APPENDIX H

CORRESPONDENCE

- US Coast Guard
- Wisconsin Department of Natural Resources

 (Note Wisconsin Threatened and Endangered Species
 Correspondence also provided in Appendix F)
- Natural Resources Conservation Service



Commander Ninth Coast Guard District 1240 E. Ninth Street, Room 2047 Cleveland, OH 44199-2060 Staff Symbol: (dpb) Phone: (216) 902-6087

FAX: (216) 902-6088 E-mail: Scot.M.Striffler@uscg.mil

16590 April 19, 2012 B-087/sms

Ms. Nancy Frick, AICP Senior Associate SRF Consulting Group, Inc. One Carlson Parkway North, Suite 150 Minneapolis, MN 55447-4443

Dear Ms. Frick:

I am responding to your letter dated March 23, 2012 addressed to Mr. Eric Washburn, Coast Guard Bridge Administrator, Eighth Coast Guard District in St. Louis, MO, regarding the Northern Lights Express High Speed Passenger Rail study. A discussion was also held between us on April 17, 2012 regarding this study.

Mr. Washburn has forwarded to me their response that the project will not affect any waterways over which his office exercises jurisdiction for bridge administration purposes. Mr. Washburn's response is enclosed with this letter.

This office reviewed the provided documentation and it appears that the only existing railroad bridge and waterway that would fall under this office's jurisdiction would be the BNSF Railroad (Grassy Point) drawbridge at mile 5.44 over St. Louis River. This bridge is listed under the heading for "Rehabilitation of Existing RR Bridges" within the study. The provided documentation also states that details for proposed bridge rehabilitations are not yet available.

Depending on the scope of rehabilitation or alteration of the bridge for this project, this office may have a federal permit requirement. Specifically, if rehabilitation or alteration affects the current permitted navigation clearances of this bridge, or if the appearance or character of the bridge is significantly affected, a Coast Guard Bridge Permit process may be required. If none of these circumstances occur, this office would need to be notified in advance of any work in the waterway in order to authorize equipment in the waterway or to coordinate navigation passages through the bridge during work. Please provide details as early as possible as the study progresses. Please contact me at (216) 902-6087 if you have additional questions or wish to discuss further.

Sincerely,

Chief, Bridge Branch

U. S. Coast Guard

By direction



March 23, 2012

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8TH COAST GUARD DISTRICT BRIDGE BRANCH

SRF No 0096894 006B

INFO ACTION FILE IN

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COMMENTS:

Mr. Eric Washburn

Commander

EIGHTH COAST GUARD DISTRICT (DWB)

1222 Spruce Street

St. Louis, MO 63103-2398

SUBJECT: NORTHERN LIGHTS EXPRESS (NLX) HIGH SPEED PASSENGER RAIL

Dear Mr. Washburn:

SRF Consulting Group, Inc., on behalf of the Minneapolis-Duluth Passenger Rail Alliance, is completing an environmental review for proposed improvements for high speed passenger rail service on the existing BNSF rail corridor between Minneapolis and Duluth, Minnesota. The corridor is approximately 153 miles long.

The attached project information sheet and figures describe the proposed improvements. The project corridor crosses four Navigable Rivers of the United States as follows:

- Snake River at Grasston, Minnesota (construction of an new railroad bridge parallel to the existing bridge and rehabilitation of the existing bridge),
- Grindstone River at Hinckley, Minnesota (existing bridge rehabilitation),
- Kettle River at Sandstone, Minnesota (existing bridge rehabilitation), and
- St. Louis River between Superior, Wisconsin and Duluth, Minnesota (existing bridge rehabilitation).

Details of new bridge construction or existing bridge rehabilitation are not yet available, however the rehabilitation is expected to involve replacement of the open deck with a ballasted deck and potential cleaning and recoating of steel structure components, bearing replacement and pointing of abutment and/or piers. See the general rehabilitation description attached.

