of exemptions (49 U.S.C. 31136(e) and 31315); and finally (4) suggests that a 1999 Supreme Court decision affects the legal validity of vision exemptions.

The issues raised by Advocates were addressed at length in 64 FR 51568 (September 23, 1999), 64 FR 66962 (November 30, 1999), 64 FR 69586 (December 13, 1999), 65 FR 159 (January 3, 2000), 65 FR 57230 (September 21, 2000), and 66 FR 13825 (March 7, 2001). We will not address these points again here, but refer interested parties to those earlier discussions.

#### Conclusion

Based upon its evaluation of the 23 exemption applications, FMCSA exempts, William C. Ball, Terrence L. Benning, Rickie L. Boone, Robert S. Bowen, Dennis R. Buszkiewicz, Larry T. Byrley, Robert J. Clarke, Eldon D. Cochran, Alfred A. Constantino, James R. Corley, Larry D. Curry, Brian F. Denning, Michael W. Dillard, Kelly M. Greene, Sammy K. Hines, John H. Holmberg, Gary R. Lomen, Leonardo Lopez, Jr., Jeffrey F. Meier, James G. Mitchell, Billy R. Pierce, James A. Rapp, and Thomas P. Shank from the vision requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above (49 CFR 391.64(b)).

In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for 2 years unless revoked earlier by FMCSA. The exemption will be revoked if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136 and 31315.

If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: September 17, 2008.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

[FR Doc. E8-22226 Filed 9-22-08; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Preparation of an Environmental Impact Statement on the Proposed Southwest Transitway Project in Hennepin, Minnesota

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Notice of Intent to Prepare an Environmental Impact Statement on the Proposed Southwest Transitway Project in Hennepin County, Minnesota.

**SUMMARY:** The Federal Transit Administration (FTA) and the Hennepin County Regional Railroad Authority (HCRRA) are planning to prepare an environmental impact statement (EIS) for the proposed Southwest Transitway Project, a 14-mile corridor of transportation improvements that links Eden Prairie, Minnetonka, Edina, Hopkins, St. Louis Park, and Minneapolis neighborhoods and

downtown Minneapolis. The EIS will be prepared in accordance with the National Environmental Policy Act (NEPA), Minnesota Environmental Policy Act (MEPA) as well as provisions of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The purpose of this Notice of Intent (NOI) is to alert interested parties regarding the plan to prepare the EIS to provide information on the nature of the proposed transit project, to invite participation in the EIS process, including comments on the scope of the EIS, including the project purpose and need, the alternatives to be studied, and the potential social, economic, environmental and transportation impacts to be evaluated.

**DATES:** Written comments on the scope of the EIS by all interested individuals and organizations, public agencies, and Native American Tribes on the scope of the EIS, including the purpose and need for the proposed action; alternatives that may be less costly or have less environmental or community impacts while achieving similar transportation objectives; and the identification of any significant social, economic, or environmental issues relating to the alternatives are invited. Public scoping meetings will be held to accept comments on the scope of the EIS. The scoping meetings will be composed of a one hour public open house followed by a formal public hearing hosted by the HCRRRA and will be held at the following locations on the following dates:

*Tuesday, October 7, 2008:* 2 p.m. open house, 3 p.m. public hearing, Hennepin County Government Center, 300 South 6th Street, Minneapolis, MN 55487.

*Tuesday October 14, 2008:* 5 p.m. open house, 6 p.m. public hearing, St. Louis Park City Hall, 5005 Minnetonka Boulevard, St. Louis Park, MN 55416.

*Thursday, October 23, 2008:* 5 p.m. open house, 6 p.m. public hearing, Eden Prairie City Hall, 8080 Mitchell Road, Eden Prairie, MN 55344

The locations for all scoping meetings are accessible to persons with disabilities. Any individual who requires special assistance, such as a sign language interpreter, to participate in a scoping meeting should contact Ms. Katie Walker, AICP, Transit Project Manager, Hennepin County, Housing, Community Works & Transit, 417 North 5th Street, Suite 320, Minneapolis, MN 55401, Telephone: (612) 348-9260; e-mail: [Katie.Walker@co.hennepin.mn.us](mailto:Katie.Walker@co.hennepin.mn.us). Requests for special assistance should

be made two weeks in advance of the scheduled meeting.

Scoping materials will be available at the meetings and are available by clicking on the Southwest Transitway Web site at [www.southwesttransitway.org](http://www.southwesttransitway.org). Hard copies of the scoping materials are available from Ms. Katie Walker, AICP, at 417 North 5th Street, Suite 320, Minneapolis, MN 55401, Telephone: (612) 348-2190; e-mail: [Katie.Walker@co.hennepin.mn.us](mailto:Katie.Walker@co.hennepin.mn.us). An interagency scoping meeting will be scheduled with agencies having an interest in the proposed project.

