

Reliance on a Functionally Abandoned Mapped Corridor Renders the EAW Incomplete and Misleading

This comment addresses the Responsible Governmental Unit's reliance on a decades-old mapped corridor to justify the East Side Corridor project. The County's and City's own actions over more than two decades demonstrate that this corridor was not preserved and has been functionally abandoned. Continued reliance on it establishes a false environmental baseline and materially undermines the adequacy of the Environmental Assessment Worksheet (EAW).

1. A Mapped Corridor Is Not a Preserved Right-of-Way

The EAW repeatedly relies on the existence of a mapped corridor dated February 10, 2000 as justification for alignment selection, proximity to residences, and dismissal of avoidance alternatives. However, mapping alone does not preserve a right-of-way. Preservation requires affirmative actions such as acquisition, reservation through plat restrictions, zoning controls, or consistent enforcement through permitting decisions. Here, the corridor was mapped without acquisition of right-of-way and without implementation of land use controls. Treating a mapped planning line as an enduring entitlement misrepresents existing conditions and overstates the legitimacy of placing a high-capacity roadway immediately adjacent to established homes.

2. County and City Actions Demonstrate Functional Abandonment

The public record demonstrates a long-standing pattern of governmental actions incompatible with corridor preservation:

- **1995-1999 planning documents** acknowledged that any future roadway should avoid existing and future homes by approximately **800 feet**, reflecting early recognition of residential protection as a planning constraint, recommend avoiding new crossings at maple creek, and minimize potential impacts.
- In **2000**, the corridor was mapped without acquisition of right-of-way or adoption of enforceable land-use protections.
- In **February 2004**, the City and County entered into a Joint Powers Agreement that included mechanisms intended to preserve future roadway interests, including a right of first refusal and a six-month contention window.
- In **August 2004**, the City and County completed the U.S. Highway 14 Beltline Study, which identified 44th Avenue East—not the mapped east-side corridor—as the preferred East Beltline alignment. That study relegated 34th Avenue East to an internal or collector function and did not advance the mapped east-side corridor as the beltline.

- **Following that study, 44th Avenue East was physically connected to Highway 14,** reinforcing its role as the operative beltline, while the mapped east-side corridor was neither preserved nor advanced.
- These actions confirm that, by 2004, the mapped east-side corridor was no longer treated by the City or County as the functional beltline alignment, further supporting its abandonment as an operative transportation corridor.
- **6 months after the Joint Powers Agreement was signed,** the first residential home was permitted and constructed within the mapped corridor, without contention or exercise of preservation rights.
- Over the following 20 years, additional homes were permitted and built on **50 feet of the mapped corridor** in the North Country subdivision and approval of subdivisions constructed entirely over the mapped alignment were approved.
- No right-of-way acquisition occurred during subdivision approvals, platting actions, or building permit issuance over the ensuing **26 years**.
- On **February 5, 2005** an official corridor map for **34th Avenue East** and 44th Avenue East were prepared and filed with the county in 2009.

In August 2013, the City affirmatively abandoned the east beltline concept through formal action.

At the August 5, 2013 City Council meeting, the then City Engineer stated on the record that approximately five miles of Municipal State Aid (MSA) mileage had been **reserved for a future east beltline**, including a **non-existent segment** that the City **did not expect to ever connect or construct in the foreseeable future**. Staff recommended reassigning that reserved MSA mileage, explaining that the designation could be moved without penalty and that reallocating it would increase state aid revenue. The City Council approved this recommendation by unanimous vote (Agenda Item 3.4.4, Resolution 72-13).

This action constitutes an affirmative municipal decision to relinquish any remaining functional commitment to the east beltline concept. Regardless of alignment, the City treated the corridor as speculative and disposable rather than preserved or operative. This contemporaneous record confirms that, by 2013, the east beltline was no longer regarded as a viable or protected transportation corridor. (Watch the decision here: <https://youtu.be/LzxSVqFOAiw>)

These actions are not passive oversights. They are affirmative land-use decisions fundamentally inconsistent with corridor preservation and demonstrate functional abandonment, regardless of whether formal legal abandonment procedures were pursued.

Steele County and the City or Owatonna did not merely fail to preserve the right-of-way; they took affirmative steps to abandon the corridor by authorizing development within the mapped alignment and later relinquishing remaining corridor capacity.

3. Mechanisms to Preserve a Corridor and Actions Taken (or Not Taken)

The public record demonstrates that although a planning map was recorded in 2000, the City and County repeatedly declined to use available legal mechanisms to preserve a corridor or right-of-way. Instead, they took affirmative actions incompatible with preservation.

A. The recorded corridor map was not carried forward or indexed to successor parcels

The Official Mapped Corridor recorded in 2000 was indexed only to generalized land descriptions (quarter-quarter sections) and **was not indexed to parcel identification numbers created through subsequent subdivision approvals**. County Recorder staff confirmed on December 26, 2025 that the document does not appear in parcel-based searches and locating it would require searching historical tract descriptions predating subdivision.

As a result, the corridor map does not appear in deeds, plats, or parcel records affecting current residential properties and would not be discoverable through reasonable diligence by homeowners, purchasers, or lenders. No mechanism existed requiring disclosure of the corridor upon sale or transfer of property. A planning document that is not carried forward to successor parcels and does not surface in parcel-based searches cannot reasonably be treated as a preserved or existing condition.

Accordingly, the County's statement on the public project website — "Shows the corridor on title record of affected property" — is factually inaccurate and has fueled public misinformation, which has unfairly shifted blame onto residents for impacts they had no reasonable way to anticipate.

B. Subdivision plats did not reserve outlots or parcels for roadway purposes

The recorded plats for the North Country subdivisions depict designated outlots; however, **none of the outlots or portions of resident-owned parcels were reserved or dedicated as streets, rights-of-way, or transportation easements**. The plats expressly dedicate only the streets and utility easements shown on the plat to the City for public use. No corridor, roadway reservation, or transportation easement is identified or described.

C. Outlots were treated as residential land, not transportation infrastructure

The outlots were assessed and taxed as residential vacant land through at least 2019. From 2005 through 2012, the outlots carried substantial assessed land values (approximately \$15,000–\$33,000 per outlot), consistent with buildable residential land rather than preserved right-of-way. In 2015, the outlots were allowed to enter foreclosure and remained so until approximately 2018, when the lender approached the City regarding transfer due to stormwater pond maintenance obligations. At no point were the outlots treated, taxed, or managed as transportation corridor land,

and the County and City failed to take action to preserve the land.

D. Subdivision approvals following mapping confirm non-preservation

The corridor was mapped in 2000. The first North Country subdivision addition was approved on May 6, 2003. A Joint Powers Agreement intended to preserve future corridor interests was signed on March 9, 2004. **Just one week later**, on March 16, 2004, the City approved North Country Addition No. 2 without purchasing the outlot, contesting the development, exercising any right of first refusal, or preserving a transportation easement—despite the corridor area remaining undeveloped at that time. Similar approvals occurred with North Country Addition No. 3 on September 25, 2005, again without any preservation action.

Similarly, the Shady Hills subdivision was annexed, approved, and platted around the same period, with city lots occupying the entirety of the mapped corridor area.

These were affirmative land-use decisions inconsistent with corridor preservation and demonstrate functional abandonment regardless of whether formal legal abandonment procedures were pursued.

E. Formal relinquishment of corridor designation in 2013

On August 5, 2013, the City formally approved removal of Municipal State Aid (MSA) mileage reservations associated with the East Side Beltline, stating on the record that the City did not see the project ever occurring, or at least not in the foreseeable future. This action was unanimously approved and memorialized in Resolution 72-13, further confirming abandonment of any intent to preserve the corridor.

Although a planning map was recorded in 2000, it did not create a right-of-way, did not establish easements, and was not carried forward to successor parcels created through subdivision. The City and County repeatedly approved development, issued permits, assessed and taxed land as residential, allowed foreclosure of outlots, and ultimately removed MSA reservations—each an affirmative action incompatible with corridor preservation.

Reliance on a corridor that exists only in historical tract indexing, is undiscoverable through parcel-based searches, and was never preserved through enforceable land-use mechanisms establishes a false environmental baseline. Environmental review must evaluate whether the corridor remains valid at all, rather than assume its continued existence despite decades of contrary governmental action.

4. Absence of Preservation Action or Legal Designation

A 2004 resolution was referenced as supporting evidence for this project, however, public data responses indicate that no City Council resolution or formal action exists preserving

the outlots or corridor for roadway purposes. Recorded deeds for affected parcels contain **no transportation reservation or right-of-way designation**, and assessor records classify affected land as residential or vacant rather than transportation infrastructure.

This absence of formal preservation action reinforces the conclusion that the corridor was not treated as a viable or protected roadway location.

5. Passage of Time and Reliance

As of the close of this comment period, approximately **26 years** have elapsed since the corridor was first mapped. During this period, residents relied on governmental approvals to finance, construct, and occupy homes in close proximity to — and in some cases within — the mapped alignment.

The EAW's framing improperly shifts responsibility to residents for building "near a planned corridor," when the City and County themselves authorized development inconsistent with any preserved transportation purpose. This mischaracterization affects the disclosure and evaluation of noise, safety, quality-of-life impacts, and the feasibility of avoidance alternatives. The EAW does not address the current land use in this regard.

6. False Baseline and Predetermination

By treating the mapped eastside corridor as an established and preserved alignment, the EAW relies on a false baseline condition. This assumption improperly constrains the alternatives analysis, discounts avoidance options that would restore residential separation consistent with earlier planning intent, and contributes to predetermination by treating the corridor as a given rather than a choice requiring environmental justification. The 2000 official map was not tied to individual parcel IDs, was not carried forward through subsequent subdivision plats, and was not re-recorded against successor parcels. As a result, recorded deeds and parcel-level title records contain no transportation reservation or right-of-way designation, consistent with decades of subdivision approvals and residential construction within the mapped alignment.

Environmental review must evaluate whether the corridor remains valid at all — not assume its continued existence despite decades of contrary governmental action.

7. Required Disclosure and Corrective Analysis

To comply with MEPA, the RGU must:

- Disclose whether it contends the mapped corridor constitutes a preserved right-of-way;

- Identify the legal basis for that contention, if any;
- Explain how decades of residential development and plat approvals were authorized if preservation was intended; and
- Reevaluate environmental impacts, alternatives, and avoidance measures without reliance on an unsupported assumption that the corridor remained valid.

Absent this disclosure and reevaluation, the EAW is incomplete, misleading, and inadequate to support informed decision-making.

8. Conclusion

The County and City's reliance on a corridor it failed to preserve — and actively allowed to be built over — undermines the credibility of the environmental review. The EAW cannot lawfully proceed on the premise that a corridor exists where governmental actions demonstrate functional abandonment. This deficiency alone warrants corrective analysis and further environmental review, including preparation of an Environmental Impact Statement (EIS).

Attached Exhibits

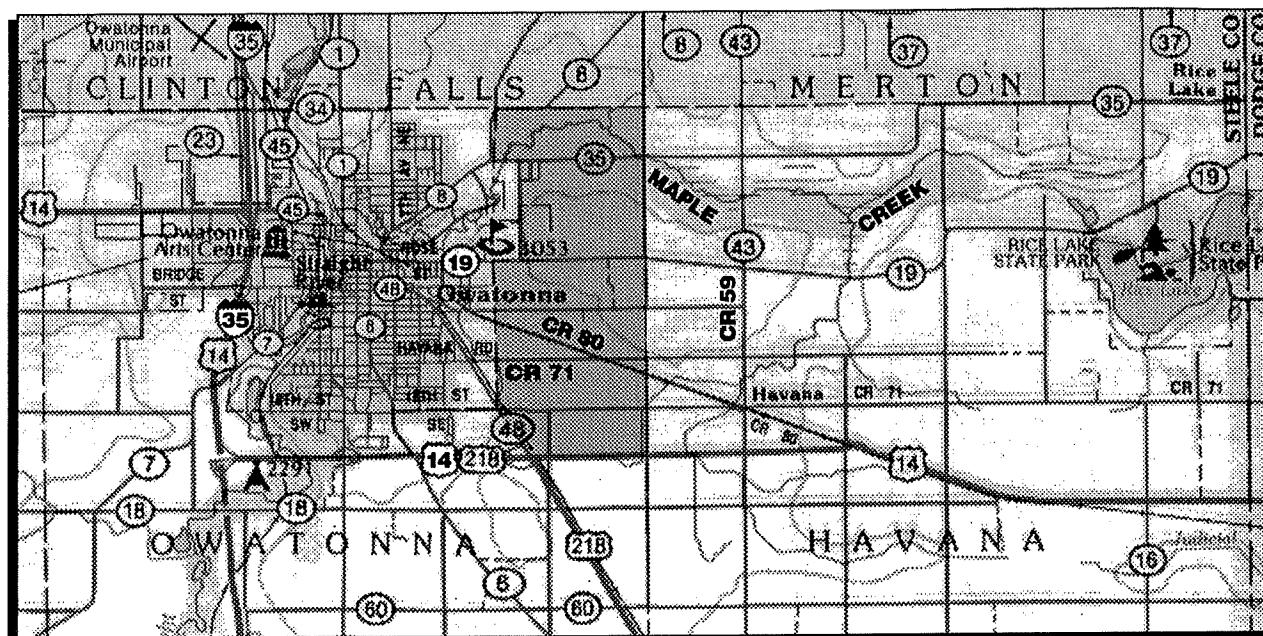
- **Exhibit A** — Owatonna East Side Corridor Environmental Report (1995)
- **Exhibit B** — East Side Corridor Environmental Assessment Worksheet (1999)
- **Exhibit C** — Official Corridor Mapping (2000)
- **Exhibit D** — Joint Powers Agreement (February 2004)
- **Exhibit E** — U.S. Highway 14 Beltline Study (2004)
- **Exhibit F** — Official Beltline Maps and Corridor Studies (2009–2011)
- **Exhibit G** — North Country and Shady Hills Subdivision Plats and Parcel Maps
- **Exhibit H** — First Home Built on Mapped ROW (9/2004)
- **Exhibit I** — Representative Recorded Deeds (No Transportation or ROW Reservation)
- **Exhibit J** — Assessor Land Use Classification Records (Residential / Vacant)
- **Exhibit K** — City Public Data Response (No Resolution Preserving Corridor or Outlots)

Owatonna East Side Corridor Residents

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Owatonna East Side Corridor Environmental Report

March 1995



Prepared for:
City of Owatonna and Steele County

Prepared by:
Short Elliott Hendrickson Inc.

DRAFT

SHORT ELLIOTT HENDRICKSON INC.



MULTIDISCIPLINED.
SINGLE SOURCE.

The preferred alternative will ultimately be added to the County State Aid Highway (CSAH) roadway system.

D. Facility Type

The proposed east side corridor will combine urban and rural design sections within a right-of-way up to 150 feet. Access will be restricted to existing east-west routes including C.R. 8, 35, 19, 80, and 71. Bridging will be required for all alternatives crossing Maple Creek. Railroads will be intersected at-grade.

the other hand, tourist and recreational travelers are more interested in the cultural setting and natural attributes of the project area.

Step 5: Summary of Visual Impacts by Alternative

No-build Alternative

Neighbors

Residential neighbors, farm families, and ,to a certain degree commercial neighbors, will not be affected by the NO-BUILD Alternative in terms of visual impacts. Current conditions would continue.

Travelers

Traffic patterns would continue as a "spoke" into the central portion of Owatonna. Local E-W roadways would continue to function as they do today.

Build Alternatives

In relation to all the BUILD alternatives, the following comments can be made:

Neighbors

The viewer group most directly affected would be residential neighbors, scattered farmstead families, and local recreation users. These neighbors are closely associated with the east side of Owatonna and adjoining Township (Owatonna Township, Havanna Township) and County areas. The "viewshed" area is largely characterized by open farmed areas and smaller mixed forest and wetland sites (i.e. along Maple Creek).

Roadway development will impact these neighbors by incorporated a transportation facility through the area. Proper design and environmental sensitivity is necessary to avoid extensive adverse impacts.

Travelers

The new N-S roadway would create an added visual perspective by changing the current physical environment. The commuting traveler would experience a change from travel into Owatonna, to travel as a connecting link to the traffic pattern north and south of the Owatonna community. Proper design and environmental sensitivity is important to the traveler. Ease of the commuting and important local roadway links are beneficial.

Step 6: Mitigation and Enhancement of Visual Impacts

Mitigation is the use of techniques which would avoid, minimize, or compensate for the adverse impacts which would be caused by the BUILD alternative. Enhancement also defines and advances the opportunities for beneficial visual impacts.

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.

Alternative D - This alternative requires 3 out of 4.5 miles of new alignment. At 54 acres, this removes \$324 - \$702 from the tax base. Four properties are triangulated by this alternative.

Right-of-Way/Relocation Existing Conditions

Right-of-Way requirements will be 150-foot corridors for each alternative. Alternative A1 follows existing roadway for which the county owns 75 feet of right-of-way. Alternative D follows 2400 feet of existing roadway at the north end of the alternative and 5400 feet at the south end. Both existing roads are part of the county road system.

Impacts

No-Build Alternative - No land will be taken for this alternative.

Build Alternatives - The right-of-way impacts will all be on privately owned land. As discussed earlier, all alternatives run through farmland properties. The estimated right-of-way requirements for each build alternative are summarized in the table below.

Alternative A1, which is only 4/5 of a mile long and on existing alignment, requires 7.5 acres. This alternative would replace the north 1 mile of Alternative 1 (18.2 acres) thereby reducing the overall right-of-way requirements of Alternative 1 by 10.7 acres.

No relocations are expected, as all alignments bypass farmsteads located on quarter, half, and section lines.

D. Natural Environment

Air Quality

No-Build Alternative - Since the No-Build alternative is expected to result in congestion and delay in the central portions of the City, it will result in a negative impact on the air quality in the same areas where congestion and delay occur. These areas are primarily expected to occur along Mineral Springs Road west of St. Paul Road and Rose Street west of Grove Avenue.

Build Alternatives - Some relatively minor, temporary air quality impacts are anticipated resulting from the construction of any of the alternatives. The impacts would be due to emissions from the construction machinery. The construction equipment emissions will be minimal from the standpoint of carbon monoxide since the majority of the equipment is diesel powered.

Each of the Build alternatives will have minor long term impacts to nearby developments. Provided the roadway is build to avoid peak

hour congestion, no significant air quality changes are anticipated. Alternative A will have minor air quality impacts on the adjacent development along Greenhaven Lane. Both alternatives A and C will have minor impacts to the adjacent residential development just south of Maple Creek. All of the Build alternatives will have minor air quality impacts to the new development which occurs near the by-pass and to existing farmsteads near the by-pass routes.

Noise

No Build Alternative - Since the No Build Alternative results in significantly higher traffic growth on existing City streets than the Build Alternatives, it can be expected to have the most significant noise impact on existing City neighborhoods and for the downtown area.

Build Alternatives - The construction of any of the Build alternatives is anticipated to temporarily generate noise not typical in the area, with the exception of the operation some farm equipment. Most construction activities such as grading and truck hauling will be of a fairly short duration. The noisiest construction activities can be mitigated by restricting the hours of equipment operation and by ensuring that all equipment is properly muffled.

There will also be on-going noise from traffic on any of the Build alternatives. Alternative A will have the most significant noise impact, since it is 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 expected to carry significantly lower traffic volumes. Therefore, they will have less noise impact on nearby farmsteads and development, but will result in more traffic noise in the existing neighborhoods and downtown.

Biological - Fisheries

Existing Conditions

Fisheries data has been provided by the Minnesota Department of Natural Resources (MDNR) Lake City Office.

Maple Creek is a MDNR-protected stream. It is the only habitat for fisheries in the project study area. Maple Creek is a 16-mile long stream flowing east to the Straight River. It is classified as a Class III warmwater stream. The headwaters start about 5-7 miles east of the project area, on the north side of Steele County 19 and Rice Lake.

Table 4
Estimated Wetland Impacts By Area (acres)

Wetlands			Impacts by Alternative				
Wetland #	Type*	Size	A	A2	B	C	D
0	PEMA	0.83		0.13			
1	PFO1C	Maple Creek	0.80				
2	PFO1C	Maple Creek				1.27	
3	PFO1C	Maple Creek			0.61		
4	PFO1C	Maple Creek					0.51
5	PEMC	1.99					
6	PEMC	6.32					
7	PUBFh x	1.42					
8	PEMB	2.39					
9	PEMB	3.19					
10	PEMB	2.96					
11	PEMC	8.20				1.02	
12	PEMC	9.22			0.95		
13	PEMC	5.58					
14	PEMB	2.90	0.07				
Total Impacts			0.87	0.13	1.56	2.29	0.51

* See Table 3 for definitions

potential for site location here is high. No one can predict the number of sites that might be located here, nor the size and significance of any given site.

There were two specific areas that were observed that will require particular attention at the time of the reconnaissance survey. The first is on the south end of Alternative A where it intersects with T.H. 218. There is a relatively confined area characterized by a rise which is unique in comparison to the surrounding rolling topography. The rise is covered in evergreen trees and it is unknown at this time if it has been disturbed by road construction or not. There may be evidence of burials here or there may be remnants of a farmstead which was dismantled at the time of road construction. In any case, this area will have to be carefully checked.

The second area of interest is also on Alternative A at the intersection of 18th Street. There is a farmstead on the southwest corner of that intersection. North of the buildings (toward 18th Street) is a wooded area, the topography of which is somewhat different than the surrounding area. This topographic variation is visible in the northeast quarter of Section 23 on the U.S.G.S. Topographic Map (Owatonna Quadrangle, 7.5 Minute Series, 1962). It is unknown whether or not this area has been disturbed, but it should be carefully checked for archaeological sites. There is also the possibility that burials may be found at this location.

The southern two-thirds of the proposed corridors are characterized by reasonably flat agricultural fields with intermittent farmsteads consisting in most cases of a house, barn, silo and several out buildings. Because the project maps that were supplied to Impact Services at the time of the cursory field observation did not specify whether or not any given farmstead would be impacted by construction or whether construction activity would circumvent the buildings, it was impossible to make any specific recommendations concerning the historic importance of any given property. Our assumption here is that construction plans will make every attempt to avoid farmstead buildings, where ever possible. Those properties that will indeed be impacted should be evaluated in order to determine if any aspect is of historic value.

RECOMMENDATIONS

1. There are no known archaeological sites recorded that will be impacted by construction of any of the four alternative routes. The southern two-thirds of each of the routes is topographically homogeneous and the likelihood of finding previously unknown archaeological sites here is the same for each route. Thus, the elimination of any given alternative route cannot be made on that basis of known archaeological concerns.
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.

3. The historic properties that are listed on the National Register of Historic Places are all located within the city limits of Owatonna and are well outside the area of impact by the four alternative routes. Thus, significant historic properties cannot be used as a basis for elimination of one route over another.

4. All historic properties (house, barn, silo or out-buildings) that will be impacted by road construction will have to be examined in order to determine their significance. Thus, the proposed route should avoid as many buildings as possible, thus, minimizing the extent of historic evaluation that would be necessary.

5. It is obvious that if the proposed route could use existing roads (areas where impact has already taken place from road construction), the possibility of impacting unknown archaeological sites would be minimal, thus, reducing the extent of archaeological evaluation that would be necessary.

6. Outside of the vicinity of Maple Creek, there are two areas outlined above that may contain archaeological/historical resources. The first is at the intersection of T.H. 218 and Alternative A and the second is at the intersection of 18th Street and Alternative A. Cursory inspection noted the unique characteristics of these two areas in comparison to the surrounding topography in addition to the possibility that neither area has been disturbed. They both should be avoided by construction activities if at all possible.

Owatonna East Side Corridor

Environmental Assessment Worksheet

Prepared for

**City of Owatonna, Minnesota
and
Steele County, Minnesota**

March 8, 1999

The project is a 3.75 mile arterial roadway being the east segment of a "beltline" around the City of Owatonna. This east side corridor is linear in a north-south direction and intersects existing east-west arterials. The purpose of the corridor is to accommodate traffic from existing and anticipated future development on the northeast side of Owatonna.

7. Project Magnitude Data

Total Project Area (acres) _____ or Length (miles) 3.75

Number of Residential Units

Unattached N/A

Attached

N/A

Commercial/Industrial/Institutional/ Building Area (gross floor space)

Total N/A square feet;

Indicate area of specific uses:

Office N/A

Manufacturing N/A

Retail N/A

Other Industrial N/A

Warehouse N/A

Institutional N/A

Light Industrial N/A

Agricultural N/A

Other Commercial (specify) N/A

Building Height(s) N/A

8. Permits and Approvals Required - List all known local, state, and federal permits, approvals, and funding required:

Unit of Government	Type of Application	Status
Federal Highway Administration	Federal Assessment	To be Submitted
Federal Highway Administration	Design Approval	To be Submitted
U.S. Army Corps of Engineers	Section 404 Permit	To be Submitted
Minnesota Department of Natural Resources	Protected Waters Permit	To be Submitted
Minnesota Pollution Control Agency	Section 404 Water Quality Certification	To be Submitted
Minnesota Pollution Control Agency	NPDES Permit	To be Submitted
State Historic Preservation Office	Historical/Archaeological Clearance	To be Submitted
Steele County Soil & Water Conservation Dist.	Wetlands Conservation Act Permit	To be Submitted

9. Land Use - Describe current and recent past land use and development on the site and on adjacent lands. Discuss the compatibility of the project with adjacent and nearby land uses; indicate whether any potential conflicts involve environmental matters. Identify any potential environmental hazard due to past land uses, such as soil contamination or abandoned storage tanks.

The existing land use is residential and farmland. The proposed route triangulates three farm fields and there are four farm splits. The triangulation is proposed to avoid wetlands, allow a perpendicular intersection with an existing roadway and railroad and to create a separation to an existing residential development.

The presence of an east side bypass will allow future residential growth to be oriented to both the east/west roadways and the new north/south roadway through the use of residential collector streets. In this way, the presence of the bypass will decrease the dependence on future residential collector streets as north/south connections to the existing arterials in the study area.

10. Cover Types - Estimate the acreage of the site with each of the following cover types before and after development (before and after totals should be equal):

to existing City streets.

23. Vehicle-related Air Emissions - Provide an estimate of the effect on the project's traffic generation on air quality, including carbon monoxide levels. Discuss the effect of traffic improvements or other mitigation measures on air quality impact. (If the project involves 500 or more parking spaces, consult "EAW Guidelines" about whether a detailed air quality analysis is needed).

Since the "No Build" alternative is expected to result in congestion and delay in the central portion of the City, it will result in a negative impact on the air quality in the same areas where congestion and delay occur. These areas are primarily expected to occur along Mineral Springs Road west of St. Paul Road and Rose Street west of Grove Avenue.