We would like to coordinate with your office to identify projects, resources, or other issues in the area to avoid or accommodate. Please provide information about projects or resources we should consider in planning the improvements.

Please contact me directly at 763-249-6790 with any questions or if you need additional information. You can also reach me by email at nfrick@srfconsulting.com. Thank you.

Sincerely,

SRF CONSULTING GROUP, INC.

Nancy Frick, AICP Senior Associate

Mancy Frick

NF/gjd

Enclosures: **NLX** Project Information

Figure 1 Project Location

Figure 2 Corridor Improvements

Railroad Bridge Rehabilitation Description

Bob Manzoline, Minneapoli-Duluth Passenger Rail Alliance cc:

Jeanne Witzig, Kimley Horn

Colleen Vaughn, Federal Railroad Administration

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Pursuant to the Coast Guard Authorization Act of 1982, it has been determined this is not a waterway over which the Coast Guard exercises jurisdiction for bridge administration purposes. A Coast Guard

bridge permit is not required.

Bridge Administrator Eighth Coast Guard District (dwb) m 4/5/12



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor Scott Hassett, Secretary John Gozdzialski, Regional Director Northern Region Headquarters 810 W. Maple Street Spooner, Wisconsin 54801 Telephone 715-635-2101 FAX 715-635-4105 TDD 715-635-4001

February 1, 2010

Amy Adrihan DOT Northwest Region 1701 N. 4th St. Superior, WI 54880-1068

RE:

I.D. # 0603-05-01

Northern Lights Express

Douglas County

Dear Amy:

This letter is in response to an inquiry for our comments on what natural resources the above referenced proposed high speed rail project could impact. Our comments identify existing resources within 2000 feet of the existing rail line. Please keep in mind that this is a very broad overview of potential resource issues. We will conduct a more in-depth field investigation and review later in the design/review process.

<u>Surface Waters</u> – There are several surface waters that cross or run adjacent to the proposed corridor. They are as follows:

- Nemadji River and tributaries A warmwater stream with a highly varied fish population which consists of muskellunge, northern pike, panfish, walleye, suckers and minnows. The Nemadji River does not contain spawning grounds for trout, but they do migrate through to reach their spawning grounds upstream in Minnesota.
- Balsam Creek and tributaries A high quality trout stream that eventually flows into the Nemadji River. Balsam Creek is a Class II trout stream, and one tributary in Sec. 26 is Class I trout water, and an Outstanding Resource Water (ORW). (See reference in next section.) Both brook and brown trout inhabit the stream.
- Little Balsam Creek A high quality Class I trout stream that flows north into Balsam Creek. Brook, brown, and rainbow trout inhabit the stream. Little Balsam Creek is also classified as an ORW.
- Empire Creek A high gradient Class I brook trout stream that flows north into Balsam Creek. Even though the Empire Creek watershed is small, it still experiences damaging flow extremes during peak runoff periods. This stream is also classified as an ORW.
- **Miller Creek and tributaries** The portion of Miller Creek that crosses the proposed corridor is minnow water. This stream is subject to damaging flow extremes each spring because of its steep gradient and early spring thaws.
- Rock Creek and tributaries A small clear water stream that flows north into the Black River. The portion of the stream that crosses the proposed corridor is Class III



brook trout water. In addition, sculpin and minnows are also present. It has a steep gradient and unstable soil conditions so it is subject to damaging flow extremes seasonally.

- Black River and tributaries A Class III brown trout stream, with some spawning runs of burbot also made during the winter months. Flow extremes, especially low summer flows resulting from extended hot and dry periods, are serious management problems.
- **Stony Brook** A small intermittent drainage feeder to Copper Creek. The stream has little to no fish populations due to its seasonal flow of water.
- Pokegama River A small, nearly intermittent drainage tributary to the St. Louis
 River. The stream contains mostly minnows, but other warmwater fish species from
 the St. Louis River probably inhabit the lower, deeper river areas. Due to the nature
 of the unpredictable flows of water and the watershed soil types, erosion is a serious
 management problem.
- St. Louis River and tributaries The St. Louis River is a warmwater stream that contains a wide variety of fish species, the most common of which are northern pike, walleye, suckers and minnows.