In addition to receiving comments at the public hearings, the public may submit comments by e-mail, mail, fax, or via the Web site.

**ADDRESSES:** *Written Comments Should Be Sent To:* Ms. Katie Walker, AICP, Transit Project Manager, Hennepin County, Housing, Community Works & Transit, 417 North 5th Street, Suite 320, Minneapolis, MN 55401, Telephone: (612) 348-2190; e-mail: [Katie.Walker@co.hennepin.mn.us](mailto:Katie.Walker@co.hennepin.mn.us); Fax: (612) 348-9710; or can be made at [www.southwesttransitway.org](http://www.southwesttransitway.org). Comments will be accepted until 5 PM on November 7, 2008.

**FOR FURTHER INFORMATION, CONTACT:** Mr. David Werner at FTA, Region V, 200 West Adams Street, Suite 320, Chicago, Illinois 60606, Telephone: (312) 353-2789; e-mail: [David.Werner@dot.gov](mailto:David.Werner@dot.gov).

**SUPPLEMENTARY INFORMATION:** The Proposed Project would provide for transit improvements within the Southwest Corridor, which extends approximately 14 miles from downtown Minneapolis to Eden Prairie through St. Louis Park, Hopkins, and Minnetonka. The proposed project was the subject of an Alternatives Analysis (AA), which recommended three light rail transit (LRT) alternatives and one Enhanced Bus alternative for inclusion in an Environmental Impact Statement (EIS). The proposed project would provide high-frequency (7.5 minute peak), bi-directional transit service 20 hours per day seven days per week. Stations are proposed at ½ to 1 mile intervals providing service to key activity centers including, but not limited to, downtown Minneapolis, the new Twins Baseball Stadium, the Walker Art Center, the Minneapolis Convention Center, Eat Street, Uptown, Calhoun Village/ Commons, Methodist Hospital, Excelsior/Grand, Cargill, SuperValu, Opus, Golden Triangle, and the Eden Prairie Center Mall.

### Purpose and Need for the Project

The intent of the Southwest Transitway Project is to improve mobility, further develop multi-modal options, and increase transportation choices for the traveling public. The overall goals of the proposed project are to: (1) Improve mobility; (2) provide a cost-effective, efficient travel option; (3) protect the environment; (4) preserve and protect the quality of life in the study area and the region; and, (5) support economic development.

The Southwest Transitway was first identified as a potential transitway in the mid-1980s reflecting the projected strong growth for this area by the Metropolitan Council. Since the mid-1980s numerous studies by the Metropolitan Council, Mn/DOT, and Hennepin County have documented the transportation needs of the study area. These studies are available for review at the Southwest Transitway Web site [www.southwesttransitway.org](http://www.southwesttransitway.org). The Southwest Transitway is identified in the Metropolitan Council's Transportation Policy Plan (TPP) as a Tier 2 transitway [www.metrocouncil.org](http://www.metrocouncil.org).

With Southwest Transitway communities projected to encompass 25 percent of the regional employment base by 2030, the Twin Cities region needs to maintain the ability to travel to, from, and through Southwest Transitway communities efficiently, and at acceptable cost. The six communities that make up the Southwest Transitway study area need to accommodate additional transportation capacity while preserving the corridor's business advantages, environmental features, and quality of life for residents.

*Additional considerations supporting the project's need include:*

Declining mobility is being experienced by residents, workers and visitors to the study area. This is caused by travel resulting from the high employment and residential growth of the area, which is outstripping the capacity of the existing transportation system. Currently 27 percent of all regional trips begin or end in the corridor and 65 percent of the trips generated within the corridor stay in the corridor. The study area includes two of the region's largest employment centers, downtown Minneapolis with over 140,000 jobs, and Golden Triangle with over 50,000 jobs. Travel on area roadways has increased by 80 to 150 percent over the past 25 years. This has led to increasing congestion with no plans by the state, region or county to significantly expand the roadway system. The area is projected to

continue to grow with a significant portion of the 1 million people and 500,000 jobs the region expects to add by 2030 locating within the study area.

Competitive, reliable transit options are not available for many study area choice riders and transit dependent persons. Due to congested roadways and circuitous roadway networks, it is difficult to provide the significant travel time advantages that would attract choice riders to the transit system and to adequately serve transit-dependent people living in and around downtown Minneapolis attempting to access the growing job base in the study area. The study area roadway network is oriented north-south/east-west where development patterns have radiated outward from downtown Minneapolis on a diagonal. The number of transit-dependent people is growing in the study area, primarily in and around downtown Minneapolis. The roadway network through these neighborhoods is circuitous and has many one-way streets.

