

ONE RIVER, TWO BRIDGES

A Conflict Assessment of The Existing and Proposed St. Croix River Bridges Between Stillwater, Minnesota, and Houlton, Wisconsin

Prepared by

**John G. Wofford
Facilitator and Mediator**

with

**Dale L. Keyes
Senior Program Manager
U.S. Institute for Environmental Conflict Resolution**

Funded by

**Federal Highway Administration
Office of NEPA Facilitation**

November 30, 2001

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
I. Introduction	
II. Major Recent History	5
A. Environmental Review Process	5
B. Wild and Scenic River Act – Litigation and Review	5
C. Braun Study – Process, Recommendations and State Acceptance	11
D. Review by the Advisory Council on Historic Preservation	12
E. Negotiation of the \$8.4 Million Mitigation Package	13
F. Section 7(a) Determination with Three Options	13
G. \$5 Million Appropriation for Repair of the Lift Bridge	14
H. Responses to the Three Lift Bridge Options, MN/WI Negotiations, MN Legislative Extension to June 2002	14
I. Summary	15
III. The Lift Bridge – Issues and Options	17
A. Historic Character of the Bridge	17
B. Current Condition	17
C. The Three Options in the Future	18
D. Three Major Issues in Retaining the Lift Bridge	23
E. Conclusions	27
IV. The New Bridge – Issues and Options	29
A. Needs and Impacts	29
B. Location	30
C. Design	30
D. Scale	31
E. Approach Roads in Minnesota and Wisconsin	31
F. The 3-Architects’ Plan	32
G. Conclusions	33
V. Major Process Options and Recommendations	34
A. Lift Bridge and New Bridge Processes – Single or Separate?	34
B. Lift Bridge Process	37
C. New Bridge Process	40
D. Conclusion	43
Definition of Abbreviations	44
Appendices	45

EXECUTIVE SUMMARY

For well over a decade, the States of Minnesota and Wisconsin, have jointly proposed to build a new, 4-lane bridge over the St. Croix River near Stillwater, Minnesota. The New Bridge would improve traffic flow across the River and relieve congestion in historic Stillwater. The existing 2-lane Lift Bridge is deteriorating. Both the Lift Bridge and the historic downtown area of Stillwater are on the National Register of Historic Places. Currently the proposal for a New Bridge is at impasse, partly over the issue of what should be done with the Lift Bridge.

At the request of the states of Minnesota and Wisconsin, FHWA retained the US Institute for Environmental Conflict Resolution to conduct a “conflict assessment” of the controversy over these two bridges. The Institute contracted with John G. Wofford, an independent facilitator/mediator to be the principal investigator, and assigned Dale Keyes, Senior Program Manager, to direct the assessment.

A conflict assessment seeks to discover what are the issues, what are the views of the main parties, what are the chances for resolution at this time, and whether negotiations – in one form or another – should be reopened.

Key Issues

There are currently three options concerning the future of the Lift Bridge if the New Bridge is built:

- Remove the Lift Bridge entirely once the New Bridge is built;
- Reduce the Lift Bridge to a pier extending from the Minnesota side; and
- Retain the Lift Bridge as a working bridge (either for vehicles, or for pedestrians and bicycles), with the lift mechanism operating.

Opinions about these options differ significantly, especially regarding whether the end result will be one or two bridges.

The St. Croix River is a federally protected river under the Wild and Scenic Rivers Act. The portion of the river over which the New Bridge would be built is part of the Lower St. Croix National Scenic Riverway. Any New Bridge needs to meet the requirements of the Wild and Scenic Rivers Act.

The current new bridge proposal adopted by both Minnesota and Wisconsin is the so-called Braun C Alternative. This proposal has been accepted by the US Department of Interior as complying with the Wild and Scenic Rivers Act requirements. However, acceptance is conditioned on establishing a land conservation fund, the size of which depends on the disposition of the Lift Bridge.

Unable to find the additional \$10 or \$15 million for the land conservation fund and faced with continuing impasse over the future of the Lift Bridge, Minnesota DOT, which by long-standing

agreement between the two states is the “lead agency” on the project for a New Bridge, has declined to take further action or expend further funds until there is sufficient likelihood that the project will move forward.