<u>Outstanding Resource Waters (ORW's)</u> - Little Balsam Creek and one of its tributaries in Section 26, and Empire Creek are all considered to be Outstanding Resource Waters. ORW's are surface waters which provide valuable fisheries, hydrologically or geologically unique features, outstanding recreational opportunities, unique environmental settings, and which are not significantly impacted by human activities. The planning and design of this project should take into consideration the significance of these waterways through additional protective measures.

<u>Wetlands</u> - Several wetland types are found throughout the project area. Shallow open water communities, deep marshes, shallow marshes, and bogs are a few examples of the wetland types that are found throughout this corridor. Wetlands are often associated with threatened and endangered plant and bird species, as we discuss later. These areas are also very important for waterfowl production, furbearers, frogs, turtles and aquatic invertebrates, as well as providing floodwater retention and filtering of stormwater. All efforts should be made to avoid wetland impacts.

<u>Mapped Floodplains</u> – It appears that mapped floodplains may be associated with many of the streams that cross the proposed corridor (see attached spreadsheet). Hydraulic analysis and floodplain management must comply with NR 116.

<u>Threatened/Endangered/Special Concern Species</u> – Several threatened, endangered and special concern bird, animal, plant and fish species have been found within the project area. We have attached specific species information at the end of this letter.

Recreational Trails – State-owned recreational trails run through and/or adjacent to the corridor. The Gandy Dancer State Trail is a 98-mile, interstate trail that crosses into Minnesota and then back again into Wisconsin on its way from St. Croix Falls to its connection with the Saunders State Trail just south of Superior. It provides opportunities for activities such as ATV riding, snowmobiling, hiking, mountain biking, and horseback riding. It appears that the Gandy Dancer Trail crosses the proposed corridor at CTH B.

In addition, the Saunders State Trail runs adjacent to a portion of the proposed corridor. This 8.4-mile county-operated trail links with the Gandy Dancer State Trail south of the city of

Superior in Douglas County. The trail begins near the town of Saunders and passes through the communities of Boylston Junction, Boylston and Borea before continuing into Minnesota. The Saunders State Trail provides also opportunities for activities such as hiking, snowmobiling, ATV riding, horses back riding, mountain biking, and cross-country skiing.

We look forward to continued coordination on this high speed rail project. If you have any questions regarding the information in this letter, please feel free to call me at 715-635-4229.

Sincerely,

Amy Cronk

Environmental Review Coordinator

cc: Troy Stapelmann - DOT, Northwest Region - Eau Claire

NLX corridor stream crossings in Douglas County, Wisconsin January 2010

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* ORW - Outstanding Resource Water

Endangered Resources found within 2000 feet of proposed NLX corridor in Douglas County, Wisconsin January 2010

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Species	American Marten	Gray Wolf	American Marten	Gray Wolf	American Marten	Arrow-leaved sweet coltsfoot	Gray Wolf	Crawe Sedge	Slim-stem small reedgrass	Gray Wolf	Gray Wolf	Western meadowlark	Upland sandpiper	LeConte's sparrow	Floating marsh marigold	Connecticut warbler	Vasey Rush	Slender spike-rush	Arrow-leaved sweet coltsfoot	Seaside crowfoot	Small yellow water crowfoot	Tea-leaved willow	Northern bur-reed	Marsh grass of parnassus	Floating marsh marigold	Northern sedge meadow (community)	Gray wolf	Wood turtle	Crawe Sedge	Slim stem small reedgrass	Gray Wolf	Emergent marsh (community)	American eel	Lake sturgeon	Upland sandpiper	Western meadowlark
Section	General	6, 7, 18, 19	General	6, 7, 18, 19, 30	General		16, 17, 19, 20, 29, 30, 31	4	4	4, 5, 6, 7, 8, 9, 17, 18	General	1, 13, 24, 25	1, 13, 24	13, 24, 25, 26	32	35, 36	2, 8, 9, 10, 11, 16, 17, 18, 22	2, 8, 16, 17	2, 3, 8, 9, 16, 17	2,3	2, 8, 17	က	8, 9, 15, 16, 17, 18	17	17	17	17, 18, 21, 28, 31, 32, 33	22	33	33	General	1, 2, 10, 11, 12		10, 11, 12	25, 36	აზ
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Endangered Resources found within 2000 feet of proposed NLX corridor in Douglas County, Wisconsin January 2010

