

Date: December 28, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

Re: Predetermination and Prejudicing of Alternatives – Minn. R. 4410.3100

Improper Predetermination and Prejudicing of Alternatives

I submit this comment to document a clear violation of Minn. R. 4410.3100 arising from Steele County's approval and execution of implementation-level engineering actions for the East Side Corridor while environmental review was still ongoing.

Minn. R. 4410.3100 expressly prohibits a Responsible Governmental Unit (RGU) from taking actions that would materially prejudice the consideration of alternatives or mitigation measures before environmental review is completed. The actions approved by Steele County on May 13, 2025, violate both the letter and intent of this rule.

Additionally, residents warned the county before a vote was taken.

1. Approval of a “Preferred Option” Before Completion of Environmental Review

On May 2, 2025, WSB submitted Contract Amendment No. 2 for the East Side Corridor. That amendment repeatedly and explicitly identifies a “**preferred option**” and “**preferred corridor**,” stating that:

- *“The right of way limits have been determined for the preferred option,” and*
- *The scope includes base work “for the preferred corridor.”*

The determination of right-of-way limits for a single corridor constitutes selection, not analysis. At that point, alternatives are no longer being neutrally evaluated — they are being excluded.

This action alone materially prejudices alternatives in violation of Minn. R. 4410.3100.

2. Authorization of Implementation-Level Design and Right-of-Way Work

The May 2 amendment — approved by the County Board on May 13 — authorizes and funds extensive implementation-level work tied exclusively to the preferred corridor, including:

- Right-of-way base mapping and title work

- Roundabout mitigation design and intersection engineering
- Right of Way mapping
- Repeat noise analysis driven by selected mitigation measures to justify roundabouts
- Bridge design, hydraulic, and floodplain design
- Soil borings to support bridge foundations

These are not preliminary or conceptual activities. They are engineering actions undertaken to advance construction of a specific alignment.

Financial commitment to these tasks — totaling over \$200,000 in new expenditures and revising the contract total to over \$635,000 — further locks in the chosen corridor and forecloses meaningful consideration of alternatives.

3. Mitigation-Driven Reanalysis Demonstrates Predetermination

The amendment explicitly states that noise impacts were reanalyzed **because roundabouts were selected** and that:

- *“The lower speed and character of the corridor resulted in the need to re-analyze the noise impact.”*

This is not environmental review guiding design. It is design driving environmental analysis — precisely what Minn. R. 4410.3100 prohibits.

Mitigation measures may not be engineered first and then used to justify a preselected alternative while other corridors remain unstudied or dismissed.

4. Timing and Procedural Irregularity

These actions occurred while environmental review was still active and, notably, within days of the County Engineer’s resignation notice. Regardless of personnel changes, the RGU remains legally obligated to maintain independent judgment, procedural integrity, and compliance with environmental review rules.

Locking in a preferred corridor, right-of-way limits, and bridge design during this period further underscores the absence of good-faith alternatives analysis.

5. County Proceeded Despite Advance Warnings from Residents

Prior to the May 13, 2025 County Board vote authorizing the WSB contract amendment, residents explicitly warned Steele County, in writing and public comment, that approving implementation-level engineering actions before completion of environmental review would violate Minn. R. 4410.3100 by prejudicing alternatives.

These warnings were provided **before** the vote was taken and placed the County on notice that:

- the amendment selected and advanced a preferred corridor,
- right-of-way limits had been fixed,
- design and mitigation work was being authorized, and
- such actions were prohibited during ongoing environmental review.

Despite these warnings, the County proceeded with the vote and authorized the amendment without pausing, deferring, or conditioning the action on completion of environmental review.

This is not a case of inadvertent error, misunderstanding, or reliance on incomplete information. The record reflects that Steele County **knowingly proceeded after concerns were raised**, further undermining any claim of good-faith compliance with MEPA and its implementing rules.

6. Compounding Actions That Improperly Limited Alternatives

The prejudicing of alternatives did not occur in isolation. On May 13, 2025, Owatonna Township approved a resolution limiting the project to alternatives relying on City-owned outlots associated with Preferred Alternative 3. Steele County subsequently accepted this resolution without a recorded vote on May 27, 2025.

Similarly, on December 16, 2025, the City of Owatonna approved a resolution limiting the project to a single alternative—Alternative 3—and authorized right-of-way work and cost sharing.

These actions occurred despite advance warnings. On April 23, 2025, the County Engineer documented in an email to the County Administrator, City Administrator, and City Engineer that the Federal Highway Administration (FHWA) explicitly instructed that no votes on alternatives should occur prior to completion of environmental review.

MEPA and NEPA prohibit decision-making that limits alternatives before environmental review is complete. Here, multiple governing bodies proceeded to do exactly that—after federal

guidance was communicated internally—further demonstrating predetermination and material prejudice to alternatives.

7. Consequences

Because Steele County approved and funded actions that materially prejudiced alternatives prior to completion of environmental review, the Environmental Assessment Worksheet is **legally deficient**.

This violation cannot be cured by continuing the EAW process. Once predetermination occurs, the integrity of the review is compromised.

Accordingly, this record supports:

- rejection or invalidation of the current EAW, and
- preparation of a full Environmental Impact Statement (EIS) with **independent** oversight.

Conclusion

An EAW must inform decision-making — not ratify decisions already made. The May 2, 2025 WSB amendment and its approval on May 13, 2025 demonstrate that Steele County committed to a preferred corridor and advanced its implementation before environmental review was complete, in direct violation of Minn. R. 4410.3100.

This comment is submitted for inclusion in the official EAW record.

M [REDACTED] Z [REDACTED]

[REDACTED]

Owatonna, MN

Directly impacted resident



STEELE COUNTY BOARD AGENDA

Administration Center - 630 Florence Avenue – Owatonna, MN 55060

*Steele County's Mission:
Driven to deliver quality services in a respectful and fiscally responsible way.*

TUESDAY, MAY 13, 2025 at 5:00 PM

County Boardroom, Steele County Administration Center

Persons with background material for agenda items are asked to provide them to the Administrator's Office 5 days prior to the meeting date so that the material can be linked to the online agenda. If handouts at the Board meeting are necessary, please bring enough copies for the Board, county staff, the press and the public. Generally, 15 copies should be sufficient.

Agenda

1. Call to Order
2. Pledge of Allegiance
3. Approve Agenda

Presentation

4. UBS Financial Services Presentation (pg.5)
 - Jack Samuels, Senior Wealth Strategy Associate
5. ANR Educator Report (pg. 16)
 - Ryan Lerman, Steele/Rice Extension Educator

Public Comment

Those wishing to speak must state their name and address for the record after they are acknowledged by the Board Chair. Each person will be limited to two (2) minutes to make his/her remarks.

Speakers will address all comments to the Board as a whole and not one individual commissioner. The Board may not take action on an item presented during the Public Comment period, unless the item is already on the agenda for action. When appropriate, the Board may refer inquiries and items brought up during the Public Comment period to the County Administrator for follow-up.

Correspondence

6. Southern Minnesota Tourism Association Letter (pg. 19)

Consent Agenda - *Items listed on the Consent Agenda are considered routine and non-controversial by the County Board. There will be no separate discussion of these items unless requested by a member of the County Board.*

7. Approve April 16, 2025 Special Budget Work Session Minutes (pg. 20)
8. Approve April 22, 2025 Board Minutes (pg. 21)
9. Approve April 22, 2025 Board Work Session Minutes (pg. 29)
10. Approve Bills (pg. 31)
11. Approve Personnel Report (pg. 64)
12. Approve the On-Sale Beer License for Holy Trinity Catholic Church of Litomysl (pg. 65)
13. Adopt a Proclamation for the “National Public Works Week” (pg. 66)
14. Approve a temporary contract for a waiver and care coordinator position (pg. 68)
15. Approve a Consultant Agreement with Teya Dahl. (pg. 72)
16. Approve 2024 Feedlot Officer Annual Report and authorize the Chair to sign (pg. 76)
17. Adopt Amended Resolution 2025-003A designating UBS as Steele County’s depository and authorize the persons stated to sign orders (pg. 91)
18. Adopt Amended Resolution 2025-005A Granting Annual Authority to the Finance Director to Designate Depositories and Authorize others to Conduct Banking Transactions. (pg. 93)
19. Adopt Amended Resolution 2025-004A approving the revised 2025 EFT Authorization due to personnel changes. (pg. 96)

General Agenda

20. May Anniversary Report (pg. 99)
21. Approve the sale of CCA Furniture to Choice Technical Academy in an amount of \$6,000.00 and authorize Community Correction Director to sign MOU. (pg. 100)
22. Adopt a Resolution 2025-025 Amending CUP #302, Minnesota Paving and Materials and Festal Farms removing three parcels. (pg. 104)
23. Approve Agreement Amendment with WHKS & Company to complete final design for the

CSAH 2/CR 180, CSAH 43, and CR 171 Intersection Improvement and authorize the County Engineer to sign. (pg. 113)

24. Adopt Resolution requesting MnDOT to perform a speed study on CSAH 46 (CSAH 15 to MN 30) (pg. 121)
25. Approve an Amendment with WSB for Engineering Services for CSAH 48 and 18th Street SE Roundabout and authorize the County Engineer to sign. (pg. 125)
26. Approve/Adopt Agreements and easements with CPKC railroad for the work necessary to relocate and improve the SE 18th Street Rail Crossing
 - a. Approve the negotiated settlement for \$26,000 for the acquisition of an easement over, under, across and through a parcel of land owned by the CPKC railroad for SE 18th Street. (pg. 128)
 - b. Approve Maintenance Agreement with CPKC railroad for the work necessary to relocate and improve the SE 18th Street Rail Crossing (pg. 144)
 - c. Adopt Resolution 2025-027 to approve agreement with CPKC railroad and State of Minnesota for the installation of crossing signals and gates at the SE 18th Street rail crossing. (pg. 225)

27. Approve Amendment with WSB for Preliminary Engineering Services for East Side Corridor Project and Authorize the County Engineer to sign the Amendment. (pg. 239)
28. Award a contract for the 2025 CSAH 3 Resurfacing project to Crane Creek Asphalt in the amount of \$586,659.97. (pg. 243)
29. Approve Disposal of Veteran Services Van (pg. 244)

County Board Work Session – Tuesday, May 13, 2025

30. Action Items

Internal Central Services Committee – Tuesday, May 6, 2025

31. Approve Administration and Annex Building hour change (pg. 249)

Information Items

32. Internal Central Services Committee Minutes (pg. 251)
33. Land Use and Records Committee Minutes (pg. 253)

Commissioner Reports:

Next Meeting Notices:

Public Safety & Health Committee – Tuesday, May 20th at 8 a.m. in the Boardroom

County Board Work Session – Tuesday, May 27th at 4 p.m. in the Boardroom

County Board Meeting – Tuesday, May 27th at 5 p.m. in the Boardroom

Closed Session:

The Board will be going into closed session for the purpose of labor negotiations strategy, per MN Statute Section 179A.01 & Section 13D.03

Motion to go into closed session

Discussion

Motion to end closed session

Action item (if necessary)

Closed Session:

The Board will be going into closed session for the purpose of discussing pending litigation - attorney/client privilege, pursuant to Minn. Stat. § 13D.05, Subd. 3(b)

Motion to go into closed session

Discussion

Motion to end closed session

Action item (if necessary)

Adjourn

Disclaimer: This agenda has been prepared to provide information regarding an upcoming meeting of the Steele County Board of Commissioners. This document does not claim to be complete and is subject to change.

Memorandum

To: Paul Sponholz, Steele County
From: Andrew Plowman, WSB
Date: May 2, 2025
Re: East Side Corridor Project
WSB Project No. 019850-000
Contract Amendment No. 2

Pursuant to our discussions, WSB respectfully submits this amendment request for additional design services associated with the following tasks:

- Additional Project Management and General Coordination
- Right of Way Base Mapping
- Roundabout Design/Mitigation Measures
- Noise Analysis based on Mitigation Measures
- CATEX Document
- Soil Boring near Maple Creek
- Hydraulic/Floodplain Design
- Bridge Design

The revised contract total amount is \$426,044. WSB respectfully requests compensation for these additional services in the not-to-exceed amount of \$209,235, resulting in a revised contract total of \$635,279, as summarized below:

If this Proposal is acceptable, please issue the appropriate Amendment incorporating this letter for our review and signature.

We thank you for the opportunity to submit this Proposal and look forward to continuing to work with you on this Project. If you have any questions, please let me know.

The following outlines the request for additional fee and details the scope of services for the project:

Additional Project Management and General Coordination

The project management and general coordination for the project includes additional coordination with agencies, additional project management team meetings and scheduling activities.

The total cost for this task is \$16,000, which is based on 80 hours of time with an average cost per hour of \$200/hr.

Right of Way Base Mapping

The right of way limits have been determined for the preferred option. Given the right of way process requires significant duration, WSB proposes to start the process by compiling the title

work and right of way base files. This scope would include the base work for the preferred corridor.

The total cost for this task is \$32,400, which is based on 180 hours of time with an average cost per hour of \$180/hr.

In addition, the expense to obtain the title reports would be included in this task, which would assume 20 parcels at \$500/parcel. \$10,000.

Roundabout Design/Mitigation Measures

It was determined that roundabouts would be considered at the intersections of 29th Avenue and Rose Street, Dane Avenue, 26th Street and 26th Street and Kenyon Road. This includes the design, analysis, performance checks and grading of 4 roundabouts that were previously not considered. This will not include the final design component or landscaping. We will include an additional fee in the 60% design task.

The total cost for this task is \$37,800, which is based on 180 hours of time with an average cost per hour of \$210/hr.

Noise Analysis based on Mitigation Measures

Roundabouts have been considered as mitigation measures for the concern with speed and operation of the corridor. This resulted in lower speeds for certain portions of the corridor that indicated noise walls may be feasible and cost effective. The lower speed and character of the corridor resulted in the need to re-analyze the noise impact.

The total cost for this task is \$15,120, which is based on 84 hours of time with an average cost per hour of \$180/hr.

CATEX Document

For the original design, it was assumed an EA/EAW would be required. Amendment 1 indicated the additional work required from switching the type of document and for the added effort. However, that did not include the need for completing two documents. Although they are similar in nature, they do have differences that require additional work and coordination.

The total cost for this task is \$63,875, which is based on 365 hours of time with an average cost per hour of \$175/hr.

Soil Boring near Maple Creek

The County was able to obtain a right of entry permit from the owner of the property at 9153 Co. Road 3, Owatonna, to complete a soil boring near Maple Creek. This will allow for preliminary design of the footings and abutments for the bridge across Maple Creek. It should be noted that additional borings will be necessary, including on the north side.

The total cost for this task is \$11,000, which is based on 32 hours of crew time at \$250/hr, and \$3,000 of laboratory testing and reporting effort.

Hydraulic/Floodplain Design

The initial bridge **design** was based on hydraulic and floodplain analysis. In addition to the design, coordination has occurred with the area drainage engineer and the DNR. Some of this effort was included in the original design, but certain investigations were outside the scope, such as impact to the **floodplain** and how to **mitigate and design the bridge**.

The total cost for this task is \$9,000, which is based on 40 hours of time with an average cost per hour of \$225/hr.

Bridge Design

As part of the EAW and CATEX, initial bridge design was required. This included the design of the typical section, profile and initial beam design. A substantial final design will also be required for the project, which includes coordination with the bridge office and plan production.

The total cost for this task is \$14,040, which is based on 54 hours of time with an average cost per hour of \$260/hr.

The revised contract total amount is \$426,044. WSB respectfully requests compensation for these additional services in the not-to-exceed amount of \$209,235, resulting in a revised contract total of \$635,279

Sincerely,



Andrew Plowman, P.E.
Sr. Project Manager

ACCEPTANCE:

Signature: _____

Title: _____

Date: _____

RESOLUTION
TOWN BOARD OF OWATONNA TOWNSHIP

WHEREAS, the Town and the City have annually adopted an orderly Annexation Agreement to provide land areas for the growth of the City and further, to provide for the protection of agricultural and other lands within the Township from urban and suburban development and to promote an organized framework for systematic annexation, and part of that agreement, the Township does not support non-farm use of the properties in the growth area, and

WHEREAS, the Preferred Alternative is largely in the defined growth areas and has less farmland impacts than the alternatives further east, and

WHEREAS, the Preferred Alternative keeps development from leapfrogging into non developed area and keeps development near existing city limits, and

WHEREAS, the Preferred Alignment best supports existing and near-term City development while preserving farmland further east, and

WHEREAS, the city dedicated land on the east side of the North County Additions 1, 2, and 3 plats preserving land for the route, and that land is already out of farmland production, further protecting additional farmland from being removed from production through other alternative routes, and

WHEREAS, Alternatives 4 and 5 presented in the environmental documents have greater farmland impacts, and would encourage development outside of the annexation agreement development areas.

NOW, THEREFORE, BE IT RESOLVED, the township does not support any other alternatives that impact farmland outside of orderly annexation agreement areas, or that do not use already-dedicated lands for the route.

BE IT FURTHER RESOLVED the Township requests that the County and City follow their previous significant planning efforts and agreements to preserve farmland and promote the orderly growth of the City.

BE IT FURTHER RESOLVED the Township supports the selection of the preferred alternative, identified as Alternative 3 as shown in the federal and state environmental documents, and commonly referred to as the 29th Avenue alignment.

ADOPTED 5-13-25, 2025.

OWATONNA TOWNSHIP BOARD
Steele County, Minnesota

By: Jerry Katzung
Chairman

ATTEST:

By: Leanne Elliott
Township Clerk

CERTIFICATION

I hereby certify that the above *is* a true and correct copy of a Resolution duly passed, adopted, and approved by the Owatonna Township Board on the 13th day of May, 2025.

Leanne Elliott
Township Clerk



DATE: December 16, 2025
TO: Mayor and City Council
FROM: Sean Murphy, Public Works Director
SUBJECT: Resolution 88-25: Resolution of Support - East Side Corridor

Purpose:

Requesting City Council approval of Resolution 88-25: Resolution of Support for the East Side Corridor.

Background:

Steele County and the City have been exploring, via the East Side Corridor Study, ways to develop a north-south roadway closer to the currently developed and developing areas of Owatonna since 2021. This came on the footsteps of a need for the route being identified in simultaneous, but separate transportation studies by the County and City. Steele County has taken the lead on the project and further studied alternative routes through an exhaustive Environmental Study. The County and City have engaged in multiple public engagement opportunities and considered public input. Ultimately, Alternative 3 was selected.

A Resolution of Support for the East Side Corridor memorializes the City's partnership of the project, which aligns with the City's Comprehensive Plan and follows the Orderly Annexation Agreement in place with Owatonna Township.

The City's partnership is critical for this project. The next steps will include support in project development and ultimately a cooperative agreement with Steele County.

Budget Impact:

There is no cost related to the approval of the resolution of support, but understand there will be future costs associated with the project if or when it moves forward.

Staff Recommendation:

Staff recommends approval.

Attachments:

1. Resolution 88-25: Resolution of Support - East Side Corridor

RESOLUTION NO. 88-25

RESOLUTION APPROVING MUNICIPAL SUPPORT FOR EAST SIDE CORRIDOR PROJECT

WHEREAS, Steele County has, through its Capital Improvement Plan (CIP), recommended an expansion project on the east side of Owatonna, known as the East Side Corridor, to alleviate downtown congestion, improve vehicle safety and increase multimodal transportation; and

WHEREAS, Steele County and the City have, through their separate and simultaneous 2040 Transportation Plans, recommended the addition of a north-south corridor on the east side of the Owatonna Municipal Boundary; and

WHEREAS, Steele County, in consultation with the City, commenced the East Side Corridor Study to further develop the north-south route and subsequently engaged in an extensive Environmental review process conforming to Federal Highway Administration (FHWA) and Minnesota State Rules beginning in 2022 to identify and evaluate corridor locations; and

WHEREAS, Steele County and the City, together with WSB, have engaged in community engagement as part of the study and preliminary design efforts intended to gather and consider public feedback for the proposed expansion; and

WHEREAS, Steele County received concurrence in fall of 2024 on the preferred corridor, Alternative 3, which is consistent with the location of the Steele County officially mapped corridor and is approximately 2.2 miles east of CSAH 1/Cedar Avenue/CSAH 45, with deviations north of CSAH 19 (Rose Street) and south of CR 180; and

WHEREAS, the project is consistent with the City's 2050 Comprehensive Plan; and

WHEREAS, the project conforms to the orderly annexation agreement in place between the City and Owatonna Township; and

WHEREAS, prior to advertising for contractor bids on the Project, Steele County will present the City with a Cooperative Agreement for the cost sharing of the improvements; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Owatonna supports the selected alternative, Alternative 3; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Owatonna that the City of Owatonna supports the County continuing with the development of final plans and right-of-way acquisition necessary for the construction of the Project; and

Passed and adopted this _____ day of _____ 2025, with the following vote:

Aye _____; No _____; Absent _____.

Approved and signed this _____ day of _____, 2025.

Matthew T. Jessop, Mayor

ATTEST:

Jenna L. Tuma, City Administrator/City Clerk

Noise Impacts to Children and Educational Outcomes Near Future Elementary School Property

EAW Comment #28

Date: December 29, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

Re: Noise Impacts to Children and Educational Outcomes Near Future Elementary School Property

I am submitting this comment to raise concerns about the impacts of roadway noise on children and educational environments where the East Side Corridor would be constructed adjacent to publicly owned school property. The Environmental Assessment Worksheet (EAW) does not adequately address how increased and sustained traffic noise affects children's learning, health, and long-term educational outcomes.

A substantial body of research demonstrates that chronic exposure to transportation noise is associated with reduced reading comprehension, impaired memory, decreased attention, and lower standardized test performance in children. Noise exposure has also been linked to increased stress responses, sleep disturbance, and behavioral impacts that disproportionately affect children, who are more vulnerable to environmental stressors than adults. These effects are not limited to classroom interiors; outdoor learning spaces, recreational areas, and future school expansion areas are also affected by persistent roadway noise.

Constructing a new arterial roadway adjacent to school-owned land introduces permanent noise impacts that cannot be mitigated through temporary measures. Once established, these impacts constrain future educational use of the land and may necessitate costly retrofits or mitigation measures borne by taxpayers. The EAW does not evaluate whether projected noise levels are compatible with current or future school-related uses, nor does it analyze whether the proposed corridor would exacerbate cumulative noise exposure in an area already influenced by major transportation infrastructure.

Because the EAW references school-related traffic as part of the project context, it is essential that impacts to school property and children's learning environments be fully disclosed and analyzed. Failing to evaluate the educational and developmental consequences of roadway noise near school land understates the project's long-term environmental and community impacts and prevents meaningful public review.

Given the permanent nature of roadway noise impacts adjacent to school property, the well-documented effects of chronic transportation noise on children's learning and health, and the absence of parcel-specific and cumulative noise analysis in the EAW, an Environmental Impact Statement (EIS) is warranted. An EIS is necessary to fully evaluate noise exposure, cumulative impacts, feasible alternatives, and mitigation measures before irreversible decisions are made.

M [REDACTED] Z [REDACTED]

[REDACTED]

Owatonna, MN

Directly impacted resident

Date: December 29, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

Re: Permanent Health, Safety, and Environmental Impacts to Existing Homes

I am submitting this comment to address the permanent health, safety, and quality-of-life impacts of constructing a new arterial roadway immediately adjacent to existing homes. The proposed right-of-way is approximately 100 feet wide, rather than the approximately 150 feet typically required for a roadway of this type, resulting in an unusually narrow separation between the roadway and residences. In some locations, the right-of-way would be as close as **17 feet** (source: WSB) from residential structures, creating continuous exposure to traffic noise, air pollution, vibration, and light impacts **24 hours a day, 7 days a week**, forever. These proximity-based impacts are not adequately disclosed or analyzed in the Environmental Assessment Worksheet (EAW).

This is not a matter of neighborhood preference or opposition to infrastructure. It is a matter of public safety, human health, and livability. A substantial body of research demonstrates that chronic exposure to transportation noise is associated with increased cardiovascular risk, including significantly elevated rates of heart attack and stroke, as well as sleep disturbance, chronic stress, and cognitive impairment. These impacts are particularly severe for vulnerable populations. My household includes a family member who has already experienced a heart attack and children with disabilities whose symptoms are exacerbated by chronic noise, sleep disruption, and environmental stressors. The EAW does not evaluate how continuous roadway exposure would affect residents with existing medical conditions or disabilities.

The EAW also fails to meaningfully apply the required hierarchy of **avoidance, minimization, and mitigation**. Avoidance—relocating the roadway away from existing homes—is the only measure that would prevent permanent exposure, despite having studies it and finding it to meet all the criteria and avoid substantial impacts. Minimization is not feasible for residents because our homes already exist. We cannot reorient bedrooms or living spaces, relocate structures, or retrofit walls to highway-grade noise standards. The EAW acknowledges that such measures are often cost-prohibitive, leaving mitigation as the only remaining option.

Both MnDOT and FHWA explicitly state that landscaping and fences are not noise mitigation measures and should not be relied upon to reduce traffic noise impacts. Vegetation may provide visual screening but does not provide meaningful noise reduction, particularly in the absence of substantial distance and mature, dense buffers.

MnDOT guidance further indicates that vegetative buffers would only have any measurable noise effect where a wide buffer—on the order of at least 100 feet of mature evergreen trees—is already present at the time impacts occur. Such conditions do not exist here and cannot be

created within the proposed 100-foot right-of-way, especially where homes are as close as approximately 17 feet from the right-of-way.

Mitigation measures, such as noise walls, are inherently less effective than avoidance and impose substantial long-term costs on taxpayers. They do not address all impacts, including air pollution, light pollution, vibration, and cumulative health effects. The Vehicle Impact Analysis (VIA) does not evaluate how roadway conditions would change with the addition of a noise wall, and the EAW does not analyze secondary or cumulative impacts to disproportionately impacted residents from these exposures.

These are precisely the types of impacts the Minnesota Environmental Policy Act (MEPA) and the National Environmental Policy Act (NEPA) exist to evaluate and prevent—ensuring that development occurs in a manner that allows communities to live safely and sustainably rather than absorbing preventable harm. When residential exposure occurs at distances measured in feet and persists continuously, avoidance is the only effective protection.

This is not a matter of neighborhood preference. Constructing a high-speed roadway within approximately 17 feet of existing homes creates an environmental justice concern, for many families just like mine, by imposing disproportionate, unavoidable health and safety impacts on residents who did not create the need for the project and cannot mitigate its effects.

Because the EAW does not adequately analyze proximity-based health and safety impacts to existing homes, does not meaningfully evaluate avoidance alternatives that relocate the roadway away from residents, and understates the cumulative and irreversible nature of 24/7 exposure, an **Environmental Impact Statement (EIS) is warranted**. An EIS is necessary to fully evaluate long-term health consequences, reasonable alternatives, cumulative impacts, and fiscally responsible solutions before irreversible decisions are made.

M [REDACTED] Z [REDACTED]
[REDACTED]

Owatonna, MN
Directly impacted resident

Predetermination and Premature Elimination of Alternatives 4 and 5

ESC EAW Comment #30

Date: December 29, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

Re: Predetermination and Premature Elimination of Alternatives 4 and 5

This comment is submitted to document material deficiencies in the alternatives analysis relied upon by the Environmental Assessment Worksheet (EAW) for the East Side Corridor project. Specifically, the EAW rests on a flawed analytical foundation due to the premature elimination of **Alternatives 4 and 5**, inconsistent application of evaluation criteria, and reliance on a federal memorandum that mischaracterizes comparative performance. These deficiencies undermine the integrity of the environmental review and render the EAW inadequate under the MEPA and NEPA.

The alternatives analysis adopted by the EAW relies on data and conclusions contained in the project's federal memorandum. As the Responsible Governmental Unit (RGU), Steele County bears responsibility for ensuring that all information relied upon in the environmental review is accurate, complete, and neutrally applied, regardless of the original source.

In the federal memorandum, Alternatives 4 and 5 were eliminated on the basis that they did not meet the project's stated purpose and need, citing differences in volume-to-capacity ratios, travel time, and trip distance. *This comment does not concede that the project's stated purpose and need are valid; that issue is addressed separately using updated traffic data and growth assumptions.* Rather, this section demonstrates that even under the County's asserted purpose and need, Alternatives 4 and 5 were eliminated using inconsistent and outcome-driven criteria.

Internal project correspondence attached to this comment acknowledges that the elimination of Alternatives 4 and 5 was based on **minor performance differences** and that the analysis was structured to justify not advancing these alternatives rather than to objectively evaluate them.

Residents subsequently reviewed and recalculated the travel-time data presented in the federal memorandum using the exact distances and applying basic formulas rather than assumptions. That recalculation demonstrates that **Alternative 4 performs as the fastest option**, and that **Alternative 5 differs by approximately 30 seconds**. These differences are marginal in practical terms and do not constitute a meaningful failure to meet purpose and need, particularly when weighed against substantial differences in cost, right-of-way impacts, residential proximity, farmland conversion, and avoidance of established neighborhoods. These inconsistencies and others were recorded together in a document called "*Challenging Misleading Data: Prioritizing Safety, Accuracy, and Accountability in the East Side Corridor Federal Memorandum*" and is attached to this comment.

Predetermination and Premature Elimination of Alternatives 4 and 5

ESC EAW Comment #30

Residential Analysis of Alternatives Using Mathematical Formulas + Stops

Existing	Origin 26th St NE & Kenyon Rd Country View Ave & Fox Hollow Ln	Owatonna High School/US 14 & US 218 Interchange Area 10 min/4.5 mi 8 min/3.3 mi	Cedar Ave & 18th St Commercial Area (Hyvee) 11 min/4.1 mi 10 min/3.9 mi	Owatonna Hospital/I-35 & 26th St Interchange Area 12 min/5.1 mi
3	Origin 26th St NE & Kenyon Rd Country View Ave & Fox Hollow Ln	10 min/4.8 7 min/3.8 mi	13 min/6.3 mi 10 min/4.3 mi	9 min/5.7 mi
4	Origin 26th St NE & Kenyon Rd Country View Ave & Fox Hollow Ln	8 min/5.1 mi 6 min/3.3 mi	11 min/6.6 mi 9 min/4.8 mi	10 min/6.0 mi
5	Origin 26th St NE & Kenyon Rd Country View Ave & Fox Hollow Ln	9 min/6.1 mi 7 min/4.3 mi	12 min/7.0 mi 10 min/5.8 mi	11 min/7.0 mi

Faster than existing
similar/shorter distance
Slower than existing

**Alternative 3 in its proximity to homes will cause a slower roadway - assumed a 40mph travel speed.

**Factored in 30 seconds for each of 4 stops on each route. Most stops do not take 30 seconds.

The recalculations referenced above were performed by a resident with a Bachelor of Science degree in Mathematics and Computer Science, applying standard and transparent formulas to the same data used in the federal memorandum. Although residents were not provided a formal opportunity to submit this analysis due to the lack of a granted comment period, the results were presented to Commissioners during public comment, placing the County on notice of material inaccuracies in the memorandum.

Despite this, Alternatives 4 and 5 were removed from further consideration without completion of a full and consistent evaluation. This premature elimination prevented meaningful comparison of reasonable avoidance alternatives that would have utilized an existing roadway corridor for the majority of their length. For all but approximately **1.25 miles**, the County already holds a **66-foot right-of-way**, the roadway continues to Kenyon Road, follows parcel boundaries, minimizes farmland bisections and avoids established residential neighborhoods.

The federal memorandum repeatedly states that Alternatives 2, 3, and 4 would experience comparable usage. When the memorandum's own travel-time data are recalculated using accurate distances, speeds, and stop conditions—rather than simplifying assumptions—**Alternative 4 demonstrates superior travel performance and lower overall costs**, while **Alternative 5 further reduces residential impacts, prioritizes farmland, and minimizes disruption by following existing infrastructure**.

Nevertheless, Alternatives 4 and 5 were eliminated based on negligible travel-time differences **before** cost efficiency, right-of-way availability, and impact avoidance were evaluated. Disregarding the memorandum's own findings regarding comparable usage and removing these alternatives prior to applying criteria used elsewhere reflects an inconsistent and outcome-driven application of evaluation standards that materially skews the alternatives analysis.

Internal project correspondence further corroborates that the alternatives analysis was structured to justify elimination of Alternatives 4 and 5 rather than to neutrally evaluate them. Prior to finalization of the federal memorandum, project staff discussed how to define growth areas, frame planning consistency, and characterize travel-time and performance differences in ways that would support advancing Alternative 3, while acknowledging that differences among alternatives were minor. These communications demonstrate that the analytical framework was shaped to align with a preferred outcome, reinforcing that Alternatives 4 and 5 were removed prematurely and that the EAW relies on a biased and outcome-driven analysis (See the attached additional analysis).

MEPA requires that alternatives be evaluated using consistent assumptions and methodologies so that decision-makers and the public can meaningfully compare environmental consequences and reasonable options. The selective inclusion and exclusion of impacts and performance metrics across alternatives violates this requirement and reflects **predetermination rather than objective environmental review**.

Because the EAW relies on this flawed foundation, it understates the true impacts of Alternative 3 on existing neighborhoods, obscures reasonable avoidance alternatives, and prevents meaningful public review. These deficiencies cannot be cured through post-hoc explanation or mitigation commitments.

An Environmental Impact Statement (EIS) is therefore required to correct the record, apply a consistent and transparent methodology across all alternatives, fully evaluate Alternatives 4 and 5, assess cumulative and foreseeable future impacts, and analyze reasonable avoidance options before irreversible commitments are made.

M [REDACTED] Z [REDACTED]
[REDACTED]

Owatonna, MN
Directly impacted resident
Mathematics & Computer Science, B.S.

Predetermination and Premature Elimination of Alternatives 4 and 5

ESC EAW Comment #30

Note: Following the Administrative Law Judge's MGDPA compliance order, substantial amounts of public records that had previously been available for inspection were no longer present for inspection and could not be retrieved despite reasonable efforts. The absence of these records prevented obtaining official copies. Accordingly, screenshots of video footage are submitted as the best available documentation of the referenced information.

RE: ESC Alternatives Matrix

SP Sponholz, Paul
To: Andrew Plowman; Mary Gute
Cc: Bieba, Gregory; sean.murphy@ci.owatonna.mn.us

Alt_Evaluation_Matrix_to_County_5-21-2024 w PS Comments.xlsx 4 MB

Wed 5/22/2024 11:57 AM

Andrew and Mary,

Looking good. Just a few minor comments in the attached, mostly some grammar, formatting, spelling. And a question on how you came up with 29 parcels on Alt 3.

To help expedite the state and federal review, would you be ok if I share this with Dale if he is willing to review now, and see if he has any significant comments before we get to far along in the writeup.

One other thing, maybe a question for Dale. While we show that Alternatives 4 & 5 don't meet the purpose and need and therefore we don't need to do any further analysis, it's based on a fairly minor difference in v/c and trip time/distance, right? With the expectations and nitpicking expected out of North Country wanting a "full" analysis of all the options, should we fill in the rest of the matrix for alternatives 4 & 5 to help justify that they don't work? An extra mile and a half of roads to reach Alt 5 will add to the costs and add to the r/w and farmland impacts. If we can say in the writeup that not only does it not meet the purpose and need, but it is also more impactful and costly, that would help tell the story of why we aren't doing those alternatives. Your thoughts?

Paul Sponholz, P.E. | Assistant County Engineer

Mary, 1/9/2024

Looking like a great start. Looking forward to seeing the detail filled in. A couple of initial comments:

- Under vehicle mobility/land use growth areas, what is the definition of a "growth area boundary"? I see you currently have all alignments in a growth area. Based on City's 2006 Development Plan I would say all alignments are in a growth area as it shows residential development out to 34th Ave. But based on the City/Township Orderly Annexation Map areas (see attached), 34th Ave is not in a current growth area. Alt 4 is on the outer edge of that growth area. Perhaps we make that distinction somehow and use the current growth area based on the annexation agreement.
- Consistency with official mapped corridor: this could be tricky with NC saying 34th Ave is the best choice. 34th Ave also has an Official Map, along with 29th Ave and 44th Ave. 34th Ave was mapped to also preserve it for an inner corridor. Is there some way we can point in this matrix and analysis that both 29th and 34th are needed? Or explain that both show up in the planning documents as inner corridors? So while 34th Ave is mapped and consistent with long range plans, its because both corridors are needed? Maybe that comes with the "connection and spacing" criteria when you fill in the mileage. Maybe along with performance measure for "connectivity and spacing" needs to be something like "Meets guidance for collector spacing every ½ mile – 1 mile"? Not sure how to really phrase that.
- Walkability, perhaps a performance measure on distance from existing trails? It would be quite the walk to go out to 34th Ave. Or am I seeing with the number being "none", are you making the assumption that we wouldn't build the trail connections on 26th and 18th if the corridor is that far out? For Alt 3 (29th ave) I'd say we would connect to 18th and 26th existing connections via an extension of the trails out to the ESC.

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

Predetermination and Premature Elimination of Alternatives 4 and 5

ESC EAW Comment #30

RE: Travel time

SP Sponholz, Paul
To: Mary Gute
Cc: Andrew Plowman; Ryan Larp; Ilkka; Gregory; Sean P. Murphy; Jason Junge
of electronic transmission. If verification is required, please request a hard copy.

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Tuesday, January 30, 2024 1:10 PM
To: Ilkka, Gregory <gregory.ilkka@SteeleCountyMN.gov>; Sean P. Murphy <Sean.Murphy@CityOwatonna.mn.us>
Cc: Andrew Plowman <APlowman@wsbenrg.com>; Mary Gute <MGute@wsbenrg.com>
Subject: Travel time

EXTERNAL EMAIL

As we were discussing this morning, just out of curiosity, I played around with google maps to look at travel times/distances, a performance measure Dale Gute requested to be included in the Eval Criteria. I'm sure WSB's traffic staff will have a much better process to include in the final reports.

For NE Owatonna to High School, interesting to note 29th Ave would be similar in travel time as existing routes, so certainly a viable alternative. Travel time to and from 34th Avenue is about 2 minutes longer than 29th Ave and an extra 1.5 miles longer. While not much, significant enough to influence driver behavior with a 18% increase in time to go to 34th Ave. So very likely to influence behavior.

Travel times are improved even more from the North County location. Faster and shorter than existing routes.

Looking forward to seeing WSB's analysis to see how it compares.

NE Owatonna to the High School

	11 minutes	4.8 miles
Existing Route (MSR/Main St/Bixby Rd.)		
Existing Route (Crestview/Rose/Willow/etc)	11 minutes	5.1 miles
29th Avenue	11 minutes	5.0 miles
34th Avenue	13 minutes	6.5 miles
44 th Avenue	15 minutes	8.5 miles

NE Owatonna to the High School

	11 minutes	4.8 miles
Existing Route (MSR/Main St/Bixby Rd.)		
Existing Route (Crestview/Rose/Willow/etc)	11 minutes	5.1 miles
29th Avenue	11 minutes	5.0 miles
34th Avenue	13 minutes	6.5 miles
44 th Avenue	15 minutes	8.5 miles

North Country to the High School

	8 minutes	3.8 miles
Existing Route (Rose/Partridge/Rice Lake/Bixby)		
29th Avenue	7 minutes	3.0 miles
34th Avenue	9 minutes	4.5 miles
44 th Avenue	11 minutes	6.5 miles

Since we don't have the ESC yet showing in Google Maps, I mapped out the travel time/milage to 44th Avenue, then subtracted out 2 x 1.75 miles from where 29th Ave is projected to be compared to 44th Ave. Using same logic, with 2 x 1 mile for the difference between 34th and 44th Ave. I assumed a speed of 1 mile/minute in the rural areas. So Melissa's assumption that 34th Ave is just another 30 seconds away from North Country, (actually it would be 45 seconds at 0.7 miles they keep citing), it doesn't count the fact the traveler also needs to return.



Challenging Misleading Data: Prioritizing Safety, Accuracy, and Accountability in the East Side Corridor Federal Memorandum

Chapter 1: History of the East Side Corridor

Introduction

The 61-page “Evaluation of Alternatives” Memorandum was prepared by Mary Gute of WSB on behalf of former Steele County Engineer Greg Ilkka and submitted to Phillip Forst of the Federal Highway Administration (FHWA) and Dale Gade of the Minnesota Department of Transportation (MnDOT) on August 13, 2024. It received formal approval from FHWA on September 3, 2024, and was subsequently circulated to Paul Sponholtz (current Steele County Engineer and project lead), Andrew Plowman (WSB Project Manager), Fausto Cabral (MnDOT District 6 State Aid Engineer), and others.

The document pertains to State Aid Project 074-070-009, which evaluates route alternatives for the proposed East Side Corridor. According to the Memorandum, the East Side Corridor is a joint initiative between Steele County and the City of Owatonna.

Given the Memorandum’s use in federal and state environmental review processes, its accuracy and transparency are not only procedural matters—they are legal, financial, and ethical imperatives. Any inconsistencies, omissions, or biased representations in this document can significantly impact affected residents, undermine lawful planning standards, and erode public trust.

Page 1: Responsibility for East Side Corridor Project

The Memorandum confirms that the East Side Corridor is a joint initiative between Steele County and the City of Owatonna.

This memo is being completed as part of the East Side Corridor Study, led by Steele County in cooperation with the City of Owatonna. The sections that follow discuss the

Page 3: Contradictory Use of Previous Studies

For nearly a year, city and county officials—including commissioners, engineers, council members, and administrators—have consistently stated that this is a “new project with a new purpose”, thereby invalidating previous studies. This position has been publicly reiterated by City Administrator Kris Busse during City Council meetings and is documented in the public record.

However, this Memorandum now incorporates and compares data from those very past studies. This shift in narrative—treating older reports as both invalid and valid depending on the context—creates confusion and undermines transparency in the decision-making process.

Previous planning efforts on the east side of Owatonna were initially reviewed to help define the study area and to develop East Side Corridor alternatives. Previously completed plans, studies, environmental documents, and mapping documents related to potential north-south transportation routes on the east side of Owatonna that have been completed since the 1990s are documented in the Owatonna East Side Corridor Location Memo, completed in August 2022 (see **Attachment A**). A common theme of the previous studies was similar to this project's purpose, which is to improve the connectivity of Steele County's transportation network and to meet near term and future travel needs on the east side of the City of Owatonna and adjacent townships.

Page 3: 24th Ave: Misrepresented History and Right-of-Way Confusion

The Memorandum references the 1999 study of 24th Avenue, which was rejected at that time for being too close to residential neighborhoods. That report recommended shifting the alignment 800 feet east to minimize noise and environmental impact (1999 Environmental Assessment Worksheet, p. 11).

Importantly:

- 24th Avenue was never designated as an officially mapped right-of-way.
- In 2000, a 150-foot-wide right-of-way—located 1,200 feet east of Greenhaven—was officially mapped and filed as what became known as 29th Avenue (Doc: A280471).
- The 2004 US 14 Beltline Study recommended preserving 34th Avenue (Alternative 5) and 44th Avenue for future corridors, noting 34th Avenue should serve as an *internal collector* with an overpass south of Highway 14.
- That same study recommended against using the mapped right-of-way as a beltline, suggesting it should only function as a shorter city street at most. (Page 30)

Subsequent planning and development reflected this shift:

- **2004 to Present** Homes and utilities were built on the officially mapped 29th Avenue right-of-way. 150' no longer exists.
- **2005-2025 Steele County Transportation Plan** identified (Page 11 & 15):
 - 29th Avenue as a short city street connector (Dane Road to Rose Street)
 - 34th Avenue (Alternative 5 today) as the preferred inner corridor
 - 44th Avenue as the external beltline
- **2006 Owatonna Development Plan** also designated 29th Avenue as a shorter city street, not an inner collector and 34th Avenue (Alternative 5 today) as an inner corridor. (Page 24, 37, 49)
- **2009:** Both 34th Avenue (Alternative 5 today) and 44th Avenue were officially mapped as 150-foot-wide right-of-way, aligning with the US 14 Beltline Study 2004.

Contrary to the Memorandum's claims, 24th Avenue was neither an officially mapped corridor nor comparable to current Alternative 3. Its designation as "Alternative A" in the 1990s placed it along what were then the outer edges of the city—similar in location to today's Alternative 1. These distinctions matter because omitting them distorts both the historical planning context and public understanding.

Many of these previous planning efforts focused on identifying a beltline route that would connect to US 14. In 1999 the Steele County Board selected a section of a beltline corridor route called 24th Ave, which would have largely been on new alignment. This route is similar to Alternative 3 in Figure 1. When MnDOT was planning to convert US 14 into a freeway and included an interchange at US 218/Bixby Road, it was then determined that the 24th Ave route could no longer connect to US 14 due to freeway interchange spacing requirements.

Studies in 2004 and 2011 concluded with the Steele County Board selecting CSAH 43 (44th Ave NE) as the east beltline and MnDOT committing to a future US 14 interchange at CSAH 43. With the potential beltline corridor moved farther east of Owatonna's city limits, the 2004 study identified that two additional north-south, inner collector roadways, closer to downtown Owatonna than CSAH 43, would be needed to meet area transportation needs. These inner collectors were recognized as necessary because the CSAH 43 alignment beltline would not contribute to reducing the downtown area traffic congestion due to distance.

The 2004 study documented that the 24th Ave route had been Officially Mapped by the County Board and that the City of Owatonna would assume responsibility for constructing the road as development warranted.¹ The 24th Ave route was planned to meet the existing transportation needs to reduce downtown traffic congestion and to accommodate existing development. The 2004 plan also recommended that the 34th Ave corridor (similar to Alternative 5, shown in Figure 1) be preserved for another long-term future internal collector roadway to accommodate additional long term city growth.² Based on that recommendation, the Steele County Board Officially Mapped the 34th Ave route.

These two, north-south corridors – 24th Ave and 34th Ave – are both included in the 2006 City Comprehensive Plan and Steele County's 2040 Transportation Plan. The locations of these identified future routes align with FHWA spacing guidelines and would serve future development without contributing additional congestion to the downtown area.

Page 4: Deviations to Mapped Right of Way

The Memorandum notes route deviations intended to avoid future development areas—specifically, vacant lots in a new subdivision north of town. However, similar efforts were not made to avoid established neighborhoods like North Country.

Despite repeated resident inquiries, the county has not provided data or justification for why some areas were spared while others were not. This inconsistency raises concerns about fairness in how impacts were distributed and decisions prioritized.

Alternative 3

New alignment approximately 2.2 miles east of CSAH 1/Cedar Ave/CSAH 45, with deviations north of CSAH 19 (Rose St) and south of CR 180. This alternative is generally consistent with the location of a Steele County officially mapped corridor.

Page 6: Contradictions in Pedestrian and Bicycle Comfort Measures

The Memorandum states that pedestrian and bicycle comfort measures were identical across all alternatives and therefore not used as criteria in selecting a preferred corridor.

However, later portions of the document inconsistently highlight bicycle accessibility as a differentiator—particularly in favor of some alternatives over others. This contradiction contributes to confusion and may mislead readers into thinking bikeability varied by route when it did not.

distances between origins and destinations by walking were all over 1 mile. Therefore, all of the alternatives were found to rate low for this measure. Additionally, the results for the criteria used to measure pedestrian and bicycle comfort all yielded high ratings for all alternatives, meaning that there was not a difference among the alternatives for this measure. Because all alternatives rated the same for these two measures and provided no differentiation, these measures were not included in discussion below or used to make a corridor recommendation. The evaluation process was structured so that if an alternative did not meet the majority of Step 1 criteria, it was eliminated from further evaluation in Step 2. The results of the project needs evaluation are shown in Table 1 and described below.

Page 7: Inconsistent and Misleading Data Comparisons

Several discrepancies appear in the comparison tables, particularly around **connectivity, access, and location within city boundaries**:

- **Connectivity:** Page 34 addresses connectivity but contains significant discrepancies, including inaccurate distances and incorrect highlighting.
- **Access to existing subdivisions:** Noted yes for Alternatives 1–3. Alternatives 2 and 3 are shown to connect with existing neighborhoods, yet both would require continuous noise walls that effectively block access to the North Country Subdivision—functionally rendering them similar to Alternative 4, which is highlighted differently.
- **City Boundary Markings:** Alternatives 1b and 1c are listed as “within city boundaries: Yes,” while Alternatives 2 and 3 are marked as “partially.” In fact, **none** of the alternatives lie entirely within city limits. These inconsistencies may affect how the public and agencies perceive regulatory oversight and annexation implications.
- **Future Growth Boundaries:** The Memorandum states that Alternative 4 is on the “edge” of the future growth boundary. However, maps on pages 29 and 59 clearly show that the growth area extends to 34th Avenue (Alternative 5), placing Alternative 4 squarely within it—just like Alternative 3. The distinction presented is misleading.
- **Bicycle Accessibility:** While earlier pages stated this factor was not considered in route selection, the table on page 34 flags Alternative 4 negatively in red for bicycle accessibility—despite all routes having equal provisions. This selective emphasis distorts the comparison.

Table 1: Purpose & Need Performance Measures

Category	Evaluation Criteria	Performance Measures	1A: New alignment approx. 1 mi east of CSAH 1/Cedar Ave/CSAH 45	2: Modification of Alt 1 to include Kenyon Rd and Dane Rd N or Dane Rd	1C: Modification of Alt 1 to include route along E Rose St, Partridge Ave, and new alignment S of Rose St.	2: New alignment approx. 2.2 mi E of CSAH 1/Cedar Ave/CSAH 45, with deviations N of Rose St and S of CR 180	3: New alignment approx. 2.2 mi E of CSAH 1/Cedar Ave/CSAH 45, with deviations N of Rose St and S of CR 180	4: New alignment approx. 2.5 mi E of CSAH 1/Cedar Ave/CSAH 45	5: 34th Ave E, approx. 3 mi E of CSAH 1/Cedar Ave/CSAH 45	Legend	
			Shorter travel time for 4/5 trips; longer for 1 trip. Trip length/distance.” (Attachment C)	Shorter travel time for 4/5 trips; longer for 1 trip. Shorter or same distance for 4/5 trips; longer for 1 trip.	Shorter travel time for 4/5 trips; longer for 1 trip. Shorter or same distance for 4/5 trips; longer for 1 trip.	Shorter travel time for 1 trip; same or similar time for 3/5 trips; longer for 1 trip. Shorter or same distance for 1 trip; same or similar distance for 3/5 trips; longer distance for 1 trip.	Shorter travel time for 1 trip; same or similar time for 3/5 trips; longer for 1 trip. Shorter or same distance for 1 trip; same or similar distance for 3/5 trips; longer distance for 1 trip.	Shorter travel time for 1 trip; same or similar time for 3/5 trips; longer for 1 trip. Shorter or same distance for 1 trip; same or similar distance for 3/5 trips; longer distance for 4/5 of trips.	Same or similar travel time for 3/5 trips; longer travel time for 2 trips. Shorter distance for 1 trip; same or similar distance for 3/5 trips; longer distance for 4/5 of trips.		
Vehicle Mobility	Connectivity	Travel time between origins and destinations. Trip length/distance.” (Attachment C)	Shorter travel time for 4/5 trips; longer for 1 trip. Shorter or same distance for 4/5 trips; longer for 1 trip.	Shorter travel time for 4/5 trips; longer for 1 trip. Shorter or same distance for 4/5 trips; longer for 1 trip.	Shorter travel time for 4/5 trips; longer for 1 trip. Shorter or same distance for 4/5 trips; longer for 1 trip.	Shorter travel time for 1 trip; same or similar time for 3/5 trips; longer for 1 trip. Shorter or same distance for 1 trip; same or similar distance for 3/5 trips; longer distance for 1 trip.	Shorter travel time for 1 trip; same or similar time for 3/5 trips; longer for 1 trip. Shorter or same distance for 1 trip; same or similar distance for 3/5 trips; longer distance for 1 trip.	Shorter travel time for 1 trip; same or similar time for 3/5 trips; longer for 1 trip. Shorter or same distance for 1 trip; same or similar distance for 3/5 trips; longer distance for 4/5 of trips.	Same or similar travel time for 3/5 trips; longer travel time for 2 trips. Shorter distance for 1 trip; same or similar distance for 3/5 trips; longer distance for 4/5 of trips.	Longer distances and slower travel times for all 5 trips analyzed	Low: Similar or longer travel time for at least one but less than 3 of the 5 trips analyzed.
	Downtown Congestion Impacts	Volume/Capacity ratios and typical planning level capacity thresholds on downtown roadways (Attachment D)	Mineral Springs Rd (1): 0.78 Mineral Springs Rd (2): 0.86 Cedar Ave N: 0.87	Mineral Springs Rd (1): 0.78 Mineral Springs Rd (2): 0.86 Cedar Ave N: 0.87	Mineral Springs Rd (1): 0.78 Mineral Springs Rd (2): 0.86 Cedar Ave N: 0.92	Mineral Springs Rd (1): 0.85 Mineral Springs Rd (2): 0.93 Cedar Ave N: 0.98	Mineral Springs Rd (1): 0.85 Mineral Springs Rd (2): 0.93 Cedar Ave N: 0.92	Mineral Springs Rd (1): 0.93 Mineral Springs Rd (2): 1.01 Cedar Ave N: 0.92	Mineral Springs Rd (1): 0.93 Mineral Springs Rd (2): 1.01 Cedar Ave N: 0.92	Medium: All V/C ratios less than 1.0. At least one V/C ratio greater than 1.0.	
	Land Use and Anticipated Growth Areas (Attachment E)	• Potential to support current land uses • Within and around the official city limits/boundary	Access to existing developments: yes Within city boundary: partially	Access to existing developments: yes Within city boundary: yes	Access to existing developments: yes Within city boundary: yes	Access to existing developments: yes Within city boundary: partially	Access to existing developments: yes Within city boundary: partially	Access to existing developments: no Within city boundary: no	Access to existing developments: no Within city boundary: no	Low: Does not provide direct access to existing developments AND not within city boundary Medium: Provides direct access to existing developments AND partially within city boundary High: Provides direct access to existing developments AND within city boundary	
Walkability and Bikeability (Attachment F)	Connections to Existing and Planned City Trails	Number of connections to existing city trails	Existing: 26th St E (to the west) (1)	Existing: 26th St NE (west), Mineral Springs Rd NE, Rose St E (west) (3)	Existing: Rose St (1)	Existing: none (0)	Existing: none (0)	Existing: none (0)	Existing: none (0)	Low: 0 connections to existing city trails Medium: 1-4 connections to existing city trails High: 5+ connections to existing city trails	
	Distances between Key Origins and Destinations as Compared to Distances People Are Willing to Walk and Bike	Alternative results in distances between origins and destinations** that people are willing to travel: 1 mile for walking Alternative results in distances between origins and destinations** that people are willing to travel: 3 miles for biking	No	No	No	No	No	No	No	Low: Distance between origins and destinations is >1 mile Medium: NA High: Distance between origins and destinations is <1 mile	
	Pedestrian and Bicycle Comfort	• Pedestrian Multimodal Level of Service (Oregon method) for segments • Bicycle Multimodal Level of Service (Oregon method) for segments***	Yes	Yes	Yes	Yes	Yes	No	No	Low: Distance between the majority of origins and destinations is >3 mile Medium: NA High: Distance between the majority of origins and destinations is <3 mile	
		Pedestrian LOS B Bicycle LOS C	Pedestrian LOS B Bicycle LOS C	Pedestrian LOS B Bicycle LOS C	Pedestrian LOS B Bicycle LOS C	Pedestrian LOS B Bicycle LOS C	Pedestrian LOS B Bicycle LOS C	Pedestrian LOS B Bicycle LOS C	Pedestrian LOS B Bicycle LOS C	Low: Any MMLOS F Medium: MMLOS D and/or E High: All MMLOS range from A-C	

* Similar travel time refers to same travel time as existing to the nearest minute when rounded. Similar distance means within 0.5 miles of existing distance.