The future CO concentrations are not expected to approach the state air quality standards of 3.0 parts per million (1-hour) or 9.0 parts per million (8-hour) for the proposed corridor. Based on the development patterns expected in the area, which will not be dense, the projected traffic volumes on the new corridor are not expected to experience significant delay or congestion. In fact, the south portion of the study area is expected to remain very rural. Traffic volumes in the range projected on the roadway are not as high as those which sometimes result in air quality standards being exceeded. The elevation and topography also contribute to whether or not CO builds up over time versus dissipating. The corridor does not have any significant low areas or topography which would result in "hot spots".

24. Stationary Source Air Emissions - Will the project involve any stationary sources of air emissions (such as boilers or exhaust stacks)? Yes No

If yes, describe the sources, quantities, and composition of the emissions; the proposed air pollution control devices; the quantities and composition of the emissions after treatment; and the effects on air quality.

25. Will the project generate dust, odors, or noise during construction and/or operation? Yes No

If yes, describe the sources, characteristics, duration, and quantities or intensity, and any proposed measures to mitigate adverse impacts. Also identify the locations of sensitive receptors in the vicinity and estimate the impacts on these receptors.

Some relatively minor, temporary air quality impacts are anticipated resulting from construction. The impacts would be due to emissions from the construction machinery. The construction equipment emissions will be minimal from the standpoint of carbon monoxide since the majority of the equipment is diesel powered.

The construction is anticipated to temporarily generate noise not typical in the area, with the exception of the periodic operation of some farm equipment. Most construction activities such as grading and truck hauling will be of a fairly short duration. The noisiest construction activities can be mitigated by restricting the hours of equipment operation and by ensuring that all equipment is properly muffled.

There will also be on-going noise from traffic on the new corridor. A "No Build" scenario will result in more traffic and more noise in the existing neighborhoods and in downtown Owatonna.

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.

26. Are any of the following resources on or in proximity to the site:

a. archeological, historical, or architectural resources? Yes No

Correspondence and a study report with regards to archeological, historical, or architectural resources is found in Appendix B. Further investigation will be conducted as feasibility and design stages of the project are undertaken.

b. prime or unique farmlands? Yes No
c. designated parks, recreation areas, or trails? Yes No
d. scenic views and vistas? Yes No
e. other unique resources? Yes No

If any items are answered Yes, describe the resource and identify any impacts on the resource due to the project. Describe any measures to be taken to minimize or avoid adverse impacts.

Farmland

Existing Conditions

Data come from the U.S. SCS prime, unique, and statewide important farmland ratings and the Steele County Atlas and Plat Book. Data were analyzed using aerial photo map overlays and Steele County Soil Survey mapping.

Future Development Assumptions

Future development assumptions for the east side of Owatonna were developed jointly with the City Planner of Owatonna. Based on past growth trends, information from the State Demographer's Office, and past growth projections by the City's Planning Department, population and household projections were made for the entire City. Of the overall household and population growth in Owatonna in the next 20 years, approximately 80 percent is expected to occur on the east side of the existing City limits, with development on the northeast side expected to outpace development to the central and south east. This results in development of nearly 2,600 households on the east side. Retail development of approximately 130,000 square feet was also assumed along Rose Street (CSAH 19). Due to the large amount of residential growth projected, it was logical to assume that some commercial/retail development would follow to meet the demand for goods and services created by the new neighborhoods. With input from City staff, Rose Street was selected as a potential location for such a development, because of the locations accessibility to both existing and new development.

- d. If a, b, or c were marked Yes, discuss any cumulative environmental impacts resulting from this project and the other development.

31. **Other Potential Environmental Impacts** - If the project may cause any adverse environmental impacts which were not addressed by Items 1 to 28, identify and discuss them here, along with any proposed mitigation.

Vegetation

Existing Conditions

Data for this section come from aerial photography interpretation.

The majority of the project is cropland. Areas of noncrop vegetation are Maple Creek, wetlands, prairie roadside along C.R. 80, conservation reserve program (CRP) land, and scattered vegetated fencerows. No CRP land is impacted directly by any alternative.

Mitigation

Mitigation of natural vegetation losses can be carried out by revegetating right-of-way disturbed by construction. The Minnesota Department of Transportation Integrated Roadside Resource Management strategies will be implemented in this project. Essentially this involves revegetating with native prairie species from this ecoregion and managing accordingly.

32. **SUMMARY OF ISSUES** (*This section need not be completed if the EAW is being done for EIS scoping, instead, address relevant issues in the draft Scoping Decision document which must accompany the EAW.*) List any impacts and issues identified above that may require further investigation before the project is commenced. Discuss any alternatives or mitigative measures that have been or may be considered for these impacts and issues, including those that have been or may be ordered as permit conditions.

Issues

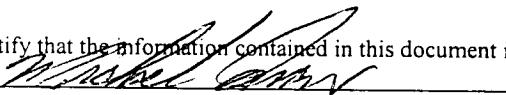
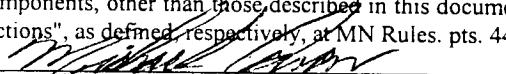
1. Reduced woodland vegetation along Maple Creek and natural vegetation along right-of-ways.
2. Removal of nonimpervious land that serves as wildlife habitat.
3. Impact on freshwater mussels and native prairie.
4. Impact on wetlands.
5. Impact on highly erodible soils.
6. Increased surface water runoff.
7. Increased traffic generation.
8. Noise impact on sensitive receptors within the corridor.
9. Impact on prime farmlands.

Mitigation Measures

1. Increase tree cover in nearby nonwooded sections of Maple Creek and revegetate right-of-ways.
2. Choosing the preferred alternative weighed impacts of wildlife habitat. Design of roadway will avoid these impacts to extent that is feasible.

3. Design of roadway will avoid impacts to areas containing mussels or native prairie, to the amount feasible, given their limited spatial extent.
4. Mitigation sequencing will be conducted for wetland impacts. Avoidance, minimization, and compensation in that order will be used.
5. All alternatives avoid highly erodible soils. Impacts to all other soil will be mitigated according to standard erosion control practices, including silt fences, check bales, and mulch/cover cropping.
6. Grass swales and detention ponds will be used to reduce runoff pollutants to acceptable levels. The location at which treated runoff enters nearby surface waters, including wetlands, will be chosen to avoid and minimize impact on sensitive ecological areas.
7. The preferred alternative is designed to provide relief to existing street system.
8. The 150 foot right-of-way anticipated for this corridor will provide adequate space to design absorptive surfaces to reduce amount of noise.
9. The preferred alternative is a best balance trying to minimize impacts in several areas including prime farmland.

CERTIFICATIONS BY THE RGU (all 3 certifications must be signed for EQB acceptance of the EAW for publication of notice in the EQB Monitor).

- A. I hereby certify that the information contained in this document is accurate and complete to the best of my knowledge.
Signature 
- B. I hereby certify that the project described in this EAW is the complete project and there are no other projects, project stages, or project components, other than those described in this document, which are related to the project as "connected actions" or "phased actions", as defined, respectively, at MN Rules. pts. 4410.0200, subp. 9b and subp. 60.
Signature 
- C. I hereby certify that copies of the completed EAW are being sent to all points on the official EQB EAW distribution list.
Signature 

Title of Signer St. Croix County Planning Director Date 3-9-99



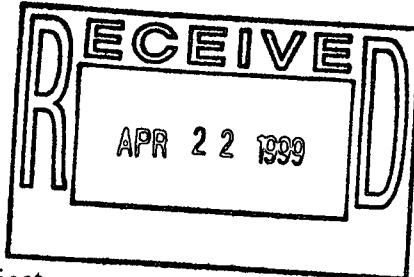
Minnesota Department of Natural Resources

500 Lafayette Road
St. Paul, Minnesota 55155-40

April 19, 1999

Michael Caron, Planning Director
Steele County
630 Florence Avenue, P.O. Box 890
Owatonna, Minnesota 55060

Re: EAW for Owatonna East Side Corridor Project



Dear Mr. Caron:

The Minnesota Department of Natural Resources (MDNR) has reviewed the above-referenced project and provides the following comments for your consideration.

Generally, we believe that the proposed Owatonna belt line, of which this project is the east segment, will facilitate development and urban sprawl, and will result in substantial impacts to natural resources, as discussed below. The East Side roadway corridor as identified does not appear to be compatible with Steele County's Local Water Plan due to adverse impacts to wetlands and water quality. The corridor is also incompatible with the Minnesota Wetland Conservation Plan since the corridor will cause wetland losses, when alternatives that avoid wetlands are available.

Maple Creek is paralleled by existing county roads north and south of the valley. These routes provide good access to Interstate 35 and downtown Owatonna. They cross Maple Creek on an existing bridge and also connect with each other within a mile of the new crossing. The project could avoid impacts to Maple Creek and much of the wetland impact associated with this project by ending the road at County Road 35, rather than running it north and then west to County Road 8.

The EAW adequately describes existing land uses, but fails to address wildlife use, populations and habitats, except a brief mention of winter use. Maple Creek is a critical wildlife habitat area and corridor. The potential impacts to wildlife populations and habitats are inadequately described.

Although the proposed corridor does not bisect the Maple Creek Deer Wintering Area, it is adjacent to the area and would cross an important route for deer traveling to and from the wintering area. The Maple Creek valley is the largest deer wintering area in Steele County (in terms of both size and numbers of deer using it). The proposed corridor would also impact

winter habitats for other species, including economically important protected species such as wild turkey, ring-necked pheasant, muskrat, mink, raccoon, and red fox.

The EAW incorrectly notes that there are no listed mussel species associated with the corridor. Our records indicate that there is one species of special concern, the spike mussel (*Elliptio dilatata*) from Maple Creek near the corridor. Since there has been no thorough biological survey of Maple Creek or Steele County, the presence of endangered or threatened species such as Blanding's turtle (known from Maple Creek upstream of this proposed corridor) cannot be ruled out.

The area associated with Maple Creek also provides habitat and a travel corridor for numerous migratory species including economically important waterfowl. The corridor is habitat for numerous species of protected song birds including species exhibiting long term declines like the common yellowthroat. Again, the importance of the Maple Creek travel corridor cannot be over-emphasized.

Proposed mitigation for loss of woody cover along Maple Creek calls for additional planting of trees along shoreland areas that are presently in grassy cover. Natural grassy shorelines are also important habitats. Replacing one valuable habitat with another does not mitigate for habitat losses. Any planting for mitigation should target restoring disturbed areas such as lawns to natural habitats.

The discussion of wildlife impacts also fails to mention that the proposed corridor will bisect wetlands identified as numbers 6 and 7, including partial filling of wetland 7. The Wetland Conservation Act requires that wetland impacts be avoided where feasible. The EAW provides no compelling reason for not routing the corridor around these two basins, to avoid wetland impacts and to avoid having a roadway between these nearby basins. The road would unnecessarily increase habitat fragmentation and become a major barrier to movement for many aquatic species, especially amphibians and turtles. In addition, significant sedimentation can be expected during construction, even with best management practices in place. Icing salts, sands, oils and other pollutants associated with a road will cause water quality deterioration in basins within or near the corridor. The corridor should be planned to avoid these types of wetland and habitat impacts, even along the edges. There should be an adequate buffer between the corridor and wetland basins to preserve or improve water quality even during construction. The best means of avoiding wetland impacts is to preserve a corridor for a roadway that does not cross or fragment these wetlands and associated habitat areas. Since these wetland losses can be predicted in advance of any right of way acquisition, all wetland losses should be mitigated on site. Right-of-way acquisition and the proposed corridor should include drained wetlands that would be restored for mitigation.

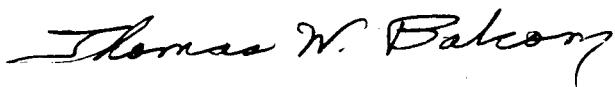
Crossing the Highway 80/DM&E railroad right-of-way is very likely to destroy good quality prairie communities. These habitats are extremely rare in Minnesota and Steele County.

The bridge crossing of Maple Creek will require a MDNR Protected Waters permit. Also, all the alternatives identified in the EAW cross Maple Creek in a "detailed study area" for flood insurance purposes; increases in flood stage from a crossing interpreted to be of 0.1 foot or greater will require an amendment to the effective flood insurance study.

Because of the potential for this project to facilitate additional development in the area, the City and County should consider initiating a more comprehensive review, such as an Alternative Urban Areawide Review (AUAR) as provided for in Minnesota Rules 4410.3610. AUARs afford responsible governmental units (RGUs) the opportunity to proactively address the environmental issues associated with developing an area such that any potentially significant environmental effects are avoided. For more information on the AUAR process, please contact Jon Larsen of the Environmental Quality Board at (651) 296-3865.

Thank you for the opportunity to review this project. We look forward to receiving your record of decision and responses to comments. Minnesota Rules part 4410.1700, subparts 4 & 5, require you to send us your Record of Decision within five days of deciding this action. If you have any questions regarding these comments, please contact Ken Wald of my staff at (651) 296-4790.

Sincerely,



Thomas W. Balcom, Supervisor
Natural Resources Environmental Review Section
Office of Management and Budget Services

c:	Bret Anderson	Charles Kjos, US F&WS
	Con Christianson	Jon Larsen, EQB
	Larry Nelson	David Strand, City of Owatonna
	Don Nelson	

#990321-1
eawowato.wpd

1 ✓ No. 280471

2

3

COUNTY OF STEELE

TO

PUBLIC

Date 2-10-2000Time 3:00 P.mRecording Fee: \$ NC

Return To:

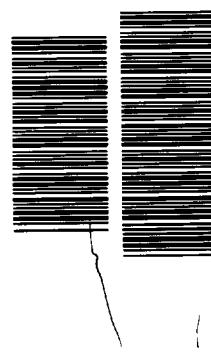
Laura Shupe - Steele County Auditor

RF:

PB:

Envelope ()

INFORMATIONAL COPY

COUNTY RECORDER
STEELE COUNTY, MNCertified, filed and/or recorded Fee:
on 02/10/2000 at 3:00 pmWell Certificate
[] Received
[] Not requiredRose P. Branderhorst,
Steele County Recorder
by Ad, DeputyRESOLUTION PLACING EASTSIDE CORRIDOR
ON OFFICIAL MAPCommissioner Peterson offered the following Resolution and moved its adoption:**WHEREAS:** Steele County and the City of Owatonna completed a traffic study and found the need for a roadway east of Owatonna running in a north-south direction for approximately four miles and,**WHEREAS:** The alignment of the roadway was arrived at after considering environmental, social, cultural and economic impacts and,**WHEREAS:** An Environmental Assessment Worksheet was completed and resulted in the negative declaration on the need for an Environmental Impact Statement and,**WHEREAS:** A public hearing was scheduled and held and the notice of the public hearing was published and mailed pursuant to Minnesota Statutes.**NOW THEREFORE BE IT RESOLVED:** That the Steele County Board of Commissioners ordain and adopt the placement of the Eastside Corridor on the Official Map and,**BE IT FURTHER RESOLVED:** That the Steele County Surveyor shall prepare the Official Map, attest to it and record it with the Steele County Recorder.Commissioner Christianson seconded the adoption of the resolution, and it was declared upon the following vote: Ayes: 4 Nays: 1

Adopted: June 22, 1999

STEELE COUNTY BOARD OF COMMISSIONERS

BY: Luth Odegard

ATTEST:

Laura Burke
Steele County Auditor

CERTIFICATION

I hereby certify that the above is a true and correct copy of a Resolution duly passed, adopted, and approved by the County Board of said County on the 22nd day of June, 1999.

Laura Burke
Steele County AuditorFiled with the Steele County Recorder's Office on the 10th day of February, 2000, as
Document No. 280471 at 3:00 P.M. IN BOOK 13 OF PLATS
PAGE 259.**ROSE P. BRANDERHORST**, By: Diane K. Larson, Deputy
Steele County Recorder

NE 26TH STREET

S 89° 46' 26" E 522.90

16.5' AT&T FIBER OPTIC
RIGHT-OF-WAY EASEMENT

FLOOD FRINGE

HERBERT
& DORIS
SWANSON

E. LINE OF
W 1/2 OF NW 1/4

W. LINE OF
E 1/2 OF NW 1/4

SE

2723.51
N 0031.54

CLARENCE &
BETTY SCHWARTZ

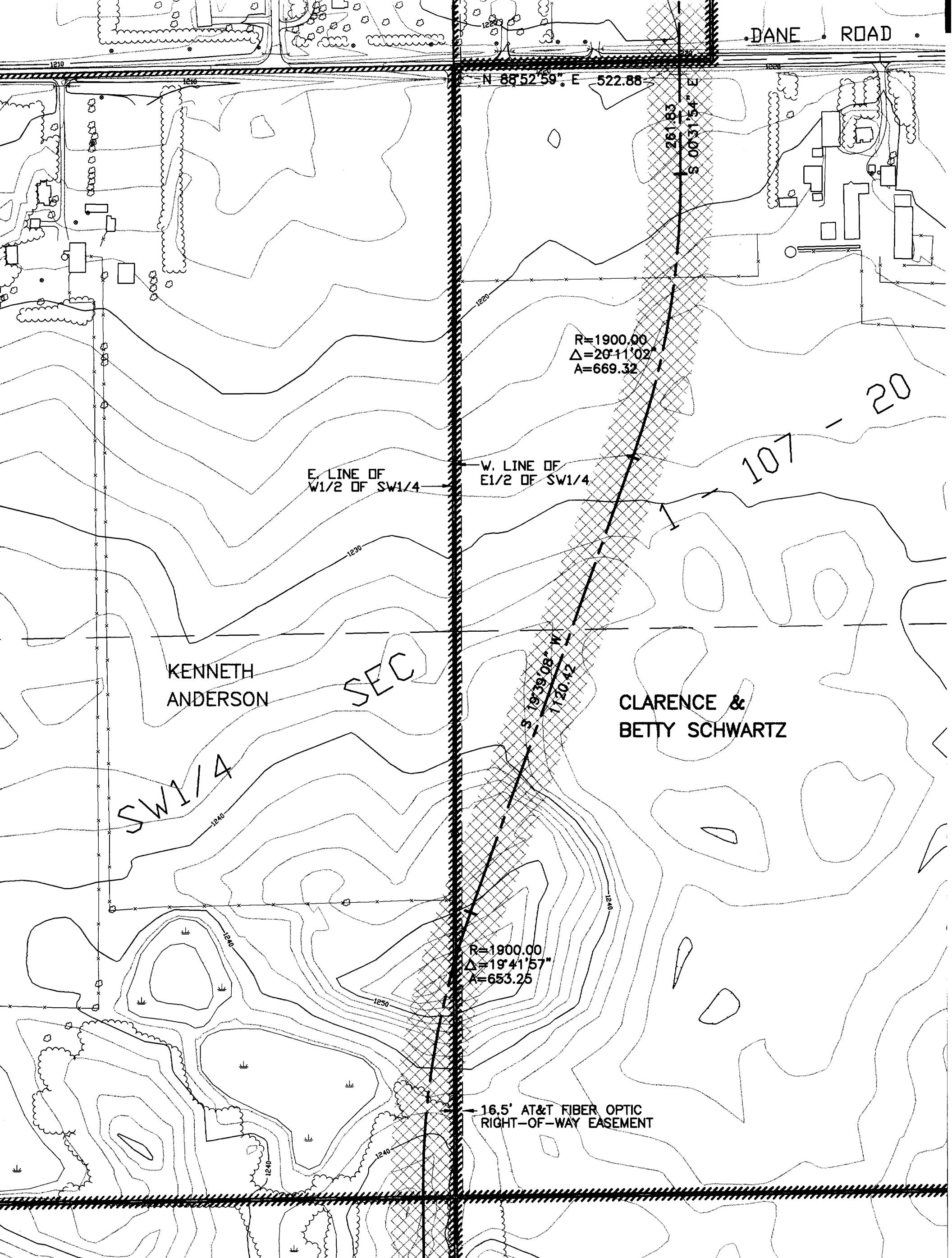
JOHN &
SYLVIA PROKOPEC

150' EAST
SIDE CORRIDOR

261.83
S 0031.54

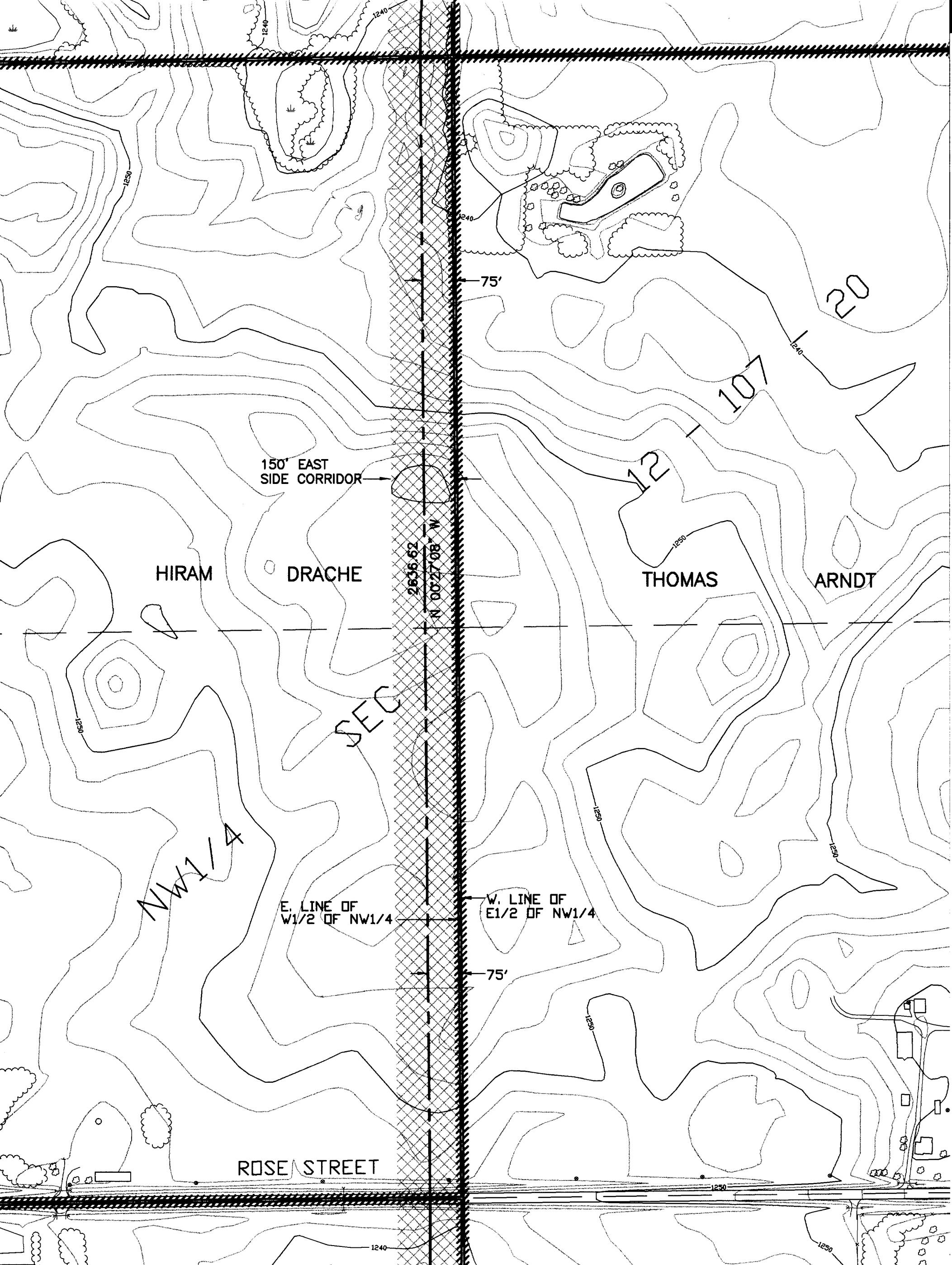
DANE ROAD

N 88° 52' 59" E 522.88



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SHEET 2 OF 7 SHEETS



SHEET 3 OF 7 SHEETS

ROSE STREET

JOSEPH &
LORRAINE PARTRIDGE

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1322.82

THOMAS 20 ARNDT

101

12

SE

ANNA

E. LINE OF
W1/2 OF SW1/4

SCHLINGER

W. LINE OF
E1/2 OF SW1/4

150' EAST
SIDE CORRIDOR

SCHOOL ST.



0 100 200 400

SHEET 4 OF 7 SHEETS

150' EAST
SIDE CORRIDOR

SCHOOL ST.

MARCELLA A.

MEIXNER

KEVIN

DEML

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W1/2 OF NW1/4

-W. LINE OF
E1/2 OF NW1/4,

ALLAN

RADEL

SEC R=1900.00
Δ=15°08'16"
A=501.99

S 15°05'21" W
370.65

ALLAN

RADEL

$$\begin{aligned} R &= 1867.40 \\ \Delta &= 21^\circ 13' 52'' \\ A &= 691.97 \end{aligned}$$

300.55
N 89°28'16" E

RD. 80

CUMULUS BROADCASTING INC.