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Endangered, Threatened, and Special Concern Species found in proposed NLX corridor in Douglas County, Wisconsin January 2010

The following species are known to occur in or near the corridor for the NLX Corridor. Specific list history information is given below.

Group	Scientific Name	Common Name	State Status *
Bird	Bartramia longicauda Oporornis agilis Charadrius melodus Sterna caspia	Upland Sandpiper Connecticut Warbler Piping Plover Caspian Tern	SC SC END END
Fish	Acipenser fulvescens Anguilla rostrata	Lake Sturgeon American Eel	SC SC
Mammal	Canis lupus Martes Americana	Gray Wolf American Marten	SC END
Plant	Ranunculus gmelinii Ranunculus cymbalaria Parnassia palustris Caltha natans Petasites sagittatus Eleocharis nitida Sparganium glomeratum Juncus vaseyi Calamagrostis stricta Carex crawei Carex nigra Platanthera orbiculata Salix planifolia	Small Yellow Water Crowfoot Seaside Crowfoot Marsh Grass-of-parnassus Floating Marsh Marigold Arrow-leaved Sweet-coltsfoot Slender Spike-rush Northern Bur-reed Vasey Rush Slim-stem Small-reedgrass Crawe Sedge Smooth Black Sedge Large Roundleaf Orchid Tea-leaved Willow	END THR THR END THR END THR SC SC SC SC SC THR
Reptile	Glyptemys insculpta	Wood Turtle	THR
Community		Emergent Marsh Northern Sedge Meadow	

^{*} SC = Special Concern (those species about which some problem of abundance or distribution is suspected but not yet proved.); THR = Threatened; END = Endangered

