

U.S. Department of Transportation
Federal Highway Administration

FINDING OF NO SIGNIFICANT IMPACT AND SECTION 4(f) DE MINIMIS DETERMATION

Blatnik Bridge Replacement Project

State Project No. 6981-26

Prepared by:

Minnesota Department of Transportation



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FINDING OF NO SIGNIFICANT IMPACT AND SECTION 4(f) DE MINIMIS DETERMINATION

Blatnik Bridge Replacement Project EA/EAW

St. Louis County, Minnesota and Douglas County, Wisconsin

1.0 BACKGROUND

The Federal Highway Administration (FHWA), the Minnesota Department of Transportation (MnDOT), and the Wisconsin Department of Transportation (WisDOT) have prepared a combined Environmental Assessment and Environmental Assessment Worksheet (EA/EAW) for the Blatnik Bridge Replacement Project as part of the National Environmental Policy Act process and state environmental review process to fulfill requirements of 42 USC § 4332, Minnesota Statutes Chapter 116D, and Wisconsin Statutes 1.11.

MnDOT is the project proposer as well as the Responsible Governmental Unit (RGU) for review of this project. The EA/EAW evaluated alternatives for the replacement of the John A. Blatnik Bridge (Minnesota Bridge 9030, Wisconsin Bridge B-16-5) on Interstate 535 (I-535) between Duluth, Minnesota, and Superior, Wisconsin over the St. Louis Bay and reconstruction of the bridges interchange connection in Superior.

1.0 STATEMENT OF PURPOSE AND NEED

1.1 Need

The primary needs identified for this project are:

- **Bridge Condition:** the existing bridge is in poor condition with deterioration rates anticipated to accelerate until eventual closure which is expected in 2030.
- **Vehicle Safety:** the bridge, roadway approaches, and primary access interchanges all have high crash rates.
- **Vehicle Mobility:** current bridge conditions hinder freight mobility and intersections east of the touchdown in Superior face operational problems.

The secondary need identified for this project is walkability/bikeability.

See Section 2 of the EA/EAW for a detailed discussion of project need.

A number of additional considerations were considered through project development. Additional considerations are elements that are not central to the purpose and need of the

project but are important criteria for evaluating proposed alternatives. For this project, additional considerations include:

- Maritime freight navigation
- Connectivity
- Redundancy
- Regulatory requirements
- Railroad crossings
- Asset management
- Asset security concern
- Operational requirements

1.2 Purpose

The purpose of this proposed project is to provide an interstate highway connection across the St. Louis Bay that does not restrict the movements for freight and provides local, regional, and international movement in a safe, reliable, and efficient manner.

1.3 Existing Conditions

The John A. Blatnik Bridge (hereafter called the Blatnik Bridge) connects the communities of Duluth, Minnesota, and Superior, Wisconsin across the St. Louis Bay. This bridge connects the I-535/Garfield Avenue Interchange in Duluth with the I-535/US 53/Hammond Avenue/WIS 35 Interchange in Superior. The existing interchange provides access to and from US 53, Hammond Avenue, and WIS 35. Currently traffic free flows between I-535 and Hammond Avenue without signals or interchange ramps to control traffic.

The Blatnik Bridge was constructed in 1961. It is 7,975 feet long (about 1.5 miles) and consists of a main truss unit (three span continuous truss) flanked by steel beam approach span units (referred to as the Minnesota and Wisconsin approach spans), with a total of 52 spans. The main truss span unit is 1,140 feet long with a 600-foot-long center span over the main navigation channel. Each of the spans is supported by piers at either end. The Minnesota approach spans consist of 15 spans totaling approximately 2,000 feet in length, and the Wisconsin approach spans consist of 34 spans totaling approximately 4,800 feet in length.

The Blatnik Bridge connects the I-535/Garfield Avenue Interchange in Duluth with the I-535/US 53/Hammond Avenue/WIS 35 Interchange in Superior. The existing interchange provides access to and from US 53, Hammond Avenue, and WIS 35. Currently traffic free flows between I-535 and Hammond Avenue without signals or interchange ramps to control traffic. There is a signalized intersection at I-535 Entrance Ramp/US 53.