** Some trips with longer distances have shorter travel times, primarily because these trips go through less developed areas, allow for higher travel speeds, and result in less conflicting traffic compared to other routes.

*** Origins (residential locations located within close proximity of the study area) and destinations (Owatonna High School, Owatonna Soccer Complex, Lincoln Elementary School, Hammann Park, Daikin Soccer Complex, Nass Woods Park, and Mineral Springs Park)

*** MMLOS was calculated for each alternative as one segment, assuming that corridor characteristics would be similar. Inputs required for intersection MMLOSs are not available at this level of study.

Pedestrian LOS assumptions: one lane in each direction, sidewalk width of at least 5ft, speed limit at least 40 mph, and less than 500 vehicles/hr. Bicycle LOS assumptions: one lane in each direction, bicycle lane or shoulder at least 4ft, speed limit is not 30 mph or less, and there are unsignalized conflict points. Both were done for intersections only.

Summary of Pages 4–7

When corrected for accuracy and consistency, Alternative 4 closely resembles Alternative 3 in terms of location, access, and connectivity—but offers distinct advantages in terms of avoiding residential impacts. The inconsistencies in how these criteria are applied and visually highlighted suggest a potential bias in how data was presented to favor certain outcomes.

Page 8: Biased Assessment Criteria in Route Comparison

The Memorandum’s comparison of travel times and distances presents several inconsistencies, particularly in how routes are visually and numerically rated.

Route Comparison

According to WSB’s data on page 34 of the Memorandum, three out of five routes have similar travel times but slightly longer distances than existing trips. These were highlighted in yellow for Alternative 3. However, Alternative 4—despite showing comparable data—is flagged in red, suggesting a disadvantage that does not appear to be supported by the numbers.

When accurate measurements are applied, the relative efficiency of Alternative 4 improves further, undermining the color-coded implication that it is a less viable option.

Proximity to Homes: Alternative 3

WSB acknowledged on October 3, 2024, that Alternative 3 curves west and comes within 17 feet of existing homes. This realignment was made to partially align the route within city limits over a stretch of approximately seven blocks (one subdivision).

This proximity to homes raises several concerns:

- It would immediately trigger the need for **noise mitigation** per regulatory standards.
- It introduces **significant safety risks** for nearby families.
- These factors are **not fully addressed or acknowledged** in the Memorandum.

Growth and Annexation Areas

All route alternatives lie within the designated **growth area**. However:

- None are fully within the planned annexation area.
- Alternative 4, like Alternative 3, is centrally located in the middle of the future growth area, as shown on maps on pages 29 and 59.
- Unlike Alternative 3, Alternative 4 does not approach existing homes, preserving a buffer and avoiding the need to reduce the right-of-way.

These distinctions are material and contradict how the routes were rated in the report.

Route Ratings

Despite similar travel times and volume-to-capacity (V/C) outcomes, Alternative 3 is rated high, while Alternative 4 is rated low. This discrepancy is unexplained and may reflect selective emphasis rather than an objective scoring system.

Bikeability Considerations

The Memorandum initially stated that bikeability was **not a factor** in determining the preferred route (page 6). However, here, bikeability is **used to negatively differentiate Alternative 4**. This contradiction reinforces concerns about inconsistent evaluation criteria.

Alternative 3

This alternative rated either high or medium for all vehicle mobility measures. Relative to walkability and bikeability measures for which there are differences amongst alternatives, the alternative rated low for connections to existing trails. The majority of trips between origins and destinations would have shorter or similar travel times and distances when compared to existing trips. Alternative 3 would result in acceptable and improved volume/capacity (V/C) ratios on downtown roadways. This alternative is partially within existing city boundaries, and it is fully within the City of Owatonna's growth area boundary. While Alternative 3 only touches one current land use, it would connect several future land uses. This alternative does not connect to any existing city trails. It would connect to four planned trails, and would result in biking distances between origins and destinations of under three miles.

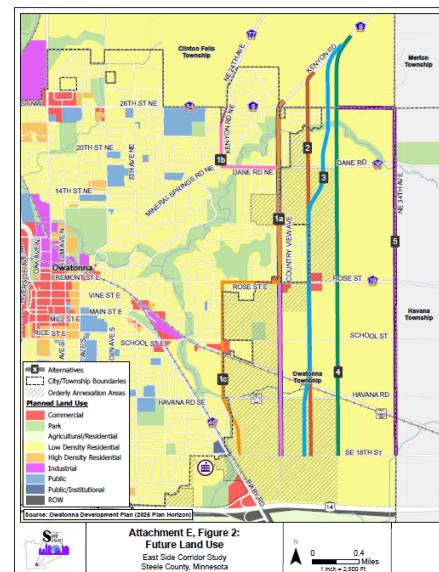
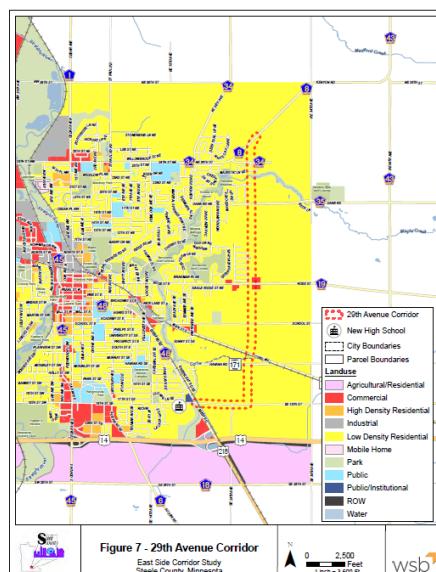
Alternative 4

This alternative rated low in multiple vehicle mobility measures, including trip length, distance, and travel time between origins and destinations; and the potential to support current and future land uses in proximity to the city's official boundary. The majority of trips between origins and destinations would have similar travel times but longer distances compared to existing trips. Alternative 4 would result in acceptable volume/capacity (V/C) ratios on downtown roadways. This alternative would not connect any developed land uses, is not within the existing city boundary, and is on the edge of the growth area boundary. Alternative 4 does not connect to any existing city trails but would connect to two planned trails. It would not result in biking distances between origins and destinations under three miles.

Conclusion for Page 8

When the data is accurately and consistently presented, Alternative 4 performs comparably—or in several cases better—than Alternative 3, particularly when residential impacts and long-term growth considerations are factored in. Yet, it was rated significantly lower without clear justification.

Page 29 and 59 Growth Maps:



Page 9: Alternative 4: Unjustified Exclusion and Evaluation Bias

Alternative 4, despite being statistically similar to Alternative 3, is rated significantly lower in the Memorandum. This raises concerns about inconsistencies in the evaluation process and the rationale used to eliminate it from further consideration.

Connectivity

According to page 61 of the Memorandum, Alternative 3 includes a planned \$2.3 million noise wall, which would run along its only neighborhood connection. However, that same noise wall would physically obstruct access to the subdivision it claims to serve—North Country—rendering its connectivity similar to Alternative 4.

When access restrictions are factored in, the connectivity benefit assigned to Alternative 3 becomes questionable, and its rating appears overstated.

Land Use and Anticipated Growth Areas

Pages 29 and 59 of the Memorandum show that Alternative 4 lies within the center of the planned growth area, just like Alternative 3. Its location supports future development and aligns with city expansion goals.

Despite this, Alternative 4 is described as less favorable, without data to support how its placement within the growth boundary is meaningfully different from Alternative 3.

Bikeability

Page 6 of the Memorandum notes that bikeability was not used to determine preferred alternatives. Yet later sections selectively highlight this feature to down score Alternative 4. This contradiction undermines the objectivity of the evaluation process.

Volume-to-Capacity (V/C)

The Memorandum identifies meeting V/C goals as a key purpose-and-need criterion (criterion #2). Both Alternatives 3 and 4 meet this standard, yet only Alternative 3 receives favorable marks for doing so. This omission in the scoring for Alternative 4 distorts its overall performance in the matrix.

Cost Considerations

Alternative 4 avoids the need for both a \$2.3 million noise wall and the \$7.8 million urban road redesign required by Alternative 3. These savings represent a substantial cost difference. If Alternative 4 had been fairly evaluated, it would likely have been shown to be more cost-effective and less impactful to existing residents.

In addition to the low ratings described above, both Alternatives 4 and 5 received low ratings for these vehicle mobility measures: 1) connectivity, and 2) land use and anticipated growth areas; and 3) distances between origins and destinations for bicycles. Alternative 5 also received low ratings for downtown congestion impacts and potential to support future land uses within and around the City of Owatonna's growth area boundary. For these reasons, Alternatives 4 and 5 were not carried forward for further analysis.

Summary of Findings

Alternative 4:

- Meets the same core criteria as Alternative 3
- Avoids proximity to residential homes
- Does not require a noise wall or costly urban design modifications
- Supports city growth within the mapped boundary
- Would likely be significantly less expensive

The exclusion of Alternative 4 from further study, despite its clear viability, raises questions about the integrity and transparency of the evaluation process.

Page 11: SEE Evaluation: Inconsistent Impact Ratings and Miscalculations

Table 2: SEE Impacts and Additional Considerations Performance Measures

Category	Evaluation Criteria	Performance Measures	Legend				
			1A: New alignment approx. 2 mi east of CSAH 1/Cedar Ave/CSAH 45	1B: Modification of Alt 1 to include Kenyon Rd and Dane Rd N or Dane Rd	1C: Modification of Alt 1 to include route along E Rose St, Partridge Ave, and new alignment S of Rose St.	2: New alignment approx. 2.2 mi E of CSAH 1/Cedar Ave/CSAH 45	3: New alignment approx. 2.2 mi E of CSAH 1/Cedar Ave/CSAH 45, with deviations N of Rose St and S of CR 180
Wetlands	Potential impacts to resource	Acreage of wetland resources impacted (See Attachment G)	1.11	1.01	1.99	1.18	1.39
Right of Way	Property Impacts	Number of parcels affected	Parcels Affected - 98	Parcels Affected - 100	Parcels Affected - 126	Parcels Affected - 63	Parcels Affected - 60
	Permanent acres of property impacts	Perm - 43.25 Acres	Perm - 40.78 Acres	Perm - 32.1 Acres	Perm - 47.55 Acres	Perm - 36.00 Acres	
	Number of residential and business relocations	35 residences 1 business	37 residences 1 business	49 residences 1 business	10 residences 0 businesses	0 residences or businesses	
Farmland	Potential impacts to farm resources (Attachment H)	Acreage Impacts to all Farmland	26.62	25.64	17.42	45.6	54.68
		Prime Farmland - 6.94 Acres Prime Farmland If Drained - 2.19 Acres Farmland of Statewide Importance - 0.56 Acres TOTAL Impacts: 9.69 Acres	Prime Farmland - 7.64 Acres Prime Farmland If Drained - 2.22 Acres Farmland of Statewide Importance - 0.13 Acres TOTAL Impacts: 11.09 Acres	Prime Farmland - 7.85 Acres Prime Farmland If Drained - 2.71 Acres Farmland of Statewide Importance - 0.53 Acres TOTAL Impacts: 11.28 Acres	Prime Farmland - 16.96 Acres Prime Farmland If Drained - 3.82 Acres Farmland of Statewide Importance - 1.60 Acres TOTAL Impacts: 22.38 Acres	Prime Farmland - 22.13 Acres Prime Farmland If Drained - 9.79 Acres Farmland of Statewide Importance - 1.25 Acres TOTAL Impacts: 33.37 Acres	
		Number of farmland parcels potentially bisected	0	0	0	1	4
Noise	Potential Impact to noise receptors	Number and type of noise receptors potentially impacted*	Residential - 83 Parks - 1 Businesses - 2 TOTAL: 86 Noise Receptors	Residential - 135 Parks - 1 Businesses - 2 TOTAL: 138 Noise Receptors	Residential - 58 Parks - 1 Businesses - 3 TOTAL: 62 Noise Receptors	Residential - 30 TOTAL: 30 Noise Receptors	Residential - 27 TOTAL: 27 Noise Receptors
Contaminated Properties	Impact to sites with potential for hazardous materials	Number of impacted contaminated sites (in Minnesota Pollution Control Agency's What's My Neighborhood database) (See Attachment I)	1	1	1	1	2
Utilities	Potential to Impact mapped facilities	Qualitative Assessment: Potential impact to mapped utility	Medium Impact	Medium Impact	Medium Impact	Low Impact	Low Impact
Floodplain	Potential Impact to resource	Number of resources impacted (resource impacted and encroachment type for informational purposes only, See Attachment G)	1: Maple Creek (Transverse)	1: Maple Creek (Transverse)	2: Maple Creek (Transverse) & Isaac Walton Creek (Transverse/Longitudinal)	1: Maple Creek (Transverse)	1: Maple Creek (Transverse)
		If applicable, number of feet of encroachment into floodplain	811	78 (An existing crossing on Dane Rd NE is in place at this location)	Maple Creek: 811 Isaac Walton (Transverse): 615 Isaac Walton (Longitudinal): 206	769	636
Protected Species	Potential Impact to Federal threatened and endangered species	Species listed for the alternative corridor area based on the information for Planning and Consultation (IPaC) tool.	An IPaC report pulled for the East Side Corridor Study area showed numerous Federally endangered, proposed endangered, or candidate species (including mammals, birds, insects, and flowering plants). No critical habitats were identified within the study area. Red text indicates as likely present within the project area. Numerous other birds were identified as warranting special attention in the project area. The IPaC tool is not detailed enough to specify meaningful differences amongst the alternatives under consideration. A more detailed Federal species review will be completed as part of the environmental review process completed for the preferred alternative.				
	Potential Impact to area of Biodiversity Significance	Areas of Biodiversity Significance potentially impacted (acres) (See Attachment J)	1.5	1.75	1.5	0.1	0.1
	Potential Impact to area of DNA Native Plant Communities	Areas of DNA Native Plant Communities potentially impacted (acres) (See Attachment J)	1.5	1.75	1.5	0.1	0.1
Alternatives	Consistency with Local and Long-Term Plans	Is the alternative consistent with the corridor vision articulated in local planning and development documents**	Medium	Medium	Medium	High	High
Estimated Project Costs	High-level estimate to construct alternatives	Estimated project costs***	\$41.1M	\$46.5M	\$49.9M	\$34.2M	\$29.8M

* Note: Included receptors within 250' of either side of alternative corridor. These numbers are for comparison only, and are not based on detailed noise analyses.

** Specifically the Steele County 2040 Transportation Plan; City of Owatonna 2040 Transportation Plan; and Owatonna 2006 Development Plan.

*** Note: Costs are based on a high level of conceptual design that is consistent with this stage of project development. Project costs will continue to change as additional project details become available, and based on current pricing conditions. Construction costs are subject to market related fluctuations that cannot be predicted.

Residential and Business Impacts

The Memorandum lists 10 residential relocations for Alternative 2. However, this route runs adjacent to Hill Drive—a layout that appears no more disruptive than Alternatives 2 and 3 along North Country. The relocation counts for Alternative 2 may therefore be overstated.

Challenging Misleading Data: Prioritizing Safety, Accuracy, and Accountability in the East Side Corridor Federal Memorandum

For Alternative 3, the Memorandum claims no residential impacts. However, early layouts included the Larry Schultz homestead. If adjustments could be made to spare a single home, it raises the question: why couldn't similar efforts be applied to preserve entire neighborhoods?

Additionally, the North Country Subdivision owns the westernmost 50 feet of the mapped 150-foot right-of-way. This directly affects at least 18 residential properties—a fact not reflected in the document's relocation estimates. In reality, these homes would require relocation under standard design widths.

The attempt to reduce the corridor to a 100-foot footprint to avoid eminent domain introduces its own problems: reduced safety margins, proximity to homes, and long-term usability concerns. Fair comparisons using the full 150-foot corridor standard would have revealed significantly more residential relocation impacts for Alternatives 2 and 3.

Farmland Disruption

Alternative 4 follows some existing parcel lines, which reduces bisecting farmland and lowers disruption to agricultural operations. Other alternatives, with the exception of alternative 5, are less efficient in this regard and create more fragmented farmland.

Noise Receptors

The Memorandum lists 27 noise receptors for Alternative 3. However, this figure appears based on a 250-foot buffer. Within North Country alone, there are at least 35 receptors at 250 feet—and 39 when using MnDOT's standard 300-foot measurement (per Figure R1).

Nearby farmsteads would increase this number even further. Alternative 2, which follows a nearly identical path to Alternative 3, likely shares these impacts—but the numbers do not reflect that.



Figure R1 – North Country Subdivision Noise Receptors

Utility Impacts

Alternative 3 is listed as having low utility impact, which is inconsistent with on-the-ground realities. In North Country:

- Overhead utility lines lie 50 feet east of the west edge of the mapped right-of-way
- AT&T fiber optic lines run along the east side

Relocating these utilities would be both complex and expensive, with costs for the fiber lines alone potentially in the hundreds of thousands, according to county officials. These Costs are not included in the cost analysis on page 61.

Project Cost Discrepancies

- **Alternative 2** is rated as “low cost” at \$34.2 million, though the Memorandum defines projects between \$30–39 million as medium cost. This classification inconsistency reflects a pattern of imprecise data usage.
- **Alternative 3** has seen its costs more than double since project inception. It is listed in the STIP as an \$8 million project. The cost of mitigation measures continues to rise without reassessment.

Notably, Alternative 4 would avoid both the \$2.3 million noise wall and the \$7.8 million urban road upgrade, offering major savings.

Additional Observations on SEE Analysis

A significant issue with the SEE evaluation is that Alternative 3 is being compressed into a smaller footprint, unlike other alternatives. This narrower design was used to avoid triggering eminent domain—but it introduces design compromises that other routes weren’t subjected to. Evaluating Alternative 3 under a reduced standard, while holding Alternative 4 to full-width impacts, skews the comparison unfairly.

If Alternative 4 had been evaluated using the same modified criteria applied to Alternative 3, it likely would have demonstrated even lower impacts and costs. It would not require a \$2.3 million noise wall or a \$7.8 million urban roadway segment for a single subdivision. These mitigation expenses are unique to Alternative 3 and should have weighed more heavily in the final evaluation.

Yet, despite meeting the Memorandum’s documented purpose-and-need criteria, Alternative 4 was excluded from further study. This exclusion prevented stakeholders and decision-makers from conducting a side-by-side comparison that may have changed the preferred route recommendation.

Concerns About Reliability and Data Integrity

These discrepancies—many of which are easily verified through public records and basic math—raise larger concerns. If simple elements like color coding, impact counts, and buffer zones contain inaccuracies, it’s reasonable to question how much of the remaining analysis is similarly flawed or selectively framed.

One specific example involves the use of thresholds in data visualization. A floodplain encroachment of 636 feet is marked as “green” because WSB selected 699 feet as the cut-off. The proximity of these values—just below the threshold—suggests the metric may have been chosen to present the encroachment in a more favorable light.

This practice is troubling, particularly when:

- The Shady Hills subdivision, developed within this same floodplain, led to significant flooding in nearby areas.
- The risks of similar outcomes from this project remain unaddressed in the Memorandum.

Would encroaching 699 feet into a floodplain truly avoid adverse impacts, or does that threshold merely serve a convenient narrative?

Missed Environmental and Community Impacts

Beyond the concerns above, the SEE report fails to address several key impacts that are typically required in environmental reviews. These include:

- Environmental Justice
- Climate Change and Greenhouse Gas Emissions
- Archaeological and Historical Resources
- Construction Impacts
- Energy Use
- Visual Impacts
- Tax Base and Property Value Effects
- Air Quality
- Wildlife, Fisheries, and Protected Species
- Vegetation
- Floodplains, Hydrology, and Aquifer Impacts
- Health Impacts
- Socioeconomic Disparities
- Light Pollution

Summary of SEE Discrepancies

The SEE analysis appears skewed in favor of Alternative 3 by:

- Understating residential impacts
- Downplaying utility relocation costs
- Applying inconsistent cost thresholds
- Using noise receptor buffers below MnDOT standards
- Comparing routes under different design assumptions

If Alternative 4 had been evaluated on equal terms—with full width right-of-ways, accurate relocation counts, and real-world mitigation costs—it would likely have emerged as significantly less impactful and more cost-effective than Alternative 3.

If a project costing under \$30 million is considered favorable, then a valid question remains: Would Alternative 4—if properly evaluated—have cost closer to \$20 million? If so, would the benchmark for a “good value” remain fixed at \$30 million?

In light of the inconsistencies, omissions, and selectively applied thresholds, stakeholders are justified in questioning whether the Memorandum truly reflects a neutral and comprehensive evaluation, or if it was structured to support a preselected outcome—a violation of the environmental process.

These inconsistencies call into question the overall accuracy and objectivity of the Memorandum's conclusions.

Page 15: SEE Summary: Unequal Treatment of Neighborhoods

Alternative 2, which runs adjacent to Hill Drive, is shown to require 10 residential relocations—a number acknowledged in the SEE analysis and seemingly used to justify rerouting that segment.

In sharp contrast, Alternative 3 relies on a mapped 150-foot-wide right-of-way that cuts directly through the North Country Subdivision, where homes have already been built. This right-of-way was officially mapped in 2000 (Doc: A280471), but the land was later developed with full city permits and no recorded objections or restrictions. Residents built legally and in good faith—never informed that their homes were on a corridor that would be reclaimed.

Despite this, the SEE analysis lists zero relocations for Alternative 3.

Meanwhile, Alternative 4, which runs adjacent to residential properties but does not encroach on residential land, is rated more negatively and was dismissed from further study.

The Memorandum statement “By Veering east, the segment of Alternative 3 north of Rose St avoids impacting the established neighborhood between Dane Rd and 26th St NE that Alternative 2 would go through” is key because it shows that WSB and Steele County made deliberate design choices to avoid one established neighborhood (Hill Drive), while failing to apply the same standard to North Country.

While Alternative 2 scored similarly to Alternative 3 in many of the SEE categories and additional considerations, it would potentially result in the need for 10 residential relocations. By veering east, the segment of Alternative 3 north of Rose St avoids impacting the established neighborhood between Dane Rd and 26th St NE that Alternative 2 would go through.

The comparative logic applied here is inconsistent and difficult to justify.

Visual Evidence of Encroachment

Figure R2 clearly shows the officially mapped right-of-way overlapping with existing residential parcels in the North Country Subdivision. These are not future development sites—they are occupied homes. Yet the evaluation treats this encroachment as inconsequential, while simultaneously treating adjacent routing under Alternative 4 as a disqualifying factor.

At the same time, the Shady Hills Subdivision, which consists of undeveloped lots, appears to have received proactive protection through alignment shifts that preserved its future development space. No such adjustments were made for North Country residents, despite their properties being directly affected.



Figure R2: Officially Mapped Right of Way—Encroachment of North Country Subdivision

Implications of the Development Overlap

The decision to continue planning Alternative 3 implies that the county intends to build a high-speed road through a neighborhood that was legally permitted and developed, rather than adjusting the alignment or compensating impacted families.

This situation should require eminent domain, relocations, or a drastically reduced road footprint. However, instead of acknowledging this, the city and county are proposing to compress the corridor into just 100 feet because they cannot afford the cost of acquiring the developed land.

This places the burden of a funding shortfall on homeowners—forcing them to live just feet from a high-speed arterial without adequate buffer zones. It also introduces long-term safety concerns, design compromises, and degradation of quality of life, none of which are accounted for in the current evaluation.

By contrast, undeveloped lots in the Shady Hills subdivision were actively avoided in Alternative 2. More care was given to protecting future development than to mitigating harm to current residents.

Summary

The SEE analysis treats North Country as if it were undeveloped, despite the fact that the officially mapped corridor runs through existing residential properties. The failure to recognize, acknowledge, or mitigate this conflict reveals a serious inconsistency in how impacts were assigned and evaluated.

The result is a contradictory and inequitable assessment. If the goal of the Memorandum is to avoid or minimize residential impacts, then Alternative 4 should have remained under consideration while Alternative 3 should have triggered a more serious relocation count.

Page 17: Socioeconomic Disparities and Disproportionate Burden on Working-Class Families

Disproportionate Impacts on Working-Class Neighborhoods

The North Country Subdivision is located within a working-class neighborhood, built as part of the 2004 housing boom to address affordability and access. This area is home to numerous essential workers, multi-generational families, and residents with disabilities. Many homeowners in this subdivision live paycheck to paycheck, with limited capacity to absorb the disruption of relocation, construction, or prolonged uncertainty.

Yet, this community bears the most direct impact under Alternative 3—despite being the only route that requires a noise wall, encroaches on private residential property, and necessitates urban road modifications costing millions.

Although the proposed corridor is designed to be 150 feet of right-of-way, North Country residents own 50 feet of that corridor—land sold and permitted for housing after plans for the road were effectively abandoned in 2004. That year, the U.S. 14 Beltline Study recommended shifting the alignment to 34th Avenue (Alternative 5 today).

A north-south corridor between 26th St NE and US 14 was officially mapped in 2000 based on a resolution passed by the Steele County Board of Commissioners on June 22, 1999. The official map depicts a right of way width of 150 feet (Figure 1).

Since then, homes were built with city approval on property no longer considered active right-of-way. Residents were told the road would not become a major highway. However, the current Memorandum classifies the route as a “major collector,” confirming its highway-grade design.

A new, north-south roadway on the east side of Owatonna would be owned and maintained by Steele County as a County State Aid Highway (CSAH), and would likely be classified as a major collector. The intent is for the new north-south roadway to connect to several collector roadways potentially including CSAH 8 (Kenyon Rd), CSAH 35 (Dane Rd), CSAH 19 (Rose St), and CR 180, along with several local roadways.

This deception—and the manner in which it's been handled— raises serious ethical and procedural questions.

Key Concerns Raised by Affected Residents:

Transparency

- Why haven't these facts been openly and honestly communicated to residents, elected officials, and the government?
- Why were homeowners allowed to build in this corridor?

Equal Treatment

- Why are these residents being asked to accept a compressed design while other properties and subdivisions were proactively avoided?
- Why wasn't Alternative 4 retained for further study, when it avoids this neighborhood entirely?

By Avoiding Eminent Domain, New Harms Are Introduced

To avoid property acquisition, planners reduced the design width to just 100 feet—bringing the highway within 17 feet of existing homes. This creates new and significant disparities:

Safety Concerns

- A high-speed corridor this close to occupied homes introduces clear risks.
- Yet, no formal safety study has been provided to assess the impact on nearby residents.

Property Devaluation

- No property value impact analysis has been conducted, despite the potential loss in home equity.

Socioeconomic Discrimination

- This neighborhood includes working-class families, individuals with disabilities, and those with limited means to fight back.
- Avoiding impact in more politically influential or undeveloped areas while compressing the design through North Country appears inequitable—and raises potential conflicts of interest.

Conclusion

Decisions of this scale must be rooted in honest communication, fair treatment, and thorough analysis. Before this highway is pushed within feet of homes that were built in good faith, the following must occur:

- Full evaluation of less harmful alternatives
- The corridor's history must be transparently acknowledged
- Independent analysis of safety and economic impacts should be conducted

Residents of North Country deserve the same level of protection and due process as any other community.

Page 18: The Mapped Right-of-Way: Abandonment, Reuse, and Legal Conflicts

The Legality and History of the Right-of-Way

Figure 1 from the Memorandum depicts the “Officially Mapped Corridor” officially filed in 2000 as a 150-foot-wide right-of-way, in today’s footprint. At the time, the land was largely undeveloped and reserved on paper for potential future use. On March 9, 2004, a Joint Powers Agreement between the City of Owatonna and Steele County was signed. This agreement gave both entities:

- First right of refusal on development within the corridor,
- The ability to purchase property, and
- A six-month window to delay or contest development on any affected parcels.

In August 2004, just five months later, the U.S. 14 Beltline Study formally recommended routing the corridor along 34th Avenue (Alternative 5) instead. This marked a turning point. The original 150' corridor was effectively abandoned in practice—but not officially vacated.

Despite having legal tools to prevent conflict, the first home was built within the mapped corridor just six months after the Joint Powers Agreement was signed, and no contest or purchase attempt was made. Over time, a fully developed residential neighborhood—North Country Subdivision—emerged along the corridor.

Steele County and the City of Owatonna, did not retain easement rights, nor did it file legal claims to preserve the corridor through North Country. In fact, the county formally mapped 34th Avenue (Alternative 5) in 2009 as the replacement route. The city did not purchase the outlots until 2018—after years of foreclosure and conveniently timed with the reemergence of East Side Corridor planning efforts.

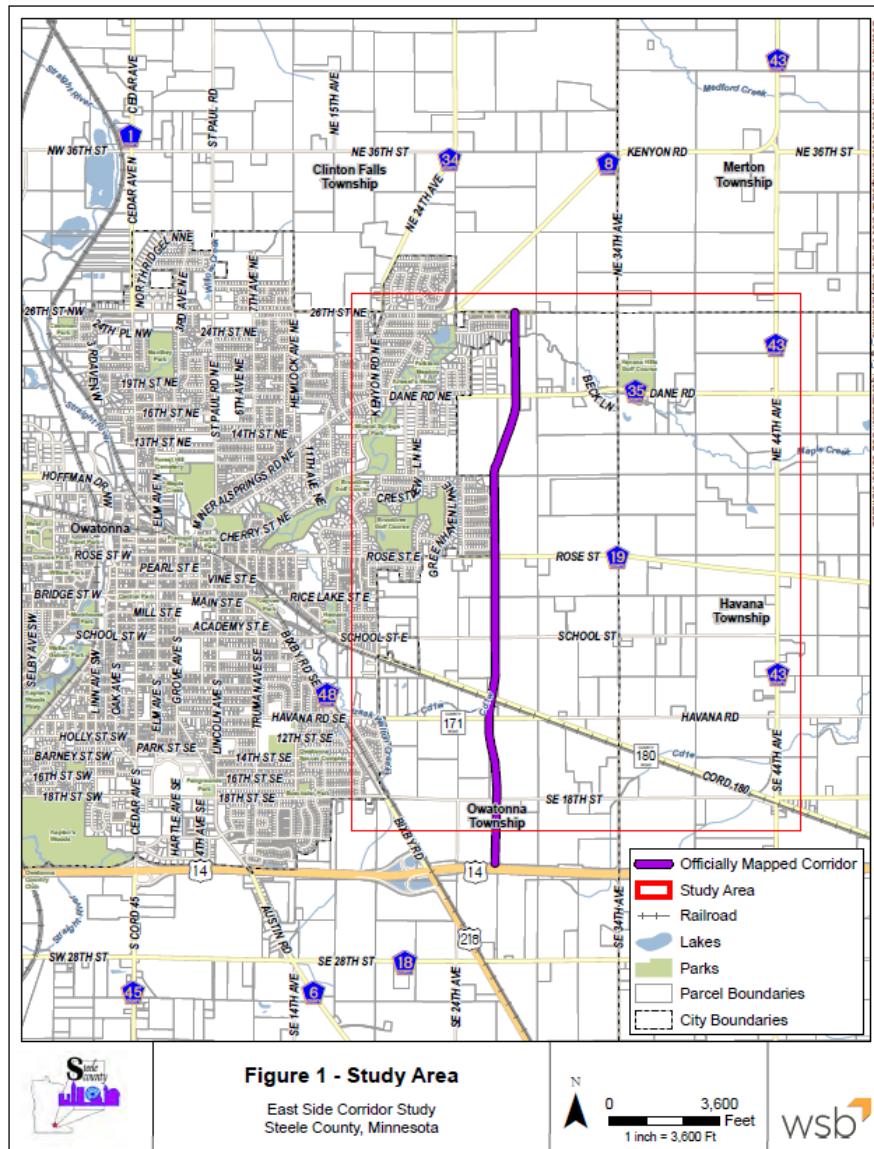
Today, 50 feet of the 150-foot-wide corridor runs through these private, occupied properties. Yet no formal relocation plans, compensation offers, or mitigation strategies have been proposed.

Legal and Ethical Concerns

The Memorandum treats this area as if it remains an active corridor, despite the fact that:

- No right-of-way was recorded or preserved,
- Residents hold legal title to portions of the route,
- And no compensation or eminent domain process has been initiated.

Attempting to reassert use of this land without legal proceedings may conflict with property law and raises serious liability risks for both the city, county, and state.



Internal Awareness—And Withholding of Critical Information

The seriousness of this situation was not publicly acknowledged until November 2023, when North Country residents raised the issue during public comment. Until that moment, County Engineer Greg Ilkka was unaware that the corridor directly overlapped with private homes.

However, the then Assistant County Engineer, Paul Sponholz—who serves as the project lead—had access to the data and mapping that confirmed this direct encroachment. Despite this, he did not disclose the information to the public or to elected officials. Instead:

- He offered assurances that the project would run adjacent to, not through, residential properties;
- He downplayed impacts and stated that mitigation measures such as noise walls were unnecessary;
- He collaborated with WSB to shift publicly released maps 25 feet east—not to change the actual alignment, but to visually reduce perceived impacts on North Country homes.

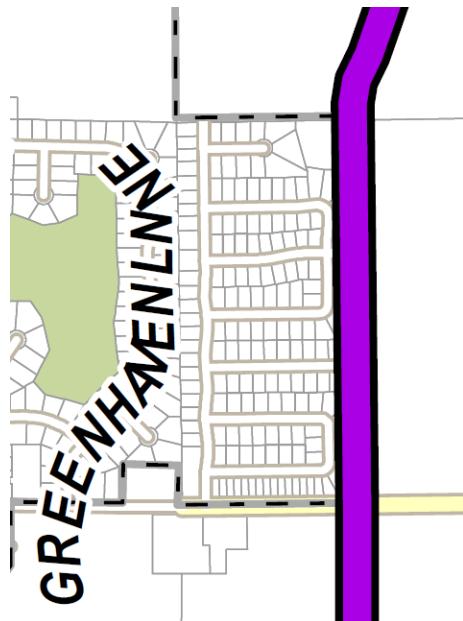
This pattern of omission and misrepresentation undermines the transparency, integrity, and credibility of the entire planning process.

Why This Matters

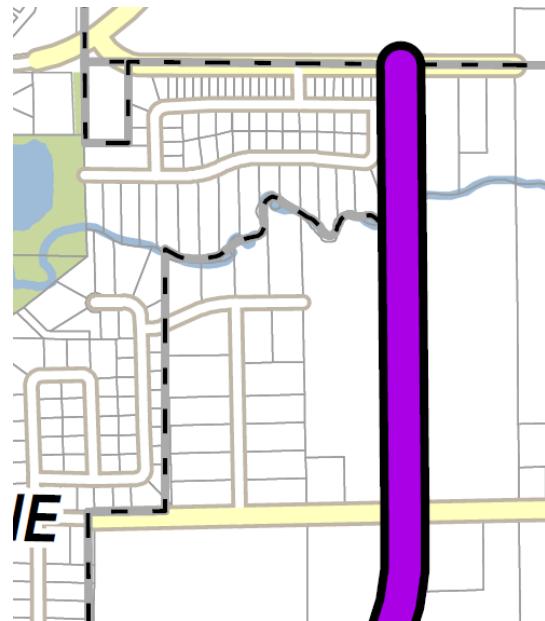
Public agencies are entrusted to act with transparency and prioritize the safety and well-being of residents. In this case:

- The County relinquished its corridor rights in 2004, allowing legal development of homes now directly affected by the project;
- Today's leadership has not fully disclosed these implications to the public or elected officials.

This is more than a technical oversight—it suggests potential negligence, possible misconduct, and certainly a failure of ethical governance.



A closer examination clearly reveals the encroachment affecting North Country residents.



Similar encroachment is observed in the Shady Hills Subdivision, though it involves undeveloped lots.

Unequal Protections: A Tale of Two Neighborhoods

The images below reveal a stark contrast. In Shady Hills, a more affluent subdivision, the route was shifted to protect future development. In North Country—where working-class families already live—no such effort was made. Homes were legally built after the county abandoned the idea of this location, proposed a highway within feet of homes.

This unequal treatment raises serious concerns about transparency, fairness, and the values guiding public decisions. It reinforces existing social and economic divides—and leaves residents wondering if this document fairly evaluated alternative or was written to uphold a predetermined plan.

While the corridor still appears on maps, its legitimacy has eroded. Years of abandonment, approved development, and omission of key facts from the Memorandum undermine its legal and ethical standing. Reviving it now risks violating property rights and public trust.

Reviving a corridor through private property that was sold and developed in good faith more than 20 years ago undermines basic legal principles. It violates the public trust and may expose local and state agencies to legal and financial consequences.

Page 19: Past studies

Residents have long pointed to previous Beltline studies to highlight inconsistencies with the current East Side Corridor proposal. In response, officials often claim that past reports no longer apply because “this is a new project with a new purpose.”

Yet, the Memorandum selectively relies on those same past studies to justify its current alignment, while ignoring inconvenient findings.

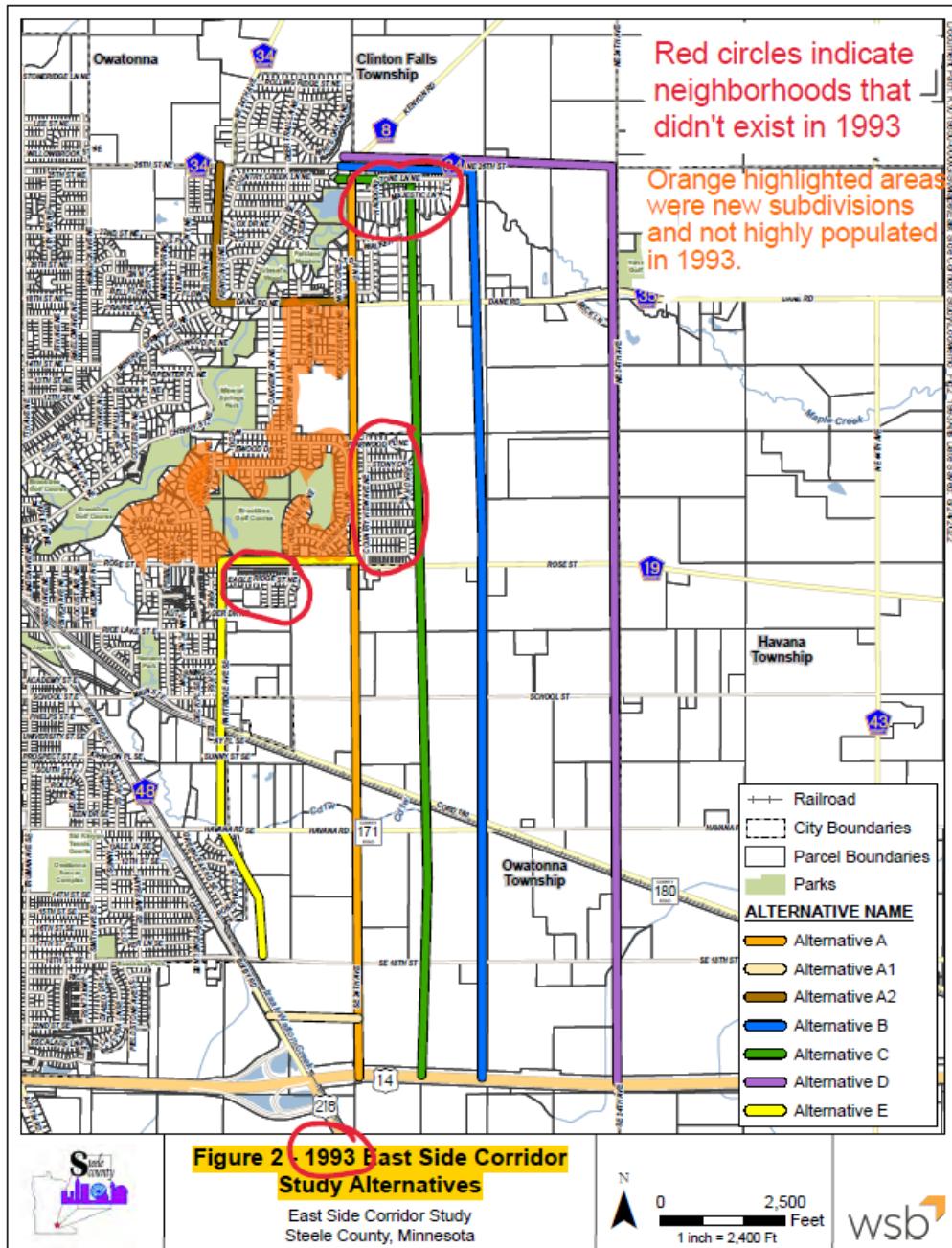
C. Existing Plans, Studies, and Environmental Documents

This section describes the outcomes of previous efforts by Steele County and the City of Owatonna to study potential locations for a new roadway on the east side of Owatonna.

One clear example is the Memorandum's use of *Figure 2*, which is labeled as representing alternatives from 1993. However, the map reflects today's footprint, not the 1993 alignment. This creates a misleading impression that the route was approved decades ago with full awareness of subdivisions that did not yet exist.

1. Owatonna East Side Corridor Study (1993)

This study, conducted by the City of Owatonna and Steele County, examined several location alternatives for an east side corridor (**Figure 2**). The primary need for the new roadway was



Figures R3 and R4 (below) show what Owatonna actually looked like in the 1990s.

1995 EA, Page 9: Alternatives Reflective of the 1993 Time Period

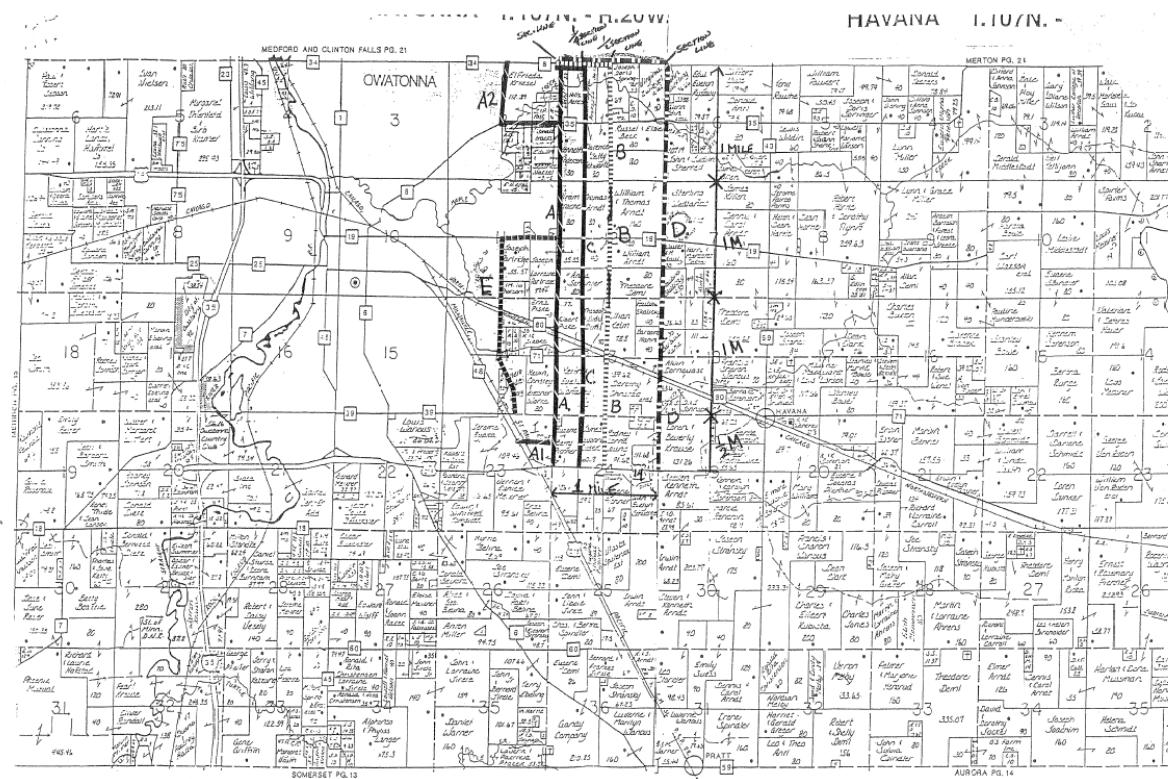


Figure R3: Maps the original 1990s alternatives, all located outside current city limits.



Figure R4: Shows the 1995 landscape; most subdivisions now being impacted—including Greenhaven—were not yet built (red pin marks a current home location).

The Memorandum also mischaracterizes 24th Avenue. On page 3, it states that the corridor is “similar” to the current mapped right-of-way. In reality, 24th Avenue—referred to as Alternative A in the 1990s (Alternative 1 today)—was rejected in the 1995 Environmental Assessment and 1999 EAW due to its proximity to homes and associated noise impacts, the very same impacts today.

As a result, the route was shifted 1,200 feet east—toward what is now Alternative C (Alternative 3/29th Avenue)—and officially mapped in 2000. Despite this, the Memorandum claims 24th Avenue was part of the mapped right-of-way, contradicting the historical record.

The furthest west of these alignments was Alternative A, which is immediately east of US 218 or along the section line generally aligned with 24th Avenue East. The furthest east (Alternative D) was located at 34th Avenue East, one mile east of Alternative A. Alternative A was selected as the preferred alternative for the 1993 study because it would provide the most immediate benefit to traffic due to its proximity to existing developed areas.

Alternative C most closely matches the officially mapped corridor. The 1993 study outlined several advantages and disadvantages of Alternative C, listed below. Note that several items such as the connection to US 14 are no longer applicable.

Disadvantages to Alternative C: The Memorandum omits 2 additional disadvantages, including deviations around Echo Heights, as seen on official copies of the 1993 report on page 5, shown in Figure R5.

Disadvantages:

1. No existing right of way on north/south segment.
2. Cuts through Schlinger farm.
3. Cuts through 160-acre Wandry farm.
4. Possible wetlands in section 12.
5. Possible conflict with radio tower, may require some adjustment in alignment.
6. Connection to US 14 would be closer to interchange and would require MnDOT permission.

Memorandum Page 16

DISADVANTAGES:

1. No existing right-of-way on north/south segment.
2. Cuts through Schlinger farm.
3. Cuts through 160 Ac. Wandry farm.
4. Possible wetlands in section 12.
5. Possible conflict with radio tower, may require some adjustment in alignment.
6. Connection to T.H. 14 would be closer to interchange and would require MNDOT permission.

7. REQUIRES SOME realignment around Echo Heights houses.

8. SKIRTS A WETLANDS AREA.

Figure R5 – Alternative C Disadvantages from 1993 Study

These discrepancies point to a troubling pattern: selective reliance on historical data when it supports the current plan, and dismissal of that same data when it raises legitimate concerns.

Page 21: 1995 Environmental Assessment (EA)

The 1995 Environmental Assessment (EA) narrowed the project to two corridors—Alternative A and Alternative C—as seen in the conclusions section on page 85 of the 1995 EA (Figure R6). Contrary to the Memorandum’s claim that no preferred alignment was identified, these two routes were explicitly carried forward to the 1999 EAW.

Conclusions

The projected growth in the City of Owatonna and Owatonna Township’s east side will definitely result in capacity problems on existing City streets if no east side corridor is constructed. The distance of the corridor from existing City boundaries has a distinct impact on the level to which the corridor can relieve projected traffic growth on existing City streets.

Alternatives A and C are superior to Alternatives B and D in their ability to serve projected and existing development and route traffic away from the use of Mineral Springs Road, Rose Street and the downtown area.

Figure R6 – Conclusions section of the 1995 Environmental Assessment

This Memorandum asserts that Alternative C would not impact native prairie. However, page 49 of the 1995 EA highlights significant concerns raised by the Minnesota Department of Natural Resources (DNR) about the contiguous native prairie habitat along County Road 80. Figure R7 illustrates the DNR’s concerns regarding this habitat, while Figure R8 confirms that the wetlands affected by this project include vegetation classified as wet prairie.

According to the 1995 plat maps (Figure R9), what is referred to today as County Road 180 or Claremont Road was previously known as County Road 80. Additionally, Figure R10 demonstrates that the native prairie habitat not only runs directly through every proposed corridor but also extends beyond the study area.

In contrast to the claims in this Memorandum, the documentation from the 1995 EA clearly shows that Alternative C does, in fact, affect native prairie habitat.

As I indicated to you on the telephone earlier today, we are very concerned about perpetuation of these rare native species by maintaining native habitats in which they occur. In addition to the location of rare plants on your print-out, we have records for several threatened and rare plant species along County Road 80 east of the project area depicted on your map. There is continuous native prairie habitat along this road. The DNR Roadside Coordinator, Cathy Fouchi, surveyed a portion of the County Road 80 right-of-way on June 2, 1994 and confirmed that several rare plants still occur in the prairie remnants. During the preliminary planning stages of the Owatonna East Corridor, special consideration should be given to protecting any mesic native prairie remnants, which may support these listed and rare species. I recommend that you contact Cathy Fouchi in New Ulm at 507/359-6034 to coordinate protection planning efforts.

Figure R7 – Page 49 of the 1995 EA report detailing the DNR’s concerns about prairie habitat.

Wetlands along the DME railroad and C.R. 80 right-of-ways are classified as palustrine emergent with seasonal flooding. The vegetation type is wet prairie.

Figure R8 – Page 40 of the 1995 EA report documenting wet prairie vegetation along County Road 80.

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OWATONNA DIRECTORY

CLINTON FALLS TWP.

R-20-W

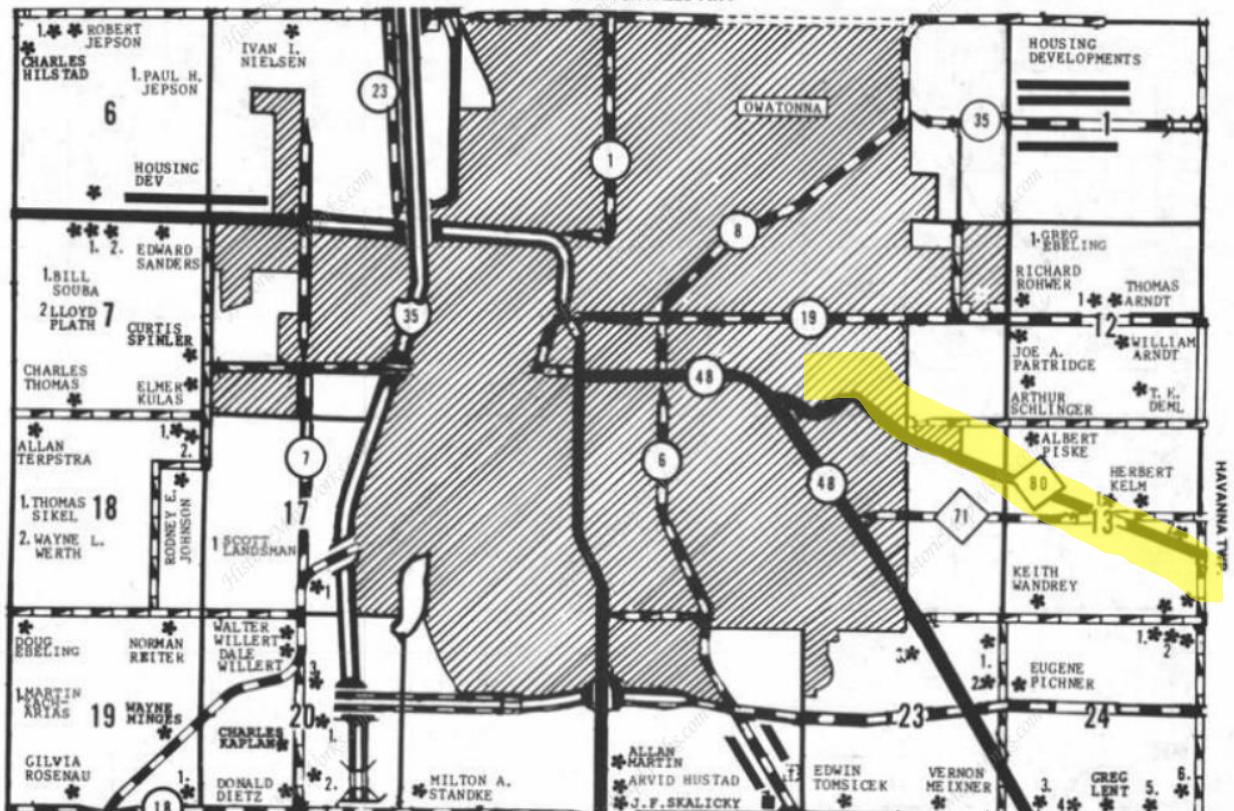


Figure R9 – 1995 Plat Map highlighting County Road 80.

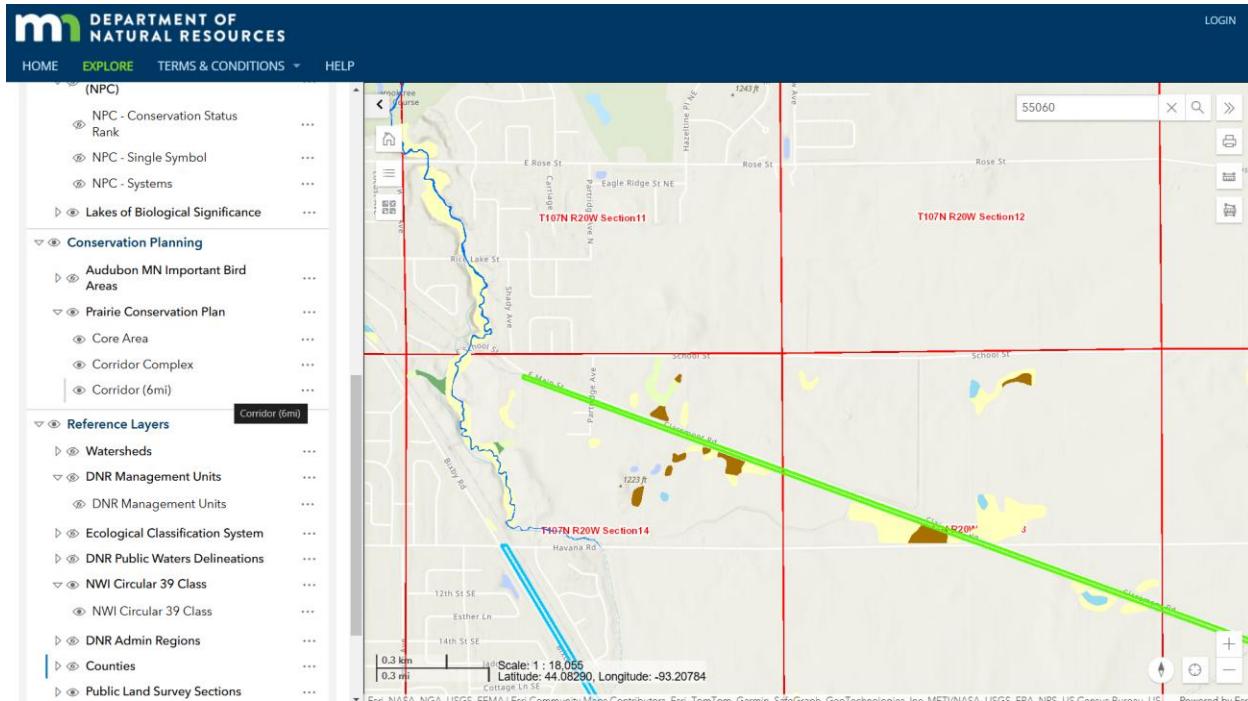


Figure R10 - MN DNR map of prairie wetlands along County Road 180/80.