—CO. RD. 71



SHEET 5 OF 7 SHEETS

300.55
N 89°28'16" E

CD. RD. 71

150' EAST
SIDE CORRIDOR

W. LINE OF
E 1/2 OF SW 1/4

E 1/2
OF SW 1/4

1896.59
N 06°08'35" E

KEITH & EVELYN WANDREY

PICHNER

SEC

R=2824.51
Δ=06°05'08" E
A=300.00

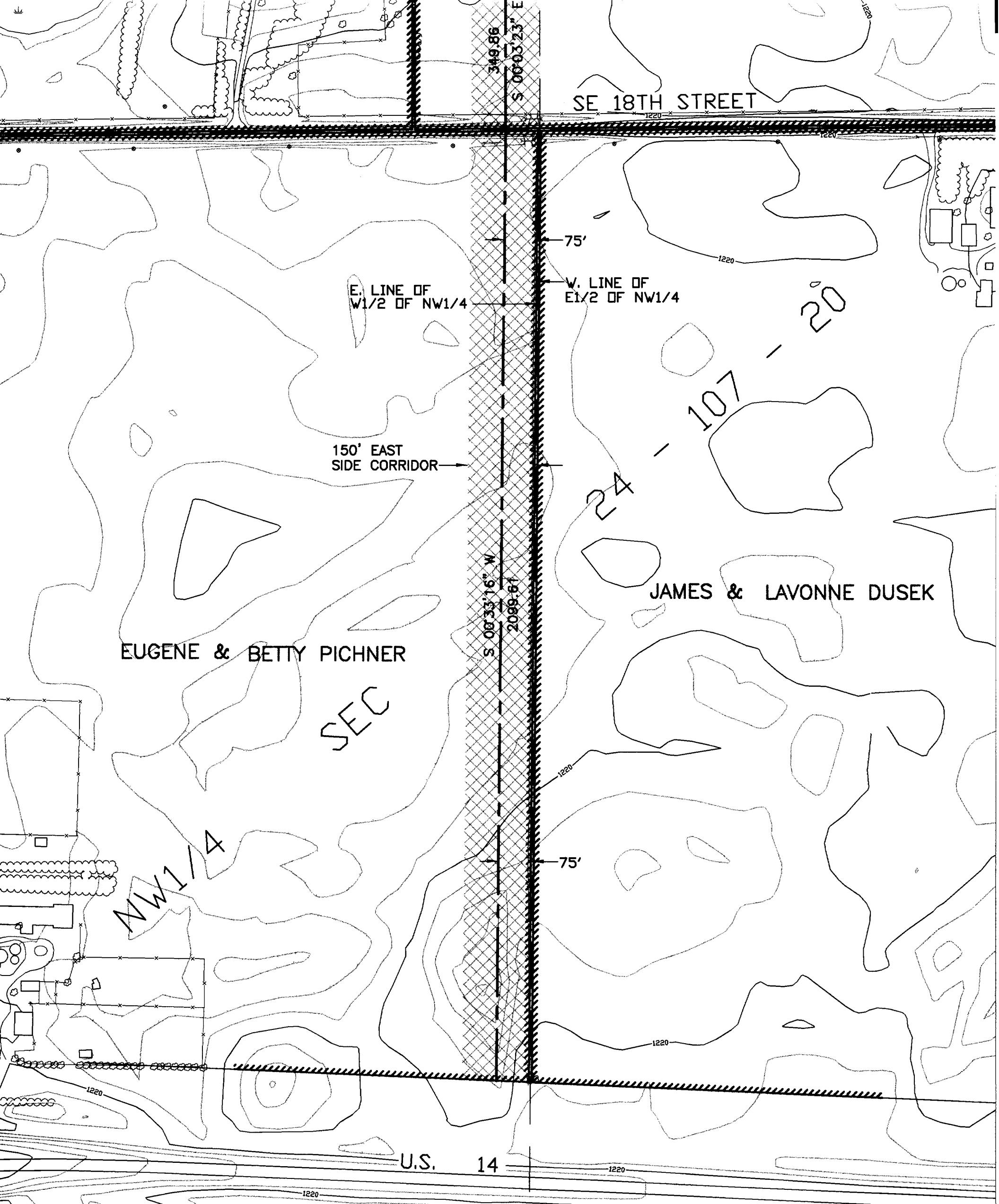
349.86
S 00°03'23" E

SE 18TH STREET



0 100 200 400

SHEET 6 OF 7 SHEETS



THIS MAP PREPARED AND RECORDED PURSUANT TO SECTION
394.35 AND 394.361 OF THE STATUTES OF THE STATE OF MINNESOTA.

This is to certify that I, John C. Hosfield, Steele County
Surveyor, have prepared this Official Map of the Eastside
Corridor according to the resolution adopted on June 22, 1999
by the Steele County Board of Commissioners and recorded on
February 10, 2000 as document number 280471 in the Office of
the Steele County Recorder.

John C. Hosfield 2/15/00

John C. Hosfield
Steele County Surveyor
Registration No. 15231

0 100 200 400

SHEET 7 OF 7 SHEETS

SURVEY			
EAST SIDE CORRIDOR			
PART OF SECTIONS 1, 12, 13 & 24 T 107 N, R 20 W, STEELE COUNTY, MN			
HOSFIELD & ASSOCIATES 415 WEST NORTH STREET OWATONNA, MINNESOTA 55060 PHONE 507-451-4598 FAX 507-451-1396			
SCALE 1"=200'	DWG BY BLK	FEBRUARY 2000	1748

JOINT POWERS AGREEMENT

This Agreement made and entered into this 9th day of March, 2004, by and between the County of Steele (hereinafter referred to as "County") and the City of Owatonna (hereinafter referred to as "City"), bodies corporate and politic existing under the laws of the State of Minnesota.

WITNESSETH:

RECITALS

1. Two or more governmental units, by agreement entered into through action of their respective governing bodies, may cooperatively exercise any power common to each, pursuant to Minn. Stat. § 471.59; and,
2. Minn. Stat. § 394.361 authorizes the County to adopt an official map identifying land needed for future public uses and provides procedures for the grant or denial of land use permits on land so identified; and,
3. Minn. Stat. § 462.359 authorizes the City to adopt an official map to identify land needed for future public purposes and provide procedures for the grant or denial of land use permits thereon; and,
4. On February 10, 2000, the County duly recorded an Official Map, as document number 280471 in the office of the Steele County Recorder, identifying land necessary for highway purposes commonly known as the "East Side Corridor", a true and correct copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and,
5. The County and the City have determined that the lands so identified are necessary for a north-south inner corridor; and,

6. The County and the City agree that it is in the public interest and in furtherance of public purposes that the land so identified as the "East Side Corridor" be jointly administered in the manner authorized by statute made in such case provided;

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, the City and the County agree as follows:

PROMISES

1. The County shall continue to maintain and keep on file the Official Map of the "East Side Corridor".

2. The County shall continue to administer the application for permits or approvals of buildings or other structures any owner desires to erect within the limits of the "East Side Corridor", where such property is located outside the City, pursuant to Minn. Stat. § 394.361, et. seq. In the event a building permit is denied by the County the owner may appeal to the County Board of Adjustment pursuant to Minn. Stat. § 394.361, subd. 4.

In the event that the County Board of Adjustment authorizes the issuance of a building permit the County shall provide the City with notice of the Board of Adjustment's decision authorizing the issuance of a permit to build within the "East Side Corridor".

In such event, the County delegates to the City the authority, pursuant to Minn. Stat. § 394.361, subd. 4, to elect, within six months of the decision of the Board of Adjustment, to institute proceedings on the City's behalf to acquire the land the City, in its discretion, deems necessary for the "East Side Corridor".

In the event the County Board of Adjustment denies the issuance of a building permit and the applicant thereafter commences legal action against the County based on the denial the City shall indemnify and hold harmless the County for those damages allowable under Minnesota Statutes Chapter 117, the eminent domain statute.

The County and City shall notify one another of any pending permit applications located within the limits of the "East Side Corridor".

3. Where the property for which a permit is sought lies within the City, the owner shall apply to the City for a permit and the matter shall be administered pursuant to Minn. Stat. § 462.359, et. seq.

4. The County hereby assigns its authority as described herein over and with respect to the lands identified as the "East Side Corridor" to the City and delegates to City the duty to administer the same pursuant to Minnesota Statute.

5. The City hereby accepts the authority as described herein assigned by the County and the duty delegated to administer the land so identified as "East Side Corridor" as the City in its discretion deems necessary for highway or street purposes.

6. Any notice required under this Agreement shall be in writing and delivered in person or by courier or mailed by certified mail, return receipt requested by United States Mail, postage prepared addressed as follows:

If to the City:

City Administrator
City of Owatonna
540 West Hills Circle
Owatonna, MN 55060

If to the County:

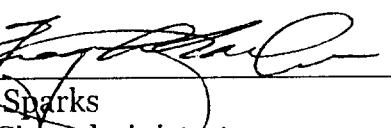
County Coordinator
County of Steele
630 Florence Avenue
P.O. Box 890
Owatonna, MN 55060

IN WITNESS WHEREOF, the parties have hereunder set their signatures the day and year first above written.

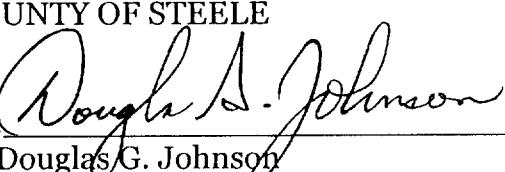
CITY OF OWATONNA

By: 
Thomas A. Kuntz
Its Mayor

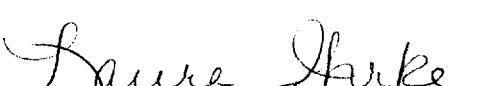
AND

By: 
Greg L. Sparks
Its City Administrator

COUNTY OF STEELE

By: 
Douglas G. Johnson
Its Chairman of the Board

AND

By: 
Laura Ihrke
Its County Auditor

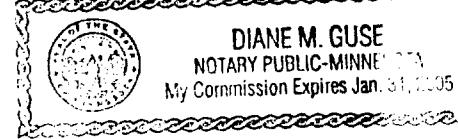
STATE OF MINNESOTA)
) ss.
COUNTY OF STEELE)

The foregoing was acknowledged before me this 2nd day of March, 2004,
by Thomas A. Kuntz and Greg L. Sparks, the Mayor and City Administrator of City of

Owatonna, a municipal corporation under the laws of Minnesota, on behalf of the corporation.

Diane M. Guse
Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF STEELE)



The foregoing was acknowledged before me this _____ day of March, 2004, by Douglas G. Johnson, Chairman, Steele County Board of Commissioners, and Laura Ihrke, Steele County Auditor.

Brenda L. Huberg
Notary Public

THIS INSTRUMENT WAS DRAFTED BY:

Mark M. Walbran
WALBRAN, FURNESS & LEUNING
140 East Main Street
P.O. Box 273
Owatonna, MN 55060
Phone: (507) 451-1173



US HIGHWAY 14 – OWATONNA BELTLINE STUDY

S.P. 7408-35

DRAFT ROADWAY SYSTEM PLAN REPORT



Bonestroo
Rosene
Anderlik &
Associates
Engineers & Architects

PREPARED BY:
BONESTROO, ROSENE, ANDERLIK & ASSOCIATES, INC.

FOR:
CITY OF OWATONNA
STEELE COUNTY
MINNESOTA DEPARTMENT OF TRANSPORTATION

1.0 Introduction

The City of Owatonna, Steele County and Minnesota Department of Transportation (Mn/DOT) have teamed up to study the proposed construction of a highway beltline system for the City of Owatonna and reconstruction on US Highway 14 (Highway 14).

A March 1995 study titled "Owatonna East Side Corridor Environmental Report" completed by Short, Elliot, Hendrickson, Inc. identified 26th Street North as the alignment for a north beltline. This report provides a recommendation for the location for the East Beltline and provides technical data to assist the City of Owatonna, Steele County and Mn/DOT determine if south and west beltlines are feasible. This report also provides recommendations for the expansion of Highway 14 from two to four lanes between Highway 218/County State Aid Highway (CSAH) 48 and the recommended East Beltline, the Highway 14/CSAH 45 intersection and the Highway 14/CSAH 6 intersection.

Many variables have been analyzed in the development of the recommendations contained in this report. Environmental elements including threatened or endangered species, historic properties, archaeological sites, existing hydrology and farmland impacts have been considered. Traffic projections based on development expectations have been calculated for the potential beltlines and surrounding roadways. Impacts to property owners and local opinions regarding the beltlines are also factored in the report recommendations.

2.0 Project Description and Location

This report is separated into East Beltline Option I, East Beltline Option II, West Beltline, South Beltline and Highway 14 improvements/intersection analysis sections (see Figure 1 in Appendix A for the project area).

East Beltline Option I

Located along 34th Avenue East and approximately 1 mile east of the City of Owatonna, this route is approximately 4 miles long and extends from SE 28th Street to CSAH 34 (26th Street North). In this option, 26th Street North would be extended east to connect to the East Beltline (see Figure 2 in Appendix A).

East Beltline Option II

Located approximately one mile east of East Beltline Option I, this option follows the alignments of County Road (CR) 59 and CSAH 43 (44th Avenue East). This option is also 4 miles long stretches between SE 28th Street and 26th Street North. As in East Beltline Option I, 26th Street North would be extended to the east to connect to this alignment (see Figure 3 in Appendix A).

West Beltline

This option starts near the CSAH 7/CSAH 18 intersection on the south and ends at 26th Street North on the northwest side of Owatonna. The West Beltline is four miles long and follows portions of existing 39th Avenue West (see Figure 4 in Appendix A).

South Beltline

Paralleling and about ½ mile south of Highway 14, CSAH 18, CR 18, and SE 28th Street have been designated as the beltline corridor for this route. The South Beltline is located between CSAH 7/39th Avenue West on the west and the East Beltline option for a total length of 5.5 or 6.5 miles (see Figure 5 in Appendix A).

Highway 14

This report includes analysis of the CSAH 45 and CSAH 6 intersections with Highway 14 and extension of the four lane section between Highway 218 and the recommended East Beltline. Highway 14 is located on the south side of Owatonna (see Figure 6 in Appendix A).

3.0 Project Purpose and Background

Currently, the City of Owatonna does not have a designated beltline system. If a person living on the southeast side of town needs to go west on Highway 14, they either have to go south to Highway 14 then backtrack to the north or weave their way through the city. Safety and congestion are becoming concerns for traffic traveling through the city as substantial growth is occurring with new housing developments to the north and east and new commercial/industrial developments to the west. The City of Owatonna, Steele County and Mn/DOT have agreed that planning is needed to preserve a beltline corridor around the city before developments encroach on the land that would be needed for the roadway, driving up the costs and complicating the development.

The 1995 study recommended the East Beltline be constructed at 24th Avenue East. However, current Mn/DOT standards require interchanges be separated by one mile or more. Since the existing Highway 218/Highway 14 interchange and 24th Avenue East are less than one mile apart, a new location for the East Beltline needs to be identified. This study will identify a new location for the recommended East Beltline. The 24th Avenue East corridor has been mapped on the Steele County official map and the City has assumed responsibility for constructing the road. It will be constructed as development warrants with access restrictions. No driveways will directly access 24th Avenue East and street spacing will be between 1/8th and 1/4th mile. The road will likely be constructed between Dane Road and 18th Street SE.

The West Beltline is being studied among significant commercial and industrial growth on the west side of Owatonna. When Highway 14 is extended west to Waseca on the south side of Owatonna, Mn/DOT anticipates a new interchange

5.1 East Beltline Option I

5.1.1 Existing Conditions

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.

There are 25 existing access points on 34th Avenue East. Eight of those are public roadways including CR 18, Highway 14, CSAH 39, CR 80 and Havana Road. It also intersects with CSAH 35, School Road and CSAH 19. The other access points include field entrances, a railroad crossing and farm/home driveways.

Utility companies with existing facilities near 34th Avenue East include: AT&T, Alliant Energy, Charter Communications, Onvoy, Owatonna Utilities, Aquila, Qwest, Steele County and the Steele/Waseca Cooperative Electric. Locations of the utilities will be required during design and before construction of the beltlines.

5.1.2 Future Conditions

a. Traffic Projections

The projected land use for areas adjacent to 34th Avenue East include single family and multifamily dwelling units. Approximately 4,000 vehicles per day are projected to travel the north section of 34th Avenue East if it is chosen as the East Beltline. Between Highway 14 and Havana Road 34th Avenue East will have approximately 5,500 vehicles each day. Only 500 vehicles per day are projected for 34th Avenue East south of Highway 14. See Figure 9 for the traffic analysis TAZ map, Figure 10 for the traffic forecast map and Appendix B for the trip calculation table.

6.0 Recommendations

6.1 East Beltline

This report recommends preserving both the 34th Avenue East and 44th Avenue East corridors for future roadway systems. Traffic forecasts completed with this study indicate 34th Avenue East would be utilized more than 44th Avenue East. Also, 34th Avenue East would impact fewer property owners and has fewer existing access locations. Based solely on those criteria, this report would recommend selecting 34th Avenue East for the East Beltline. However, factoring in desirable interchange spacing for safer and more efficient travel on Highway 14, planning for future growth more than 20 years away between 34th Avenue East and 44th Avenue East, and choosing a system that will have the full support of the local government units, this report recommends placing an interchange at 44th Avenue East and utilizing 44th Avenue East as the East Beltline because it is 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.

Mn/DOT will be preparing an Environmental Impact Statement (EIS) for Highway 14 between Owatonna and Dodge Center beginning in 2005. The EIS will study the overall roadway network including the area studied in this report. That document will provide the final determination of the East Beltline interchange with Highway 14.

This report also recommends grade separated crossings with the DM & E Railroad for both 34th Avenue East and 44th Avenue East.

6.2 West Beltline

This report recommends using the shown location as the West Beltline with several alternatives for the north segment of the beltline. The West Beltline could be realigned to the west to avoid businesses south of Highway 14 West and the food processing plant wastewater disposal properties. The preferred option would require the wastewater disposal property to be relocated so the West Beltline could travel straight north from Highway 14 West to 26th Street North and not include a second curve back to the west section line. All options include a grade separated crossing of the DM & E Railroad. See Figure 13 in Appendix A.

6.3 South Beltline

The option displayed in Figure 5 is the recommended option for a South Beltline. The alignment may need minor modifications to reduce impacts on existing homes adjacent to the alignment. CSAH 18/CR 18/SE 28th Street will be an alternate to traveling on Highway 14 for local trips. If an overpass isn't constructed at Highway 14/CSAH 6 (see information below regarding CSAH 6) the South Beltline will be the route traffic will take to CSAH 45 and Highway 218.

Table 5
Projected Noise Level Increases

		Daytime Noise Comparisons (dBA)					
		Existing		Post Construction		Increase in Noise Level	
Road Section	Distance From Road (feet)	L ₁₀	L ₅₀	L ₁₀	L ₅₀	L ₁₀	L ₅₀
CSAH-34 / North Beltline	100	66.6	58.5	70.5	63.9	3.9	5.4
	200	62.2	55.2	65.9	60.4	3.7	5.2
	300	59.9	53.1	63	58.2	3.1	5.1
	400	57.5	51.5	60.9	56.5	3.4	5.0
	500	55.8	50.2	59.2	55.1	3.4	4.9
	750	52.7	47.6	56	52.3	3.3	4.7
	1000	50.3	45.5	53.6	50.2	3.3	4.7
CSAH-18/ South Beltline	100	59.3	48.8	64.7	55.8	5.4	7.0
	200	55.2	45.7	60.4	52.6	5.2	6.9
	300	52.7	43.7	57.7	50.6	5.0	6.9
	400	50.8	42.2	55.7	49	4.9	6.8
	500	49.3	41	54.1	47.8	4.8	6.8
	750	46.3	38.6	51.1	45.2	4.8	6.6
	1000	44.1	36.6	48.7	43.2	4.6	6.6
Existing TH-14 West of I-35	100	73.5	67.2	74.5	68.7	1.0	1.5
	200	68.8	63.7	69.8	65.1	1.0	1.4
	300	65.9	61.4	66.9	62.7	1.0	1.3
	400	63.8	59.7	64.7	61	0.9	1.3
	500	62.1	58.3	63	59.5	0.9	1.2
	750	58.9	55.5	59.8	56.7	0.9	1.2
	1000	56.5	53.3	57.4	54.5	0.9	1.2
Existing TH-14 East of I-35	100	72.1	65.2	74.9	69.2	2.8	4.0
	200	67.5	61.8	70.1	65.6	2.6	3.8
	300	64.7	59.6	67.2	63.2	2.5	3.6
	400	62.5	57.9	65	61.4	2.5	3.5
	500	60.9	56.5	63.3	60	2.4	3.5
	750	57.7	53.8	60.1	57.2	2.4	3.4
	1000	55.3	51.6	57.7	55	2.4	3.4

around climate control can achieve acceptable indoor noise levels near most highways if the windows and doors are maintained closed, and in general have about a 33 STC (Sound Transmission Class) Rating.

Land Use Restrictions

Providing buffer zones between highways and noise sensitive land uses will reduce the noise impact of the project.

Site Planning

Placing buildings or other structures between the highway and areas designated for outdoor use is an effective noise mitigation measure.

Berms and Natural Barriers

Construction of berms or taking advantage of natural topographical barriers between the highway and the noise sensitive areas can be an effective noise mitigation strategy. Berms or other barriers must be high enough to obstruct the line-of-site between the noise receiver and the passing vehicles in order to be effective.

Speed Limits and Traffic Signals

Reducing travel speeds through the use of speed limits or the placement of traffic signals will reduce noise impacts. A reduction in travel speed by 10 mile per hour will reduce noise impacts by about 3 dBA.

Other strategies sometimes considered include heavy truck diversions or curfews, selection of quieter pavements, vegetation plantings, and control of vehicle source emissions.

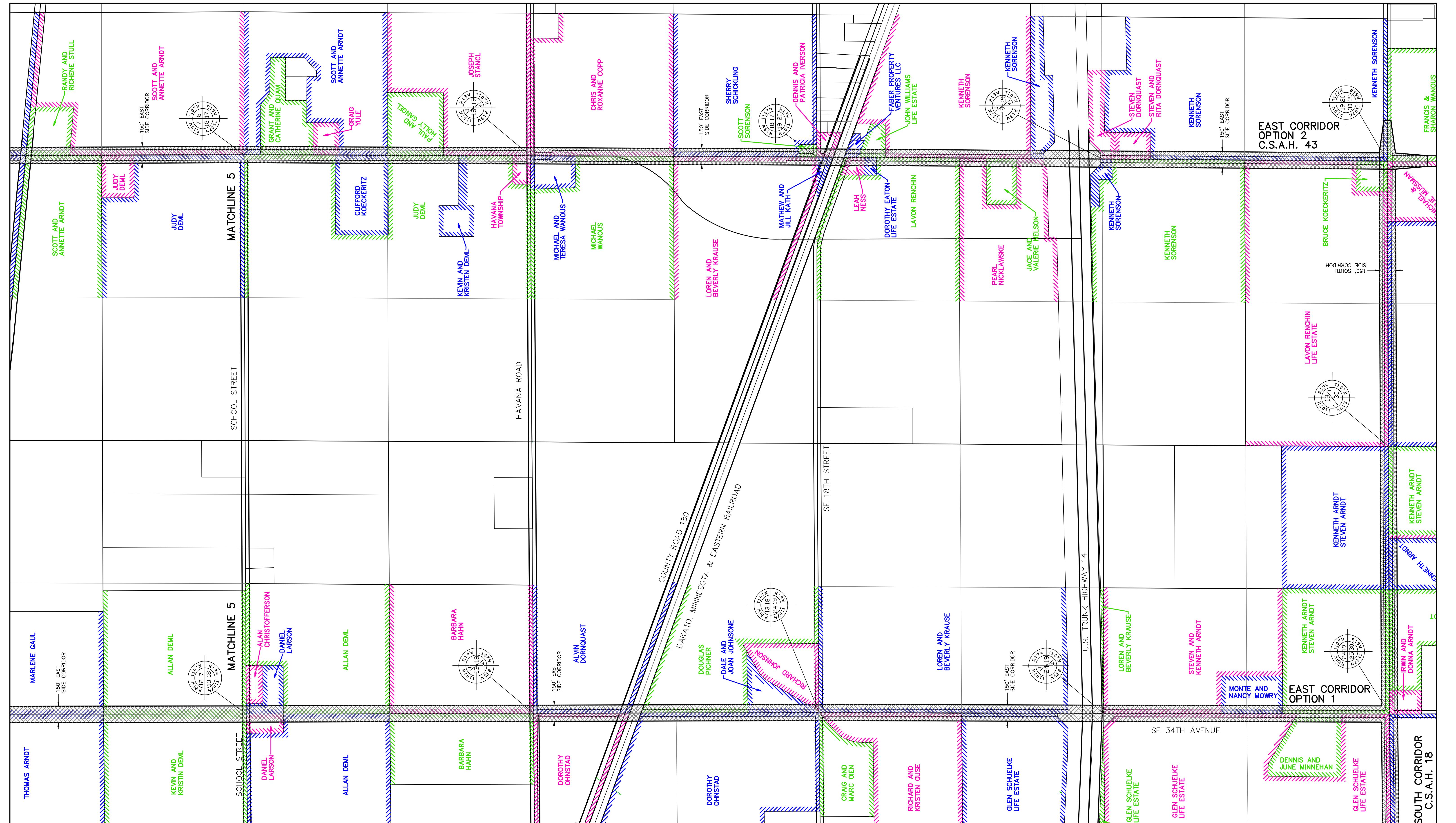
9.2.2 Noise Walls

For Mn/DOT to consider the erection of a noise wall, one of the following factors must exist:

- The noise levels in a neighborhood are presently in excess of the applicable noise standards.
- The predicted noise levels in a neighborhood are expected to be in excess of the applicable noise standards for the design year of the project. Mn/DOT usually considers the design year to be 20 years after the start of construction.
- The noise levels in a neighborhood are predicted to be “substantially” above current noise levels in the project design year. “Substantial is defined as 5 dBA or greater.
- The predicted noise level approaches or exceeds the acceptable limit. Approaching is defined as the predicted level being within 1 decibel from the limit.

In order for a noise wall to be considered by Mn/DOT or FHWA it must be able to be constructed at a “reasonable” cost. “Reasonable” cost is currently defined by Mn/DOT as \$3250/dBA. This is determined by dividing the total cost of a wall (currently estimated at \$15 per square foot) by the total decibel reduction for residences that are predicted to receive at least a 5 dBA reduction.

Relatively dense residential areas that are close to highways are the most likely to meet this “reasonable” cost requirement.