The U.S. Coast Guard (USCG) has jurisdiction over structures spanning navigational channels, including the main truss over the navigational channel and the Wisconsin approach spans over Howard's Pocket, a side channel. When constructed in 1961, the bridge was able to accommodate vehicle weights of 154,000 pounds (lbs). The bridge was repaired several times over the life of the structure, including closing the bridge for emergency repair of gusset plates in 2008. Since 2008, the ability to transport heavy freight across the Blatnik Bridge was

impacted by deteriorating bridge conditions. The bridge was recently re-evaluated in 2019 using modern design codes and load restrictions were reduced to 80,000 lbs, shifting overweight freight traffic to the Bong Bridge. Currently, the posted speed limit is 55 miles per hour (mph) and there are no speed limit restrictions due to the load posting. The Blatnik Bridge carries four lanes of traffic, two in each direction, and accommodates 33,021 vehicles per day (2019 Average Annual Daily Traffic). Traffic was reduced to 28,098 vehicles per day in 2021.

The Blatnik Bridge and US 53 corridor are designated in several transportation studies due to their importance in vehicle and freight mobility, including the following:

- FHWA High Priority Corridor program, Corridor No. 41 (Falls to Falls Corridor; International Falls, Minnesota to Chippewa Falls, Wisconsin)
- FHWA Strategic Highway Network (STRAHNET)
- Wisconsin Connections 2030 Long Range Multi-Modal Transportation Plan, “backbone” route
- Metropolitan Interstate Council (MIC) Duluth-Superior Area Truck Route Study 2018 Update, designated truck route
- MIC Sustainable Choices 2045 Duluth-Superior Long-Range Transportation Plan, major trunk line or main supply line

The Interstate Highway designation highlights the importance of the Blatnik Bridge as a facilitator of regional and national transportation. Without this critical connection, northwestern Wisconsin loses a reliable connection to the STRAHNET and breaks the Falls to Falls corridor connection. Equally important, elimination of the Blatnik Bridge results in elimination of the only existing Interstate Highway connection between Minnesota and Wisconsin in the region.

1.4 Project Description

This project is proposing the replacement of the John A. Blatnik Bridge (Minnesota Bridge 9030, Wisconsin Bridge B-16-5) on I-535 and reconstruction of an interchange in Superior that routes I-535 directly to US 53 with local connections to Hammond Avenue and WIS 35. Major components of bridge construction include demolition of the existing bridge and construction of the Minnesota approach, Wisconsin approach, and main navigation span.

The new bridge would follow the same general alignment as the existing bridge between the Garfield Avenue/I-535 Interchange in Duluth and 1st Street in Superior. A shared use path would be included on the new bridge, which would connect the existing sidewalk and bicycle lanes at the intersection of Garfield Avenue and Nelson Street in Duluth with the existing sidewalk and planned bicycle route on Grand Avenue in Superior.

2.0 ALTERNATIVES

The EA/EAW process reviewed four Build and a No Build Alternatives. Section 3 of the EA/EAW provides a detailed description of the evaluation process undertaken by MnDOT and WisDOT and project partners which led to the identification of the Build Alternatives covered in the EA/EAW. Each of the alternatives was evaluated based on whether they meet the primary and

secondary needs of the project as well as the potential social, economic, and environmental impacts of each alternative. The alternatives review process as described in Section 3.2 of the EA/EAW discussed a no-build alternative and four build alternatives: the No-Build Alternative, Alternative 1, Alternative 2, Alternative 3, and Alternative 4.

2.1 No-Build Alternative

No-Build Alternative: The No Build Alternative assumes routine feasible maintenance until the bridge is required to close and barricaded to access. Given the current condition, the remaining reserve capacity of critical elements, the continued exposure to chlorides, the performance of past efforts to rehabilitate/preserve the life of these areas, and the accelerating deterioration rates, the predicted closure would be 2030. The basis for these conclusions were evaluated in the *2017 Blatnik Bridge Management Study*, supplemented by subsequent inspection findings after the completion of the study. While there are no planned preservation projects between now and 2030, the bridge would continue to be inspected on an annual basis. Emergency repairs, further load postings, and/or speed limit reductions would be identified, as needed, to prolong safe travel on the bridge through 2030.