#### **Alternatives To Be Considered**

After a two-year study of transit alternatives, three light rail transit routes (Build Alternatives) have been identified for further evaluation in the EIS to determine which would best serve the study area. Other alternatives currently under consideration include a future No-Build Alternative, and a Transportation Systems Management (TSM) Alternative, also known as Enhanced Bus.

#### **Build Alternatives To Be Considered**

*Light Rail Transit 1A:* This alternative would operate from downtown Minneapolis to Eden Prairie (TH 5) via an extension of the Hiawatha LRT tracks on 5th Street past the downtown Minneapolis Intermodal Station to Royalston Avenue to the Kenilworth Corridor through Minneapolis and the HCRRA property through St. Louis Park, Hopkins, Minnetonka and Eden Prairie terminating at TH 5 and the HCRRA's property. Stations are proposed at Royalston Ave., Van White Blvd., Penn Ave., 21st St., West Lake St., Beltline Blvd., Wooddale Ave., Louisiana Ave., Blake Rd. downtown Hopkins, Shady Oak Rd., Rowland Rd., TH 62, and TH 5.

*Light Rail Transit 3A:* This alternative would operate from downtown Minneapolis to Eden Prairie (Mitchell Road/TH 5) via an extension of the Hiawatha LRT tracks on 5th Street past the downtown Minneapolis Intermodal Station to Royalston Avenue to the Kenilworth Corridor through Minneapolis, the HCRRA property in St.

Louis Park and Hopkins, to new right-of-way through the Opus/Golden Triangle area, the Eden Prairie Major Center area terminating at TH 5 and Mitchell Road. Stations are proposed at Royalston Ave., Van White Blvd., Penn Ave., 21st St., West Lake St., Beltline Blvd. Wooddale Ave., Louisiana Ave., Blake Rd., downtown Hopkins, Shady Oak Rd., Opus, City West, Golden Triangle, Eden Prairie Town Center, SouthWest Station, and Mitchell Rd.

*Light Rail Transit 3C:* This alternative would operate from downtown Minneapolis to Eden Prairie (Mitchell Road/TH 5) via Nicollet Mall to Nicollet Avenue (tunnel from Franklin Avenue to 28th Street), the Midtown Corridor through Minneapolis, the HCRRA property in St. Louis Park and Hopkins, to new right-of-way through the Opus/Golden Triangle, the Eden Prairie Major Center area terminating at TH 5 and Mitchell Road. Stations are proposed at 4th St., 8th St., 12th St., Franklin Ave., 28th St., Lyndale Ave., Hennepin Ave., West Lake St., Beltline Blvd., Wooddale Ave., Louisiana Ave., Blake Rd., downtown Hopkins, Shady Oak Rd., Opus, City West, Golden Triangle, Eden Prairie Town Center, SouthWest Station, and Mitchell Rd.

#### **No-Build Alternative**

The No-Build Alternative contemplates roadway and transit facility and service improvements (other than the proposed project) planned, programmed and included in the Financially Constrained Regional Transportation Policy Plan to be implemented by the Year 2030. It includes minor transit service expansions and/or adjustments that reflect a continuation of existing service policies as identified by the Metropolitan Council. The No-Build Alternative serves as the NEPA baseline against which environmental effects of other alternatives, including the proposed project, will be measured.

#### **Transportation Systems Management (TSM) Alternative**

The TSM Alternative (Enhanced Bus) is designed to provide lower cost, operationally-oriented improvements to address the project's purpose and need as much as possible without a major transit investment. It includes minor modifications to the existing express service, and would augment Metro Transit and SouthWest Transit service between Minneapolis and Eden Prairie, Minnetonka, Hopkins, and St. Louis Park. This alternative will serve as the New Starts Baseline against which the cost-effectiveness of the proposed project will be measured, and includes

improvements identified in the No-Build Alternative.

In addition to the above described alternatives, other additional reasonable transit alternatives identified through the scoping process that provide similar transportation benefits while reducing or avoiding adverse impacts will be evaluated for potential inclusion in the EIS. Because of the sensitive adjacent land uses located in many parts of this corridor, all alternatives will need to consider a full range of design and mitigation solutions to enlist the support of local communities for the completion of this line.

#### **Probable Effects**

##### *The EIS Process and the Role of Participating Agencies and the Public*

The purpose of the EIS process is to explore in a public setting the effects of the proposed project and its alternatives on the physical, human, and natural environment. The FTA and the HCRRA will evaluate all significant environmental, social, and economic impacts of the construction and operation of the proposed project. Impact areas to be addressed include: transportation; land use, zoning, and economic development; secondary development; land acquisition, displacements, and relocations; cultural resource, including impacts on historical and archaeological resources and parklands/recreation areas; neighborhood compatibility and environmental justice; natural resource impacts including air quality, wetlands, water resources, noise, vibration; energy use; safety and security; wildlife and ecosystems, including endangered species. Measures to avoid, minimize, and mitigate all adverse impacts will be identified and evaluated.