- 1. **Upland Sandpiper** (*Bartramia longicauda*) A bird of special concern in Wisconsin. It prefers tallgrass prairies, sedge meadows, unmowed alfalfa/timothy fields and scattered woodlands. The breeding season extends from early May through late September.
- 2. **Connecticut Warbler** (*Oporornis agilis*) A bird of special concern in Wisconsin. It prefers mature, multi-layered pine stands, particularly jack pine, and occasionally in tamarack-pine stands with dense hardwood understory. The breeding season extends from mid-June through mid-July.
- 3. **Piping Plover** (*Charadrius melodus*) A state endangered bird that prefers large isolated cobble beaches on the shores of Lake Michigan and Superior. Breeding occurs from early May through mid-September.
- 4. **Caspian Tern** (*Sterna caspia*) A state endangered bird that prefers undeveloped sand beaches and islands along the Great Lakes, typically on sandy or gravelly coastal islands. Breeding occurs from late may through mid-July.
- 5. Lake Sturgeon (*Acipenser fulvescens*) A species of Special Concern in Wisconsin that prefers large rivers and lakes. It also lives in the shoal waters of the Great Lakes. Inland it shows a preference for the deepest mid-river areas and pools. Spawning occurs from late April through early June in cold, shallow, fast water.
- 6. **American Eel** (*Anguilla rostrata*) A fish of special concern in Wisconsin. It prefers large streams, rivers and lakes with muddy bottoms and still waters. To reach these conditions the eel has to traverse a wide variety of less suitable habitat including swift-flowing waters with a wide variety of substrates. Spawning occurs in the Sargasso Sea.
- 7. **Gray Wolf** (*Canis lupus*) Also referred to as the timber wolf, and is listed as special concern in Wisconsin. Wolves are social animals that live in packs, and pack sizes in Wisconsin average up to six individuals with a few packs as large as ten animals. A wolf pack's territory may cover 20-120 square miles.
- 8. American Marten (Martes Americana) A state endangered mammal that lives in mature, dense conifer forests, mixed conifer-hardwood, and hardwood dominated forests. American martens prefer forests with a mixture of conifers and deciduous trees including hemlock, white pine, yellow birch, maple, fir and spruce. Marten young are born in tree dens in late March and April and are weaned when about six weeks old.
- 9. **Small Yellow water Crowfoot** (*Ranunculus gmelinii*) A plant species that is endangered in Wisconsin. It is found in cold brooks and springs, shallow water and muddy shores of ditches, streams, and lakes. Blooming occurs late June through late August; fruiting occurs early July through early September. The optimal identification period for this species is late June through early September.
- 10. **Seaside Crowfoot** (*Ranunculus cymbalaria*) A state threatened plant which is found in sandy or muddy shores and marshes, ditches and harbors along Lake Michigan, and salted roadsides near the City of Superior. Blooming occurs early June through late August; fruiting occurs late July through late August. The optimal identification period for this species is early June through late August.

- 11. Marsh Grass-of-parnassus (*Parnassia palustris*) A state threatened plant found on clay bluffs on Lake Superior, cold northern fens, and gravel pits with calcareous sandy areas. Blooming occurs early August through early September; fruiting occurs throughout September. The optimal identification period for this species is throughout August.
- 12. **Floating Marsh Marigold** (*Caltha natans*) A state endangered plant found in shallow water in creeks, pools, ditches, and sheltered lake margins. It typically roots in mud, silt, or clay, and spreads by rooting at the nodes. Blooming occurs throughout July; fruiting occurs throughout August. The optimal identification period for this species is early July through late August.
- 13. **Arrow-leaved Sweet-coltsfoot** (*Petasites sagittatus*) A state threatened plant that is found in cold marshes and swamp openings, often forming large clones. This species hybridizes with *Petasites palmatus*. Blooming occurs throughout May; fruiting occurs throughout June. The optimal identification period for this species is late may through late August.
- 14. **Slender Spike-rush** (*Eleocharis nitida*) A state endangered plant that is found on wet exposed clay in ditches and openings in alder thickets and marshes, only near Superior. Blooming occurs throughout June; fruiting occurs late June through early September. The optimal identification period for this species is late June through late August.
- 15. **Northern Bur-reed** (*Sparganium glomeratum*) A state threatened plant found in cold ditches and pools in sedge meadows, willow-alder thickets, and, occasionally, tamarack stands on the Lake Superior clay plain. Blooming occurs late June through late July; fruiting occurs late July through early September. The optimal identification period for this species is early July through early September.
- 16. Vasey Rush (*Juncus vaseyi*) A plant of special concern in Wisconsin that is found in moist old fields, ditches, and moist prairies. It has been most commonly found on the Lake Superior clay plain. Blooming occurs early July through late August; fruiting occurs early August through early September. The optimal identification period for this species is early July through late August.
- 17. **Slim-stem Small-reedgrass** (*Calamagrostis stricta*) A plant of special concern in Wisconsin. It is usually found on dry to moist dunes, barren, and dolomite or sandstone ledges, mostly near the Great Lakes, as well as calcareous wetlands. Blooming occurs throughout June; fruiting occurs early July through late August. The optimal identification period for this species is early July through late August.
- 18. Crawe Sedge (Carex crawei) A plant of special concern in Wisconsin. It is found in calcareous wetlands and dolomitic pavement, often near Lake Michigan. It is also found in fens and moist calcareous prairies. Blooming occurs late in April through late May; fruiting occurs late May throughout late June. The optimal identification period for this species is throughout May.
- 19. **Smooth Black Sedge** (*Carex nigra*) A plant of special concern in Wisconsin. It is found mainly on the edge of dry meadows and wet/sedge meadows and shrub-carr habitats. Fruiting occurs July through August. The optimal identification period for this species is early July through late August.