The No Build Alternative would leave the Bong Bridge and Oliver Bridge (about 10 miles south of the Bong Bridge) as the two closest crossing points between Duluth and Superior. The Oliver Bridge is a privately owned double deck structure owned by the Canadian National Railway. It is currently weight restricted and will not accommodate oversize-overweight vehicles and is a low-capacity connection between Minnesota Hwy 39 and Wisconsin Hwy 105.

This alternative does not meet the purpose and need of the project; however, this alternative provides the baseline for comparison of impacts with other alternatives.

2.2 Build Alternatives

Four Build Alternatives were analyzed in the EA. Each includes the following base elements of the proposed project scope:

- Demolition and removal of the Blatnik Bridge and the construction of a new bridge over the St. Louis Bay connecting Duluth and Superior with the following characteristics:
 - Structural design elements on both main navigation span and approach spans that provide maximum service life and structural robustness.
 - A cross-sectional bridge width varies between 84 to 96 feet, which would accommodate travel lanes and shoulders that meet current American Association of State Highway and Transportation Officials (AASHTO) geometric standards.
 - Meets AASHTO design standards that accommodate freight and oversized-overweight vehicles
 - Navigational channel openings that meet or exceed current USCG horizontal and vertical clearances through the St. Louis Bay and Howard's Pocket.
 - Vertical profile grades that maintain or improve the existing bridge grades.
 - New bridge substructure that is similar in arrangement to the existing bridge.

- Pier protection that meets current AASHTO vessel impact protection standards for navigation spans adjacent to the St. Louis Bay and Howard's Pocket navigation channels.
- Reconstruction of an interchange in Superior that routes I-535 directly to US 53 and includes the following characteristics:
 - Provides continuity for US 53 traffic by no longer requiring passing through a controlled intersection.
 - Utilizes an offset diamond configuration consisting of a traditional diamond for the northbound travel on I-535 and a modified offset diamond for southbound travel from I-535; the reconstructed interchange would accommodate existing and anticipated future traffic volumes and patterns.
 - Provides local road connections to Hammond Avenue and WIS 35 at new intersections with I-535/US 53 on and off ramps with the following modifications:
 - WIS 35 (N 3rd Street) would be rerouted from John Avenue to the east intersection of the reconstructed interchange.
 - Hammond Avenue would be extended from N 5th Street to the west intersection of the reconstructed interchange.
 - Access directly to US 53 would be closed at Grand Avenue, Clough Avenue, and Catlin Avenue.
 - Reconstructed local frontage roads near Cumming Avenue, Baxter Avenue, Weeks Avenue, and Fisher Avenue.
 - Addition of turn-lanes on US 53 to N 5th Street (improving access to Connors Point).
 - Addition of grade separated, either underpass or overpass, bike/ped crossing near Grand Avenue.
- Construction of permanent stormwater management that meet regulatory treatment requirements.
- Construction of a permanent maintenance access drive adjacent to the new bridge on Connors Point.
- Demolition of structures across eight industrial/commercial parcels.
- New signage and lighting.
- Construction of a 36-inch Jersey-Barrier (J-Barrier) along the south side of US 53 from approximately Grand Avenue to the US 53 railroad overpass east of N 5th Street, a distance of approximately 2500 linear feet.

Through implementation of these activities, bridge condition, vehicle safety, and vehicle mobility problems would be addressed. This means that each of the Build Alternatives evaluated in EA/EAW address the primary needs of the project. The differences in the Build Alternatives are described below:

- Alternative 1: Under Alternative 1 the new bridge would follow the same general alignment as the existing bridge between the Garfield Avenue/I-535 Interchange in Duluth and 1st Street in Superior. A shared use path would be included on the new

bridge, which would connect the existing sidewalk and bicycle lanes at the intersection of Garfield Avenue and Nelson Street in Duluth with the existing sidewalk and planned bicycle route on Grand Avenue in Superior. The shared use path would be barrier-separated from the proposed travel lanes and shoulders along the outer edge of the new bridge by a 42-inch J-Barrier.