Recommended Separation of the Lift Bridge and New Bridge Decision Processes

Separating the issues concerning the two bridges into two distinct but coordinated processes appears to us more likely to produce decisions and action than keeping them as intertwined as they appear to have been to date. The issues, the timetables, the types of expertise needed, the leadership, and the politics involved in negotiation are substantially different for each bridge. Separating the processes will be more likely to let the decision-makers, the private groups and the public-at-large give direct and thorough attention to the issues to be resolved about each bridge.

Recommended Lift Bridge process

There are two major questions to be decided about the Lift Bridge: first, the nature and timing of repairs and rehabilitation; and second, its longer term future – removal, retention as a pier, or preservation as a working bridge.

Virtually everyone interviewed favored taking immediate steps to rehabilitate, repair, and restore the bridge. Even if the New Bridge is eventually constructed, the Lift Bridge needs to be operational for 5 years or more. A special federal appropriation of \$5 million, enacted in December 2000, is immediately available solely for these purposes. Putting together an action team and allocating responsibilities are the key near-term issues.

There appears to be widespread local support for preservation of the Lift Bridge and, within the last six months, substantial federal and state agency consensus that preserving the Lift Bridge could be combined with building the New Bridge. Among those interviewed in agencies and private organizations, many place priority on one or the other, but most could live with both.

The second question – the long term future of the Lift Bridge – to some extent is tied to the first because most of the basic repair, refurbishing and rehabilitation that seem essential in the short run are substantially the same activities that would enable the bridge to survive in the long run. But the specific long-term options seem dramatically different, with agencies and private organizations holding strong positions.

Key issues to be addressed include the nature and sequence of restoration activities; ongoing ownership, maintenance and operating responsibilities; transportation management programs that might alleviate current and future congestion; and specific plans for usage as a pedestrian and bike bridge if that is the option selected. Funding sources for each option need to be identified.

These issues are best addressed within the context of an overall Lift Bridge planning and decision effort. It should have deadlines, be technically grounded and fiscally responsible, and have substantial public involvement.

Who should lead this effort? We suggest the establishment of a core management group of five state and federal agencies comprised of the National Park Service; each state's Department of Natural Resources; and the State Historic Preservation Office of each state. The heads of these five agencies should identify staff within their organizations who have responsibility not only for river protection but also for trails, land management, and historic preservation. The key is to identify staff with experience, enthusiasm and leadership skills.

We also recommend the creation of a larger Advisory Group for the Lift Bridge and consideration of retaining an outside technical/planning consultant and a process facilitator.

Without the detailed development of concrete alternatives for the Lift Bridge, parties are likely to stay locked in a state of apparent disagreement with no clear way out. People cling to one or another option without a very clear idea of what it would entail. Debate without details tends to lead to arguments that may be more abstract than real, with little opportunity to move through the debate to solutions. If state decision-makers continue to leave open the question of the Lift Bridge's long-term future, there is likely to be a continuation of impasse about both bridges, with little opportunity to develop momentum for either. Our recommendations regarding the Lift Bridge are designed to create that momentum, and we recommend that the effort be launched within the next 60 days.

Recommended New Bridge Process

The major issue here is whether the environmental review process should move forward in the form of a Draft and then Final Supplementary Environmental Impact Statement. If the Lift Bridge issues are moved onto a separate but coordinated track, as recommended, then the way should be cleared to move forward with the Draft Supplementary Environmental Impact process for the New Bridge on an expedited basis. We recommend that this process for the New Bridge be re-activated within the next 30 days.

A draft document already exists. Some of the analysis needs to be reviewed and in some cases revised and expanded regarding:

- Possible growth-inducing effects of a New Bridge;
- A recent proposal for a "one-way pair" involving a smaller new bridge; and
- Design details of the Braun C Alternative.

Under the leadership of FHWA in Minnesota, the existing Inter-Agency Group that has helped to steer the EIS process for the New Bridge to date should be continued and augmented. Specifically, in addition to current membership of the federal and state agencies and the City of Stillwater, the City of Oak Park Heights and local government representation from the Wisconsin side of the river should be added. Assistance of a third party neutral facilitator should be considered.