Regulations implementing NEPA, as well as provisions of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), call for public involvement in the EIS process. Section 6002 of SAFETEA-LU requires that FTA and the HCRRA do the following: (1) Extend an invitation to other Federal and non-Federal agencies and Indian tribes that may have an interest in the proposed project to become "participating agencies," (2) provide an opportunity for involvement by participating agencies and the public in helping to define the purpose and need for a proposed project, as well as the range of alternatives for consideration in the EIS, and (3) establish a plan for coordinating public and agency participation in, and comment on, the environmental review process. An

invitation to become a participating agency, with the scoping materials appended, will be extended to other Federal and non-Federal agencies and Native American tribes that may have an interest in the proposed project. It is possible that FTA and the HCRRRA will not be able to identify all Federal and non-Federal agencies and tribes that may have such an interest. Any Federal or non-Federal agency or tribe interested in the proposed project that does not receive an invitation to become a participating agency should notify, at the earliest opportunity, the Project Manager identified above under ADDRESSES.

A comprehensive public involvement program will be developed and a Coordination Plan for public and interagency involvement will be created and posted on the project Web site at [www.southwesttransitway.org](http://www.southwesttransitway.org).

The public involvement program includes a full range of involvement activities including the project Web site (referenced above); outreach to local officials, community and civic groups, and the public; and development and distribution of project newsletters. Specific mechanisms for involvement will be detailed in the public involvement program.

The public and participating agencies are invited to consider and comment on this preliminary statement of the purpose and need for the proposed Southwest Transitway project. Suggestions for modifications to the statement of purpose and need for the proposed project are welcome and will be given serious consideration. Comments on potentially significant environmental impacts that may be associated with the proposed project and alternatives are also welcome. There will be additional opportunities to participate in the scoping process at the public meetings announced in this notice.

The HCRRRA will be seeking New Starts funding for the proposed project under 49 U.S.C. 5309 and, therefore, will be subject to New Starts regulations (49 CFR Part 611). The New Starts regulation requires a planning Alternatives Analysis that leads to the selection of a locally preferred alternative and the inclusion of the locally preferred alternative as part of the long-range transportation plan adopted by the Metropolitan Council. The New Starts regulation also requires the submission of certain project-justification information in support of a request to initiate preliminary engineering, and this information is normally developed in conjunction with the NEPA process. Pertinent New Starts

evaluation criteria will be included in the Final EIS.

The EIS will be prepared in accordance with NEPA and its implementing regulations issued by the Council on Environmental Quality (40 CFR parts 1500–1508) and with the FTA/Federal Highway Administration regulations “Environmental Impact and Related Procedures” (23 CFR part 771). In accordance with 23 CFR 771.105(a) and 771.133, FTA will comply with all Federal environmental laws, regulations, and executive orders applicable to the proposed project during the environmental review process to the maximum extent practicable. These requirements include, but are not limited to, the environmental and public hearing provisions of Federal transit laws (49 U.S.C. 5301(e), 5323(b), and 5324), the project-level air quality conformity regulation of the U.S. Environmental Protection Agency (EPA) (40 CFR part 93), the Section 404(b)(1) guidelines of EPA (40 CFR part 230), the regulation implementing Section 106 of the National Historic Preservation Act (36 CFR part 800), the regulation implementing Section 7 of the Endangered Species Act (50 CFR part 402), Section 4(f) of the Department of Transportation Act (23 CFR 771.135), and Executive Orders 12898 on Environmental justice, 11988 on Floodplain Management, and 11990 on Wetlands.

Issued on September 18, 2008.

**Marisol R. Simon,**

*Regional Administrator, Region V, Federal Transit Administration.*

[FR Doc. E8–22257 Filed 9–22–08; 8:45 am]

**BILLING CODE 4910–57–P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the information collection abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and approval. The nature of the information collection is described as well as its expected burden. The **Federal Register** Notice with a 60-day comment period

soliciting comments on the following collection of information was published on June 18, 2008, and comments were due by August 18, 2008. No comments were received.

**DATES:** Comments must be submitted on or before October 23, 2008.

#### FOR FURTHER INFORMATION CONTACT:

Elizabeth Gearhart, Maritime Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202–366–1867; or e-mail: [beth.gearhart@dot.gov](mailto:beth.gearhart@dot.gov). Copies of this collection also can be obtained from that office.