- **Alternative 2:** Alternative 2 is identical to Alternative 1 except that a shared use path would not be provided on the new bridge.
- **Alternative 3:** Under Alternative 3 the new bridge would be built offset to the west of the existing bridge between the Garfield Interchange in Duluth and Connors Point in Superior (over the St. Louis Bay) and on the same general existing alignment south of Connors Point into Superior. Approximately 20 feet of separation is assumed between the existing bridge deck and proposed bridge deck. A shared use path would be included on the new bridge, identical to what was described for Alternative 1. Alternative 3 is identical to Alternative 1 south of Howard's Pocket.
- **Alternative 4:** Alternative 4 is identical to Alternative 3 except that a shared use path would not be provided on the new bridge.

3.0 ALTERNATIVES ELIMINATED

The No Build Alternative was not selected because it did not meet the purpose and need as defined in the EA/EAW.

As discussed in Chapter 6 of the EA/EAW, FHWA, MnDOT, and WisDOT collectively recommended Alternative 1 advance for further design, engineering and construction. Alternative 2 and 4 are not being recommended to advance for further engineering since they did not include a shared use path which is substantiated with qualitative data collected, strong public support, minimal differences in anticipated environmental impact, and relatively low percentage of overall project costs. Alternative 3 is not recommended to advance for further engineering since it would result in more environmental impact than Alternative 1 across all criteria with the exception of bridge closure duration. Alternative 1 also presents more opportunity to accelerate project schedule and would result in shorter construction duration overall as compared to Alternative 3. In summary, Alternative 2, Alternative 3, and Alternative 4 were eliminated from further study.

4.0 RECOMMENDED ALTERNATIVE

As discussed in Chapter 6 of the EA/EAW and based on comments received during the EA/EAW, MnDOT and WisDOT are advancing Alternative 1 for further engineering and design.

5.0 ENVIRONMENTAL CONSEQUENCES AND MITIGATION

The EA/EAW describes the existing conditions and environmental factors analyzed and recorded for the project area along with the potential impacts and mitigation that would result with implementation of the Recommended Alternative. Information was gathered from various sources including site observations, maps, aerial photography, and local, state, and federal agency data.

5.1 Additional Information Regarding Items Discussed in the EA/EAW Since It Was Published

Since the EA/EAW was published, the following information pertaining to the project has been updated:

- The Total Project Cost was updated to \$1,815,207,842 in year of expenditure dollars based on the October 2023 Cost Schedule Risk Assessment workshop led by FHWA staff in accordance with Federal-aid Major Projects. This represents a total 1.0 percent cost escalation compared to project cost included in the EA/EAW.
- The EA/EAW omitted the Wisconsin Department of Natural Resources (WiDNR) as a participating agency. The WiDNR is a participating agency. All participating agencies for the project are:
 - City of Duluth, Minnesota
 - City of Superior, Wisconsin
 - Duluth Transit Authority
 - Duluth-Superior Metropolitan Interstate Council
 - Duluth Seaway Port Authority
 - Fond du Lac Band of Lake Superior Chippewa
 - U.S. Department of Transportation Maritime Administration
 - U.S. Fish and Wildlife Service
 - Wisconsin Department of Natural Resources
 - Wisconsin State Historic Preservation Office
- The EA/EAW discusses project delivery methods, including Design-Build or Construction Manager/General Contractor, with the contractors engaged through the design phase. More information about each of these methods is included below:
 - Design-Build: Design-Build is an alternative contracting method in which a single contract is awarded to provide design and construction goods and services. In this method of project delivery, contractors and consultant design firms form an integrated team and assume the responsibility for design and construction. Design-build allows the overlap of design and construction activities, often resulting in faster project delivery. Examples of projects completed by MnDOT using this method include the I-35W Bridge over the Mississippi project (S.P. 2783-120), the I-35W Minnesota River Bridge project (S.P. 1981-124), and the Hastings Bridge Replacement project (S.P. 1913-64).
 - Construction Manager/General Contractor: Construction Manager/General Contractor is an alternative contracting method that allows MnDOT to work collaboratively with a designer and construction contractor to plan, design, and construct a project. In this collaborative process, the construction contractor provides input during a project's design phase to improve the constructability of the design, reduce cost and construction time, reduce risk, increase on-time completion and budget certainty, and encourage innovation. Examples of projects completed by MnDOT using this method include the Third Avenue Bridge project (S.P. 2710-47), the Twin Ports

Interchange project (S.P. 6982-322), and the Winona Bridge project (S.P. 8503-46).