The two Minnesota cities should also consider concrete ways to enhance working ties with each other over issues associated with the New Bridge proposals, such as periodic coordinating meetings, and should also include local government from the Wisconsin side.

Among the private groups, the local chambers of commerce and the local preservation and environmental groups should have a structured but advisory role in a formal Advisory Group. Major local employers could also play a role. The recommended Advisory Group should be one in which the members are informed, fully engaged in discussions, and have a meaningful influence on project decisions. Consideration should also be given to retaining a third party neutral to assist in facilitating both the Advisory Group and the Inter-Agency Group.

Finally, if a decision is made to preserve the Lift Bridge, then one of the costs of the New Bridge is the \$15 million conservation fund. How it should be raised and for what it should be spent are important issues to be resolved. The more detailed are plans for how such a fund should be used, the more receptive federal officials are likely to be in finding ways to pay for it.

There is a special challenge concerning the New Bridge process: many participants are going to feel that they have been through much of this before. The challenge is to make the process meaningful – balanced, open, and thorough – even though much of the territory may seem like familiar ground to the participants. Re-activating the process, which we strongly recommend, requires re-energizing it as well.

Conclusion

The people we have interviewed are tired of the current terms of the debate and the seemingly endless impasse. To some extent they appear to be tired of the issues, even though when they begin to talk they obviously feel passionately about them. Virtually all of those we interviewed would like to chart some new course.

We have tried to suggest several approaches to stimulate new thinking among those who have struggled with these difficult and important issues for so long. We believe that, out of new thinking on the part of dedicated federal, state and local agencies, organizations, and individuals, will appear a way – or several ways – forward.

I. INTRODUCTION

Since the mid-1980's, the States of Minnesota and Wisconsin, through their respective Departments of Transportation, have jointly proposed to build a new, 4-lane bridge over the St. Croix River approximately between Stillwater, Minnesota, and Houlton, Wisconsin.

The St. Croix River is a federally protected river under the Wild and Scenic Rivers Act (WSRA). The portion of the river over which the new bridge would be built is part of the Lower Saint Croix National Scenic Riverway, which was authorized by Congress in 1972 and accepted into the national system upon application by the Governors of Minnesota and Wisconsin in 1976. The Act provides for special protections and special management of rivers that are part of its system.

An existing 2-lane bridge, built in 1931, crosses the river less than one mile north of the location of the proposed new bridge; it has a "lift" mechanism that raises a section of the bridge to 50 feet above river level, thereby enabling vessels to pass under it but stopping vehicular traffic on the bridge while the bridge is "up." The bridge has been on the National Register of Historic Places since 1989. Properties on the National Register are given special protection under the National Historic Preservation Act.

In this report, as in local terminology, the existing bridge will be referred to as the Lift Bridge. The proposed new, higher level bridge will be referred to as the New Bridge. The New Bridge would not need a movable section because it would be high enough above the river that vessels could freely pass under it.

The Wisconsin side of the river near the Lift Bridge has very little development. There is unimproved parkland (owned by Stillwater) at the base of a bluff. A two-lane east-west road, Wisconsin State Trunk Highway 64, traverses a fairly steep grade through a gap in the bluff, where it joins north-south Wisconsin State Trunk Highway 35 for some miles before they diverge. There are a number of residences scattered along the top of the bluff, with no apparent public access in the immediate area of the existing bridge, although there is a public overlook some distance down the river. There is no incorporated municipality directly on the Wisconsin side; Houlton is part of unincorporated land constituting the Town of St. Joseph, which is part of St. Croix County.

On the Minnesota side, by contrast, the Lift Bridge leads directly into the downtown section of the City of Stillwater. Stillwater was the location of the first crossing of immigrants heading west from Wisconsin in the mid-19th Century, and became the first capital of the new state of Minnesota. Its downtown streets are lined with many historic structures and are quite narrow (Main Street, which is Minnesota Trunk Highway 95, has two driving lanes and two parking lanes). Several blocks beyond Main Street, the terrain rises steeply, with structures – commercial, religious, public, and residential – in close proximity to each other, many with views of the river. Stillwater's historic downtown is separately listed on the National Register.