The Memorandum references an October 18, 1994 meeting as context for route elimination. However, no documentation of this meeting has been made publicly available. When closed-door discussions influence long-term infrastructure decisions, transparency becomes not just ethical—but essential. Why wasn't this documentation made public like other historical reports?

A public information meeting was held on August 30, 1994. Staff from the Minnesota Department of Natural Resources (DNR), Minnesota Department of Transportation (MnDOT), and the U.S. Soil Conservation Service (SCS) also met on October 18, 1994, to discuss the potential natural resource implications of the project.

While Alternative C was the closest to today's Alternative 3 in following the $\frac{1}{4}$ section line, the 1995 EA found that it would impact homes on Hill Drive—the only established neighborhood along the route at the time (Figure R11). To mitigate those impacts, the alignment was shifted east, creating a buffer of approximately 1,200 feet from existing homes along the rest of the route.

alignment. Alternative C will impact existing homes north of Dane Road. Alternatives B and D will impact several non-farm

Figure R11 – 1995 EA, page 18, noting the impact to existing residents on Hill Drive.

The 1995 EA also examined noise impacts from Alternative A on Greenhaven Lane, which was in the earliest stages of development. As shown in Figure R12, Alternative C was projected to carry nearly as much traffic but with significantly fewer residential impacts—leading to its recommendation over Alternative A.

Notably, this recommendation was based on a neighborhood that was little more than platted at the time. Today, the same concerns apply: the impacts of Alternative A then, closely resemble those of today's Alternative 3 (29th Avenue), while Alternative C aligns more closely with today's Alternative 4, offering similar protective buffers.

alternatives. Alternative A will have the most significant noise impact, since it expected to carry the highest volume of all the alternatives. In addition, the traffic noise will impact existing residential development along Greenhaven Lane. Alternative C carries nearly as much traffic, but affects fewer adjacent residential units. Alternatives B and D are

Figure R12 – 1995 EA, page 33, noting the residential impacts of routes located too close to residential properties.

The Memorandum does not provide Average Daily Traffic (ADT) projections for any of the proposed routes. While it discusses potential reductions in downtown congestion, no route-specific traffic data has been shared with residents. Instead, the public has been told to expect approximately 5,000 vehicles per day—without any supporting documentation.

This figure sharply contrasts with the 1995 EA, which projected up to 12,000 vehicles per day between Dane Road and Rose Street (Figure R13). Since then, both population and development have grown significantly, making it difficult to reconcile how current volumes would be less than half of what was estimated 30 years ago.

Alternative A itself is expected to have an ADT volume ranging from 3200 just north of T.H. 14 to over 12,000 between Dane Road and Rose Street.

The projected ADT volumes on Alternative C range from 2600 just north of T.H. 14 to over 12,000 between Dane Road and Rose Street.

Figure R13 – 1995 EA, pages 15 and 18, showing ADT estimates.

The 1995 EA included clear recommendations to protect surrounding neighborhoods. As shown in Figure R14, these included: “Avoid neighborhood disruption and negative effects on community cohesion by properly locating the roadway to avoid extensive acquisition and relocation.” The EA also emphasized creating safety buffers and adding landscaping between homes and the corridor.

At the time, this guidance could have been followed with minimal impact—since subdivisions like North Country and Shady Hills had not yet been developed. Today, those same areas are built out, yet the mapped right-of-way remains unchanged. Instead of acquiring or relocating affected properties, Steele County and the City of Owatonna are moving forward with plans to place a high-speed road within feet of existing homes.

For over two years, residents have stressed the importance of a safety buffer for a successful project, highlighting the dangers of relying on outdated 30-year-old plans that fail to reflect current realities.

Mitigation utilizing enhancement involves selecting feasible and effective “viewshed” considerations for the existing corridor area. The natural harmony, cultural order, and sense of design quality are all important elements.

Mitigation and Enhancement Techniques for Impacts to the Sense of Natural Harmony

- C Allow continued views of open and farmed areas outside of planned development areas;
- C Develop a landscaping plan to integrate the roadway into the surrounding natural and cultural environment;
- C Incorporate proper construction design to achieve the most visually acceptable and functional method for the roadway facility.

Mitigation and Enhancement Techniques for Impacts to the Sense of Cultural Order

- C Avoid neighborhood disruption and negative effects on community cohesion by properly locating the roadway to avoid extensive acquisition and relocation;
- C Investigate integrated pedestrian areas which will not disrupt use of existing neighboring properties but provide a pleasing, safe passage throughout the project area;
- C Appurtenances, all the non-structural items which are part of the roadway, should be visually coordinated and standardized. This includes signs, rails, fences, wall, berms, lights (if necessary), safety barriers, etc..

Mitigation and Enhancement Techniques for Impacts to the Sense of Design Quality

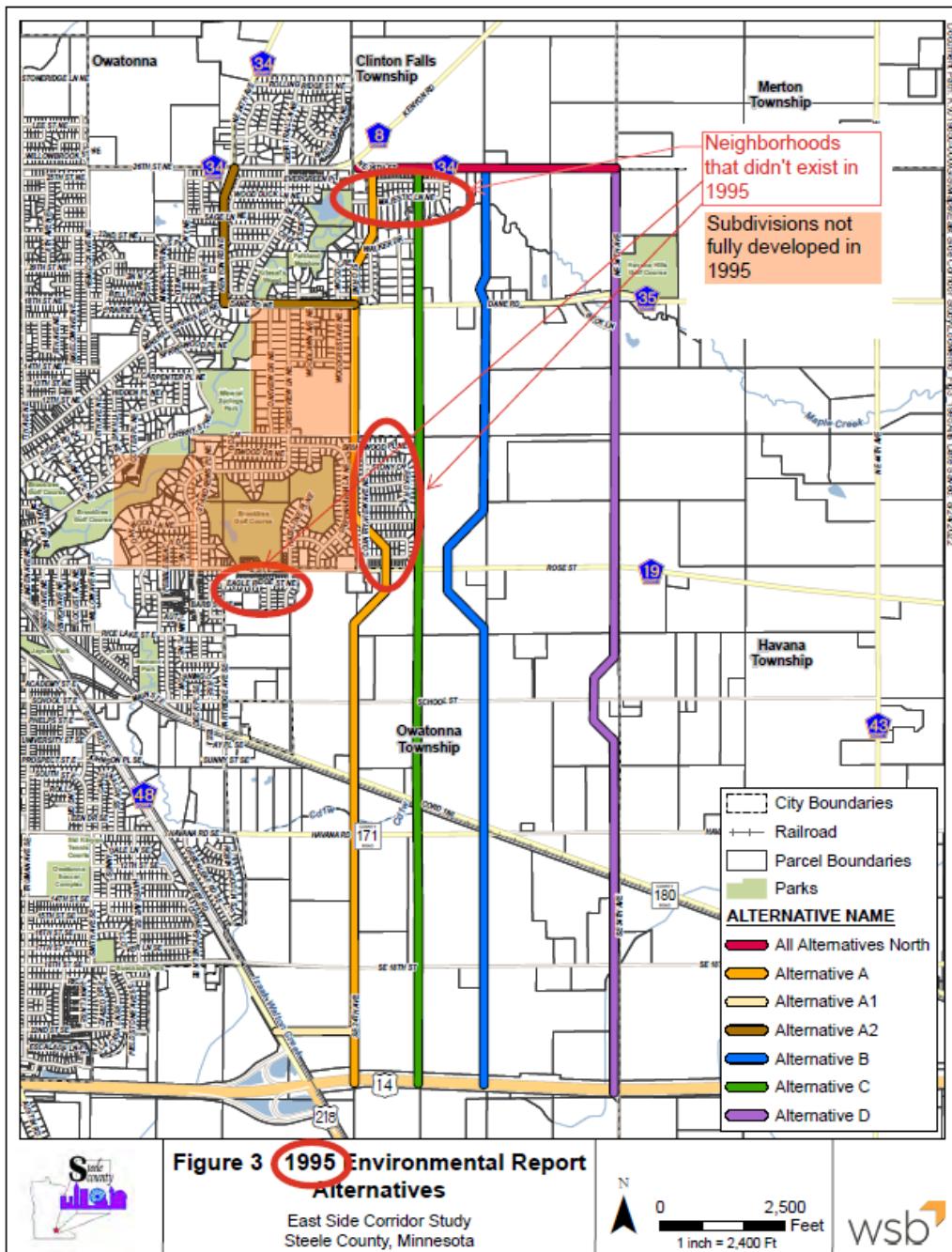
- C Provide a well-defined roadway surface showing continuous horizontal direction and movement;
- C Integrate a landscape plan that is functional and provides a connection in the project corridor;
- C Maple Creek Bridge. This is a key visual resource. The design and construction of the bridge should have features that are sensitive to the local natural and cultural environment. This includes design type, building materials, and colors.

Figure R14 – 1995 EA recommendations for a successful project, as seen on page 28.

Page 22: Inaccurate Landscape Representation and Misleading Data

Page 22 features another map—similar to that on page 20—that inaccurately depicts all alternatives using today's landscape rather than conditions from 1995. These visuals falsely imply that subdivisions now in place existed at the time of decision-making.

This misrepresentation distorts how alternatives were evaluated and misleads readers into believing current developments were part of the original analysis. By presenting modern data as if it informed historic decisions, the Memorandum gives a false sense of due diligence and undermines public trust in the process.



The 1999 Environmental Assessment Worksheet (EAW) acknowledged that shifting the corridor too far east would reduce its benefits. Still, it explicitly recommended an 800-foot setback and a 150-foot right-of-way to protect existing subdivisions from noise impacts (Figure R15). These figures were not arbitrary—they were selected to comply with Minnesota's noise pollution regulations. This information was omitted from the Memorandum, despite the public addressing it many times.

The design speed of the roadway and the amount of truck traffic will be the most important factors in whether or not the adjacent sensitive receptors will experience noise levels exceeding state and federal standards. The proposed roadway is planned to be separated from existing residences by approximately 800 feet. Landscaped boulevards and berms provide a soft, absorptive surface which helps reduce the amount of noise which reaches the sensitive receptors. The 150 foot right-of-way anticipated for this corridor will provide adequate space to design these absorptive surfaces if necessary.

Figure R15 – Page 11 of the 1999 EAW, highlighting the necessary avoidance measures to prevent noise impacts.

Noise Regulations

The recommended 800-foot setback and 150-foot right-of-way were not arbitrary—they were purposefully selected to reduce noise exposure for nearby residents. In the 1990s, project consultants followed the regulatory principle of “avoid, minimize, mitigate,” placing resident safety at the forefront. Today, Minnesota Rule Chapter 7030: Noise Pollution Control serves as a benchmark for appropriate separation between roadways and homes. As shown in Figure R16, municipalities are legally responsible for preventing land use decisions that would result in immediate noise violations.

7030.0030 NOISE CONTROL REQUIREMENT.

No person may violate the standards established in part [7030.0040](#), unless exempted by Minnesota Statutes, section [116.07](#), subdivision 2a. Any municipality having authority to regulate land use shall take all reasonable measures within its jurisdiction to prevent the establishment of land use activities listed in noise area classification (NAC) 1, 2, or 3 in any location where the standards established in part [7030.0040](#) will be violated immediately upon establishment of the land use.

Figure R16 – Minnesota Noise Pollution Rules: <https://www.revisor.mn.gov/rules/7030.0030/>

Minnesota Rule 7030.0050 classifies homes, schools, and hospitals as Noise Area Classification 1, where noise cannot exceed 65 dBA for more than 10 minutes per hour or 60 dBA for more than 30 minutes per hour during the day. Nighttime limits are even stricter, set at 55 dBA and 50 dBA, respectively (Figure R17), due to the well-documented health risks of disrupted sleep and prolonged exposure.

Highways—especially truck routes like the proposed East Side Corridor—often exceed 90 dBA, far surpassing legal thresholds. Even typical road noise averages around 70 dBA, which is still above regulatory limits. This is precisely why 1990s consultants placed the corridor over 800 feet from existing homes—a critical buffer now being disregarded, despite repeated concerns raised by residents.

7030.0040 NOISE STANDARDS.

Subpart 1. **Scope.** These standards describe the limiting levels of sound established on the basis of present knowledge for the preservation of public health and welfare. These standards are consistent with speech, sleep, annoyance, and hearing conservation requirements for receivers within areas grouped according to land activities by the noise area classification (NAC) system established in part [7030.0050](#). However, these standards do not, by themselves, identify the limiting levels of impulsive noise needed for the preservation of public health and welfare. Noise standards in subpart 2 apply to all sources.

Subp. 2. Noise standards.

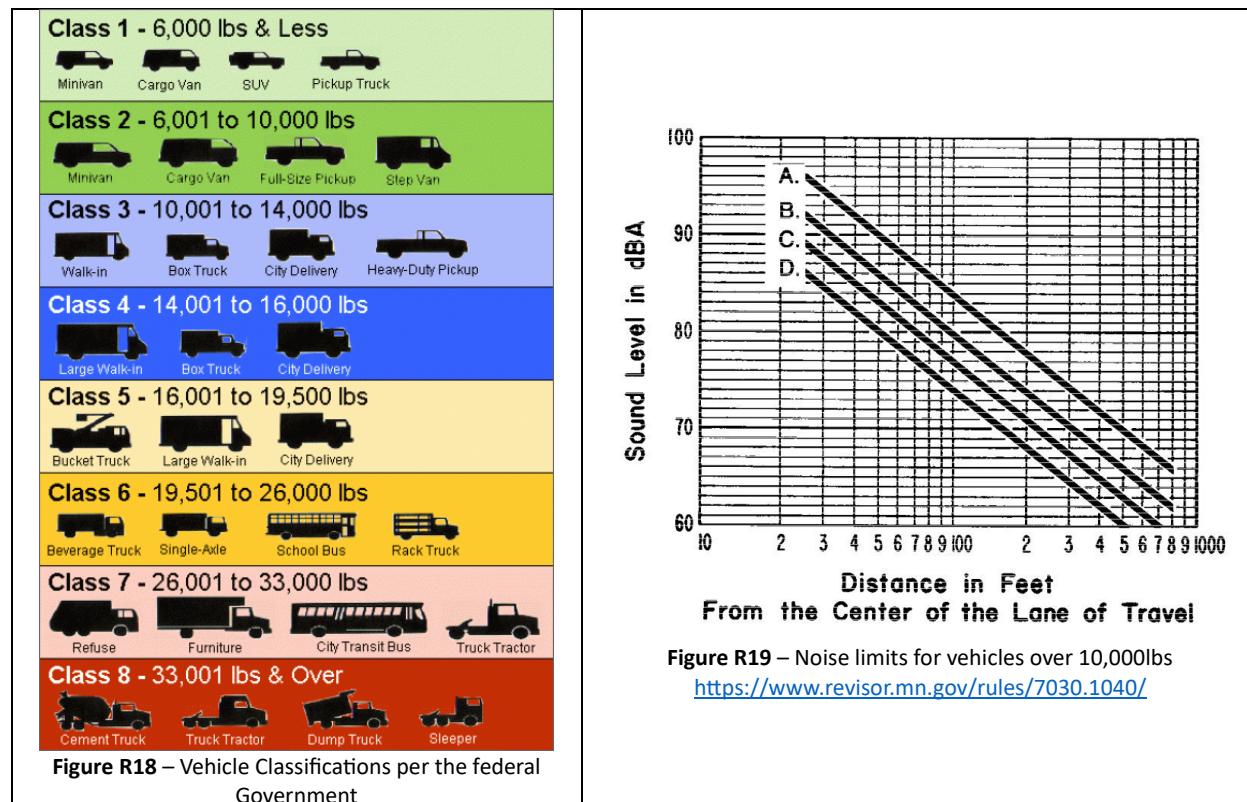
Noise Area Classification	Daytime		Nighttime	
	L ₅₀	L ₁₀	L ₅₀	L ₁₀
1	60	65	50	55

Figure R17 – Minnesota Maximum Noise Regulations: <https://www.revisor.mn.gov/rules/7030.0040/>

Why 800ft?

Figure R18 outlines vehicle classifications over 10,000 pounds—including semi-trucks, school buses, garbage trucks, delivery vehicles, construction equipment, and emergency responders. These heavy vehicles are major contributors to roadway noise, particularly along designated truck routes like the proposed East Side Corridor.

Figure R19, based on MN Rule 7030.1040, shows noise limits for vehicles over 10,000 pounds, with Line A applying to those traveling above 35 mph. Even if the road is built at the far edge of a 100-foot right-of-way—leaving just 50 feet of separation—noise levels would still exceed 90 dBA. According to the chart, levels drop to the daytime legal limit of 65 dBA only at distances near 800 feet. This indicates that effective noise mitigation for truck traffic requires setbacks greater than 800 feet.



How many trucks per hour would exceed the 6-minute noise limit?

At 55 mph, the noise from a single truck lasts roughly one minute before dropping below safe levels. That means just six trucks or buses per hour would exceed the 6-minute exposure limit set by noise standards.

With an Average Daily Traffic (ADT) estimate of 5,000 vehicles and 2.8% classified as trucks, this threshold is already exceeded. Using historical traffic data—closer to 13,000 vehicles per day with 1.1% truck traffic—the limit is still surpassed.

Both scenarios fall short of the quoted 5–15% truck traffic and demonstrate that current setbacks are insufficient. To meet the 65 dBA daytime and even stricter 55 dBA nighttime standards, either truck volumes must be substantially reduced, or setbacks must exceed 800 feet.

What about other vehicles?

Noise concerns extend beyond trucks. Motorcycles and passenger cars also contribute significantly to cumulative exposure.

Figure R20 (Chapter 7030.1050) shows that motorcycles traveling 35 mph or faster can generate up to 90 dBA at a 35-foot setback. At 800 feet, those levels drop to a safer 60 dBA, within daytime legal limits.

Figure R21 shows that even standard vehicles, like personal cars, can exceed noise limits unless a 300-foot buffer is maintained.

With an ADT of 5,000 cars per day, evenly spaced, that's one vehicle every 17 seconds. A car traveling 600 feet at 40 mph takes about 10 seconds, meaning that at least 280 vehicles per hour would generate overlapping noise events.

In effect, passenger vehicles alone would push noise exposure beyond the 30-minute legal threshold, even without truck traffic.

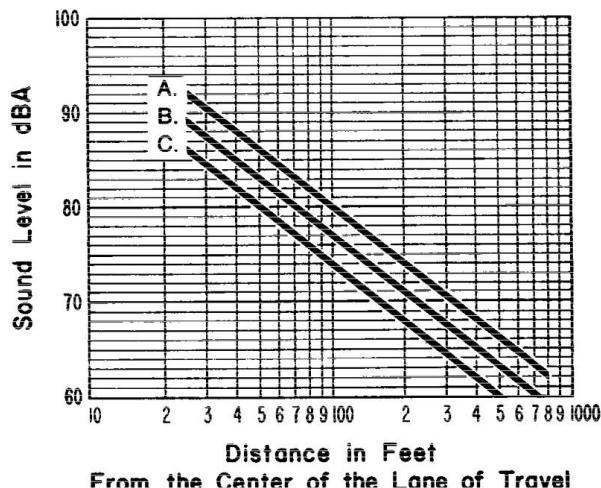


Figure R20 – Noise limits for Motorcycles
<https://www.revisor.mn.gov/rules/7030.1050/>

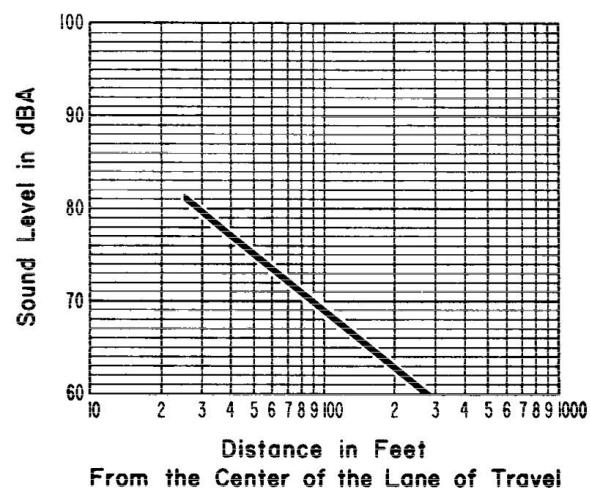


Figure R21 – Noise limits for other vehicles
<https://www.revisor.mn.gov/rules/7030.1060/>

These findings underscore the importance of aligning the corridor's design with existing noise regulations and maintaining adequate setbacks—especially given its designation as a truck route.

How Noise Affects Outcomes

The health risks of road noise are well-documented—from heart disease and cognitive delays to mental health challenges. These are preventable harms, and setbacks were designed to avoid them. The 800-foot buffer appears to reflect a balanced compromise: offering protection from truck noise (which may require over 1,000 feet) and vehicle traffic (which may require 300 feet), with a focus on public health.

Avoidance remains the most cost-effective and equitable solution. Ignoring these standards now—when communities were protected by them decades ago—leaves today's residents unfairly exposed.

Visual Impact Assessment (VIA)

The 1999 EAW (p.12) concluded that visual impacts, like glare from headlights and streetlights, would not be a concern because the route was set 800 feet from existing residences. This finding came from a Visual Impact Assessment (VIA) conducted during the 1995 Environmental Assessment (see Figure R14

above), which helped confirm the selected alignment. The VIA specifically recommended avoiding proximity to subdivisions, further supporting the need for a route that maintains distance from homes.

Expert Opinions

Page 23 of the current Memorandum briefly references agency concerns—but downplays their seriousness. As detailed on page 25 of the 1995 EAW, the Department of Natural Resources (DNR) warned that the proposed alignment conflicted with Steele County's water plan and posed risks to wildlife and wetlands—concerns that were ultimately dismissed.

The Minnesota Historical Society also raised major concerns, identifying two likely burial sites and warning of disturbance near Maple Creek. To avoid damaging culturally significant areas, the Society recommended limiting construction to locations previously disturbed by roadwork—such as the 34th Avenue corridor (Alternative 5).

2. Because the area of highest potential for locating currently unknown prehistoric archaeological sites is in the vicinity of Maple Creek which is bisected by all four alternative routes, every effort should be made in the Maple Creek area to impact only those areas which have already been disturbed by previous road construction. This would reduce the area that would require the Phase I reconnaissance survey.

Figure R22 – Minnesota Historical Society's 1999 Recommendation

1999 EAW Findings

Although the 1999 Environmental Assessment Worksheet (EAW) concluded with a negative declaration for an Environmental Impact Statement (EIS), the EAW process itself was never completed. The absence of public comments suggests that final residential input was never collected, and the State of Minnesota has no record of the EAW being formally submitted. These oversights alone justify the need for a new and complete environmental review.

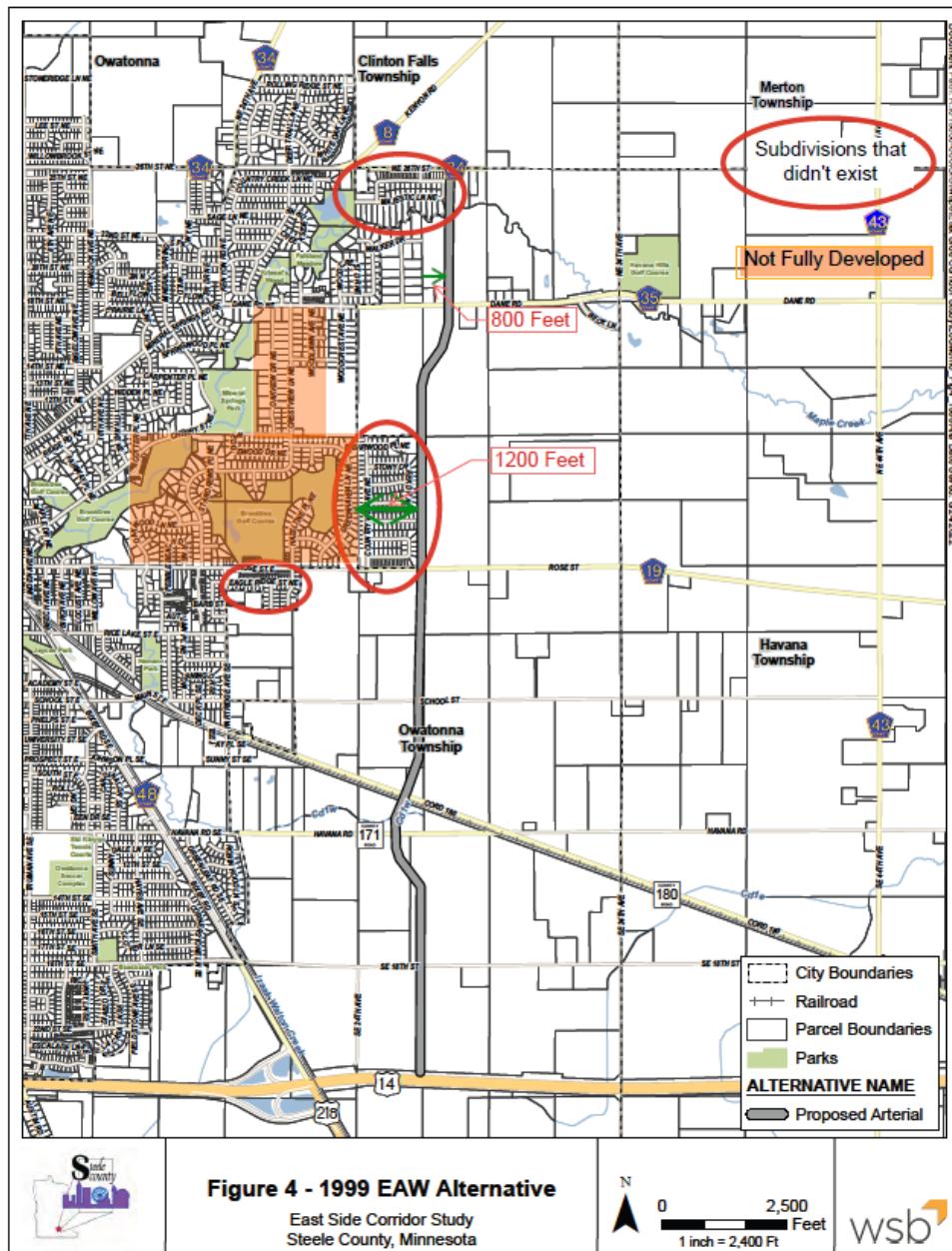
The EAW identified nine key issues, including noise impacts—and proposed a 150-foot right-of-way paired with an 800-foot setback from homes to avoid harm. This reflected a clear strategy of impact avoidance, in line with both environmental and ethical planning practices at the time.

Yet today, the current Memorandum selectively cites the 1999 EAW—leaving out key recommendations like the 800-foot setback and impact avoidance. These omissions distort the project's history and ignore the very measures that once shaped a less harmful alignment.

Page 24: The Mapped Right-of-Way

The 1999 EAW introduced the idea of an officially mapped right-of-way to guide Owatonna's future growth. However, this was only a conceptual map—it did not involve land acquisition or establish legal right-of-way, as repeatedly confirmed by County Engineer Paul Sponholtz.

Despite this, WSB applied the 1999 concept to today's footprint, misrepresenting its original scale and intent. This revision distorted the planned setbacks—originally designed to protect residents and travelers—and was used to justify the current alignment to federal agencies. In doing so, the original goal of minimizing impacts and ensuring safety was undermined.



Page 25: US Highway 14 - Owatonna Beltline Study (2004)

The 2004 U.S. Highway 14 – Owatonna Beltline Study, cited by WSB, recommended against using the previously mapped right-of-way. Instead, it proposed preserving both 34th and 44th Avenues, specifically identifying 34th Avenue (Alternative 5 today) as an ideal “internal collector”—the very function now assigned to the East Side Corridor. This is the only study to recommend an inner corridor; earlier reports focused solely on a “beltline”.

Despite this, officials—including the County Engineer, Commissioners, City Council, and Administrator—continue to claim that “this is a new road with a new purpose,” invalidating prior reports. Yet, these same studies appear to be the foundation of current recommendations.

the better long term decision. 34th Avenue East could be converted into an internal collector to provide safe and efficient travel as Owatonna continues to grow. An overpass could be constructed at 34th Avenue East to provide access to properties south of Highway 14.

Figure R23 - US Highway 14 - Owatonna Beltline Study (2004): Recommendation for 34th Avenue to serve as an inner collector (Page 30, Recommendations).

The study also noted that 34th Avenue (Alternative 5 today) was an existing gravel road with a 66-foot right-of-way (Figure R24). A historical bridge once spanned Dane Road, but the bridge sustained significant damage and was removed around 2005, as noted in Steele County Board Meeting Minutes. After its removal, nearby farmer, Mark Rypka, tilled under the road—explaining its current absence. He publicly confirmed this during the May 31, 2023 open house. Historical records, including Figure R25, show the road existence as early as the 1930s, and Figure R24 confirms the presence of at-grade railroad crossing, reducing the need for additional crossings. Public support for using 34th Avenue (Alternative 5 today) dates back to at least 1993, as consistently documented in comments and prior studies.

East Beltline Option I, which will be referred to as 34th Avenue East, has 2.25 miles of existing roadway in the corridor. 34th Avenue East is 1.5 miles long south of Havana Road and 0.75 miles long north of CSAH 35. The 1.75 miles between Havana Road and CSAH 35 is farmland. 34th Avenue East is a rural gravel roadway with a 66 foot wide right-of-way.

The 34th Avenue East crosses over Maple Creek on Bridge L-3908, a 17' wide curb to curb structure. Wash out areas are evident under the bridge at both abutments and extensive spalling, especially the underside of the deck, has resulted in large areas of exposed rebar. Steele County will be removing the bridge in the summer of 2005 and construct a new township road. The new road will not cross Maple Creek as the township bridge will not be replaced as part of this project. See Figure 11 in Appendix A.

34th Avenue East also crosses a judicial ditch and intersects the DM & E Railroad with an at-grade crossing.

Figure R24 - US Highway 14 - Owatonna Beltline Study (2004) highlights the existence of a right-of-way along 34th Avenue (Alternative 5 today).



Figure R25 – 1937 Central Atlas Co. plat of Owatonna Township showing 34th Avenue (Alternative 5).

Historical records, including a 1937 plat map, confirm that 34th Avenue (Alternative 5 today) existed long before it was tilled under. More importantly, Steele County is documented as owning 18 acres of the necessary right-of-way (Figure R26). This isn't just a mapped idea—it reflects actual land ownership. Unless the land was sold—an event for which no record exists in county archives—it is reasonable to conclude that Steele County still owns the corridor.

Although the 34th Avenue East option would require approximately 91 acres, approximately 18 acres are already owned by Steele County. An additional 73

Figure R26 - US Highway 14 - Owatonna Beltline Study (2004): Page 13 of the study documents Steele County's ownership of 18 acres along 34th Avenue (Alternative 5).

This 2004 study also emphasized maintaining sufficient setbacks to avoid the need for noise walls. In line with the 1995 report, subdivisions were planned with 800+ foot buffers to reduce noise impacts. In contrast, this current plan proposes a right-of-way just 100 feet wide—placing the road only 17 feet from homes in the North Country Subdivision. Despite this proximity, officials have told residents they do not plan to build a noise wall, even though it may be required.

Page 25: Future Transportation Plans

On March 9, 2004, the City of Owatonna and Steele County entered into a Joint Powers Agreement to preserve the mapped right-of-way. This agreement granted the first right of purchase or refusal and a six-month contention window should a permit be requested. However, six months after this agreement, the first house was built ON the mapped right-of-way without contention. The City and County failed to preserve this mapped right-of-way and now residents are being asked to bear the consequences.

Subsequent planning documents—the 2006 Owatonna Development Plan and 2005–2025 Steele County Transportation Plan—showed major shifts from the original mapped route (Figure R27). New roads like 34th and 44th Avenues were proposed, while the original corridor was shortened and buffered from the North Country Subdivision aligning more closely with Alternative 4 than Alternative 3. These updates reflect the abandonment of the original corridor concept and a shift toward lower-impact alternatives.

The Steele County 2005-2025 Transportation Plan even included a connection between Dane Road and Rose Street—designed *with* North Country in mind, as it was already platted. Residents reasonably relied on that plan when choosing to live there. It influenced both their decisions and the subdivision’s layout—none of which contemplated a return to a long-abandoned corridor.

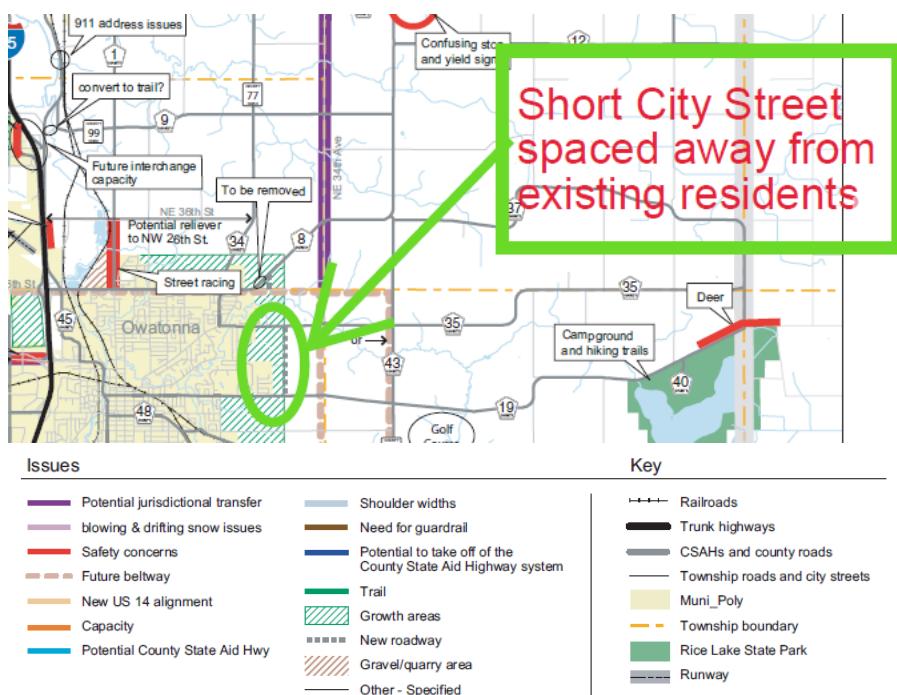


Figure R27 – The 2005–2025 Steele County Transportation Plan illustrates planned growth between the North Country Subdivision, in its early stages of development, and a shorter proposed roadway.

Page 25: 2011 Beltline Study

The 2011 Beltline Study—completed by WSB—designated 44th Avenue as the preferred beltline route, later incorporated into the 2021 Highway 14 expansion. Yet, despite more than 30 years of planning, the beltline remains unfinished. Meanwhile, 34th Avenue (Alternative 5 today)—mapped as a 150-foot right-of-way and intended to serve as an inner collector—remains unobstructed. This stands in contrast to the previously mapped (29th Ave) corridor now being revived, which has long since been developed and compromised. WSB’s current support for that route, despite their prior recommendation, raises serious concerns about the consistency and credibility of the planning process.

Page 28: Steele County 2040 Transportation Plan (2021)

Several issues in the Steele County 2040 Transportation Plan and related documents raise concerns about transparency and process integrity.

Memorandum Claim:

The community expressed support for County ownership of the new 29th Avenue during public meetings, listening sessions, open houses, and survey responses.

Concerns:

The Plan was adopted on July 13, 2021, but the first East Side Corridor open house wasn't held until July 21, 2022—over a year later. That open house had just two days' notice in the local paper and postcards arrived only days before. This timeline calls into question how “community input” was gathered for support of 29th Avenue prior to public engagement. In fact, residents have expressed concerns and opposition consistently since that first open house.

Memorandum:

The 29th Avenue project will reduce traffic on CSAH 45 and Mineral Springs Road and is supported by prior beltline and east-side corridor studies.

Concerns:

No studies have been presented to support this claim. The Memorandum itself was the first to share data and showed that only ~800 vehicles might be diverted from a single intersection—saving less than two seconds per trip. It also showed no traffic relief for CSAH 45. The claim of broader congestion relief is not substantiated.

New Development

The Memorandum notes new developments but omits critical details: both the North Country and Shady Hills subdivisions were built directly over the originally mapped right-of-way. Instead of initiating eminent domain, the Responsible Government Unit (RGU) narrowed the project area to 100 feet, leaving just 17 feet separating it from existing homes. This is a drastic departure from the 800-foot setback and 150-foot right-of-way originally recommended to minimize noise and visual impacts fails to provide the safe, cohesive travel experience that was initially planned (Figure R15).

Completely omitted from the Memorandum is the Joint Powers Agreement (<https://www.owatonnaeastsidecorridor.com/downloads/05jointPowersagreement.pdf>), signed on March 9, 2004, which aimed to preserve land for a future right-of-way. The agreement granted first right of refusal, first right of purchase, and a six-month contention window. Just six months later, the first home was built on that mapped right-of-way with no objection. Homes have continued to be constructed on this alignment without contention since (as seen in Figure R2)—reinforcing the abandonment of the corridor concept by both the city and county. No formal right-of-way or easement was ever recorded—only a conceptual alignment.

State and federal regulations require that projects avoid adverse impacts whenever feasible, followed by minimization and mitigation. The Memorandum itself acknowledges that Alternative 4 would offer the same benefits as Alternatives 2 and 3—making avoidance entirely feasible in this case. Yet, despite clear opportunity and regulatory guidance, the RGU has ignored this safer alternative. The safeguards that were designed to protect residents have been abandoned, and the consequences are now being unfairly shifted onto existing communities.

As noted in the Memorandum, The East Side Corridor will primarily serve future developments between the current boundary and 34th Avenue (Alternative 5), offering minimal benefit to existing neighborhoods. Alternative 4, which aligned with traffic needs and regulatory standards, was dismissed despite meeting stated goals. CSAH 45 and 48 traffic relief remains unproven.

Next Steps

"This ongoing study will also build on potential impacts identified in previous studies and consider efforts to avoid, minimize, and mitigate these impacts."

On October 14, 2024, residents asked whether avoidance would be included in the Environmental Assessment Worksheet (EAW). As of January 2, 2025, no answer has been given. The County Engineer had previously stated all regulations were being followed—but the earlier EAW had already recommended a route over 800 feet from homes. That should have been reflected in this Memorandum.

In November 2023, County Engineer Greg Ilkka admitted he didn't know homes had been built on the mapped right-of-way—despite residents raising the issue since July 2022. (See Figure R2.)

Residents have also offered compromise routes to reduce impacts. None have been considered. This lack of transparency and participation continues to erode public trust in the process.

Conclusion: Selective History Used to Justify a Preselected Route

Chapter 1 illustrates how selective historical interpretation has been used not to inform the best solution—but to validate a predetermined outcome. Rather than building on the full context of decades of planning, previous studies, and public feedback, this process has cherry-picked facts that support a specific route while ignoring key findings that emphasized avoidance, safety, and long-term cost savings.

The original intent of the mapped right-of-way, the 800-foot setbacks to prevent noise and visual impacts, and repeated recommendations for inner collectors like 34th Avenue (Alternative 5) have all been downplayed or omitted. Meanwhile, today's planning documents present a distorted narrative—one where current development patterns appear to have guided the process from the start, even when those developments conflict with previous plans.

This selective use of history paints an incomplete and misleading picture, one designed to rationalize building within 17 feet of existing homes instead of organically identifying the most balanced and responsible alternative. If the goal is truly to develop the most cost-effective, least harmful, and community-centered solution, the process must embrace the full scope of historical data and resident concerns—not rewrite them to justify an already-made decision.

Chapter 2: Traffic Studies and New Information

The second chapter of the Memorandum focuses heavily on travel time, trip length, and congestion relief to justify the preferred alternative. However, the data used to support these conclusions is riddled with inaccuracies, biased assumptions, and questionable calculations—many of which contradict basic math or exclude more favorable alternatives. These errors raise serious concerns about whether this analysis was designed to explore all viable routes fairly, or merely to validate a predetermined outcome.

Page 34: Appendix C: Connectivity and Travel Times

Emerging Inaccuracies and Misleading Assumptions

Several issues undermine the credibility of the travel time data used to justify the preferred route:

- **Four of six modeled routes use incorrect distances**, which directly skews travel time calculations. While travel time can vary, distance is a fixed metric and should not be misrepresented.

Motor Vehicle Trip Length/Distance (in miles) and Travel Time (in minutes) between Origins and Destination

Existing	Origins	Destinations		
		Owatonna High School/US 14 & US 218 Interchange Area	Cedar Ave & 18th St Commercial Area (Hyvee)	Owatonna Hospital/I-35 & 26th St Interchange Area
	26th St NE & Kenyon Rd	10 min/4.5 mi	10 min/3.9 mi	not served by any ESC alternative
	Country View Ave & Fox Hollow Ln	7 min/3.5 mi	10 min/3.7 mi	11 min/4.9 mi

- Actual measurements show:
 - 26th St. to Hy-Vee: 4.1 miles, 11 minutes
 - Countryview & Fox Hollow Ln to Owatonna High School: 3.7 miles, 8 minutes
 - Countryview & Fox Hollow Ln to Hy-Vee: 3.9 miles, 11 minutes
 - Countryview & Fox Hollow Ln to the hospital: 5.1 mi, 12 minutes

Existing	Origin	Owatonna High School/US 14 & US 218 Interchange Area	Cedar Ave & 18th St Commercial Area (Hyvee)	Owatonna Hospital/I-35 & 26th St Interchange Area
	26th St NE & Kenyon Rd	10 min/4.5 mi	11 min/4.1 mi	
	Country View Ave & Fox Hollow Ln	8 min/3.3 mi	10 min/3.9 mi	12 min/5.1 mi

Figure R28 – Accurate times and distances based on google from WSB designated points

- At the May 30, 2023 open house, WSB representative Jack Corkle dismissed resident concerns that the East Side Corridor would not improve travel times, stating that such concerns were merely “opinions” and that tools like Google Maps were not reliable for calculating accurate distances or times. Ironically, the travel times and distances presented in the Memorandum are based on Google Maps data—the very tool residents were told was insufficient.

These discrepancies call into question the accuracy of the data submitted to government agencies in support of the East Side Corridor.

When accurate distances and times are used a different picture emerges

When proper distances are applied, the perceived advantage of Alternative 3 nearly disappears. In fact, the time difference between Alternatives 3 and 4 is reduced to mere seconds on the one route—and even then, that route primarily benefits those who are now asking for the road to be moved farther from their homes. Most North Country residents will likely continue using their existing routes to reach destinations like Hy-Vee, regardless of which alternative is selected.

Residential Analysis of Connectivity Data for Alts 3 and 4

	Origin	Owatonna High School/US 14 & US 218 Interchange Area	Cedar Ave & 18th St Commercial Area (Hyvee)	Owatonna Hospital/I-35 & 26th St Interchange Area
Existing	26th St NE & Kenyon Rd	10 min/4.5 mi	11 min/4.1 mi	
	Country View Ave & Fox Hollow Ln	8 min/3.3 mi	10 min/3.9 mi	12 min/5.1 mi
3	Origin	Owatonna High School/US 14 & US 218 Interchange Area	Cedar Ave & 18th St Commercial Area (Hyvee)	Owatonna Hospital/I-35 & 26th St Interchange Area
	26th St NE & Kenyon Rd	10 min/4.8 mi	14 min/6.3 mi	
	Country View Ave & Fox Hollow Ln	7 min/2.6 mi	10 min/4.2 mi	10 min/5.4 mi
4	Origin	Owatonna High School/US 14 & US 218 Interchange Area	Cedar Ave & 18th St Commercial Area (Hyvee)	Owatonna Hospital/I-35 & 26th St Interchange Area
	26th St NE & Kenyon Rd	10 min/5.1 mi	14 min/6.6 mi	
	Country View Ave & Fox Hollow Ln	7 min/3.1 mi	11 min/4.6 mi	11 min/6.0 mi
	faster than existing			
	similar/shorter distance			
	slower than existing			

Figure R29 – Connectivity Comparison data for Alternatives 3 and 4 with accurate distances and time.
(Note: assuming Alternative distances and times are accurate for this comparison)

Based on accurate distances:

- **Alternative 3:** 2 routes are faster, 2 are similar, 1 is longer.
- **Alternative 4:** 2 routes are faster, 1 is similar, 2 are longer.

Compare this to WSB's claims:

- **Alternative 3:** 1 route faster, 3 similar, 1 longer.
- **Alternative 4:** 1 similar, 4 longer.

	Origin	Owatonna High School/US 14 & US 218 Interchange Area	Cedar Ave & 18th St Commercial Area (Hyvee)	Owatonna Hospital/I-35 & 26th St Interchange Area
3	26th St NE & Kenyon Rd	10 min/4.8 mi	14 min/6.3 mi	
	Country View Ave & Fox Hollow Ln	7 min/2.6 mi	10 min/4.2 mi	10 min/5.4 mi
4	Origin	Owatonna High School/US 14 & US 218 Interchange Area	Cedar Ave & 18th St Commercial Area (Hyvee)	Owatonna Hospital/I-35 & 26th St Interchange Area
	26th St NE & Kenyon Rd	10 min/5.1 mi	14 min/6.6 mi	
	Country View Ave & Fox Hollow Ln	7 min/3.1 mi	11 min/4.6 mi	11 min/6.0 mi

Even WSB's own data is inconsistently applied. For example, the route from 26th St & Kenyon Avenue to the high school shows a 10-minute travel time for both Alternatives 3 and 4. Yet Alternative 3 is highlighted yellow (labeled "similar/shorter distance"), while Alternative 4 is highlighted red (labeled "slower than existing").

This selective framing creates the illusion of a more significant difference between the alternatives than actually exists.

3	Origin	Owatonna High School/US 14 & US 218 Interchange Area	
	26th St NE & Kenyon Rd	10 min/4.8 mi	
	Country View Ave & Fox Hollow Ln	7 min/2.6 mi	
4	Origin	Owatonna High School/US 14 & US 218 Interchange Area	
	26th St NE & Kenyon Rd	10 min/5.1 mi	
	Country View Ave & Fox Hollow Ln	7 min/3.1 mi	

Corrected Distances Reveal Key Misrepresentations

- Alternatives 3 and 4 perform more similarly than reported, with both offering two faster routes, not just one.
- Neither alternative significantly improves access to Hy-Vee, rendering that metric largely irrelevant.

Alternative 4 presents fewer residential impacts, making it the more responsible and community-focused choice.

Real-World Travel Patterns Overlooked

WSB and Steele County assert that the East Side Corridor is needed to reduce traffic through downtown. However, no surveys were conducted to determine whether the intended users—such as residents of North Country—actually use downtown routes or alternative paths.

In contrast, residents conducted a small informal poll that revealed the majority of North Country residents already avoid downtown—even if it means taking less direct routes—in order to bypass congestion. This behavioral insight was overlooked by both WSB and the County Engineer.

The following exhibits compare:

- Google's recommended routes, including distances and travel times, and
- The routes residents actually use, which often prove faster in real-world conditions than Google's estimates.

For example, the route from Countryview & Fox Hollow to the hospital typically takes just 9 minutes via Greenhaven Lane, a path not reflected in the project's analysis.

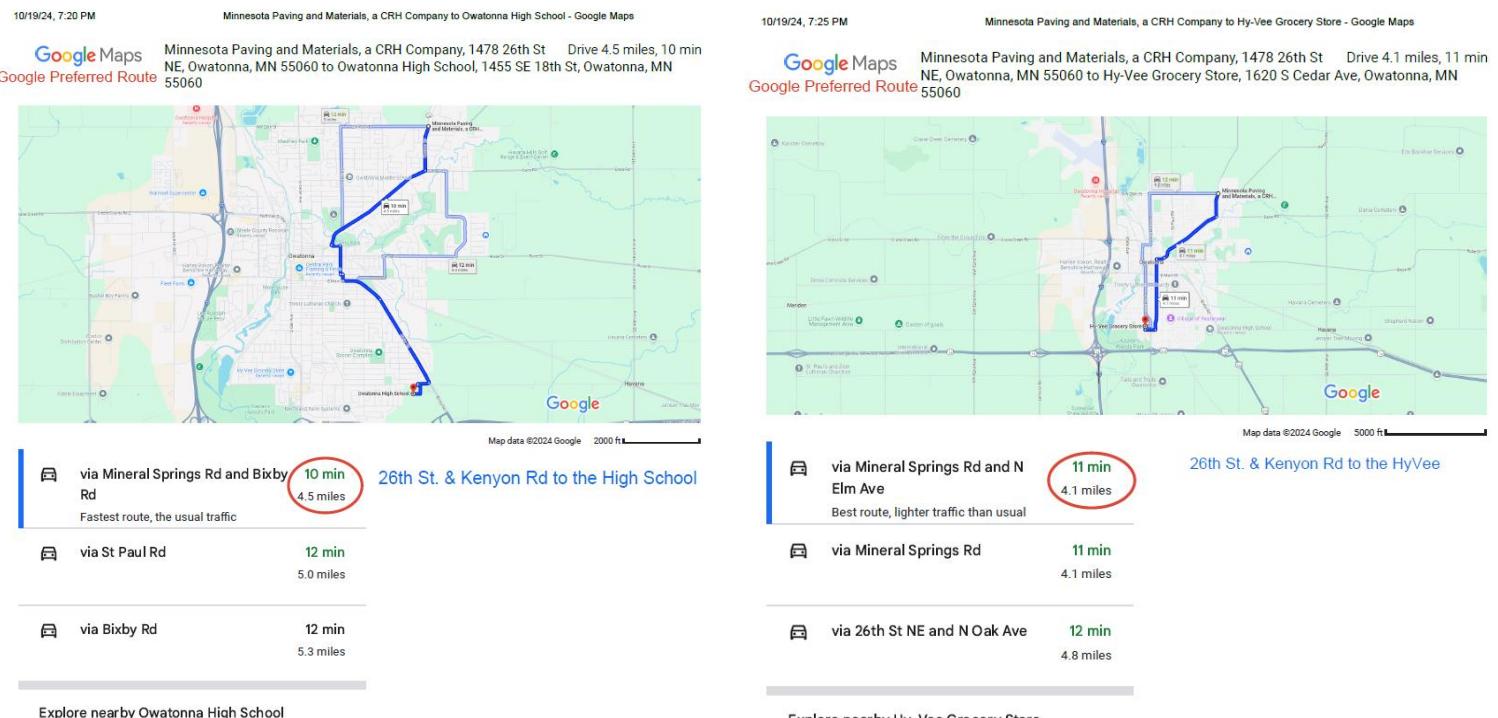


Figure R30 – 26th St. & Kenyon Rd to destination points

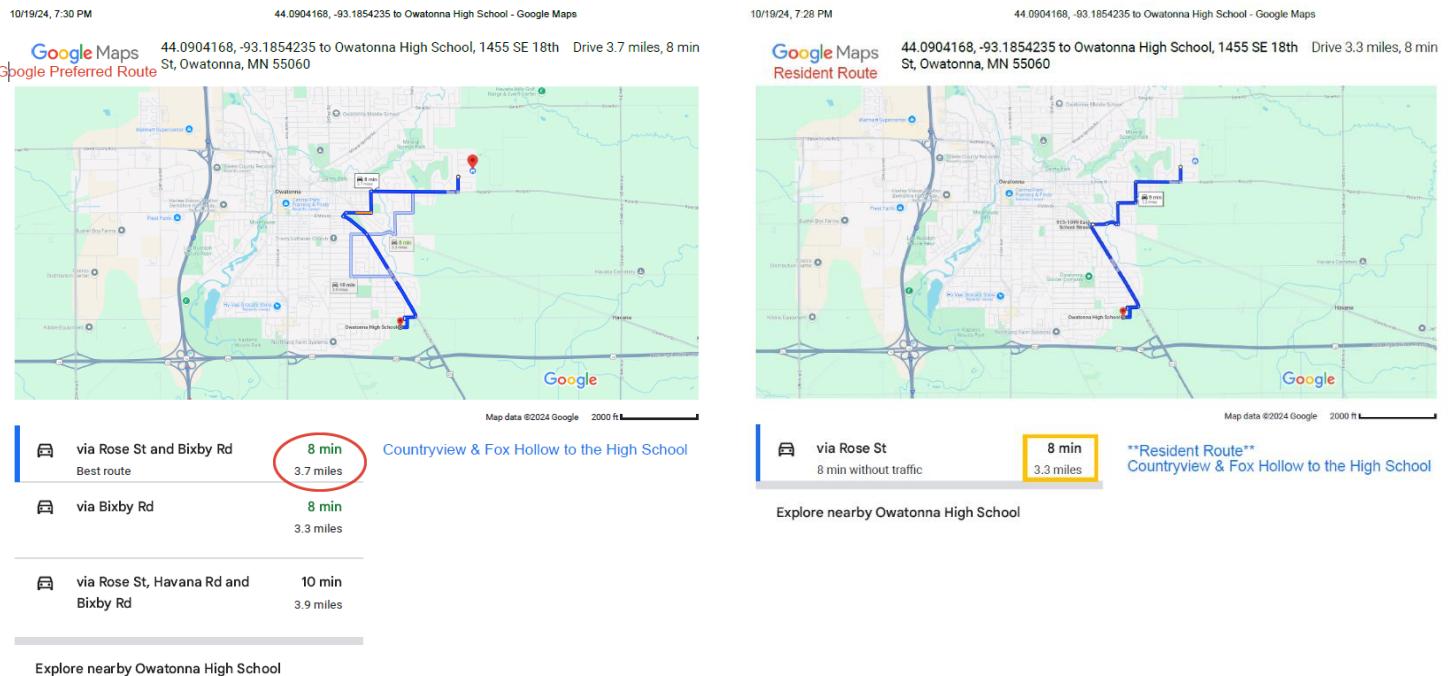


Figure R31 – Countryview & Fox Hollow Ln to the High School Google Recommended Route (left) 3.7 miles and Resident Preferred Route (right) 3.3 miles. Both 8 minutes travel time.

