# *The Old Cedar Avenue Bridge project has started!*

The habitat restoration project at Old Cedar is underway! Near the bridge invasive species like buckthorn, honeysuckles and Siberian Elm have been cut and treated. The cut areas will be closely monitored and all new invasive sprouts removed. Restoration will include planting native grasses and flowers and we hope that the area will function like an oak savanna when complete. It will take years for the restoration to be complete, but once it is tall wildflowers and grasses will once again grace the edges of Long Meadow Lake, providing quality habitat for wildlife.

# *Spring Construction Timeline*

- Habitat Project: ongoing until end of March. There may be occasional trail closures for safety purposes.
- Utility Work: expected start date of March 1 through Mid-April. This will close about 25% of the parking lot but trails will remain open.
- Bridge Restoration: expected start date of May 1. This project is expected to run through September 2016. Parking areas will be affected during the restoration and may have portions of the parking lot closed during this time.

These dates are all subject to weather, construction timelines, and other pitfalls along the way. Please be patient as we work towards a healthier habitat for wildlife and a better experience for visitors.

U.S. Fish & Wildlife Service

# News Release

**Minnesota Valley National Wildlife Refuge**
**Bloomington Visitor Center**
**3815 American Blvd, East**
**Bloomington, MN 55425**
**(952) 854-5900 Fax: (612) 725-3279**
**http://www.fws.gov/refuge/minnesota_valley**

FOR IMMEDIATE RELEASE
March 9, 2015

FOR MORE INFORMATION CONTACT:
Gerry Shimek, 952-858-0705

**Issue Right-of-Way for Relocation of Century Link Fiber Optic Line to Support Old Cedar Avenue Bridge Rehabilitation Project**

This Compatibility Determination addresses a request by CenturyLink to relocate an existing fiber optic facility that presently crosses a portion of the Long Meadow Lake Unit of the Minnesota Valley National Wildlife Refuge to a new location. The purpose of this relocation is to facilitate the rehabilitation of the Old Cedar Avenue Bridge by the City of Bloomington, MN as required by law.

A Public Comment period is open from March 9, 2015 to March 22, 2015. Direct all comments in writing to: Gerry_Shimek@fws.gov or:
Minnesota Valley National Wildlife Refuge
Attn: Gerry Shimek
3815 American Blvd E
Bloomington, MN 55425

The U.S. Fish and Wildlife Service is the principal federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 94-million-acre National Wildlife Refuge System which encompasses more than 545 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 70 national fish hatcheries, 64 fishery resource offices and 78 ecological services field stations. The agency enforces federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts. It also oversees the Federal Aid program that distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.

For further information about programs and activities of the U.S. Fish and Wildlife Service in the Great Lakes-Big Rivers Region, please visit our website at http://midwest.fws.gov

- FWS-

# COMPATIBILITY DETERMINATION

**Use:** Issue ROW for Relocation of CenturyLink Fiber Optic Line to Support Old Cedar Avenue Bridge Rehabilitation Project

**Refuge Name:** Minnesota Valley National Wildlife Refuge (Refuge)

**Establishing and Acquisition Authority(ies):**

Refuge - Date Established: October 8, 1976, Public Law 94-466

**Refuge Purpose(s):**

Refuge - The Secretary shall develop and administer ... the refuge, in accordance with the National Wildlife Refuge System Act ... The Secretary may also exercise any other authority available to him for the conservation and management of wildlife and natural resources, the development of wildlife-dependent recreational opportunities, wildlife interpretation, and environmental education, to the extent deemed by him to be appropriate ... The Secretary shall construct, administer and maintain, ... a wildlife interpretation and education center ... to promote environmental education and to provide an opportunity for the study and enjoyment of wildlife in its natural habitat.

**National Wildlife Refuge System Mission:**

The Mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

**Description of Use:**

This Compatibility Determination addresses a request by CenturyLink to relocate an existing fiber optic facility that presently crosses a portion of the Long Meadow Lake Unit of the Minnesota Valley NWR to a new location. The purpose of this relocation is to facilitate the rehabilitation of the Old Cedar Avenue Bridge by the City of Bloomington, Minnesota, as required by state law.