SURVEY

EAST CORRIDOR

PART OF SEC 12, 13, 24 & 25-107-20 & 7,8,17,18,19,
20, 29 & 30-107-19, STEELE COUNTY, MN

JONES, HAUGH & HOSFIELD

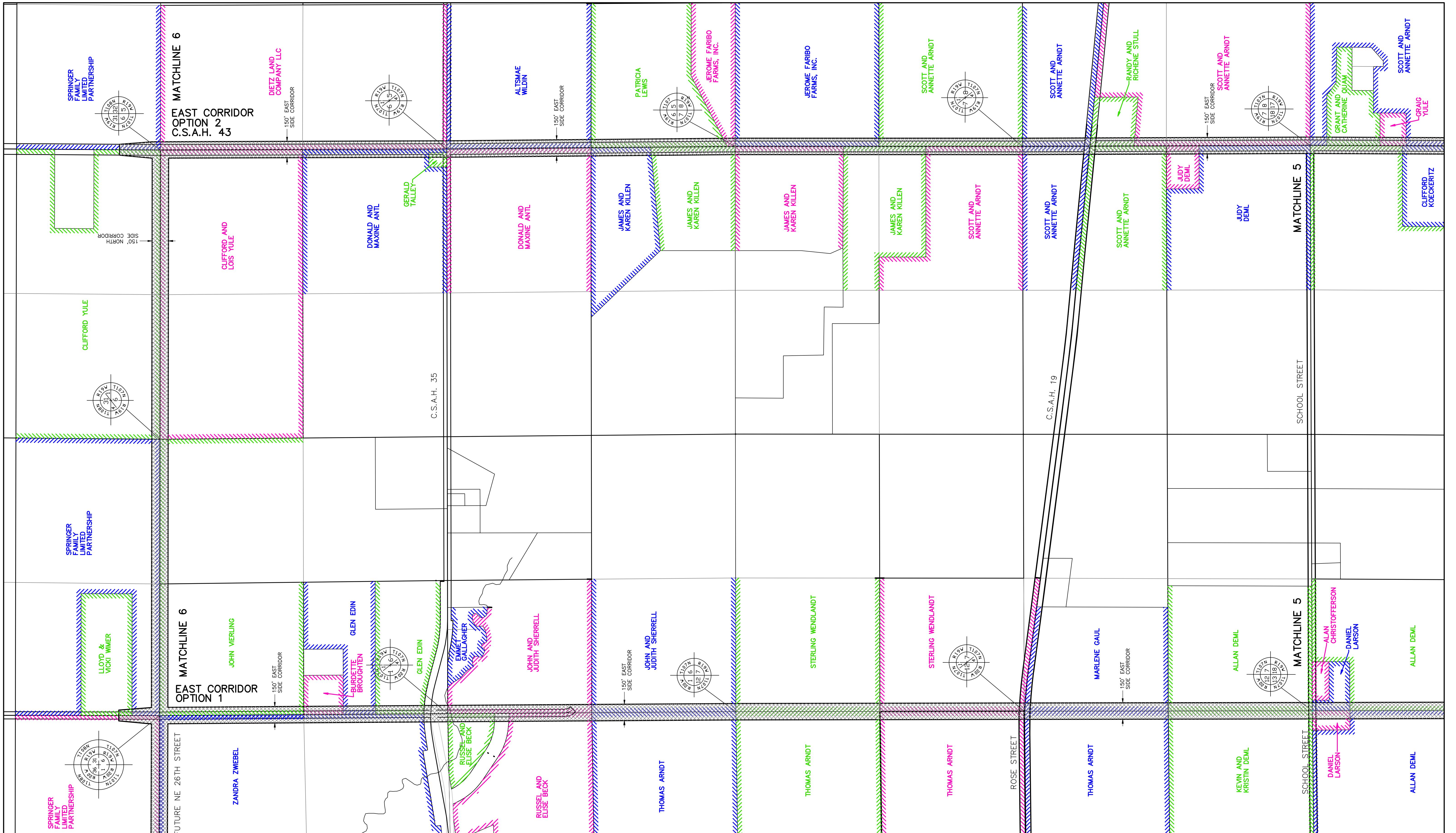
CHARMING ENGINEERS, CIVIL AND SURVEYORS

SURVEYORS
515 S WASHINGTON AVE
ALBERT LEA, MN 56007
PH (507) 373-4876

FAX (507) 373-1839
FILE NO. 1900
JOB NO. 09-1079
SHEET 1 OF 7 SHEETS

SHEET 4 OF 7 SHEET

PROPERTY OWNERS AS SHOWN WERE
OBTAINED FROM THE STEELE COUNTY WEB SITE



SURVEY

EAST CORRIDOR

7 OF SEC 36-108-20 & 31-108-19 & 1,12 & 13-107-20
& 5,6,7,8,17 & 18-107-19, STEELE COUNTY, MN

JONES, HAUGH & HOSFIELD

CHARMING ENGINEERS, CIVIL AND MECHANICAL

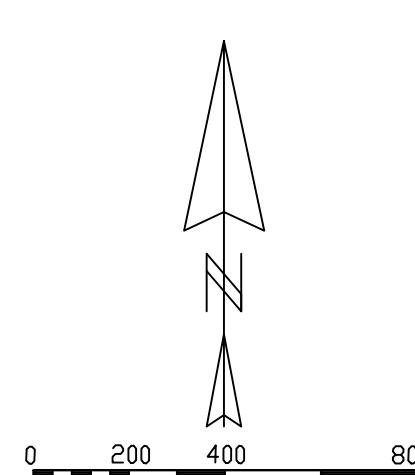
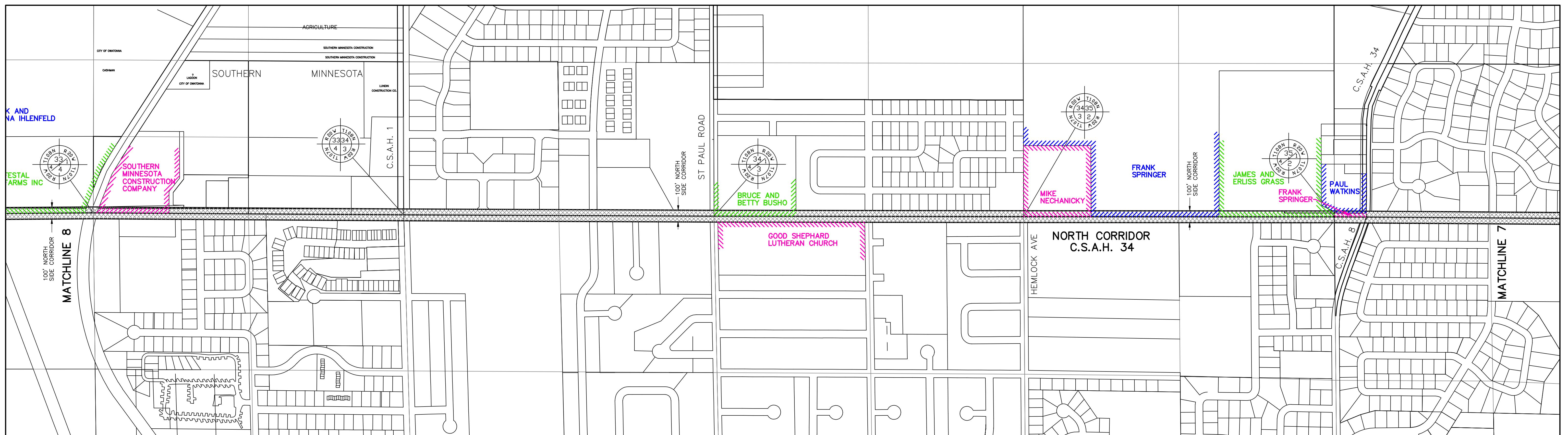
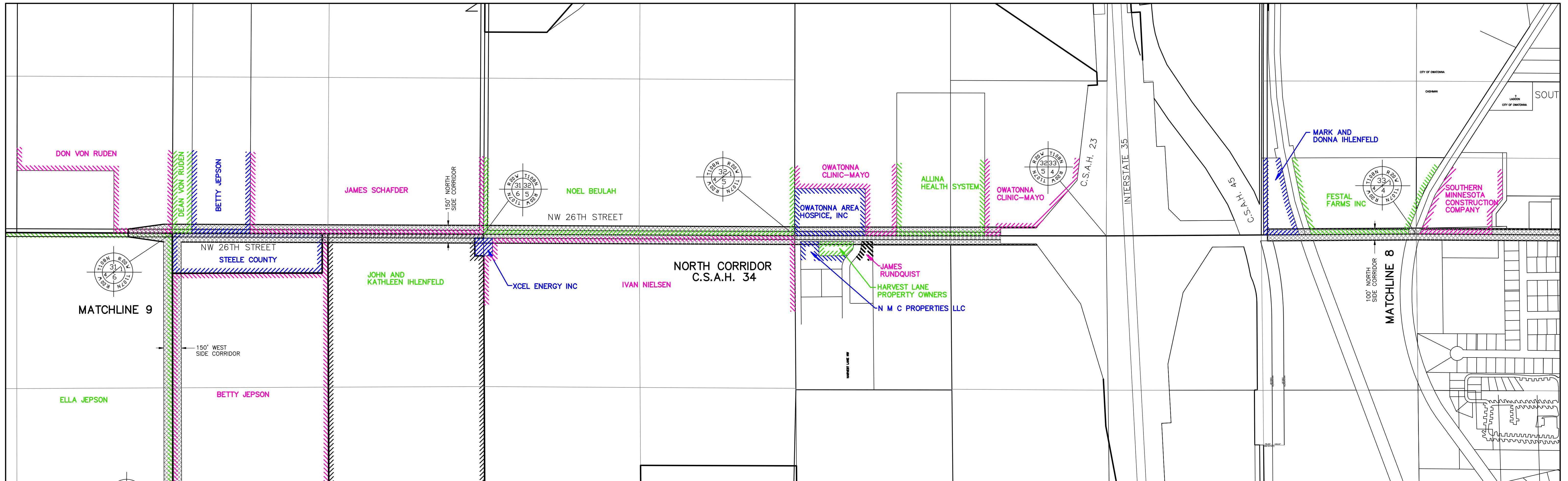
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FAX (507) 373-1270

FILE NO. 1900
JOB NO. 09-1079
SHEET 5 OF 7 SHEETS

SHEET 3 OF 7 SHEETS

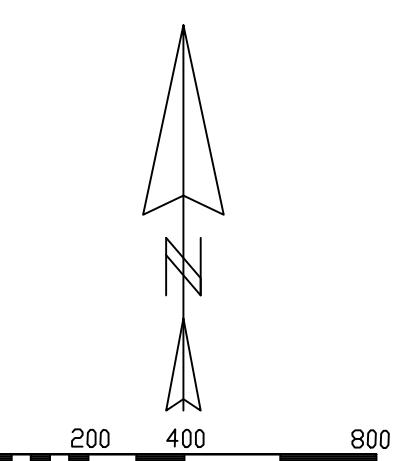
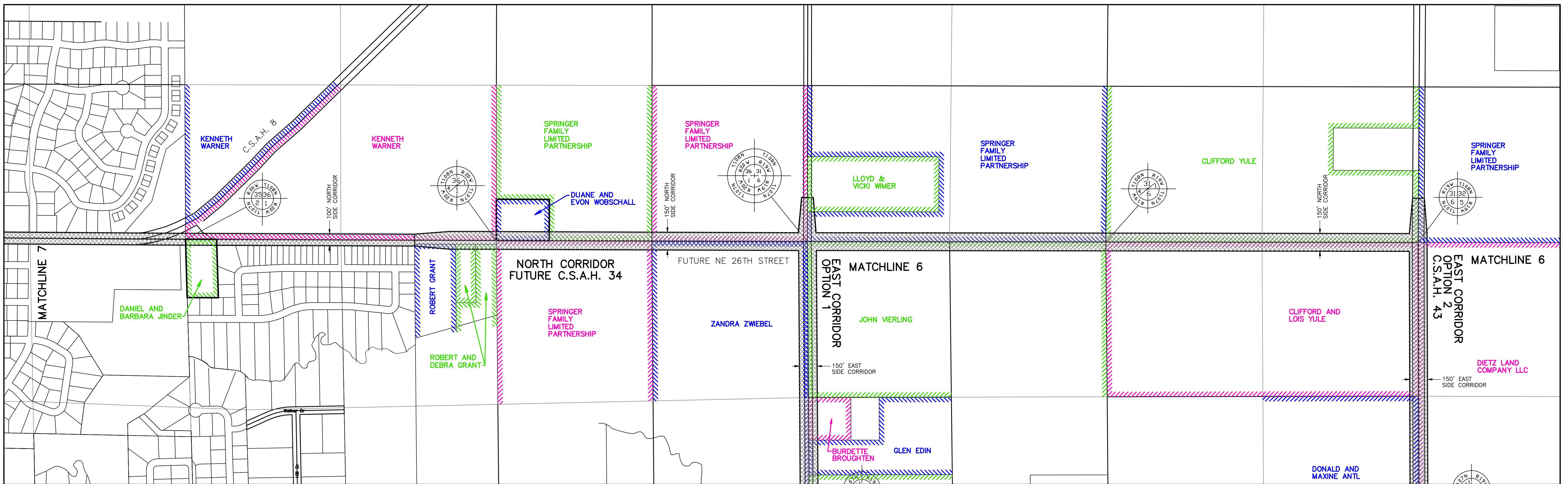
PROPERTY OWNERS AS SHOWN WERE
OBTAINED FROM THE STEELE COUNTY WEB SITE

A diagram of a trawl net. The net is shown from a side-on perspective, with its mouth opening at the bottom. The mesh is depicted as a series of diamond shapes. A scale bar is located at the bottom of the diagram, with numerical markings at 0, 200, 400, and 800.



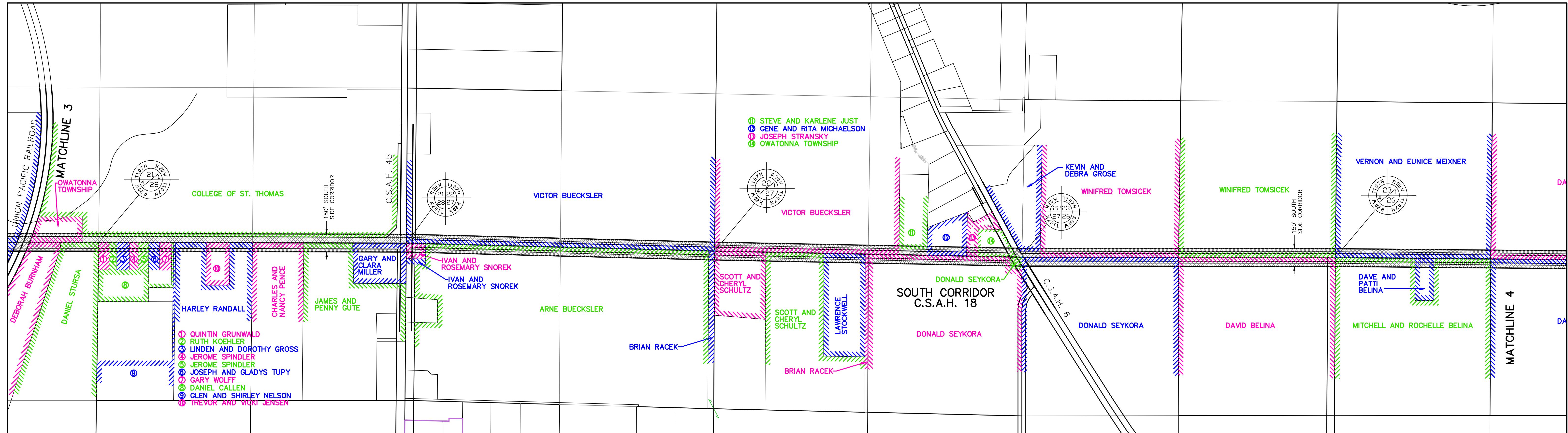
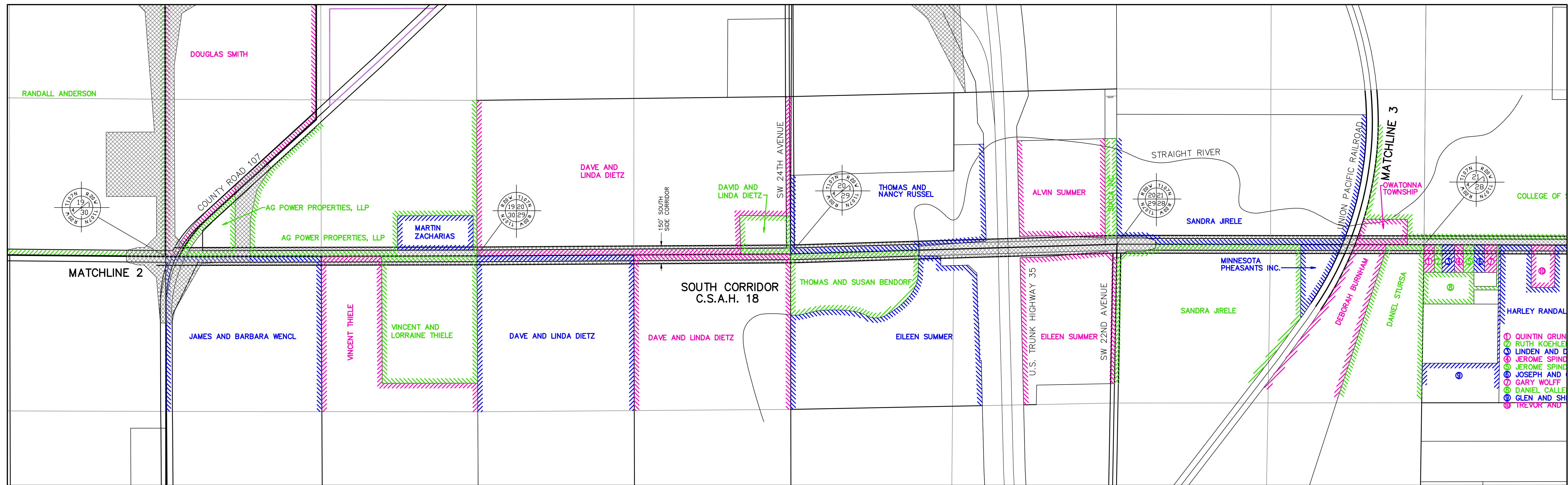
PROPERTY OWNERS AS SHOWN WERE
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SURVEY
NORTH CORRIDOR
PART OF SEC 31,32 & 33-108-20 &
4,5 & 6-107-20, STEELE COUNTY, MN
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415 WEST NORTH ST
OWATONNA, MN 55060
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FAX (507) 451-1396
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JDB NO. 09-1079
SCALE 1=400' DWG BY BLK AUGUST 2009
SHEET 7 OF 7 SHEETS



PROPERTY OWNERS AS SHOWN WERE
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SURVEY
NORTH CORRIDOR
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31 & 32-108-19 & 6 & 5-107-19, STEELE COUNTY, MN
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OWATONNA, MN 55060 ALBERT LEA, MN 56007
PH (507) 451-4598 PH (507) 373-4876
FAX (507) 451-1396 FAX (507) 373-1839
SCALE 1"=400' DWG BY BLK AUGUST 2009 FILE NO. 1900
JOB NO. 09-1079
SHEET 6 OF 7 SHEET



PROPERTY OWNERS AS SHOWN WERE
OBTAINED FROM THE STEELE COUNTY WEB SI

SURVEY

SOUTH CORRIDOR

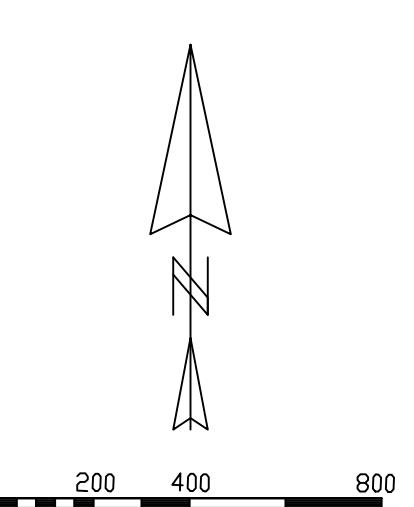
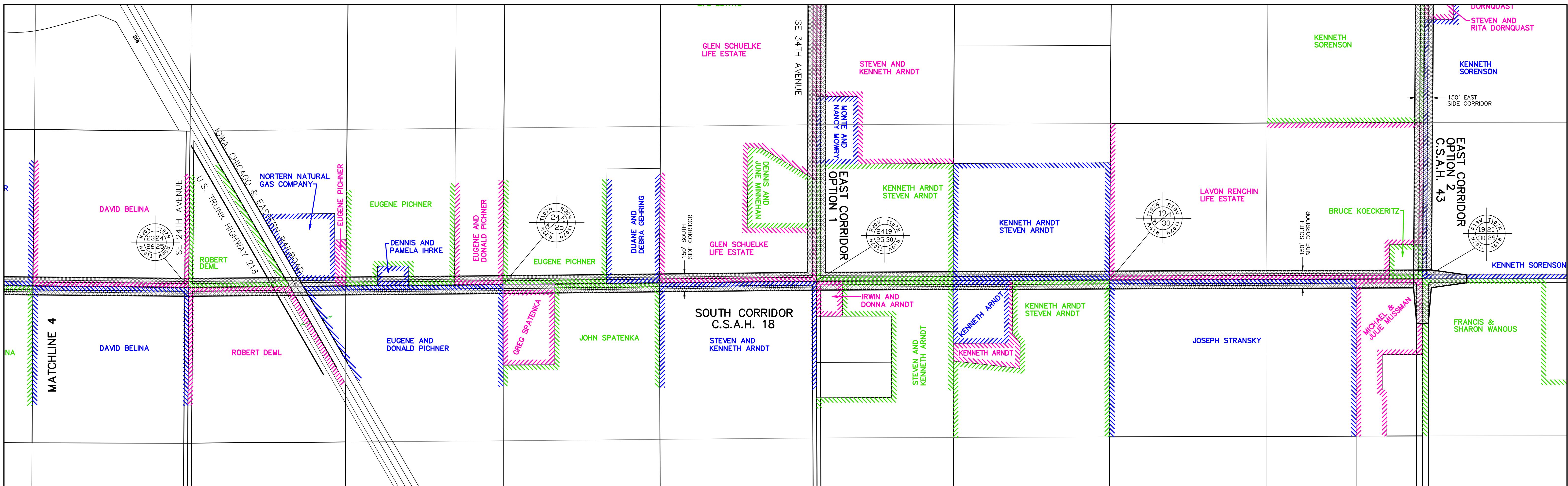
PART OF SEC 31-108-20 & 6,7,18,19,
30-107-20, STEELE COUNTY, MN

JONES, HAUGH & HOSFIELD

PROFESSIONAL ENGINEERS & LAND SURVEYORS

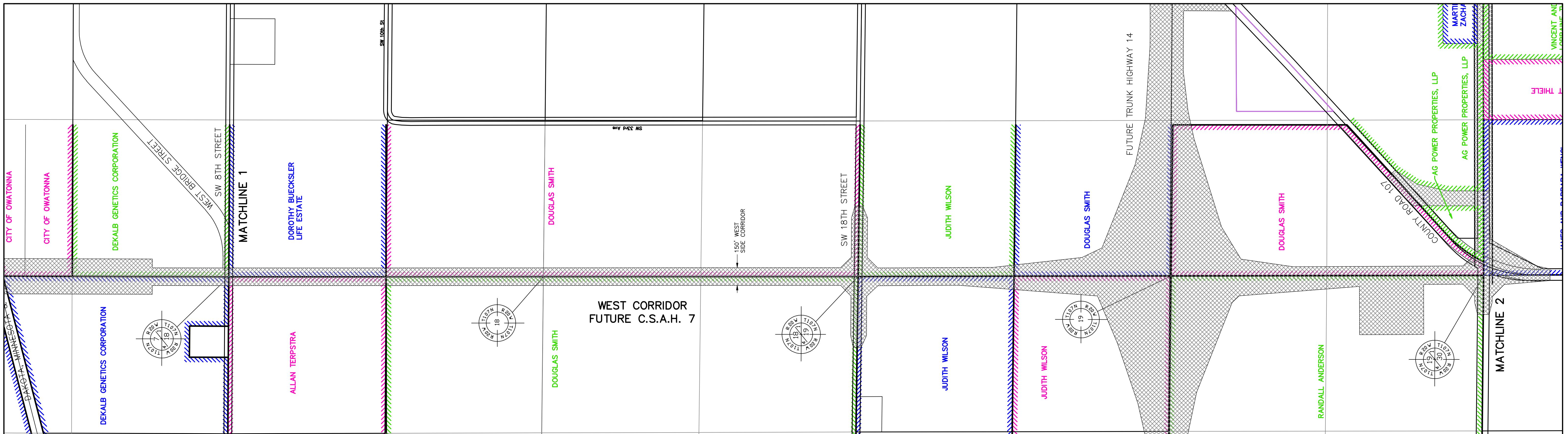
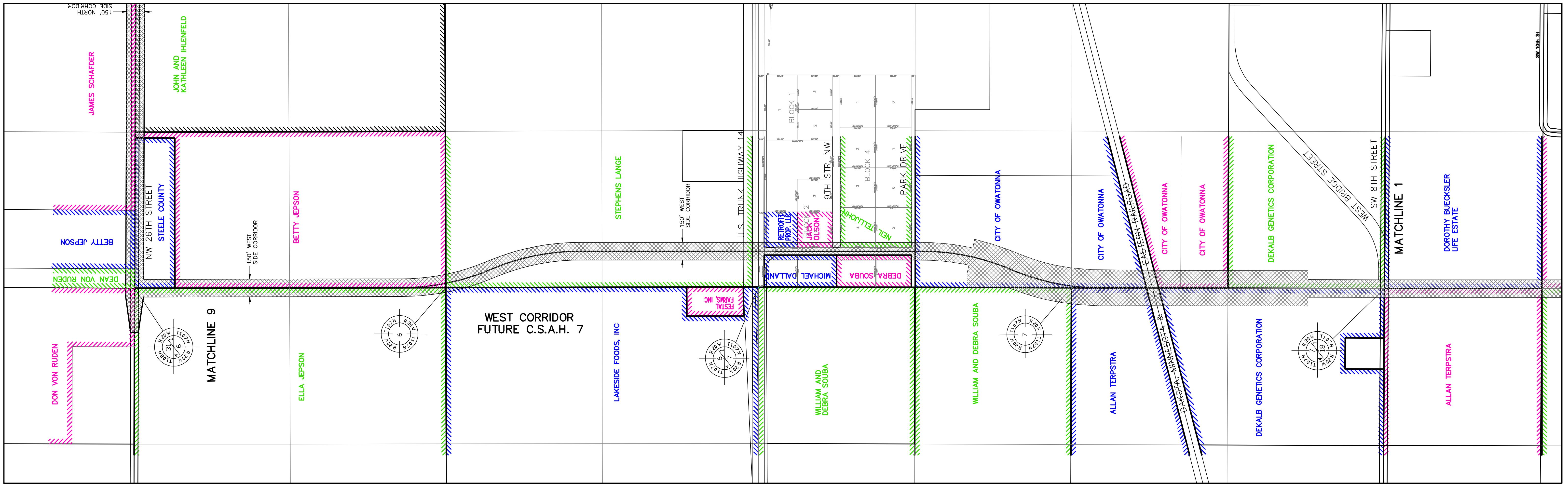
415 WEST NORTH ST OWATONNA, MN 55060 PH (507) 451-4598 FAX (507) 451-1396	515 S WASHINGTON AVE ALBERT LEA, MN 56007 PH (507) 373-4876 FAX (507) 373-1839
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SCALE 1"=400'	DWG BY BLK	AUGUST 2009	FILE NO. 1900



PROPERTY OWNERS AS SHOWN WERE
OBTAINED FROM THE STEELE COUNTY WEB SITE

SURVEY	
SOUTH CORRIDOR	
PART OF SEC 19,20,29 & 30-107-19 & 19,20,21,22,23,24, 30,25,26,27,28,29-107-20, STEELE COUNTY, MN	
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WATONNA, MN 56060	ALBERT LEA, MN 56007
PH (507) 451-4598	PH (507) 373-4876
FAX (507) 451-1396	FAX (507) 373-1839
SCALE 1=400' DWG BY BLK	FILE NO. 1900
	JDB NO. 09-1079
	SHEET 3 OF 7 SHEETS



THIS MAP PREPARED AND RECORDED PURSUANT TO SECTION 394.35
AND 394.361 OF THE STATUTES OF THE STATE OF MINNESOTA.

This is to certify that I, John C. Hosfield, Steele County Surveyor, have prepared this Official Map of the east beltline options 1 and 2, the north beltline, west beltline and south beltline corridors according to the resolution adopted on February 8, 2005 by the Steele County Board of Commissioners and recorded on , 2009 as document number in the Office of the Steele County Recorder.