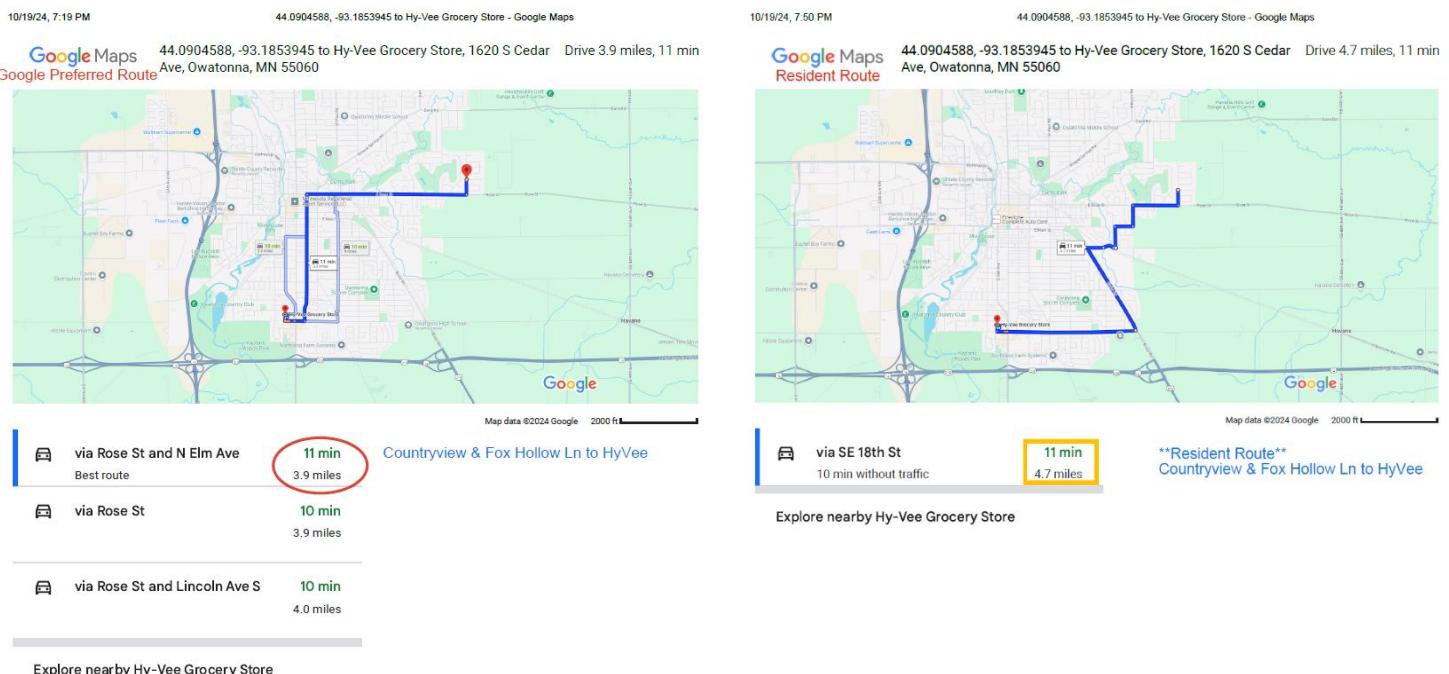


Figure R32 – Countryview & Fox Hollow Ln to Hy-Vee Google Recommended Route (left) 3.9 miles and Resident Preferred Route (right) 4.7 miles. Both 11 minutes travel time.

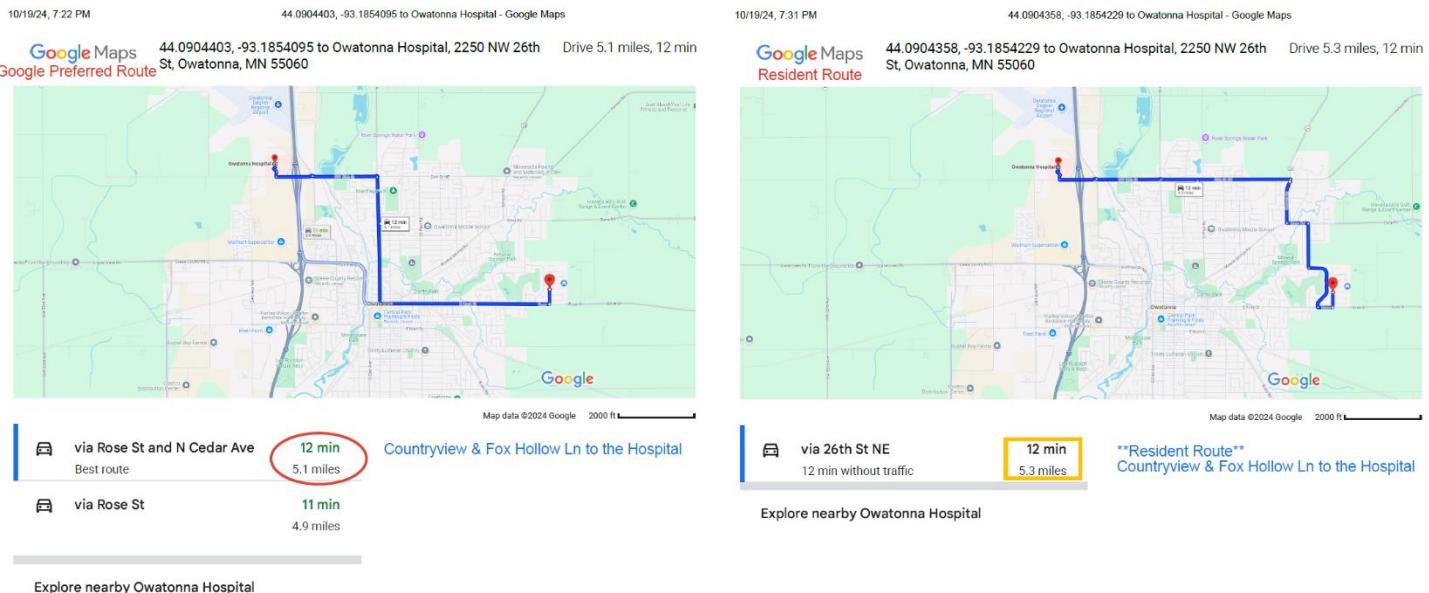


Figure R33 – Countryview & Fox Hollow Ln to the Hospital Google Recommended Route (left) 5.1 miles and Resident Preferred Route (right) 5.3 miles. Both 12 minutes travel time (although resident route is often faster).

The Memorandum fails to acknowledge that many residents already avoid downtown and are not contributing to traffic counts along the targeted routes. In fact, residents often choose longer routes, demonstrating a willingness to drive farther for only minor benefits—undermining the need for the proposed alignment. This makes the continued preference for Alternative 3 over Alternative 4—despite similar travel times and far greater residential impacts—appear less like an objective conclusion and more like an effort to justify a predetermined outcome.

Page 36: Traffic Analysis Memorandum

This analysis evaluates:

- Trip length and travel time between origins and destinations
- Downtown congestion impacts

However, it relies on the same inaccurate times and distances highlighted in the previous section. Notably, the chart on this page introduces an additional data set not found elsewhere in the Memorandum.

6	26th St NE and Cedar Ave	New Owatonna Senior High School	10	4.1	Cedar Ave, Rose St, Grove Ave, Main St, Bixby Rd, SE 18 th St
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That dataset—originally studied—was removed from final comparisons, because it showed no benefit from the East Side Corridor. If this route had genuinely offered improvements, the data would have reflected that. Instead, removing it appears to skew the analysis toward a predetermined outcome, rather than allowing the data to speak for itself.

Page 37: Calculations

While it's reasonable to use Google Maps for estimating travel times along existing routes, it is troubling that WSB both relied on and manipulated this data inconsistently. Distance—unlike time—is a fixed variable. Any deviation in distance between two known points signals an error or manipulation.

The general method of estimating travel time and distance was to use Google Maps where possible for alternatives that follow existing roadways. Estimates for new alignments were determined by adding or subtracting time and distance from the Google Maps measurements. Travel time on new alignments was assumed to be one minute per mile in rural areas and two minutes per mile in developed areas. Although Alternative 6 has been dismissed from further consideration, it is shown in the tables in this section because it follows the existing SE 44th Avenue alignment and thus serves as the basis for many of the travel time and length estimates.

As professionals in this field, engineers are expected to apply fundamental mathematical principles—not manually add or subtract times from Google Maps or rely on broad assumptions. The formula is straightforward:

$$\text{Time} = \text{Distance} \div \text{Speed}$$

For example, the distance from 26th St. to 18th St. (3 miles), from Kenyon Rd. to Alternative 4 (1 mile), and then from Alternative 4 to the High School (1.25 miles) adds up to 5.25 miles. At 55 mph for 5 miles and 30 mph for the final 0.25 miles, the travel time is:

- $(5 \div 55 + 0.25 \div 30) \times 60 = \text{approximately 6 minutes (5:57)}$

Yet, the Memorandum lists Alternative 4 from 26th St. & Kenyon Rd to the High School as taking 10 minutes. Even factoring in multiple stop signs (adding an exaggerated 30 seconds each), this route would still take no more than 8 minutes. These mathematical discrepancies raise serious questions about how travel times were calculated—and why they differ so drastically from basic math.

Compounding this issue is WSB's own contradiction. At the May 30, 2023 open house, representatives told residents that Google Maps was not a reliable tool for measuring travel times. Yet that same tool appears to be the foundation for their own data—and selectively modified to suit the outcome.

Similarly, the Alternative 5 (34th Avenue) route is 6.06 miles, which at 55 mph would take less than 7 minutes (6:36), yet the Memorandum claims it takes 11 minutes. These exaggerated time differences were used to disqualify Alternatives 4 and 5—an outcome that appears unsupported by real data.

Inaccurate and inconsistent calculations suggest these conclusions were not based on objective analysis, but rather tailored to disqualify specific alternatives. For a project of this magnitude, there is no justification for using hand-modified Google data and vague time assumptions like “1 minute per mile” in place of standard mathematical models or engineering software.

The differences aren't just minor—they're astounding, and they call into question the integrity of the decision-making process itself.

When standard mathematical formulas are correctly applied—even accounting for generous 30-second stops—a very different picture emerges. Alternative 3 offers no significant improvement over current routes, while Alternative 4 proves to be the fastest overall, with all routes showing time savings. Alternative 5 is only a few seconds slower on one route. (See Figure R34)

Residential Analysis of Alternatives Using Mathematical Formulas + Stops

Existing	Origin	Owatonna High School/US 14 & US 218 Interchange Area	Cedar Ave & 18th St Commercial Area (Hyvee)	Owatonna Hospital/I-35 & 26th St Interchange Area
	26th St NE & Kenyon Rd	10 min/4.5 mi	11 min/4.1 mi	
	Country View Ave & Fox Hollow Ln	8 min/3.3 mi	10 min/3.9 mi	12 min/5.1 mi
3	Origin	Owatonna High School/US 14 & US 218 Interchange Area	Cedar Ave & 18th St Commercial Area (Hyvee)	Owatonna Hospital/I-35 & 26th St Interchange Area
	26th St NE & Kenyon Rd	10 min/4.8	13 min/6.3 mi	
	Country View Ave & Fox Hollow Ln	7 min/2.8 mi	10 min/4.3 mi	9 min/5.7 mi
4	Origin	Owatonna High School/US 14 & US 218 Interchange Area	Cedar Ave & 18th St Commercial Area (Hyvee)	Owatonna Hospital/I-35 & 26th St Interchange Area
	26th St NE & Kenyon Rd	8 min/5.1 mi	11 min/6.6 mi	
	Country View Ave & Fox Hollow Ln	6 min/3.3 mi	9 min/4.8 mi	10 min/6.0 mi
5	Origin	Owatonna High School/US 14 & US 218 Interchange Area	Cedar Ave & 18th St Commercial Area (Hyvee)	Owatonna Hospital/I-35 & 26th St Interchange Area
	26th St NE & Kenyon Rd	9 min/6.1 mi	12 min/7.6 mi	
	Country View Ave & Fox Hollow Ln	7 min/4.3 mi	10 min/5.8 mi	11 min/7.0 mi

faster than existing
similar/shorter distance
slower than existing

**Alternative 3 in its proximity to homes will cause a slower roadway - assumed a 40mph travel speed.

**Factored in 30 seconds for each of 4 stops on each route. Most stops do not take 30 seconds.

Figure R34 – Estimated Travel Times for Alternatives 3–5 Using Standard Time Formula with 30-Second Stop Delays Included.

How did WSB's "assumed" travel times for Alternatives 4 and 5 diverge so significantly from the travel times produced using standard distance-speed calculations? This discrepancy raises serious concerns about the validity of the assumptions used in the analysis. If basic formulas—combined with reasonable delays—demonstrate shorter or comparable travel times, then WSB's assumptions appear to have artificially disadvantaged Alternatives 4 and 5, leading to their premature dismissal.

Page 38-44: Justifications

These pages attempt to justify travel time differences between alternatives. However, the analysis did not use actual calculated times or consider current travel behaviors of residents—calling the validity of these comparisons into question. Even using inaccurate data, the Memorandum acknowledges that Alternatives 2 through 4 offer similar benefits. So why was Alternative 4 removed from consideration? Had proper calculations been applied, Alternative 5 likely would have remained viable as well. The pattern suggests bias in favor of a predetermined outcome rather than a fair evaluation of all options.

Page 45: Trip Time Summary

Tables 8 and 9 rely on travel times and distances derived from methods previously shown to be inconsistent and unreliable. Given the questionable techniques used—such as adding and subtracting from Google Maps without proper calculations—these summaries should not be considered accurate or dependable until travel times are recalculated using standard methodologies.

Page 45: Downtown congestion impacts

This section fails to reflect the actual travel patterns of residents. Due to downtown traffic delays and poorly synchronized lights, many residents already avoid this area—opting for longer but faster-moving alternative routes. These routes, shown in Figures R31–R33, were not studied or acknowledged.

Additionally, while the report claims future growth may increase downtown congestion, it overlooks a key fact: there is no east-west connector that bypasses downtown. The East Side Corridor, being a north-south route, does not solve this core issue. For example, travel from NE Owatonna to the Hy-Vee area remains unaffected, making such data points irrelevant to the East Side Corridor's justification.

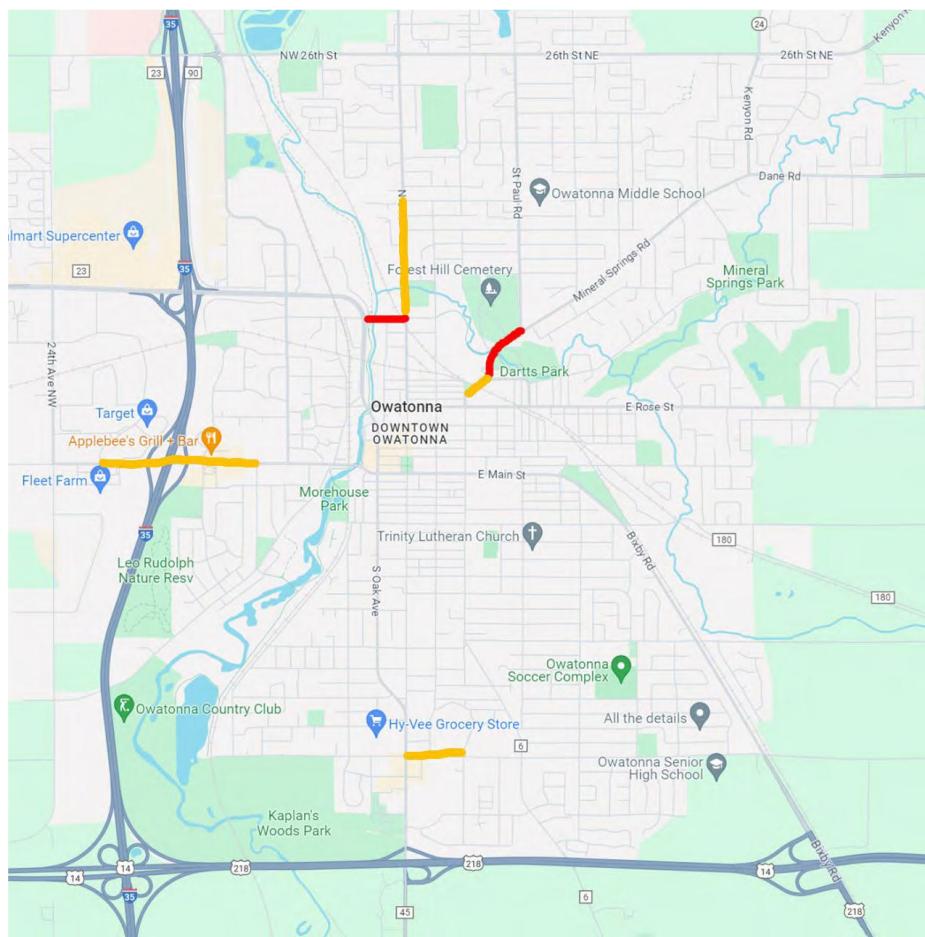
As Owatonna was designed with a spoke-and-wheel road system meant to draw people into the downtown core, the report also fails to address potential economic and logistical consequences of diverting traffic away from downtown—the very heart of the city.

Page 46: Roads Approaching Capacity

Figure 8 claims that certain roads are nearing or at capacity, yet no accompanying studies or data are provided to support this assertion. According to the Memorandum, the East Side Corridor may alleviate traffic at two locations—but these are essentially the same spot, just feet apart on Mineral Springs Road, with a reported net savings of only two seconds.

More critically, this plan redirects traffic toward the already problematic intersection at 18th Street and Oak Avenue, a location long recognized for safety concerns. In effect, the proposal simply shifts the problem rather than solving it, acting as a temporary band-aid for congestion on Mineral Springs Road.

As Owatonna continues to grow, Mineral Springs Road will likely remain a primary east-west connector regardless. This raises the question: does the East Side Corridor actually solve a problem, or just relocate it?



That's not to say a corridor on the east side of town isn't necessary or unjustified—but using downtown traffic relief as the primary rationale is not a sound or measurable justification. The most significant benefit of this project is clearly tied to future development. If growth is the goal, then infrastructure must come first—but that requires transparency. Plans for future growth should be shared openly, yet so far, that data has been withheld from this project.

Page 47: Roads Approaching Capacity Continued

Table 10 in this report, shown below, is based on projected 2040 traffic data taken from the Steele County 2040 Transportation Plan. However, the 2040 Plan was developed and adopted *after* East Side Corridor studies were already underway and residents had been referencing data from the then-current 2025 Plan. The timing of the 2040 Plan's release raises legitimate concerns about whether it was produced, at least in part, to help justify the East Side Corridor—rather than serving as an objective, forward-looking planning document.

Table 10. Roadways approaching or exceeding capacity per the Steele County 2040 Transportation Plan.

Roadway	From	To	2040 AADT	Capacity	V/C
Bridge St	Park Dr NW	Selby Ave	20,500	22,000	0.93
18th St SW	CR 45	Hartle Ave	9,500	10,000	0.95
North St	CR 45	Cedar Ave	11,300	10,000	1.13
Cedar Ave	North St	16th St NE	9,200	10,000	0.92
Mineral Springs Rd	Fremont St	Cherry St	9,300	10,000	0.93
Mineral Springs Rd	Cherry St	St Paul Rd	10,100	10,000	1.01

In comparing data from MnDOT's Traffic Mapping Application (<https://www.dot.state.mn.us/traffic/data/tma.html>), as referenced in this section, traffic volumes have decreased by 8–20% on all but one of the identified “congested” roadways between 2019 and 2024. This trend raises important questions about whether congestion is currently a legitimate concern warranting such significant infrastructure investment.

Roadway	From	To	2019 AADT	2024 AADT	2040 AADT	Capacity	Current V/C	Capacity Change
Bridge St	Park Dr NW	Selby Ave	15400	11,123	20,500	22,000	0.51	-19.4%
18 St SW	CR 45	Hartle Ave	6200	6,550	9,500	10,000	0.66	3.5%
North St	CR 45	Cedar Ave	8900	6,959	11,300	10,000	0.70	-19.4%
Cedar Ave	North St	16 St NE	7200	5,521	9,200	10,000	0.55	-16.8%
Mineral Springs Rd	Freemont St	Cherry St	7900	7,025	9,300	10,000	0.70	-8.8%
Mineral Springs Rd	Cherry St	St. Paul Rd	9300	7,825	10,100	10,000	0.78	-14.8%

**There was no 2019 data, next most recent 2011 data used

Figure R35 – Current and Historical AADT: Traffic volumes in Owatonna have shown a downward trend over time.

The only roadway that saw an increase—just 3.5%—was 18th Street, the same corridor this report acknowledges will see added traffic under the East Side Corridor plan. While the 2040 AADT projections suggest this segment may near capacity, reaching those levels would require a traffic increase of over 30%, which is a significant and currently unsupported growth assumption.

Inflated Diversion Estimates and Questionable Assumptions

This report claims that a maximum of 3,800 vehicles could be diverted by the East Side Corridor—1,500 from Bigelow Avenue and 2,300 from Mineral Springs Road. However, this total is misleading. Bigelow intersects Mineral Springs Road, and with only 12 homes on this segment of Bigelow, it's logical that many of the 1,500 vehicles also travel on Mineral Springs. Therefore, combining both figures inflates the number and risks double-counting traffic. The actual number of unique trips that could be diverted should not be assumed to be more than 2300 possible vehicles.

Compounding this issue, the report assumes—without supporting evidence—that 50% of these trips would benefit from the East Side Corridor. Whether that number is accurate or inflated is unclear, as no origin-destination data or survey results were presented.

However, actual calculations tell a different story. Traveling from Bigelow and Mineral Springs Road to the high school via Alternative 5 covers 6.3 miles—0.8 miles at 30 mph and 5.5 miles at 55 mph—yielding a total travel time of approximately 7.5 minutes. The current route is 3.5 miles and takes 8 minutes per Google Maps. Even though Alternative 5 saves 30 seconds, it adds significantly more distance—a tradeoff many drivers are unlikely to make.

Alternative 3 offers a similar 8-minute travel time over 5 miles, assuming an average speed of 40 mph. Again, for no significant time savings and a 71% increase in distance, drivers may simply continue using current routes.

Bigelow & Mineral Springs Rd to High School

Route	Time	Distance
Current:	8 minutes	3.5 miles
Alternative 3 (29th Ave):	8 minutes	5 miles
Alternative 4 (New Route):	6.5 minutes	5.3 miles
Alternative 5 (34th Ave):	7.5 minutes	6.3 miles

Figure R36 – Travel Times Based on Distances and Speed Calculations

Additionally, this area would not benefit from the East Side Corridor for most key destinations. For instance, Hy-Vee is already just 7 minutes away. Even if the East Side Corridor reduced travel time to the high school to 6 minutes, Hy-Vee—located 1.6 miles farther west—would still take at least 10 minutes. Current alternatives to the hospital are also faster. It's unlikely that anyone would choose to drive east just to go west again.

In reality, the only potential benefit of the East Side Corridor for these residents might be travel to the high school—but even that is questionable. While OHS serves approximately 1,500 students, it is highly unlikely that more than half of the 1,500–2,300 vehicles recorded at this intersection are headed there. A more plausible explanation is that much of this traffic is traveling to and from the nearby elementary and middle schools, which serve over 2,000 students just a few blocks away, that would not significantly benefit from the East Side Corridor.

Given the flawed assumptions and lack of supporting data, even the claim that 800 vehicles would benefit is speculative at best. And even if that number were accurate, the projected benefit amounts to a cumulative savings of just two seconds per vehicle. Recent decreases in traffic volumes may already offer similar relief, at no cost, further undermining the justification for the project.

Chapter 2 Summary: Traffic Data Manipulation Reveals Biased Outcome

Chapter 2 critically examines the traffic data and connectivity analysis used to support the East Side Corridor project. It reveals that WSB and Steele County relied on questionable assumptions, inconsistent travel time estimates, and manipulated Google Maps data rather than using standard, transparent calculations. Multiple travel routes contain inaccurate distance measurements, and fundamental mathematical formulas were overlooked—despite being essential to traffic modeling.

Additionally, the report fails to account for real-world resident behavior, such as the common practice of avoiding downtown congestion by taking alternative routes. It also overstates potential benefits, such as time savings and diverted traffic volumes, without sufficient evidence or clarity on how those figures were derived. In some cases, traffic appears to have been double-counted, and unsupported assumptions—like 50% of drivers benefiting from the East Side Corridor—are presented as fact.

What is clear is that recent traffic trends show a decrease in congestion, and standard travel time formulas demonstrate that Alternatives 4 and 5 are faster than Alternative 3. Yet, despite their advantages, Alternatives 4 and 5 were dismissed prematurely.

By using imprecise assumptions and manipulated Google Maps estimates rather than accurate calculations, this report presents skewed data—raising legitimate concerns that the analysis was designed to justify a predetermined Preferred Alternative rather than objectively identifying the most effective, lowest-impact solution.

Chapter 3: Cost Analysis

This chapter highlights how cost estimates were selectively presented to support Alternative 3. Alternatives 4 and 5, which may offer fewer impacts and cost-saving advantages, were excluded from detailed analysis. Key expenses—like noise walls and urban roadway—inflate Alternative 3's cost, while lower-impact options were dismissed without full comparison.

Page 61: East Side Corridor Alternative Cost Estimates

Given the prohibitive cost of home condemnations, Alternatives 1A, 1B, 1C, and 2 were never truly feasible. Alternatives 4 and 5 were dismissed due to alleged travel time disadvantages—even though the Memorandum repeatedly asserts that Alternatives 2–4 offer comparable performance. This analysis has mathematically disproven the claims of longer travel times. As a result, cost breakdowns for Alternatives 4 and 5 were not included. However, using Attachment K, we can draw meaningful inferences about their potential costs and benefits.

Item	Unit	Unit Cost	Cost Estimates*									
			Option 1A		Option 1B		Option 1C		Option 2		Option 3	
			Quantity	Cost	Quantity	Cost	Quantity	Cost	Quantity	Cost	Quantity	Cost
Roadway (urban)	Mile	\$ 3,600,000.00	2	\$ 7,200,000.00	2.6	\$ 9,360,000.00	2.6	\$ 9,360,000.00	2	\$ 7,200,000.00	2	\$ 7,200,000.00
Roadway (rural)	Mile	\$ 2,500,000.00	3.02	\$ 7,550,000.00	2.83	\$ 7,075,000.00	2.93	\$ 7,325,000.00	3.29	\$ 8,225,000.00	3.55	\$ 8,875,000.00
Railroad Crossing	Each	\$ 500,000.00	1	\$ 500,000.00	1	\$ 500,000.00	1	\$ 500,000.00	1	\$ 500,000.00	1	\$ 500,000.00
Bridge	Each	\$ 4,000,000.00	1	\$ 4,000,000.00	1	\$ 4,000,000.00	1	\$ 4,000,000.00	1	\$ 4,000,000.00	1	\$ 4,000,000.00
Box Culvert	Each	\$ 500,000.00	1	\$ 500,000.00	1	\$ 500,000.00	1	\$ 500,000.00	3	\$ 1,500,000.00	2	\$ 1,000,000.00
Sound Wall	Lin Ft	\$ 620,000	8000	\$ 4,960,000.00	15700	\$ 9,734,000.00	14900	\$ 9,238,000.00	3300	\$ 2,046,000.00	3700	\$ 2,294,000.00
Building Removal	Each	\$ 30,000.00	36	\$ 1,080,000.00	38	\$ 1,140,000.00	50	\$ 1,500,000.00	10	\$ 300,000.00	-	-
Total Take (Relocation)	Each	\$ 250,000.00	36	\$ 9,000,000.00	38	\$ 9,500,000.00	50	\$ 12,500,000.00	10	\$ 2,500,000.00	-	-
RW (Perm) (Residential)	Sq Ft	\$ 3.00	775,556	\$ 2,326,668.00	756,191	\$ 2,268,573.00	665,090	\$ 1,995,270.00	794,362	\$ 2,383,086.00	-	-
RW (Perm) (Rural)	Sq Ft	\$ 0.75	775,556	\$ 581,667.00	756,191	\$ 567,143.25	665,090	\$ 498,817.50	794,362	\$ 595,771.50	1,983,451	\$ 1,487,588.25
RW (Temp) (Residential)	Sq Ft	\$ 1.00	267,827	\$ 267,827.00	305,735	\$ 305,735.00	254,666	\$ 254,666.00	261,828	\$ 261,828.00	-	-
RW (Temp) (Rural)	Sq Ft	\$ 0.25	267,827	\$ 66,956.75	305,735	\$ 76,433.75	254,666	\$ 63,666.50	261,828	\$ 65,457.00	743,287	\$ 185,821.75
Total Cost				\$ 38,033,118.75		\$ 45,026,885.00		\$ 47,735,420.00		\$ 29,577,142.50		\$ 25,542,410.00

*This is a high level budgetary comparison between alternatives and is not meant to reflect actual project costs. Variability and contingency are built into the estimate.

According to the current analysis, Alternative 3 includes 2 miles of urban roadway and 3.55 miles of rural roadway, totaling 5.55 miles. However, in its expanded form, the alignment only measures 4.6 miles. This discrepancy raises questions—where is the additional mile accounted for?

Due to its proximity to existing homes, Alternative 3 would create significant noise impacts, necessitating a \$2.3 million noise wall. In contrast, Alternatives 4 and 5 are located farther east, away from noise-sensitive areas, and would not require such mitigation as they effectively avoid residential impacts. Urban roadway was incorporated into Alternative 3 to comply with MnDOT's speed requirements, yet rural roadway is substantially more cost-effective.

Residents previously informed officials of a federal regulation that allows the purchase of land for avoidance, funded in the same way as noise mitigation. That opportunity was ignored. Now that federal funding has been withdrawn, the full cost of the \$2.3 million (or more as a stand-alone noise wall) noise wall will fall on Steele County taxpayers. This represents a missed opportunity for both cost savings and impact avoidance—an outcome that could have been prevented with better engagement and responsiveness to public input.

See Figure R37 for a comparison of known cost-related elements. Although Alternatives 4 and 5 would require longer roadways due to their locations farther east, Alternative 5 already includes 66 feet of owned right-of-way—a significant cost offset. Much of the route also follows an existing roadbed, reducing both construction costs and farmland disruption. It includes an existing railroad crossing, avoiding the need to create a new one and closing Havana Road, preserving east-west connectivity. Furthermore, Alternative 5 has already been mapped as a 150-foot right-of-way corridor and crosses Maple Creek at a previously established crossing protecting natural resources. 34th Avenue prevents floodplain encroachment, reducing the need for costly flood mitigations and allowing for shorter bridge span.

Item	Unit	Unit Cost	Alternative 3		Alternative 4		Alternative 5	
			Quantity	Cost	Quantity	Cost	Quantity	Cost
Roadway (urban)	Mile	\$3,600,000.00	2	\$7,200,000.00	0	-	0	-
Roadway (rural)	Mile	\$2,500,000.00	3.55	\$8,875,000.00	5	\$12,500,000.00	5.54	\$13,850,000.00
Railroad Crossing	Each	\$500,000.00	1	\$500,000.00	1	\$500,000.00	0.5	\$250,000.00
Bridge	Each	\$4,000,000.00	1	\$4,000,000.00	1	\$4,000,000.00	1	\$4,000,000.00
Box Culvert	Each	\$500,000.00	2	\$1,000,000.00	2	\$1,000,000.00	2	\$1,000,000.00
Sound Wall	Lin Ft	\$620.00	3700	\$2,294,000.00	0	\$0.00	0	\$0.00
Building Removal	Each	\$30,000.00		-		-		-
Total Take (Relocation)	Each	\$250,000.00		-		-		-
RW (Perm) (Residential)	Sq Ft	\$3.00		-		-		-
RW (Perm) (Rural)	Sq Ft	\$0.75	1983451	\$1,487,588.25	2,373,451	\$1,780,088.25	1,329,133	\$996,849.42
RW (Temp) (Residential)	Sq Ft	\$1.00		-		\$0.00		\$0.00
RW (Temp) (Rural)	Sq Ft	\$0.25	743287	\$185,821.75	743287	\$185,821.75	743287	\$185,821.75
Total Cost:				\$25,542,410.00		\$19,965,910.00		\$20,282,671.17

R37 – Cost analysis break down if Alternatives 4 and 5 had been included. Since Alternative 5 is an already existing roadway, there is a road bed that could be used as a basis for a new roadway reducing the “Roadway (Rural)” cost.

Both Alternatives 4 and 5 are more cost-effective and faster than Alternative 3. The estimated cost difference between the two is approximately \$300,000. However, when factoring in potential savings from existing mapping and infrastructure, Alternative 5 may ultimately be less expensive. In contrast, Alternative 4 would impact more farmland due to the absence of previously acquired right-of-way.

Of all the options, 34th Avenue (Alternative 5) provides the greatest long-term flexibility, the fewest disruptions to residents and agriculture, and significant cost advantages. It is also the route local residents have consistently supported for more than 30 years.

Chapter 4: Conclusion

Conclusion

In summary, the inconsistencies in historical context, omission of critical data, and lack of basic mathematical applications in calculating travel times call into question whether this report genuinely followed the MEPA and NEPA processes to identify the most effective solution—or whether it was crafted to validate a predetermined outcome. Based on this review and supporting documentation, it appears to be the latter.

While the East Side Corridor concept originated in the 1990s and a general route was identified, those plans were effectively abandoned in 2004 when the City of Owatonna and Steele County allowed homes to be built within the mapped right-of-way. This shift was documented in subsequent studies, and future transportation plans modified the alignment, including shorter and more easterly alternatives. 34th Avenue (Alternative 5 today) was specifically mapped and preserved as an inner corridor, consistent with multiple studies and policy goals.

When standard travel time formulas are properly applied, Alternatives 4 and 5 are found to be equally fast—or even faster—than Alternative 3. They also have far fewer impacts to existing neighborhoods. While the project offers minimal current relief for existing traffic congestion, it does provide potential long-term benefit to future residents. Ironically, the neighborhood most affected by Alternative 3—N. Country—is also the one that stands to gain the most immediate benefit, and yet its residents have consistently advocated for avoidance since the first public open house in July 2021. Despite this, their input appears to have been disregarded, with inaccuracies and omissions passed along to state and federal authorities.

A full cost analysis shows that Alternatives 4 and 5 are more cost-effective than Alternatives 1–3. However, that analysis was excluded based on inaccurate travel time assumptions—assumptions that were not grounded in formulaic math but rather Google Maps and estimates. This flaw significantly undermines the credibility of the stated rationale for selecting Alternative 3.

Of the remaining options, Alternative 4 is the fastest and slightly more cost-effective, but it lies in a floodplain and would impact more farmland. Alternative 5—34th Avenue—offers a mapped corridor, existing roadbed, owned right-of-way, and fewer disruptions to farmland or homes. For over 30 years, residents have voiced support for this route. Nearly 600 people have now formally advocated for it.

Based on all of the above, Alternative 5 (34th Avenue) should be considered the data-supported, cost-effective, community-aligned, and environmentally responsible Preferred Alternative for the East Side Corridor.

Manipulation and Inconsistent Application of Truck Traffic and Noise Assumptions in the East Side Corridor Environmental Review
ESC EAW Comment #31

Date: December 29, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

Re: Manipulation and Inconsistent Application of Truck Traffic and Noise Assumptions in the East Side Corridor Environmental Review

I submit this comment to document serious deficiencies, inconsistencies, and apparent manipulation in the assumptions used to model truck traffic, noise exposure, and residential impacts for the East Side Corridor (ESC). Internal project correspondence demonstrates that key inputs affecting impact determinations were not based on verified data, were repeatedly adjusted to achieve preferred outcomes, and were later disavowed when residents identified their implications.

1. Proximity to Homes Was Known to Be Measured in Feet, Not Hundreds of Feet

Internal correspondence confirms that project staff and consultants were aware that the proposed ESC alignment would place the roadway extraordinarily close to existing homes. Emails acknowledge that the planned right-of-way is approximately 100 feet wide and that (mapped corridor is 150 with residents owning 50'), in some locations, the closest homes would be approximately **17 feet from the smaller right-of-way**.

Residents, lacking access to the same technical tools and modeling software used by engineering firms, initially measured the proximity to the right-of-way at approximately 15 feet. When WSB publicly clarified before City Council that the distance was 17 feet, residents immediately adopted the corrected figure. Despite this correction, residents' concerns regarding the extraordinary proximity—measured in feet rather than hundreds of feet—have continued to be dismissed as inaccurate or overstated, even though it was provided by the consultant.

Whether the separation is 15 feet or 17 feet is immaterial. Both distances represent an extreme and permanent encroachment that is orders of magnitude closer than separation distances typically contemplated in MnDOT noise guidance, which commonly assumes setbacks measured in **hundreds of feet**, not feet. This proximity is closer than Steele County's minimum right-of-way setbacks permit for new construction. Internal correspondence mocking the difference between 15 and 17 feet underscores the failure to appreciate the severity of proximity-based impacts when exposure occurs continuously and indefinitely.

2. Truck Traffic Percentages Were Assumed, Not Derived, and Were Repeatedly Shifted

The project's noise and traffic analyses rely heavily on assumed truck percentages rather than verified data. Residents were told that truck traffic would comprise approximately **15% of a projected 5,000 AADT**, implying roughly **750 trucks per day**.

When residents publicly performed this straightforward calculation and stated the resulting truck volume during meetings, project representatives immediately retreated from the number, characterized

Manipulation and Inconsistent Application of Truck Traffic and Noise Assumptions in the East Side Corridor Environmental Review
ESC EAW Comment #31

it as misleading, and then discredited residents for relying on the very figures the project team had provided. This sequence demonstrates not a misunderstanding by the public, but a lack of discipline and transparency in how assumptions were communicated and defended.

Internal emails further show active discussion among consultants and staff about whether to apply **urban or rural truck mixes**, whether to default to “worst case” assumptions, and how to characterize segments so that results would remain “defensible.” These discussions occurred despite the acknowledged absence of actual vehicle counts for a new alignment.

3. “Worst Case” Modeling Was Used Selectively and Strategically

Correspondence shows that project participants explicitly discussed using conservative or “worst case” assumptions in some contexts to avoid scrutiny, while in other contexts minimizing or downplaying impacts to justify advancement of the preferred alignment. This selective application undermines the credibility of the analysis.

For example, internal emails suggest applying rural truck percentages near residential neighborhoods to capture a “worst noise hour,” while other portions of the project were characterized as urban to reduce perceived impacts. Such internal debates, absent transparent disclosure in the Environmental Assessment Worksheet (EAWS), reveal that key outcomes depended on discretionary classification choices rather than consistent methodology.

The East Side Corridor is a single, continuous roadway and must be analyzed as such. Trucks traveling the corridor do not materially enter or exit between segments in a manner that would justify applying different vehicle mix assumptions along the same alignment. Whether a portion of the roadway is characterized as “urban” or “rural” based on curb-and-gutter design does not alter the fact that the same vehicles traverse the full length of the corridor.

Applying different truck percentages to adjacent segments of one uninterrupted roadway—based on surface design features rather than actual traffic behavior—artificially fragments the analysis and obscures real-world impacts. This approach allows modeling assumptions to be adjusted segment by segment to influence outcomes, rather than reflecting how truck traffic will actually function once constructed. For residents living along the corridor, exposure is continuous, not segmented, and truck traffic does not diminish simply because a curb is absent on one side of the road.

4. Impacts Were Known to Be Severe but Were Not Meaningfully Disclosed

Project correspondence acknowledges that most noise receptors would fall under urban truck criteria and that assumptions materially affect modeled results. Yet the EAW fails to disclose the sensitivity of outcomes to these assumptions, the lack of underlying traffic data, or the extraordinary proximity of homes to the roadway.

Noise mitigation discussions also ignore the fact that landscaping and fencing are not effective noise mitigation measures under MnDOT and FHWA guidance, particularly where homes are located within

Manipulation and Inconsistent Application of Truck Traffic and Noise Assumptions in the East Side Corridor Environmental Review
ESC EAW Comment #31

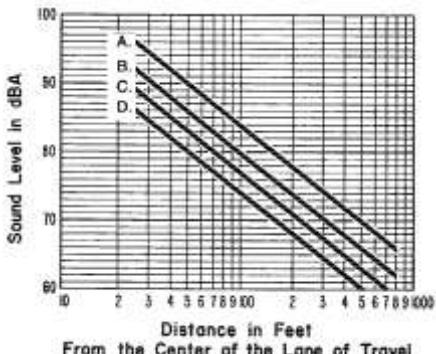
tens of feet of the roadway and where no mature, wide vegetative buffer exists or can be created within the constrained right-of-way.

5. MEPA and NEPA Require Honest Evaluation, Not Outcome-Driven Modeling

MEPA and NEPA exist to ensure that environmental consequences are evaluated honestly, consistently, and before irreversible commitments are made. When truck traffic volumes, noise exposure, and proximity impacts are based on assumed inputs that are adjusted, walked back, or selectively applied when challenged, the resulting analysis cannot be considered reliable.

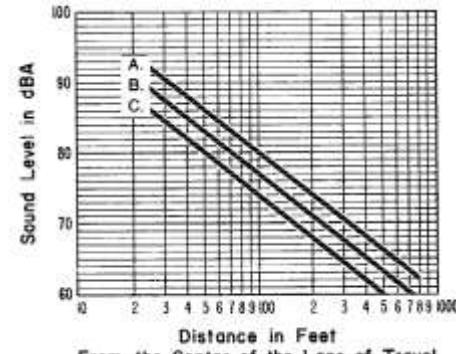
Minn. R. 7030.1040 noise guidance illustrates the magnitude of this failure. The noise charts underlying Rule 7030 indicate that separation distances on the order of **1,200 feet or more** are necessary to avoid significant heavy truck noise impacts. That distance is not hypothetical—it is consistent with the historic decision in the 1990s to move this corridor outward by approximately that amount, and it is the same separation residents have requested again to avoid permanent harm. Instead of grappling with this order-of-magnitude discrepancy, internal correspondence focuses on whether the roadway is 15 feet or 17 feet from homes.

7030.1040 NOISE LIMIT FOR VEHICLES OVER 10,000 POUNDS.



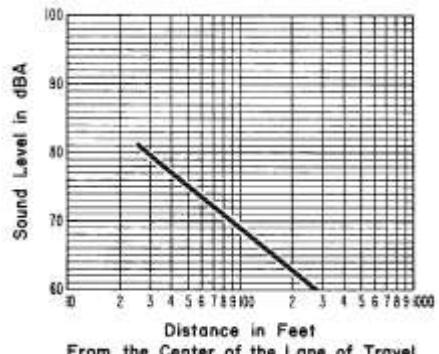
A. Speed limits greater than 35 mph.

7030.1050 MOTOR VEHICLE NOISE LIMITS FOR MOTORCYCLES.



B. Speed limits greater than 35 mph for vehicles manufactured on or after January 1, 1975.

7030.1060 NOISE LIMITS FOR OTHER VEHICLES.



Even absent heavy truck traffic, minimum residential separation distances are typically measured in the **hundreds of feet**, often on the order of **300 feet**. With the county provided projected truck volumes of approximately **750 trucks per day—roughly one truck every two minutes**—it is readily apparent why noise standards such as Minn. R. 7030.1040 reflect separation distances on the order of **1,200 feet or more** to avoid significant impacts. Even half that daily truck traffic is one truck every 4 minutes, still highlighting why distance is needed.

When residential exposure occurs at distances measured in **feet rather than hundreds or thousands of feet**, when truck traffic assumptions are unstable, and when “worst case” modeling is invoked or abandoned as convenient, the failure is not technical—it is **structural**.

Manipulation and Inconsistent Application of Truck Traffic and Noise Assumptions in the East Side Corridor Environmental Review
ESC EAW Comment #31

Conclusion

The Environmental Assessment Worksheet fails to provide a credible evaluation of truck traffic and noise impacts because it relies on assumed and shifting inputs, inconsistent roadway classification, selective application of “worst case” modeling, and internal disagreements that were not disclosed to decision-makers or the public, further denying the public access to information and early and often participation. These deficiencies materially affect conclusions regarding impact severity, mitigation feasibility, and the comparative evaluation of alternatives.

The record demonstrates that extreme residential proximity was known, that truck traffic assumptions were not derived from verified data, and that modeling choices were adjusted or walked back when their implications were identified. When a continuous roadway is analyzed as fragmented segments to control outcomes, and when impacts measured in feet are evaluated using standards that contemplate hundreds or thousands of feet of separation, the resulting analysis cannot support informed decision-making.

These failures are not technical errors that can be corrected through clarification or minor revisions. They are **structural defects** that undermine the integrity of the environmental review and mask permanent, proximity-based impacts that cannot be mitigated through landscaping, walls, or operational adjustments.

Because the EAW does not accurately disclose foreseeable truck traffic and noise impacts, does not apply consistent and transparent assumptions, and does not meaningfully evaluate avoidance alternatives that would eliminate extreme residential exposure, preparation of a **full Environmental Impact Statement (EIS)** is required. An EIS is necessary to restore analytical integrity, evaluate reasonable alternatives using consistent methodology, assess cumulative and irreversible impacts, and ensure that public health, safety, and environmental justice considerations are addressed before irreversible commitments are made.

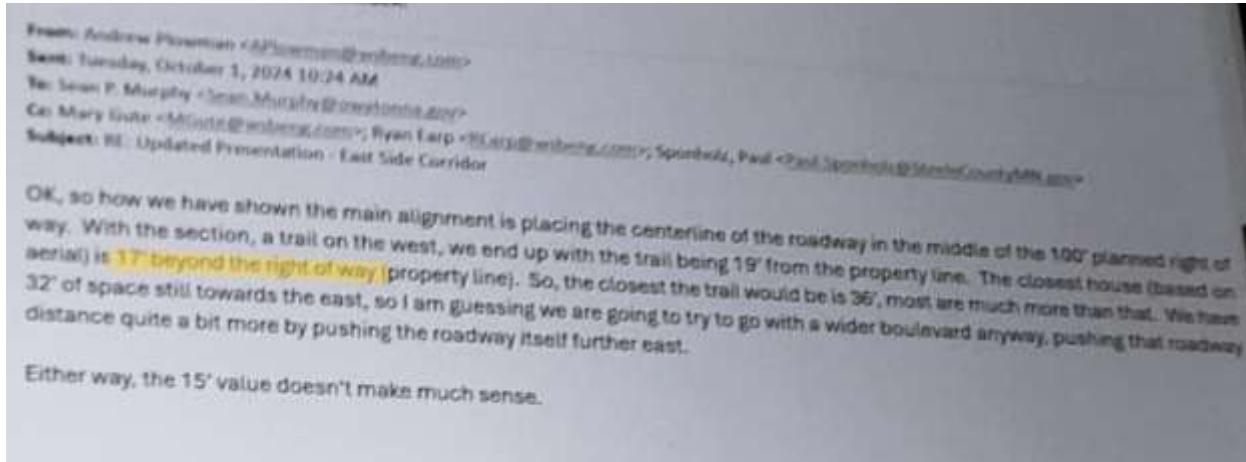
M [REDACTED] Z [REDACTED]

[REDACTED]
Owatonna, MN

Directly impacted resident

Manipulation and Inconsistent Application of Truck Traffic and Noise Assumptions in the East Side Corridor Environmental Review
ESC EAW Comment #31

Note: Following the Administrative Law Judge's MGDPA compliance order, substantial amounts of public records that had previously been available for inspection were no longer present for inspection and could not be retrieved despite reasonable efforts. The absence of these records prevented obtaining official copies. Accordingly, screenshots of video footage are submitted as the best available documentation of the referenced information.



From: Andrew Plowman
Sent: October 1, 2024 10:24 AM
To: Sean Murphy
CC: Mary Gute; Ryan Erp; Sponholz, Paul
Subject RE: Updated Presentation – East Side Corridor

Ok, so how we have shown the main alignment is placing the centerline of the roadway in the middle of the 100' planned right of way. With the section, a trail on the west, we end up with the trail being 19' from the property line. The closest house (based on aerial) is 17' beyond the right of way (property line). So the closest the trail would be is 36', most are much more than that. We have 32' of space still towards the east, so I am guessing we are going to try to go with the wider boulevard anyway, pushing the roadway distance quite a bit more by pushing the roadway itself further east.

Either way, the 15' value doesn't make much sense.

Manipulation and Inconsistent Application of Truck Traffic and Noise Assumptions in the East Side Corridor Environmental Review
ESC EAW Comment #31

From: Sean P Murphy <Sean.P.Murphy@owatonna.com>
Sent: Tuesday, October 1, 2024 9:59 AM
To: Andrew Plowman <Andrew.Plowman@owatonna.com>
Cc: Mary Gute <Mary.Gute@owatonna.com>; Ryan Erp <Ryan.Erp@owatonna.com>; Sponholz, Paul <Paul.Sponholz@owatonna.com>
Subject: RE: Updated Presentation – East Side Corridor

EXTERNAL EMAIL

You'll get it uploaded in the Council Chamber computer for the presentation.
Also, I don't foresee Council asking many questions, but they will most likely bring up some [not sure] involving how close the road will be to existing homes. We have consistently been told that the road is going to be 15' from existing homes. Is that true?
So be prepared to have an answer for that.

Thanks,

CITY OF OWATONNA

Sean Murphy, PE*
Public Works Director & City Engineer
Public Works Department

T

From: Sean Murphy
Sent: October 1, 2024 9:59AM
To: Andrew Plowman
CC: Mary Gute; Ryan Erp; Sponholz, Paul
Subject RE: Updated Presentation – East Side Corridor

Yes, we'll get it uploaded to the Council Chamber computer for the presentation.

Also, I don't foresee Council asking many questions, but they will most likely bring up some [not sure] involving how close the road will be to existing homes. We have consistently been told that the road is going to be 15' from existing homes.

Is that true? So be prepared to answer that.

Thanks

Sean Murphy

Manipulation and Inconsistent Application of Truck Traffic and Noise Assumptions in the East Side Corridor Environmental Review

From: Becky Haydon <Bhaydon@wsbeng.com>
Sent: Sunday, January 14, 2024 5:07 PM
To: Christopher Erickson <chris.erickson@hzunited.com>; Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Cc: Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>; Sean P. Murphy <Sean.Murphy@ci.owatonna.mn.us>; Mary Gute <MGute@wsbeng.com>; Andrew Plowman <APlowman@wsbeng.com>; Jack Corkle <JCorkle@wsbeng.com>
Subject: Re: Owatonna East Side Corridor, Steele County: Worst Noise Hour Memo

All Interested Parties-

As far as existing conditions, we typically would apply the urban default truck percentages on roads with curb and gutter and the rural default truck percentages on roads with ditches. I recommend we apply this accordingly - that is what we presented to MnDOT OES - which basically means the roads with housing developments on them would have the urban defaults (lower % of trucks) and all other roadways would have the rural defaults applied (higher % of trucks).

As far as build conditions, we would use the truck percentages being used for the pavement design on any roads that are being constructed/re-constructed. Andrew Plowman had already told me to use the rural default percentages for the new alignment roadway, as that is what they would be using for the pavement design. All other roadways would default to the urban/rural default % accordingly.

Chris will proceed in this manner and then results can be discussed to see if any changes are warranted.

Thank you-
Becky

Manipulation and Inconsistent Application of Truck Traffic and Noise Assumptions in the East Side Corridor Environmental Review
ESC EAW Comment #31

Sent: Friday, January 12, 2024 3:15 PM
To: Sponholz, Paul <Paul.Sponholz@steelecountymn.gov>
Cc: Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>; Sean P. Murphy <Sean.Murphy@ci.owatonna.mn.us>; Becky Haydon <Bhaydon@wsbeng.com>; Mary Gute <MGute@wsbeng.com>; Andrew Plowman <APlowman@wsbeng.com>; Jack Corkle <JCorkle@wsbeng.com>
Subject: Re: Owatonna East Side Corridor, Steele County: Worst Noise Hour Memo

EXTERNAL EMAIL

Paul/Greg,

Typically, what we use for vehicle mixes would match whatever the traffic/roadway groups are assuming for that roadway segment. I would suspect that the segment near the North Country neighborhood would be rural. We could run the model near the North Country neighborhood using both mixes to check the noise impacts as a conservative measure. This is non-standard since typically hourly vehicle counts would be used to establish a Worst Noise Hour, however since we have a new alignment here, and we don't have vehicle counts, using the more conservative vehicle mix may be warranted to identify impacts.

Any thoughts on this Becky?

Thanks,

Chris Erickson, PE

HZ United, LLC

3340-A Annapolis Lane North
Plymouth, MN 55447
[763-551-3699](tel:763-551-3699) (Office)

On Fri, Jan 12, 2024 at 2:27 PM Sponholz, Paul <Paul.Sponholz@steelecountymn.gov> wrote:

Greg's got a good point. Could we see both results and see if it really matters, then if it doesn't make a significant difference, just use the worst case? What do the noise analysis experts suggest.

Paul Sponholz, P.E. | Assistant County Engineer

Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890

O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

From: Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>
Sent: Friday, January 12, 2024 2:14 PM
To: Sean P. Murphy <Sean.Murphy@ci.owatonna.mn.us>; Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Becky Haydon <Bhaydon@wsbeng.com>; Mary Gute <MGute@wsbeng.com>
Cc: Christopher Erickson <chris.erickson@hzunited.com>; Andrew Plowman <APlowman@wsbeng.com>; Jack Corkle <JCorkle@wsbeng.com>
Subject: RE: Owatonna East Side Corridor, Steele County: Worst Noise Hour Memo

It just needs to be defensible with North Country. I almost want to say use the rural %, since it's a "worst case", that way they won't whine about us manipulating it, or such...

Manipulation and Inconsistent Application of Truck Traffic and Noise Assumptions in the East Side Corridor Environmental Review
ESC EAW Comment #31

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Friday, January 12, 2024 12:08 PM
To: Becky Heydon <Becky.Heydon@wsbmeng.com>; Mary Gute <Mary.Gute@wsbmeng.com>
Cc: Christopher Erickson <Chris.Erickson@h2united.com>; Andrew Ploewman <APloewman@wsbmeng.com>; Jack Corbie <Jack.Corbie@wsbmeng.com>; Gregorius <Gregory.Ikka@SteeleCountyMN.gov>; Sean P. Murphy <Sean.Murphy@wsbmeng.com>
Subject: RE: Owatonna East Side Corridor, Steele County; Worst Noise Hour Memo

The 3.83 % seems reasonable for my expectations of what truck traffic this corridor will take. Now to determine what will be urban or rural. My initial thoughts, anything in a developed area should be an urban section, or maybe what would be expected to be developed in the near future, so perhaps the following would be urban:

CSAH 34 (26th Street extension) from CSAH 77 (24th Avenue) to the ESC
ESC from Rose Street to 26th Street

All else rural.

So then most of the noise receptors would fall under the urban truck criteria.

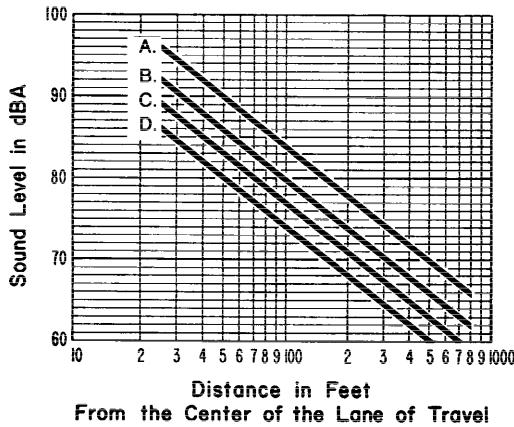
Does this make sense?

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890



7030.1040 NOISE LIMIT FOR VEHICLES OVER 10,000 POUNDS.

Motor vehicle noise limits for vehicles with a manufacturer's gross vehicle weight rating of more than 10,000 pounds and any combination of vehicles towed by such motor vehicle.

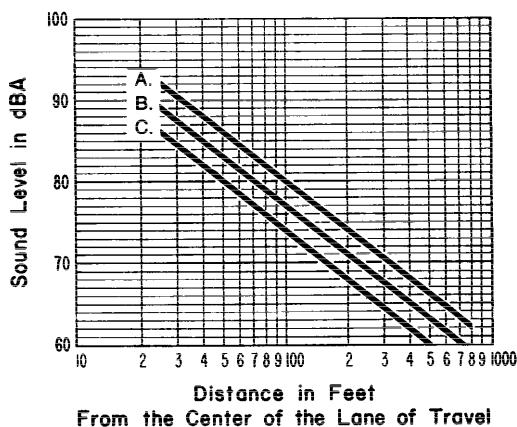


- A. Speed limits greater than 35 mph.
- B. Speed limits equal to or less than 35 mph and stationary run-up tests (for vehicles with governed engines). For stationary run-up tests on all-paved surfaces, add 2 dBA.
- C. Speed limits equal to or less than 35 mph and stationary run-up tests (for vehicles with governed engines), for vehicles manufactured on or after January 1, 1978. For stationary run-up tests on all-paved surfaces, add 2 dBA.
- D. Speed limits equal to or less than 35 mph and stationary run-up tests (for vehicles with governed engines), for vehicles manufactured on or after January 1, 1982. For stationary run-up tests on all-paved surfaces, add 2 dBA.