South of downtown Stillwater, Minnesota Trunk Highway 95 intersects with Minnesota Trunk Highway 36, which is a four-lane divided highway leading directly to the freeway system around and through St. Paul and Minneapolis.

The main purposes of the New Bridge are: 1) to reduce congestion in the center of downtown Stillwater, where traffic from the bridge must pass through a signalized intersection; 2) to enable vessels in the river to pass under the bridge at any time, without the need to raise and lower part of the bridge; 3) to improve transportation connections between western Wisconsin and the St. Paul/ Minneapolis area; and 4) to accommodate expected traffic increases created by future development, primarily in Wisconsin.

Over the years, there have been various proposals as to location and design of the proposed New Bridge; disagreements over jurisdiction, policy, and interpretation among agencies charged by statute with some responsibility for reviewing those proposals; and a protracted law suit resolving one major issue of statutory interpretation.

Historically, differences have been sharp at both federal and state government levels. These differences emerge primarily from the difficult intersection of three important but sometimes competing goals of public policy – enhancement of transportation services, preservation of historic resources, and protection of a wild and scenic river. Different agencies are primarily responsible for administering the different statutes that establish these different goals. Each agency has strong and valid reasons to support the way it would apply these goals to the two bridges – one existing and one proposed – for the Stillwater-Houlton area. But so far attempts to develop an agreed, balanced outcome, with clear decisions, have been unsuccessful.

At the federal level, disputes have arisen at various times primarily among the Federal Highway Administration (FHWA) of the US Department of Transportation (USDOT), the National Park Service (NPS) of the US Department of Interior (DOI), and the Advisory Council on Historic Preservation (ACHP). The Coast Guard (part of USDOT), the US Army Corps of Engineers, and the Fish and Wildlife Service of DOI have also been involved, as has the Council on Environmental Quality.

Differences have also arisen at various times both within each state government and between the two states. Differences within each state have arisen among its Department of Transportation, Department of Natural Resources, and State Historic Preservation Office. Differences between the two states have been over the priority that should be accorded the New Bridge project and the process that should be followed in the face of the long-standing agency disagreements.

Despite these areas of disagreement, the transportation agencies at both state and federal levels – MnDOT, WisDOT, and FHWA – have been able to reach substantial agreement on all issues of purpose, scale, location, and design. The two states also have an agreed cost-sharing formula under which the two states split the cost of the bridge itself 50-50 and each state pays the full cost of its approach roads on each side. Current estimated construction cost is in the area of \$150 million, with each state drawing on its regular allocation of federal highway funds to pay its share.

In a similar fashion, there has been substantial agreement among the three historic preservation agencies at both state and federal levels – the State Historic Preservation Offices (SHPOs) of Minnesota and Wisconsin, and the Advisory Council on Historic Preservation – about the importance of preserving the Lift Bridge.

And there has been substantial agreement among the natural resource agencies – MnDNR, WisDNR, and NPS – about the importance of protecting the special values of the riverway.

The two Minnesota cities through which the approach roads to the New Bridge would pass – Stillwater and Oak Park Heights – have also played major roles during the life of the project, as has Minnesota’s Washington County. Minnesota has a “municipal consent” law, under which the consent of municipalities must be obtained before a transportation project may be constructed within a city (unless the state appeals a rejection by the city, and a three-person appeal board then overrules the city). There is no similar local consent law in Wisconsin. On the Wisconsin side the Town of St. Joseph and St. Croix County have both been involved.

There has been strong interest in the project by elected officials on both sides of the river, including the respective Governors, Members of Congress in whose districts the New Bridge would be built, local representatives and senators in the Minnesota and Wisconsin legislatures, and the Mayors and City Councils of Stillwater and Oak Park Heights, Minnesota, and the Board of Supervisors of St. Croix County, Wisconsin.

In addition, in the last year of the Clinton Administration, the US Secretaries of Interior and Transportation became personally involved in attempting to resolve differences between their two departments over interpretations of certain aspects of federal policy that would apply to the project.