John C. Hosfield
Steele County Surveyor
License No. 15231

SURVEY

WEST CORRIDOR

PART OF SECTIONS 6, 7, 18 & 19-107-20
STEELE COUNTY, MN

JONES, HAUGH & HOSFIELD

PROFESSIONAL ENGINEERS & LAND SURVEYORS

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SCALE 1"=400'	DWG BY BLK	AUGUST 2009	FILE NO. 1900
			JOB NO. 09-1079
			SHEET 1 OF 7 SHEET



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mi

Tax Parcel Viewer

October 13, 2023



Clinton Falls



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0 0.01 0.02 0.04
mi

Tax Parcel Viewer

October 14, 2023



Parcel Detail: 17-573-0220

Parcel Number: 17-573-0220
Deed Holder: WISTE/GREGORY A & KARI R
Property Address: 2545 MOSSY CREEK DR NE
OWATONNA, MN 55060
[Map This Address](#)
Mailing Address: 2545 MOSSY CREEK DR NE
OWATONNA, MN 55060 USA
PDF: [Download PDF](#)
Class: Residential
Tax District: 0761
Zoning: Single Family Residential
Sec-Twp-Rng: 12-107-20
Lot-Block: 00-00
Deeded Acres: 0.0000
Tax Description: BLK 2 LOT 20 NORTH
COUNTRY ADDN
Property Report: [Property Report \(PDF file\)](#)

Applications & Exemptions

***Note:** If any changes are entered on the forms, the Assessor's office will call to confirm them before completing.



Valuation

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2025	\$59,800	\$293,300	\$0	\$353,100
2024	\$55,500	\$281,400	\$0	\$336,900
+ More Years...				

Land Front Foot Information

Lot	Front	Rear
Main Lot	93.00	93.00
Total Square Feet: 14,880		Total Acres: 0.340

Residential Building Information

Occupancy	Style	Year Built	Total Living Area
- Single-Family / Owner Occupied	Split Foyer Frame	2004	1,376

Building	
Occupancy:	Single-Family / Owner Occupied
Year Built:	2004
Style:	Split Foyer Frame
Area:	1,268
TLA:	1,376
Basement:	Full
Heating:	FHA - Gas
AC:	Yes
Attic:	None

Room Count	
Bedroom Count:	3

Building Descriptions

Foundation:	C Blk
Exterior Walls:	Vinyl
Roof:	Gable/Asph
Architectural Design:	N/A

Occupancy	Style	Year Built	Total Living Area
Plumbing			
Style			Count
Standard Bath - 3 Fixt			2
Shower Stall Bath -3 Fixt			1
Sink			1
Basement Finish			
Description		Area	Units
Living Qtrs. (Multi)		1,156	Table
			Avg
Porches			
SF Area	Style	Bsmt SF	Qtrs SF
24	1S Frame Open	0	0
			Frame
			Yes
Decks and Patios			
Style			SF Area
Vinyl/CompoDeck			288
Garage 1 of 1			
Year Built:	2004		
Style:	Att Frame		
Area:	1,020		
Basement SF:	0		
Int Fin Style:	Finished Minimal		
Int Fin Pricing:	Average		
Int Fin Area:	1,020		
Qtrs Over Style:	None		
Qtrs Over SF:	0		

Sale Information			
Sale Date	Amount	Sales Condition Codes	Recording
+ 07/23/2015	\$198,850	000 - NORMAL ARMS-LENGTH TRANSACTION SALE	1535
+ 01/24/2011	\$0	101 - TRANSACTION WITH NO CRV	13/43

Sale Date	Amount	Sales Condition Codes	Recording
+ 04/30/2010	\$144,000	021 - BANK SALE (INCLUDING HUD), AND LENDING INSTITUTION SALES NOT EXPOSED TO MARKET	
- 09/01/2004	\$203,572	007a - PHYSICAL CHANGE/NEW CONSTRUCTION (AFTER ASSESSMENT DATE; BEFORE SALE)	

Sales Detail

Buyer:	FARR/RODNEY N
Seller:	BRANDENBURG/RANDAL
Sale Date:	09/01/2004
Sale Amount:	\$203,572
Sale Type:	Deed
Sales Code:	007a - PHYSICAL CHANGE/NEW CONSTRUCTION (AFTER ASSESSMENT DATE; BEFORE SALE)
Recording:	Tapestry Land Records
eCRV ID:	382488 - eCRV Search
Additional Information:	Sale Information

- 12/01/2003	\$28,000	000 - NORMAL ARMS-LENGTH TRANSACTION SALE	
--------------	----------	---	--

Sales Detail

Buyer:	FARR/RODNEY N
Seller:	JFJ DEVELOPMENT, L
Sale Date:	12/01/2003
Sale Amount:	\$28,000
Sale Type:	Deed
Sales Code:	000 - NORMAL ARMS-LENGTH TRANSACTION SALE
Recording:	Tapestry Land Records
eCRV ID:	382488 - eCRV Search
Additional Information:	Sale Information

Building Permit Information

Date	Number	Tag Descr	Tag Date	Amount	Reason
11/03/2016	2016-01636	No	01/01/2017	1,350	Water Heaters
10/20/2010	1001729	No	01/01/1900	500	Fence
07/30/2010	1001066	No	01/01/1900	500	Garage Alteration
06/21/2010	1000818	No	01/01/1900	25,000	Building Alteration
06/02/2005	0500804	No	01/01/1900	4,479	Deck
01/15/2004	0400057	No	01/01/1900	148,210	New Const, Sing-Fam
01/15/2004	0400058	No	01/01/1900	6,300	Building Alteration
01/15/2004	0400059	No	01/01/1900	6,200	Building Alteration

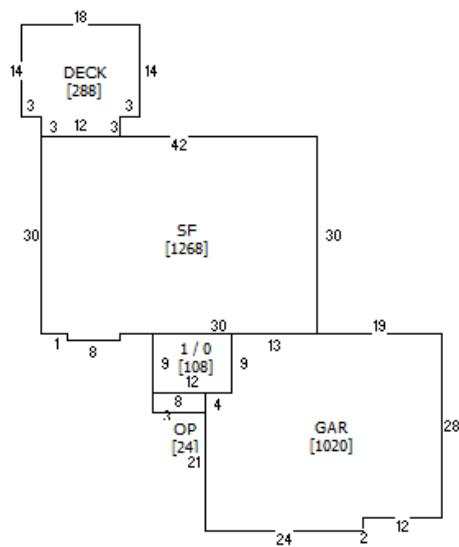
Taxation

For further tax information and/or to pay your current taxes

Payable Year	Classification / Homestead	Estimated Market Value	Taxable Market Value	Tax Capacity	Special Assessments	Total Tax
2025	RESIDENTIAL-HOMESTEAD	\$336,900	\$320,671	\$3,207	\$64.00	\$4,840.00
2024	RESIDENTIAL-HOMESTEAD	\$322,000	\$313,740	\$3,137	\$64.00	\$4,754.00

+ More Years...

Sketch



Sketch for PIN 17-573-0220

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8 0 2 7 7 0 9
Tx:4028175

A000420967

OFFICE OF THE COUNTY RECORDER
STEELE COUNTY, MINNESOTA
CERTIFIED, FILED, AND/OR RECORDED ON
11/05/2018 10:06 AM
WELL CERTIFICATE RECEIVED: N
PAGES: 2 FEES: 85.60
MORTGAGE TAX: 0.00 RECEIPT #: 0
STATE DEED TAX: 39.60
RICK G. KVIEK
STEELE COUNTY RECORDER
BY: MELISSA T

No delinquent taxes and transfer entered: Certificate of Real Estate Value (<input checked="" type="checkbox"/>) filed (<input type="checkbox"/>) not required	
Certificate of Real Estate Value No. <u>27954</u>	
<u>November 2</u>	<u>, 2018</u>
<u>Sandra Sheke</u>	County Auditor
<u>by Nancy Seitz</u>	Deputy

(Top 3 inches reserved for recording data)

LIMITED WARRANTY DEED

Business Entity to Business Entity

eCRV number: 889740

DEED TAX DUE: \$39.60

DATE: November 1, 2018

FOR VALUABLE CONSIDERATION, **United Prairie Bank**, a banking corporation under the laws of Minnesota ("Grantor"), hereby conveys and quitclaims to the **City of Owatonna**, a municipal corporation under the laws of Minnesota ("Grantee"), real property in Steele County, Minnesota, legally described as follows:

Lot 1, Block 4, North Country Addition No. 3; AND
Outlots A and B, North Country Addition No. 3; AND
Outlot A, North Country Addition No. 2; AND
Outlots A and B, Emerald Acres No. 3

Check here if all or part of the described real property is Registered (Torrens)

together with all hereditaments and appurtenances belonging thereto.

This Deed conveys after-acquired title. Grantor warrants that Grantor has not done or suffered anything to encumber the property, EXCEPT:
No encumbrances

Check applicable box:

- The Seller certifies that the Seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: [...].)
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

UNITED PRAIRIE BANK

By:

Joshua L. Burgess

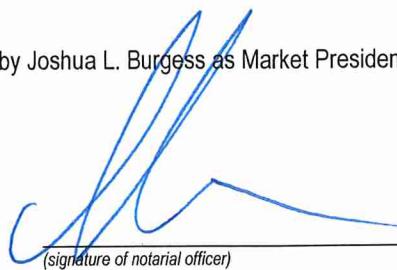
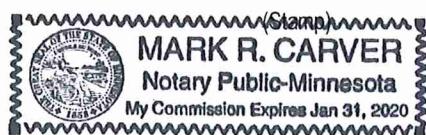
Its: Market President

17-594-0401
17-594-0002
17-594-0001
17-582-0001
17-593-0001

17-593-0002

State of Minnesota, County of Steele

This instrument was acknowledged before me on November 1, 2018, by Joshua L. Burgess as Market President of United Prairie Bank, a Minnesota banking corporation.



(signature of notarial officer)

Title (and Rank): _____

My commission expires: _____
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:

David L. Einhaus
Einhaus, Mattison, Carver & Haberman, P.A.
202 North Cedar P.O. Box 545
Owatonna, Minnesota 55060
(507) 451-3580
E18-732

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

City of Owatonna
540 West Hills Circle
Owatonna, Minnesota 55060

**Parcel Number:**

17-582-0001

Deed Holder:

CITY OF OWATONNA

Property Address:**Mailing Address:**540 WEST HILLS CIRCLE
OWATONNA, MN 55060 USA**PDF Name:**

EXEMPT PROPERTY

Class:

EXEMPT

Tax District:

0761

Zoning:

NOT APPLICABLE

Sec-Twp-Rng:

12-107-20

Lot-Block:

00-00

Deeded Acres:

0.0000

Tax Description

OUTLOT A NORTH COUNTRY ADDN #2

 Assessor Hub provided by
 Vanguard Appraisals, Inc 


Year	Valuation			Total Value
	Land Value	Dwelling Value	Improvement Value	
2023	\$5,000	\$0	\$0	\$5,000
2022	\$5,000	\$0	\$0	\$5,000
More Years...				
2021	\$4,700	\$0	\$0	\$4,700
2020	\$4,700	\$0	\$0	\$4,700
2019	\$4,700	\$0	\$0	\$4,700
2018	\$4,700	\$0	\$0	\$4,700
2017	\$4,700	\$0	\$0	\$4,700
2016	\$4,700	\$0	\$0	\$4,700
2015	\$4,700	\$0	\$0	\$4,700
2014	\$5,000	\$0	\$0	\$5,000
2013	\$1,000	\$0	\$0	\$1,000
2012	\$1,000	\$0	\$0	\$1,000

2011	\$15,000	\$0	\$0	\$15,000
2010	\$25,000	\$0	\$0	\$25,000
2009	\$26,400	\$0	\$0	\$26,400
2008	\$29,400	\$0	\$0	\$29,400
2007	\$32,600	\$0	\$0	\$32,600
2006	\$32,600	\$0	\$0	\$32,600
2005	\$32,600	\$0	\$0	\$32,600
2004	\$3,800	\$0	\$0	\$3,800

Land Information

Lot Type	Square Feet	Acres
Lump Sum	82,498	1.890

Sale Information

Sale Date	Amount	Non-Useable Transaction Code	Recording
▲ 11/01/2018	\$12,000	034 - SECONDARY PARCEL INCLUDED IN MULTIPLE PARCEL SALE TRANSACTION	1849
Sales Detail			
Buyer: CITY OF OWATONNA			
Seller:	UNITED PRAIRIE BANK		
Sale Date:	11/01/2018		
Sale Amount:	\$12,000		
Sales Type:	LWD		
NUT Code:	034 - SECONDARY PARCEL INCLUDED IN MULTIPLE PARCEL SALE TRANSACTION		
Recording:	Tapestry Land Records		
eCRV ID:	889740 eCRV Search		
Additional Information: Click Here			
▲ 08/26/2015	\$0	101 - TRANSACTION WITH NO CRV	1542
Sales Detail			
Buyer:	UNITED PRAIRIE BANK		
Seller:	JFJ DEVELOPMENT LLP ; C/O LYNN JOHNSON		
Sale Date:	08/26/2015		
Sale Amount:	\$0		
Sales Type:	WD		
NUT Code:	101 - TRANSACTION WITH NO CRV		
Recording:	Tapestry Land Records		
eCRV ID:	N/A eCRV Search		
Additional Information: Click Here			

Taxation

Payable Year	Classification / Homestead	Estimated Market Value	Taxable Market Value	Tax Capacity	Special Assessments	Total Tax
2021	EXEMPT PROPERTY	\$4,700	\$0	\$0	\$0.00	\$0.00
2020	EXEMPT PROPERTY	\$4,700	\$0	\$0	\$0.00	\$0.00
2019	RESIDENTIAL VACANT LAND	\$4,700	\$4,700	\$59	\$0.00	\$100.00
2018	RESIDENTIAL VACANT LAND	\$4,700	\$4,700	\$59	\$0.00	\$100.00
2017	RESIDENTIAL VACANT LAND	\$4,700	\$4,700	\$59	\$0.00	\$100.00

**Parcel Number:**

17-594-0001

Deed Holder:

CITY OF OWATONNA

Property Address:**Mailing Address:**540 WEST HILLS CIRCLE
OWATONNA, MN 55060 USA**PDF Name:**

EXEMPT PROPERTY

Class:

EXEMPT

Tax District:

0761

Zoning:

NOT APPLICABLE

Sec-Twp-Rng:

12-107-20

Lot-Block:

00-00

Deeded Acres:

0.0000

Tax Description

OUTLOT A NORTH COUNTRY ADDITION NO.3



Valuation				
Year	Land Value	Dwelling Value	Improvement Value	Total Value
2023	\$5,000	\$0	\$0	\$5,000
2022	\$5,000	\$0	\$0	\$5,000

[▼ More Years...](#)
Land Information

Lot Type	Square Feet	Acres
Lump Sum	103,362	2.370

Sale Information

Sale Date	Amount	Non-Useable Transaction Code	Recording
▲ 11/01/2018	\$12,000	034 - SECONDARY PARCEL INCLUDED IN MULTIPLE PARCEL SALE TRANSACTION	1849
Sales Detail			
Buyer: CITY OF OWATONNA			
Seller:	UNITED PRAIRIE BANK		
Sale Date:	11/01/2018		
Sale Amount:	\$12,000		
Sales Type:	LWD		
NUT Code:	034 - SECONDARY PARCEL INCLUDED IN MULTIPLE PARCEL SALE TRANSACTION		
Recording:	Tapestry Land Records		
eCRV ID:	889740 eCRV Search		
Additional Information: Click Here			
▲ 08/26/2015	\$0	101 - TRANSACTION WITH NO CRV	1542
Sales Detail			
Buyer:	UNITED PRAIRIE BANK		
Seller:	JFJ DEVELOPMENT LLP ; C/O LYNN JOHNSON		
Sale Date:	08/26/2015		
Sale Amount:	\$0		
Sales Type:	WD		
NUT Code:	101 - TRANSACTION WITH NO CRV		
Recording:	Tapestry Land Records		

eCRV ID: N/A [eCRV Search](#)
Additional Information: [Click Here](#)

Taxation

Payable Year	Classification / Homestead	Estimated Market Value	Taxable Market Value	Tax Capacity	Special Assessments	Total Tax
2021	EXEMPT PROPERTY	\$4,700	\$0	\$0	\$0.00	\$0.00
2020	EXEMPT PROPERTY	\$4,700	\$0	\$0	\$0.00	\$0.00
2019	RESIDENTIAL VACANT LAND	\$4,700	\$4,700	\$59	\$0.00	\$100.00
2018	RESIDENTIAL VACANT LAND	\$4,700	\$4,700	\$59	\$0.00	\$100.00
2017	RESIDENTIAL VACANT LAND	\$4,700	\$4,700	\$59	\$0.00	\$100.00

Please call 507.444.4300 for assistance.

Description of the data requested: [?](#)

We are requesting access to the following public data:

1. A copy of any City Council resolution adopted in or around 2004 related to the preservation, reservation, mapping, or protection of a corridor for the East Side Corridor or other future transportation infrastructure in East of Owatonna.
2. The City Council meeting minutes from the meeting at which this resolution was adopted, or discussed.
3. Any attachments presented to the City Council, staff memos, or correspondence in connection with this resolution or the mapped corridor prior to January 2020, if available.
4. Any follow-up documents or communications (from 2000 through 2020) that:
 - Refer to the preservation of the corridor,
 - Indicate a change in the City's position on the corridor,
 - Or mention the parcels within the mapped corridor.

You may provide a digital copy via email (preferred), or let us know if inspection or cost estimate is necessary.

If any records are no longer available, please cite the applicable retention schedule and reason they were destroyed or removed from public record.

Data Request
DATA-25-70

Document Transmission Completed

 **Complete.** This step was completed on Sep 3, 2025 at 3:47pm.

Your Submission

Attachments

Guests (0)

-  City Administrative Review
-  Administration Review
-  Data Request Fee
-  Document Transmission

Tricia Notch

Sep 3, 2025 at 3:47 pm

The Requested Data does not exist. If you have any questions, please contact Jeannette Clawson at 507-774-7341. The file is complete and closed.

Message the reviewer

[Send Message](#)

Procedural Misrepresentation and Improper Sequencing Between May 26 Stakeholder Meeting and May 31 Open House

This comment addresses inconsistent and misleading representations made by project representatives between the May 26 stakeholder meeting and the May 31 public open house, which undermined meaningful public participation and informed environmental review.

At the May 26 stakeholder meeting, residents were explicitly told that **all alternatives were still under study** and that alignment selection had not yet been determined. Project representatives indicated that it was **up to residents to propose their own mitigation measures**, despite the fact that mitigation feasibility and effectiveness are core components of environmental analysis that must be evaluated by the Responsible Governmental Unit.

When residents asked specifically about **noise impacts**, project representatives responded dismissively, stating words to the effect of:

“Are you talking about a noise wall? You don’t want a noise wall. Those are for major projects like I-35 and Highway 14.”

This response minimized foreseeable noise impacts, discouraged discussion of mitigation, and materially misrepresented the applicability of noise mitigation measures for a project of this scale and proximity to residences.

As a direct result of this exchange, residents understood that noise impacts were being downplayed and that mitigation analysis was either premature or unnecessary — despite the project’s extreme proximity to homes.

However, **just five days later**, at the May 31 public open house, the public was presented with **only a single alternative**, indicating that alignment selection had already occurred. This contradicted representations made at the May 26 stakeholder meeting, just 5 days prior, and deprived residents of a meaningful opportunity to comment on alternatives or mitigation strategies before a preferred alternative was effectively advanced.

This rapid shift — from “all alternatives still under study” on May 26 to presentation of only one alternative on May 31 — demonstrates improper sequencing and undermines the integrity of the environmental review process. Public participation was rendered illusory because residents were discouraged from raising mitigation concerns and then presented with a predetermined outcome before such concerns could be meaningfully evaluated.

Under MEPA, public participation must occur early and continuously, before decisions are made and positions harden. The inconsistency between these two meetings supports a conclusion that the Environmental Assessment Worksheet fails to reflect a transparent, good-faith alternatives and mitigation analysis and warrants preparation of an Environmental Impact Statement.

Owatonna East Side Corridor Residents
OwatonnaEastSideCorridor@gmail.com

Failure to Disclose Supporting Data for Rejection of 34th Avenue Alternative

This comment is submitted to document the absence of supporting documentation underlying the repeated assertion that 34th Avenue was “too far” and would not be used.

In January 2024, residents formally requested the supporting documents, tabletop exercise materials, and studies relied upon to justify the rejection of the 34th Avenue alternative, including any analyses or exercises that involved residents from the east side of town. See attached email. This request was made in response to statements by project representatives asserting that 34th Avenue would not be used, despite its inclusion in prior planning documents and right-of-way mapping.

To date, no such documentation has been produced or disclosed to residents, nor has it been incorporated into the environmental record. The Environmental Assessment Worksheet similarly contains no underlying data, modeling, or resident-informed analysis supporting the elimination of 34th Avenue as a reasonable alternative.

MEPA and NEPA require early and continuous public participation in the evaluation of alternatives. This correspondence demonstrates that residents have been requesting supporting data regarding the rejection of the 34th Avenue alternative for multiple years, yet no documentation has been disclosed or incorporated into the environmental record. In October 2024, residents began formally documenting these requests, which resulted in a ruling against the County finding that data had been withheld, preventing meaningful public participation. The continued absence of response and supporting analysis reflects a failure to provide meaningful, ongoing public participation as required under MEPA and NEPA.

The absence of these materials—despite repeated requests over an extended period—demonstrates that the rejection of the 34th Avenue alternative is not supported by documented environmental or transportation analysis. This lack of disclosure prevents meaningful public review, undermines the credibility of the alternatives analysis, and supports the conclusion that the elimination of this alternative reflects predetermination rather than an evidence-based evaluation.

Because the environmental record does not contain the information necessary to understand or verify the basis for rejecting 34th Avenue, the EAW is incomplete and misleading. Preparation of an Environmental Impact Statement is required to ensure full disclosure, meaningful public participation, and lawful consideration of reasonable alternatives.

Owatonna East Side Corridor Residents
OwatonnaEastSideCorridor@gmail.com

34th Avenue

MS

Matthew Sennott

To Ilkka, Gregory



Reply

Reply All

Forward



...

Wed 1/10/2024 12:45 PM

Hi Greg,

Our organization of residents would like to see supporting documents and tabletop exercise documentation that supports your assertion that 34th Ave is "too far" and would not be used. Please also include any studies which involved residents on this side of town.

Thank you in advance for these details.

Matt Sennott

Failure to Evaluate and Disclose a Feasible Avoidance Alternative (Alternative 3B)

MEPA and NEPA require that environmental impacts be avoided where feasible and that reasonable avoidance alternatives be fully evaluated and disclosed to the public. The Environmental Assessment Worksheet (EAW) for the East Side Corridor fails this requirement by omitting **Alternative 3B**, a feasible avoidance alignment that was designed, modeled, evaluated, and treated internally as the appropriate response to identified noise impacts, yet was excluded entirely from the EAW.

Project correspondence from **June 2023 through mid-2024** demonstrates that Steele County, WSB, and MnDOT actively evaluated **Alternative 3B**, a realigned version of Alternative 3 intended to shift the roadway east to reduce residential noise impacts. Internal emails confirm that modeling was performed on the realigned alignment, that cultural resources surveys and Areas of Potential Effect were expanded to accommodate it, and that consultant contracts were amended to reflect these changes. These actions show that Alternative 3B was operationally advanced and met project criteria, not merely conceptual.

Contract amendment records confirm that detailed noise analysis and modeling had been completed for a realigned version of Alternative 3, identified in project correspondence as Alternative 3B. However, **internal County Engineer review comments directed WSB not to identify specific alternatives or affected neighborhoods in public-facing materials**. As a result, when the contract amendment was presented to the County Board on September 24, 2024, the completed analysis of **Alternative 3B was not disclosed or clearly identified**. The omission of a studied avoidance alternative from materials presented to decision-makers and the public renders the environmental process flawed and the EAW incomplete and misleading by omission.

Additional correspondence shows that County staff and consultants explicitly intended to address noise impacts **through roadway relocation rather than construction of a noise wall**, and that moving the roadway to the Alternative 3B alignment was understood to be the avoidance option if residents voted for noise wall mitigation—something residents had made clear they were prepared to do. Internal emails reflect that the County anticipated shifting the roadway east if mitigation options were supported, confirming that avoidance was known to be feasible and was treated as the functional alternative to noise wall construction.

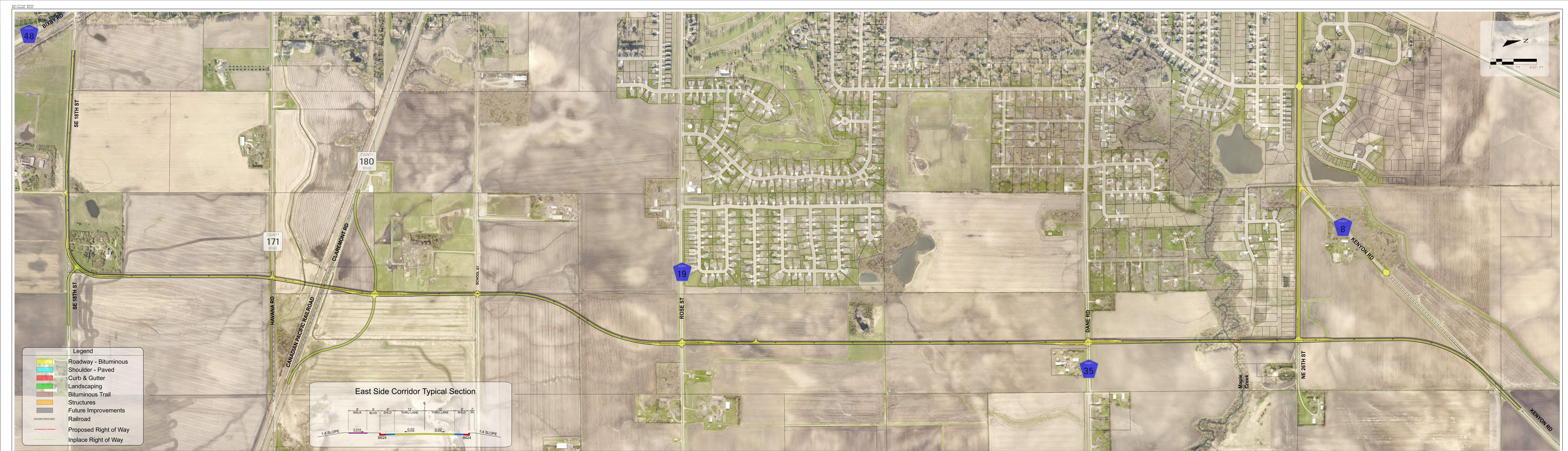
Despite this, **Alternative 3B is entirely absent from the EAW**. While state and interagency correspondence referenced in the project record repeatedly acknowledges alignment shifts, realignments of Alternative 3, avoidance-based responses to noise impacts, and specifically “3B”, the EAW fails to disclose Alternative 3B as a distinct alternative, fails to evaluate its environmental impacts, and fails to compare it against the selected preferred alignment. The EAW fails to present Alternative “3B” entirely. The public record instead presents a truncated alternatives analysis that omits a feasible avoidance option known to and relied upon by the County.