Statutory Authority: *MS s 116.07*

History: *18 SR 614*

Published Electronically: *December 12, 2003*

7030.1050 MOTOR VEHICLE NOISE LIMITS FOR MOTORCYCLES.

- A. For vehicles manufactured before January 1, 1975.
- B. Speed limits greater than 35 mph for vehicles manufactured on or after January 1, 1975.
- C. Speed limits equal to or less than 35 mph for vehicles manufactured on or after January 1, 1975.

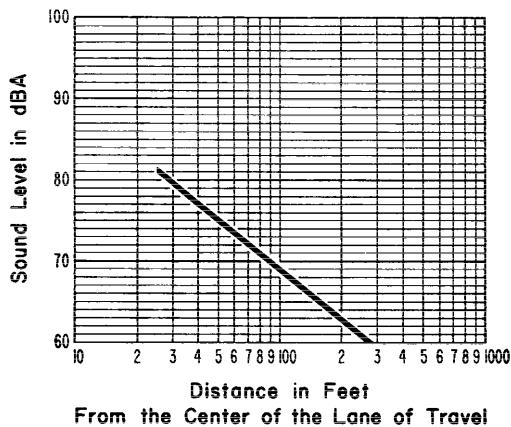
Statutory Authority: *MS s 116.07*

History: *18 SR 614*

Published Electronically: *December 12, 2003*

7030.1060 NOISE LIMITS FOR OTHER VEHICLES.

Motor vehicle noise limits for any other motor vehicle not included under parts 7030.1040 and 7030.1050 and any combination of vehicles towed by such motor vehicle.



Statutory Authority: *MS s 116.07*

History: *18 SR 614*

Published Electronically: *December 12, 2003*

Farmland Impact Analysis and Federal Noncompliance

ESC EAW Comment #32

Date: December 29, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

Re: Legal Deficiency of Farmland Impact Analysis and Federal Noncompliance (MEPA, NEPA, FPPA)

The EAW's treatment of farmland is legally inadequate under the Minnesota Environmental Policy Act (MEPA), the National Environmental Policy Act (NEPA), and applicable federal farmland protection laws.

The EAW acknowledges that the East Side Corridor would permanently convert approximately 64 acres of prime or unique farmland. However, the analysis is limited primarily to a numerical accounting of acreage and parcels. MEPA requires more than quantification. Environmental review must evaluate the nature, extent, and significance of environmental effects, including whether impacts are irreversible and whether they can be avoided or minimized. Prime agricultural land is a protected environmental resource under Minnesota law, and its permanent conversion constitutes an irreversible environmental effect.

The EAW does not analyze functional agricultural impacts necessary to assess significance, including but not limited to:

- fragmentation and bisection of agricultural fields;
- disruption of drainage and subsurface tile systems;
- loss of productive efficiency due to irregular field remnants;
- long-term reductions in agricultural productivity;
- ongoing economic impacts beyond one-time land acquisition;
- long-term tax base implications associated with conversion of agricultural land;
- cumulative impacts for segmentation; and
- disproportionate impacts.

By failing to analyze these impacts, the EAW does not provide sufficient information for the Responsible Government Unit (RGU) to determine whether the project has the potential for significant environmental effects on farmland, as MEPA requires.

The EAW further fails to evaluate avoidance and minimization. MEPA requires environmental review to inform decision-makers whether adverse environmental effects can be avoided or reduced through alternative locations, alignments, or design modifications. Here, the EAW does not meaningfully evaluate whether alternative alignments, reduced right-of-way widths, or use of non-agricultural corridors could lessen farmland impacts. Identifying impacts without analyzing whether they can be avoided or minimized renders the document incomplete.

Farmland Impact Analysis and Federal Noncompliance

ESC EAW Comment #32

In addition, the EAW improperly treats the East Side Corridor as an isolated action. Farmland impacts must be evaluated cumulatively where a project is part of a broader pattern of development-facilitating transportation infrastructure. Incremental conversion of farmland through connected or reasonably foreseeable projects constitutes a cumulative environmental effect that must be disclosed and analyzed under both MEPA and NEPA.

Because the East Side Corridor involves federal funding and FHWA coordination, compliance with NEPA is required. NEPA mandates a “hard look” at direct, indirect, and cumulative environmental impacts, including cumulative farmland loss resulting from transportation projects that facilitate development and land conversion. The EAW does not evaluate how this project contributes to cumulative farmland loss when combined with reasonably foreseeable development and infrastructure expansion.

Further, the project triggers the **Farmland Protection Policy Act (FPPA)**, which applies to federally funded or assisted projects that convert prime, unique, or statewide-important farmland. FPPA requires completion of **Form AD-1006 (Farmland Conversion Impact Rating)** and coordination with the Natural Resources Conservation Service (NRCS). The EAW does not disclose that an FPPA review was conducted, does not include an AD-1006, and does not analyze farmland impacts consistent with FPPA criteria. Failure to complete and disclose FPPA review constitutes a procedural violation of federal law.

Finally, NEPA requires disclosure sufficient to support informed public participation. Reducing farmland impacts to an acreage table deprives the public of the information necessary to understand the permanence, severity, and broader implications of farmland conversion. Disclosure without analysis does not satisfy NEPA’s “hard look” requirement.

For these reasons, the EAW’s farmland analysis fails to comply with MEPA, NEPA, and the Farmland Protection Policy Act. Because the project involves permanent conversion of prime farmland, unaddressed cumulative impacts, and unresolved federal compliance deficiencies, the Responsible Government Unit cannot lawfully conclude that the project lacks the potential for significant environmental effects. Preparation of an Environmental Impact Statement (EIS) is therefore required.

M [REDACTED] Z [REDACTED]
[REDACTED]

Owatonna, MN
Impacted resident

Farmland Impact Analysis and Federal Noncompliance

ESC EAW Comment #33

Date: December 29, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

Re: Improper Segmentation and Scope Creep Within the East Side Corridor Project (MEPA & NEPA)

I submit this comment to address improper segmentation and scope creep within the East Side Corridor (ESC) project itself. While related transportation projects have been improperly segmented from the ESC, this comment focuses on how the ESC has been advanced through phased scope slicing, deferred components, and incremental commitments that obscure the true scale, cost, and environmental impacts of the project.

Internal project correspondence demonstrates that major elements of the ESC were anticipated, discussed, and planned well before they were disclosed in environmental review documents and without public input. These include roundabouts at multiple intersections, bridge and railroad grade separation considerations, right-of-way acquisition sized to accommodate future expansion, and intersection control designed to prioritize the ESC as a primary arterial. These components were not speculative; they were treated internally as likely or expected elements to be added as traffic volumes and development increased.

Despite this, the project was repeatedly presented to the public and advanced in Capital Improvement Plans as a smaller-scale corridor with relatively modest costs. Early estimates placed construction in the range of approximately \$9–13 million. Subsequent Capital Improvement Plans show escalating costs approaching \$30 million, with explicit language that construction “could be divided in stages.” Yet the Environmental Assessment Worksheet does not disclose a full build-out cost, does not analyze the environmental impacts of the deferred components, and does not explain how or when those elements would be triggered.

This approach constitutes unlawful segmentation. MEPA and NEPA prohibit dividing a single project into phases or components in order to minimize apparent impacts, defer federal review, or avoid evaluating the full action. Agencies may not approve or advance an initial phase while postponing analysis of reasonably foreseeable elements that are functionally connected and integral to the project’s purpose.

Here, the roundabouts, bridges, railroad crossing, noise walls, stormwater ponds, and expanded right-of-way are not independent future projects. They are foreseeable components of the ESC corridor as designed and discussed by project engineers. Advancing the corridor while deferring environmental analysis of those elements prevents decision-makers and the public from understanding the true environmental consequences of the project.

Farmland Impact Analysis and Federal Noncompliance

ESC EAW Comment #33

This segmentation also explains the delayed recognition of federal undertaking status. Only after scope expansion did MnDOT CRU determine that the project constituted a federal undertaking. That sequence reflects incremental commitment rather than compliance with NEPA's requirement that federal review occur before irreversible decisions are made.

What began as a project estimated at approximately \$9 million has repeatedly expanded in scope and cost, with totals exceeding \$30 million, prior to May 2025's alternative limiting approvals, and major project elements continue to be added. However, the Environmental Assessment Worksheet does not disclose the full build-out cost of the project, nor does it identify the funding sources required to construct all reasonably foreseeable components. Without this information, the public and decision-makers cannot evaluate the true scale of the project or its environmental consequences.

Because the East Side Corridor has been advanced through phased scope expansion and deferred disclosure of key components, the Environmental Assessment Worksheet does not provide an adequate basis for determining that the project lacks the potential for significant environmental effects. The full corridor, including all reasonably foreseeable elements and costs, must be evaluated together and made available for the public to understand the full scope of the project. An Environmental Impact Statement is intended to study multiple projects together – the exact scenario here. An independent EIS is needed.

M [REDACTED] Z [REDACTED]

[REDACTED]

Owatonna, MN

Directly impacted resident

Date: December 30, 2025

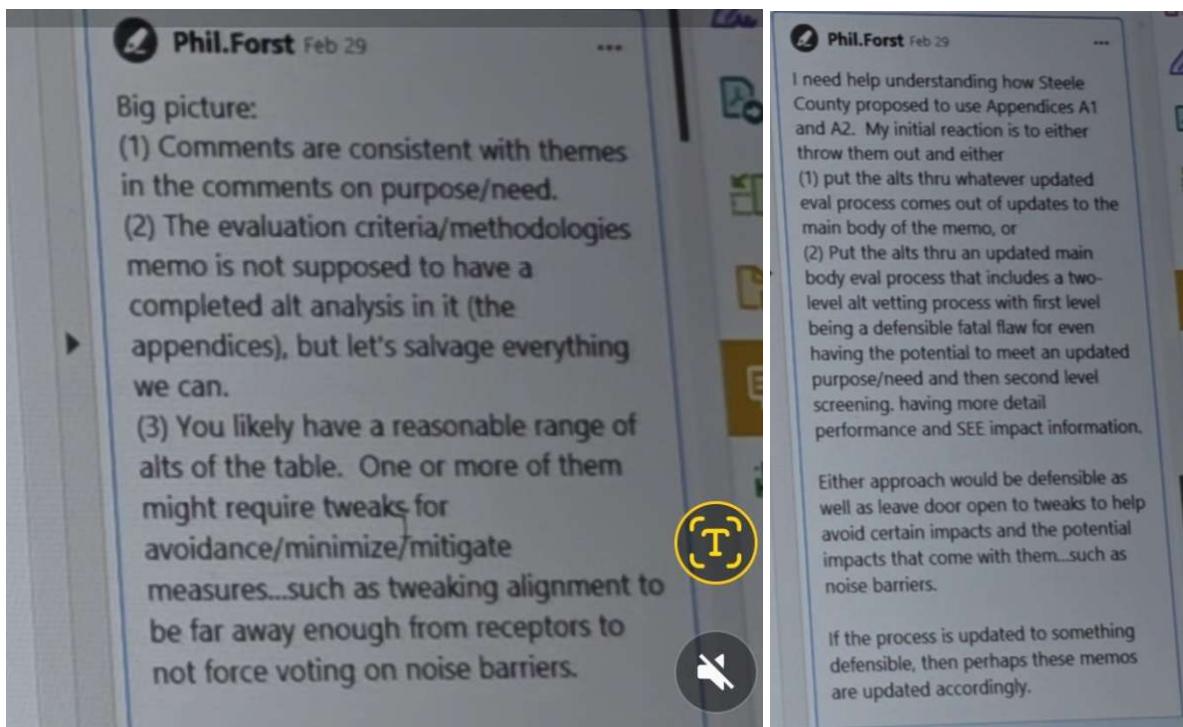
Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

Re: Manipulation of Noise Mitigation Analysis and Environmental Review Process for the East Side Corridor (ESC)

I submit this comment to document serious procedural deficiencies in how noise impacts and mitigation were handled during the evaluation of alternatives for the East Side Corridor (ESC). While feasibility and cost-effectiveness analysis of noise walls is appropriate and required, the internal project record shows that noise impacts were improperly treated as *conditional*—subject to voting outcomes, funding choices, and sequencing decisions—rather than as *existing environmental impacts* that must be addressed under environmental review law.

Noise impacts do not change based on whether residents vote for a noise wall or whether federal funding is retained or abandoned. The impacts exist and, under MEPA and NEPA, must be avoided where feasible, minimized where avoidance is not possible, and mitigated where it can't be minimized, as part of the alternatives analysis. Comments within 2024 federal documentation further confirm that Steele County was placed on notice that alternatives were required to avoid impacts, yet avoidance was not consistently applied across alternatives.



1. Noise Impacts Were Treated as Conditional Rather Than Inherent

The project's own noise analysis indicates that a **20-foot noise wall is reasonable, feasible, and recommended** to address identified impacts at the Alternative 3/29th Ave location. The obligation to address those impacts exists regardless of later decisions about voting, alignment shifts, or funding sources.

However, internal correspondence shows that noise impacts and mitigation were repeatedly framed as contingent on:

- Whether a neighborhood vote occurred;
- Whether residents supported a noise wall;
- Whether federal funding was retained or eliminated.

This framing is procedurally improper. Environmental impacts are not optional, negotiable, or dependent on public voting outcomes.

2. Noise Mitigation Was Used to Influence Alternatives Selection

Internal communications show and avoidance option was studied and was complaint with all regulations. However, instead of avoiding, noise wall analysis and associated costs were discussed not as neutral mitigation requirements, but as variables to be adjusted, deferred, or excluded in order to influence which alignment would appear more favorable.

Examples include:

- Selective modeling of noise walls by alternative;
- Repeated adjustment of wall heights until cost-effectiveness thresholds could be rejected;
- Discussion of removing or separately presenting required mitigation costs to alter cost comparisons.

Required mitigation cannot be excluded from an alternative's cost simply because it complicates the comparison. Doing so prejudices alternatives and undermines the integrity of the environmental evaluation. Moreover, under MEPA and NEPA, environmental impacts must be avoided where feasible and mitigated where avoidance is not possible. Internal project emails demonstrate that avoidance was treated as conditional—dependent on whether residents voted for a noise wall—despite evidence that avoidance through alignment shifts was possible. Conditioning impact avoidance on a post hoc vote violates both the intent and the letter of MEPA and NEPA, which require that avoidance and mitigation be evaluated objectively and incorporated into alternatives before a preferred alternative is advanced.

3. Voting Was Improperly Positioned as a Gatekeeper for Mitigation

The internal record shows that noise wall voting was structured as:

- Occurring only after FHWA concurrence on a preferred alternative;
- A mechanism to justify changing alignments after the fact;
- A basis for determining whether mitigation would be pursued at all.

This sequencing reverses the environmental review process required under MEPA and NEPA. Voting cannot be used to determine whether known impacts will be addressed; it may only occur after impacts and mitigation have been fully disclosed and evaluated. These impacts were foreseeable, as reflected in FHWA comments (above) and the project record, yet they were not addressed prior to preferred alternative selection and were not applied consistently across alternatives as the FHWA recommended.

While Alternative 2 identified property condemnation impacts adjacent to the alignment, Alternative 3 dismissed similar but more severe impacts and did not identify condemnation, despite North Country homes existing within the alignment right-of-way. Treating identical impacts differently across alternatives constitutes prejudicial evaluation and invalidates the comparative analysis.

4. Federal Funding Was Treated as a Means to Avoid Mitigation Obligations

Project correspondence further shows that abandoning federal funding was discussed as a way to potentially avoid federal or state noise requirements, despite acknowledged uncertainty regarding federal permits and federal actions that could still trigger those standards.

This reflects an effort to manage regulatory exposure rather than comply with environmental obligations, further undermining the credibility of the process.

5. Withholding of Information Prevented Meaningful Public Participation

Key analyses, reports, and internal deliberations were intentionally withheld from public, only uncovered through public data, preventing affected residents from meaningfully evaluating alternatives while decisions were still open.

Manipulation of Noise Mitigation Analysis and Environmental Review Process for the ESC
ESC EAW Comment #34

Conclusion

This record does not reflect a lawful evaluation of environmental impacts. Instead, it demonstrates a process in which:

- Noise impacts were treated as conditional rather than inherent;
- Mitigation was manipulated to influence cost comparisons;
- Voting and funding decisions were used to justify avoidance of impacts;
- Public participation was delayed until after alternatives were effectively selected.

Environmental review law does not permit impacts to be negotiated away. Impacts must be identified, disclosed, and avoided or mitigated **before** a preferred alternative is advanced.

After discovering the attached correspondence, residents notified elected officials on multiple occasions, placing Steele County and the City of Owatonna on notice of these deficiencies. The project nevertheless proceeded without correction.

Where, as here, the project record demonstrates predetermination, selective impact evaluation, and conditional treatment of avoidable impacts, a FONSI is legally indefensible. An Environmental Impact Statement is required to cure these defects and restore the integrity of the environmental review process.

M [REDACTED] Z [REDACTED]
[REDACTED]

Owatonna, MN
Directly impacted resident

Manipulation of Noise Mitigation Analysis and Environmental Review Process for the ESC

ESC EAW Comment #34

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Friday, May 10, 2024 8:35 AM
To: Andrew Plowman <APlowman@wsbeng.com>; Mary Gute <MGute@wsbeng.com>
Subject: RE: Matrix

EXTERNAL EMAIL

Would we do a vote before finalizing the concurrence memo and submitting to FHWA so that we can determine the final need for the wall? **We aren't going to build a sound wall**, but if the neighborhood votes against the wall, we can move forward with the original alignment.

Include the sound wall costs in the matrix for now and we can discuss with the Committee on Monday.

So far, the idea of abandoning federal funding isn't being well received. And with the **uncertainty of federal requirements in permits, not something we'll likely pursue**. We'll have a better feel of that idea on Monday.

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

From: Andrew Plowman <APlowman@wsbeng.com>
Sent: Friday, May 10, 2024 8:50 AM
To: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Mary Gute <MGute@wsbeng.com>
Cc: Jack Corkle <JCorkle@wsbeng.com>
Subject: RE: Matrix

Paul,

I just was speaking with Jack, and the vote would not happen prior to finalizing the memo. And, I think it is fairly safe to say that most will vote for having the wall for option 3A. We don't really think it will be dependent on if they are supportive of the project or not. If I lived along that area, heck I would likely vote for the wall too.

We will include the sound wall costs separately, so it is very evident for the meeting.

Andrew Plowman, PE
Director of Transportation Design - Minnesota
612.360.1311 (o)
WSB | wsbeng.com

From: Andrew Plowman <APlowman@wsbeng.com>
Sent: Friday, May 10, 2024 9:17 AM
To: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Mary Gute <MGute@wsbeng.com>
Cc: Jack Corkle <JCorkle@wsbeng.com>
Subject: RE: Matrix

Yeah sorry, to make it clear. 3A is original, 3B is (a shift at NC) and 3C (as shift at Maple Creek).

Well, we are going to show the costs separately, and the noise wall cost is just a portion of the overall analysis. But, if we choose option 3B for instance, then correct, no vote would ultimately be necessary.

I will let Mary and/or Jack chime in on the vote taking timeline. But, my understanding is that the vote would not happen ahead of time and then we change depending on the outcome.

Manipulation of Noise Mitigation Analysis and Environmental Review Process for the ESC

ESC EAW Comment #34

From: Mary Gute <MGute@wsbeng.com>
Sent: Friday, May 10, 2024 9:34 AM
To: Andrew Plowman <APlowman@wsbeng.com>; Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Cc: Jack Corkle <JCorkle@wsbeng.com>
Subject: RE: Matrix

Hi Paul – The noise vote will not be included in the alternatives eval memo. This memo is just to get FHWA's concurrence on the evaluation of ESC alternatives, and identification of a preferred alternative. The vote would take place later, as determined necessary by the results of the noise analysis.

I'll also note that we're not including any detailed environmental reports (cultural resources, historical architecture, etc.), as those'll be done only for the preferred alternative that is carried forward into the EA and/or EAW. I'll need to look at what's included in the traffic memo and talk to Jason to see if it makes sense to include that as an attachment to the memo.

Mary Gute
Sr. Transportation Planner
612.741.7055 (o)
WSB | wsbeng.com

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Friday, May 10, 2024 11:02 AM
To: Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>; Sean P. Murphy <Sean.Murphy@ci.owatonna.mn.us>
Subject: FW: Matrix

Lots of discussion below on next steps here and things to discuss with the committee. To summarize:

WSB will have the matrix to us today.

An update on the alignment alternative naming: 3A is now the original 29th Ave Corridor, 3B is a shift at NC and 3C is a shift at Maple Creek. Some of my discussions below was following a different naming convention.

Noise wall vote would not be taken until after FHWA concurrence on the preferred alternative. I had a discussion with Dale Gade just now. If we select 3B or 3C as the preferred alternative in the memo, we could not do a vote and change our mind to 3A. If we want to take the wall to a vote, then we drop the 3B alternative from the memo and only consider 3A. We can then take the vote, and if a wall is wanted by the community, we can then use 3B as a mitigation effort instead of the wall. Moving the alignment several hundred feet is an acceptable mitigation (as long as its not affecting other impacts such as farmland impacts or wetlands, or those impacts need to be addressed as well.)

Many of the various reports being prepared are for the preferred alignment (i.e. archeology, wetlands, etc.), so would not be part of the memo and should not be made public then until the FHWA concurrence of the preferred alignment. Maybe with traffic reports being used for the memo decision that would make sense to add to the memo, so WSB is looking into that.

Paul Sponholz, P.E. | Assistant County Engineer

Manipulation of Noise Mitigation Analysis and Environmental Review Process for the ESC

ESC EAW Comment #34

To: Sponholz, Paul; Sean P. Murphy

Start your reply all with: [No problem.](#) [Of course!](#) [You're welcome.](#) [Feedback](#)

EXTERNAL EMAIL

Point of clarification, when you are saying 3A, is that the original alignment? I had the impression that we had 3 (the original alignment), 3A (a shift at NC) and 3B (a shift at Maple Creek), or has that been changed.

So then if we don't include the vote in the memo, the analysis would likely show that the original alignment is too costly and the preferred alternative is 600-700 away. Would a vote even need to be taken then?

There is desire by the elected representatives to have the vote taken. Could we still do the vote, and if the wall is rejected, then change the preferred alignment after the approved memo?

Another question on the memo, will the traffic modeling memos, architecture/archeology reports, and other reports be included with the memo to support the conclusions of the memo's analysis and choice of alternatives? Could we and/or should we post those reports to the webpage before the memo is released?

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Friday, May 10, 2024 8:35 AM
To: Andrew Plowman <APlowman@wsbeng.com>; Mary Gute <MGute@wsbeng.com>
Subject: RE: Matrix

EXTERNAL EMAIL

Would we do a vote before finalizing the concurrence memo and submitting to FHWA so that we can determine the final need for the wall? We aren't going to build a sound wall, but if the neighborhood votes against the wall, we can move forward with the original alignment.

Include the sound wall costs in the matrix for now and we can discuss with the Committee on Monday.

So far, the idea of abandoning federal funding isn't being well received. And with the uncertainty of federal requirements in permits, not something we'll likely pursue. We'll have a better feel of that idea on Monday.

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

Manipulation of Noise Mitigation Analysis and Environmental Review Process for the ESC

ESC EAW Comment #34

From: Andrew Plowman <APlowman@wsbeng.com>
Sent: Friday, May 10, 2024 7:58 AM
To: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Mary Gute <MGute@wsbeng.com>
Subject: RE: Matrix

Paul,

The voting process is only for the impacted parcels, on whether they would support the sound wall. I would imagine the results of the vote would be we would need to add the walls for 3A if that is what is chosen. So then, wouldn't we have to add in the cost as it would be likely that they would go in if that option is chosen, and you are still using federal funding?

Andrew Plowman, PE
Director of Transportation Design - Minnesota
612.360.1311 (o)

Andrew and Mary,

I got thinking, how does this voting process work? Would it make sense to leave off the cost of the sound wall from the Option 3 estimate, maybe have an asterisk on it stating sound wall isn't included. That would probably show a similar cost as Options 3A and 3B which likely then would cost more given more r/w needs. So given the farmland impacts, right of way costs, and conforming to 30 years of plans, the original Option 3 would likely be the preferred corridor, right?

Do we then present that to the FHWA? Or do we bring a vote to the community before finalizing the memo? Then after the vote is determined, if the sound wall is voted for, we can select 3A or 3B. Or if the sound wall is rejected, we can continue with the original 3.

Or does the vote come after the FHWA concurrence, which if the wall is wanted, we could then modify to 3A or 3B because of cost and mitigation efforts in the final environmental documents?

Does it make sense to have a neighborhood "public" meeting prior to the vote to explain the noise analysis results and the voting process? Or is that already part of that process?

Thoughts? Please call if easier to discuss.

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Thursday, May 9, 2024 7:04 PM
To: Andrew Plowman <APlowman@wsbeng.com>
Cc: Mary Gute <MGute@wsbeng.com>
Subject: Re: Matrix

We had our Public Works Committee today. Consensus was we are going to continue the federal process. Too many ramifications to walk away from it. But that doesn't consider the city's desire to keep the original 29th Ave corridor. One option talked about it to take the wall to a vote. We'll have to see what the consensus will be from the Joint Transportation Committee meeting Monday.

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | paul.sponholz@steelecountymn.gov

Manipulation of Noise Mitigation Analysis and Environmental Review Process for the ESC

ESC EAW Comment #34

This message is displayed, click here to view it in a web browser.

From: Becky Haydon <Bhaydon@wsbeng.com>
Sent: Thursday, April 25, 2024 12:28 PM
To: Christopher Erickson <chris.erickson@hzunited.com>; Mary Gute <MGute@wsbeng.com>
Cc: Andrew Plowman <APlowman@wsbeng.com>
Subject: ESC Noise Analysis

Mary-

Chris is revising the original existing alignment wall analysis to determine the shortest height wall that is cost-effective (most likely 6-8 ft height). Once he has that and Andy has a 'realistic' cost/SF for both a concrete noise wall and a concrete post/wood plank noise wall at 10-ft and 20-ft, we can provide the county a realistic cost for the noise walls if the alignment is left as is.

He is also re-evaluating the wall by the Majestic Oaks neighborhood (along 26th Street), based on comments from the PMT to determine if any height wall would be cost-effective in this location. Chris is ONLY evaluating this for Option 3B (he has not modeled the 3A, which shifts the new N/S roadway west closer to the neighborhood). Andy and I will chat later today when he is available to determine if Chris should look at the shifted location at this time.

The revised alignment (3A and 3B) near North Country neighborhood is the same. Preliminary results show an impact (as anticipated); however, 20-ft and 15-ft walls are not cost-effective and a 10-ft wall does not meet the noise reduction requirements. He is checking some other heights (18-ft and possibly others depending on the results) and if that/those is/are not cost-effective, that would be the end of that.

As far as if the county elects to eliminate federal funds, thus requiring an EAW. Chris is correct that 'local agencies' are exempt from the federal noise standards; **however, there is sometimes a Federal action that pushes the project to adhere to some federal requirements. One of those being federal permits (sometimes).** I recall asking you this before and I thought the answer was that **there is a federal permit - I am guessing Army Corps?** If that is the case, I would need to ask MnDOT who would need to reach out to FHWA and discuss whether federal noise standards would be applicable to the project. So, let me know if there is a federal permit and what it is.

As far as the EAW guidelines, I think that language has been in there forever, but I will check into that too once I know the answer above.



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Questions, Comments, and Concerns for the EAW

1 message

[REDACTED]
To: ronald.gaines@steelecountymn.gov
Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Tue, Dec 30, 2025 at 5:02 PM

Avoidance of Federal Standards

How does the County reconcile emails from the Steele County engineer indicating a desire to avoid federal noise and safety regulations and associated mitigation requirements with state and federal environmental review obligations?

Predetermined Corridor Location

How was the location of the East Side Corridor selected, and how does the County respond to concerns that the location was predetermined prior to meaningful public input?

Why were public comments regarding corridor alternatives dismissed or not reflected in the alternatives analysis?

Public Comment Transparency

Why were public comments not consistently posted on the County website designed to visually present corridor alternatives and citizen feedback, and how does this omission comply with public participation requirements?

Noise Impacts and Missing Studies

Given the presence of numerous known noise receptors in affected neighborhoods, why were noise studies excluded from the EAW?

How can environmental impacts be adequately assessed without noise modeling for residences located as close as 17 feet from the proposed roadway?

Request for Project Pause and EIS

Due to the omission of noise analysis and other significant environmental impacts, including potential health consequences for nearby residents, we request an immediate pause to the project.

Why has a full Environmental Impact Statement (EIS) not been initiated despite the magnitude and proximity of impacts?

Safety Concerns Due to Proximity

How does the County address repeated resident concerns regarding safety hazards created by placing a high-speed roadway within approximately 17 feet of existing homes and structures, including detached garages?

Data Access Denial

Why has the County repeatedly denied residents access to underlying project data despite multiple requests, thereby substantially impeding informed public participation in the EAW process?

Failure to Extend or Reopen Comment Period

Despite at least six formal requests, why has the County refused to extend, pause, or reopen the public comment period until requested data is made available?

Community Impacts and Displacement

How does the EAW address claims from residents that they feel abandoned by both the County and City, including concerns related to financial hardship, property devaluation, and foreclosure risk?

Resident Testimony

Why are substantive resident comments, including those submitted by O [REDACTED] and L [REDACTED], not clearly acknowledged or addressed in the EAW findings?

Speed Limit and Plat Constraints

How does the project account for the fact that homes in the North Country neighborhood were built on only 50 feet of a 150-foot-wide plat, and what justification exists for proposed speed limits under these constrained conditions?

Unprecedented Nature of the Project

How does the County justify this project as consistent with past practice when the scale, proximity to homes, and level of impact appear unprecedented in Steele County?

Federal Undertaking Determination

If this project constitutes a federal undertaking, why are federally required noise studies and related analyses missing from the EAW?

M [REDACTED] S [REDACTED]
[REDACTED]



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

East side corridor

1 message

[REDACTED]
To: "Gaines, Ronald" <ronald.gaines@steelecountymn.gov>
Bcc: owatonnaeastsidecorridor@gmail.com

Tue, Dec 30, 2025 at 8:07 PM

The County prematurely eliminated alternatives that would have avoided significant environmental impacts in favor of a predetermined route driven by development rather than transportation needs, while omitting the true scope and impacts of the project from the EAW; therefore, a full independent Environmental Impact Statement (EIS) is required.

Regards,

G [REDACTED] P [REDACTED]

[REDACTED]



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Eastside corridor 29th Ave

1 message

██████████ Wed, Dec 31, 2025 at 7:58 AM
To: ronald.gaines@steelecountymn.gov, Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

I am concerned on the placement of the road and bridge on my property .by building the road on the flood fringe you are taking all the capacity for high water events which will my sons house to the east of the project. So I am asking for the risk assessment so I can have an independent study done. I spent my whole career with mndot bridge for a total of 40 years I have seen what water does when it can't spread out. Sincerely ROBERT Grant



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Eastside corridor

1 message

Wed, Dec 31, 2025 at 8:11 AM

To: ronald.gaines@steelecountymn.gov, Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

I am concerned on the the noise that the project with the increased traffic noses by increasing traffic from 6 cars a day to over 2000and by building it so closely to my sons house I would like to know what plans you will do the increased noise levels. Sincerely Robert Grant



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Eastside corridor

1 message

[REDACTED] Wed, Dec 31, 2025 at 8:33 AM
To: ronald.gaines@steelecountymn.gov, Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

I would like to see all the documents from all the different routes so I can see how you came up with this as the only way to go? Because twenty plus years ago I went to meeting on development to the west of me at those meeting they talked about 34 or 44 because you already have the right away.

Sincerely Robert Grant



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Eastside corridor

1 message

Wed, Dec 31, 2025 at 9:07 AM

To: ronald.gaines@steelecountymn.gov, Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

I would like you to tell me why you want to put a beltway so closely to existing homes? If you build 34 or 44 you already have the land that way people can choose to live next to the road and road noses plus I thought that a belt line was too go on the outer limits of town not to benefit developers. By building on 34 or 44 you could have better control over site corners how closely build to the road. In conclusion a 1/2 mile is not that far to go 34 or even 1 1/2 miles to 44 it would make a straight shot north and south.

SINCERELY ROBERT GRANT



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Eastside corridor

1 message

Wed, Dec 31, 2025 at 9:29 AM

To: ronald.gaines@steelecountymn.gov, Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

I think you need to see all the wildlife that is down a long maple creek from deer,turkeys, pheasant, wood ducks, snapping turtles, fox,rabbit's, eagle, owles,shiner minows, Hungarian partridge, crayfish. It is it own ecosystem down along the creek and the flood fringe. Sincerely Robert Grant



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Eastside corridor

1 message

Wed, Dec 31, 2025 at 9:50 AM

To: ronald.gaines@steelecountymn.gov, Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

I would like you to sit down with all the parties involved and make all the documents on all routes and show why 29 Ave is the best place for the road when 20 years ago it wasn't even talked about you also to let the people know a head of when things are the agenda so a person can be there for public documents and need to send out notices at least 9 days ahead of time. Now that you do not tape the meeting people can't no what's going on in county no body gets a paper any I think you should put your own camera's in so the taxpayers can see what's going we need more transparency.

Public Comment – Noise Mitigation, Federal Obligations, and Safety (East Side Corridor EAW)

1 message

[REDACTED] To: "ronald.gaines@steelecountymn.gov" <ronald.gaines@steelecountymn.gov>

Wed, Dec 31, 2025 at 12:19 PM

RGU - Ronald Gaines,

I formally request that Steele County require a **full Environmental Impact Statement (EIS)** for the East Side Corridor project. Based on the information provided in the EAW and materials withheld from the public, the project clearly exceeds the threshold for significant environmental effects under Minnesota Rules 4410.1200.

Steele County turned over the responsibility of constructing the mapped corridor to the city of Owatonna, documented in a 2004 county study. The city of Owatonna subsequently relinquished the rights to 1/3 of the mapped corridor to a housing developer and numerous houses were constructed on what was originally part of the mapped corridor. The city also built multiple streets to connect to the mapped corridor, creating three intersections with the mapped corridor within five blocks.

A recent noise study that was completed as part of the EAW indicated a need for a 20-foot noise wall; but the report was then omitted from the EAW.

I am requesting an EIS because the EAW is missing required impact analyses and it contains a predetermined outcome.

- The noise study was not included. An internal memo from WSB suggested moving the road out to comply with noise standards
- No road in Steele County has ever been built this close to a housing development
- The right of way was abandoned
 - an entire neighborhood was developed with numerous houses constructed on the right-of-way
 - an entire neighborhood was developed with three intersections within five blocks to a right-of-way; the neighborhood was developed to connect to a city street – not a controlled access arterial road.
 - Owatonna city council passed a resolution in August 2013 to officially abandon the road but the resolution was omitted from the EAW
- Avoidance options should be evaluated

Thanks,

J [REDACTED] O [REDACTED]



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Fw: Subject: Public Comment – Noise Mitigation, Federal Obligations, and Safety (East Side Corridor EAW)

1 message

[REDACTED]
To: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Wed, Dec 31, 2025 at 3:42 PM

FYI.

Sent from [Outlook](#)

From: Becky Dawley <becky_dawley@hotmail.com>

Sent: Wednesday, December 31, 2025 3:38 PM

To: Ronald.Gaines@SteeleCountyMN.gov <Ronald.Gaines@SteeleCountyMN.gov>

Cc: Becky Dawley <becky_dawley@hotmail.com>

Subject: Subject: Public Comment – Noise Mitigation, Federal Obligations, and Safety (East Side Corridor EAW)

RGU - Ronald Gaines,

Steele County asked residents from North Country Subdivision to respond to the three noise “options” presented to us. None of those options constitutes lawful noise mitigation. Landscaping and a 6-foot fence do not meet any recognized noise standards and do not satisfy the County’s obligations under MEPA or NEPA.

Although the County may claim exemption from certain numeric noise thresholds, it is not exempt from identifying, addressing, and mitigating noise impacts. The EAW fails to do this. Further, despite statements that federal funding has been dropped, the EAW documents that the East Side Corridor is a federal undertaking and therefore remains subject to applicable federal regulations, including federal noise requirements.

Under MEPA and NEPA, impacts must be addressed in the following order: Avoid, Minimize, Mitigate. Avoidance remains the preferred and required option because it prevents the substantial, documented noise impacts altogether.

If the County refuses to pursue avoidance, we are willing to accept a noise berm that complies with Minnesota and Federal noise regulations, including Minn. R. 7030 and 23 C.F.R. Part 772, spanning the full length of the subdivision—not landscaping or decorative grading. Any berm relied upon as mitigation must, at a minimum and without limitation:

- Block line of sight, equivalent in function to a 20-foot noise wall
- Meet applicable MnDOT engineering standards, including but not limited to 1:3 or 1:4 slope ratios
- Fully address stormwater impacts, including but not limited to preventing any increase in runoff or drainage onto adjacent properties
- Be entirely contained on public property
- Require no private easements or encroachment onto residential land
- Exclude any roadway connections to Timberwood Lane or Fox Hollow Lane, which would increase traffic, noise, and safety impacts and reduce mitigation effectiveness.

Any use of residential property—even temporary—for construction, grading, access, utilities, drainage, or other purposes would constitute a taking and trigger eminent domain and condemnation proceedings, as acknowledged on the County’s own website.

As noted in the EAW, the County has referenced berms “similar to Deer Trail Lane NE”. Those berms were constructed where residential development occurred after the roadway existed. Here, the proposed project represents a highway encroaching on established homes, which requires a different mitigation analysis and heightened protections under MEPA and NEPA.

If the County asserts that a berm meeting these criteria cannot be provided, the County must identify an alternative noise mitigation measure that achieves the same functional performance, such as a 20-foot noise wall identified in the

project's noise study as reasonable, feasible, and recommended. The need for mitigation of this magnitude confirms the severity of impacts and reinforces that avoidance is the legally required first option.

The County's consideration of mitigation at this scale demonstrates that the project will cause significant environmental impacts. Significant impacts preclude a Finding of No Significant Impact (FONSI) and require preparation of an Environmental Impact Statement (EIS). These issues and appropriate mitigations were excluded from the EAW, rendering it inadequate. An EIS is needed.

I incorporate by reference the detailed Owatonna East Side Corridor group noise comment submitted into the EAW record.

B [REDACTED] D [REDACTED]

Owatonna, MN 55060

Phone: 507-456-7700



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Template 1: Segmentation of East Side Corridor Requires EIS

1 message

[REDACTED]
To: "Ronald.Gaines@SteeleCountyMN.gov" <ronald.gaines@steelecountymn.gov>
Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Wed, Dec 31, 2025 at 4:15 PM

Dear Sir:

The East Side Corridor cannot be reviewed in isolation. It is functionally connected to the 18th Street expansion, railroad roundabout, high school relocation, utility expansions, and Main Street project. These connected actions were improperly segmented to minimize impacts. Further, because of these segmentations, it leads one to wonder what other future projects has the County anticipated that have not been communicated and will therefore, be segmented.

Under MEPA and NEPA, a unified Environmental Impact Statement is required. I formally request a full EIS and an independent RGU. Additionally, a FONSI requires a complete, accurate and good-faith evaluation of environmental impacts and reasonable alternatives, and must be supported by substantial evidence in the record. That standard is not met here.

Sincerely,

B [REDACTED] D [REDACTED]
[REDACTED]
Owatonna, MN 55060
[REDACTED]

Sent from [Outlook](#)



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Subject: Public Comment – Noise Mitigation, Federal Obligations, and Safety (East Side Corridor EAW)

1 message

[REDACTED]
To: "ronald.gaines@steelecountymn.gov" <ronald.gaines@steelecountymn.gov>

Wed, Dec 31, 2025 at 4:46 PM

RGU - Ronald Gaines,

The County asked residents from North Country Subdivision to respond to the three noise “options” presented. None of those options constitute lawful noise mitigation. Landscaping and a 6-foot fence do not meet any recognized noise standards and do not satisfy the County’s obligations under MEPA or NEPA.

While the County may claim exemption from certain numeric noise thresholds, it is not exempt from identifying, addressing, and mitigating noise impacts. The EAW fails to do so. Further, despite statements that federal funding has been dropped, the EAW documents that the East Side Corridor is a federal undertaking and therefore remains subject to applicable federal regulations, including federal noise requirements.

Under MEPA and NEPA, impacts must be addressed in the following order: Avoid, Minimize, Mitigate. Avoidance remains the preferred and required option because it prevents the substantial, documented noise impacts altogether.

If the County refuses to pursue avoidance, we are willing to accept a noise berm that complies with Minnesota and Federal noise regulations, including Minn. R. 7030 and 23 C.F.R. Part 772, spanning the full length of the subdivision—not landscaping or decorative grading. Any berm relied upon as mitigation must, at a minimum and without limitation:

Block line of sight, equivalent in function to a 20-foot noise wall;

Meet applicable MnDOT engineering standards, including but not limited to 1:3 or 1:4 slope ratios;

Fully address stormwater impacts, including but not limited to preventing any increase in runoff or drainage onto adjacent properties;

Be entirely contained on public property;

Require no private easements or encroachment onto residential land; and

Exclude any roadway connections to Timberwood Lane or Fox Hollow Lane, which would increase traffic, noise, and safety impacts and reduce mitigation effectiveness.

Any use of residential property—even temporary—for construction, grading, access, utilities, drainage, or other purposes would constitute a taking and trigger eminent domain and condemnation proceedings, as acknowledged on the County’s own website.

As noted in the EAW, the County has referenced berms “similar to Deer Trail Lane NE.” Those berms were constructed where residential development occurred after the roadway existed. Here, the proposed project represents a highway encroaching on established homes, which requires a different mitigation analysis and heightened protections under MEPA and NEPA.

If the County asserts that a berm meeting these criteria cannot be provided, the County must identify an alternative noise mitigation measure that achieves the same functional performance, such as a 20-foot noise wall identified in the project's noise study as reasonable, feasible, and recommended. The need for mitigation of this magnitude confirms the severity of impacts and reinforces that avoidance is the legally required first option.

The County's consideration of mitigation at this scale demonstrates that the project will cause significant environmental impacts. Significant impacts preclude a Finding of No Significant Impact (FONSI) and require preparation of an Environmental Impact Statement (EIS). These issues and appropriate mitigations were excluded from the EAW, rendering it inadequate. An EIS is needed.

I incorporate by reference the detailed Owatonna East Side Corridor group noise comment submitted into the EAW record.

J [REDACTED] O [REDACTED]

[REDACTED]

EAW Comment

1 message

[REDACTED] To: "ronald.gaines@steelecountymn.gov" <ronald.gaines@steelecountymn.gov>

Wed, Dec 31, 2025 at 4:50 PM

RGU - Ronald Gaines,

I formally request that Steele County require a **full Environmental Impact Statement (EIS)** for the East Side Corridor project. Based on the information provided in the EAW and materials withheld from the public, the project clearly exceeds the threshold for significant environmental effects under Minnesota Rules 4410.1700.

The ESC project has a clear **federal nexus**, triggering NEPA requirements:

- A railroad crossing requiring federal permits
- Federal funding used for related roadway and roundabout construction
- Federal documents referenced in the EAW and on the project website
- Use of federal funds to study or progress the project, including CRRSA funds
- As of April 1, 2025, this project was declared a federal undertaking
 - Quotes from articles printed in the Owatonna Peoples Press:
 - The contract for the environmental study came with a \$234,000 price tag, with funds coming from COVID-19 relief funds from the federal government, according to Steele County Engineer Greg Ilkka.
 - According to City Engineer Sean Murphy, there is approximately \$2.3 million of funding available from the Federal Transportation Alternatives Program for the district Owatonna is in for the year 2028 — when the project would likely take place. If the grant is received, it will help connect the city trails from 26th Street to 18th Street along the corridor.
 - A letter of intent was submitted on Nov. 3 and was reviewed by the Minnesota Department of Transportation, working in conjunction with the TAP program, to submit a full application for the 2028 grant cycle. Murphy said previous trail segments on 18th Street from Linn Avenue to Hayes Avenue were awarded TAP grant funding.
 - Though this is a county-led project, the city does have buy-in. While Steele County has received \$3.96 million from the FHWA for this project, and intends to pursue additional grant funds, other sources of funding could include the city and the state.
 - The EAW is influenced by a predetermination of outcome.
 - The project was a federal undertaking until a noise analysis was completed requiring avoidance or mitigations that conflicted with the predetermined preferred alternative
 - Alternative 3b was studied but omitted from the EAW (referenced in the MnDOT CRU letter)
 - Owatonna city council passed a resolution in August 2013 to officially abandon the road but the resolution was omitted from the EAW
 - On April 23, 2025 the county engineer warned the County Administrator, City Engineer, and City Administrator that the FHWA warned that no votes on alternatives should take place before review was completed. Despite that:
 - On May 13, 2025 Owatonna Township approved a resolution limiting the project to a single alternative. On May 27, 2025 the county quietly accepted this resolution.
 - On Dec 16, 2025 the City of Owatonna approved a resolution limiting the project to a single alternative, ROW acquisition, and cost sharing requirements, during the EAW comment period.

Despite this, the EAW fails to address federally required noise, safety, and health analyses. Federal actions were relied upon to make substantial decisions, yet federal environmental standards were not applied. I formally request that Steele County require a **full Environmental Impact Statement (EIS)** for the East Side Corridor project. Additionally, a FONSI requires a complete, accurate and good-faith evaluation of environmental impacts and reasonable alternatives, and must be supported by substantial evidence in the record. That standard is not met here.

J [REDACTED] O [REDACTED]



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

EAW Comment

1 message

[REDACTED] To: "ronald.gaines@steelecountymn.gov" <ronald.gaines@steelecountymn.gov>

Wed, Dec 31, 2025 at 5:20 PM

RGU - Ronald Gaines,

The EAW fails to address federally required noise, safety, and health analyses. I formally request that Steele County require a **full Environmental Impact Statement (EIS)** for the East Side Corridor project.

The city of Owatonna is making significant changes to neighborhood streets by making Fox Hollow Lane the only street to connect to the East Side Corridor in the Countryview neighborhood.

- Fox Hollow Lane is only three blocks from a major intersection on Rose Street
- It is reasonable to expect all southbound traffic on the corridor will utilize Fox Hollow Lane to enter the neighborhood
- Residents on this street would face excessive noise as a result of an open intersection. The open intersection represents a complete lack of avoidance and mitigation.
- Fox Hollow Lane has homes on both sides of the street with driveway access, unlike Countryview Avenue (the current access street to the neighborhood) which only has homes on one side of the street with driveway access to the street.
- No impact studies were completed or included
- There were no informational meetings held to gather residents' input and concerns
- o City officials claimed these changes are the result of the county East Side Corridor project
- o A WSB representative stated they would prefer no intersections with the neighborhood as they are too close to Rose Street to meet standards
- The argument the intersection on Timberwood Lane needs to be removed reinforces the claim the neighborhood was not designed to connect to a corridor

Steele County and the city of Owatonna are making significant changes to neighborhood streets by making Fox Hollow Lane the only street to connect to the East Side Corridor in the Countryview neighborhood despite the fact residents have repeatedly requested it not be connected. I am formally requesting an EIS because safety impacts, noise impacts and human health impacts need to be studied for substantially impacted homes on Fox Hollow Lane.

J [REDACTED] O [REDACTED]

Public Comment – Noise Mitigation, Federal Obligations, and Safety (East Side Corridor EAW)

1 message

[REDACTED]
To: ronald.gaines@steelecountymn.gov
Bcc: owatonnaeastsidecorridor@gmail.com

Wed, Dec 31, 2025 at 6:00 PM

Dear Mr. Ronald Gaines,

The County asked residents from North Country Subdivision to respond to the three noise “options” presented. None of those options constitute lawful noise mitigation. Landscaping and a 6-foot fence do not meet any recognized noise standards and do not satisfy the County’s obligations under MEPA or NEPA.

While the County may claim exemption from certain numeric noise thresholds, it is not exempt from identifying, addressing, and mitigating noise impacts. The EAW fails to do so. Further, despite statements that federal funding has been dropped, the EAW documents that the East Side Corridor is a federal undertaking and therefore remains subject to applicable federal regulations, including federal noise requirements.

Under MEPA and NEPA, impacts must be addressed in the following order: Avoid, Minimize, Mitigate. Avoidance remains the preferred and required option because it prevents the substantial, documented noise impacts altogether.

If the County refuses to pursue avoidance, we are willing to accept a noise berm that complies with Minnesota and Federal noise regulations, including Minn. R. 7030 and 23 C.F.R. Part 772, spanning the full length of the subdivision—not landscaping or decorative grading. Any berm relied upon as mitigation must, at a minimum and without limitation:

Block line of sight, equivalent in function to a 20-foot noise wall;

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Fully address stormwater impacts, including but not limited to preventing any increase in runoff or drainage onto adjacent properties;

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Require no private easements or encroachment onto residential land; and

Exclude any roadway connections to Timberwood Lane or Fox Hollow Lane, which would increase traffic, noise, and safety impacts and reduce mitigation effectiveness.

Any use of residential property—even temporary—for construction, grading, access, utilities, drainage, or other purposes would constitute a taking and trigger eminent domain and condemnation proceedings, as acknowledged on the County’s own website.

As noted in the EAW, the County has referenced berms “similar to Deer Trail Lane NE.” Those berms were constructed where residential development occurred after the roadway existed. Here, the proposed project represents a highway encroaching on established homes, which requires a different mitigation analysis and heightened protections under MEPA and NEPA.

If the County asserts that a berm meeting these criteria cannot be provided, the County must identify an alternative noise mitigation measure that achieves the same functional performance, such as a 20-foot noise wall identified in the project’s noise study as reasonable, feasible, and recommended. The need for mitigation of this magnitude confirms the severity of impacts and reinforces that avoidance is the legally required first option.

The County’s consideration of mitigation at this scale demonstrates that the project will cause significant environmental impacts. Significant impacts preclude a Finding of No Significant Impact (FONSI) and require preparation of an Environmental Impact Statement (EIS). These issues and appropriate mitigations were excluded from the EAW, rendering it inadequate. An EIS is needed.

I incorporate by reference the detailed Owatonna East Side Corridor group noise comment submitted into the EAW record.

Please help,
--A [REDACTED] M [REDACTED]



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Needing Help for Justice in Steele County

1 message

[REDACTED]
To: ronald.gaines@steelecountymn.gov
Bcc: owatonnaeastsidecorridor@gmail.com

Wed, Dec 31, 2025 at 6:04 PM

Dear Mr. Gaines,

Steele County prematurely eliminated alternatives for the East Side Corridor that would have avoided significant environmental impacts in favor of a predetermined route driven by (suspicious?) development rather than transportation needs, while omitting the true scope and impacts of the project from the EAW; therefore, a full independent Environmental Impact Statement (EIS) is required.

Asking for justice,
--A [REDACTED] M [REDACTED]

Fatal Flaw in Environmental Review – Failure to Apply Avoidance and Withholding of a Reasonable Alternative
ESC EAW Comment #35

Date: December 30, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

RE: Fatal Flaw in Environmental Review – Failure to Apply Avoidance and Withholding of a Reasonable Alternative

I submit this comment to document fatal procedural deficiencies in the environmental review for the East Side Corridor (ESC). The project record demonstrates that environmental impacts were known, avoidance was studied, and yet avoidance was not implemented or made public. Instead, it appears city and township development agreements were prioritized over the inherent environmental effects that must be avoided or mitigated under MEPA and NEPA.

Known Impacts and Failure to Implement Avoidance

Noise and displacement impacts associated with the ESC were foreseeable and known. Internal correspondence and federal documentation confirm that avoidance through alignment shifts was studied and understood to be feasible. The need for avoidance was known as early as **June 2023** and formal maps were finalized by **June of 2024** – both prior to the selection of the preferred alignment in **September of 2024**.

Rather than implementing avoidance, project leadership treated avoidance as conditional, despite the fact that impacts exist regardless. This approach was driven in part by the City's preference to retain the alignment in its original location, not by objective environmental considerations, as seen in the attached emails.

Under MEPA and NEPA, impacts must be avoided where feasible, minimized where avoidance is not possible, and mitigated as part of the alternatives analysis. Withholding viable avoidance options from the public violates both the intent and the letter of environmental review law.

Unequal Application of Impacts Across Alternatives

Impacts were not applied consistently across alternatives. **Alternative 2** explicitly identified condemnation of properties adjacent to the alignment. **Alternative 3**, however, dismissed comparable impacts and did not list condemnation, despite North Country homes existing **on the mapped right-of-way**.

Applying different impact assumptions to similarly situated alternatives constitutes prejudicial evaluation and invalidates the alternatives comparison.

Fatal Flaw in Environmental Review – Failure to Apply Avoidance and Withholding of a Reasonable Alternative
ESC EAW Comment #35

Improper Sequencing and Withheld Impact Data

Avoidance must be addressed early in the environmental review process where known impacts exist. Comments on preliminary drafts of the Preferred Alternative Memorandum show that the **FHWA expressly warned the Responsible Governmental Unit (RGU)** that alternatives needed to be adjusted to **avoid impacts**. Rather than adhering to this direction, decision-makers instead chose to condition impact response on a future noise wall vote by residents.

This approach reverses the proper environmental review sequence. **Voting cannot be used to determine whether documented environmental impacts will be addressed.** Impacts must first be identified, fully disclosed, and avoided or mitigated **before** a preferred alternative is advanced. Conditioning avoidance on a post-hoc vote substitutes political convenience for environmental compliance and violates the core requirements of MEPA and NEPA.

Noise impacts do not change based on whether residents vote for a noise wall or whether federal funding is retained or abandoned. The impacts exist and remain regardless of funding structure or voting outcomes, and therefore must be addressed through **avoidance, minimization, or mitigation** as part of a lawful alternatives analysis.

Despite this, known noise impacts are not disclosed in the EAW. Further, during the EAW comment period, residents have been improperly denied access to noise studies through public data requests, preventing meaningful review and comment. At the same time, the EAW asserts that Steele County is exempt from state noise regulations, even though the project has been declared a **federal undertaking** and previously used federal funding, federal studies, and federal approvals as its foundation. Any asserted exemption under Minn. Stat. § 116.07 is therefore inapplicable, and the project must comply with federal environmental and noise regulations.

The combined effect of improper sequencing, withheld impact data, and inconsistent regulatory treatment deprives the public of meaningful participation and precludes any lawful Finding of No Significant Impact.

Withholding of a Reasonable Avoidance Alternative

The environmental review contains a fatal defect in that a reasonable avoidance alternative was deliberately withheld from public disclosure. Internal records show that in July 2024 Steele County removed an alignment shift at North Country (**Alternative 3B**) from public-facing materials (attached), despite continued internal discussion and analysis. Additional correspondence (attached) demonstrates that other impact-related decisions—such as subdivision connections affecting North Country residents—were similarly concealed, establishing a pattern of intentional suppression rather than an isolated oversight.

Fatal Flaw in Environmental Review – Failure to Apply Avoidance and Withholding of a Reasonable Alternative
ESC EAW Comment #35

Notably, alternative 3B is referenced within the EAW by MnDOT's Cultural Resources Unit, confirming that it existed and was considered during agency review, while simultaneously being withheld from public disclosure. The omission of this alternative deprived the public of the opportunity to review, comment on, or compare a feasible avoidance option that would have reduced or avoided residential impacts.

MEPA and NEPA require that reasonable alternatives—including those that avoid impacts—be disclosed and evaluated transparently. No meaningful avoidance alternatives were presented to the public despite internal acknowledgment that avoidance was feasible.