- Federal Aviation Administration (FAA) Form 7460-1 Notice of Proposed Construction or Alteration would be submitted to FAA before construction. This was incorrectly identified in Table 15.
- FHWA is responsible for authorizing the Interchange Access Request. This was incorrectly identified in Table 15.
- The EA/EAW discussed the need for a temporary causeway extending to the navigation channel from the Minnesota side of the bridge during construction. A temporary causeway is proposed on both the Minnesota and Wisconsin sides of the bridge.
- The EA/EAW discussed that removal of existing piers may be considered partial mitigation for placement of new piers in surface waters. Further engineering has assessed that the likelihood of pier removal is low for two reasons. First, removal of piers would require the management of contaminated sediments under water. Second, existing piers may be able to be repurposed as protection devices for the new piers. Mitigation for surface water impacts for new piers would be further defined as engineering advances and impacts can be more accurately quantified and disclosed in required aquatic resource permit applications.
- The permanent stormwater management system constructed under each of the build alternatives would meet the MS4 requirements of the City of Superior as in addition to the standards of the Minnesota Pollution Control Agency (MPCA), WiDNR, and local MS4 requirements in Minnesota, as noted in the EA/EAW.
- The EA/EAW indicates that the project is within the Minnesota and Wisconsin Coastal Zones as defined by each state's respective Coastal Management program. Through coordination with each respective state program, it was determined that if both the state and a federal agency require a permit for the same activity, the issuance of the state permit will meet requirements for federal consistency (see **Appendix D**). As such, the project team will continue to coordinate with the Minnesota Department of Natural Resources (MnDNR), WiDNR, and USCG and obtain permits for work within their respective jurisdiction; in essence, this would fulfill requirements for federal consistency under the Coastal Management Program.
- Since the EA/EAW was published, the Upper Sioux Community has accepted FHWA's invitation to be a consulting part in the Section 106 review (dated January 16, 2024). This has been reflected in the Section 106 Programmatic Agreement in **Appendix B**.

6.0 COMMENTS AND COORDINATION

Notice of the EA/EAW availability was published in the EQB Monitor on September 19, 2023 and the comment period closed October 19, 2023. Agency comments on the EA/EAW were received from the Minnesota Pollution Control Agency (MPCA), the United States Fish and Wildlife Service (USFWS), the Environmental Protection Agency (EPA), the Wisconsin Department of Natural Resources (WiDNR), and the City of Duluth. 27 comments were also

received from the public. Responses to public and agency comments are available in **Attachment D of Appendix E**.

The following is a summary of topics from the comments received during the comment period:

MPCA

- Comment reinforced compliance with state and federal demolition regulations, as discussed in Section 4.13.4 of the EA/EAW.
- Comment recommended qualitative discussion of National Ambient Air Quality Standards in the EA/EAW.
- Comment noted that projected emissions associated with the Build Alternatives are lower than the No-Build Alternative.
- Comment noted that construction impacts are well discussed in the EA/EAW.
- Comment stated the agency looks forward to MnDOT's transition to cleaner trucks and equipment.
- Comment recommended additional consideration of noise abatement measures along the shared use trail.

USFWS

- Statement that the document was reviewed by USFWS, no comments provided.

EPA

- Comment commended a commitment in the EA/EAW to using a native species to disturbed areas and requested monitoring of revegetated areas.
- Comment recommended sizing proposed stormwater management systems for 'resiliency check' storm events as described in section 4.12 of the EA/EAW
- Comment recommended confirmation of formal wetland delineations.
- Comment discussed health impacts from diesel emissions
- Comment recommended clarification of testing for lead-based paint and asbestos.
- Comment recommended additional consideration of vegetative barriers.
- Comment recommended special noise attenuation for nearby schools and reinforced compliance with local noise ordinances.
- Comment recommended the FHWA promote ride-sharing and additional emergency vehicle preemption systems during the construction period.
- Comment recommended additional coordination with the WisDNR to prevent impacts to wildlife, plant communities, and ecological resources.
- Comment recommended replacing removed trees with native tree species at a 1:1 ratio.
- Comment recommended bridge lighting incorporate strategies to minimize impacts to migratory birds.
- Comment recommended strategies to reduce the exposure of construction workers to harmful fumes.