Internal communications further demonstrate that avoidance was not rejected due to environmental infeasibility, but due to non-environmental considerations such as development agreements, land use preferences, and utilities. By proceeding directly to mitigation analysis and public discussion of noise walls while withholding a viable avoidance alternative, the County inverted the required sequencing under MEPA and NEPA, which require avoidance to be evaluated before mitigation.

The public was never informed that Alternative 3B existed, had been designed, or had been studied. Alternative 3B was actively withheld from public disclosure. Residents became aware of Alternative 3B only through public data requests, not through the environmental review process. This omission deprived the public of meaningful participation and renders the EAW misleading by omission.

Because Alternative 3B represents a feasible avoidance alternative that was known, studied, and treated internally as the appropriate response to environmental impacts, yet excluded from the EAW, the environmental review is incomplete and procedurally deficient. The omission of Alternative 3B invalidates the alternatives analysis and precludes a lawful Finding of No Significant Impact. At minimum, the EAW must be revised to fully evaluate Alternative 3B; preparation of an Independent Environmental Impact Statement is warranted.

Owatonna East Side Corridor Residents
OwatonnaEastSideCorridor@gmail.com



East Side Corridor Study
Steele County, Minnesota

PROJECT LAYOUT - ALTERNATIVE 3B

June 4, 2024



From: Cabral Neto, Fausto (DOT) [REDACTED]
Sent: Monday, September 30, 2024 8:11 AM
To: Fenske, James W (DOT)
Subject: FW: Request for Clarification on East Side Corridor Project Updates and Concerns

fyi

From: Cabral Neto, Fausto (DOT)
Sent: Monday, September 30, 2024 7:29 AM
To: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Bottos, Elisa (DOT) [REDACTED] Fry, Renae <Renae.Fry@SteeleCountyMN.gov>; sean.murphy@owatonna.gov
Subject: RE: Request for Clarification on East Side Corridor Project Updates and Concerns

Hello Paul,

I suggest to you, or your team, verify if there are new commentary among the new email that have not been responded to in 2023.

Provide response to those comments in combination to the commentary that will be received at future public meetings informing when it was initially addressed.

An environmental document captures all public input and provided responses.

In some instances, the already given answers can be repeated, if issues that it relates to haven't changed from the time when it was initially addressed.

Thanks

Fausto Cabral PE MS-ISE
507 251 1930
District State Aid Engineer
MN DOT District 6

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] Fry, 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. Melissa 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

County Engineer comments dated July 31, 2024 directed omission of alternative and neighborhood identifiers; the resulting contract amendment (dated September 3, 2024) was presented to the Board on September 24, 2024.

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 Noise Analysis

Based on stakeholder at North Country neighborhood, noise analysis was completed to evaluate noise impacts at 500', 700' and 1000' from the centerline of geometry alternative 2. Additional analysis included build-analysis, wall analysis near the North Country neighborhood, and development of supporting figures and tables.

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

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 comple



Memorandum

To: Paul Sponholz, Steele County
From: Andrew Plowman, WSB
Date: September 3, 2024
Re: East Side Corridor Project
WSB Project No. 019850-000
Contract Amendment No. 1

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

- Additional Noise Analysis
- Additional Concept Development and Analysis
- Public Engagement – Website Updates
- Right of Entries
- Additional Meetings and Coordination
- Visual Quality and Mitigation

The original contract total amount is \$298,564. WSB respectfully requests compensation for these additional services in the not-to-exceed amount of \$127,480, resulting in a revised contract total of \$426,044, 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 Noise Analysis

Noise analysis is being completed to evaluate noise impacts for various alternatives, instead of just one build alternative. This includes background data for the various alternatives and running multiple models.

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.

The revised scope also includes the gathering of materials for possible implementation of any justifiable sound walls. This includes background materials, meetings and voting procedures.

The total cost for this task is \$56,000, which is based on 400 hours of time with an average cost per hour of \$140/hr.

2024 Emails

FW: Steele Co East Side Corridor - Alignment Shift

IG

Illka, Gregory
To Sponholz, Paul

Reply Reply All Forward ...
Tue 8/20/2024 10:46 AM

① Follow up. Completed on Wednesday, August 28, 2024.
You forwarded this message on 8/22/2024 1:13 PM.



RBA_MnDOT Cultural Resources Contract Amend.pdf
462 KB

Attached is an RBA to amend the architectural and archaeological work on the ESC. I wrote it up for next week's Board meeting, but I will not be in attendance. We can discuss.

Greg

From: Jones, Maggie (DOT) [REDACTED]
Sent: Wednesday, August 7, 2024 4:42 PM
To: Illka, Gregory <Gregory.Illka@SteeleCountyMN.gov>
Cc: Kurth, Andrew (DOT) [REDACTED] Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Subject: RE: Steele Co East Side Corridor - Alignment Shift

You don't often get email from maggie.jones@state.mn.us. Learn why this is important

Hi Greg –

I'm helping out with the contract amendment from the MnDOT side while Andrew is temporarily filling in a different role.

Westwood confirmed that they do not need additional funds, just additional time. Thanks!

Maggie

Maggie Jones, Historian and Unit Supervisor (she/her)
Cultural Resources Unit, Office of Environmental Stewardship, MnDOT

RE: SP 074-070-009 Steele Co East Side Corridor - cultural resources consultant contract amendment

JM

Jones, Maggie (DOT) [REDACTED]
To Sponholz, Paul
Cc Illka, Gregory; Cabral Neto, Fausto (DOT); Mary Gute; Andrew Plowman; Ohland, Kathryn (DOT)

Reply Reply All Forward ...
Mon 6/10/2024 3:33 PM

Some people who received this message don't often get email from [REDACTED]. Learn why this is important

Hi Paul –

Thanks for the confirmation that Steele County would like to move forward with an 80/20 split for any additional costs. I've updated the project Area of Potential Effect to include the revised alignment and sent to the consultant, Westwood. I'll let you know when I hear back what the additional cost is. Thanks!

Maggie

Maggie Jones, Historian and Unit Supervisor (she/her)
Cultural Resources Unit, Office of Environmental Stewardship, MnDOT
Mail Stop 620, 395 John Ireland Boulevard, St. Paul, MN 55155
Phone: 651-392-5424



FW: Steele Co East Side Corridor - Alignment Shift



Ilkka, Gregory
To Sponholz, Paul

Reply Reply All Forward ...

Tue 8/20/2024 10:46 AM

① Follow up. Completed on Wednesday, August 28, 2024.
You forwarded this message on 8/22/2024 1:13 PM.



RBA_MnDOT Cultural Resources Contract Amend.pdf
462 KB

Steele County Engineer

From: Kurth, Andrew (DOT)

Sent: Wednesday, June 5, 2024 9:09 AM

To: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Cabral Neto, Fausto (DOT)

Cc: Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>; Mary Gute <MGute@wsbeng.com>;

Ohland, Kathryn (DOT)

Subject: RE: Steele Co East Side Corridor - Alignment Shift

Hi Paul,

To clarify MnDOT needs something from Steele County that indicates agreement for amending the cultural resources consultant contract for additional work. This is because the funds are a 80/20 split between FWHA funding (80%) and Steele County (20%).

Andrew Kurth (he/him/his)
Office of Environmental Stewardship
T: 651-366-3591



FW: Steele Co East Side Corridor - Alignment Shift



Ilkka, Gregory
To Sponholz, Paul

Reply Reply All Forward ...

Tue 8/20/2024 10:46 AM

① Follow up. Completed on Wednesday, August 28, 2024.
You forwarded this message on 8/22/2024 1:13 PM.



RBA_MnDOT Cultural Resources Contract Amend.pdf
462 KB

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>

Sent: Wednesday, June 5, 2024 8:03 AM

To: Cabral Neto, Fausto (DOT)

Cc: Kurth, Andrew (DOT) [REDACTED]; Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>; Mary Gute <MGute@wsbeng.com>;

Andrew Plowman <APlowman@wsbeng.com>

Subject: FW: Steele Co East Side Corridor - Alignment Shift

Fausto,

We are working to amend the MnDOT contract for archeological surveys on the East Side Corridor to add some additional area to study for potential minor modifications in alignment to balance potential mitigation of impacts of what is anticipated to be the preferred alternative. Andrew Kurth is asking for a commitment email or letter from the district to agreeing to the amendment. Would you provide that agreement? 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@SteeleCountyMN.gov

To: Sponholz, Paul; Sean P. Murphy

Fri 5/10/2024 11:22 AM

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

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)

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

A send/Receive error. This folder has not yet been updated.

Disconnected

0:24

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

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: 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

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: 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

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

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

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)
WSB | wsbeng.com

4/17/2024 3:59PM

RE: SP 074-070-009 - Project Update

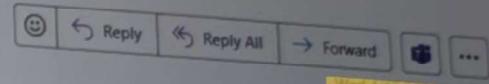


Mary Gute <MGute@wsbeng.com>
To: Kurth, Andrew (DOT)

Cc: Andrew Plowman; Ilkka, Gregory; Sponholz, Paul



019850-000_project layout_3B 2024_0417.pdf
4 MB



Wed 4/17/2024 3:59 PM

Andrew, as requested, here are the two alignment changes the county is considering. Mary

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

RE: SP 074-070-009 - Project Update

MG Mary Gute <MGute@wsbeng.com>
To: Kurth, Andrew (DOT)
Cc: Andrew Plowman; Ilkka, Gregory; Sponholz, Paul

019850-000_project layout_3B 2024_0417.pdf 4 MB

019850-000_project layout_3A 2024_0417.pdf 4 MB

Subject: RE: SP 074-070-009 - Project Update

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.

Hello Andrew. Thank you for the update on the cultural resources reporting. Since we've last touched base, there have been discussions about shifting the corridor in couple of spots to avoid some impacts to residential areas. I'm wondering if we could schedule a phone call with myself and the county to discuss:

1. The potential alignment shifts,
2. how those compare to the APE used for the cultural resources work done to date,
3. if any additional cultural resources survey and analysis would be required to cover those areas, and
4. if so, what that process would look like.

Please let me know if you have any immediate questions that I might answer as well as if you're open to a phone call to discuss. Thank you! Mary

Mary Gute, AICP
Sr. Transportation Planner
Ph#: 612.741.7055
WSB | wsbeng.com

RE: SP 074-070-009 - Project Update

MG Mary Gute <MGute@wsbeng.com>
To: Kurth, Andrew (DOT)
Cc: Andrew Plowman; Ilkka, Gregory; Sponholz, Paul

019850-000_project layout_3B 2024_0417.pdf 4 MB

019850-000_project layout_3A 2024_0417.pdf 4 MB

From: Mary Gute
Sent: Tuesday, April 16, 2024 2:41 PM
To: Kurth, Andrew (DOT) <andrew.kurth@state.mn.us>
Cc: Andrew Plowman <APlowman@wsbeng.com>; Ilkka, Gregory <Gregory.Ilkka@steelecountymn.gov>; Sponholz, Paul <Paul.Sponholz@steelecountymn.gov>
Subject: RE: SP 074-070-009 - Project Update

Thank you Andrew. I've set-up a call for 4/24 from 11-12. We will provide an updated layout, including the proposed alignment changes. I'm sure we'll have information about items 2 and 3; Andrew Plowman will be able to speak to the status of those. Mary

From: Kurth, Andrew (DOT) <andrew.kurth@state.mn.us>

From: Kurth, Andrew (DOT) <andrew.kurth@state.mn.us>
Sent: Tuesday, April 16, 2024 1:33 PM
To: Mary Gute <MGute@wsbeng.com>
Cc: Andrew Plowman <APlowman@wsbeng.com>; Ilkka, Gregory <Gregory.Ilkka@steelecountymn.gov>; Sponholz, Paul <Paul.Sponholz@steelecountymn.gov>
Subject: RE: SP 074-070-009 - Project Update

EXTERNAL EMAIL

Hi Mary,

A few items that will help with discussion and our current findings letter:

1. Up-to-date layout (the current one we have on file is date April 29, 2022)
2. Anticipated Maximum depth of project work and average depth for the road work. I assume the maximum depth will be at bridges.
3. If permanent stream diversions are need.

I note the last two items were still unknown when the review request was submitted.

Thank you.

Sincerely,

FW: Options 3A and 3B

SP Sponholz, Paul
To: Ilkka, Gregory; Sean P. Murphy

019850-000_project layout_3B 2024_0417.pdf 4 MB

019850-000_project layout_3A 2024_0417.pdf 4 MB

Wed 4/17/2024 1:31 PM

Please find attached concepts for alternative alignments of the 29th Ave Corridor. Let me know if you have any comments. We are thinking of analyzing the original alternatives, 1, 1A, 1B, 2, 3, 4, 5, but adding these 3A and 3B.

I asked WSB about removing 2 from the whole review process as its pretty much very similar to the 3s, but the consensus was it may confuse people with the previous alternative reviews, so thought best to leave it in for consistency.

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: Wednesday, April 17, 2024 12:21 PM
To: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Cc: Mary Gute <MGute@wsbeng.com>; Becky Haydon <Bhaydon@wsbeng.com>; Christopher Erickson <chris.erickson@hzunited.com>
Subject: Options 3A and 3B

Paul,

2023

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 <Paul.Sponholz@SteeleCountyMN.gov>; Sean P. Murphy <Sean.Murphy@ci.owatonna.mn.us>; Austin Hauf <AHauf@wsbeng.com>; Ryan Earp <REarp@wsbeng.com>; Alison Harwood <aharwood@wsbeng.com>; Erik Seiberlich <ESeiberlich@wsbeng.com>
Cc: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Subject: RE: Steele County East Side Corridor PMT Meeting

Here is an updated layout that shows the roadway shifted to the east.

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

RE: Steele County East Side Corridor PMT Meeting

MG 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

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

Docusign Envelope ID: 903797AC-3F2C-46AD-AE9B-EA39637D1300



MnDOT Contract Number: 1053976

AMENDMENT NUMBER 1 TO MnDOT CONTRACT NUMBER: 1053976

Contract Start Date: **October 04, 2023**

Original Contract Amount: \$ 99,277.24

Original Contract Expiration Date: July 31, 2024

Previous Amendment(s) Total: \$ N/A

Current Contract Expiration Date: July 31, 2024

Current Amendment Amount: \$ 0.00

New Contract Expiration Date: January 31, 2025

Total Amended Contract Amount: \$ 99,277.24

Federal Project Number: STBG 8824(056)

State Project Number (SP): 074-070-009/8816-3550

Trunk Highway Number (TH): CSAH 8

Project Identification: Phase I and Phase II Architecture-History and Archaeological Investigations

This amendment is by and between the State of Minnesota, through its Commissioner of Transportation ("State") and Steele County, Address: 630 Florence Avenue, Owatonna, MN 55060-0890 ("County") and Westwood Professional Services, Inc., Address: 12701 Whitewater Drive, #300, Minnetonka, MN 55343 ("Contractor").

RECITALS

1. State has a contract with Contractor identified as MnDOT Contract Number 1053976 ("Original Contract") to complete Phase I and Phase II Architecture-History and Archaeological Investigations for the CSAH 8 Realignment in Steele County, MN.
2. The County has changed the scope of the project and the construction limits which requires additional survey for archaeology and architecture/history. There is no change to the scope or the budget. It is necessary to amend this contract for additional time to allow Contractor to complete all duties required.
3. State and Contractor are willing to amend the Original Contract as stated below.

CONTRACT AMENDMENT

Unless otherwise noted, in this amendment, deleted contract terms will be struck out and the added contract terms will be bolded and underlined.

REVISION 1. Subarticle 1.2 is amended as follows:

1.2 **Expiration date.** This contract will expire on July 31, 2024 January 31, 2025, or when all obligations have been satisfactorily fulfilled, whichever occurs first.

The Original Contract and any previous amendments are incorporated into this amendment by reference. Except as amended herein, the terms and conditions of the Original Contract and any previous amendment remain in full force and effect.



Subject: Resolution – Approve Amendment Number 1 to MnDOT Contract No. 1053976 and Authorize the Chair and Administrator to Execute the Contract.

Department: Highway

Committee Meeting Date: N/A

Board Meeting Date: August 27, 2024

Consent Agenda: Yes No

Resolution: Yes No

Policy Committee Recommendation:

N/A

Recommendation:

Adopt Resolution - Approve Amendment Number 1 to MnDOT Contract No. 1053976 and authorize the Chair and Administrator to execute the agreement.

Background (*Including Budget Impact*):

MnDOT Professional and Technical Services Contract No. 1053976 is a contract for Phase I and II Architecture-History and Archaeological Investigations for the eastside corridor environmental assessment worksheet with MnDOT and Westwood Professional Services, Inc. By using the MnDOT contract, federal highway funds pay 80% of the costs of the investigations.

The original agreement was approved by the County Board at its **September 26, 2023** meeting. The County requested an amendment to the construction limits which requires additional survey for archaeology and architecture/history. There is no change to the scope or the budget, it is only to amend the contract for additional time to allow the Contractor to complete all duties required.

Attachments:

Resolution
Amendment Number 1 to MnDOT Contract No. 1053976

RESOLUTION AUTHORIZING EXECUTION OF

AMENDMENT NUMBER 1 TO MNDOT CONTRACT NO. 1053976

WHEREAS, The Minnesota Department of Transportation has a contract with Westwood Professional Services, Inc. ("Contractor") identified as MnDOT Contract Number 1053976 ("Original Contract") to complete Phase I and Phase II Architecture-History and Archaeological Investigations for the East Side Corridor (referred to as the CSAH 8 Realignment in the Original Contract); and

WHEREAS, the County has requested an amendment of the construction limits which requires additional survey for archaeology and architecture-history, and

WHEREAS, the State and Contractor are willing to amend the original contract.

NOW THEREFORE, BE IT RESOLVED by the County Board of Commissioners of Steele County, Minnesota:

That the County of Steele hereby approves Amendment Number 1 to MnDOT Contract No. 1053976 with the State of Minnesota, acting through its Commissioner of Transportation, and Westwood Professional Services, Inc.

BE IT FURTHER RESOLVED, the Chairman and the Administrator are hereby authorized and directed for and on behalf of the County to execute and enter into the amendment to the contract with the Commissioner of Transportation prescribing the terms and conditions of said Phase I and II Architecture-History and Archaeological Investigations as set forth and contained in "Amendment Number 1 to Minnesota Department of Transportation Professional and Technical Services Contract No. 1053976", a copy of which said amendment was before the County Board and which is made a part hereof by reference.

STEELE COUNTY
BOARD OF COMMISSIONERS

Jim Abbe, Chair

CERTIFICATION

STATE OF MINNESOTA
COUNTY OF STEELE

Systemic Predetermination by Cooperating Governmental Units

This comment is submitted on behalf of the East Side Corridor (ESC) group, representing residents from across Owatonna who have participated in this process since its public inception in July 2022.

The EAW fails to comply with MEPA because the outcome has been predetermined through a series of actions by cooperating governmental units during the environmental review process.

- On May 13, 2025, a Township resolution committed support to a specific ESC alignment.
- On December 16, 2025, while the EAW comment period remained open, the City of Owatonna adopted a Resolution of Support committing to that same alignment, supporting right-of-way acquisition, and committing to cost sharing.

These resolutions are referenced in, or relied upon by, the EAW. They demonstrate that the range of reasonable alternatives was narrowed before environmental review was complete.

Predetermination under MEPA does not require a single decisive act. It is demonstrated through cumulative commitments that limit alternatives or render review outcome-driven rather than evaluative.

Improper Reliance on Mitigation Instead of Avoidance

The EAW improperly relies on mitigation to justify impacts rather than evaluating feasible avoidance alternatives. City officials stated on the record that final mitigation designs related to traffic and noise have already been completed, despite residents having no opportunity to review or comment.

Mitigation measures discussed do not meet MnDOT or FHWA requirements and are constrained by extremely limited right-of-way (as little as 17 feet from homes). Avoidance alternatives that would substantially reduce or eliminate these impacts were removed from public consideration and excluded from meaningful analysis in the EAW.

Failure of Purpose and Need

Statements made by City officials confirm that the ESC is intended to spur development rather than address a demonstrated transportation necessity. This undermines the stated purpose and need and confirms that development objectives have driven alignment selection.

Federal Undertaking and Environmental Justice

The ESC has been designated a federal undertaking, subjecting it to NEPA, Title VI, and federal environmental justice standards. Residents were not clearly informed of this status, and

impacts to a concentrated residential area — including at least 57 homes substantially impacted by noise — have been minimized and fragmented rather than analyzed cumulatively.

MEPA and NEPA do not allow disproportionate harm to be imposed on a small group of residents for the “greater good,” particularly where feasible avoidance exists.

Required Remedy

Because predetermination has occurred, the current EAW cannot support a lawful FONSI. The environmental review is legally deficient and must be corrected through preparation of a full Environmental Impact Statement (EIS) or restart of the environmental review process in compliance with MEPA and NEPA.

Environmental review must inform decisions before commitments are made. That requirement has not been met.

Owatonna East Side Corridor Residents

OwatonnaEastSideCorridor@gmail.com

Public Comment: Website Inaccuracies, Notice Failures, and Improper Project Representations

I. Scope of This Comment

This comment addresses **inaccuracies, omissions, and misleading representations contained on the official East Side Corridor project website**, and explains how those deficiencies undermine public notice, informed participation, and the integrity of the Environmental Assessment Worksheet (EAW) record. Because the project website functions as a primary public-facing source of information, errors and omissions on the site materially affect the public's ability to understand, evaluate, and comment on the project as required under the Minnesota Environmental Policy Act (MEPA).

II. Website Inaccuracies and Public Notice Failures

The project website contains multiple factual inaccuracies, omissions, and inconsistent statements that undermine lawful public notice and informed participation.

- Basic project information, including prior meeting dates and timelines, has been incorrect or internally inconsistent.
- The Environmental Assessment Worksheet (EAW) comment period was not properly noticed on the website, did not comply with Environmental Quality Board (EQB) posting requirements, and the required public meeting was omitted from the website entirely.
- Residents were not notified of the EAW until approximately **two weeks into the comment period**, and individuals who had explicitly requested written notification and updates did not receive copies of the EAW as required by Minn. R. 4410.1500(A)(13).
- The only submission option initially provided was a **1,000-character online text field**, which does not allow for meaningful participation, or physical mail, which creates cost and accessibility barriers. Email submission was only acknowledged as acceptable **by the EQB after intervention**, yet remains unlisted on the project website.

In addition, the website fails to disclose that the project was formally designated a **federal undertaking**, omits required Non-Programmatic Categorical Exclusion (CatEx) documentation, and does not provide access to technical studies cited and relied upon in the EAW. These omissions materially impair the public's ability to review the factual and legal basis of the project. The minimal studies that were available have been removed.

The project website was unavailable for an extended period (approximately **June 16–November 16, 2025**) after the domain was allowed to expire. Following delayed renewal, the website was not promptly restored, eliminating access during a critical period when the public reasonably relied on the website for accurate project status and participation information. This lapse occurred during a leadership transition in which the County was without a County Engineer for

nearly all of this period beginning **June 6, 2025**. The combined absence of (1) a functioning project website, (2) clearly identified engineering oversight, and (3) any consistent project communications or updates reasonably led residents to believe the project was no longer being actively advanced. Collectively, these failures demonstrate inadequate notice, incomplete disclosure, and unreliable public access to required information, undermining meaningful participation in the environmental review process as required under MEPA.

III. Introduction of New Project Conclusions Outside Any Public Process

The re-launched website introduces **new conclusions and scope assertions** regarding project need, growth assumptions, and long-term corridor planning that do not appear in prior engineering documents, adopted plans, or publicly reviewed materials.

These statements were published **after the departure of the County Engineer** and without reference to technical analysis, engineering review, or formal authorization by a governing body. The website presents declarative conclusions regarding the number of future north-south corridors, growth patterns, and infrastructure necessity without citation to adopted plans or engineering studies.

These statements appear to reflect **administrative interpretation rather than technical findings**, exceed the scope of administrative authority, and introduce new information that has not been subjected to environmental review or public process. Injecting new conclusions during an active environmental review undermines the integrity of the MEPA process and creates confusion regarding what has actually been studied, authorized, or decided.

IV. Unclear Technical Authority and Oversight

The project website and EAW were released during a period of staffing transition, including the departure of the County Engineer. The roles and authority for engineering oversight, technical authorship, consultant review, and decision-making are not clearly disclosed.

Public-facing materials contain definitive statements regarding project need and scope without identifying:

- who served as Engineer of Record,
- what consultant roles were authorized for this phase,
- what technical review occurred prior to publication, and
- what governing body approvals, if any, supported these representations.

Deciding major project conclusions during a period when the County lacked a clearly designated engineer, and relying on consultant work re-established administratively under master service

agreements rather than transparent, project-specific authorization, creates ambiguity regarding responsibility, accountability, and technical validity.

V. Misrepresentation of Growth Areas and Study Boundaries

The website states that the project area has been identified as a “**primary growth area**.” This is misleading. The map shown is explicitly a **study area map**, not an adopted land-use, zoning, or comprehensive plan designation.

A study area is an analytical boundary, not a policy determination. Characterizing it as a growth area without citation to adopted plans improperly assumes future development that has not been formally approved. Using anticipated development within a study boundary to justify infrastructure creates a circular, outcome-driven rationale that undermines environmental review integrity.

VI. Misleading Traffic Justifications

The website references Owatonna High School as a traffic generator while omitting the school entirely from the study area map and failing to quantify its traffic impacts. Nearly all land uses generate traffic; invoking the high school without directional analysis, peak-hour data, or demonstrated network failure does not establish transportation need.

Similarly, claims regarding a lack of north–south connectivity rely on selectively defined study boundaries that exclude existing facilities, creating an artificial appearance of a network gap. Assertions regarding downtown congestion, neighborhood traffic diversion, and future roadway failures are speculative and unsupported by disclosed modeling or origin-destination analysis.

VII. Improper Expansion of Project Scope and Segmentation

The website asserts that the City and County have “**concluded the need for two or three north–south county road routes**” east of Owatonna, including both CSAH 43 and the East Side Corridor. This represents a material expansion of scope that has never been adopted through a formal planning process or evaluated under MEPA and limits viable alternatives prematurely eliminated.

Such conclusions have significant cumulative impact implications and cannot be evaluated through segmented, corridor-by-corridor review. Absent adopted plans and comprehensive analysis, these statements reflect impermissible predetermination.

VIII. Predetermination

The project website states: “*After reviewing decades of planning and studies, and considering recent changes in the area, the County and City determined that the 29th Avenue Corridor best balances existing and future traffic needs while minimizing impacts to houses and properties.*” This statement reflects a **conclusive determination of corridor selection** and asserts that the balancing of impacts and needs has already occurred. Such conclusions necessarily presume the outcome of environmental review and demonstrate that key decisions were made **prior to completion of any environmental analysis and prior to meaningful public participation**, contrary to the purpose and requirements of MEPA.