Notice to Elected Officials

After discovering the attached correspondence, residents—including myself—repeatedly notified elected officials, placing **Steele County and the City of Owatonna on notice** of these deficiencies. Despite this notice, the project continued to advance without correction.

Fatal Flaw – FONSI Precluded; EIS Required

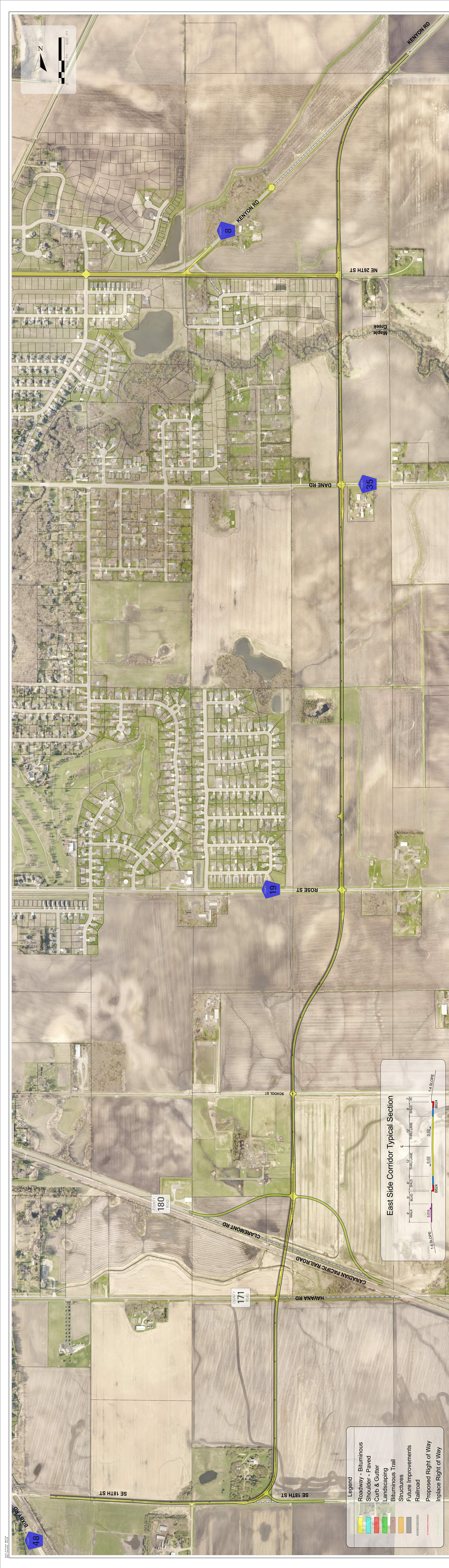
Because impacts were treated as conditional rather than inherent, avoidance was acknowledged but not implemented, alternatives were evaluated using inconsistent assumptions, a reasonable avoidance alternative was withheld from public review, studies showing substantial harms from impacts were unlawfully withheld following an ALJ order of compliance, and decisions were effectively sequenced prior to full disclosure, the record **cannot support a Finding of No Significant Impact**.

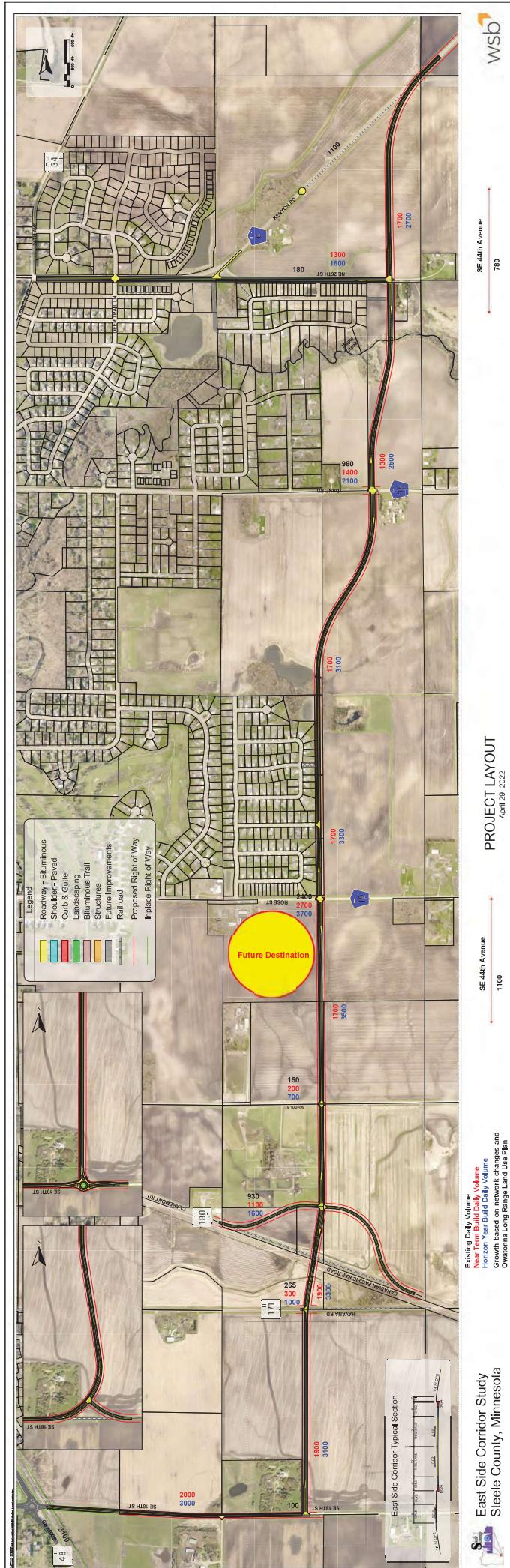
These deficiencies demonstrate a loss of procedural neutrality that cannot be cured by internal revision by the Responsible Governmental Unit. **Independent oversight is required**, and preparation of an **Environmental Impact Statement (EIS)** is necessary to objectively evaluate impacts, avoidance alternatives, and mitigation in compliance with MEPA and NEPA.

M [REDACTED] Z [REDACTED]
[REDACTED]

Owatonna, MN

Directly impacted resident





Fatal Flaw in Environmental Review – Failure to Apply Avoidance and Withholding of a Reasonable Alternative ESC EAW Comment #35

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Thursday, June 22, 2023 11:43 AM
To: Mary Gute <MGute@wsbeng.com>; Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>; Andrew Plowman <APlowman@wsbeng.com>
Subject: RE: Steele County East Side Corridor PMT Meeting

EXTERNAL EMAIL

If we have thoughts that we may want to shift the alignment, its best to get it all looked at now so we aren't redoing it later and hindering our timeline.

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

RE: Steele County East Side Corridor PMT Meeting

 Mary Gute <MGute@wsbeng.com>
To: Sponholz, Paul; Ilkka, Gregory; Andrew Plowman

Thu 6/22/2023 12:00 PM

Paul, I spoke with Andrew K again yesterday and informed him about the potential shift. In response, he's expanding the northern limit to the west to extend to the next parcel line. The cultural resources contract will include this information. This will increase the cost some due to the extra survey area. Thanks, Mary

Mary Gute
Sr. Transportation Planner
612.741.7055 (o)
WSB | wsbeng.com

wsb
For a list of WSB employee licenses and certifications visit [here](#).

This email, and any files transmitted with it, is confidential and is intended solely for the use of the addressee. If you are not the addressee, please delete this email from

RE: Steele County East Side Corridor PMT Meeting

 Ilkka, Gregory
To: Andrew Plowman; Mary Gute; Sean P. Murphy
Cc: Sponholz, Paul

Tue 12/19/2023 2:27 PM

EXTERNAL EMAIL

I don't know if this will affect the noise analysis as well, or not, but this layout is showing a connection at Fox Hollow and nothing at Timberwood. As you know, those decisions have not been made yet. I will defer to the noise consultant, this may be another set of "alternatives" we need to evaluate.

My bigger concern is that this layout not see the light of day, those North Country residents are all over the Board on the connections and I've spoken to several to say those decisions have not been made, so this would just rile them up. Can we revise the layout showing nothing connected, and nothing X'd out yet?

Thanks!
Greg

From: Andrew Plowman <APlowman@wsbeng.com>
Sent: Tuesday, December 19, 2023 10:05 AM
To: Mary Gute <MGute@wsbeng.com>; Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>; Sponholz, Paul

**Fatal Flaw in Environmental Review – Failure to Apply Avoidance and Withholding of a Reasonable Alternative
ESC EAW Comment #35**

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Thursday, May 9, 2024 7:04 PM
To: Andrew Plowman <APlowman@wsbeng.com>
Cc: Mary Gute <MGute@wsbeng.com>
Subject: Re: Matrix

We had our Public Works Committee today. Consensus was we are going to continue the federal process. Too many ramifications to walk away from it. But that doesn't consider the city's desire to keep the original 29th Ave corridor. One option talked about it to take the wall to a vote. We'll have to see what the consensus will be from the Joint Transportation Committee meeting Monday.

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | paul.sponholz@steelecountymn.gov

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Friday, May 10, 2024 8:35 AM
To: Andrew Plowman <APlowman@wsbeng.com>; Mary Gute <MGute@wsbeng.com>
Subject: RE: Matrix

EXTERNAL EMAIL

Would we do a vote before finalizing the concurrence memo and submitting to FHWA so that we can determine the final need for the wall? We aren't going to build a sound wall, but if the neighborhood votes against the wall, we can move forward with the original alignment.

Include the sound wall costs in the matrix for now and we can discuss with the Committee on Monday.

So far, the idea of abandoning federal funding isn't being well received. And with the uncertainty of federal requirements in permits, not something we'll likely pursue. We'll have a better feel of that idea on Monday.

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

From: Andrew Plowman <APlowman@wsbeng.com>
Sent: Friday, May 10, 2024 8:50 AM
To: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Mary Gute <MGute@wsbeng.com>
Cc: Jack Corkle <JCorkle@wsbeng.com>
Subject: RE: Matrix

Paul,

I just was speaking with Jack, and the vote would not happen prior to finalizing the memo. And, I think it is fairly safe to say that most will vote for having the wall for option 3A. We don't really think it will be dependent on if they are supportive of the project or not. If I lived along that area, heck I would likely vote for the wall too.

We will include the sound wall costs separately, so it is very evident for the meeting.

Andrew Plowman, PE
Director of Transportation Design - Minnesota
612.360.1311 (o)
WSB | wsbeng.com

Fatal Flaw in Environmental Review – Failure to Apply Avoidance and Withholding of a Reasonable Alternative

ESC EAW Comment #35

From: Andrew Plowman <APlowman@wsbeng.com>
Sent: Friday, May 10, 2024 9:17 AM
To: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Mary Gute <MGute@wsbeng.com>
Cc: Jack Corkle <JCorkle@wsbeng.com>
Subject: RE: Matrix

Yeah sorry, to make it clear. 3A is original, 3B is (a shift at NC) and 3C (as shift at Maple Creek).

Well, we are going to show the costs separately, and the noise wall cost is just a portion of the overall analysis. But, if we choose option 3B for instance, then correct, no vote would ultimately be necessary.

I will let Mary and/or Jack chime in on the vote taking timeline. But, my understanding is that the vote would not happen ahead of time and then we change depending on the outcome.

Andrew
612.360.1311

If this Proposal is acceptable, please issue the appropriate Amendment incorporating our review and signature.

Previous Next
Replace with

Add a comment...

PAGE 1
PSponholz Jul 31
Summarize this discussion without naming subdivisions or specific alternatives, or distances from alternatives.

State that the noise analysis "is being completed" instead of "was completed".

PAGE 2
PSponholz Jul 31
The FHWA gave

PSponholz Jul 31
Initially they had proposed complete hybrid Environmental Assessment, changed direction requiring the contractor to complete a Programmatic

Noise analysis was completed for alternative 3a and 3b geometries. The required analysis included build conditions for all receptors, existing and build conditions for new noise receptors within shifted noise study, wall evaluation for Majestic Lanes and North County neighborhood, and development of supporting figures and tables.

Analyzed 8', 10' and 20' walls and concrete versus wood for estimate and analysis of different options for berms and other mitigation items. The original scope assumed analysis only of the officially-mapped corridor option.

K:\019850-000\Admin\Contract\Amendment No. 1.docx

Fatal Flaw in Environmental Review – Failure to Apply Avoidance and Withholding of a Reasonable Alternative
ESC EAW Comment #35

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Monday, September 30, 2024 6:32 AM
To: Cabral Neto, Fausto (DOT) [REDACTED] Bottos, Elisa (DOT) [REDACTED] Renae <Renae.Fry@SteeleCountyMN.gov>; sean.murphy@owatonna.gov
Subject: Re: Request for Clarification on East Side Corridor Project Updates and Concerns

Looking for any thoughts on how to respond to this email full of inaccuracies and misinformation. [REDACTED] has twisted things to meet her own agenda here. Shall we set up a teams meeting to discuss a response? I suggest a meeting with MnDOT, city and county engineers and administrators.

The study did look at all alternatives. She unfortunately doesn't like the fact that her preferred alternative didn't get past the purpose and need for the project and that we didn't study it in more detail. There are many reports in the memo outlining how we studied traffic and other information to come to that conclusion.

She's under the impression we were going to have a public meeting to discuss the chosen alternative but we already did, back in May 2023. There will be another public meeting for the final environmental document with a 30 day public comment period. And we've told her that. A meeting now will only confuse the majority of the public. I've gotten many comments of confusion why we even started over (NPCE vs PCE), so don't want to confuse the public even more.

The entire memo is public on our website and available for her to read. We put it out there as quick as possible just for her. And we've told her that. Including the previous 2 memos (purpose and need and evaluation criteria). We'll make other reports(wetlands, archaeological, traffic, noise, etc.) available on the website as we complete them. And I've told her that. I mentioned we have a few other updates to the website, but only just to summarize that 3rd memo. It takes time for our consultant to draft changes and then for the county and city to review before going live. And we are working on a newsletter to update the public. That will come soon. And we've told her that. Melissa needs to be patient.

We are doing a noise wall study. And a noise wall is only one alternative we are looking at. She was at the board meeting when we showed the board several options we are considering. That will come with all the other mitigation things that we must do. We've told Melissa many times that we can't look at mitigation, avoidance until we have the preferred alternative. Now we are starting those processes now that we have the memos completed.

I'm not sure how she has misunderstood that I said a noise wall will not be considered. Certainly I've said it's not in the county's interest due to the cost and if there is a way to avoid a wall we will. But we still need to follow the federal process and it will be considered. And I've told her that.

We aren't ready to discuss publicly, but other options to avoid the wall and address federal noise standards include moving the road 600-800 feet east, assuming it reduces noise impacts. It is feasible from the federal standpoint. However it has serious ramifications to the city and township and their development agreements, serious impacts to farmland since we already own 6 acres of land along the subdivision, and it would affect several farmer and their land, serious implications to area farmers and the many other people, who unlike [REDACTED] have always understood the road was going there and have told us they'd be very unhappy if we move it, serious impacts in how the city would redevelop that land with utilities, etc. All that discussion will like be looked at and included in the final reports.

The mitigation studies she is asking for is going to happen as we study impacts now and come up with avoidance and mitigations as we complete the environmental documentation. She needs patience. Ultimately she will unlikely be unhappy with the final results but we need to think of the county and city as a whole and not just her back yard.

Paul Sponholz, P.E. | County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7671 | M: (507) 475-2253 | paul.sponholz@steelecountymn.gov

DROPPING FEDERAL FUNDING TO AVOID NOISE MITIGATION

ESC EAW Comment #36

Date: December 30, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

RE: DROPPING FEDERAL FUNDING TO AVOID NOISE MITIGATION

I submit this comment to document a material deficiency in the Environmental Assessment Worksheet (EAWS) for the East Side Corridor (ESC): the deliberate removal of federal funding from the project **for the stated purpose of avoiding required noise mitigation**, including traffic noise analysis and construction of noise walls.

The administrative record demonstrates that the decision to eliminate federal funds was not based on environmental impact reduction, cost neutrality, or project feasibility, but rather to avoid compliance with federal noise requirements and associated mitigation obligations. This constitutes improper segmentation, predetermination, and avoidance of environmental review under MEPA.

1. Federal Funding Was Removed Specifically to Avoid Noise Mitigation

Internal correspondence among county staff, consultants, and MnDOT confirms that:

- Federal noise analysis and noise wall construction were anticipated outcomes if federal funds remained in the project;
- County Engineer told residents on Feb 11, 2025 that the noise wall vote was coming in the next couple weeks, followed by the EAW.
- On Feb 25, 2025 the County Engineer told the board and the public that a noise wall vote was coming in the new couple weeks followed by the EAW.
- The potential cost of noise walls was discussed as a primary concern;
- Removal of federal funding was proposed as a means to eliminate the need for federal environmental review (including CATEX) and noise mitigation.

These communications establish that the funding decision was driven by the desire to avoid environmental obligations, not by an independent project need.

2. Environmental Review Cannot Be Structured to Avoid Mitigation

Under Minn. R. 4410 and Minn. Stat. § 116D.04, an RGU may not:

- Structure a project to avoid environmental review;
- Segment federal and non-federal components to evade applicable standards; or
- Commit to a preferred outcome before environmental impacts are analyzed.

Here, noise impacts were known, discussed, and modeled, yet federal involvement was deliberately removed so that those impacts would not require mitigation. This is precisely the type of project structuring MEPA prohibits.

DROPPING FEDERAL FUNDING TO AVOID NOISE MITIGATION

ESC EAW Comment #36

3. Noise Impacts Were Not Reduced

The removal of federal funding did not:

- Change the project alignment;
- Increase setbacks from residences;
- Reduce traffic volumes or speeds; or
- Eliminate the proximity of the roadway to existing homes.

Noise impacts therefore remained unchanged. The only effect of removing federal funds was to eliminate the regulatory mechanism requiring those impacts to be mitigated.

Avoiding mitigation is not the same as reducing environmental impact, and the EAW improperly treats these as equivalent.

4. Federal Action and Obligations Remained Unresolved

The record further shows ongoing uncertainty regarding:

- Whether federal permits (e.g., USACE, railroad coordination) would still apply;
- Whether federal “action” could still trigger federal noise requirements; and
- Whether FHWA or MPCA concurrence had been obtained prior to dismissing noise obligations.

The EAW nonetheless assumes that no federal or state noise standards apply, without documented confirmation from the relevant agencies.

5. An EIS Is Required

Because the EAW:

- Relies on the deliberate removal of federal funding to avoid noise mitigation;
- Fails to analyze significant noise impacts that remain unchanged;
- Segments environmental obligations from the project’s true scope; and
- Reflects predetermination of outcomes prior to environmental review,

the EAW does not meet the requirements of MEPA for informed decision-making. An Environmental Impact Statement (EIS) with federal compliance is required to evaluate noise impacts, mitigation feasibility, alternatives, and the full scope of federal and state obligations.

M [REDACTED] Z [REDACTED]
[REDACTED]

Owatonna, MN
Directly Impacted Resident

DROPPING FEDERAL FUNDING TO AVOID NOISE MITIGATION

ESC EAW Comment #36

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Tuesday, March 25, 2025 8:30 AM
To: Fausto Cabral (fausto.cabral@state.mn.us)
Cc: sean.murphy@owatonna.gov
Subject: FW: ATP 6 2029 application template - CSAH 48/Main St Reconstruct

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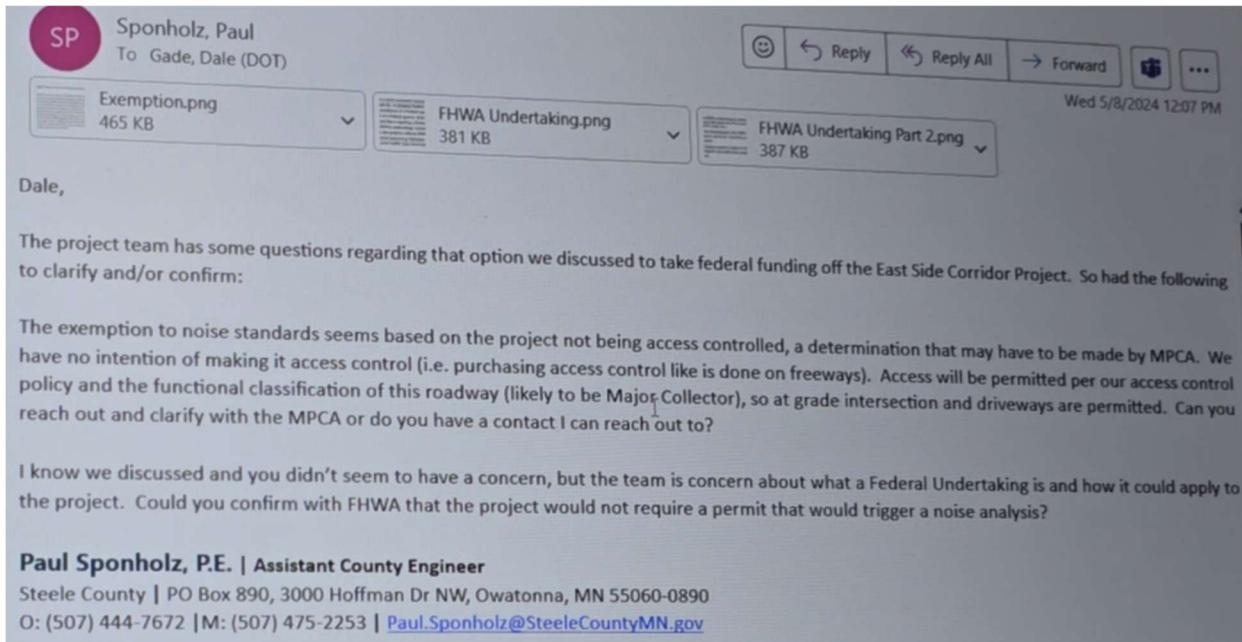
Fausto,

Sean has been discussing our joint project CSAH 48/Main Street with you for federal funding to help pay the city's share of the project. We already have federal HSIP funding (\$450,000) for this project, so the project is already federalized.

What if we were to remove the federal funding from the East Side Corridor project and put it on this project, \$3,960,000? That would solve some significant issues with the ESC, defederalize that project, and remove the need for us to do a CATEX on that project, while getting us the 30% needed on the Main St. project, a project that is already federalized. The biggest benefit, we'd align federal dollars better to maximize road improvements on Main Street and not have to spend a very significant portion of that nearly \$4 million on noise walls, arguably not a good use for these funds.

Paul Sponholz, P.E. | County Engineer

Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7671 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov



Dale,

The project team has some questions regarding that option we discussed to take federal funding off the East Side Corridor Project. So had the following to clarify and/or confirm:

The exemption to noise standards seems based on the project not being access controlled, a determination that may have to be made by MPCA. We have no intention of making it access control (i.e. purchasing access control like is done on freeways). Access will be permitted per our access control policy and the functional classification of this roadway (likely to be Major Collector), so at grade intersection and driveways are permitted. Can you reach out and clarify with the MPCA or do you have a contact I can reach out to?

I know we discussed and you didn't seem to have a concern, but the team is concern about what a Federal Undertaking is and how it could apply to the project. Could you confirm with FHWA that the project would not require a permit that trigger a noise analysis?

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

DROPPING FEDERAL FUNDING TO AVOID NOISE MITIGATION

ESC EAW Comment #36

From: Mary Gute <MGute@wsbeng.com>
Sent: Tuesday, April 30, 2024 9:49 AM
To: Andrew Plowman <APlowman@wsbeng.com>; Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Ryan Earp <REarp@wsbeng.com>; Sean P. Murphy <Sean.Murphy@ci.owatonna.mn.us>; Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>; Becky Haydon <Bhaydon@wsbeng.com>
Subject: RE: 074-070-009 Owatonna East Side Corridor Purpose and Need and Evaluation Criteria Memos

Paul, some follow-up on my previous e-mail, after talking with Becky. We want to clarify that the questions in the previous e-mail are related to a situation in which there are no federal funds involved with the ESC project.

Becky also noted that, based on feedback from MnDOT's Pete Wasko, it really is key to get the MPCA's input regarding the designation of an access-controlled facility. She pointed out that the MPCA's definition of access control isn't related to a facility's access type, but jurisdictional with control over facility access. See the attachment titled "Exemption."

The other attachments that Becky has provided are related to the potential for other required Federal permits or approvals potentially triggering a noise analysis, even in the absence of Federal funding.

Based on Pete's feedback, and the documentation attached, it does make sense to check in with the MPCA and FHWA to ensure they're on the same page regarding noise analyses requirements in the absence of federal funding. Thanks, Mary

From: Mary Gute
Sent: Tuesday, April 30, 2024 8:06 AM
To: Andrew Plowman <APlowman@wsbeng.com>; Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Ryan Earp <REarp@wsbeng.com>; Sean P. Murphy <Sean.Murphy@ci.owatonna.mn.us>; Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>; Becky Haydon <Bhaydon@wsbeng.com>
Subject: RE: 074-070-009 Owatonna East Side Corridor Purpose and Need and Evaluation Criteria Memos

Paul, I'm passing along an e-mail from Becky (see attached) regarding a conversation she had with Pete Wasko at MnDOT. Becky was checking state and federal state noise rules. In short, we suggest that you contact Dale at MnDOT State Aid to discuss the issues Becky asked about, including:

- Verification with MPCA that they agree with our interpretation about exemption from state noise standards. It's pretty obvious that the ESC would not be a full access control facility, however, it's worth it to get MPCA's documented agreement.
- Verification with FHWA (Phil) that the project would not require a Federal Permit that would trigger a noise analysis. Again, we anticipate that this is a dotting the "i's and crossing the "t's about this issue.

Dale could provide guidance and/or reach out to MPCA and Federal Highway regarding these issues based on his judgement. Please let us know if you have any questions about these items. Thanks, Mary

Re: ESC Noise Analysis



Becky Haydon <Bhaydon@wsbeng.com>
To: Mary Gute; Jack Corkle; Andrew Plowman; Christopher Erickson

Mon 4/29/2024 12:26 PM

If there are problems with how this message is displayed, click here to view it in a web browser.

I discussed this issue with Pete Wasko today. He recommends the following:

1. Is the County exempt from State standards?
 - a. County and/or State Aid rep should reach out to MPCA and ask if the MPCA agrees with the project being exempt from state noise standards. If the MPCA agrees that there is NOT full control of access on the proposed new road, then State rules do not apply. If the MPCA disagrees and instead would state that Full Control of Access is achieved on this road, then the project is required to meet MN state noise standards.
2. Does the project fall under Federal rules due to Federal 'action' - Permit?
 - a. County and/or State Aid rep should reach out to FHWA to determine whether the Federal Permit required would trigger the federal rules and thus a Noise Analysis would be required to adhere to Federal Rules.

Both questions should be asked.

If anyone has any questions, please let me know.

Thanks-
Becky

DROPPING FEDERAL FUNDING TO AVOID NOISE MITIGATION

ESC EAW Comment #36

From: Mary Gute <MGute@wsbeng.com>

Sent: Thursday, April 25, 2024 5:10 PM

To: Jack Corkle <JCorkle@wsbeng.com>; Andrew Plowman <APlowman@wsbeng.com>; Becky Haydon <Bhaydon@wsbeng.com>; Christopher Erickson <chris.erickson@hzunited.com>

Subject: RE: ESC Noise Analysis

All, see Alison's response regarding the USACE permit. She notes she's never experienced a situation in which the USACE requires a noise analysis for a wetland permit.

We don't have any Section 4(f) resources in the area so there would be no FHWA approvals needed related to parks, trails, etc. Based on feedback we've heard from MnDOT's Cultural Resources Unit, there will very likely not be any archaeological resources. Railroads will likely be the only historic resources and we should anticipate a no adverse effects finding.

I don't know what FHWA could base the need for a noise analysis on at this point.

Mary

612.741.7055

This message is displayed, click here to view it in a web browser.

From: Jack Corkle <JCorkle@wsbeng.com>

Sent: Thursday, April 25, 2024 5:06 PM

To: Andrew Plowman <APlowman@wsbeng.com>; Becky Haydon <Bhaydon@wsbeng.com>; Christopher Erickson <chris.erickson@hzunited.com>; Mary Gute <MGute@wsbeng.com>

Subject: RE: ESC Noise Analysis

I think we should have a call with Pete. I don't know that I agree with the interpretation that Natalie provided below.

We have done EAW projects and the items the permitting agencies are looking for are: historic/archaeological, section 4(f), and federal species. Noise has not come up as an issue.

I think a conversation with Pete W would be helpful.

Jack

Jack

612.719.4540

From: Becky Haydon <Bhaydon@wsbeng.com>

Sent: Thursday, April 25, 2024 3:58 PM

To: Andrew Plowman <APlowman@wsbeng.com>; Christopher Erickson <chris.erickson@hzunited.com>; Mary Gute <MGute@wsbeng.com>

Subject: Re: ESC Noise Analysis

Andy-

Attached is the info for you to follow-up with Paul on so that we have confirmation from MnDOT OES (noise) and if need be FHWA on a determination of whether a noise study is needed if the federal funds are eliminated. I am definitely NOT trying to complicate the situation or create work, I just want to make sure that all parties know what exactly will be required before decisions are made.

Below is an e-mail exchange with MnDOT OES Metro (Natalie Ries) on the Scott Co 59 project:

Becky: *One more option that I thought of is: If a federal permit is required = Type 1 project-noise analysis required (Is this accurate?)*
Natalie: *Likely correct. This would be an unusual situation and FHWA may need to be involved on a case-by-case basis. I'm not sure what exactly this process would look like, but it is possible that a noise analysis could be required due to a federal permit.*

Please let me know if you need anything else.

Thanks-

Becky

DROPPING FEDERAL FUNDING TO AVOID NOISE MITIGATION

ESC EAW Comment #36

To view this message in its entirety, click here to view it in a web browser.

From: Becky Haydon <Bhaydon@wsbeng.com>
Sent: Thursday, April 25, 2024 12:28 PM
To: Christopher Erickson <chris.erickson@hzunited.com>; Mary Gute <MGute@wsbeng.com>
Cc: Andrew Plowman <APlowman@wsbeng.com>
Subject: ESC Noise Analysis

Mary-

Chris is revising the original existing alignment wall analysis to determine the shortest height wall that is cost-effective (most likely 6-8 ft height). Once he has that and Andy has a 'realistic' cost/SF for both a concrete noise wall and a concrete post/wood plank noise wall at 10-ft and 20-ft, we can provide the county a realistic cost for the noise walls if the alignment is left as is.

He is also re-evaluating the wall by the Majestic Oaks neighborhood (along 26th Street), based on comments from the PMT to determine if any height wall would be cost-effective in this location. Chris is ONLY evaluating this for Option 3B (he has not modeled the 3A, which shifts the new N/S roadway west closer to the neighborhood). Andy and I will chat later today when he is available to determine if Chris should look at the shifted location at this time.

The revised alignment (3A and 3B) near North Country neighborhood is the same. Preliminary results show an impact (as anticipated); however, 20-ft and 15-ft walls are not cost-effective and a 10-ft wall does not meet the noise reduction requirements. He is checking some other heights (18-ft and possibly others depending on the results) and if that/those is/are not cost-effective, that would be the end of that.

To view this message in its entirety, click here to view it in a web browser.

As far as if the county elects to eliminate federal funds, thus requiring an EAW. Chris is correct that 'local agencies' are exempt from the federal noise standards; however, there is sometimes a Federal action that pushes the project to adhere to some federal requirements. One of those being federal permits (sometimes). I recall asking you this before and I thought the answer was that there is a federal permit - I am guessing Army Corps? If that is the case, I would need to ask MnDOT who would need to reach out to FHWA and discuss whether federal noise standards would be applicable to the project. So, let me know if there is a federal permit and what it is.

As far as the EAW guidelines, I think that language has been in there forever, but I will check into that too once I know the answer above.

Also-I have the May PMT on May 14th - is it the 13th or 14th?

As far as the joint trans comm mtg after the PMT - You did not provide a specific date, just 'later that week'. I am actually starting a string of vacations - PTO Thursday May 16-17 (Thursday-Friday) and May 21 (Tuesday) thru June 7 (Friday).

Let me know on the questions above and we can circle back.

Thanks-
Becky

Mary,

The wall analysis for alternatives 3a and 3b should be ready to present by 5/13.

My understanding is that if the project does not use federal funds, the project is not subject to state noise rules and a MnDOT/FHWA traffic noise impact study would not be required.

Thanks,
Chris Erickson, PE

HZ United, LLC
3340-A Annapolis Lane North
Plymouth, MN 55447
[763-551-3699](tel:763-551-3699) (Office)

On Thu, Apr 25, 2024 at 10:30 AM Mary Gute <MGute@wsbeng.com> wrote:

 in the ESC PMT

DROPPING FEDERAL FUNDING TO AVOID NOISE MITIGATION

ESC EAW Comment #36

On Thu, Apr 25, 2024 at 10:30 AM Mary Gute <MGute@wsbeng.com> wrote:

Chris & Becky – Would you be ready to discuss the results of modeling the realignments of alternative 3 during a meeting with the ESC PMT on May 13th? There is a joint transportation committee meeting with Owatonna and Steele Co later that week. The county could like to share with the committee whether or not a noise wall would likely be needed with the shifted alignment(s). Please let me know if that date works for a call, and if there are any time on that day where you couldn't do a call.

Also, we'll want to share with the city and county what noise analysis would be required if the county were to turn back federal funding and would just be required to do an EAW. I'll look into this and let you know what I find, but I'm interested both of you weighing in too. Thanks! Mary

Mary Gute
Sr. Transportation Planner
[612 741 7055 \(o\)](tel:6127417055)
[WSB | wsbeng.com](mailto:WSB@wsbeng.com)

I

From: Sponholz, Paul <Paul.Sponholz@CO.STEELE.MN.US>
Sent: Friday, December 17, 2021 10:03 AM
To: Andrew Plowman <APlowman@wsbeng.com>
Subject: East Side Corridor

EXTERNAL EMAIL

Andrew,

The solicitation is out for ATP-6 STIP funding. The deadline is February 1, so I'll be putting together the application soon. One request for you, can you come up with some sort of estimate for the project's construction or verify my high level estimate? And break it down in two parts, Bixby Rd to Dane Rd, and Dane Rd to CSAH 8 (including the 26th Street extension).

My current rough estimate is \$11,500,000 for construction. Based on \$2 million/mile assuming most to be rural 2-lane roadway, a few turn lanes, and some small urban sections. So with the 4.2 miles for the main corridor and another 0.5 miles for the 26th Street extension, comes to about \$9.5 million for the road, with another \$2 million thrown in for bridges which is probably low if we need a railroad bridge.

I doubt we'll get to far into the study to get much better estimates, but anything you can help add to or verify mine, that would be helpful. Thank you.

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | paul.sponholz@co.steele.mn.us

Predetermination and Misrepresentation of Alternatives

ESC EAW Comment #38

Date: December 30, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

RE: Predetermination and Misrepresentation of Alternatives

Impacted residents met with City and County engineering staff on **May 26, 2023** to discuss the proposed project and its impacts. During that meeting, residents were explicitly told that **all project alternatives were still under consideration** and that no final alignment decision had been made.

However, just **five days later**, on **May 31, 2023**, the public open house presented the project with **a single preferred alternative**, with no meaningful discussion of other alignments or options. The short time frame between these two events makes it implausible that alternatives were still genuinely under consideration at the time of the May 26 meeting.

This sequence demonstrates **predetermination of the project alignment** prior to meaningful public engagement. Representing to residents that alternatives remained open while presenting a single preferred alternative days later undermines the integrity of the environmental review process and violates MEPA's requirement for **early, good-faith, and meaningful public participation**.

Because the EAW does not disclose or address this contradiction, it fails to provide decision-makers and the public with an accurate account of how the project was advanced and whether alternatives were properly evaluated. An environmental review process tainted by predetermination cannot support a lawful Finding of No Significant Impact (FONSI).

M [REDACTED] Z [REDACTED]
[REDACTED]

Owatonna, MN
Directly Impacted Resident

Unreliable Traffic Data and Shifting Truck Percentages

ESC EAW Comment #40

Date: December 30, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

RE: Unreliable Traffic Data and Shifting Truck Percentages

During the **May 26, 2023** meeting, residents were provided traffic information by engineering staff, including a representation that **truck traffic would comprise approximately 15% of total traffic volumes** on the proposed roadway.

When residents later referenced this figure in subsequent discussions, the stated truck percentage **changed multiple times**, and residents were **ridiculed for repeating the figures originally provided to them by engineers**. This shifting information calls into question the reliability, consistency, and transparency of the traffic data underlying the project.

Traffic volumes and truck percentages are critical inputs for evaluating noise, safety, air quality, and cumulative impacts. When such data changes without explanation, the public is deprived of the ability to meaningfully evaluate project impacts.

The EAW does not disclose or reconcile these inconsistencies, nor does it explain which traffic assumptions are correct. Without stable and reliable traffic data, the EAW cannot serve as a valid basis for environmental decision-making, and a **FONSI would be unsupported**.

Because the proposed roadway would be located approximately **17 feet from existing homes**, and because the County dismissed rather than analyzed foreseeable risks to children, pedestrians, and neighborhood residents, the EAW fails to evaluate a core environmental impact. Public safety impacts in residential areas are not speculative; they are **reasonably foreseeable** and must be objectively analyzed under MEPA.

Where a project presents **potentially significant safety impacts to residential uses**, and where those impacts have not been meaningfully analyzed or mitigated, MEPA requires preparation of an **Environmental Impact Statement (EIS)**. An EIS is necessary to fully evaluate safety risks, examine design and mitigation alternatives, and ensure that decisions are based on a complete and defensible record.

M [REDACTED] Z [REDACTED]

[REDACTED]
Owatonna, MN

Directly Impacted Resident

Date: December 30, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

RE: Pattern of Closed-Door Decision-Making, Chilling of Public Participation, and Fatal Procedural Defects

Beginning on January 31, 2025, I made multiple good-faith efforts to obtain basic information about the Joint County/City Transportation Committee (JTC), including its meeting schedule and the availability of meeting minutes. These inquiries were prompted by references to the JTC in public board materials and internal correspondence indicating that the committee played a role in shaping decisions related to the East Side Corridor.

Despite these efforts, I was unable to locate any publicly posted schedule, agendas, or minutes for the Joint Transportation Committee. When I reached out to County staff seeking this information, I was informed that Steele County does not maintain JTC meeting minutes and was unable or unwilling to provide information regarding when the committee meets. These responses were concerning, given that the JTC is a formally constituted intergovernmental body with appointed commissioners that discusses public transportation matters affecting residents.

In response to these inquiries, I received a directive from the County Attorney on February 4, 2025 stating that, “from this point forward,” all requests for documents **and questions regarding the East Side Corridor** were to be directed exclusively to the County Attorney and the County Administrator, that such requests would be tracked, that no timeframe for response would be provided, and that the County was not required to answer questions. This response was issued in reaction to a routine request for what should have been public facing information and had a chilling effect on my participation. Rather than being directed to publicly available information or assisted in understanding how to observe the committee’s work, I was discouraged from ordinary communication and left with the reasonable impression that further engagement would be treated as adversarial or unwelcome.

On February 11, 2025, following a Steele County Commissioner meeting, I asked a Commissioner on this committee how I could obtain information about the Joint Transportation Committee meeting so that I could attend. I was seated back in a chair and asked calmly and respectfully.

The Commissioner became visibly upset, clenched his teeth, closed his fists, and leaned over me while responding. He told me that I could not attend the meeting because it was “not open to the public.” This response was alarming both because of the physical posture and because it confirmed that a committee discussing substantive transportation decisions was operating without public access.

When I attempted to understand the basis for this exclusion, the County Administrator intervened and took over the interaction. From that point forward, Joint Transportation Committee meetings began occurring without public notice and behind locked doors, with no published schedules, agendas, or publicly available minutes. Subsequently all other committee meeting were locked from the public too.

This sequence of events had a clear chilling effect. I was not attempting to disrupt or confront anyone; I was seeking basic information about how to observe or participate in a meeting that was shaping decisions directly affecting my neighborhood and the East Side Corridor project. Being told that such meetings were not open to the public—and then observing increased secrecy afterward—created a reasonable fear that further attempts to engage would be met with hostility or retaliation, and that is what happened.

In addition, lawful requests for information related to the Joint Transportation Committee—including meeting schedules, minutes, and historical data—were denied despite clear evidence that such data exists. These denials occurred even though a prior Administrative Law Judge ruling had already determined that Steele County improperly rejected and delayed valid data requests, this one included. This can be seen on page 22 of the November 24, 2025 ruling here www.OwatonnaEastSideCorridor.com/downloads/FindindsofFactConclusionsofLawandORderCAH22-0305-40882.pdf. The continued refusal to provide access to information necessary to understand or observe decision-making further impaired my ability, and the public's ability, to meaningfully participate.

MEPA requires more than the opportunity to submit written comments after decisions have been shaped. It requires meaningful, good-faith public participation throughout the decision-making process. When residents are denied access to meetings where alternatives, mitigation, and funding decisions are discussed; when information is withheld; and when communication is restricted through intimidating directives, public participation is substantially impaired.

These events demonstrate that decisions regarding the East Side Corridor were being made or finalized outside of public view and prior to, or independent of, environmental review. This constitutes predetermination and represents a fatal procedural defect that cannot be cured through revisions to the Environmental Assessment Worksheet or additional comment opportunities.

For these reasons, an Environmental Assessment Worksheet is inadequate as a matter of law. Preparation of a full Environmental Impact Statement (EIS) is required to remedy these procedural failures, evaluate reasonable alternatives and mitigation, and restore meaningful public participation before any further project decisions are made.

M [REDACTED] Z [REDACTED]
[REDACTED]

Owatonna, MN
Directly Impacted Resident

Pattern of Closed-Door Decision-Making, Chilling of Public Participation, and Fatal Procedural Defects

ESC EAW Comment #42

***Public data records while in the County's possession were deleted or destroyed, preventing me from obtaining copies of public data. This submission relies on the best available evidence, including screen captures from video recordings, with verbatim transcriptions provided where text is difficult to read.*

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Thursday, February 29, 2024 1:13 PM
To: Andrew Plowman <APlowman@wsbeng.com>; Mary Gute <MGute@wsbeng.com>; Ryan Earp <REarp@wsbeng.com>
Subject: ESC meeting

EXTERNAL EMAIL

Just a heads up for now. North Country residents missed the last commissioner's meeting as it was at 4 instead of 5. Anyway, they managed to talk with Cmr Abbe and Administrator Scott Goldberg before they left. See screen shot of their latest facebook post discussing the meeting.

Cmr Abbe committed us to another meeting with them soon. Not sure how much new information we can provide at this time. Probably early or mid March after I'm back from vacation. Maybe we can hold off until the FHWA concurrence is available, then we at least have something new to discuss.

We have a Joint City/County Transportation Committee meeting tomorrow. I'll let you know what our thinking is on how to proceed with another meeting with NC. Open to any ideas you may have.

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Friday, March 1, 2024 10:37 AM
To: Ryan Earp <REarp@wsbeng.com>; Andrew Plowman <APlowman@wsbeng.com>; Mary Gute <MGute@wsbeng.com>
Subject: RE: Friday Deliverables - ESC meeting

EXTERNAL EMAIL

Joint Transportation committee meeting went well today. Everyone is pretty much in agreement that M&M have worn out their welcome, and that there is support in the community (although not as loud), including in the North County neighborhood, to put the corridor at 29th Ave, and that we need to consider all impacts and other community concerns, not just the North Country neighborhood.

I think the consensus for this upcoming meeting with them will be this: 1) refuting their misinformation and lies. Probably won't go far on deaf ears, but we'll try. 2) Then we can update, hopefully with the P&N/Eval criteria, and then 3) next steps. County Administrator and Greg have sent them an email requesting no more than 5 or 6 people at the meeting. And to submit a small list of questions (5-10 if I remember right) that they want addressed. The meeting is schedule for March 20, at 4 p.m. Not sure we need you at the NC meeting yet. We can discuss at the PMT.

We can discuss more at our next PMT on March 12.

It looks like the changes to the website are live already, correct? I'll review shortly.

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

Ironically the two ESC advocate's names also both start with M.

Pattern of Closed-Door Decision-Making, Chilling of Public Participation, and Fatal Procedural Defects

ESC EAW Comment #42

On Thu, Apr 25, 2024 at 10:30 AM Mary Gute <MGute@wsbeng.com> wrote:

Chris & Becky – Would you be ready to discuss the results of modeling the realignments of alternative 3 during a meeting with the ESC PMT on May 13th? There is a joint transportation committee meeting with Owatonna and Steele Co later that week. The county could like to share with the committee whether or not a noise wall would likely be needed with the shifted alignment(s). Please let me know if that date works for a call, and if there are any time on that day where you couldn't do a call.

Also, we'll want to share with the city and county what noise analysis would be required if the county were to turn back federal funding and would just be required to do an EAW. I'll look into this and let you know what I find, but I'm interested both of you weighing in too. Thanks! Mary

On Thu, April 25, 2024 at 10:30 AM Mary Gute <email> wrote:

Chris & Becky – Would you be ready to discuss the results of modeling the realignments of alternative 3 during a meeting with ESC PMT on May 13th? There is a joint transportation committee meeting with Owatonna and Steele Co late that week. The county could like to share with the committee whether or not a noise wall would likely be needed with the shifted alignment(s). Please let me know if that date works for a call, and if there are any time on that day where you couldn't do a call.

Also, we'll want to share with the city and county what noise analysis would be required if the county were to turn back federal funding and would just be required to do an EAW. I'll look into this and let you know what I find, but I'm interested both of you weighing in too. Thanks! Mary

SP Sponholz, Paul
To: Ryan Earp
Cc: Sammantha Watson

Thu 5/2/24

Ryan, I just got off the phone with Andrew. He was going to have you call me to work out the final details at getting the newsletter out and the memos posted to the website. Call anytime tomorrow (except for a 1 - 2 pm meeting). I'll reach out to city communication staff with details once settled.

For everyone else, Regarding the third concurrence memo (Evaluation and selection of the preferred alternative), Andrew and I discussed the timeline (and I confirmed concurrence from Sean):

1. Have Evaluation Matrix completed by a few days prior to the May 13 Joint Transportation Committee meeting. Then committee details and discuss the preferred alternative selection and state vs federal process and funding.
2. Take results of Joint meeting and finalize the 3rd concurrence memo a few days before May 23. May 23 draft memo presentation to be added to County Board Work Session agenda.
3. May 28 County Board work session to present and discuss Draft concurrence memo and alternatives (I've reserved the work session with administration, pending confirmation of May 13th meeting discussion)
4. Finalize document after County Board work session and to submit to state aid and FHWA, aiming for early June.

Unless Board/Council want a public meeting, we feel no need to, as the preferred alternative of 29th Ave was already presented to the public.

Still need to work into the schedule possible City Council and Township Board presentations/discussions. We could have a stakeholder meeting in North County to discuss alternative selection and perhaps start a mitigation discussion before or after the Board work session.

Paul Sponholz, P.E. | Assistant County Engineer
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O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

Pattern of Closed-Door Decision-Making, Chilling of Public Participation, and Fatal Procedural Defects
ESC EAW Comment #42

RE: East Side Corridor 5.08

 Sponholz, Paul
To: Andrew Plowman
Cc: Ryan Earp; Mary Gute; Sammantha Watson

Andrew,

Do we have all the public comments from the May 2023 public info meeting compiled? Could you send them to me sometime today or tomorrow?

North Country is insisting on another public meeting before we sent the preferred alternative to FHWA, to which some of our board members have committed to. But if the preferred alternative is still 29th Ave (which was presented last May), my recommendation to Greg and the Board is that we already had a public meeting and have all the comments we need. Nothing has changed and FHWA does not require another one. So I'd like to share the public comments with the committee on Monday to help that discussion.

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Thursday, May 9, 2024 7:04 PM
To: Andrew Plowman <APlowman@wsbeng.com>
Cc: Mary Gute <MGute@wsbeng.com>
Subject: Re: Matrix

We had our Public Works Committee today. Consensus was we are going to continue the federal process. Too many ramifications to walk away from it. But that doesn't consider the city's desire to keep the original 29th Ave corridor. One option talked about it to take the wall to a vote. **We'll have to see what the consensus will be from the Joint Transportation Committee meeting Monday.**

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | paul.sponholz@steelecountymn.gov

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Friday, May 10, 2024 8:35 AM
To: Andrew Plowman <APlowman@wsbeng.com>; Mary Gute <MGute@wsbeng.com>
Subject: RE: Matrix

EXTERNAL EMAIL

Would we do a vote before finalizing the concurrence memo and submitting to FHWA so that we can determine the final need for the wall? We aren't going to build a sound wall, but if the neighborhood votes against the wall, we can move forward with the original alignment.

Include the sound wall costs in the matrix for now and we can discuss with the Committee on Monday.

So far, the idea of abandoning federal funding isn't being well received. And with the uncertainty of federal requirements in permits, not something we'll likely pursue. We'll have a better feel of that idea on Monday.

Paul Sponholz, P.E. | Assistant County Engineer
Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Tuesday, September 3, 2024 1:56 PM
To: Sean P. Murphy <Sean.Murphy@owatonna.gov>
Subject: FW: SP 074-070-009 Steele County East Side Corridor Evaluation of Alternatives Memo

Sean,

Its signed! I'll be in touch soon with next steps. Discussing with Greg and Renae hopefully soon. Then a public works committee Monday. Do we want a Joint Transportation meeting soon?

For now, no public notice or discussion please until we get everyone on board with the same message.

Paul Sponholz, P.E. | Assistant County Engineer
 Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
 O: (507) 444-7672 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

**Board/Commission
Committee**

**Council Representation
2025**

Economic Development Authority	Dave Burbank, Dan Boeke and Doug Voss
Housing Redevelopment Authority	Nate Dotson
Owatonna Area Business Development Center	Brent Svenby & Dan Boeke
Joint Powers Board – 911 Board	Dave Burbank and Nate Dotson
Joint County/City Transportation Committee	Council President & Vice-President: Kevin Raney & Doug Voss
City/OPU Joint Committee	Dan Boeke & Nate Dotson
City/County/School/OPU Joint Task Force	Council President & Vice-President: Kevin Raney & Doug Voss
Dog Hearing Panel	Dan Boeke, Doug Voss, Kevin Raney and Brent Svenby
Executive Committee	Council President, Vice-President and Council Member at Large: Kevin Raney, Doug Voss, and Dan Boeke
Facilities Steering Committee	Dan Boeke, Doug Voss, and Don McCann

2025 STEELE COUNTY BOARD

COMMITTEE APPOINTMENTS (01/01/2025)

2025 Chair: James Brady 2025 Vice Chair: John Glynn

Internal / Policy Committees

Internal Central Services Committee

James Brady, Chair (Board Chair)
John Glynn, Member (Board Vice-Chair)
Joshua Prokopec, Alternate

Public Safety & Health Committee

Joshua Prokopec, Chair
Greg Krueger, Member
Jim Abbe, Alternate

Land Use/Records Committee

John Glynn, Chair
Jim Abbe, Member
James Brady, Alternate

Public Works Committee

Greg Krueger, Chair
Joshua Prokopec, Member
John Glynn, Alternate

Property & Maintenance Committee

Jim Abbe, Chair
James Brady, Member
Greg Krueger, Alternate

Board of Equalization

All Commissioners

Joint Powers, Advisory Board, Regional Representation

Alliance for Greater Equity

Greg Krueger, Member
Jim Abbe, Alternate

Counties Providing Technology

Jim Abbe, Delegate
John Glynn, Alternate

Cannon River 1W1P Joint Policy Committee

Joshua Prokopec, Member
James Brady, Alternate

Criminal Justice Committee

Greg Krueger, Member
Joshua Prokopec, Alternate

Cannon River Watershed Joint Powers Board

Joshua Prokopec, Member
James Brady, Alternate

East Central Regional Juvenile Center

Jim Abbe, Member
John Glynn, Alternate

Children's Mental Health Collaborative

James Brady, Member
Greg Krueger, Member
Jim Abbe, Alternate

Economic Development Authority

Jim Abbe, Member
Greg Krueger, Alternate

Community Corrections Advisory Board

John Glynn, Member
Greg Krueger, Alternate

Extension Committee

James Brady, Member
John Glynn, Member
Jim Abbe, Alternate

Community Health Board (Dodge/Steele)

John Glynn, Member
Jim Abbe, Member
Greg Krueger, Member
Joshua Prokopec, Alternate

Hope Drainage

James Brady, Member
John Glynn, Alternate

Joint Powers, Advisory Board, Regional Representation

Intergovernmental Committee

All Commissioners

Intergovernmental Joint Agency Task Force

Jim Abbe, Member

James Brady, Member

Greg Krueger, Alternate

Intergovernmental Joint Transportation Committee

Jim Brady, Member

Greg Krueger, Member

John Glynn, Alternate

Judicial Ditch 1, 6, 24

Jim Abbe, Member

John Glynn, Member

Joshua Prokopec, Member

Judicial Ditch 2

John Glynn, Member

James Brady, Member

Jim Abbe, Member

Judicial Ditch 5

James Brady, Member

John Glynn, Member

Greg Krueger, Member

Judicial Ditch 7, 10, 11, 12, 19, 23

James Brady, Member

John Glynn, Member

Law Library

Jim Abbe, Member

Greg Krueger, Alternate

Local Housing Trust Fund

Greg Krueger, Member

Joshua Prokopec, Alternate

MN Prairie County Alliance – All Commissioner

All Commissioners

MN Prairie County Alliance – Board

Jim Abbe, Member

Greg Krueger, Member

James Brady, Alternate

MN Prairie County Alliance - Finance

Greg Krueger, Member

Jim Abbe, Alternate

Finance Director, Member

Administrator, Alternate

MN Prairie County Alliance - Personnel

Jim Abbe, Member

Greg Krueger, Alternate

Multi-County Solid Waste Committee

Jim Abbe, Member

Joshua Prokopec, Alternate

Planning Commission Liaison

James Brady, Member

John Glynn, Alternate

Recorder's Compliance Fund Committee

John Glynn (Land Use/Record Chair)

Jim Abbe, Alternate

Regional Railroad Authority

All Commissioners

Rice-Steele 911 Dispatch Joint Powers Board

James Brady, Member

Jim Abbe, Member

Joshua Prokopec, Alternate

SE MN Comm Action Agency (SEMCAC)

Joshua Prokopec, Member

Greg Krueger, Alternate

SE MN Emergency Communications Board

Greg Krueger, Member

Joshua Prokopec, Alternate

Joint Powers, Advisory Board, Regional Representation

SE MN Emergency Medical Services

Joshua Prokopec, Member
Jim Abbe, Alternate

SE MN Recyclers Exchange (SEMREX)

John Glynn, Member
Joshua Prokopec, Alternate

SMART Transit Advisory Board

Greg Krueger, Member
James Brady, Alternate

Soil & Water Conservation District Liaison

James Brady, Member
John Glynn, Alternate

South Central Human Relations Center

James Brady, Member
Joshua Prokopec, Member
Greg Krueger, Alternate

South Country Health Alliance

Greg Krueger, Member
Jim Abbe, Alternate

Southern MN Tourism

Jim Abbe, Member
John Glynn, Alternate

Southern MN Association of Regional Trails

Greg Krueger, Member
Jim Abbe, Alternate

Steele County Historical Society Liaison

John Glynn, Member
Greg Krueger, Alternate

Steele County Water Planning Committee

All Commissioners

Steele County Weed Management Association

James Brady, Member
John Glynn, Alternate

Steele-Waseca Drug Court

Joshua Prokopec, Member
James Brady, Alternate

U.S. Highway 14 Partnership

All Commissioners

Workforce Development Board

Joshua Prokopec, Member
Greg Krueger, Alternate

Zumbro River Watershed Partnership

James Brady, Member
John Glynn, Alternate

State / National

Association of Minnesota Counties (AMC)

All Commissioners

AMC Policy Committees

Environ. & Natural Resources: John Glynn
General Government: Jim Abbe
Health & Human Services: Greg Krueger
Public Safety: Joshua Prokopec
Transportation & Infrastructure: James Brady

Minnesota Counties Intergovernmental Trust

James Brady, Member
Greg Krueger, Alternate

National Association of Counties

All Commissioners



Meeting Minutes

4 messages

Fri, Jan 31, 2025 at 4:18 PM

To: "Fry, Renae" <Renae.Fry@steelecountymn.gov>

Hi Renae,

I'm looking for the meeting minutes from the Joint Transportation Committee meeting referenced in the board meeting minutes. I've searched Steele County's website but haven't been able to find them. Could you point me in the right direction?