Currently the proposal for a New Bridge is at impasse, in large part over the issue of what should be done with the Lift Bridge. Until December 2000, the National Park Service had had a policy that if a new bridge were to be built over the St. Croix River near Stillwater, the Lift Bridge would have to be removed. For years, NPS policy had firmly supported what it called a “non-proliferation” policy to protect rivers under the WSRA – any new river crossing (whether of power lines, railroad bridges, or highway bridges) would have to be accompanied by the removal of an existing river crossing. On December 29, 2000, that policy was changed to permit, under certain specified conditions, the existence of both the New Bridge and the Lift Bridge in the Stillwater/Houlton area.

With this policy change, the agencies at both state and federal levels have agreed that there are three major options concerning the future of the Lift Bridge if the New Bridge is built:

- Remove the Lift Bridge entirely once the New Bridge is built;
- Reduce the Lift Bridge to a pier extending from the Minnesota side part-way across the river but removing sections of the bridge and causeway on the Wisconsin side, thereby leaving the channel open on the Wisconsin side and eliminating the need for the lift mechanism to operate; or

- Retain the Lift Bridge as a working bridge (either for vehicles, or for pedestrians and bicycles), with the lift mechanism operating.

There have been strong differences of opinion over these options in particular, and the future of the Lift Bridge in general. At the federal level, FHWA and NPS are willing to accept any of the three options, but the ACHP favors only the option of full retention of the Lift Bridge. In Minnesota, all three of its agencies have said they could live with any of the three Lift Bridge options, although the SHPO feels strongly that the Lift Bridge should be preserved. And in Wisconsin, after a period when its Department of Natural Resources had refused to entertain the retention option, all three agencies are now officially aligned to accept any of the three options – again, with strong reservations on the part of the SHPO about any option that would not preserve the Lift Bridge as a working bridge.

Minnesota DOT, which by long-standing agreement between the two states is the “lead agency” on the New Bridge project and which already has expended approximately \$14 million on land acquisition on the Minnesota side, announced in January 2001 that it would decline to take further action or expend further funds on the New Bridge process until there is sufficient likelihood that the impasse can be overcome and the process can move forward.

At the request of the states of Minnesota and Wisconsin, FHWA retained the US Institute for Environmental Conflict Resolution to conduct a “conflict assessment” of the bridge controversy. The Institute is an independent federal agency established by the US Congress to assist parties in resolving environmental, natural resource and public lands conflicts. A description of the Institute is included as Appendix A. A conflict assessment seeks to discover what are the issues, what are the views of the main parties, what are the chances for resolution at this time, and whether negotiations – in one form or another – should be reopened. The Institute’s focus, therefore, is on process – not process in general, but specifically on whether there are next steps, separately or together, that some party or group of parties should take to move away from impasse and toward resolution.

John G. Wofford, an independent facilitator/mediator under contract with the Institute, was the principal investigator. He conducted personal interviews in Minnesota, Wisconsin and Washington, DC, with over 50 people in over 20 different agencies and organizations during September and October, and telephone interviews with a number of others thereafter. The Institute’s Project Director, Dale Keyes, joined him for some of the in-person interviews. All interviews were confidential in the sense that individual statements made would not be attributed to individuals. Those interviewed provided the Institute with many documents relating to the controversy. A list of those interviewed is attached as Appendix B.

This is a report of our conflict assessment, drawing on the interviews, the documents provided, and the past experience of Mr. Wofford and Institute staff in dealing with transportation and environmental conflicts. The report summarizes the controversy and the perspectives of those interviewed, and provides a set of recommendations for moving forward.

II. MAJOR RECENT HISTORY

Major developments of the last several years provide the current context for this long-standing conflict.

A. Environmental Review Process

The recent history of the proposal for a New Bridge in the Stillwater-Houlton area began with procedures required by the National Environmental Policy Act (NEPA) before any “major federal action” affecting the natural and social environment may proceed. In compliance with that Act, FHWA in 1985 published a Notice of Intent to prepare an Environmental Impact Statement (EIS), and proceeded to study impacts of alternative locations and designs for the New Bridge. An analysis of these alternatives was circulated in a Draft EIS in 1990.

As required by NEPA, a period of review and comment followed, with involvement by state, federal and local agencies, private organizations, and the general public. The comments ranged from enthusiastic support to strong opposition to the New Bridge project, and conflicting views on alternative locations for it. Some favored a new two-lane bridge instead of a four-lane bridge. Most of those who opposed the project supported improving traffic management on the Lift Bridge instead. Most of those who supported the project believed that such traffic management improvements would not meet the transportation needs of the area.