CenturyLink was granted a ROW easement from the U.S. Fish and Wildlife Service (Service) for the existing facility in February, 2004. The existing easement is 10 ft. wide and 1,097 ft. long; it comprises 11,017 sq. ft. or about 0.25 acres. This easement will be abandoned by CenturyLink if the relocated easement is granted.

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The proposed easement is 10 ft. wide and 1,450 ft. long; it comprises 14,500 sq. ft. or about 0.33 acres.

Within this easement, CenturyLink will install a 10 inch diameter unlined borehole via horizontal directional drilling. Where the borehole crosses under the wetlands and surface waters of the Long Meadow Lake Unit, it will be at a depth of about 673 msl. This depth will place the borehole about 30 feet below the substrate surface of Long Meadow Lake at this location. CenturyLink will install two 4 inch diameter fiber optic conduits and one 2 inch diameter fiber optic conduit within the borehole. The installation of the facility is anticipated to take 4 to 6 weeks, maximum. The borehole ends will terminate off of Service lands in the immediate proximity of an existing fiber optic facility. Access to the work areas will be via the Service's Old Cedar Avenue parking lot and the Long Meadow Lake Trail.

CenturyLink will transfer ownership of the 2 inch diameter fiber optic conduit, and well as rights of access and use of pull handholes, to the Service.

The issuance of this easement to support a fiber optic facility is not a priority public use in and of itself. However, the issuance of this easement does materially support priority public uses.

**Availability of Resources:**

We have estimated the Service will expend about 5 staff days to issue this ROW and monitor the installation of the fiber optic facility. Service expenditures of resources to monitor the maintenance and operation of this facility will be negligible and easily managed within the course of routine Refuge operations.

**Anticipated Impacts of the Use:**

The ecological effects of installing this fiber optic facility are negligible. We estimate that 2 areas, each about 50 feet square (about 2,500 sq. ft.), will be needed to operate and service the boring machine and install the fiber optic lines. The habitats in these affected areas are turfgrass communities or bituminous surfaced parking lot and trails. There will be no impact to natural terrestrial or aquatic habitats because the facility will be placed underground by horizontal boring from the facility termini. The work will be conducted during daylight hours. Although there will be some noise associated with the boring and installation equipment, it will be within state noise standards for parks and natural areas. Should the river flood into the work areas, all equipment and supplies will be removed from inundated areas.

Refuge lands and trails in the project vicinity will be open to priority public uses such as fishing, wildlife observation, wildlife photography, and environmental education and interpretation during the installation of the fiber optic facility. Refuge visitors will be excluded from the immediate work

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areas for safety purposes. Construction crews, equipment, and supplies likely will access the east end of the project via the Long Meadow Lake Trail. This will affect trail users slightly as they share the trail with occasional construction traffic.

Refuge management activities will not be adversely affected by the construction and operation of this facility because of the generally short-term nature of construction activities and the placement of the facility underground.

**Public Review and Comment:**

The Service solicited public comments regarding the issuance of this ROW via this Compatibility Determination. A 14-day review period began March 9, 2015, and ended on March 22, 2015. Copies of the document were posted at the Refuge headquarters and on the Refuge website.

XX comments were received and addressed in this document and project plans.

(Note: No comments were received when the existing ROW was issued in 2004.)

**Determination:**

**_____ Use is Not Compatible**

**__X__ Use is Compatible With Following Stipulations**

**Stipulations Necessary to Ensure Compatibility:**

1. This project is undertaken solely to facilitate the rehabilitation of the Old Cedar Avenue Bridge.
2. CenturyLink will not increase the commercial capacity of the facility beyond that installed in 2004.
3. CenturyLink will transfer ownership of the 2 inch diameter fiber optic conduit, and well as rights of access and use of pull handholes, to the Service. This will enable the Service to ensure that the facility will have capacity to provide for future vital public services across Refuge lands.
4. All applicable State and Federal Regulations will apply to the construction and operation of this facility.

**Justification:**

The purpose of this relocation is to facilitate the rehabilitation of the Old Cedar Avenue Bridge by the City of Bloomington, Minnesota, as required by state law.

