

**COMMENT CATEGORIES FROM THE ENVIRONMENTAL ASSESSMENT AND
COMPATIBILITY DETERMINATION FOR ISSUING RIGHT-OF-WAY PERMITS TO
THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR THE MINNESOTA
VALLEY STATE TRAIL**

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Refuge Purpose

Comments: Comments concerning the compatibility of the Bloomington Segment of the Minnesota Valley State Trail with the refuge's stated mission and purpose. Topics included whether the trail was compatible with the refuge mission and purpose and the refuge's enabling legislation, which requires the Minnesota Valley State Trail to be allowed through the refuge.

Response: The Minnesota Valley State trail can be allowed through the refuge's enabling legislation. The Minnesota Valley National Wildlife Refuge Act states that the refuge shall "provide for the Minnesota Valley Trail Corridor, authorized by Minnesota Statute, 1969, section 85.198, as an integral part of the Minnesota Valley National Wildlife Refuge and the adjacent wildlife recreation area" (Minnesota Valley National Wildlife Refuge Act 1976).

The purpose of this Environmental Assessment was to determine using best available science and professional judgement if the operation and maintenance of a non-motorized recreational trail would materially interfere or detract from the fulfillment of the National Wildlife Refuge System mission or the purpose of the Minnesota Valley National Wildlife Refuge. Through this process, the Service has determined that granting a right-of-way to the Minnesota Department of Natural Resources is compatible. Allowing these rights-of-way on the refuge will enable a more significant portion of the public to enjoy the outdoors while promoting the National Wildlife Refuge System. This access is consistent with the goals of the refuge.

Wildlife

Comments: Comments regarding the effects the Bloomington Segment of the Minnesota Valley State Trail may have on wildlife species present on the refuge. Topics include the impact the trail surface might have on wildlife and the ecosystem and the trail's proximity to bald eagle nests in the river valley.

Response: To avoid impacts to federally listed and other species, best management practices for construction will include restrictions to ensure appropriate timeframes and techniques consistent with permits, approvals, and applicable avoidance plans in coordination with the Minnesota Department of Natural Resources nongame wildlife program and U.S. Fish and Wildlife Service. Refuge staff have conducted long-term surveys of bald eagles. Surveys will continue throughout the construction period and construction activities will avoid critical nesting periods near active nests.

Habitat and Vegetation

Comments: Comments regarding the effects the Bloomington Segment of the Minnesota Valley State Trail may have on habitat and vegetation. Topics include fragmentation and the amount of tree removal needed to construct the trail.

Response: The Minnesota Department of Natural Resources will utilize conscientious trail alignment planning and use the same footprint as existing trails when feasible to minimize habitat fragmentation and tree removal.

Wetlands and Water Resources

Comments: Comments regarding the effects the Bloomington Segment of the Minnesota Valley State Trail may have on wetlands and water resources. Topics include sediment deposition on trails and in nearby habitat; downstream runoff; and the impacts of polycyclic aromatic hydrocarbons leaching from surface material on water quality.

Response: Best management practices during construction will be used to minimize effects on wetlands and water resources. These practices are outlined in Appendix D – Avoidance and Mitigation Measures. Practices such as vegetation management, maintenance of infiltration areas, and addressing erosion, will be used post-construction as feasible to maximize the amount of water that can be treated prior to discharge to surface waters.

Floodplain, Trail Surface, and Maintenance

Comments: Comments regarding the effects the Bloomington Segment of the Minnesota Valley State Trail may have on flooding and maintenance. Topics include frequent flooding that would close trails, destroy trail surface and increase erosion and runoff; concern for lack of refuge funding and resources to maintain the trail; and maintenance of the trail after flooding. There was much concern over the proposed project area not being conducive to a paved trail due to frequent flooding, and the inability to maintain a paved trail in the floodplain, as current trails are often in disrepair. Additional comments regarding pavement as the trail surface were received, as well as comments that the existing natural surface trail is valued by some user groups. Other comments expressed support for the proposed surface type.

Response: It is beyond the scope of this Environmental Assessment to debate the surface of the trail, as authorization for the Minnesota Valley State Trail (Minnesota Statutes 85.015, subpart 6) requires that the trail be paved between the Bloomington Ferry Bridge and Highway 77, primarily for hiking and biking. For the sake of continuity and accessibility, the Minnesota Department of Natural Resources proposes to pave all

segments of the trail. The Minnesota Department of Natural Resources will be responsible for the operation and maintenance of the facility via formal agreement. The Minnesota Department of Natural Resources has already secured funding for the segment of the trail starting at Highway 77 and running approximately 1.7 miles west.

Construction

Comment: Comments stated that historic state trail construction projects have introduced garbage from contractors into the river bottoms. Comments also stated that silt fences and construction materials.

Response: The Minnesota Department of Natural Resources will be issued a Special Use Permit prior to construction of the state trail. Management of construction materials and litter will be included in the special conditions portion of the permit.

Accessibility

Comments: Comments regarding the effects the Bloomington Segment of the Minnesota Valley State Trail may have on accessibility. Topics included questioning the need for accessible trails on refuge, or the ability to make the trail fully accessible. Other comments included support of the accessible trail or expansion of an accessible loop between Lyndale and Old Cedar.

Response: Surface type and accessibility is outside the scope of this Environmental Assessment. See the response under "Floodplain and Maintenance" for further information.

Scope of the EA

Comment: Comments regarding the scope of the Environmental Assessment covering not only the currently proposed and funded right-of-way applications Minnesota Department of Natural Resources, but future applications.

Response: The Minnesota Department of Natural Resources will apply for future right-of-way permits as funding is available. At that time, the compatibility determination and all environmental compliance will be reviewed to ensure they are still appropriate.

Natural Character

Comment: Comments were received regarding the ways that a multi-use recreational trail may affect the user experience of the natural trail that the river bottoms currently provide in a predominantly urban environment. Additional comments discussed the unnatural historic use pre-refuge establishment which included private hunting areas and

farmland.

Response: It is beyond the scope of this Environmental Assessment to debate the surface of the trail, as authorization for the Minnesota Valley State Trail (Minnesota Statutes 85.015, subpart 6) requires that the trail be paved between the Bloomington Ferry Bridge and Highway 77, primarily for hiking and biking. Minnesota Department of Natural Resources used conscientious trail alignment planning and will retain the same footprint as existing trails when feasibly possible. The trail footprint will remain the same while the surface will change.