The two states decided to proceed with the New Bridge project. They selected a Preferred Alternative for it and, with the concurrence of FHWA, circulated that choice in a Final EIS in April 1995. Three months later, in July 1995, they issued a Record of Decision, normally the final document required before final design and construction can begin. Generally, a Record of Decision is also required before any litigation can be initiated to stop a project.

B. The Wild and Scenic Rivers Act – Litigation and Review

The Wild and Scenic Rivers Act established a national policy to protect certain of the nation’s outstanding rivers. There are 154 rivers included in the National WSR System. Each river designated under the WSRA possesses one or more “outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values” as determined by Congress. Each river is required by law to be “administered in such a manner as to protect and enhance the values which caused it to be included in said system.” The Lower St. Croix was designated for its outstandingly remarkable scenic, recreational, and geologic values.

The Secretary of Interior, charged with administering the WSRA, has interpreted this provision as requiring a “non-degradation and enhancement policy for all designated river areas.” In addition, the Act provides in Section 7(a) that “No department or agency of the United States shall assist by loan, grant, license or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration.”

A dispute had arisen about whether a “bridge” was or was not a “water resources project” for purposes of the Section 7(a). DOI believed that it was. The transportation agencies, however, interpreted the section as prohibiting dams and other barriers that would impede the “free flow” of the river, but not prohibiting bridges, which were considered not to impede that free flow. Hence, the completion of the Draft and Final EISs proceeded with NPS offering comments in its general capacity as a “cooperating agency” on the project, but without a specific review under Section 7(a) to determine whether the project would have “a direct and adverse effect” on the values for which the Lower St. Croix had been designated.

In 1990, as one of the many agencies to comment on the Draft EIS, NPS had recommended against a New Bridge and in favor of traffic system management efforts and rehabilitation of the historically significant Lift Bridge. NPS added that if a decision were made to build a New Bridge, NPS would recommend that the Lift Bridge be removed so that only one bridge would cross the River at that location (in accordance with its “no proliferation” policy). These comments however did not constitute a formal NPS review of the Section 7(a) requirements. Accompanying its Record of Decision in April 1995, the heads of MnDOT and WisDOT sent a co-signed letter to FHWA, stating that the Lift Bridge would be removed within 10 years of completion of the New Bridge.

In June 1996, the Sierra Club North Star Chapter and the Voyageurs Region National Park Association jointly sued USDOT, FHWA, DOI, and NPS to enjoin construction of the New Bridge, primarily on the ground that NPS had failed to carry out its legal responsibilities under Section 7(a) of the Wild and Scenic Rivers Act.

The plaintiffs also asserted that the project would violate Section 4(f) of the USDOT Act, which prohibits transportation projects through public parklands, and public and private historic resources, unless there is “no feasible and prudent alternative,” in which event maximum feasible mitigation measures must be taken. USDOT is required to apply the standards of Section 4(f) to all of its projects.

With respect to the WSRA, the plaintiffs’ position was that a bridge was a “water resources project,” and as such, the proposed new bridge in the Lower St. Croix River had to be evaluated under the protective standards of the Act. MnDOT, WisDOT and the City of Stillwater intervened in the law suit as defendants, but cross-claimed against the federal agencies on the ground that federal law did not permit a bridge to be considered a water resources project under the WSRA.

After negotiations at the federal level among DOI (and its NPS), USDOT (and its FHWA), and the Department of Justice, which represents federal agencies in litigation, a decision was made that a bridge would be considered a “water resources project,” thereby requiring the application of the protective standards of Section 7(a) of the WSRA. As a result, the NPS, prior to any ruling by the court, reviewed the bridge then described as the Preferred Alternative in the Draft and Final EISs, and determined in December 1996 that the New Bridge would directly and adversely affect the values for which the Lower St. Croix River was designated a wild and scenic river.