- 20. Large Roundleaf Orchid (*Platanthera orbiculata*) A plant of special concern in Wisconsin which is found in moist hardwood or mixed conifer-hardwood forests. Blooming occurs late June through late July; fruiting occurs early July through late August. The optimal identification period for this species is late June through early August.
- 21. **Tea-leaved Willow** (*Salix planifolia*) A state threatened plant that is found near Lake Superior, including bedrock shorelines in the Apostle Islands. Blooming occurs throughout May; fruiting occurs throughout June. The optimal identification period for this species is early June through early September.
- 22. Wood Turtle (Glyptemys insculpta) A state threatened species that prefers clean rivers and streams with moderate to fast flows, adjacent riparian wetlands, and upland deciduous forests. The wood turtle becomes active in spring as soon as the ice is gone and air temperatures reach approximately 50 degrees in March or April. They can remain active into mid-October but have been seen breeding under the ice. Wood turtles can breed at any time of the year but primarily during the spring or fall. Nesting usually begins in late May and continues through June. They usually nest in sand or gravel, and usually very close to the water.
- 23. **Emergent Marsh** (Community) An open marsh, lake, riverine or estuarine community with permanent standing water. Generally dominated by emergent macrophytes, in pure stands of single species or in various mixtures. Dominants include cattails, bulrushes, bur-reeds, giant reed, pickerel-weed, water plantain, arrowhead, spikerush, and wild rice.
- 24. **Northern Sedge Meadow** (Community) An open wetland community that is dominated by sedges and grasses and occurs primarily in northern Wisconsin. There are several common, fairly distinctive, subtypes: Tussock meadow; wire-leaved sedge meadow; and broad-leaved sedge meadow. Sphagnum mosses are either absent or they occur in scattered, discontinuous patches.

From: Walczynski, Mike - Duluth, MN

To: Cynthia Warzecha

Cc: Schmitz, Clayton - Hinckley, MN

Subject: RE: Prime and Unique Farmlands

Date: Friday, October 01, 2010 9:42:11 AM

Hi Cynthia,

Pine County has only been partially soil mapped base on NRCS standards at this time. The Willow River area is digitally available on the web which would show Prime and Statewide Important farmland soils if they occur.

At this time the rest of the county cannot de defined as Prime or Statewide Important Farmlands.

If you have other questions please feel free to contact me.

Mike Walczynski
Area Resource Soil Scientist
USDA-NRCS
4915 Matterhorn Dr
Duluth MN 55811
218-720-5308 ext 113
mike.walczynski@mn.usda.gov

From: Cynthia Warzecha [mailto:cwarzecha@srfconsulting.com]

Sent: Tuesday, September 28, 2010 2:49 PM

To: Hahn, Jennifer - Duluth, MN **Subject:** Prime and Unique Farmlands

Jennifer,

Our firm is working on an Environmental Assessment for the Northern Lights Express (NLX) High Speed Rail project form Minneapolis to Duluth. Part of the environmental review includes identification of prime and unique farmlands along the 155-mile corridor. It is our understanding that digital mapping of soil types is not yet available for Pine County. Could you please clarify what soil data are used to determine prime and unique farmlands for Pine County?

I have also left a phone message at the Pine County NRCS office. Just wanted to let you know so that efforts to respond are not duplicated.

Thank you!

Cynthia

Cynthia Warzecha Senior Environmental Analyst SRF Consulting Group