Also, could you share the schedule for when they meet? I wasn't able to determine that from the board meeting minutes.

Thanks,
M [REDACTED]

Fri, Jan 31, 2025 at 4:23 PM

To: "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>

Hi Rebecca,

I noticed that Renae is out of the office until February 10th. While this isn't urgent, I'm hoping it's a quick and easy answer that doesn't need to wait until then. Please see my original email below.

Thanks,
M [REDACTED]

Jarrett, Robert <Robert.Jarrett@steelecountymn.gov>

Tue, Feb 4, 2025 at 3:54 PM

To [REDACTED]

Cc: "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>

Melissa,

From this point forward, please direct any requests for documents/questions regarding the East Side Corridor to only myself and Ms. Fry. We will track the requests, provide data in the order it was requested, and in compliance with the Chapter 13 Government Data Practices Act.

The Act does not require specific time frames for data release and does not require government agencies to answer specific questions.

The County is still working on reviewing current data requests on top of the day-to-day normal operations. I do not have an estimated time frame right now.

Related to your request below for "Joint Transportation Committee" minutes, Steele County does not maintain those minutes, so therefore does not have the minutes to provide you.

Thank you,

Rob



This email is intended to be read only by the intended recipient. This email may be legally privileged or protected from disclosure by law. If you are not the intended recipient, any dissemination of this email or any attachments is strictly prohibited, and you should refrain from reading this email or examining any attachments. If you received this email in error, please notify the sender immediately and delete the email and any attachments.

Wed, Feb 5, 2025 at 12:44 PM

To: "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>
Cc: "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>

Robert,

Sure thing. I initially sent this to Renae, assuming she would have the answer. I received an out-of-office response directing me to contact Rebecca, so I did.

I expected the Joint Transportation Committee Meeting to have a publicly available schedule and meeting details, like other committees, but I couldn't find that information, which is why I reached out through the appropriate channels. I wasn't aware that this type of information is considered a data request, especially since schedules pertain to future events.

I look forward to hearing where I can find this information.

Thanks,
M [REDACTED]



Data Request

6 messages

Lyssa Lynn <lyssalynn13@gmail.com>

Mon, Mar 31, 2025 at 9:28 AM

To: "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>

I am submitting the attached data request for review, ASAP. I have copied the County Administrator and County Attorney as requested.

Thanks,
Melissa Zimmerman

JointTransportationCommitteeDataRequest03312025.docx
73K

Jarrett, Robert <Robert.Jarrett@steelecountymn.gov>

Tue, Apr 1, 2025 at 5:15 PM

To: Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>

Ms. Zimmerman,

This is not a data request. Minnesota Statutes Chapter 13, the Minnesota Government Data Practices Act (MGDPA), requires government entities to allow the public to view or obtain copies of government data. Chapter 13 does not require government entities to answer specific questions, to create data, or to reorganize data into a particular format in order to answer questions.

This request will be closed.

Sincerely,

Robert Jarrett
Steele County Data Practices Responsible Authority



Robert J. Jarrett

County Attorney

Steele County Attorney's Office

303 S. Cedar Avenue

Owatonna, MN 55060

Tel: 507-444-7780

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[Quoted text hidden]

[REDACTED] <slyssalynn13@gmail.com>

Tue, Apr 1, 2025 at 5:38 PM

To: "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>

Cc: "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>

Dear Mr. Jarrett,

I am requesting any and all data pertaining to the topics outlined in my request. I am not expecting you to answer a question; I am requesting access to existing government data, which should be standard practice under the Minnesota Government Data Practices Act.

If my request needs to be submitted in a different format, please let me know so I can adjust accordingly. Otherwise, please proceed with processing this as a formal data request.

Sincerely,

[REDACTED] Z

[Quoted text hidden]



image001.png
20K

[REDACTED] <slyssalynn13@gmail.com>

Wed, Apr 2, 2025 at 12:55 PM

To: "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>

Cc: "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>

Here is the requested data, reformatted into statements.

[Quoted text hidden]

2 attachments



image001.png
20K

Thu, Apr 10, 2025 at 8:16 AM

To: "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>
Cc: "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>

It has been 8 days and I have not received confirmation on this data request.

[Quoted text hidden]



image001.png
20K

lyssa.lynn13@gmail.com

Mon, Apr 14, 2025 at 8:21 PM

To: "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>
Cc: "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>

Dear Mr. Jarrett and Ms. Fry,

This is a formal follow-up regarding my data request originally submitted on March 31, 2025, and resubmitted in clarified format on April 2. Despite multiple efforts on my part—including a request for clarification and a follow-up on April 10—I have not received any acknowledgment, response, or update.

In your email dated April 1 at 5:15 p.m., you stated my request was not valid under Minnesota Statutes Chapter 13 and indicated the request would be closed. However, you failed to cite any specific provision of the law that justified denying or delaying the request. In my response later that day, I clarified that I was requesting access to existing government data—not answers to questions—and asked that you let me know if any changes were needed in formatting. You did not respond.

I then removed all question marks and resubmitted the same request on April 2. Again, you did not process it. In a separate message on April 10, you indicated that this request will not be addressed until other ESC-related data requests are fulfilled. That is not permissible under Minnesota law.

This refusal to process a lawful request until others have been completed is a direct violation of your obligations under the Minnesota Government Data Practices Act (MGDPA).

Violations of Statute:

1. Minn. Stat. § 13.03, subd. 2(a)

The statute requires that government entities respond to data requests in an appropriate and prompt manner. There is no provision in the statute that allows an entity to refuse a new request simply because other requests are still pending. Each request must be handled independently and without delay.

2. Minn. Stat. § 13.03, subd. 3(f)

If access to data is denied, the Responsible Authority must provide written notice to the requestor, including the specific statutory section on which the denial is based. To date, you have not provided such a citation.

3. Improper Refusal to Accept a Valid Request

Multiple Advisory Opinions issued by the Commissioner of Administration—including 95-042, 04-019, and 05-030—make clear that:

- A data request cannot be denied simply because it contains question formatting or interpretive language.
- If a request seems unclear, the entity must seek clarification, not dismiss it.
- Government entities cannot refuse to process valid requests due to workload or the existence of other pending requests.

Expectations:

I am now formally demanding the following:

1. Immediate reinstatement and full processing of my March 31 (resubmitted April 2) data request.
2. A written acknowledgment that this request is being processed in accordance with Minnesota Statutes Chapter 13.
3. A specific citation of the legal basis you relied on to close or delay my request, as required under Minn. Stat. § 13.03, subd. 3(f).
4. A copy of Steele County's Data Practices Policy, and the names and contact information for both the Responsible Authority and the Data Practices Compliance Official, as required by Minn. Stat. § 13.05, subd. 13.

If I do not receive written confirmation that this request is being processed in full compliance with the law by **April 15, 2025**, I will be filing formal complaints with the following:

- Office of the State Auditor
- Minnesota Attorney General's Office
- Department of Administration – Data Practices Office

This continued refusal to comply with the law obstructs lawful access to public data and raises serious concerns regarding Steele County's data handling practices.

Sincerely,

M [REDACTED] Z [REDACTED]

[Quoted text hidden]



data request

12 messages

Kris M. Busse <kris.busse@owatonna.gov>

To: [REDACTED] <lyssalynn13@gmail.com>

Thu, Apr 3, 2025 at 9:56 AM

Good morning,

I am writing on behalf of the City of Owatonna ("City") to acknowledge receipt of your request dated March 31, 2025, requesting information from the City relating to the joint transportation committee. The City is working on this request and will respond based on its obligations under the MGDPA.



Kris Busse

City Administrator

Administrative Services Department

WE CREATE A BETTER TOMORROW

Phone: 507-774-7340

Email: kris.busse@owatonna.gov

<540 West Hills Circle, Owatonna, MN 55060>

www.owatonna.gov



[REDACTED] <lyssalynn13@gmail.com>

To: [REDACTED] <Matthew.Sennott@gmail.com>

Thu, Apr 3, 2025 at 10:04 AM

They're going to pull data. Woo-hoo. IDENTICAL request that the county denied.
[Quoted text hidden]

3 attachments



image001.png
22K



image002.png
2K



image003.png
2K

Kris M. Busse <kris.busse@owatonna.gov>

To: lyssalynn13@gmail.com <lyssalynn13@gmail.com>

Mon, Apr 14, 2025 at 4:40 PM

Good afternoon,

I reviewed your online "Data Request" for the City of Owatonna. Your correspondence is not a valid request for data. The Minnesota Government Data Practices Act (MGDPA), requires government entities to provide data that is requested that is accessible to the requester, subject to a government entity's policies and procedures for making a request for data. The MGPDA does not require the city to answer questions that are not requests for data. Your correspondence asked questions instead of requesting data. Accordingly, the city is not required to respond to your correspondence under the MGDPA nor provide any data as no valid request for data was made.

[Quoted text hidden]

lyssalynn <lyssalynn13@gmail.com>

To: "Kris M. Busse" <kris.busse@owatonna.gov>

Mon, Apr 14, 2025 at 5:09 PM

Dear Administrator Busse,

Thank you for your response. I respectfully disagree with your conclusion that my request was not a valid request for data under the Minnesota Government Data Practices Act (MGDPA).

To clarify, under Minn. Stat. § 13.03, subd. 3, a valid request for government data does not require specific legal language; a requestor need only reasonably describe the data sought. If you believe portions of my correspondence contained questions rather than topics, I am happy to refine or clarify the request. However, if any portion of my request reasonably seeks access to existing government data, the City has an obligation to respond accordingly.

Please specifically identify:

1. Which portions of my request you view as improper "questions" versus valid data requests.
2. Whether the City has any responsive existing government data related to the subject matter of my request.
3. If the City is denying access to any requested data, please cite the specific legal authority (statutory section and subdivision) on which you rely for any denial, as required by Minn. Stat. § 13.03, subd. 3(f).

I look forward to your clarification so that I may either modify or resubmit my request if necessary. Thank you for your attention to this matter.

Sincerely,

M [REDACTED] Z [REDACTED]

Suppression of Noise Impact Discussion and Mitigation

ESC EAW Comment #42

Date: December 30, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

RE: Suppression of Noise Impact Discussion and Mitigation

Residents raised noise concerns during the **May 26, 2023** meeting due to the proposed roadway's close proximity to existing homes. In response, the County Engineer stated words to the effect of: **"Are you talking about a noise wall? You don't want a noise wall. Noise walls are for major roads like I-35 and Highway 14."**

This statement discouraged further discussion of noise impacts and mischaracterized the applicability of noise mitigation measures. Noise walls are not limited to interstates or major highways; they are a recognized mitigation option where warranted by proximity, traffic volumes, and predicted noise impacts.

By dismissing mitigation rather than evaluating it, the County failed to engage in a good-faith analysis of noise impacts and reasonable mitigation measures. The EAW does not adequately address how noise impacts to nearby residences will be avoided, minimized, or mitigated, nor does it explain why mitigation options were discouraged during public engagement.

Failure to properly analyze noise impacts and mitigation measures renders the EAW incomplete and precludes a lawful FONSI.

Because the County discouraged discussion of noise mitigation rather than evaluating it, and because the EAW fails to analyze whether noise impacts to residences located in extremely close proximity to the proposed roadway can be avoided, minimized, or mitigated, the EAW does not meet the requirements of MEPA. Noise impacts to residential uses are a core environmental concern, and the suppression or mischaracterization of mitigation options undermines the reliability of the impact analysis.

Where a project presents **potentially significant noise impacts to homes**, and where mitigation feasibility has not been objectively evaluated, MEPA requires preparation of an **Environmental Impact Statement (EIS)**. An EIS is necessary to fully analyze residential noise impacts, evaluate reasonable mitigation measures, and restore integrity to the environmental review process. A Finding of No Significant Impact (FONSI) would be premature and unsupported by the current record.

M [REDACTED] Z [REDACTED]
[REDACTED]

Suppression of Noise Impact Discussion and Mitigation

ESC EAW Comment #42

Owatonna, MN

Directly Impacted Resident

Unreliable Traffic Data and Shifting Truck Percentages

ESC EAW Comment #42

Date: December 30, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

RE: Suppression of Noise Impact Discussion and Mitigation

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By dismissing mitigation rather than evaluating it, the County failed to engage in a good-faith analysis of noise impacts and reasonable mitigation measures. The EAW does not adequately address how noise impacts to nearby residences will be avoided, minimized, or mitigated, nor does it explain why mitigation options were discouraged during public engagement.

Failure to properly analyze noise impacts and mitigation measures renders the EAW incomplete and precludes a lawful FONSI.

Because traffic volumes and truck percentages are foundational inputs for evaluating **noise, safety, air quality, and cumulative impacts**, the use of shifting, inconsistent, and unreconciled traffic assumptions renders the EAW analytically unreliable. The failure to disclose which traffic assumptions are correct, why those assumptions changed, or how those changes affect downstream impact analyses deprives the public and decision-makers of the ability to meaningfully evaluate the project's environmental effects.

Where a project relies on **unstable or unexplained traffic data**, and where that data materially affects multiple environmental impact categories, MEPA requires preparation of an **Environmental Impact Statement (EIS)**. An EIS is necessary to establish accurate traffic assumptions, evaluate the full scope of resulting environmental impacts, and ensure that decisions are based on reliable information. A Finding of No Significant Impact (FONSI) would be premature and unsupported by the current record.

M [REDACTED] Z [REDACTED]
[REDACTED]

Owatonna, MN
Directly Impacted Resident

Improper Federal Funding Manipulation, Predetermination, and Chilling of Public Participation

ESC EAW Comment #37

Date: December 30, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

RE: Improper Federal Funding Manipulation, Predetermination, and Chilling of Public Participation

I submit this comment to document a clear and troubling sequence of events demonstrating **predetermination, false claims regarding the need to transfer federal funds, improper manipulation of federal funding, misrepresentation of resident intent, and a chilling effect on public participation** related to the East Side Corridor (ESC) project.

Chronology of Events

March 3, 2025

The Public Works Committee met. The agenda and minutes show **no discussion of a federal funding transfer for the ESC** (attached)

March 24, 2025

Residents launched a GoFundMe fundraiser for the stated purpose of **seeking government transparency and accountability**, including public data access. The fundraiser did **not** threaten litigation related to the ESC project and did not reference any intent to sue. (attached)

March 25, 2025 (8:30am)

The day after the fundraiser launched, County Engineer contacted MnDOT State Aid proposing to remove \$3.96 million in federal funding from the East Side Corridor project. In this email, he explicitly stated that a primary benefit of removing federal funding would be to **avoid spending a “very significant portion” of that funding on noise walls**, which he characterized as “arguably not a good use” of funds. (attached)

This correspondence demonstrates that the funding shift was motivated not by engineering necessity or environmental review outcomes, but by an intent to **avoid mitigation obligations** associated with federal funding.

March 25, 2025 (later the same day)

The Steele County Board of Commissioners met in regular session. The East Side Corridor and the proposed federal funding transfer were **not discussed**, debated, or voted on, and therefore do not appear in the official minutes. (attached)

March 27, 2025

Despite no recorded Board authorization, the County Engineer formally submitted a letter to the Southeast Minnesota Area Transportation Partnership (ATP) requesting approval to transfer the ESC's federal funds. In that letter, he asserted that a “neighborhood group” was

“threatening litigation” and presented that claim as a project risk justifying the transfer. (attached)

This claim was false. At that time, no litigation threats had been made regarding the ESC project.

April 1, 2025

Residents first learned of the federal funding transfer through remarks made at a City Council meeting—a meeting at which the East Side Corridor was not on the agenda. There was no prior public notice, hearing, or opportunity for residents to respond before the funding transfer process was already underway. (attached)

That same day, I emailed Commissioner Abbe to ask about the funding transfer. On **April 2, 2025**, Commissioner Abbe responded that he had **no knowledge** of the matter, confirming that the Board had not been meaningfully informed or engaged before staff actions were taken. (attached)

April 8, 2025

At the April 8 County Board meeting, numerous residents spoke during public comment, stating variations of “Federally fund it, or forget it,” emphasizing that federal funding was necessary to ensure required environmental review and mitigation.

That same evening, the federal funding transfer was presented as an “informational” item. **No recorded vote was taken**, yet the transfer process continued forward.

Proceeding with a federal funding transfer without a recorded vote, contrary to the requirements of Minn. Stat. § 13D.01, subd. 4(b), further demonstrates that key project decisions were made outside the public process and before completion of environmental review. Furthermore, presenting the funding transfer as “informational” while proceeding without a recorded vote obscured the Board’s decision-making responsibilities and limited meaningful public participation, undermining the transparency required for lawful and informed environmental review. Under Minnesota Open Meeting Law, all appropriations of money must have a recorded vote. (minutes attached).

During the meeting and in official materials, the County Engineer again referenced alleged litigation threats by residents—claims that remained unsupported by evidence and contradicted the content of the GoFundMe fundraiser itself. These false claims publicly mischaracterized resident intent and were relied upon to justify the reallocation of federal funds.

Hostile Environment and Chilling Effect

Following the April 8 meeting, the public engagement environment became openly hostile. County Administrator Renae Fry stated that the litigation claims originated from the GoFundMe

Improper Federal Funding Manipulation, Predetermination, and Chilling of Public Participation

ESC EAW Comment #37

fundraiser, then immediately backtracked, saying she “couldn’t say” it was us/our group that made the statements but they hear it all the time—implicitly acknowledging that she knew about the fundraiser and that it did **not** threaten litigation or justify the claims being made.

This sequence demonstrates that:

- Staff knew residents were **not threatening litigation**
- Staff nevertheless used that false narrative to justify funding actions
- Residents were publicly portrayed as obstructive or legally aggressive
- Public participation was chilled through mischaracterization and hostility

Significance to Environmental Review

This record shows that:

- Federal funding decisions were driven by a desire to **avoid required mitigation obligations**, rather than by environmental analysis or outcomes.
- **ESC EAW Comment #36** documents that the County was aware of the regulatory and environmental consequences of dropping federal funding prior to pursuing the transfer.
- Funding was shifted **before** environmental review was complete
- The County acted to **limit the applicability of federal environmental safeguards**
- The public was excluded from meaningful participation at critical decision points
- False claims were used to discredit resident involvement

These actions undermine the integrity of the environmental review process and demonstrate **predetermination**, warranting heightened scrutiny and preparation of an independent, Environmental Impact Statement (EIS) with FHWA oversight.

Conclusion

The Environmental Assessment Worksheet fails to disclose this funding manipulation, the improper sequencing of decisions, the false portrayal of resident intent, and the resulting chilling of public participation. This omission is material. Environmental review cannot be considered objective or complete when key decisions were made in reaction to resident advocacy rather than environmental analysis.

For these reasons, the Responsible Governmental Unit must require a full Environmental Impact Statement.

M [REDACTED] Z [REDACTED]

[REDACTED]

Owatonna, MN
Directly Impacted Resident



STEELE COUNTY
PUBLIC WORKS POLICY COMMITTEE AGENDA
Public Works Facility – 3000 Hoffman Drive - Owatonna, MN 55060

Steele County's Mission:
Driven to deliver quality services in a respectful and fiscally responsible way.

Monday, March 3, 2025 at 10:00 a.m. – Public Works Conference Room

Agenda

1. The Environmental Trade Show rental fee.
2. Approve Professional Services Contract with Erickson Engineering for the design of the replacement of Summit Township Bridge L5584 in an amount not to exceed \$29,190 and authorize the County Engineer to sign the contract.

Information

3. Professional Services Contract for Clinton Falls Township Bridge Replacement
4. CSAH 2/CSAH 43/CR 180/CR 171 Intersection Improvement Feasibility Study Alternatives (I'll have an attachment for this early afternoon today)
5. Dodge County Wind, LCC Road Use Agreement
6. CSAH 46 No Parking Request
7. Project updates
 - a. CSAH 48/18th Street Rail Crossing
 - b. CR 180 Rail Bridge
 - c. **East Side Corridor**
 - d. Landfill Demo Relocation

Department Head Reports

Disclaimer: This agenda has been prepared to provide information regarding and upcoming meeting of the Steele County Policy Committee. This document does not claim to be complete and is subject to change.



STEELE COUNTY
PUBLIC WORKS POLICY COMMITTEE MINUTES
Public Works Building – 3000 Hoffman Drive - Owatonna, MN 55060

*Steele County's Mission:
Driven to deliver quality services in a respectful and fiscally responsible way.*

Tuesday, March 3, 2025 at 10:00 a.m. – Public Works Conference Room

Attendees: Commissioner Krueger, Commissioner Prokopec, County Engineer Paul Sponholz, Four Seasons Director Steve Schroht, Assistant County Engineer Jackson Knudson, Landfill Supervisor Josh Johnson, Environmental - Katie Barden, and Executive Assistant Rebecca Kubicek.

Consent:

1. Committee recommends approving Professional Services Contract with Erickson Engineering for the design of the replacement of Summit Township Bridge L5584 in an amount not to exceed \$29,190 and authorize the County Engineer to sign the contract.
Three consultant firms were invited to propose. Two proposals were received for this project. Erickson Engineering specializes in this type of project and was also the low quote.

General:

2. Professional Services Contract for the design of the replacement of Clinton Township Bridge
Currently soliciting three firms for proposals. Should have results for the March 25th Board meeting.
3. CSAH 46 No Parking Request
The committee discussed the different options regarding parking on CSAH 46. The committee is recommending placing “no parking” signs on the west side of the road. The committee requested the item go to the full Board on March 25th.

Information:

- The Steele County's Environmental Trade show is coming up in May. Since this is a county event, there is a possibility of offering a lower facility rental fee if necessary. The committee offered ideas for the show. The committee will look at the profit/loss statement at the April 8th committee meeting and if necessary will bring to the Board on April 22nd.
- CSAH 2/CSAH 43/CR 180/CR 171 Intersection Improvement Feasibility Study Alternatives. Alternative #4 is being considered as the Preferred Alternative. The committee requested this item be brought to the March 25th work session for review by the Board to accept the finding of the feasibility study. Engineering Department will then move into a full environmental study.
- Dodge County Wind, LCC Road Use Agreement. The Engineering department continues to work on the Road Use Agreement, detailing the usage impact. Currently planned for the March 25th Board meeting.

Highway Project Updates:

- CSAH 48/18th St Roundabout: The RR canceled the latest meeting to resolve agreement differences and rescheduled for a different date.
- CR 180 Rail Bridge: The RR would support a rebuild of the railroad bridge(option 2A) at Steele County's cost
- Eastside Corridor: The County Engineer met with Owatonna Township officials who are in support of only the 29th Ave corridor.

Department Head Reports

Four Seasons: In the upcoming weeks, ice will be removed from the west rink and then east rink will follow. The west rink will remain dry floor till after the fair.

Highway: Kevin Lindquist is retiring end of May. Engineering department is looking for two Engineer Techs.

Landfill: Demolition Relocation project started last week and is going well. The dry winter has allowed there to be little leachate that needs to be removed. SEH is working on the final plans for expansion.



Residents pressure county board



A large contingency of residents representing the neighborhood where the proposed East Side Corridor would be located makes its voices heard at last week's Steele County Board meeting in Owatonna. They tried unsuccessfully to turn over a petition with more than 500 names.

Petition calls for better solution with East Side Corridor

Demand Transparency for Steele County Families



Co-organized

Matt S and Melissa Z are organizing this fundraiser.



Steele County and the City of Owatonna are planning a \$30M+ highway project called the East Side Corridor (ESC) that will run dangerously close to our homes—some within just 17 feet of the right-of-way. Many families with young children live in these neighborhoods, yet many city and county leaders refuse to engage with the community in good faith.

Despite our legal right to access public records under Minnesota's Chapter 13 Data Practices Act, release of all data by the county and city is being delayed, blocked, and denied. It has been months since we requested this data (October 2024 for county and January 2025 for city).

County and city meetings have been held behind closed doors, with no public documentation.

Citizens have been denied access to public data, and even when available, they are not allowed to photograph it—despite state and local precedent.

What are they hiding?

Our message to local officials:

"Government should work for the people, not against them. We have followed the law. We have asked for transparency. Instead, we have faced roadblocks, secrecy, and silence. We will not stop until the truth is revealed."

To demand accountability, we need to file a legal request for the State of Minnesota to investigate these violations. Each request costs \$1,000 per government entity, meaning we need to raise at least

\$2,000 to move forward. If violations are confirmed, fines may be imposed, records will be required to be released, and individuals could even be removed from office.

Every dollar counts! Any unused funds will be donated to local organizations that strengthen our community.

This isn't just about a road—it's about accountability.

How You Can Help

Donate – Even a small contribution makes a difference.

Share – Spread the word to friends, family, and neighbors.

Together, we can demand transparency, accountability, and a voice in the future of our community!

For more information about our cause, please visit our [website](#) and [Facebook](#) page.



Show your support for this GoFundMe



Help Steele County residents hold the govt. accountable.

\$1,200 goal



Updates (1)

March 28th, 2025

by Matt S, Organizer

In just 2 days of our fundraiser going public, we all did it! Our fundraiser goal has been met. Thank you all so much for your help. We will be filing the paperwork in the coming days to have the city and county investigated! We will keep you updated as things progress. Thanks again!

Donations (23)

See top



This fundraiser is located near you

[See all](#)

Co-organizers (1)



Matt S
Organizer
Owatonna, MN

[Contact](#)



Melissa Z
Co-organizer

Words of support

Please donate to share words of support.

Created March 24th, 2025 · [Community](#)

[Report fundraiser](#)

\$2,100 raised

[Share](#)

The organizer has currently disabled new donations to this fundraiser.



This fundraiser is located near you



Anonymous
\$20 · 2 mos



Anonymous
\$100 · 2 mos



Bob Grant
\$250 (Offline) · 2 mos



Anonymous
\$50 · 2 mos



Anonymous
\$50 · 2 mos

[See all](#)

[See top](#)

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Tuesday, March 25, 2025 8:30 AM
To: Fausto Cabral (fausto.cabral@state.mn.us)
Cc: sean.murphy@owatonna.gov
Subject: FW: ATP 6 2029 application template - CSAH 48/Main St Reconstruct

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Fausto,

Sean has been discussing our joint project CSAH 48/Main Street with you for federal funding to help pay the city's share of the project. We already have federal HSIP funding (\$450,000) for this project, so the project is already federalized.

What if we were to remove the federal funding from the East Side Corridor project and put it on this project, \$3,960,000? That would solve some significant issues with the ESC, defederalize that project, and remove the need for us to do a CATEX on that project, while getting us the 30% needed on the Main St. project, a project that is already federalized. The biggest benefit, we'd align federal dollars better to maximize road improvements on Main Street and not have to spend a very significant portion of that nearly \$4 million on noise walls, arguably not a good use for these funds.

Paul Sponholz, P.E. | County Engineer

Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890
O: (507) 444-7671 | M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov

Note: Since the East Side Corridor was not addressed at this meeting, it is not reflected in the official minutes.

PROCEEDINGS OF THE STEELE COUNTY BOARD OF COMMISSIONERS

REGULAR SESSION

March 25, 2025

STATE OF MINNESOTA }
 } ss
COUNTY OF STEELE }

The Steele County Board of Commissioners met in Regular Session at 5:00 p.m. on March 25, 2025 with Commissioner's Brady, Glynn, Prokopec, Abbe and Krueger present. Also present were Human Resources Director Gina McGuire, Finance Director Candi Lemarr, IT Director Dave Purscell, County Engineer Paul Sponholz, County Assessor Brian Anderson, County Attorney Robert Jarrett, PT&E Jennifer Mueller, MNPrairie Director Tara Reich, County Sheriff Lon Thiele, Public Health Director Amber Aaseth, County Administrator Renae Fry and Executive Assistant Rebecca Kubicek.

Call to order and Pledge of Allegiance.

Motion by Commissioner Glynn, seconded by Commissioner Abbe to approve the agenda with a reduction of \$25.71 in the payment of the bills and to bring forward MNPrairie Resolution "Terminate Minnesota Prairie County Alliance Joint Powers Agreement" from the work session. Ayes all.

Public Comment: Two people spoke regarding the upcoming item - Termination of MNPrairie Joint Powers Agreement.

Correspondence: City of Owatonna TIF for District No. 3-18 letter from Northland Public Finance Motion by Commissioner Abbe, seconded by Commissioner Glynn to approve Consent Agenda. Ayes all.

Consent Agenda:

- A. Approve the minutes of March 11, 2025 Board Meeting
- B. Approve the minutes of March 11, 2025 Board Work Session
- C. Approve the minutes of March 13, 2025 Board Special Session
- D. Approve Bills and Journal Entries
- E. Approve Personnel Report

<u>New Hires/Promotions/Demotions/Transfers</u>		<u>(Positions previously approved by Board):</u>	
Name	Position/Dept.	Rating/Step	Date
Noah Blum	Engineering Tech I/Highway	B23/4	03/25/2025
Courtnee Kopachek	Correctional Officer/DC	B24/2	03/31/2025

- F. Approve Body Art Establishment Temporary License for Seven Tattoo Parlor for March 28th – March 30th at the Four Seasons Centre.
- G. Adopt **Resolution 25-016** approving the Restorative Practices Advisory Committee (RPAC) member appointments.
- H. Approve Public Health to receive an annual allocation of 10% of the Opioid Settlement Funds awarded by the County each year for administration of this funding.
- I. Approve Fitness Room Policy at the Detention Center.
- J. Approve amendments to the 2025 Fee Schedule.
- K. Approve Landfill Certificate letter for Blue Earth and authorize the chair to sign.
- L. Approve Professional Services Contract with Erickson Engineering for the design of the replacement of Clinton Falls Township Bridge 74514 in an amount not to exceed \$27,990 and authorize the County Engineer to sign the contract.

General Agenda:

Motion by Commissioner Krueger, seconded by Commissioner Prokopec to approve the Request for Proposal for the Disbursement of the Steele County Local Homeless Prevention Aid Funds. Ayes all.

Motion by Commissioner Glynn, seconded by Commissioner Abbe to approve the Request for Proposal for the Disbursement of the Steele County Statewide Affordable Housing Aid Funds, approve Scoring Matrix and authorize Staff to Administer the plan contained in the approved RFP. Ayes all.

Motion by Commissioner Krueger, seconded by Commissioner Prokopec to approve the Amendments to the Steele County Local Housing Trust Fund Ordinance # 40. Ayes all.

Commissioner Krueger offered the following **Resolution with attached recommendations**, seconded by Commissioner Glynn

Terminate Minnesota Prairie County Alliance Joint Powers Agreement

2025-017

WHEREAS, the Steele County Board of Commissioners entered into a joint powers agreement to create Minnesota Prairie County Alliance on May 19, 2014, hereafter referred to as "JPA";

WHEREAS, the JPA created a Joint Powers Board, hereafter referred to as "JPB"; the JPB was delegated the Steele County's powers to administer essential human services programs and services mandated by federal or state law;

WHEREAS, the termination clauses contained in Section 15.2 of the JPA states "[t]his Agreement continues in force until two-thirds of the boards of commissioners of the Member Counties that have not given a notice to withdraw adopt resolutions to terminate this Agreement."; and

WHEREAS, the Steele County Board of Commissioners has not given notice to withdraw;

NOW, THEREFORE, BE IT RESOLVED the Steele County Board of Commissioners votes to terminate the Minnesota Prairie County Alliance agreement, with immediate effect.

BE IT FURTHER RESOLVED the Joint Powers Board remains active until December 31, 2026, or until an earlier time, to conduct the winding down of JPB affairs and conduct an orderly transition to County operations.

BE IT FURTHER RESOLVED it is the intention of the Steele County Board of Commissioners to allow the Joint Powers Board as needed authority to conduct essential human services operations until such time operations can be transitioned to the County. Steele County retains exclusive authority and control over required human services.

BE IT FURTHER RESOLVED the Steele County Board of Commissioners directs the County Administrator to take all action necessary to re-establish the Steele County Department of Human Services.

Recommendations:

- Recommend to the Joint Powers Board that they issue a public statement regarding the mutual decision to dissolve MN Prairie County Alliance.

- Recommend to the Joint Powers Board that they establish a wind down transition team, seek proposals from accounting firms to conduct a forensic audit of MN Prairie County Alliance, retain an external consultant to oversee operations, including financial, during the wind down, and take such actions as may be needed to protect the interests of the three counties during the wind down period.
- The County should create its own Department of Human Services
- Direct the County Administrator and County Attorney to oversee the orderly transition of human services to county operations, including, but not limited to, recommending consulting services as may be necessary to structure the new human services department, coordinating with Waseca and Dodge counties' staff on transition matter, and developing a hiring plan so as to retain current MN Prairie staff as may be reasonable and necessary to establish and operate Steele County's new human services department.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Administration Office.

Commissioner Abbe offered the following **Resolution**, seconded by Commissioner Krueger

Regarding Official Agendas, Minutes, and Records
2025-018

WHEREAS, the Steele County Board of Commissioners must maintain official agendas, minutes, and records according to the Official Records Act. See Minn.Stat. § 15.17.

WHEREAS, Minnesota law allows records to be produced in the form of computerized records. Further, the law does not require data to be kept in any specific format nor publish a summary. See generally Minn.Stat. §§ 13.03; 15.17.

WHEREAS, it is more effective and efficient for government operations for all records to be kept in an electronic format for members of the public to access government records via the county webpage.

NOW, THEREFORE, BE IT RESOLVED all official agendas, minutes, board packets, ordinances, and resolutions shall be maintained and published electronically. Minutes and agendas will be available on the county web page at a minimum two years.

BE IT FURTHER RESOLVED this resolution shall apply to this body and all formal committees of this body with an effective date of April 1, 2025.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Administration Office.

Commissioner Reports:

Commissioner Glynn reported his attendance at Land Use and Records Committee, History Center and the County / Township meeting.

Commissioner Prokopec reported his attendance at Southeast Emergency Medical Services, Workforce Development Joint Powers Board, Closed Session, Steele / Waseca Drug Court, Public Safety and Health Committee, and SPERO.

Commissioner Abbe had nothing to report.

Commissioner Krueger reported his attendance at a Closed Session, Emergency Communication Board, Public Safety and Health Committee, MNP Finance and Joint Powers Board meeting, SMART Bus, Emergency Communication and Rack, County / Township meeting, and a presentation at SCHA "Let's Smile".

Commissioner Brady reported his attendance at SPERO and Closed Session.

County Attorney had nothing to report.

County Administrator reported that as a result of her participation at the Southeast Minnesota Together meetings, she is in conversation with a professor from Winona State University about having her students intern with Steele County.

LISTING OF BILLS

March 25, 2025

Alternative Business Furniture	23,399.15
APX Construction Group LLC	148,337.32
ArchKey Technologies	22,610.00
Central Farm Services	5,317.92
Counties Providing Technology	4,651.00
Faribo Plumbing & Heating Inc	3,103.50
Granicus LLC	7,350.26
IDWholesaler	5,000.00
Jones Haugh & Smith Inc	9,690.00
League Of Minnesota Cities	2,160.00
Moore Md/KellyannaJ	4,099.58
Office of MN IT Services	3,287.24
OpenGov Inc	32,172.05
Phone Station Inc	13,785.00
Sorenson's Appliance & Tv	2,528.50
STEPP MFG	60,123.50
Stewart Sanitation	2,345.90
Summit Food Services LLC	6,948.94
Thomson Reuters - West	2,707.36
UKG Kronos Systems LLC	3,565.07
WHKS & Co	49,353.85
WSB & Associates Inc	5,500.50
94 Payments less than 2000	<u>36,276.09</u>
Final Total:	454,312.73

Motion by Commissioner Abbe, seconded by Commissioner Krueger to adjourn to the Call of the Chair at 5:30 p.m. Ayes all.

CHAIRMAN

ATTEST: _____
ADMINISTRATOR



STEELE COUNTY HIGHWAY DEPARTMENT

PO Box 890 • 3000 Hoffman Dr NW • Owatonna, MN 55060-0890
(507) 444-7670 • Hwy@SteeleCountyMN.gov

March 27, 2025

Greg Paulson, ATP 6 Chair
Southeast Minnesota Area Transportation Partnership
2900 48th Street NW
Rochester, MN 55901-5848

RE: STBGP Funding Transfer Request

Dear Mr. Paulson:

Steele County was awarded \$3,960,000 in STBGP funding for the East Side Corridor Project (SAP 074-070-009) for fiscal year 2026. Our project team has run into significant challenges to be able to deliver the project with these funds.

Work to complete the environmental documents was started in 2021 and the Federal Highway Administration initially directed us to complete a Programmatic Categorical Exclusion document. In 2023, the FHWA redirected us to instead complete a Non-Programmatic Categorical Exclusion document which required us to do some significant rework. Now as we are nearing completion of that document currently estimated by late 2025, there are still significant remaining risks to be able to deliver the project in time to use these funds. Even if we complete the environmental document by the December 2025 deadline, we will not have enough time to complete final plans and significant right of way acquisition for construction in 2026. While negotiations have begun with the Canadian Pacific Kansas City Railroad (CPKC) for a necessary new crossing, they are slow to respond. Previous changes to a CPKC crossing on another project has taken over five years of negotiations and still is not resolved. Also, there is a neighborhood group adamantly opposed to this project and threatening litigation against the county which could pose significant risk to the project timeline.

We would like to transfer these funds to another eligible project, the CSAH 48 Main Street (SAP 074-648-008) project for fiscal year 2026. This project is already federalized with a HSIP award of \$450,000. The project will reconstruct CSAH 48 Main Street from Oak Avenue to Grove Avenue. A feasibility report was completed in 2023 and our team is about to start final design with construction easily feasible in 2026.

Please consider this request for funding transfer. We request the ATP approve the request for a STIP amendment. Please contact me if you require additional information or have any questions. I may be reached at (507) 475-2253 or at paul.sponholz@steelecountmn.gov.

Sincerely,



Paul Sponholz, P.E.
County Engineer

Encl: CSAH 48 Main Street Feasibility Report

Cc: Fausto Cabral, MnDOT District 6 State Aid Engineer
Sean Murphy, City Engineer, City of Owatonna
Andrew Plowman, WSB



CITY COUNCIL MEETING

Tuesday, April 1, 2025 at 7:00 PM

**Charles S. Crandall Center Chambers, City Hall at 540
West Hills Circle**

**Roll Call: Council Members Burbank, Boeke, McCann,
Svenby, Voss, Dotson, and Raney**

PLEASE NOTE: At 5:30 p.m. Council will meet in a Study Session in Council Chambers, City Hall at 540 West Hills Circle. Council will review a draft of the proposed 2026-2028 Strategic Plan.

1. INTRODUCTORY ACTIONS: Call to Order; Roll Call and Pledge of Allegiance

1.1. Council Agenda

1.2. Mayor Jessop

1.2.1. Proclamation - Child Abuse Prevention Month - April 2025

2. CONSENT AGENDA ITEMS

2.1. Minutes – Council Meeting – March 18, 2025

2.2. Board/Commission Minutes

2.2.1. OPU Meeting - February 25, 2025

2.2.2. Human Rights Commission Meeting - February 11, 2025

2.3. Licenses/Permits

2.3.1. Event Permit - NHS Color Run - OHS - May 10, 2025

2.3.2. Retail Fireworks License - Walmart

2.3.3. Tree Trimmer Permits

2.3.4. Exempt Permit - St Mary's School of Owatonna - August 12-14, 2025

2.3.5. Exempt Permit - Sacred Heart Church - August 15-17, 2025

2.4. Miscellaneous

2.4.1. Flock Safety License Plate Reader (LPR)

2.4.2. Professional Services Agreement – 2025 Stormwater Education & Outreach - Clean River Partners

2.4.3. PFAS Source Identification and Reduction Grant - Minnesota Pollution Control Agency

3. ACTION ITEMS

3.1. Finance Report

3.2. Ordinances

3.2.1. First Reading Proposed Ordinance 25-05, Charitable Gambling.

3.2.2. First Reading Proposed Ordinance 25-06: Adopt S-8 Supplement to the 2015 Ordinance Code

3.3. Resolutions:

3.3.1. Resolution 15-25: MnDOT Variance 18th Street SE Trail Extension Project

3.3.2. Resolution 16-25: Requesting Federal Funds for Main Street (CSAH 48) Project

3.4. Miscellaneous

3.4.1. Authorization to Proceed - 2025 CIP Overlay

3.4.2. Authorization to Proceed - 2025 Crack Sealing and Seal Coating Project

3.4.3. 2025 Deer Management Program

4. STAFF REPORTS

4.1. Jeff Mundale, Chief of Police

5. PUBLIC COMMENTS: Please limit comments to 2 minutes. Please approach the microphone, sign-in and state your name and address for the record after being acknowledged by the Council President. Speakers will be limited to two minutes to deliver their comments. Those speaking are asked to conduct themselves in a respectful manner as they deliver their comments. Audience members are asked to refrain from reacting to comments. The City Council will not respond directly to comments in this venue or take immediate action in response to them.

6. COUNCIL COMMENT AND GENERAL INFORMATION

7. ADJOURN



DATE: April 1, 2025
TO: Mayor and City Council
FROM: Sean Murphy, Public Works Director
SUBJECT: Resolution 16-25: Requesting Federal Funds for Main Street (CSAH 48) Project

Purpose:

Requesting City Council approval Resolution 16-25 Requesting Federal Funds for Main Street (CSAH 48) Project.

Background:

Main Street (CSAH 48) from Oak Avenue to Chambers Avenue is in need of rehabilitation and reconstruction. Steele County is leading the effort on this project as it is a County State Aid Highway. The project was initially slated for 2029 but due to Steele County's construction schedule, they are proposing moving construction to 2026. The City intends to apply for Federal Highway funds are distributed through the Statewide Transportation Improvement Plan (STIP) following the approval of Resolution 16-25, applications are being accepted for 2029 and the City would reimburse the county with potential received federal funds at the time of fund receipt.

A feasibility study was presented and approved during the May 16, 2023 City Council Meeting.

Budget Impact:

Federal funds available for application total \$749,000. Costs not covered by the federal funds will be paid for using State Aid Funds.

Staff Recommendation:

Staff recommends approval.

Attachments:

1. Res 16-25 Requesting Federal Funds for Main Street (CSAH 48) Project

RESOLUTION NO. 16-25

A RESOLUTION AUTHORIZING FEDERAL TRANSPORTATION PROJECT GRANT
MAIN STREET (CSAH 48) REHABILITATION

WHEREAS, transportation projects receive federal funding from the Federal Transportation Act; and

WHEREAS, the Federal Highway Administration (FHWA) requires that sponsors agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of right-of-way or property ownership acquired without prior approval from the FHWA; and

WHEREAS, the Minnesota Department of Transportation (MnDOT) has determined that for projects implemented with these funds, the above requirements should be applied to the project sponsor; and

WHEREAS, the City of Owatonna is the project sponsor for the transportation project identified as Main Street (CSAH 48) Rehabilitation.

NOW, THEREFORE, BE IT RESOLVED, that the City of Owatonna will assume full responsibility for the operation and maintenance of the property and facilities related to the aforementioned project.

Passed and adopted this ____ day of ____, with the following vote:

Aye ____; No ____; Absent ____.

Approved and signed this ____ day of ____.

Matthew T. Jessop, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk

Owatonna City Council Minutes

April 1, 2025

On Tuesday, April 1, 2025, at 7:00 p.m., Council President Raney called the regular session of the Owatonna City Council to order in the Chambers of the Charles S. Crandall Center. Present were Council Members Voss, Burbank, Boeke, McCann, and Raney; Mayor Jessop; City Attorney Walbran; Public Works Director Murphy; Police Chief Mundale; Assistant City Administrator Tuma, IT Technology Specialist Inz; City Administrator Busse, Administrative Coordinator Clawson. Council Members Dotson and Svenby, were unable to attend.

Following the roll call of members, Council Member McCann made a motion to approve the agenda as presented, Council Member Boeke seconded the motion, all members present voted aye in approval.

Mayor Jessop presented a proclamation for April as Child Prevention Month. Effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families. This proclamation was presented to the Owatonna Exchange Club last night in Central Park and blue ribbons tied around trees symbolizing awareness against child abuse.

Consent Agenda Items

Council President Raney explained council members review the Consent Agenda items prior to the meeting for approval in one motion. Consent Agenda items for this meeting include:

Minutes – Council Meeting – March 18, 2025

OPU Meeting - February 25, 2025

Human Rights Commission Meeting - February 11, 2025

Event Permit - NHS Color Run - OHS - May 10, 2025

Retail Fireworks License – Walmart

Tree Trimmer Permits

Exempt Permit - St Mary's School of Owatonna - August 12-14, 2025

Exempt Permit - Sacred Heart Church - August 15-17, 2025

Flock Safety License Plate Reader (LPR)

Flock Safety is a US-based company that provides computer vision-enabled video surveillance technology for their license plate readers (LPR), gunshot detectors and real-time video cameras. LPRs are not traffic cameras but will serve as a force multiplier by directing law enforcement resources to areas based upon LPR alerts. Flock's LPR cameras capture registration and vehicle details. They do not capture personal identification characteristics. LPRs also provide alerts on stolen cars, stolen license plates, revoked, suspended and canceled drivers and an agency's "hot list". LPR data is classified as private data - nonpublic data on individuals. Data is subject to the agency's records retention schedule. LPR technology is designed with privacy, accountability and transparency. A department policy and biennial audit is required for the requested eight LPR cameras. The cost is a \$24,000.00 annual subscription.

Professional Services Agreement – 2025 Stormwater Education & Outreach - Clean River Partners

An agreement for education and outreach services. The City's Municipal Separate Storm Sewer System (MS4) Permit requires the city to provide routine stormwater and water quality related education, outreach, and public involvement programs and opportunities on an annual basis. Activities and tasks identified in this Scope of Services will be used to meet these MPCA permit requirements and included in mandatory annual reporting. An informed and educated community greatly reduces future capital expenditures related to storm system maintenance and restoration of water quality through prevention and best management practices. The total cost of the services is \$9,734.00.

PFAS Source Identification and Reduction Grant - Minnesota Pollution Control Agency

A PFAS Source Identification and Reduction Grant from the Minnesota Pollution Control Agency. Minnesota passed a number of laws in the past few years to reduce the use of PFAS in industry and consumer products. To comply with state regulations and limit the industrial use and eventual human consumption of PFAS, the City of Owatonna has been working with Nero Engineering to prepare a plan to minimize PFAS, completed in June 2024, and is now implementing the PFAS Minimization Plan by identifying PFAS sources. Additional work and expenses are anticipated as the city continues to work towards PFAS reduction and securing this grant will assist in paying for this work. The city will be reimbursed for all qualifying expenses related to the PFAS Identification and Reduction Project, up to \$75,000.

Council Member McCann made a motion to approve these Consent Agenda items, Council Member Burbank seconded the motion; all members present voted aye for approval.

Finance Report

Council Member Voss recapped payments made for amounts greater than \$20,000 during this period.

\$ 23,175.00	Electric Pump Inc - Riverwood lift station replacement pumps
31,041.00	League of MN Cities Ins Trust - SCDIU Property/Causality coverage insurance premium
22,437.35	Owatonna Area Chamber of Commerce - Lodging Tax Aug-Sept - Lodging tax December 2024 - \$2,162.57 - Lodging tax January 2025 - \$20,274.78
55,352.76	Owatonna Motor Co - 2025 Ford F150 - WWTP - \$55,188.96 - 2025 Ford F150 - WWTP - \$55,188.96 - misc. parts/supplies \$163.80
59,135.00	Ramy Turf Products - Bowie Victor Hydro seeder - Stormwater
155,042.98	Southeast Service Cooperative - March 2025 health ins premiums
22,688.34	US Bank - Entire organization monthly credit card purchases Jan/Feb 2025
<u>\$ 171,113.33</u>	Other Expenditures

\$ 539,985.76 Subtotal

102,761.00 HRA Housing Assistance Payments

\$ 642,746.76 Total Expenditures Presented for Approval

Council Member Boeke made a motion to approve payment of all bills presented, Council Member McCann seconded the motion, all members present voted aye in approval.

First Reading Proposed Ordinance 25-05, Charitable Gambling

City Administrator Busse presented Proposed Ordinance 25-05 for council consideration to increase the number of charitable gambling premises permits from five per organization to eight in licensed liquor establishments. Concerns were received that the current limit is too restrictive, and staff advised increasing the number of permits per organization would not have a negative effect. Council Member Voss made a motion for approval, Council Member Burbank seconded the motion. With a roll call vote was taken, voting aye were Council Members Burbank, Boeke, McCann, Voss and Raney; No Nays; the motion carried. The second/final reading of this proposed ordinance will be heard during the next Council Meeting on April 15, 2025.

First Reading Proposed Ordinance 25-06: Adopt S-8 Supplement to the 2015 Ordinance Code

City Attorney Walbran presented Proposed Ordinance 25-06 to adopt Supplement 8 to the 2015 City Code of Ordinances. American Legal Publication completed recodification of the City Code of Ordinances in 2015. Supplements are prepared with new ordinances since adoption of a prior supplement; this is the eighth supplement. Supp-8 includes 22 ordinances approved since adoption of Supp-7 in October 2023; the last ordinance included is Ordinance #1666, passed December 2, 2024. Council Member McCann made a motion for approval, Council Member Burbank seconded the motion. With a roll call vote was taken, voting aye were Council Members Burbank, Boeke, McCann, Voss and Raney; No Nays; the motion carried. The second/final reading of this proposed ordinance will be heard during the next Council Meeting on April 15, 2025.

Resolution 15-25: MnDOT Variance 18th Street SE Trail Extension Project

Public Works Director Murphy requested approval of Resolution 15-25 approving a variance from the standard for State Aid Operation for the 18th Street SE Trail Extension Project No. S.A.P. 153-090-002. A variance from Minnesota Rules for State Aid Operation 8820.9961 requiring 60-degree angled parking with a present ADT of greater than or equal to 3,000 to have a distance between the traffic lane and parking stall to be 19 feet was requested in May of 2024. The MnDOT Variance Committee found that minimum design standards for 45-degree and 60-degree pull-in diagonal parking, to allow the distance between traffic lane and back-in parking stall for 60-degree parking be 8.4 feet as approved in the variance letter dated August 8, 2025, was signed August 21, 2025. The approved variance results in plan revisions to reflect the change to back in parking. Council Member Voss made a motion for

approval, Council Member Boeke seconded the motion, and all members present voted aye in approval.

Resolution 16-25: Requesting Federal Funds for Main Street (CSAH 48) Project

Public Works Director Murphy commented that applications for Federal Highway funds, Statewide Transportation Improvement Plan (STIP) are currently being accepted for 2029. He requested approval of Resolution 16-25 authorizing request STIP funds for the Main Street (CSAH 48) Project, Main Street (CSAH 48) from Oak Avenue to Chambers Avenue. Steele County is leading the effort on this project, it is a County State Aid Highway. The Main Street project was initially slated for completion in 2029; but Steele County is now proposing this project for next year, 2026. The county was awarded STIP funds during 2026 for use towards the East Side Corridor Project; however, they have a better chance to deliver the Main Street Project within the required time frame. The City will reimburse the county when these STIP funds are received, this is a request for a \$749,000 STIP distribution during 2029. A Feasibility Study was presented and approved during the City Council Meeting on May 16, 2023, for the Main Street Project. Council Member McCann made a motion for approval, Council Member Burbank seconded the motion. Council Member Boeke asked what expense the city will incur towards the Main Street Project. Murphy responded the Total Estimated Project Cost is \$7.7 million. Of these costs, those eligible for State Aid are \$6.6 million, which will be paid 75% by the county and 25% by the city. The City's expense will be just under \$1.7 million but this does not include costs for aesthetics like lighting changes or streetscape amenities similar to those used in the Cedar Avenue N Streetscape Project. With no additional comments, all members present voted aye for approval.

Authorization to Proceed - 2025 CIP Overlay

Public Works Director Murphy requested authorization to proceed with an advertisement for bids for the 2025 CIP Overlay. Street segments with surfaces that require repairs beyond crack sealing and routine pothole filling, but have adequate underground infrastructure are good candidates for a mill and overlay project to prolong the street's surface life. Approximately 1.64 miles will be included in the Capital Improvement Overlay Project. Bids will be received April 9th and brought to Council for consideration on April 15th. Council Member Boeke made a motion for approval, Council Member McCann seconded the motion, all members present voted aye in approval.

Authorization to Proceed - 2025 Crack Sealing and Seal Coating Project

Public Works Director Murphy requested authorization to proceed with an advertisement for bids for the 2025 Crack Sealing and Seal Coating Project. The city annually crack seals roadways in advance of sealcoating to prolong surface life. Approximately 5.02 miles are planned for crack sealing and sealcoating in 2025. Bids will be brought to Council for consideration when received. Council Member Voss made a motion for approval, Council Member Boeke seconded the motion, all members present voted aye in approval.

2025 Deer Management Program

Park & Rec Director TW Dieckmann requested authorization for staff to apply for the annual Deer Management Program Permit through the MN Department of Natural Resources (DNR). The city's 2025 program will run similarly to the 2024 program, with a few slight changes as presented in the Staff Report during the March 18th City Council Meeting. Council Member Burbank made a motion for approval, Council Member McCann seconded the motion, all members present voted aye in approval.

STAFF COMMENTS

Jeff Mundale, Chief of Police, provided updates of recent activities at the Police Department.

- Hosted the Owatonna Community Leadership Academy on March 11th.
- Staffing updates: Two officers are currently in training. An offer for a Patrol Officer was made to a current CSO. Our CSO position has been used as a recruitment tool for potential officers. We have an open-ended application for officers and have received some good applicants and will continue to promote the application.
- Next week, the Police Explorers will be participating in the Explorer's 50th Celebration in Rochester. Teams from all over the country will be participating. Captain DuChene, Captain Sorenson and I will also be in Rochester to attend Executive Training.
- IC Poet Grant Applicants – Hope to acquire a candidate to attend this program when it is offered again. I anticipate that there will be a grant opportunity soon and plan to submit a RFP and apply for this grant. Last time, we had some good candidates identified but insufficient time to acquire the required clearance and unable to participate.
- FLOCK Safety System – Thank you for approving this license plate reader technology during tonight's meeting. It will take some time for Owatonna to develop this program, weather does not affect the use of these cameras. Faribault has this system which assisted them in several arrests over the last several years. Mankato and Albert Lea are also looking into acquiring this system. Currently 53 MN communities use FLOCK Safety systems.
- Officer Martin and Vegas attended a SHOC yesterday at the school, they always make a big hit with the students.
- Detective Berg will be making a presentation at Sr Place regarding fraud against seniors.
- May 15th is the date set for the 2025 Police Officer Banquet. The "Officer of the Year" has not been announced and consideration in process. This annual banquet is hosted by the Moonlighter's Exchange Club.