**SUPPLEMENTARY INFORMATION:** Maritime Administration (MARAD).

*Title:* Shipbuilding Orderbook and Shipyard Employment.

*OMB Control Number:* 2133–0029.

*Type Of Request:* Extension of currently approved collection.

*Affected Public:* Owners of U.S. shipyards who agree to complete the requested information.

*Forms:* MA–832.

*Abstract:* MARAD collects this information from the shipbuilding and ship repair industry primarily to determine if an adequate mobilization base exists for national defense and for use in a national emergency.

*Annual Estimated Burden Hours:* 400 hours.

*Addresses:* Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention MARAD Desk Officer.

*Comments Are Invited On:* Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency’s estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication.

**Authority:** 49 CFR 1.66.

Issued in Washington, DC on September 15, 2008.

**Leonard Sutter,**

*Secretary, Maritime Administration.*

[FR Doc. E8–22135 Filed 9–22–08; 8:45 am]

**BILLING CODE 4910–81–P**

**August 23, 2008**  
**Finance and Commerce Notice**





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## Official Publication

Saturday 11/08

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Official Publication

**MINNEAPOLIS HERITAGE PRESERVATION COMMISSION ROOM 317, CITY HALL 350 SOUTH FIFTH STREET  
 MINNEAPOLIS, MN 55415-1385 REGULAR MEETING TUESDAY, NOVEMBER 18, 2008 4:30 P.M. AGENDA**

(Published in Finance and Commerce November 8, 2008)

**Board Membership:** Mr. Chad Larsen, Mr. John Crippen, Ms. Denita Lemmon, Ms. Kathleen Anderson, Ms. Meghan Elliott, Ms. Christina Harrison, Mr. Kevin Kelley, Ms. Ginny Lackovic, Ms. Linda Mack, and Ms. Deborah Morse-Kahn. **Committee Clerk:** Diana Armstrong, 612.673.2615

### CALL TO ORDER

Roll Call Petitions and Communications Approval of Agenda Approval of Actions from October 28, 2008, HPC meeting.

### PUBLIC HEARINGS

• Reminder to applicants and others that if they are going to speak at the public hearing, please sign in on the sheet outside of the door and speak clearly into the microphone. • Reminder to applicants and others, please contact staff after the hearing with any questions regarding their projects. • Reminder that food and beverages are prohibited from the Council Chambers. For Presentation 1, 88 North 17th Street, Basilica of Saint Mary -- Individual Landmark, Ward 7 Staff: Brian Schaffer, 612.673.2670 Certificate of Appropriateness to allow for a new freestanding ground sign containing an internally illuminated sign cabinet.

### INFORMATION ITEMS

2. Update on Demolition Permits Staff: Brian Schaffer, 612.673.2670 New Business Adjournment The Next Regular Heritage Preservation Commission Meeting December 2, 2008 The Chair reserves the right to limit discussion on Agenda items. Heritage Preservation Commission decisions are final unless appealed. **Attention:** The meeting site is wheelchair accessible: if you need other disability related accommodations, such as a sign language interpreter or materials in alternative format, please contact 612.673.3220 (673.2157) TTY/VOICE at least five days prior to the meeting. **Attention:** If you want help translating this information, call Hmong - Ceeb toom. Yog koj xav tau kev pab txais cov xov no rau koy dawb, hu 612.673.2800; Spanish - Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612.673.2700; Somali - Ogow. Haddii aad dooneyso in lagna kaalneyo tarjammada macluumaadkani oo kacag la' aan wac 612.673.3500.

22183278

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Official Publication

### ADVERTISEMENT FOR BIDS

Sealed bids will be received in the office of the City Purchasing, 330 Second Avenue South -- Suite 552, Minneapolis, MN 55401, until 10:00 AM, CST, December 3, 2008 on Off. Publ. No. 7062 -- BIDS FOR IMPACTED SOIL REMOVAL -- BLANCHARD SITE all in accordance with plans and specifications available from the office of City Purchasing. **NO CHARGE. LIMIT 1 SET PER CUSTOMER. PLANS CAN NOT BE MAILED.** Scope of Work Includes: Mobilize and receive the appropriate permits to excavate, transport, and dispose of approximately 2,500 cubic yards (3,800 tons) of impacted soil as daily cover at disposal facility or as industrial waste at a disposal facility. Load, transport and dispose of two stockpiles of concrete rubble with rebar located on the project site. Load, transport, place (as backfill), and compact supplied material from Owner. Implement the erosion control plan, restore areas that were disturbed and provide daily cleaning/sweeping of affected streets and sidewalks.