The City of Bloomington has had a long partnership with the Refuge in natural resource management and priority public use activities. When the Refuge was established, the Old Cedar

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Avenue Bridge was open to pedestrian and non-motorized vehicle use. The bridge provided Refuge visitors access to Refuge lands and activities. Subsequently, the bridge was closed to all use because it became unsafe. Rehabilitation of the Old Cedar Avenue Bridge once again will facilitate visitor access to Refuge lands for priority public use activities.

As part of this facility relocation, the project sponsor is providing non-commercial fiber optic capacity to be used at the Service's discretion. Section 9 of Public Law 94-466, the Minnesota Valley National Wildlife Refuge enabling legislation, directs the Service to provide for vital public services in manner that minimizes disruption to natural resource and public use values. Given the long-term development plans of the units of local government surrounding the Refuge, it is conceivable that fiber optic data transmission needs will arise. The installation of a fiber optic conduit dedicated to non-commercial public use ensures that the Service will be able to fulfill its obligation under Section 9 of the Refuge's enabling legislation.

This use is being permitted because it supports priority public uses. It will not diminish the primary purposes for which the Refuge was established. It is being implemented in a manner that supports the Refuge purpose into the future. This use also meets the mission of the National Wildlife Refuge System by providing resources for the benefit of the American public while conserving viable populations of fish, wildlife and plant resources on these lands.

This use has been determined compatible provided the above stipulations are implemented.

**Signature:** **Refuge Manager:** _____

**(Signature and Date)**

**Concurrence:** **Regional Chief:** _____

**(Signature and Date)**

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E. 702307

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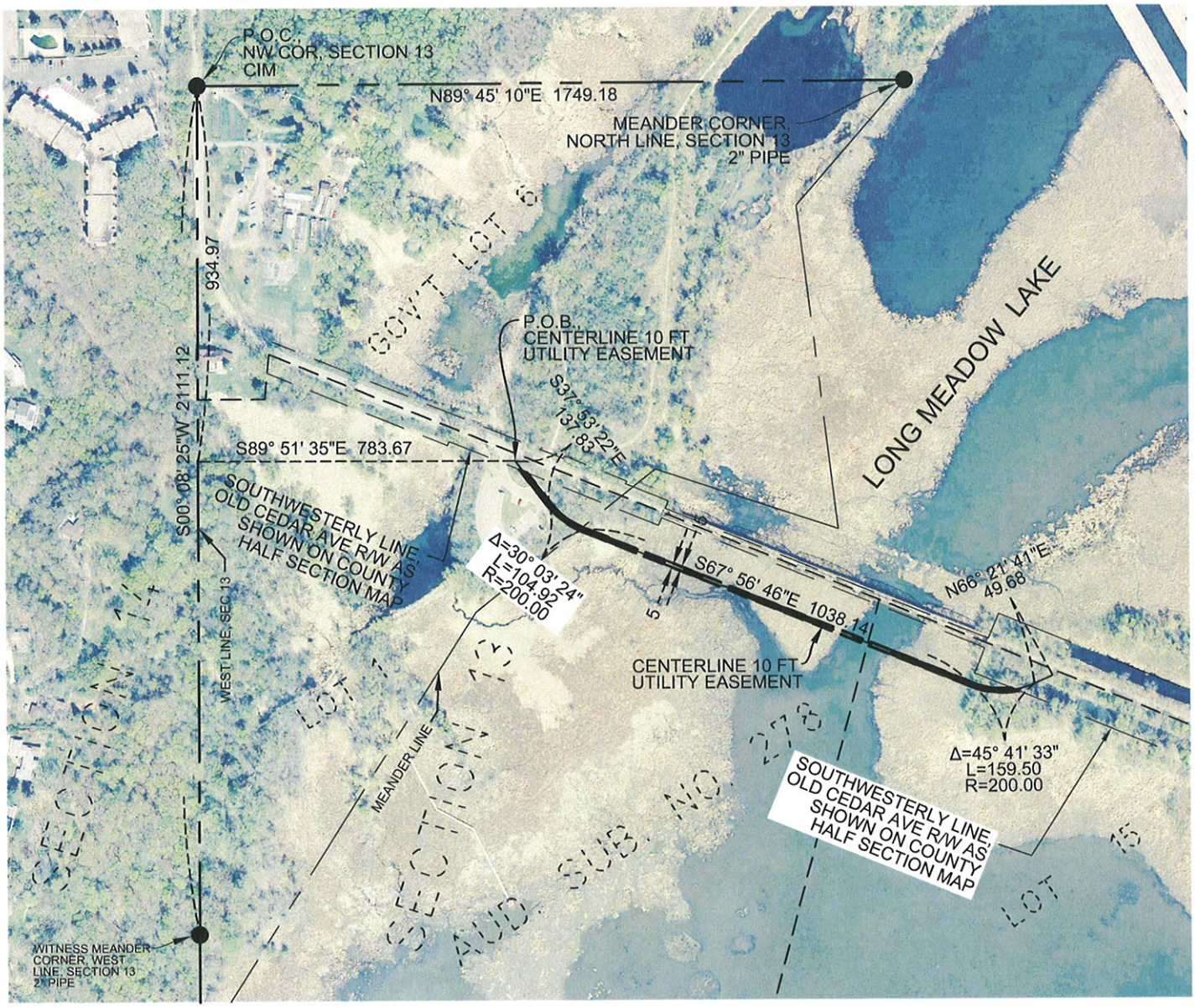
# EXHIBIT A SHEET 1 OF 2 SHEETS