If left uncontested, this determination by NPS would have meant that the then-proposed New Bridge could not be built. MnDOT filed a motion for summary judgment, seeking to vacate the Section 7(a) determination, asserting that DOI and NPS had exceeded their authority, since MnDOT (and WisDOT) contended that a bridge should not be considered a water resources project under the WSRA.

This second phase of the lawsuit was resolved when a US District Judge in Minnesota ruled in April, 1998, that NPS, as the agency charged with administering the WSRA, was within its administrative discretion and did not exceed its authority in determining, first, that a bridge was a water resources project under the WSRA, and second, that the Preferred Alternative would have a direct and adverse effect on the scenic and recreational values of the Lower St. Croix.

C. Braun Study: Process, Recommendations, and State Acceptance

In response to the NPS negative determination that the proposed freeway bridge violated the standards of the WSRA, and to the court decision holding that such determination was within its authority to make, Minnesota and Wisconsin set out immediately to find a new alignment for the proposed bridge. They retained Richard P. Braun, a former Commissioner of the Minnesota Department of Transportation, to conduct a short study to evaluate the then-current proposals and try to find a new location and design for the proposed bridge that would have “the best chance for implementation.” Braun began his study on June 11, 1998, about two months after the court decision. He issued his report September 28, 1998 – a period of approximately 14 weeks. In pursuing his study, Braun met frequently with an interagency group of federal and state agencies, and four times with a new entity created for his process, a 21-member St. Croix River Crossing Advisory Group. He also met one-on-one with individual agencies and “influential organizations.”

The Braun Report considered three new alternative locations and compared them with the two main locations described in the Final EIS. It also considered, but dismissed, putting the river-crossing in a tunnel. Figure 9 from the Braun Report, describing the alternatives, is included here as Appendix C. The report noted the advantages and disadvantages of each alignment, and recommended that new alternative “C” (so-called “Braun C”) become the Preferred Alignment because it:

- “Crosses the river within the narrower central corridor;
- Although the approach span is on a curve, the main bridge span is approximately perpendicular to the river;
- Meets acceptable safety design standards;
- Has fewer visual impacts on downtown Stillwater than Alternatives A and B;
- Can be built without significant disruption of traffic;
- Has a cost that is similar to the cost of the FEIS Preferred Alternative; and
- Is acceptable to more parties.”

The Final EIS alignment would have passed directly in front of Sunnyside, a major riverfront condominium and marina development on the Minnesota side, and would have been about 6,300

feet downstream from the Lift Bridge. “Braun C” stays substantially out of the view of Sunnyside, and would be approximately 3,600 feet downstream from the Lift Bridge.

With respect to the Lift Bridge, the Braun Report notes that while it was not his “specific charge” to resolve this issue, “it appeared that a compromise might be reached during this process. However, legal issues were too complex and opinions were too strong to resolve this issue within the available time.” The “compromise” referred to the idea of removing part of the Lift Bridge connected to Wisconsin, and retaining the balance as a pier from the Minnesota side. The resolution of the Lift Bridge issue, the report concluded, “should receive top priority in order that this project can move ahead.”

In response to the Braun Report recommendations, the states of Minnesota and Wisconsin agreed that the Braun C alignment and design should become the Preferred Alternative for a New Bridge, and proceeded to prepare a Draft Supplemental EIS (**Add ref to the MOU here**) of it. DOI also proceeded to review the Braun C Alternative under Section 7(a) of the Wild and Scenic Rivers Act. In December 1998, the continuing lawsuit by the environmental groups was dismissed “without prejudice” on the grounds that the Braun C alternative had replaced the design and location that had been at issue in the lawsuit, and that a Supplemental EIS and a further Section 7(a) evaluation of the new alternative would be prepared.

D. Review by the Advisory Council on Historic Preservation

Meanwhile, another federal agency began to play an increasingly significant role. Under Section 106 the National Historic Preservation Act, each state is required to establish a State Historic Preservation Office (SHPO), which reviews proposed federal actions for their impacts on historic resources, and reports those reviews to the ACHP in Washington, DC. The ACHP reviews the SHPO reports and makes recommendations regarding the disposition of controversial projects.

ACHP, thus advised by the State Historic Preservation Offices of the two states, strongly supported retention of the Lift Bridge but did not oppose the New Bridge, arguing against the non-proliferation policy of NPS as applied to this project. They argued that one of the “scenic” values for which the Lower St. Croix was designated under the WSRA was the Lift Bridge itself.