City of Minneapolis Purchasing Department (Published in Finance and Commerce November 8 and November 22, 2008)

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Official Publication

### ADVERTISEMENT FOR BIDS

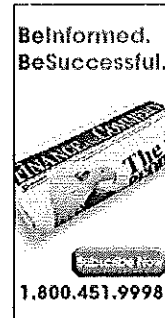
Sealed bids will be received in the office of the City Purchasing Agent, 330 Second Avenue South -- Suite 552, Minneapolis, MN 55401, until 10:00 AM, CST, December 3, 2008 on Off. Publ. No. 7063 -- BIDS FOR RESTROOM REMODELING all in accordance with plans and specifications available from Engineering Repro Systems, 3005 Ranchview Lane North, Plymouth, MN 55447. For orders by phone call (763) 695-5900 upon payment of \$50.00 per set **NON REFUNDABLE**. There will be a separate Non-Refundable mailing fee. A Mandatory Pre-Bid Conference will be held at 10:00 AM, CST, on November 19, 2008 in Room 132 City Hall, 350 South 5th Street, Minneapolis, MN. Scope of Work Includes: The demolition of existing plumbing, new plumbing including fixtures, providing and installing a cementitious floor topping, floor and wall tile and toilet partitions. The work includes transport and disposal of demolition materials, onsite safety requirements and mitigation of onsite nuisance conditions such as dust, noise, etc. Bid documents will be available for review at the NAMC, 4801 4th Avenue South, F.W. Dodge Corporation, Minneapolis and St. Paul Builders Exchanges and MEDA Minority Contractors Plan Room. **NOTE:** The documents issued to the plan rooms are for information **ONLY**. If you intend to submit a bid on a City of Minneapolis project, you must obtain the documents from the distribution point indicated on the Call for Bids, to ensure having complete project/bidding information.

City of Minneapolis Purchasing Department (Published in Finance and Commerce November 8 and November 22, 2008)

22183564

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## ADVERTISEMENT FOR BIDS

NOTE: The Purchasing & Contract Services office has moved from the 22nd floor to the 17th floor of the Administration Tower, Hennepin County Government Center. The Bid Opening Room is still located on the 22nd floor of the Administration Tower. Sealed proposals may be mailed before the bid opening date to Hennepin County Purchasing & Contract Services, A-1705 Government Center, Minneapolis, Minnesota, 55487-0175; or, sealed proposals may be received at the 22nd floor reception area of the Government Center, Administration Tower, or in the 17th floor Purchasing & Contract Services office, until 2:00 p.m., Tuesday, November 18, 2008, at which time they will be publicly opened and read aloud for:

1. Parts — Captive for Ford, GM & Chrysler Contract # 2567A8

in accordance with specifications and bid forms available from A-1705 Government Center, Minneapolis, MN 55487-0175

(Published in Finance and Commerce Saturday, November 8, 2008, Tuesday, November 11, 2008)

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## REGIONAL RAILROAD AUTHORITY

Tuesday, October 21, 2008

(Published in Finance and Commerce Saturday, November 8, 2008)

Minneapolis, Minnesota Tuesday, October 21, 2008 The Board of Commissioners of the Hennepin County Regional Railroad Authority met in the Hennepin County Government Center on October 21, 2008. The meeting was called to order at 3:09 p.m. by Chair Peter McLaughlin. All commissioners were present, except Commissioners Opat and Stenglein who joined the meeting while in progress. The following business was transacted: 1. Approval of Agenda Moved by Commissioner Dorfman, seconded by Commissioner Johnson. There were 5 YEAS; 0 NAYS; Opat/Stenglein ABSENT. Motion adopted. 2. Minutes of October 7, 2008 Meeting Moved by Commissioner Kobbick, seconded by Commissioner Dorfman. There were 5 YEAS; 0 NAYS; Opat/Stenglein ABSENT. Motion adopted. 3. Claims Register for period ending October 14, 2008 (08-HCRRRA-50) Moved by Commissioner Kobbick, seconded by Commissioner Dorfman. There were 5 YEAS; 0 NAYS; Opat/Stenglein ABSENT. Motion adopted. 4. Removal of Dakota Rail Corridor bridge deck and piers at CSAH 92 (NTE \$35,000) (08-HCRRRA-51) Moved by Commissioner Steele, seconded by Commissioner Kobbick. There were 6 YEAS; 0 NAYS; Opat ABSENT. Motion adopted. 5. Corridor Updates Marthand Nookala, Assistant County Administrator-Public Works, updated the commissioners on various HCRRRA corridors (attached). Joe Gladke, Administrative Manager, Engineering and Transit Planning, Housing, Community Works and Transit provided an update on Bottineau Boulevard. 6. Negotiate Agmt A081882 with HDR Engineering, Inc for stakeholder workshops and concept plan for the Intermodal Station, 10/21/08-3/1/09 (NTE \$55,000) (08-HCRRRA-52) Phil Eckhart, Director, Housing, Community Works and Transit addressed the board about the resolution. Debra Brisk, Project Manager, HDR Engineering Inc., presented on Intermodal Facility Minneapolis. Moved by Commissioner Dorfman, seconded by Commissioner Johnson. There were 6 YEAS; 0 NAYS; Kobbick ABSENT. Motion adopted. Commissioner Steele moved to adjourn at 4:06 p.m.; seconded by Commissioner Opat. Motion to adjourn adopted unanimously.