WIDNR

- Comment requested clarification that the City of Superior is covered under an MS4 permit, see Item 5.1.
- Comment stated temporary wetland impacts may need to be reclassified as permanent impacts due to the duration of the project and that a restoration and monitoring plan is required for temporary wetland impacts.
- Comment requested descriptions of potential project delivery methods, see Item 5.1.
- Comment recommended evaluation of temporary impacts to the floodplain.
- Comment requested clarification on the construction of a temporary causeway on the Wisconsin side of the bridge, see Item 5.1.
- Comment noted WiDNR's omission as a participating agency in the EA/EAW, see Item 5.1.

City of Duluth

- Comment supported the integration of shared use path and recommended additional evaluation of accessibility measures to serve people of all ages and abilities.

Public Comments

- *Reasons the public stated support for the project:*
 - Multiple commentors expressed support of the inclusion of a shared use path in the recommended alternative.
 - Multiple commentors expressed support due to the importance of the connection between Duluth and Superior.
- *Reasons the public stated opposition for the project:*
 - Multiple commentors expressed concerns over the necessary duration of the bridge closure.
 - Multiple commentors expressed concerns over the safety and efficiency of roundabouts.
 - Commentor questioned the selection of recommended alternative and dismissal of tunnel and other alignment concepts.
- *General Comments:*
 - Multiple commentors questioned the bridge clearance required over Howard's Pocket.
 - Multiple commentors requested the project to identify walkability/bikeability as a primary, rather than secondary need.
 - Multiple commentors requested the project consider dark sky friendly lighting.
 - Multiple commentors requested additional evaluation of transit connections.

6.1 Section 4(f)

Pursuant to 23 CFR § 774.5, the officials with jurisdiction over Rice's Point Access were notified that FHWA intended to make a *de minimis* determination on the basis that that the features, attributes, or activities qualifying the property for protection under Section 4(f) would not be adversely affected. The Section 4(f) evaluation was available for public review as part of the EA. No comments were received pertaining to the evaluation. After the public comment period, the

officials with jurisdiction concurred that the project would not adversely affect the activities, features or attributes that make the properties eligible for Section 4(f) protection (see letters in **Appendix C**).

7.0 ENVIRONMENTAL COMMITMENTS

7.1 Applicable Regulations and Permits

The recommended alternative was selected after the potential impacts were evaluated, and the ability to mitigate impacts was considered. The following federal regulations, statutes, and orders apply to the project:

- Clean Water Act of 1977 (33 USC § 1251-1376)
- Coastal Zone Management Act of 1972 (16 USC § 1451-1465)
- Endangered Species Act (50 CFR 17)
- Executive Order 11988, Floodplain Management (42 Federal Register 26951)
- Executive Order 11990, Protection of Wetland (42 Federal Register 26961)
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 Federal Register 7629)
- Executive Order 14096, Revitalizing Our Nation’s Commitment to Environmental Justice for All (88 Federal Register 25251)
- National Environmental Policy Act of 1969 (42 USC § 4231 et seq.)
- Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR 1500-1508)
- Section 106 of the National Historic Preservation Act, as amended (16 USC § 470)(54 U.S.C. § 306108)
- Section 404 of the Federal Water Pollution Control Act (33 USC § 1344)
- Title VI of the Civil Rights Act of 1964 (42 USC § 2000d et seq.)
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC § 61)
- FHWA’s Procedures for Abatement of Highway Traffic Noise and Construction Noise (23 CFR 772)

In addition to federal regulations, statutes, and orders, the project is subject to the following agency approvals and permits:

Unit of Government	Type of Permit or Approval	Status
Federal		
FHWA	Finding of No Significant Impact (this document)	In process
	Section 4(f) de minimis determination for impacts to Rice’s Point Access	Completed (see Appendix C)
	Section 106 Programmatic Agreement	Completed (see Appendix B)
	Interchange Access Request	In process