N
W E
S

0 200 400

Certificate of Survey for: Qwest Corporation, d/b/a CenturyLink QC
Qwest/CenturyLink Job Number: E.702307
Location: City of Bloomington, Hennepin County, Minnesota
See sheet 2 of 2 for legal descriptions




Legend

| | | | |
|---|---|---|---|
| ● | - Denotes Found Monument | L | - Arc Length |
| Δ | - Delta | P.O.B. | - Point of Beginning |
| CIM | - Cast Iron Monument | P.O.C. | - Point of Commencement |
| FT | - Foot | R | - Radius |

Ulteig Job Number: 14.01497
Section: 13 Township: 27N Range: 14W, 4th P.M.
County: Hennepin

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Craig P. LaTulip Lic. No. 25299

Date: 1/20/2015

# Compatibility Determination

## Regional Office Review Documentation and Routing Slip

Compatibility Determination forms, and appropriate NEPA documentation, are completed by the Project Leader in accordance with policy and following suitable public review and comment. Project Leader will sign the compatibility determination.

Are CDs part of a CCP? Yes No _X_

| Route to | Title | Responsibility | surname/date |
|---|---|---|---|
| 1 | Refuge Historic Preservation Officer: | Reviews for NEPA compliance, cultural resource protection issues, and completeness of documentation. | |
| 2 | Chief, Visitor Services and Outreach: | Reviews for consistency with public use policies, and consistency with station public use management plans. Alerts Supervisor if precedent setting. | |
| 3 | Regional Refuge Biologist: | Reviews for biological soundness and consistency with principles of fish and wildlife management, and consistency with station habitat and wildlife management plans. | |
| 4 | Refuge Supervisor: | Reviews for overall consistency with Refuge Purpose, Mission, Goals and Objectives, and for overall clarity of reasoning and sound professional judgment. | |
| 5 | Division of Conservation Planning | If draft CDs are part of a draft CCP, hold signed CDs; then forward them with the final CCP to the Regional Chief. | |
| 6 | Regional Chief, National Wildlife Refuge System: | Reviews for overall compatibility with Refuge System Mission, Regional consistency, and adherence to Service Policies. Alerts Regional Director to sensitive or potentially controversial decisions. | Signs CD |
| **Last** | Regional Historic Preservation Officer: | **Signed original is returned to field station. Copy is filed with RFO files.** | Files copy of CD |

**CD Title:** Issue ROW for Relocation of CenturyLink Fiber Optic Line to Support Old Cedar Avenue Bridge Rehabilitation Project
**Refuge Name:** Minnesota Valley National Wildlife Refuge

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