PETER McLAUGHLIN,

Chair.

## HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY CORRIDOR REPORT October 21, 2008

**Hiawatha Corridor Ridership.** Metro Transit is reporting the September 2008 monthly ridership on the Hiawatha LRT line as approximately 982,000 passengers. The budgeted ridership was 973,000. Metro Transit has submitted 90% complete plans for review and comment for expansion of 10 of the existing 17 Hiawatha LRT stations. This expansion will allow for three car operations in the future. Design work will be completed in late 2008 with construction beginning in the spring of 2009. These plans include the new station at 34th Avenue and American Boulevard in Bloomington. **Northstar Corridor Station Construction Activities.** Construction is underway at the Big Lake, Elk River, Anoka, and Coon Rapids Stations. **Downtown Construction** On 5th Street between 1st and 2nd Avenue, embedded trackwork is in progress. Rail installation is complete on the 5th Street Bridge over I-394. Work continues on LRT station platform and track installation on the 5th Street bridge over the Burlington Northern Santa Fe tracks. Concrete work on the commuter rail platform is nearly complete. Ballasted track and special track work construction is in progress west of the station platform. Embedded trackwork is in progress under the ballpark. **Locomotives** On October 2, 2008, the first of five MP-36 locomotives was delivered from Motive Power Inc. of Boise Idaho. The vehicle is being stored at the vehicle maintenance facility in Big Lake. **Central Corridor Work** continues on the design options for the Washington Avenue Transit Mall. Discussions continue on a development and construction agreement between the Metropolitan Council, the University of Minnesota, Hennepin County, Hennepin County Regional Railroad Authority, and the City of Minneapolis for the area near the University of Minnesota Campus. **Cedar Avenue Corridor – Bus Rapid Transit (BRT)** Dakota County continues to coordinate the Cedar Avenue BRT study with the Urban Partnership Agreement planned station area improvements along the corridor. Environmental work for the Cedar Grove Station is underway. An Architecture and Engineering Services contract for the Apple Valley Station is being finalized and land acquisition for this station has been completed. All property for station area development is expected to be purchased by February of 2009 and station construction is expected to be complete by September of 2009. Roadway intersection layouts (including BRT shoulder lanes) have been developed and approved by the Dakota County Regional Railroad Authority. Environmental Documentation is expected to be completed by the end of 2008. Final Roadway Design is underway with 95 percent plans scheduled for completion by December 2009 and roadway construction planned for 2010. **Bottineau Corridor** The Bottineau Transitway Alternatives Analysis Study is progressing into stage 2 of a 4 stage study process. Stage 2 of the study is focused on continued scoping and detailed definition of BRT and LRT alignment alternatives in collaboration with study area stakeholders. Technical methods are being developed which will guide the technical analysis of the alternatives. Meetings continue with the various cities along the corridor to define project alignments, stations, and park and ride facilities. Documentation related to the recently completed stage 1 study effort is currently being finalized based on Federal Transit Administration (FTA) review comments and will be shared with stakeholders in the Fall of 2008. This includes *Technical Memorandum No. 2 (Purpose and Need, Goals and Objectives and Evaluation Measures)* and the *Alternatives Analysis Initiation Package* which documents the selection of preferred alternatives that will move forward into more detailed study. **Southwest Corridor** The Southwest Transitway has launched the Draft Environmental Impact Statement (DEIS), which is a joint effort of the Hennepin County Regional Railroad Authority (HCRRRA) and the Federal Transit Administration (FTA). The first step in the DEIS process is to conduct Scoping, which includes the hosting of Scoping Meetings/Hearings. The Scoping process is designed to inform the public, interest