Predetermination is further evidenced by a video titled “*Steele County East Side Corridor video*,” which was added to the project website on or about **December 11, 2025** and played at the public open house. The video states: “*A key element of the [Imagine Owatonna] plan was identifying 29th Avenue as the preferred location for the new north–south road on the east side of the City.*” This language presents the selection of the 29th Avenue alignment as an established planning outcome rather than a subject of environmental evaluation or public input and occurred while ESC preferred alignment studies were occurring.

The website also states that “*The East Side Corridor project will continue to move forward without federal funds,*” and further explains that the **County Highway Capital Improvement Plan approved by the County Board has committed funds for construction of the entire corridor within the next five years**, with additional funding potentially provided by the City and the State. These representations demonstrate that the County has already committed to project implementation, including full construction, notwithstanding the ongoing environmental review process. Publicly committing capital funding, identifying construction timelines, and identifying substitute funding sources before environmental review is complete reflects an **irreversible and irretrievable commitment of resources**, reinforcing the appearance that environmental review is being used to justify a pre-selected outcome rather than to inform a decision.

Taken together, the website narrative, the publicly disseminated video, and the stated financial and construction commitments demonstrate that the 29th Avenue Corridor has been treated as the preferred and effectively chosen alignment **before environmental review was completed and before the public was provided a meaningful opportunity to comment on corridor selection.** Presenting alignment selection, funding commitments, and construction timelines as settled decisions undermines the objectivity of the EAW, constrains consideration of reasonable alternatives—including avoidance and non-build options—and violates the fundamental requirement that environmental review inform governmental decision-making rather than ratify decisions already made.

IX. Inaccurate Statements Regarding Existing Infrastructure

The website states that CSAH 43 is “still planned to ultimately connect directly to US 14.” This is factually incorrect. CSAH 43 has connected directly to US 14 for decades. This error raises concerns about whether the website content—and, subsequently, the EAW—were reviewed for technical accuracy prior to publication.

X. Mischaracterization of the “Officially Mapped” Corridor

The project website overstates the legal and practical effect of the 2000 official map by claiming it preserved land, created rights of refusal, and appeared in title records. The public record demonstrates otherwise. The corridor was not preserved, rights of refusal were not exercised, and for decades the City approved annexations, subdivisions, and residential construction directly within the mapped alignment without objection or enforcement.

Further inquiry indicates that the map was never indexed to parcel identification numbers or otherwise carried forward in a manner that would cause the mapped corridor to appear in property title records. Moreover, the official map depicted only a **planning corridor** and did not establish right-of-way, easements, or any other legal preservation mechanism.

By omitting this history, the website presents a false baseline that materially misrepresents property rights, the status of the corridor, and the environmental context relied upon for project justification.

XI. Misleading Project History and Funding Narrative

The website frames the project as a new 2021 initiative and describes federal funding as supporting “partial construction” prior to environmental review. This obscures decades of prior abandonment, shifting alignments, and pre-selection of the 29th Avenue alignment through alignment-specific RFPs issued before public disclosure.

Environmental review is intended to inform decisions, not validate outcomes after funding, procurement, and alignment narrowing have already occurred.

XII. Misrepresentation of Federal Involvement and Regulatory Status

The website asserts that the project is no longer subject to federal environmental review because it is “not receiving Federal funding.” This is inaccurate. On April 1, 2025, MnDOT

Cultural Resources formally determined the project to be a **federal undertaking**, triggering federal environmental obligations regardless of later funding reallocation. Additionally, the project utilized COVID-19 relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA). These are federal funds that were used to partially fund the project.

By citing MnDOT environmental regulations while simultaneously asserting that NEPA no longer applies, the website presents an internally inconsistent and misleading regulatory narrative that undermines informed public understanding.

XIII. Mischaracterization of Public Engagement

The project website repeatedly conflates information sharing with meaningful public participation. Key decisions—including alignment narrowing and federal concurrence—were advanced before and without formal public comment opportunity on those decisions was provided. Internal work sessions and post-decision briefings are repeatedly portrayed as engagement, despite lacking opportunities for public input capable of influencing outcomes. During this period, residents repeatedly requested opportunities for dialogue and were told, “Later— it’s not time for conversation yet,” while decisions continued to advance.

This portrayal is contradicted by the documented record, including adjudicated findings that residents were unlawfully denied access to public data and subjected to hostile and intimidating conditions after exercising protected rights.

XIV. Use of Condemnation Language Prior to Environmental Review Completion

The website’s “Right of Way Process” graphic visually presents condemnation as an inevitable final step, despite the project remaining subject to environmental review and potential modification or denial. This framing is misleading, coercive, and risks chilling participation by signaling predetermination. Eminent domain or condemnation may not be a form of manipulating negotiations.

XV. Conclusion

Taken together, the project website contains **systemic inaccuracies, omissions, and misleading representations** that materially impair public notice, distort the environmental baseline, misstate regulatory status, and overstate public participation. Because the website functions as

a primary source of public information, these deficiencies directly undermine the adequacy and integrity of the EAW record and must be addressed as part of the environmental review.

Because the project website functions as the primary public-facing summary of the Environmental Assessment Worksheet, its pervasive inaccuracies, omissions, and introduction of unsupported conclusions materially undermine the reliability of the environmental record. When the document relied upon by the public to understand the project does not accurately reflect the EAW—or introduces information not subjected to environmental review—the integrity of the MEPA process is compromised. These inconsistencies create material uncertainty regarding the project’s scope, impacts, regulatory status, and alternatives, and preclude informed decision-making. For these reasons, the deficiencies identified above support the need for preparation of an Environmental Impact Statement to ensure a complete, accurate, and transparent evaluation of the project and its reasonably foreseeable impacts.

Owatonna East Side Corridor Residents

owatonnaEastSideCorridor@gmail.com

Failure to Analyze Downtown Impacts Despite Stated Purpose and Need

A stated purpose and need of the East Side Corridor project is to divert through traffic away from downtown Owatonna in order to reduce traffic volumes on downtown streets. The Environmental Assessment Worksheet (EAW) repeatedly relies on this objective as a project benefit. However, the EAW fails to evaluate the reasonably foreseeable environmental, economic, social, cultural, and fiscal impacts associated with achieving that stated purpose.

The EAW does not include any analysis of how traffic diversion may affect downtown businesses, pedestrian activity, cultural events, community vitality, or the long-term health of Owatonna's historic downtown core. No studies are provided examining potential changes in customer access, foot traffic, tourism, special events, or the economic resilience of small businesses that rely on downtown circulation. These are not speculative impacts; they are direct and foreseeable consequences of intentionally removing traffic from a central commercial and cultural area.

The EAW also fails to evaluate whether traffic diversion and associated infrastructure investment may incentivize the relocation of businesses and employment centers away from the downtown area toward newly developed corridors. Large-scale commercial relocation is a reasonably foreseeable indirect effect of new transportation infrastructure, particularly when paired with expanded roadway capacity and greenfield development opportunities. Such shifts can accelerate downtown disinvestment, reduce economic diversity, and destabilize existing employment and service centers. The EAW provides no analysis of these relocation pressures or their cumulative impacts on the downtown economy.

In addition, the EAW fails to assess the fiscal implications of potential downtown economic decline. If reduced traffic, disinvestment, or business relocation results in vacancies or diminished commercial activity, the resulting loss of commercial tax base would foreseeably increase reliance on residential property taxes and other public revenues to maintain municipal and county services. The EAW provides no analysis of potential reductions in commercial property values, sales tax revenue, or the downstream effects on taxpayers citywide. These fiscal consequences are reasonably foreseeable and directly connected to the project's stated purpose.

By asserting downtown traffic diversion as a project benefit while failing to analyze the consequences of that diversion, the EAW presents an incomplete and misleading environmental baseline. MEPA requires evaluation of reasonably foreseeable indirect and cumulative impacts, including economic and land-use changes induced by infrastructure investments. The EAW's failure to study impacts that flow directly from the project's stated purpose and need demonstrates that the scope of review is unlawfully narrow and outcome-driven.

Because downtown impacts are central to the project's justification, they cannot be excluded from environmental review. The omission of this analysis materially undermines the adequacy

of the EAW and precludes its use to support a Finding of No Significant Impact (FONSI). A full Environmental Impact Statement (EIS) is required to evaluate the environmental, social, economic, and fiscal consequences of diverting traffic from downtown Owatonna and to allow informed decision-making and meaningful public participation.

Owatonna East Side Corridor Residents

OwatonnaEastSideCorridor@gmail.com

Defective Notice and Denial of Meaningful Opportunity to Participate

Notice of the East Side Corridor Environmental Assessment Worksheet (EAWS) was not timely, adequate, or complete. Impacted residents—including residents who had specifically requested project updates and notifications—did not receive notice until approximately two weeks **after** the public comment period had already opened. As a result, a substantial portion of the comment period elapsed before affected residents were even aware that an environmental review was underway.

In addition, residents who had affirmatively requested project updates and notifications did not receive the Environmental Assessment Worksheet itself, as required by Minn. R. 4410.1500 (A)(13). Notice was provided without access to the environmental document subject to comment, requiring residents to independently locate a lengthy and technical record after the comment period had already begun. This fundamentally undermines meaningful participation and frustrates the purpose of public notice under MEPA.

Compounding these defects, not all impacted residents received postcard notice at all. The failure to notify both impacted properties and those who expressly sought notice resulted in unequal access to information and systematic exclusion of those most affected.

Meaningful public participation requires timely notice, access to the environmental review document, and reasonable opportunity to review and respond. Providing delayed notice, failing to distribute the EAW, and omitting impacted residents—including those who requested notification—from the notice process cannot be cured through post-hoc disclosures. These procedural failures independently preclude reliance on the EAW to support a Finding of No Significant Impact and support the need for an Environmental Impact Statement.

Owatonna East Side Corridor Residents

Comment: Failure to Analyze Noise Wall Constitutes a Fundamental Defect in the VIA

The Visual Impact Assessment (VIA) fails to analyze the visual impacts of a **noise wall**, despite the project record demonstrating that noise mitigation was anticipated and actively under consideration prior to completion of the EAW.

Noise walls are not minor or speculative features. They are:

- Large, continuous vertical structures,
- **20 feet in height,**
- Reasonable, feasible and recommended in one or more locations along the ESC,
- Permanently alters viewsheds, neighborhood character, and landscape openness.

The VIA's omission of any analysis of a noise wall is particularly significant given that:

- A noise wall vote was prepared for consideration as early as **February 11, 2025**;
- The project alignment places the roadway in close proximity to existing homes;
- Noise mitigation is foreseeable based on traffic volumes, roadway design, and residential adjacency; and
- The EAW elsewhere acknowledges potential noise impacts requiring mitigation.

Under MEPA, a Visual Impact Assessment must evaluate **reasonably foreseeable project elements**, including mitigation measures that would materially alter visual character. A noise wall cannot be deferred or excluded from visual analysis simply because final design details are not complete.

By failing to evaluate:

- The **presence, height, length, and location** of a potential noise walls,
- Its **visual dominance relative to existing landforms and structures**, and
- Its **interaction with lighting, roadway elevation, and future development**,

the VIA presents an incomplete and misleading assessment of the project's visual impacts.

This omission is further underscored by the VIA's conclusion that the project would not benefit from more detailed visual analysis to reach community consensus. That conclusion is untenable when a major visual feature—one that has already been the subject of public discussion and anticipated mitigation—is not analyzed at all.

Because the visual impacts of a noise wall are foreseeable and potentially significant, the VIA's failure to address them deprives decision-makers and the public of a complete understanding of the project's true visual consequences. This defect cannot be cured through post-hoc explanation and supports the need for additional environmental review of an EIS.

Owatonna East Side Corridor Residents

OwatonnaEastSideCorridor@gmail.com

Exclusion of the Public from the Joint Transportation Committee

The Environmental Assessment Worksheet fails to disclose or address the role of the Joint County/City Transportation Committee in shaping key decisions related to the East Side Corridor. Public records and internal correspondence demonstrate that this committee functioned as a deliberative forum where alignment selection, mitigation considerations, and funding strategy were discussed prior to public notice or formal action.

Despite its role, the Joint Transportation Committee does not publish meeting schedules, agendas, or minutes, and residents have been explicitly told that meetings are not open to the public. Requests for meeting records and schedules have been denied by Steele County, even though the committee is a formally constituted intergovernmental body referenced in board proceedings and internal emails.

The absence of public access to this committee has materially impaired public participation. Residents were unable to observe deliberations, understand how alternatives were evaluated, or respond to evolving positions on mitigation and federal funding, despite requesting access and data. Instead, outcomes were presented as foregone conclusions, limiting the effectiveness of later public comment opportunities.

MEPA requires early and often public participation, transparency, and good-faith public engagement before decisions are made, not after they are effectively settled. The use of closed or inaccessible committee meetings to develop consensus and direction for the East Side Corridor undermines the legitimacy of the environmental review, denies public participation, and constitutes predetermination.

To date, neither the county nor the city have provided any responsive data to this request and the county continues to unlawfully deny this request without fulfilling MGDA requirements.

Chilling of Public Participation Through Restrictive Communication Directives

Public participation was further impaired by directives that discouraged residents from engaging with County staff or seeking information through ordinary channels. In correspondence responding to requests for Joint Transportation Committee information, the County Attorney instructed that “from this point forward,” all requests for documents **and questions regarding the East Side Corridor** were to be directed only to the County Attorney and the County Administrator. This directive was not limited to formal data requests under Chapter 13 but extended broadly to any questions about the project, originating from a basic question regarding what should be a public committee.

Requiring residents to route all inquiries through legal counsel and executive administration has a foreseeable chilling effect on public participation. Reasonable members of the public may refrain from asking questions, seeking clarification, or engaging further out of concern that their participation will be monitored, delayed, or treated as adversarial. This is particularly true

where residents had already experienced hostility, denial of access to meetings, and repeated refusals to provide public information.

MEPA requires meaningful, good-faith public engagement throughout the environmental review process. Directives that restrict communication, deter inquiry, and concentrate control over information flow undermine transparency and substantially impair the public's ability to participate. This chilling effect further demonstrates that the environmental review process for the East Side Corridor was procedurally compromised.

Conclusion and Request for Environmental Impact Statement

This record demonstrates that the Environmental Assessment Worksheet for the East Side Corridor is affected by fatal procedural flaws that undermine the integrity of environmental review. Substantive decisions regarding alignment, mitigation, and funding were developed through closed and inaccessible committee meetings prior to and during the EAW process. The public was denied access to deliberations, schedules, minutes, and underlying data necessary to meaningfully participate, and lawful data requests were repeatedly denied despite clear evidence that such data exists and ALJ rulings that the data requests were valid and the county responded inappropriately.

(www.OwatonnaEastSideCorridor.com/downloads/FindindsofFactConclusionsofLawandORderCAH22-0305-40882.pdf pg. 22)

These actions constitute predetermination and substantially impair public participation in violation of MEPA's core requirements. Because these defects occurred before and during environmental review, they cannot be cured through revisions to the EAW or additional public comment. An Environmental Assessment Worksheet is therefore inadequate as a matter of law.

For these reasons, the Responsible Governmental Unit must require preparation of a full Environmental Impact Statement (EIS) for the East Side Corridor, conducted with transparent procedures and meaningful public involvement, before any further project decisions are made.

Owatonna East Side Corridor Residents

OwatonnaEastSideCorridor@gmail.com

Availability of Records

Due to deletion, destruction, or loss of public data that was previously within the County's possession, official copies of certain records were not available for inspection or duplication. As a result, the best available evidence consists of screen captures from video recordings. Where portions of emails or documents are difficult to read, the visible content has been transcribed verbatim below the image to preserve accuracy and context.

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

ESC Advocate's names start with M.

ESC EAW Comments #24

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



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

Mary Gute
Sr. Transportation Planner

ESC EAW Comments #24

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 with North County to discuss alternative selection and perhaps start a mitigation discussion before or after the Board work session.

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RE: East Side Corridor 5.08

SP Sponholz, Paul
To: Andrew Plowman
Cc: Ryan Earp; Mary Gute; Sammantha Watson

Wed 5/8/2024 10:22 AM

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.

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ESC EAW Comments #24

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.

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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
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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,

It's 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
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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,
Melissa

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,
Melissa

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



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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,
Melissa



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,
Melissa Zimmerman

[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,
Melissa Zimmerman
[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>

Mon, Apr 14, 2025 at 4:40 PM

To: lyssalynn13@gmail.com <lyssalynn13@gmail.com>

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>

Mon, Apr 14, 2025 at 5:09 PM

To: "Kris M. Busse" <kris.busse@owatonna.gov>

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,
Melissa Zimmerman

Predetermination and Chilling of Public Participation Through Coordinated Public Messaging

The Environmental Assessment Worksheet (EAW) for the East Side Corridor is deficient due to a failure to ensure meaningful public participation, as required under MEPA and Minn. R. 4410. This deficiency is evidenced by internal coordination among City, County, and consultant staff regarding public-facing communications and responses to community input, which resulted in a chilling effect on public participation and an incomplete environmental record.

Public data obtained during this process demonstrates that project officials and consultants engaged in coordinated discussions about how to respond—or whether to respond at all—to public comments, including comments and information shared on social media and other informal public platforms. Internal correspondence reflects a focus on managing messaging, anticipating additional public input, and controlling the scope of public engagement, rather than facilitating open dialogue or incorporating community concerns into environmental analysis.

This approach to public engagement is inconsistent with the intent of MEPA. Meaningful public participation requires more than the technical availability of comment periods, which were also denied; it requires that agencies actively foster an environment in which residents can share information, raise concerns, and engage without those efforts being filtered, discouraged, or selectively addressed.

After internal communications reflecting this coordinated approach to public-facing comments became known through public data, residents significantly curtailed informal participation. Community members reduced sharing information, asking questions, and raising concerns through social media and other public forums. This reduction in engagement was not the result of diminished concern about the project, but rather reflects the practical impact of how public input was being managed. The resulting chilling effect helps explain why the EAW record does not fully reflect the scope, substance, and persistence of community concerns that existed throughout the planning process.

The consequence of this dynamic is an environmental review record that underrepresents public concern, omits issues raised outside narrowly managed channels, and fails to capture the full range of impacts and alternatives that warrant consideration. When public participation is functionally constrained in this way, the integrity of the environmental review is compromised.

MEPA requires that environmental review be conducted with neutrality, transparency, and genuine public involvement. Where agency actions prioritize message control over engagement, and where those actions result in reduced participation and self-censorship by affected residents, the EAW cannot be relied upon as an accurate or complete disclosure document.

For these reasons, the EAW fails to meet the requirements of Minn. R. 4410 for meaningful public participation and objective environmental review. Supplemental environmental review, including preparation of an Environmental Impact Statement (EIS), is warranted to ensure that public concerns, alternatives, and environmental impacts are fully and fairly evaluated.

Owatonna East Side Corridor Residents

OwatonnaEastSideCorridor@gmail.com

ESC EAW Comments #25

Availability of Records

Due to deletion, destruction, or loss of public data that was previously within the County's possession, official copies of certain records were not available for inspection or duplication. As a result, the best available evidence consists of screen captures from video recordings. Where portions of emails or documents are difficult to read, the visible content has been transcribed verbatim below the image to preserve accuracy and context.

RE: Steele County East Side Corridor PMT Meeting

IG Ilkka, Gregory
To Ryan Earp; Mary Gute; Sponholz, Paul; Sean P. Murphy; Andrew Plowman

Wed 2/14/2024 8:39 AM

Thanks Ryan! Wasn't aware of the YouTube channel.

Greg

From: Ryan Earp <REarp@wsbeng.com>
Sent: Wednesday, February 14, 2024 8:22 AM
To: Mary Gute <MGute@wsbeng.com>; Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>; Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Sean P. Murphy <Sean.Murphy@ci.owatonna.mn.us>; Andrew Plowman <APlowman@wsbeng.com>; Austin Hauf <AHauf@wsbeng.com>; Alison Harwood <aharwood@wsbeng.com>; Erik Seiberlich <ESeiberlich@wsbeng.com>; Christopher Erickson <chris.erickson@hzunited.com>; Becky Haydon <Bhaydon@wsbeng.com>; Jason Junge <jjunge@wsbeng.com>
Subject: RE: Steele County East Side Corridor PMT Meeting

Good morning!

Following up with the attached report covering recent media and social media appearing since our last PMT meeting. Note the recently created YouTube station created by Owatonna East Side Corridor – "East Side Corridor Unplugged".

Please reach out with any questions on this.

Thanks,

Ryan

RE: Steele County East Side Corridor PMT Meeting

RE Ryan Earp <REarp@wsbeng.com>
To Mary Gute; Andrew Plowman; Sponholz, Paul
Cc Sammantha Watson

Tue 5/14/2024 9:35 AM

East Side Corridor Media Report 5.14.24.docx 3 MB

Hi all –

I am double booked today for our PMT call. I've passed along the invitation to Samm to attend in my place. Will be good for us to catch up on the current calendar and communications.

Attaching the media / social report covering the time since our last PMT. Samm will share the highlights on the call.

Thanks all,

Ryan

ESC EAW Comments #25

RE: Steele County East Side Corridor PMT Meeting

RE Ryan Earp <REarp@wsbeng.com>
To Ilkka, Gregory; Sponholz, Paul; Sean P. Murphy
Cc Mary Gute; Andrew Plowman

East Side Corridor Media Report 6.10.24.docx 2 MB

Hi all –

Here is the media report since our last PMT meeting. Please keep us posted on discussions with electeds and agency this week.

Thank you,

Ryan

Social Media Posts (just a sample):

Most relevant

Becky Broll We got the flier, and felt like it didn't really tell us anything we didn't already know. ... 1d Like Reply

Author Owatonna East Side Corridor Becky Broll What additional information would you have liked to see in the flyer? Was everything already known because you're on our email list and had received previous updates? Do you have any questions that need answering? 1d Like Reply

Becky Broll Owatonna, I think it helped that we have received the email updates for sure/being on the list. We feel like the city (I think it's the city) is making it sound like all studies have been done and this project is still a go and will begin on schedule, and then what we get in our updates from this group makes it sound like they have to restart and redo studies / plans due to the impact it will have. I think it's a bit confusing in that we are wondering is this project officially delayed in the eyes of the city/county or not yet? (I hope this makes sense.) 1d Like Reply

Author Owatonna East Side Corridor Becky Broll This project was originally scheduled for completion with acquisitions happening in 2024. We now have a definition and criteria to select an alternate at the end of May 2024. The attached image is from May 2023, highlighting the significant delay. The flyer notes 2026 construction, but both engineers and Commissioners said they expect further delays with this restart. One of our biggest frustrations has been the lack of transparency, which creates confusion and prevents residents from knowing who is running the project. Although it is a joint project between the city and the county, the county has the final say, pays for consultants and studies, and designing the road. The city is financially responsible for part of the project and will maintain additional county roads, but is largely deferring to the county. Adding to the confusion, the flier was distributed by the Owatonna Chamber of Commerce. Clarity is sorely lacking. In a meeting with a few residents, county commissioners Krueger and Abbe, and engineers, Paul Sponholz, assistant county engineer, stated, "the

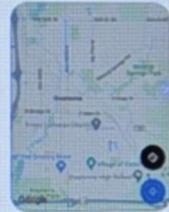
Lyssa Zimmerman Annie Harman the city (residents) is still on the hook for about a million dollars regardless of which corridor is chosen. Once a "corridor" is built the county will be turning over other county state aide highways to the city to pay for and maintain. This will mean less funding for these roads and instead of the county being responsible for things like plowing it will now fall on the city. So to op's point, the city has skin in the game and will be responsible for more roads with they clearly aren't maintaining the ones they currently have. 1d Like Reply Share Edited

Lyssa Zimmerman Owatonna East Side Corridor 1d Like Reply Share

Annie Harman Lyssa Zimmerman OK then, if you really want to get into specifics about this post in particular than I will refer to Aubrey Meier's post, where she links the city-specific road projects for this year. While I am sure most all people understand that cor... See more 1d Like Reply Share

Annie Harman Here is some additional information about the funding for the ESC project: Steele County has received \$3.96 million from the Federal Highway Administration (FHWA) for this project and intends to pursue additional grant funds. The current County Highw... See more 1d Like Reply Share

Lyssa Zimmerman Annie Harman these road projects, from that link: Blue: resurfacing (without more information, that could be oil and pebbles 5.5 blocks and .9 miles between 2 categories) Red: Street and utility work (3.5 blocks)... See more



Matthew Sennott The city and county are jointly doing what is "easy" using 30+ year old plans and sacrificing long term planning and residents' safety by putting 45-55mph highways (instead of the previously planned 30mph residential streets) right in kids' backyards. This is extremely short-sighted and at the expense of many. Very unfortunate. IMPORTANT YOU VOTE, TERMS ARE UP FOR SCHULTZ AND ABBE THIS YEAR. They are in favor of this terrible location for a Eastern corridor/beltline. 1d Like Reply Share

Annie Harman Just an FYI these "corridor" roads you're talking about, and perimeter roads, are county or state projects, so the use of "the city" is displaced here. 2d Like Reply Share 13

Gale Jorgensen Annie Harman some of it will be paid by city. And of course people who live on the road being improved. Unsure of percentage . Lyssa Zimmerman could you weigh in here 1d Like Reply Share

Annie Harman Gale Jorgensen no I'm very aware of the details of the easy side corridor project specifically, I've written the stories on it. It doesn't change that what the poster said here was still incorrect. 1d Like Reply Share 09:45 / 10:00

ESC EAW Comments #25

Narrative control coordination to public input (sample):

From: Sean P. Murphy <Sean.Murphy@owatonna.gov>
Sent: Friday, May 10, 2024 6:46 AM
To: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Deanna L. Sheely <Deanna.Sheely@owatonna.gov>; Ryan Earp <REarp@wsbeng.com>; Sammantha Watson <SWatson@wsbeng.com>; Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>
Cc: Mary Gute <MGute@wsbeng.com>; Andrew Plowman <APlowman@wsbeng.com>; Anna M. Nusbaum <anna.nusbaum@owatonna.gov>
Subject: RE: East Side Corridor 5.08

I'm not sure we should be responding to comments like these. It's one thing to respond to a question about what roads are being worked on this year and we drop a link to our Construction Projects page.

I don't think stating "for accurate info" is the right thing to do...we know they fabricate and bend a lot of information but that statement publicly insinuates they're lying (which they are), but we shouldn't be coming off like that.

"Here are a couple links for the upcoming roadway projects in Owatonna and Steele County, including the East Side Corridor (linked directly to ESC website)." This all that I would be in favor for, and even this will generate comments that we have to decide if we will respond to...