Unit of Government	Type of Permit or Approval	Status
USACE (U.S. Army Corps of Engineers)	Section 10/404 Permit	To be applied for
	Section 408 Permit	To be applied for
USCG (U.S. Coast Guard)	Section 9 Permit	To be applied for
Federal Aviation Administration (FAA)	Form 7460-1 Notice of Proposed Construction or Alteration	To be applied for
USFWS	Endangered Species Act Section 7 Determination	Complete
	Migratory Bird Permit	To be applied for, if needed
	Bald Eagle Incidental Take Permit	To be applied for
	Biological Opinion	To be applied for, if needed
Minnesota		
MPCA	Section 401 Water Quality Certification	To be applied for
	National Pollution Discharge Elimination System (NPDES) Construction Stormwater Permit	To be applied for
	NPDES Groundwater Pump Out Permit	To be applied for
	NPDES Sediment Dredge Permit	To be applied for, if needed
	Notice of Intent of Demolition	To be applied for
	Response Action Construction Contingency Plan	To be applied for
	Contaminated Water Dewatering Permit	To be applied for, if needed
	High-Capacity Wells Dewatering Permit	To be applied for, if needed
	No Association Determination	To be applied for
MnDNR	Public Waters Work Permit	To be applied for
	Water Appropriation Permit	To be applied for
	Transport Infested Waters Permit	To be applied for
MnDOT	Wetland Conservation Act	To be applied for
	Right-of-way purchase agreements	To be applied for
	Environmental Management Plan	In process
	EIS Need Decision	Complete

Unit of Government	Type of Permit or Approval	Status
Minnesota State Historic Preservation Office (MnSHPO)	Section 106 Programmatic Agreement	Complete
Wisconsin		
WiDNR	Final Letter of Concurrence	To be applied for
	Wisconsin Pollution Discharge Elimination System Transportation Construction General Permit	To be applied for
	Endangered/Threatened Species Incidental Take Permit	To be applied for
	WPDES (including Groundwater Pump Out)	To be applied for
	WPDES Sediment Dredge Permit	To be applied for, if needed
	Section 401 Water Quality Certification	First step in application process started with WiDNR Initial Review letter (see Appendix B of the EA/EAW)
	Erosion Control Implementation Plan	To be applied for
	Exemption to Construct on Historic Fill	To be applied for
	Response Action Construction Contingency Plan	To be applied for
	Contaminated Water Dewatering Permit	To be applied for, if needed
	High-Capacity Wells Dewatering Permit	To be applied for, if needed
Waterway Marker Application Permit	To be applied for	
Wisconsin SHPO (WisSHPO)	Section 106 Programmatic Agreement	Complete (see Appendix B)
Local		
City of Duluth	Municipal Consent	To be applied for
City of Superior	Special Discharge Approval Permit (for discharge to wastewater treatment plant)	To be applied for
Western Lake Superior Sanitary District	Special Discharge Approval Permit	To be applied for
Private		
BNSF Railway/CHS	Flagging Agreement	To be applied for
	Temporary Construction Easements	To be applied for

7.2 Mitigation

Mitigation describes any action taken to reduce the adverse effects of potential impacts. The order of precedence for dealing with impacts is listed below:

- Avoiding the impact altogether by not taking a certain action or parts of an action
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation; rectifying the impact by repairing, rehabilitating, or restoring the affected environment
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action
- Compensating for adverse impacts by replacing or providing substitute resources or environments

MnDOT will implement all mitigation measures identified in **Appendix A** and in the Section 106 Programmatic Agreement included in **Appendix B**.

8.0 FHWA CONCLUSION

FHWA finds the elements of the Blatnik Bridge Replacement Project and the environmental impacts caused thereby have been adequately identified and assessed in the September 2023 EA/EAW as prepared by MnDOT, WisDOT, and FHWA. Therefore, pursuant to 23 CFR 771.121(c), FHWA hereby finds the Blatnik Bridge Replacement Project will not cause significant environmental impacts.

The FHWA has determined the proposed improvements, as described in the Environmental Assessment (EA) will have no significant impacts to the human or natural environment. This Finding of No Significant Impact (FONSI) is based upon the attached EA/EAW which has been independently evaluated by FHWA and determined to adequately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures.

The EA/EAW provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required.

Susan Wimberly
Deputy Division Administrator
Federal Highway Administration –
Minnesota Division

3/5/2024
Date