groups, affected tribes and government agencies of the DEIS and to present the following for comment: • purpose and need for the project. • the alternatives to be studied. • the potential social, economic, environmental and transportation impacts to be evaluated. As part of the NEPA Scoping process, the HCRRA is required to hold at least one public Scoping meeting which includes a public hearing. In order to ensure all voices are heard, the HCRRA scheduled the following three (3) Scoping meetings: • Tuesday, October 7, 2008, Hennepin County Government Center Public Open House at 2:00 PM, Public Service Level (PSL) Public Hearing at 3:00 PM, Board Room • Tuesday, October 14, 2008, St. Louis Park City Hall Public Open House at 5:00 PM Public Hearing at 6:00 PM, Council Chambers • Thursday, October 23, 2008, Eden Prairie City Hall Public Open House at 5:00 PM Public Hearing at 6:00 PM, Council Chambers Approximately 40 people attended the Public Scoping meeting on Tuesday, October 7th and over 120 people attended the Public Scoping meeting on Tuesday, October 14th. Public comments are being collected through the Southwest website ([www.southwesttransitway.org](http://www.southwesttransitway.org)), U.S. mail, and fax. Comments should be addressed to Katie Walker, Transit Project Manager, 417 North 5th Street, Suite 320, Minneapolis, MN 55401, fax to 612.348.9710, or email [www.southwesttransitway.org](mailto:www.southwesttransitway.org). All comments become part of the public scoping record and must be received no later than 5:00 PM CST on Friday, November 7, 2008. **Red Rock Corridor** The Red Rock Corridor Commission has retained URS Corporation to conduct an interim bus feasibility study for the Red Rock study area from Hastings to downtown Minneapolis and downtown St. Paul. **Northern Lights Express Intercity Rail (Minneapolis to Duluth/Superior)** On September 30, 2008, U.S. Transportation Secretary Mary Peters announced that the Northern Light Express project has received a grant of \$1.1 million for environmental documentation. The funding requires a 50 percent match which will come from state and local sources.

## 08-HCRRA-50

The following Resolution was offered by Commissioner Koblick, seconded by Commissioner Dorfman: BE IT RESOLVED, That the Claims Register for the period ending October 14, 2008 be approved/ratified. The question was on the adoption of the Resolution and there were 5 YEAS and 0 NAYS, as follows: YEAS — Dorfman, Johnson, Koblick, Steele, McLaughlin, Chair; NAYS — 0; Opat, Stenglein — ABSENT. RESOLUTION ADOPTED ON 10/21/08

ATTEST: Secretary, HCRRA

## HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY CLAIMS Period Ending October 14, 2008

Maintenance — Top Notch Treecare — \$2,476.13 Maintenance — Rainville-Carlson Inc. — \$125.85 Utility — CenterPoint Energy — 69.46 Utility — Minneapolis Finance Department Heritage Landing Site — \$1,334.42 Consulting Services — Kinley-Horn and Associates, Inc. Northstar — \$1,955.00 Website Maintenance — Heitman Design, LLC Bottineau — \$43.75 Consulting Services — HDR Engineering, Inc. Southwest Transitway DEIS — \$26,773.13 Publication — Spokesman-Recorder Publishing Company — \$602.44 Maintenance — Resource Recovery Technologies LLC — \$124.50 TOTAL — \$33,504.68

## 08-HCRRA-51

The following Resolution was offered by Commissioner Steele, seconded by Commissioner Koblick: BE IT RESOLVED, that Hennepin County Regional Railroad Authority authorizes removal of the bridge deck and piers at the Dakota Rail Corridor bridge over CSAH 92 in St. Bonifacius, in the not to exceed amount of \$35,000.00, leaving bridge abutments in place such that Authority's ability to restore the railroad bed by installing a replacement bridge for future rail and other transportation uses is not impaired, and that the Executive Director be authorized to issue a permit to Hennepin County, Transportation Department, to perform the work. The question was on the adoption of the Resolution and there were 6 YEAS and 0 NAYS, as follows: YEAS — Stenglein, Dorfman, Johnson, Koblick, Steele, McLaughlin, Chair; NAYS — 0; Opat — ABSENT. RESOLUTION ADOPTED ON 10/21/08

ATTEST: Secretary, HCRRA

## 08-HCRRA-52

The following Resolution was offered by Commissioner Dorfman, seconded by Commissioner Johnson: BE IT RESOLVED, that the Hennepin County Regional Railroad Authority Executive Director be authorized to negotiate funding Agreement A081882 with HDR Engineering, Inc for development and implementation of a stakeholder workshop and subsequent preparation of a concept plan for connecting people and goods within the one-half mile radius of the Intermodal Station, in an amount not to exceed \$55,000, for the period of October 21, 2008 through March 1, 2009; and that following review and approval by the County Attorney's Office, the Chair of the Board be authorized to sign the agreement on behalf of the Authority; and that the Controller be authorized to disburse funds as directed. The question was on the adoption of the Resolution and there were 6 YEAS and 0 NAYS, as follows: YEAS — Opat, Stenglein, Dorfman, Johnson, Steele, McLaughlin, Chair; NAYS — 0; Koblick — ABSENT. RESOLUTION ADOPTED ON 10/21/08

ATTEST: Secretary, HCRRA

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