Sean Murphy, PE*

Public Works Director & City Engineer
Public Works Department
Phone: 507-774-7306

From: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>
Sent: Friday, February 16, 2024 8:09 AM
To: Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>; Sean P. Murphy <Sean.Murphy@ci.owatonna.mn.us>; Andrew Plowman <APlowman@wsbeng.com>; Mary Gute <MGute@wsbeng.com>; Ryan Earp <REarp@wsbeng.com>
Subject: More North County

EXTERNAL EMAIL

North County has posted again on their facebook page and repeated it on Concerned Citizens of Owatonna and Concerned Citizens of Steele County. No comments yet on Owatonna East Side Corridor page, but comments on both Concerned Citizens. Interesting Melissa is saying we are featuring additional roundabouts, something we've not discussed yet to any degree as we haven't started looking at intersection control yet. Also check out the NIMBY discussion. I think its interesting to note that the post has been up for 2 days now, and hardly any comments. Does that mean her message is not resonating with anyone else? Not even a comment about roundabouts has got anyone else responding. Usually a mention of roundabouts on these pages gets people commenting.

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

ESC EAW Comments #25

East Side Corridor Talking Points, PS comments.docx
31 KB

<APlowman@wsbeng.com>; Mary Gute <MGute@wsbeng.com>; Golberg, Scott <Scott.Golberg@SteeleCountyMN.gov>; Deanna L. Sheely <Deanna.Sheely@ci.owatonna.mn.us>

Subject: RE: ESC news article

EXTERNAL EMAIL

Ryan,

You may have heard already, but Deanna from the City is doing a lot of work on this. She has got interviews scheduled with Straight Talk (an Owatonna Live website presentation) either 11/29 or 12/27 and with Talk of the Town (a local radio station program) on 12/7. We are talking between the County and City on who should do those interviews, maybe a joint City/County team perhaps.

Also the city is working on a newsletter article for Owatonna Update in the Owatonna Peoples Press. I believe she sent you some talking points to review. Once you are done, please copy me with your comments and I can add to them so not to confuse Deanna with multiple files.

Greg is continuing his many presentations.

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

RE: ESC news article

DL Deanna L. Sheely <Deanna.Sheely@ci.owatonna.mn.us>
To: Ryan Earp; Sponholz, Paul
Cc: Ilkka, Gregory; Sean P. Murphy; Andrew Plowman; Mary Gute; Golberg, Scott

East Side Corridor Talking Points.docx
27 KB

Tue 12/26/2023 3:58 PM

Hello all,

Sean, Kris and I discussed next steps for communicating about this project and agreed to take a wait-and-see approach for now. I'm attaching the updated talking points document which, I believe, takes into account the edits I received from others. This will serve as our go-to document to shape the content for future communications. Please let me know when you feel the next opportunity will be for a strategic communication deliverable. I can still publish an article in the City's weekly newsletter when you feel the timing is good. And, if someone wants to initiate an interview with OPP and/or Steele County Times, the attached document should be helpful in preparing. Let me know if my help to prepare for an interview is needed.

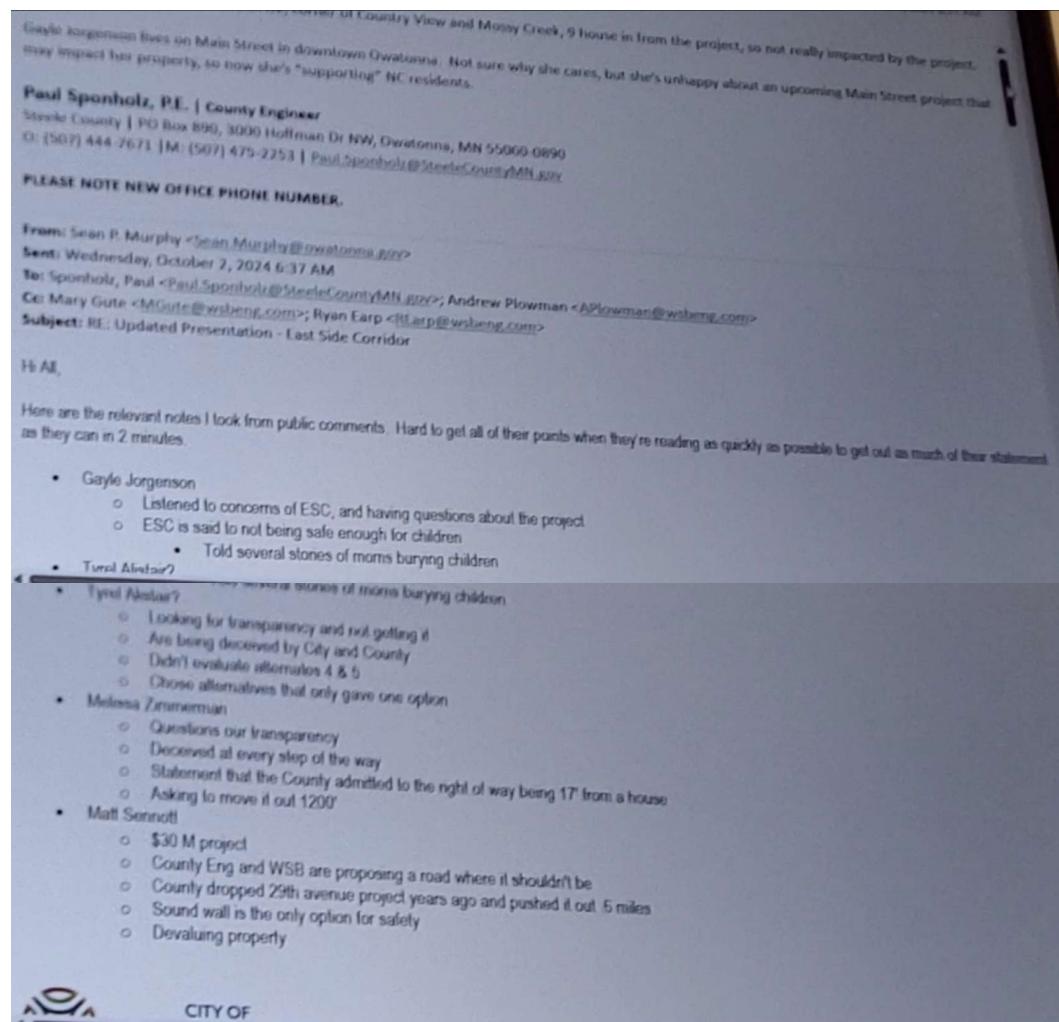
Thanks for working together on the communications supporting this project.

Deanna

From: Ryan Earp <REarp@wsbeng.com>
Sent: Tuesday, November 28, 2023 11:13 AM
To: Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Deanna L. Sheely <Deanna.Sheely@ci.owatonna.mn.us>
Cc: Ilkka, Gregory <Gregory.Ilkka@SteeleCountyMN.gov>; Sean P. Murphy <Sean.Murphy@ci.owatonna.mn.us>; Andrew Plowman <APlowman@wsbeng.com>; Mary Gute <MGute@wsbeng.com>; Golberg, Scott <Scott.Golberg@SteeleCountyMN.gov>
Subject: RE: ESC news article

If we have a good relationship with the reporter, we could ask her to write (or discuss a willingness to write) a "counterpoint" story that covers the project from a City, State, and agency/regulatory boundaries that guide the project and have done so historically.

ESC EAW Comments #25



[Resident Name Address] corner of County View and Mossy Creek, 9 houses in from the project, so not really impacted by the project.

[Resident Name] lives on Main Street downtown Owatonna. Not sure why she care, but she's unhappy about an upcoming Main Street project that may impact her property so now she's "supporting" NC residents.

Paul Sponholz, P.E. | County Engineer

October 1, 2024 – WSB gave an ESC presentation the city council.

From: Sean Murphy
Sent: October 2, 2024 6:37 AM
To: Paul Sponholz, Andrew Plowman
CC: Mary Gute, Ryan Erp
Subject: RE: Updated Presentation – East Side corridor

Hi All,

Here are the relevant notes I took from public comments. Hard to get all their points when they're reading so quickly to get out as much of their statements as they can in 2 minutes.

...

Goes on to recap reach resident that spoke in regards to the ESC.

Impaired Public Participation, Predetermination, and Incomplete Alternatives Analysis

The Environmental Assessment Worksheet (EAW) for the East Side Corridor is deficient under the Minnesota Environmental Policy Act (MEPA) due to impaired public participation, advancement of key decisions without transparency, and unresolved inconsistencies regarding authority over alignment and mitigation.

Public data demonstrate that City, County, and consultant staff coordinated public-facing communications and responses to community input, with expressed concern about generating additional public comments. This approach reflects a focus on managing public engagement rather than facilitating it and is inconsistent with MEPA's requirement for neutral and transparent environmental review.

These process failures became especially pronounced following the April 8, 2025 County Board meeting, at which the County advanced actions to remove federal funding from the project. That decision materially altered the scope of environmental oversight and directly affected mitigation requirements, including noise mitigation and avoidance measures. Despite the significance of this change, residents were not provided a meaningful opportunity to understand how or why the decision was made, what alternatives remained available, or how the removal of federal oversight would affect environmental protections, despite repeated non-responsive inquiries.

Following the April 8 meeting, residents sought clarification regarding how prior alignment and mitigation decisions had been reached and whether reasonable avoidance or safety alternatives remained under consideration. Those discussions did not occur. Instead, opportunities for engagement narrowed at precisely the moment when final mitigation decisions were advancing. As a result, informal public participation declined, and the environmental record does not reflect the full scope or persistence of community concerns related to safety, noise, and avoidance.

In addition, explanations regarding decision authority and project location were inconsistent. Residents were advised that Owatonna Township controlled the project's location, followed shortly thereafter by formal township action limiting the project alignment. The EAW does not disclose when alignment decisions were effectively determined, how authority was exercised among governing entities, or whether alternatives were foreclosed prior to environmental review. These unresolved inconsistencies undermine the integrity of the alternatives analysis required under MEPA.

The next day, residents submitted public data requests on April 9, 2025 seeking records related to the transfer of federal funds and the basis for that decision. To date, those requests have not been fulfilled. The absence of this information has impaired the public's ability to understand how the decision to remove federal funding was reached, how mitigation requirements were evaluated, and how environmental protections were affected. As a result, meaningful public

participation during a critical phase of environmental decision-making has been substantially limited.

When a project advances through major funding, alignment, and mitigation decisions without transparent explanation or meaningful public engagement—particularly after federal oversight is removed during a period when residents had publicly announced their intent to pursue formal remedies to obtain access to project information —the resulting EAW cannot be relied upon as a complete or objective disclosure document. MEPA requires more than procedural availability of comment periods; it requires good-faith evaluation of reasonable alternatives informed by public participation.

For these reasons, the EAW fails to satisfy the requirements of Minn. R. 4410. Preparation of a full Environmental Impact Statement (EIS) is necessary to ensure that decision-making authority, alternatives, mitigation, and environmental impacts are fully and fairly evaluated.

Owatonna East Side Corridor Residents

OwatonnaEastSideCorridor@gmail.com

Omission of Federal Undertaking Analysis Undermines the Integrity of the Environmental Review

This comment is submitted on behalf of multiple residents directly affected by the East Side Corridor project. It reflects shared concerns regarding the procedural integrity of the Environmental Assessment Worksheet (EAW) and compliance with state and federal environmental law.

The EAW fails to disclose, analyze, or integrate the project's federal undertaking status, despite clear documentation in the administrative record confirming federal involvement. This omission materially undermines the public's ability to participate meaningfully in environmental review and constitutes a fatal procedural defect under MEPA.

Federal Undertaking Is Not Limited to Historic Review and Is Not Negated by Funding Changes

“Undertaking means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license, or approval.”

— 36 C.F.R. § 800.16(y)

The County may argue that the federal undertaking determination applies only for historic purposes or that removal of federal construction funding eliminates federal involvement. Neither position is supported by federal law or by the project record.

An undertaking is defined broadly to include projects carried out under federal jurisdiction, projects receiving federal financial assistance, and projects requiring a federal permit, license, or approval. Federal funding is not the sole basis for undertaking status, and changes in funding do not eliminate federal jurisdiction or approval requirements once they apply.

Moreover, MnDOT's Cultural Resources Unit expressly determined that the project constitutes a federal undertaking **for both the Federal Highway Administration and the U.S. Army Corps of Engineers**, agencies with independent federal environmental jurisdiction beyond historic preservation. Section 106 applies because the project is a federal undertaking; it does not limit federal involvement to historic resources alone.

In addition to the \$3.96M in federal funds that was removed from this project to avoid mitigations, the project has received **federal financial assistance**, including use of **CRRSAA** funds for project-related planning, engineering, and/or environmental studies, as documented in public meeting agendas and records. Federal financial assistance for any phase of a project—including studies or planning—constitutes federal involvement and may not be segmented from later project phases to avoid federal environmental compliance. The use of CARES Act funds independently satisfies the federal financial assistance prong of **36 C.F.R. § 800.16(y)** and

further confirms federal undertaking status regardless of subsequent changes in construction funding sources.

Accordingly, the EAW's failure to include federal analyses related to **noise, farmland conversion, water and floodplain impacts, and railroad infrastructure** cannot be excused by characterizing the undertaking as "historic-only" or by citing removal of federal funds. Federal undertaking status triggers federal environmental compliance obligations that must be disclosed and analyzed as part of the environmental review.

Pattern of Funding Manipulation to Avoid Federal Mitigation

The administrative record shows that beginning in **April–May 2024**, Steele County, the City of Owatonna, and WSB discussed removal of federal funding from the project for the stated purpose of avoiding federal noise mitigation requirements, including construction of a noise wall. These discussions occurred outside the environmental review process and prior to public disclosure.

In **March and April 2025**, these discussions translated into action, with County staff initiating steps to move federal funds off the project following residents' public announcement of oversight activities. At the same time, misleading public narratives were advanced blaming residents for project delays. Federal funds were not formally removed from the project until **May 2025**, more than a month after MnDOT's CRU determined that the project constituted a federal undertaking.

These actions were never disclosed or analyzed in the EAW. These steps were taken to avoid the federal mitigations residents were advocating for and done so without a documented vote of approval from the county commissioners.

Federal Undertaking Determinations Excluded from Public Analysis

On **April 1, 2025**, MnDOT's Cultural Resources Unit, acting on behalf of FHWA, determined that the East Side Corridor is a **federal undertaking** for purposes of Section 106. That determination was later reaffirmed multiple times in **July 2025**. These determinations are included in the EAW attachments.

However, the EAW's narrative does not:

- Identify the project as a federal undertaking;
- Explain the implications of federal control or approval;
- Analyze how federal involvement affects mitigation, alternatives, or timing; or
- Integrate federal environmental obligations into the MEPA review framework.

By relegating the federal undertaking to attachments without analysis or supporting documentation, the EAW obscures the true nature of the project and deprives the public of meaningful notice and participation.

Predetermination and Public Harm

While federal obligations were known and unresolved, the County continued to advance the project, narrow options, and represent outcomes as predetermined. These actions occurred during a period of governance instability, including a prolonged absence of a County Engineer.

Collectively, these actions demonstrate predetermination and irreversible commitment of resources prior to completion of lawful environmental review without proper oversight, in direct conflict with MEPA's procedural safeguards and Minnesota State statutes regarding County Highway Engineers.

Conclusion and Requested Action

Because the federal undertaking affects applicable mitigation requirements, the range of alternatives, and the legality of proceeding without further review, the EAW cannot lawfully support a Finding of No Significant Impact.

Accordingly, residents request that the Responsible Governmental Unit:

1. Fully disclose and analyze the project's federal undertaking status;
2. Address the environmental and procedural consequences of funding maneuvers intended to avoid federal mitigation obligations; and
3. Require preparation of an Environmental Impact Statement (EIS), or suspend further commitments until a legally adequate, integrated environmental review is completed.

Owatonna East Side Corridor Resident

OwatonnaEastSideCorridor@gmail.com

Segmentation of the East Side Corridor and Related Projects

Steele County, the City of Owatonna, and WSB repeatedly segmented interconnected projects into separate actions to avoid proper environmental review, minimize impacts on paper, and prevent residents from understanding the full scope of the development that would ultimately affect them.

- Multiple projects were planned and advanced as one system—but reviewed as isolated pieces.

These include:

- The ESC (new arterial highway)
- The newly introduced 26th St. roundabout
- 18th Street expansion
- The 18th St. railroad roundabout (built 50' too close to the Railroad)
- 18th St. Trails
- The Owatonna High School relocation and construction
- Utility expansion and substation upgrades planned through already-segmented corridors
- ESC Trail Construction
- Main St. Project
- The Fire Station and Police Station
- The Havana Project
- CR 180 Railroad Crossing
- 26th St Expansion
- 26th St Mini Roundabout
- 26th St. Roundabout
- Adjacent housing and commercial development identified in Imagine Owatonna
- Modern Aire Apartments

Master plans and development studies:

- Master Trails Plan
- Master Downtown Streetscape
- Imagine Owatonna

Although these components form a single transportation and development system, they were deliberately separated into different processes so cumulative impacts would not be evaluated.

- Federal law prohibits segmenting connected actions to reduce apparent impacts.

Under NEPA and MEPA, agencies must evaluate:

- connected actions,
- cumulative actions, and
- similar actions **in a single environmental review.**

Here, instead of completing a unified analysis:

- ESC impacts were evaluated without considering the already-built roundabout directly connected to it and later coupled to the ESC project (needed to be in section 134 to continue-federal funding).
- 18th Street expansion (with federal funding) was treated as unrelated, even though it establishes the traffic network that “necessitates” the ESC.
- Noise, safety, and ROW impacts were artificially limited by excluding the segments built or planned immediately before and after the ESC.
- The ESC EAW ignores the 18th St project entirely even though **they operate as one continuous corridor in City/County planning documents.**
- Main St. Project that connects into the 18th St roundabout and received the ESC federal funds, carries downtown traffic and how the 2 impact each other.
- The ESC did not study the CR 180 Railroad under pass that “sets itself up nicely for a East Corridor” and what impacts that may have in connecting new roads
- What impacts the development taking place at the intersection of CR 180 and Main St that is “laying the groundwork for a dynamic, clean, and safe corridor. This transformation fosters connectivity from 26th Street to the new Owatonna High School and future developments that will continue to enhance the vibrancy of Owatonna” per a social media post.
- What impacts and benefits connecting trails all the way around Owatonna might have.
- The impact to downtown businesses.

- The 2020 Parks & Trails Plan, 18th Street expansion, ESC, the high school project, and the roundabout share the **same sequencing and purpose**, yet were reviewed separately.

When projects are viewed together, the sequence is clear:

1. **OHS High School relocation** → increases traffic demands (**WSB**)
2. **18th St expansion + roundabout** → provides southern ESC connectivity (**WSB**)
3. **ESC** → becomes the northern continuation toward 26th St (**WSB**)
4. **School-owned parcel identified as “future destination”** → requires ESC adjacency for utilities and access (**Undisclosed**)
5. **Utility expansions** → planned along the ESC corridor and 18th St to benefit developments (**WSB/OPU**)
6. **180th Railroad bridge** → Railroad bridge replacement over 180th St. (**WHKS**)
7. **Havana intersection modification** → provides a connection from the ESC to Eastbound Hwy 14 (**WHKS** – but **WSB** mentions how it inter connects with the ESC in their RFP)
8. **Main St.** → connect from the school to the center of town and was where ESC federal funds were transferred to (**SEH**)
9. **Streetscape Master Downtown** → the master plan for downtown (**WSB**)
10. **Fire/Police Station** → located on Main St. and downtown area (**IES**)
11. **New 26th St Roundabout** → connects to the newly expanded 26th St. (**WSB**)
12. **26th St. Expansion** → connects to the 2 roundabouts. (**Bolton & Menk**)
13. **26th St. Mini Roundabout** → connector to the farther roundabout (**WSB**)
14. **Parks and Trials Master Plan** → This connects all of the trails together around the perimeter of town including 18th St and ESC and determines the state trail tie-ins. (**WSB**)
15. **Imagine Owatonna** → The roadmap to make them all work (**Stantec**)

These are not independent events — they are connected steps in a single regional development plan, and WSB holds a stake in most of them.

The EAW even calls the ESC a “Regional” plan and officials referred to the ESC as “Project Destination” at the project open house. If they’re all connected the cumulative impacts need to be studied.

- The roundabout was built 50 feet too close to the railroad and coupled to the ESC project—yet was still excluded from ESC EAW.
 - Railroad required 200 ft separation
 - County built it with only 150 ft
 - Railroad refused responsibility
 - County refuses to accept responsibility
 - Federal grant existed to fix this issue but County declined to participate in the program and possibly was later declined (June 2025?)
 - The County Engineer began construction on the 18th Street/railroad intersection — the southern access point of the ESC — without securing the required federal railroad permits. (His own public statements in a commissioner meeting.)
Despite its direct functional connection to the ESC corridor, this hazardous and non-compliant intersection was analyzed as if it were unrelated.
Residents were told it was “a separate project,” even though:
 - it is the primary southern access point for the ESC,
 - its design affects ESC traffic flow and safety,
 - it was “coupled” to the ESC, and
 - it will likely have to be torn out and rebuilt to meet federal and railroad standards likely in the middle of ESC construction.
 - It has not once been mentioned to residents that the 2 projects have become one, it was only learned through public data.
 - The western connection to the roundabout is 18th St., home to the New Owatonna High School. The very traffic the ESC supposedly needed to help elevate.
 - Since the school was built traffic has substantially decreased in concerning intersections.
 - The trails in the master trail outline the trails along both 18th and the ESC and how they connect to Kaplans trail and 26th St, making a full loop.
 - Utilities were already expanded under the roundabout to set up for the ESC as recorded in OPU meeting minutes.
 - OPU approve the purchase of land to expand the East Substation and ran utilities under the 18th St roundabout to prepare for the new corridor.

By excluding this intersection from cumulative ESC analysis, the County segmented impacts and withheld critical information about safety, cost, and design feasibility.

The County simultaneously argued that the ESC is needed to fix traffic to and from the new High School located on 18th Street, while claiming the projects are unrelated for environmental purposes.

This is classic segmentation:

- Use one project to justify another
- But exclude them from each other's environmental analysis

If the ESC is needed *because of* the High School and subsequent expansion, they are legally "connected actions" and must be reviewed together. WSB further address the ESC traffic and its connection with the Havana project in the RFP they submitted to the Havana project.

Why an Environmental Impact Statement Is Required

This pattern of segmentation is precisely why Environmental Impact Statements exist. The East Side Corridor is not a standalone roadway project but part of a connected regional system of transportation, development, utility, and trail investments that have been advanced in sequence and reviewed separately. When these actions are viewed together, they present cumulative impacts that cannot be adequately evaluated through a project-level Environmental Assessment Worksheet.

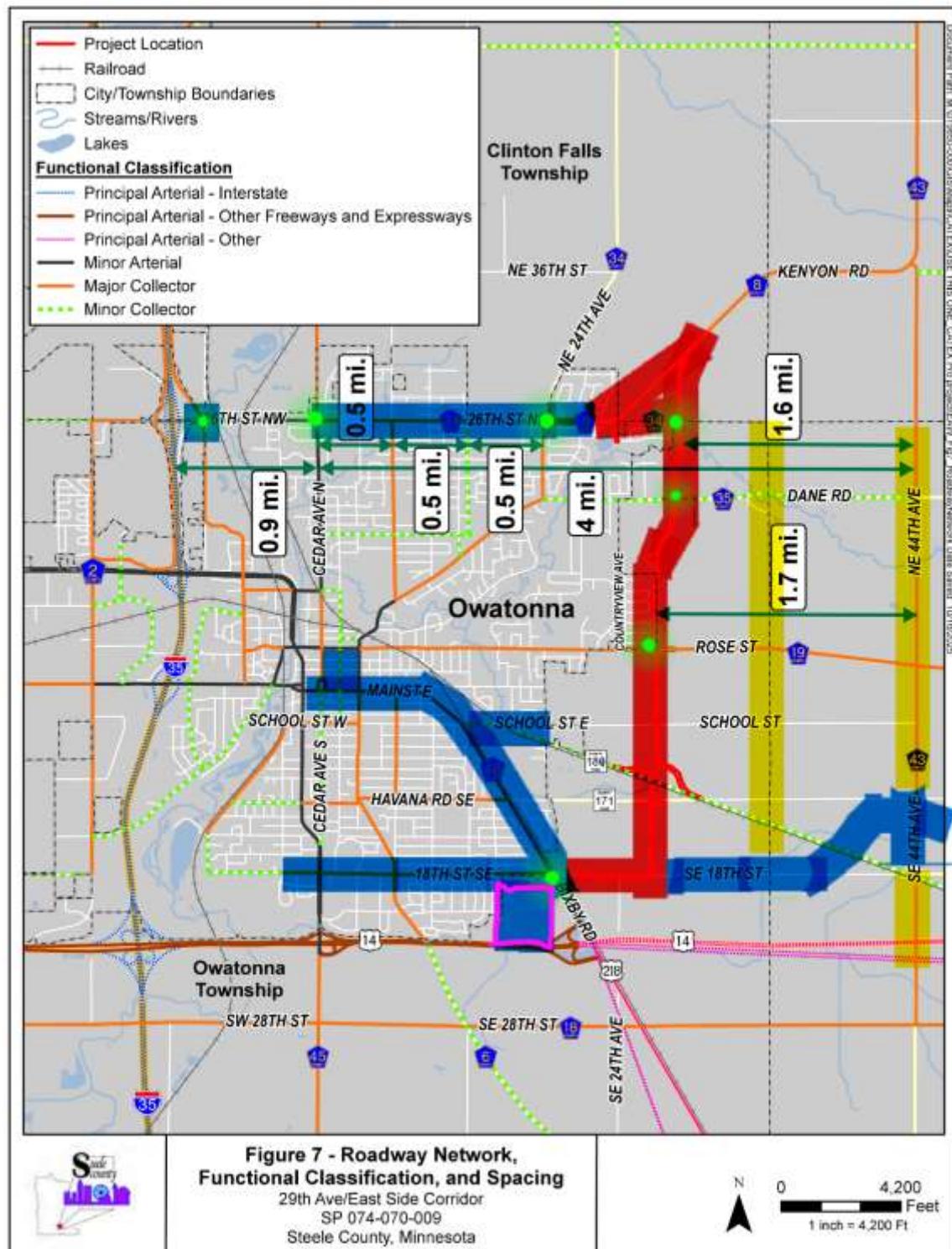
The County has itself described the East Side Corridor as a regional project. Treating its component parts as independent actions obscures cumulative traffic, safety, noise, right-of-way, development, and equity impacts, and prevents meaningful evaluation of reasonable alternatives, including avoidance. MEPA requires that connected and cumulative actions be reviewed together before irreversible commitments are made.

For these reasons, a full, independent Environmental Impact Statement is required.

Owatonna East Side Corridor Resident
OwatonnaEastSideCorridor@gmail.com

Attached:

Map highlighting project impacts
Map connecting ESC and Havana Project



Regional Transportation Project

- **Red:** ESC.
- **Blue:** current or recently completed connected projects.
- **Yellow:** newly introduced projects on the ESC website.



ESC connected to the Havana Project on a Steele County Project Map