PUBLIC COMMENTS

G [REDACTED] K [REDACTED] – Commented that her home is a historical home and access to her home will be affected by the Main Street Project. She is interested in the design of this project and requests that homeowners along the street be consulted as project plans proceed. Accessibility to her home (front entrance, new side entrance and garage entrance) will all be affected as will access to her next-door neighbor's home.

M [REDACTED] Z [REDACTED] – Commented that she had prepared a comment for tonight's meeting but now changing after the action taken for federal funding planned for the East-side Corridor Project during 2026 is now directed to the 2026 Main Street Project. She asked if the change in the funding allocations, will push back or void the East Side Corridor Project? She asked everyone be kept in the loop that will be affected by these projects.

MAYOR AND COUNCIL COMMENTS:

Council Member Raney thanked everyone for attending the meeting.

At 7:32 p.m., Council Member Boeke made a motion to adjourn, Council Member Burbank seconded the motion and with no objection, the meeting ended.

Respectfully submitted,

Jeanette Clawson, Administrative Coordinator



STEELE COUNTY BOARD AGENDA

Administration Center - 630 Florence Avenue – Owatonna, MN 55060

*Steele County's Mission:
Driven to deliver quality services in a respectful and fiscally responsible way.*

**TUESDAY, APRIL 8, 2025 at 5:00 PM
County Boardroom, Steele County Administration Center**

Persons with background material for agenda items are asked to provide them to the Administrator's Office 5 days prior to the meeting date so that the material can be linked to the online agenda. If handouts at the Board meeting are necessary, please bring enough copies for the Board, county staff, the press and the public. Generally, 15 copies should be sufficient.

Agenda

1. Call to Order
2. Pledge of Allegiance
3. Approve Agenda
4. Public Health Services Video

Public Comment

Those wishing to speak must state their name and address for the record after they are acknowledged by the Board Chair. Each person will be limited to two (2) minutes to make his/her remarks.

Speakers will address all comments to the Board as a whole and not one individual commissioner. The Board may not take action on an item presented during the Public Comment period, unless the item is already on the agenda for action. When appropriate, the Board may refer inquiries and items brought up during the Public Comment period to the County Administrator for follow up.

Correspondence

5. Environmental review for wastewater treatment and/or collection system project letter (pg. 4)

Consent Agenda - *Items listed on the Consent Agenda are considered routine and non-controversial by the County Board. There will be no separate discussion of these items unless requested by a member of the County Board.*

6. Approve March 25, 2025 Board Minutes (pg. 7)
7. Approve March 25, 2025 Board Work Session Minutes (pg. 12)

8. Approve Bills (pg. 14)
9. Approve Personnel Report (pg. 49)
10. Adopt a **Resolution** accepting a cash donation for the Steele County Sheriff's Office from Dean and Kathryn Mennen in an amount of \$500.00. (pg. 50)
11. Approve SE MN Emergency Communications expense increase from \$1,000 to \$4,334 (pg. 52)
12. Approve MN DNR Boat and Water Grant in an amount of \$3,124.00 and authorize the Chair and the Sheriff to sign. (pg. 54)

General Agenda

13. April Anniversary Report (pg. 64)
14. East Side Corridor Federal Funding Transfer Request (Informational) (pg. 65)

County Board Work Session – Tuesday, April 8, 2025

15. Action Items

Internal Central Services Committee – April 1, 2025

16. Approve Delegation of Authority to Hire and Appoint Budgeted Positions. (pg. 67)
17. Approve position reclassification from a Highway Tech to Highway Accountant and from a part time .8 to a full-time position. (pg. 69)

Public Works Committee - March 3, 2025

18. Adopt a **Resolution** banning parking on the west side of CSAH 46 (pg. 74)
19. Approve the Dodge County Wind, LCC Road Use and Repair Agreement (pg. 76)

Information Items

20. Internal Central Services Committee Minutes – April 1, 2025 (pg. 109)
21. Property & Maintenance Committee Minutes – April 3, 2025 (pg. 111)

Presentations:

Commissioner Reports:

Next Meeting Notices:

Public Works Committee – **Tuesday, April 8 at 8 a.m., Public Works Facility**

Land Use & Records – **Thursday, April 10 at 8 a.m. in the Boardroom**



Steele County Agenda Item

Informational

Subject: East Side Corridor Federal Funding Transfer Request

Department: Highway

Committee: Public Works

Committee Meeting Date: NA

Work Session Date: NA

Board Meeting Date: April 8, 2025

Purpose:

To provide information regarding a request to transfer federal funding from the East Side Corridor (ESC) Project to the CSAH 48 Main Street project

Background:

The County was awarded \$3,960,000 in federal funding for the ESC Project. Conditions of using that funding requires a federal environmental document completed by December 1, 2025 and construction started in 2026. The County has been working on that document since January 2022.

Even though the environmental document is nearly complete, the project team no longer is confident that the remaining environmental and final design work will be completed to meet the federal timelines. Past delays were due especially because the Federal Highway Administration (FHWA) changed which level of environmental document to prepare, which added more than a year to the project timeline. Recently, a significant change on the consultant staff disrupted progress. Then with the changes in the federal administration, federal policy is changing which will likely require significant changes to the makeup of the federal environmental document adding more delays.

In addition to delays, some significant risks could affect the project timeline. Staff still needs to complete an agreement with the railroad for a new crossing. Staff has already started working with the railroad to complete the agreement and anticipate it completed with the final plans, but the last similar agreement has taken over five years of effort. Also, the county has received information that a neighborhood group may bring litigation against the project which could potentially delay construction.

With those delays and those significant risks, staff is asking the Southeast Minnesota Area Transportation Partnership (ATP) (the entity that reviews and approves this federal funding) to transfer that federal money to another eligible project so the county doesn't lose that funding. Staff is asking that the money be transferred to the CSAH 48 Main Street project, a project that already has federal funding awarded to it and can meet the required timelines. The ATP meets March 11 to consider this request.

If approved, the Main Street project which has final design budgeted in 2025 would move construction from 2028 to 2026.

The project team is working with MnDOT and FHWA to determine what this means for the ESC project, but has no further information from them at this time. The team intends to continue moving the ESC project along as quick as possible, aiming for construction starting late 2026 and finishing about 2028.

Financial Impacts:

If the transfer of funds is approved, staff will make proposals to shift other funds currently allocated to Main Street to the ESC to replace the federal funding. There is no change to the overall budget or funding amounts. If the transfer is not approved, the ATP could reallocate the funding to another county and we would lose that funding.

Attachments:

NA

PROCEEDINGS OF THE STEELE COUNTY BOARD OF COMMISSIONERS

REGULAR SESSION

April 8, 2025

STATE OF MINNESOTA }
 } ss
COUNTY OF STEELE }

The Steele County Board of Commissioners met in Regular Session at 5:00 p.m. on April 8, 2025 with Commissioner's Glynn, Prokopec, Abbe, Krueger and Brady present. Also present were Human Resources Director Gina McGuire, Finance Director Candi Lemarr, IT Director Dave Purscell, County Engineer Paul Sponholz, County Assessor Brian Anderson, County Attorney Robert Jarrett, Public Health Director Amber Aaseth, County Administrator Renae Fry and Executive Assistant Rebecca Kubicek.

Call to order and Pledge of Allegiance.

Motion by Commissioner Abbe, seconded by Commissioner Glynn to approve the agenda with removal of item # 19 - Wind Farm. Ayes all.

Presentation: Public Health Video

Public Comment: One person spoke regarding the Main Street project. Six spoke regarding the Eastside Corridor funding transfer. One spoke regarding the Havana feasibility study.

Correspondence: Environmental review for wastewater treatment and/or collection system project letter.

Consent Agenda:

Motion by Commissioner Glynn, seconded by Commissioner Abbe to approve Consent Agenda. Ayes all.

- A. Approve the minutes of March 25, 2025 Board Meeting
- B. Approve the minutes of March 25, 2025 Board Work Session
- C. Approve Bills
- D. Approve Personnel Report

New Hires/Promotions/Demotions/Transfers (Positions previously approved by Board):

Name	Position/Dept.	Rating/Step	Date
Carrie Holmen	Accounting Specialist/Finance	B25 / 4	4/07/2025
Christian Overland	Correctional Officer (Programs)/ Det Cent	B24 /1	4/21/2025

Resignations/Retirements/Terminations:

Name	Position	Department	End Date
Stephen Tschopp	Engineer Tech III	Highway	4/11/2025
Melissa Kofstad	Emerg Preparedness Coord	Public Health	4/17/2025
Ryan Rasmussen	Appraiser III	Assessor	4/18/2025
David Brown	Int. Hwy Working Foreperson	Highway	4/25/2025

Open Positions-Pending Board Approval:

Position	Department	Notes
Engineering Technician I/II/III	Highway	Backfill Tschopp
Emg Preparedness Coord / RN	Public Health	Backfill Kofstad
Correctional Officer	Detention Center	Backfill Overland (Transfer)
Financial Spec to Accountant	Highway	Backfill Holmen (Transfer)
Appraiser I/II/III	Assessor	Backfill Rasmussen
Hwy Wking Foreperson/Maint Tech	Highway	Backfill Brown (Retirement)

E. Adopt a **Resolution** accepting a cash donation for the Steele County Sheriff's Office from Dean and Kathryn Mennen in an amount of \$500.00.

**ACCEPTANCE OF CASH DONATION
FOR STEELE COUNTY SHERIFF'S OFFICE
2025-19**

WHEREAS, Minnesota Statute §465.03 allows counties to accept grants and donations of real or personal property for the benefit of its citizens;

WHEREAS, said donations must be accepted via resolution of the County Board of Commissioners by a two-thirds majority of its members; and

WHEREAS, the Board of Commissioners finds that it is appropriate to accept the donations offered;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners in and for the County of Steele, Minnesota, that it accepts, with sincere appreciation, the donation of:

\$ 500.00 from Dean & Kathryn Mennen

F. Approve SE MN Emergency Communications expense increase from \$1,000 to \$4,334
G. Approve MN DNR Boat and Water Grant in an amount of \$3,124.00 and authorize the Chair and the Sheriff to sign.

General Agenda:

Human Resource Director, Gina McGuire read the April Anniversary report

Name:	Position:	Department:	Annv. Date	YS:
Dave Purscell	IT Director	Information Tech.	March	7
Sean Grivette	Correctional Officer	Detention Center	April 1st	9
Matthew Gwin	Correctional Officer	Detention Center	April 3rd	19
Anthony Cassen	Highway Maint. Tec	Highway	April 8th	6
Travis Ernste	Adult Prob.Officer III	Community Correction	April 10th	8
Chad Forystek	Sergeant	Sheriff	April 13th	27

Joyce Prusha	Correctional Sgt	Detention Center	April 15th	23
Leah Kent	LPN	Public Health	April 15th	17
Jocelyn Brooks	Custodian	Facilities and Fleet	April 15th	3
Samantha Ahrens	Adult Prob. Officer II	Community Correction	April 16th	18
Melissa Bos	Acct. Support Spec.	Highway	April 16th	7
Nancy Gerald	Accounting Tech.	Detention Center	April 19th	21
Thomas Grems	Landfill Operator	Landfill	April 22nd	1
Paul Sponholz	County Engineer	Highway	April 23rd	7
Robert Benson	Home Care Supervisor	Public Health	April 25th	3
June Piepho	Family Support Spec.	Public Health	April 26th	19
Michael Kath	Maintenance Worker	Facilities and Fleet	April 26th	4
Jane Christenson	Technical Clerk II	Sheriff	April 30th	11

The County Engineer reported on the Eastside Corridor Federal Funding. Steele County was awarded \$3.96M dollars in Federal Funding for the Eastside Corridor project. The Engineer reviewed the stringent deadlines mandated by the federal government in order to use the funds. As a result of many delays and setbacks, the project team is not confident they can complete the required tasks on time, so the dollars are at risk of being lost. The Engineer provided examples of the setbacks, including but not limited to additional reporting and more detailed reports required by the Federal Government. The Engineer is requesting the Southeast Minnesota Area Transportation Partnership (ATP) shift the Federal funding to the Main Street project that is likely to meet the deadlines. If the change is approved, funds earmarked for the Main Street project could be used for the Eastside corridor project. If this shift is not approved by ATP, the county will need to look to other funding sources for future projects.

Motion by Commissioner Krueger, seconded by Commissioner Glynn to approve Delegation of Authority to hire and appoint budgeted positions to the Administrator. Four voted in favor thereof, Abbe voting against. Motion passes.

Motion by Commissioner Glynn, seconded by Commissioner Abbe to approve position reclassification from a Highway Tech to Highway Accountant and from a part time .8 to a full-time position. Ayes all.

Motion by Commissioner Krueger, seconded by Commissioner Brady to table the Resolution for Parking Restrictions on CSAH 46 till the April 22 meeting. Four voted in favor thereof, Glynn voting against. Motion passes.

Commissioner Reports:

Commissioner Glynn reported his attendance at ICS Committee and the Extension Committee meeting.

Commissioner Prokopec reported his attendance at Public Works Committee.

Commissioner Abbe reported his attendance at Land Use / Records committee, MNP Personnel meeting, MNP JPB meeting, Counties Providing Technology Zoom meeting, Annual County / Township meeting, SCHA Compliance Training, Rice / Steele 911 JPB meeting, and Property & Maintenance committee.

Commissioner Krueger reported his attendance at SCHA Finance Committee, SCHA JP meeting and Compliance training, met with Representative Sexton regarding Medford projects, and Public Works Committee.

Commissioner Brady reported his attendance at Extension Committee, ICS Committee meeting, Rice / Steele 911 JPB meeting, Property and Maintenance committee, Planning Commission meeting.

County Attorney had nothing to report.

County Administrator reported her attendance at the Rice / Steele 911 facility tour. She presented the Citizen Code of Conduct to the Extension Committee. She still needs to present the Code of Conduct to the Board of Adjustments and Planning Commission.

LISTING OF BILLS April 8, 2025

Advanced Correctional Healthcare Inc	19,676.59
American Lung Association	3,005.74
Block Plumbing & Heating Inc	2,499.60
Braun Intertec Eng Inc	2,222.50
Cardinal Health 110 LLC	3,936.78
Central Farm Services	19,354.40
CTI	28,671.41
ESRI Inc	40,900.00
From the Ground Up LLC	7,995.00
Goodpointe Technology Inc	6,575.00
High Point Networks	3,382.39
Hillyard- Hutchinson	3,050.20
I & S Group Inc	2,760.00
ICON Constructors LLC	184,322.33
Jones Haugh & Smith Inc	3,222.50
Life Fitness LLC	44,985.12
Office of MN IT Services	15,624.25
Owatonna Public Utilities	204,393.12
Pro- West & Associates Inc	4,603.50
SE MN Emergency Medical Services	5,000.00
Short Elliott Hendrickson Inc	32,890.48
Stenzel/David Allen	3,431.63
Streamline Communications LLC	8,480.26
Summit Food Services LLC	10,421.94
Thompson Sanitation	75,722.74

Univ Of Mn Regents	70,237.50
Ziegler,Inc	7,765.83
72 Payments less than 2000	<u>34,389.29</u>
Final Total:	849,520.10

Motion by Commissioner Abbe, seconded by Commissioner Prokopec to adjourn to the Call of the Chair at 6:28 p.m. Ayes all.

James Brady
CHAIRMAN

ATTEST: Bernard J.
ADMINISTRATOR



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

East Side Corridor -- Predetermination of Outcome

1 message

[REDACTED]
To: "ronald.gaines@steelecountymn.gov" <ronald.gaines@steelecountymn.gov>
Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Wed, Dec 31, 2025 at 6:45 PM

Dear Sir:

Based on the order in which ESR steps occurred, this project shows the county predetermined the option they chose:

- Preferred alternatives were identified before the project was public
- Alternatives were dismissed using assumptions rather than calculations and actual facts
- Avoidance options were not fully evaluated despite being less expensive
- Right-of-way abandonment occurred over decades without contention
- No road of this proximity to homes has ever been built in Steele County

Environmental review cannot occur after decisions have already been made. The EAW was used to justify a predetermined outcome, not to evaluate alternatives. I formally request that Steele County require a **full Environmental Impact Statement (EIS)** for the East Side Corridor project. Additionally, a FONSI requires a complete, accurate and good-faith evaluation of environmental impacts and reasonable alternatives, and must be supported by substantial evidence in the record. That standard is not met here. It's time to do legitimate problem solving rather than accepting foregone conclusions.

B [REDACTED] D [REDACTED]

Owatonna, MN 55060

Sent from [Outlook](#)



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Procedural violations in ESC environmental review

1 message

[REDACTED]
To: "ronald.gaines@steelecountymn.gov" <ronald.gaines@steelecountymn.gov>
Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Wed, Dec 31, 2025 at 6:58 PM

Dear Sir:

Public participation in the ESC review was inadequate. Notices were late, key documents withheld from the public, and residents were denied the opportunity to comment after approval of the purpose, need, and preferred alternative. The public process was fundamentally flawed:

- Only two days' notice for the first open house
- Notice of the EAW comment period was received two weeks late
- RFPs were signed before public disclosure
- RFPs and study data were withheld from public access
- A 61-page federal memorandum was kept from residents
- Residents were denied a comment period after approval of purpose, need, and preferred alternative on 9/24/2024

These actions denied residents the opportunity to correct inaccuracies before information was submitted to state and federal agencies. I formally request that Steele County require a **full Environmental Impact Statement (EIS) with independent oversight** for the East Side Corridor project. Additionally, a FONSI requires a complete, accurate and good-faith evaluation of environmental impacts and reasonable alternatives and must be supported by substantial evidence in the record. That standard is not met here.

B [REDACTED] D [REDACTED]

[REDACTED]
Owatonna, MN 55060

Sent from [Outlook](#)



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Public comments and questions for the East Side Corridor project - EAW process 2

1 message

[REDACTED] >

Wed, Dec 31, 2025 at 7:28 PM

To: ronald.gaines@steelecountymn.gov

Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Mr, Gaines (RGU),

For the joint city–county East Side Corridor project, why did the City Council at the behest of the county, adopt a resolution selecting the 29th Avenue alignment at its December City Council meeting before the close of the Environmental Assessment Worksheet (EAW) public comment period?

Taking formal legislative action to select a specific alignment prior to completion of the EAW review and consideration of public comments creates the appearance that a preferred alternative was identified in advance of the environmental review. This action is inconsistent with the purpose of the EAW process, which is intended to inform decision-makers and the public before project commitments are made.

Such premature action undermines the objectivity of the environmental review, limits meaningful public participation, and calls into question whether reasonable alternatives were fully and impartially evaluated.

To ensure compliance with the intent of the Minnesota Environmental Policy Act (MEPA), preserve the integrity of the environmental review process, and restore public confidence in an unbiased decision-making framework, I formally request that this project be advanced to preparation of a full Environmental Impact Statement (EIS).

M [REDACTED] S [REDACTED]



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Public comments and questions for the East Side Corridor project - EAW process 3

1 message

[REDACTED]
To: ronald.gaines@steelecountymn.gov
Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Wed, Dec 31, 2025 at 7:52 PM

Mr. Gaines (RGU),

The 29th Avenue alignment for the East Side Corridor was previously abandoned in the early 2000s and subsequently reduced in scope to a local road or city street. Residential development within the North Country neighborhood was approved and constructed based on that decision, with homes built ON 50 feet of the original 150-foot-wide 29th Street corridor.

Reintroducing a highway-scale facility within this previously abandoned alignment represents a substantial change in project scope and context and creates significant land use, compatibility, and public health and safety concerns for existing residences. These impacts were not reasonably foreseeable at the time the neighborhood was developed and raise questions regarding the adequacy of an Environmental Assessment Worksheet (EAW) to fully evaluate them.

Given the potential for significant adverse impacts to residential properties, neighborhood cohesion, noise, and human health and safety, I formally request that this project be advanced to preparation of a full Environmental Impact Statement (EIS) to ensure comprehensive analysis of impacts and alternatives consistent with the intent of the Minnesota Environmental Policy Act (MEPA).

M [REDACTED] S [REDACTED]

[REDACTED]



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Owatonna East Side Corridor The project record demonstrates predetermination as defined under Minn. R. 4410.3100.

1 message

To: "ronald.gaines@steelecountymn.gov" <ronald.gaines@steelecountymn.gov>
Cc: DONALD SUSAN MULLENBACH <dsmully@msn.com>

Dear Mr Gaines:

Before the East Side Corridor project was publicly announced or subjected to environmental review, the County and its consultant had already taken multiple irreversible actions, including but not limited to: selecting WSB as the project consultant, estimating construction costs, designing intersections, mapping and naming a specific corridor (29th Avenue), and programming the project into multiple Capital Improvement Plans. County planning documents further describe the corridor location as having been "strategically chosen," indicating that the alignment decision preceded environmental analysis.

Environmental review is intended to inform decision-making, not to justify decisions that have already been made. When a specific project location is effectively selected prior to completion of environmental review and before meaningful public participation occurs, the integrity of the environmental process is undermined.

Because the record shows that key decisions were made prior to environmental review, the EAW fails to provide an objective evaluation of reasonable alternatives as required under MEPA. This constitutes predetermination and necessitates preparation of an Environmental Impact Statement (EIS) to ensure full disclosure of impacts, genuine alternatives analysis, and meaningful public participation before any final decisions.

Respectfully submitted,
S [REDACTED] M [REDACTED]



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Public comments and questions for the East Side Corridor project - EAW process 4

1 message

[REDACTED]
To: ronald.gaines@steelecountymn.gov

Wed, Dec 31, 2025 at 8:13 PM

Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Mr. Gaines (RGU),

The land commonly referred to as the “outlots,” which form the eastern boundary of the North Country neighborhood and have also been identified as the “right-of-way” or “29th Avenue alignment,” was previously abandoned by both the City and County in 2013. This abandonment was formalized through City Council action on August 5, 2013. The property subsequently entered foreclosure, most recently in 2015.

These documented actions appear inconsistent with the County’s repeated assertion that the 29th Avenue alignment “has always been the plan” for the East Side Corridor (ESC). If the alignment had remained the intended corridor, it is unclear why the right-of-way would have been formally abandoned and allowed to lapse into foreclosure.

This discrepancy raises material questions regarding the project’s planning history, the accuracy of the project purpose and need statement, and whether the Environmental Assessment Worksheet (EAW) adequately reflects reasonable alternatives and prior decisions. Clarification of this record is necessary to ensure an accurate and transparent environmental review. As such, I formally request that this project be advanced to preparation of a full Environmental Impact Statement (EIS) to ensure comprehensive analysis of impacts and alternatives consistent with the intent of the Minnesota Environmental Policy Act (MEPA).

M [REDACTED] S [REDACTED]

[REDACTED]



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Public comments and questions for the East Side Corridor project - EAW process 5

1 message

[REDACTED]
To: ronald.gaines@steelecountymn.gov
Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Wed, Dec 31, 2025 at 8:18 PM

Mr. Gaines (RGU),

The Environmental Assessment Worksheet (EAW) identifies the East Side Corridor project as a federal undertaking. Despite this designation, correspondence from the County Engineer with the consulting firm WSB and with State Aid indicates efforts to remove federal funding from the project in order to avoid application of federal noise analysis and mitigation requirements.

These actions, when considered together with the absence of noise studies in the EAW, raise significant concerns regarding the completeness and adequacy of the environmental review. If the project remains a federal undertaking, the omission of required noise analysis is inconsistent with the level of review necessary to fully disclose potential impacts to affected residents.

This situation creates uncertainty as to whether applicable federal standards have been appropriately considered and whether potential noise impacts have been fully evaluated and disclosed to the public. Given these unresolved issues and the potential for significant adverse impacts to residential areas, the EAW does not appear sufficient to support informed decision-making. Accordingly, advancement of the project to preparation of a full Environmental Impact Statement (EIS) is warranted.

M [REDACTED] S [REDACTED]

[REDACTED]



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Public comments and questions for the East Side Corridor project - EAW process 6

1 message

[REDACTED]
To: ronald.gaines@steelecountymn.gov
Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Wed, Dec 31, 2025 at 8:25 PM

Mr. Gaines (RGU),

Under the currently identified 29th Avenue alignment for the East Side Corridor, access to my permitted detached garage would be eliminated. This garage was properly permitted and constructed in reliance on representations by the City and County that curb and gutter improvements would be provided when a city street was built at this alignment (the East Side Corridor highway project had been abandoned at this alignment prior to the house and garage having been built).

At the time of permitting, 29th Avenue was designated in the City of Owatonna's Comprehensive Plan as a local city street. The current proposal to convert this corridor into a county highway represents a substantial change in roadway classification and function. This change would directly affect property access and raises questions regarding compatibility with prior land-use approvals and reliance interests of affected property owners.

The Environmental Assessment Worksheet (EAW) does not adequately address how access to existing permitted structures would be maintained, nor does it identify feasible secondary access alternatives. Loss of access to a permitted structure constitutes a significant impact to property use and safety and warrants further analysis.

Clarification is requested regarding how access to my detached garage will be preserved or replaced under the proposed alignment. Given the unresolved access, safety, and land-use impacts, I formally request that this project be advanced to preparation of a full Environmental Impact Statement (EIS).

M [REDACTED] S [REDACTED]

[REDACTED]



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Public comments and questions for the East Side Corridor project - EAW process 7

1 message

[REDACTED]
To: ronald.gaines@steelecountymn.gov
Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Wed, Dec 31, 2025 at 9:35 PM

Mr. Gaines (RGU),

Request for Project Pause and Preparation of an Environmental Impact Statement (EIS):

The Environmental Assessment Worksheet (EAWS) omits analysis of noise impacts and other potentially significant environmental effects, including potential adverse health consequences for nearby residents. Under Minnesota Rules part 4410.1700, subp. 7, an EAW must provide sufficient information to determine whether a project has the potential for significant environmental effects. Given the absence of noise analysis, further advancement of the project should be paused until the required studies are completed and made available for public review.

The project corridor includes multiple residential neighborhoods that constitute noise-sensitive receptors. Despite this, the EAW does not include a noise study or disclose anticipated noise levels, even though some residences are located as close as approximately 17 feet from the proposed roadway at its highest elevations. County engineering staff have acknowledged that this level of proximity is unprecedented within Steele County, indicating a potential for significant environmental effects under Minn. R. 4410.1700, subp. 7(B) and (C).

In addition, noise analyses reportedly conducted by the project's engineering consultant, WSB, are not included in the EAW or otherwise made available for public review. As stated in the EAW, the East Side Corridor project constitutes a federal undertaking. Federal highway projects are subject to the noise evaluation and mitigation requirements of 23 CFR Part 772 (FHWA Traffic Noise Regulations), which require identification of noise impacts and consideration of abatement measures prior to project approval.

The omission of noise analysis raises material questions regarding compliance with applicable federal requirements and conflicts with the County's assertion that federal noise guidelines and mitigation standards do not apply. These unresolved deficiencies prevent meaningful public participation and informed decision-making, contrary to the intent of Minn. R. 4410.0200 and 4410.1700.

Given the potential for significant adverse noise and health impacts, the presence of residential receptors in close proximity to the proposed roadway, and the inadequacy of the current EAW to address these issues, preparation of a full Environmental Impact Statement (EIS) is warranted pursuant to Minn. R. 4410.1700, subp. 7 to ensure a comprehensive and unbiased environmental review.

Sincerely,

M [REDACTED] S [REDACTED]
[REDACTED]
Owatonna



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Public comments and questions for the East Side Corridor project - EAW process 8

1 message

[REDACTED]
To: ronald.gaines@steelecountymn.gov
Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Wed, Dec 31, 2025 at 9:49 PM

Mr. Gaines (RGU),

Residents have identified multiple safety, noise, and land-use compatibility concerns related to the proximity of the proposed East Side Corridor (ESC) to existing homes, with some residences located as close as approximately 17 feet from the proposed roadway.

Residential structures constructed along the 29th Avenue alignment were not designed or built to accommodate a highway-scale roadway of the type proposed for the ESC. These homes were approved and constructed based on land-use assumptions consistent with a local roadway, not a county highway or principal arterial.

Noise mitigation strategies typically available during residential planning and construction—such as building setbacks, orientation, and structural attenuation measures identified in U.S. Department of Transportation Federal Highway Administration (FHWA) residential noise compatibility guidance—cannot be effectively implemented after homes are constructed. As a result, residents may be exposed to noise levels exceeding FHWA Noise Abatement Criteria for residential land uses.

Noise analyses reportedly conducted by the project's engineering consultant, WSB, indicate that projected noise levels exceed actionable thresholds; however, these analyses are not included in the Environmental Assessment Worksheet (EAW). Given that the EAW identifies the ESC as a federal undertaking, the omission of this information prevents full disclosure of noise and safety impacts and undermines meaningful public participation.

The close proximity of a highway-scale facility to existing residences, the inability to implement effective mitigation measures, and the absence of required noise analysis together indicate the potential for significant adverse environmental effects. Pursuant to Minnesota Rules part 4410.1700, subpart 7, the EAW is insufficient to support informed decision-making. Accordingly, preparation of a full Environmental Impact Statement (EIS) is warranted to ensure comprehensive evaluation of impacts, mitigation measures, and reasonable alternatives consistent with the intent of the Minnesota Environmental Policy Act (MEPA).

How does the county respond to these concerns?

Sincerely,

M [REDACTED] S [REDACTED]
[REDACTED]
Owatonna



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

East Side Corridor EAW - formal public comment

1 message

[REDACTED]
To: ronald.gaines@steelecountymn.gov
Bcc: owatonnaeastsidecorridor@gmail.com

Wed, Dec 31, 2025 at 10:24 PM

Ron,

I appreciate your attention to the Owatonna ESC EAW. I am submitting this email as a formal public comment on the Environmental Assessment Worksheet (EAW) for the East Side Corridor (ESC) project.

The project record demonstrates predetermination as defined under Minn. R. 4410.3100. Before the East Side Corridor project was publicly announced or subjected to environmental review, the County and its consultant had already taken multiple irreversible actions, including but not limited to: selecting WSB as the project consultant, estimating construction costs, designing intersections, mapping and naming a specific corridor (29th Avenue), and programming the project into multiple Capital Improvement Plans. County planning documents further describe the corridor location as having been “strategically chosen,” indicating that the alignment decision preceded environmental analysis.

Environmental review is intended to inform decision-making, not to justify decisions that have already been made. When a specific project location is effectively selected prior to completion of environmental review and before meaningful public participation occurs, the integrity of the environmental process is undermined.

Because the record shows that key decisions were made prior to environmental review, the EAW fails to provide an objective evaluation of reasonable alternatives as required under MEPA. This constitutes predetermination and necessitates preparation of an Environmental Impact Statement (EIS) to ensure full disclosure of impacts, genuine alternatives analysis, and meaningful public participation before any final decisions are made.

Sincerely,
C [REDACTED] W [REDACTED]
Owatonna ESC Resident



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Owatonna East Side Corridor The project record demonstrates predetermination as defined under Minn. R. 4410.3100.

1 message

[REDACTED] Wed, Dec 31, 2025 at 10:25 PM
To: Ronald.gaines@steelecountymn.gov, david.burbank@ci.owatonna.mn.us, EQB.monitor@state.mn.us, mayor@owatonna.gov

Before the East Side Corridor project was publicly announced or subjected to environmental review, the County and its consultant had already taken multiple irreversible actions, including but not limited to: selecting WSB as the project consultant, estimating construction costs, designing intersections, mapping and naming a specific corridor (29th Avenue), and programming the project into multiple Capital Improvement Plans. County planning documents further describe the corridor location as having been “strategically chosen,” indicating that the alignment decision preceded environmental analysis.

Environmental review is intended to inform decision-making, not to justify decisions that have already been made. When a specific project location is effectively selected prior to completion of environmental review and before meaningful public participation occurs, the integrity of the environmental process is undermined.

Because the record shows that key decisions were made prior to environmental review, the EAW fails to provide an objective evaluation of reasonable alternatives as required under MEPA. This constitutes predetermination and necessitates preparation of an Environmental Impact Statement (EIS) to ensure full disclosure of impacts, genuine alternatives analysis, and meaningful public participation before any final decisions are made.

Best Regards,

T [REDACTED] A [REDACTED] H [REDACTED]



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Public comments and questions for the East Side Corridor project - EAW process 10

1 message

[REDACTED]
To: ronald.gaines@steelecountymn.gov
Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Wed, Dec 31, 2025 at 10:49 PM

Mr. Gaines (RGU),

Request for Immediate Project Pause Due to Ongoing Data Access Violations and Noncompliance with MEPA Public Participation Standards

Meaningful public participation is a foundational requirement of the Minnesota Environmental Policy Act (MEPA). Under Minnesota Rules part 4410.0200, subpart 23, environmental review is intended to ensure that environmental effects are fully disclosed and considered before decisions are made and before irreversible commitments of resources occur. That purpose cannot be achieved where the public lacks access to critical project information.

At present, residents still do not have full access to public data related to the East Side Corridor (ESC) project that has been requested from Steele County. This ongoing lack of access materially impairs the public's ability to evaluate project impacts and to submit informed and substantive comments on the Environmental Assessment Worksheet (EAW).

On November 24th, 2025, a determination was issued against the County in a Minnesota Department of Administration Data Practices proceeding, finding multiple violations of Minnesota Statutes Chapter 13, including failures related to timely and appropriate access to public data. Despite this active data practices matter, the County proceeded to open the EAW public comment period on November 18th, while the hearing process was still unresolved.

Proceeding with environmental review under these circumstances conflicts with Minn. R. 4410.1700, which requires that environmental review be based on accurate, complete, and available information sufficient to determine the potential for significant environmental effects. When requested public data is unavailable due to unresolved statutory violations, the EAW process cannot reasonably be said to provide the public with a meaningful opportunity to participate or to inform decision-makers.

Further, Minn. R. 4410.0200 emphasizes that environmental review must be conducted in a manner that fosters transparency, public confidence, and informed governmental decision-making. Opening and conducting an EAW comment period while access to key project data remains unlawfully restricted undermines these objectives and compromises the procedural integrity of the review process.

Accordingly, an immediate pause in further advancement of the East Side Corridor project is warranted until:

- All outstanding public data requests related to the project are fully satisfied;
- Compliance with Minnesota Statutes Chapter 13 is restored and documented; and
- The public is afforded a meaningful opportunity to review and comment on a complete and accessible project record.

Absent these corrective actions, continuation of the EAW process is inconsistent with MEPA standards and risks rendering subsequent environmental determinations procedurally deficient

M [REDACTED] S [REDACTED]
[REDACTED]
Owatonna

Loss, Destruction, and Inaccessibility of Public Data Impairing Meaningful Participation
ESC EAW Comment #43

Date: December 31, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

Re: EAW Comment – Loss, Destruction, and Inaccessibility of Public Data Impairing Meaningful Participation

During the Environmental Assessment Worksheet (EAW) comment period for the East Side Corridor project, my ability to meaningfully review and comment on the proposed project was materially impaired due to the **loss, deletion, destruction, and subsequent corruption of public records while in the County's possession**.

On **December 9, 2025**, I inspected data provided by Steele County in response to my public data requests. During that inspection, I discovered that **more than 1,800 records that had previously existed and were known to be in the County's possession were no longer present**. These records had been available during a prior inspection of the same jump drive but were missing at the time of the December 9 inspection.

The County later claimed that the missing data had been “dropped back onto the drive.” However, even if files were reintroduced, **the integrity of the data was irreparably compromised**. File structures, metadata, organization, and usability were altered such that the records could no longer be reasonably reviewed within the EAW comment timeframe.

To attempt to access the data originally, I was forced to load the files into appropriate software. This process required **approximately four hours of technical processing**, followed by **an estimated 16-20 hours of review time** merely to render portions of the data usable. This level of effort was not feasible during the limited EAW comment period and should not be required of a member of the public seeking access to public data. Additionally, the county provided a device that doesn’t have the necessary software for review, making re-inspection of this data impossible.

In addition, **I explicitly requested a pause, extension, or restart of the EAW comment period on at least four separate occasions**, citing the County’s failure to provide complete and usable public data. These requests were made in good faith and were intended to allow meaningful participation once the necessary records were made available. **No response was provided to any of these requests**.

As a result, I proceeded to submit comments based only on the limited and incomplete data available to me at the time. This occurred after **more than fourteen months of repeated delays, denials, and impediments to accessing public data relevant to the project**. The inability to obtain timely and usable records substantially constrained the scope and depth of public review during the EAW process.

**Loss, Destruction, and Inaccessibility of Public Data Impairing Meaningful Participation
ESC EAW Comment #43**

Critically, the missing and corrupted records included materials directly relevant to the environmental review, alternatives analysis, and project decision-making. The absence and inaccessibility of this data prevented timely review and undermined my ability to submit fully informed comments during the EAW process.

MEPA requires meaningful public participation based on access to accurate and complete information. Where public data necessary to evaluate a project is deleted, destroyed, or rendered unusable while in government custody, the resulting environmental review **cannot be relied upon as complete, objective, or procedurally adequate.**

This comment is submitted to document that the EAW record was developed while key public data was unavailable or unusable due to County actions, and that this loss of data **materially impaired public participation** during the EAW comment period.

M [REDACTED] Z [REDACTED]
[REDACTED]

Owatonna, MN
Directly Impacted Resident

Professional Review Obligations During Staff Transition

EAW Comment #44

Date: December 31, 2025

Submitted to:

Ronald Gaines – Steele County Responsible Governmental Unit (RGU)

RE: Professional Review Obligations During Staff Transition

This comment is submitted to preserve the record regarding professional responsibility and continuity of environmental review during periods of staff transition. An Environmental Assessment Worksheet must be independently reviewed and verified by any professional who certifies or relies upon it.

Given the volume of identified inaccuracies, missing referenced documents, and procedural deficiencies already documented in the record, a change in signatory or the addition of a newly appointed engineer cannot cure those defects absent a full, independent review of the underlying analyses and public record. Reliance on prior certifications without adequate time for verification would be inconsistent with professional and regulatory obligations. The ESC needs a full independent EIS.

M [REDACTED] Z [REDACTED]

[REDACTED]
Directly Impacted Resident



Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Public comments and questions for the East Side Corridor project - EAW process 9

2 messages

[REDACTED]
To: ronald.gaines@steelecountymn.gov

Wed, Dec 31, 2025 at 10:15 PM

Cc: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>

Mr. Gaines (RGU),

Request for Preparation of an Environmental Impact Statement (EIS) Based on Project Scope Expansion and Escalating Costs

Review of Steele County's adopted and draft Highway Capital Improvement Plans (CIPs) demonstrates a sustained and substantial expansion in both the scope and cost of the East Side Corridor (ESC) project. These changes exceed routine refinement and indicate that the project being advanced is materially different from earlier iterations previously disclosed to the public.

Earlier CIP documents identify the ESC as a shorter facility with significantly lower projected costs, totaling approximately \$13.8 million.

Subsequent plans show repeated increases in project length, reclassification of the roadway to a Major Collector, expanded right-of-way and utility components, and sharply increased construction and engineering costs. The most recent draft CIP identifies total project costs exceeding \$29 million, more than doubling earlier estimates.

Intermediate adopted plans document steady upward revisions in total expenditures and funding assumptions, confirming a pattern of scope creep rather than isolated cost escalation .

2023-2027 Steele County Highway Capital Improvement Plan-Final 20221108.pdf None

2026-2030 Highway Capital Improvement Plan DRAFT 20250513.pdf None

Under Minnesota Rules part 4410.0200, subpart 23, the purpose of environmental review is to ensure that environmental effects are considered before irreversible commitments of resources are made. When a project evolves substantially in scale, function, or cost, continued reliance on a limited environmental review risks undermining this purpose.

Further, Minn. R. 4410.1700, subpart 7 requires preparation of an Environmental Impact Statement when there is potential for significant environmental effects, based on:

- The type, extent, and reversibility of environmental effects (subp. 7(A));
- The cumulative potential effects of related or phased actions (subp. 7(B)); and
- The extent to which environmental effects are subject to mitigation (subp. 7(C)).

The documented expansion of the ESC—reflected in increased length, higher functional classification, expanded footprint, and dramatically increased costs—reasonably implies increased traffic volumes, higher operating speeds, greater noise and safety impacts, and more substantial effects on adjacent residential neighborhoods. These changes materially affect the type and extent of potential environmental impacts and raise serious questions as to whether mitigation measures can adequately address those impacts within the constraints of the project corridor.

Additionally, Minn. R. 4410.1700, subpart 7, requires that decisions be based on accurate and complete project descriptions. The divergence between earlier project descriptions and current CIP-documented scope and cost indicates that the Environmental Assessment Worksheet (EAW) no longer reflects the full magnitude of the project being proposed.

Given the substantial escalation in project cost, expansion of scope, and corresponding increase in the potential for significant environmental effects, the current EAW is insufficient to support informed decision-making. Consistent with Minnesota Rules part 4410.1700, preparation of a full Environmental Impact Statement (EIS) is warranted to ensure comprehensive evaluation of environmental impacts, mitigation measures, and reasonable alternatives in accordance with the intent of the Minnesota Environmental Policy Act (MEPA).

M [REDACTED] S [REDACTED]
[REDACTED]

Thu, Jan 1, 2026 at 12:02 AM

To: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>, [REDACTED]

Last submission.

MS

----- Forwarded message -----

From: [REDACTED]

Date: Wed, Dec 31, 2025, 11:59 PM

Subject: Fwd: Public comments and questions for the East Side Corridor project - EAW process 9

To: <ronald.gaines@steelecountymn.gov>

Here are the attachments to support this comment. Thanks.

M [REDACTED] S [REDACTED]
2519 Stony Creek Dr
Owatonna
[Quoted text hidden]

5 attachments

-  [2024-2028 Highway Capital Improvement Plan FINAL 20231128.pdf](#)
1066K
-  [2026-2030 Highway Capital Improvement Plan DRAFT 20250513.pdf](#)
1075K
-  [Final 2022-2026 Steele County Highway Capital Improvement Plan.pdf](#)
331K
-  [2023-2027 Steele County Highway Capital Improvement Plan-Final 20221108.pdf](#)
1059K
-  [2025-2029 Highway Capital Improvement Plan FINAL 20240924.pdf](#)
537K

Construction Year: 2024

East Side Corridor (29th Ave)

City of Owatonna & Owatonna Township

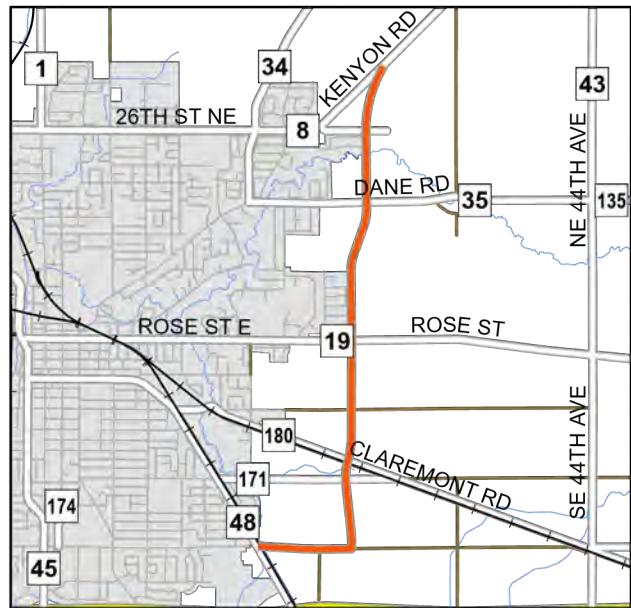
Project Number	Project Type
CP 074-021-006	Expansion

Functional Classification
NA

Pavement Condition Index	ADT Existing	Legal Load Limit	Length
NA	NA	NA	4.21

Project Description

Constructs a north-south route on the east side of the City of Owatonna from near the US 218/18th Street SE intersection to CSAH 34 (26th Street NW). The project could be built in stages over a couple of years.



Project Justification

Traffic has no direct route to traveling between the northeast part and the southeast part of Owatonna. All existing highways and streets direct traffic towards the downtown area adding unnecessary traffic in the downtown area and increasing travel times. In 1999, Steele County and the City of Owatonna recorded an Official Map of a future north-south road from 26th Street to US 14, calling it the East Side Corridor. In 2005, the County recorded an Official Map of the Owatonna Beltline, consisting in part of CSAH 43 to the east. While CSAH 43 will have connections to US 14 and will provide a north-south connection for future growth, it does not provide benefits for current needs of traffic on the east side of the City, especially with the relocation of the high school near the intersection of CSAH 48 and 18th Street NW.

Funding Source	Prev. Years	2022	2023	2024	2025	2026	Fut. Years	Total
Bridge Funding - Fund 29						500,000		500,000
Federal Funds		200,000		2,000,000	2,000,000			4,200,000
Other Local				500,000	500,000	750,000		1,750,000
Sales Tax Revenue			1,350,000		300,000			1,650,000
State Aid				1,500,000	1,500,000	2,250,000		5,250,000
Total		200,000	1,350,000	4,000,000	4,300,000	3,500,000		\$13,350,000

Expenditure Type	Prev. Years	2022	2023	2024	2025	2026	Fut. Years	Total
Construction				4,000,000	4,000,000	3,500,000		11,500,000
Design Engineering			600,000		300,000			900,000
Preliminary Engineering		200,000						200,000
Right of Way			650,000					650,000
Utility			100,000					100,000
Total		200,000	1,350,000	4,000,000	4,300,000	3,500,000		\$13,350,000

Construction Year: 2025

East Side Corridor

City of Owatonna & Owatonna Township

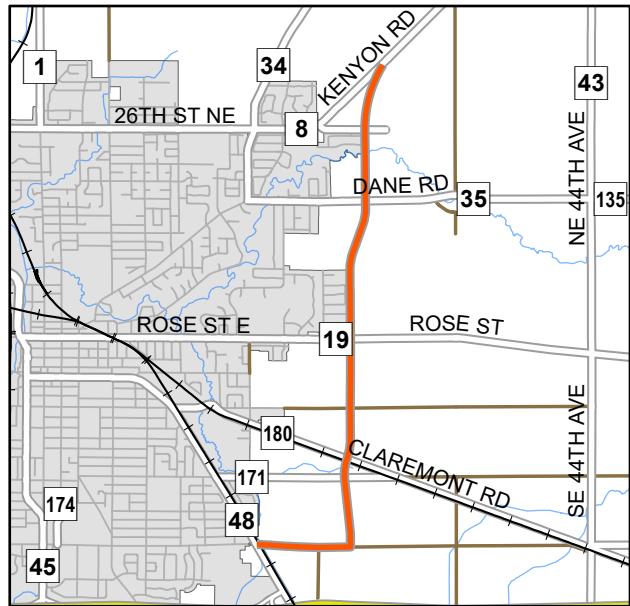
Project Number	Project Type
CP 074-021-006	Expansion

Functional Classification
NA

Pavement Condition Index	ADT Existing	Legal Load Limit	Length
NA	NA	NA	4.21

Project Description

Constructs a north-south route on the east side of the City of Owatonna from near the US 218/18th Street SE intersection to CSAH 34 (26th Street NE). A Feasibility Study is in progress during 2022. Depending on the final report, construction could be divided in stages from 2025 to 2027.



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Funding Source	Prev. Years	2023	2024	2025	2026	2027	Fut. Years	Total
Federal Funds	287,000			2,000,000	2,000,000			4,287,000
Other Local		150,000	275,000	1,000,000	450,000	875,000		2,750,000
State Aid				1,500,000	800,000	2,000,000		4,300,000
Sales Tax Revenue		450,000	825,000		550,000	625,000		2,450,000
Total	287,000	600,000	1,100,000	4,500,000	3,800,000	3,500,000		\$13,787,000
Expenditure Type	Prev. Years	2023	2024	2025	2026	2027	Fut. Years	Total
Construction				4,500,000	3,500,000	3,500,000		11,500,000
Design Engineering		600,000			300,000			900,000
Preliminary Engineering	287,000							287,000
Right of Way		1,000,000						1,000,000
Utility		100,000						100,000
Total	287,000	600,000	1,100,000	4,500,000	3,800,000	3,500,000		\$13,787,000

Construction Year: 2026

East Side Corridor

City of Owatonna & Owatonna Township

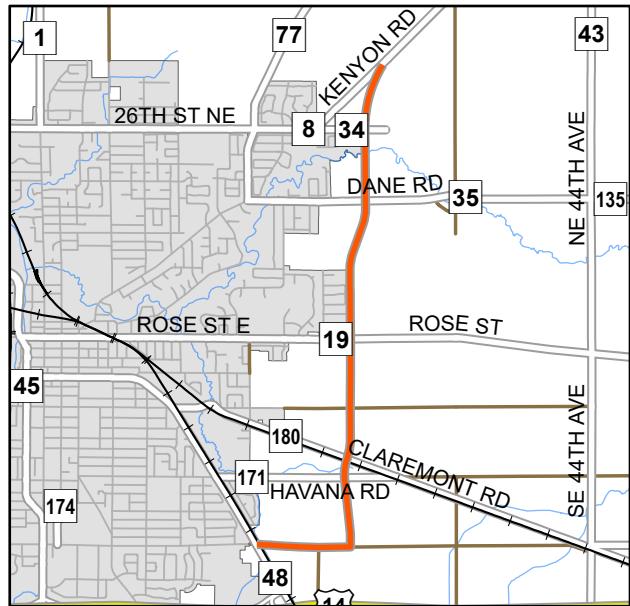
Project Number	Project Type
CP 074-021-006	Expansion

Functional Classification
NA

Pavement Condition Index	ADT Existing	Legal Load Limit	Length
NA	NA	NA	4.21

Project Description

Constructs a north-south route on the east side of the City of Owatonna from near the US 218/18th Street SE intersection to CSAH 34 (26th Street NE). A Feasibility Study and Environmental Report is in progress. Depending on the final report, construction could be divided in stages. A multi-use trail will also be constructed along side the route.



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Funding Source	Prev. Years	2024	2025	2026	2027	2028	Fut. Years	Total
Federal Funds	287,000			4,000,000				4,287,000
Other Local		30,000	105,000	410,000	315,000			860,000
Sales Tax Revenue	20,000	570,000	1,995,000	3,400,000	3,585,000			9,570,000
State Aid				1,390,000	3,400,000			4,790,000
Total	307,000	600,000	2,100,000	9,200,000	7,300,000			19,507,000
Expenditure Type	Prev. Years	2024	2025	2026	2027	2028	Fut. Years	Total
Construction				9,200,000	7,300,000			16,500,000
Design Engineering		600,000	300,000					900,000
Preliminary Engineering	307,000							307,000
Right of Way			1,500,000					1,500,000
Utility			300,000					300,000
Total	307,000	600,000	2,100,000	9,200,000	7,300,000			19,507,000

Construction Year: 2026

East Side Corridor

City of Owatonna & Owatonna Township

Project Number Project Type

074-070-010 & 074-021-006	Expansion
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Functional Classification

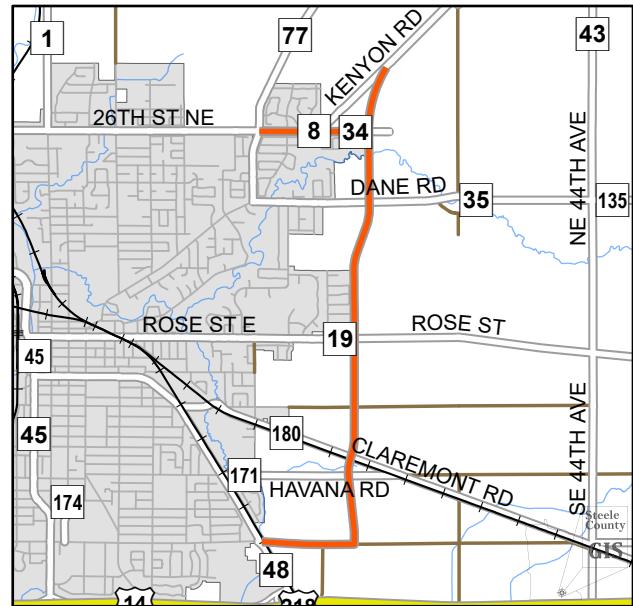
Major Collector

Pavement Condition Index ADT Existing Legal Load Limit Length

NA	NA	NA	5.01
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Project Description

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Funding Source	Prev. Years	2025	2026	2027	2028	2029	Fut. Years	Total
Federal Funds	223,984		4,000,000					4,223,984
Fund Balance		200,000						200,000
Other Local		140,000	450,000	350,000				940,000
Sales Tax Revenue	20,000	3,160,000	3,400,000	5,250,000				11,830,000
State Aid			3,150,000	3,400,000				6,550,000
Total	243,984	3,500,000	11,000,000	9,000,000				23,743,984
Expenditure Type	Prev. Years	2025	2026	2027	2028	2029	Fut. Years	Total
Design Engineering		1,500,000						1,500,000
Preliminary Engineering	243,984	200,000						443,984
Right of Way		1,500,000						1,500,000
Utility		300,000						300,000
Construction			11,000,000	9,000,000				20,000,000
Total	243,984	3,500,000	11,000,000	9,000,000				23,743,984

Construction Year: 2027

East Side Corridor

City of Owatonna & Owatonna Township

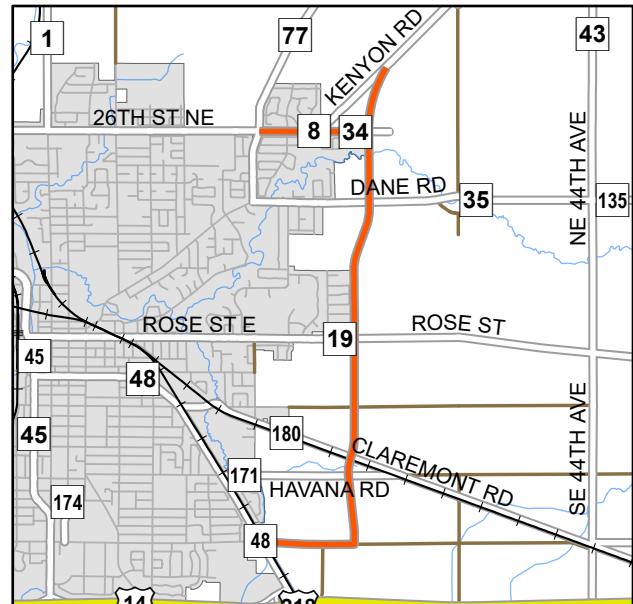
Project Number	Project Type
074-070-010 & 074-021-006	Expansion

Functional Classification

Pavement Condition Index	ADT Existing	Legal Load Limit	Length
NA	NA	NA	5.01

Project Description

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Funding Source	Prev. Years	2026	2027	2028	2029	2030	Fut. Years	Total
Federal Funds	223,984							223,984
Fund Balance	640,000							640,000
Other Local		140,000	500,000	400,000				1,040,000
Sales Tax Revenue	20,000	3,160,000	9,000,000	1,200,000				13,380,000
State Aid			5,500,000	8,400,000				13,900,000
Total	883,984	3,300,000	15,000,000	10,000,000				29,183,984

Expenditure Type	Prev. Years	2026	2027	2028	2029	2030	Fut. Years	Total
Construction			15,000,000	10,000,000				25,000,000
Design Engineering		1,500,000						1,500,000
Preliminary Engineering	883,984							883,984
Right of Way		1,500,000						1,500,000
Utility		300,000						300,000
Total	883,984	3,300,000	15,000,000	10,000,000				29,183,984