On July 17, 2000, the Chair of ACHP wrote to the Secretary of Interior: “The bridge is closely tied to the identity of the town and is widely featured as its symbol in official town correspondence and in all manner of literature designed to attract visitors to this picturesque river town. No one who lives in the area would disagree that the historic lift bridge contributes to the scenic qualities that define the surrounding cultural landscape.” ACHP further wrote, “Loss of the historic bridge would not only adversely affect an historic property, but would diminish the scenic values for which the St. Croix River was designated. Preservation of the historic lift bridge should enable the values of the National Historic Preservation Act and the Wild and Scenic Rivers Act to co-exist in this case....”

E. Negotiation of the \$8.4 Million Mitigation Package

In the Spring of 2000, a 10-agency group of federal, state and local agencies (FHWA, NPS, ACHP, MnDOT, WisDOT, MnDNR, WisDNR, MnSHPO, WisSHPO, and the City of Stillwater) completed one-and-a-half years' of negotiation to develop an \$8.415 million "enhanced mitigation package" on the assumption that the Lift Bridge would be removed. The package included \$4.6 million for "basic scenic mitigation;" \$2.4 million for what was called "bridge-related historic mitigation" (for removal of the Lift Bridge and the causeway on the Wisconsin side and \$120,000 to relocate an endangered species of mussels – mitigation related to removal of the bridge); and \$1.4 million for "other historic mitigation" (including a scenic overlook, certain archeological work, and support for Stillwater's Historic Preservation Plan, modifications to a riverside park in Stillwater, and \$1 million for a Historic Preservation Fund).

F. Section 7(a) Determination with Three Options

Facing a continuing impasse between NPS and ACHP at the federal level, and under pressure from elected officials from the two states, US Secretary of Interior Bruce Babbitt in the summer of 2000 requested a meeting with US Secretary of Transportation Rodney Slater. At that meeting, on July 19, 2000, Babbitt stated that he felt historic preservation interests should be accommodated and that full removal of the Lift Bridge was not a viable option. He also felt that a New Bridge would be needed. He thought that the chief unaddressed impact of a New Bridge on the wild and scenic river would be land development pressures on the Wisconsin side. He advanced the idea that DOI would require a land conservation fund to be attached to the construction of the New Bridge, depending on which Lift Bridge option were selected. Staff of the federal and state agencies worked through the Fall to develop enhanced mitigation packages, including a land conservation fund proposal, to become part of the Section 7(a) Determination.

In December 2000, the Director of NPS approved a recommendation from his Acting Regional Director for the Midwest Region to forward to the Secretary of Interior for his approval a 53-page Determination that any direct and adverse effects of the Braun C Alternative on the Lower St. Croix River could be mitigated with appropriate mitigation measures. The Section 7(a) Evaluation and Determination for the New Bridge was approved by the Secretary on December 29, 2000.

It made detailed findings with respect to minimization of construction impacts, water quality impacts, land and water resources, visual and other scenic impacts, recreational impacts, and cumulative impacts.

Furthermore, as expected, in a major change of NPS policy, the Section 7(a) Determination provided that any of the three options for the Lift Bridge (removal, pier, or retention) could be accepted along with the New Bridge, so long as the pier and full retention options were accompanied by a "land conservation fund," with the amount of such fund varying depending on the option selected for the Lift Bridge:

- Removal of the Lift Bridge, no land conservation fund required;
- Removal in part and retention in part (the "pier" proposal), land conservation fund of \$10 million; and
- Retention in whole as a working bridge, land conservation fund of \$15 million.

With respect to the Land Conservation Fund, the Section 7(a) Determination stated: “To further off-set the impact of development pressure, a land conservation fund [in the amount of \$10 million for the pier option, and \$15 million for the full retention option] would be established to conserve natural resources in the Lower St. Croix Valley. One primary use of the fund would be to help offset the visual impact of the proposed bridge by acquiring scenic easements on other properties in the river’s viewshed.”

The Section 7(a) Determination specified that the additional mitigation measures required for either the pier or retention option, including the Land Conservation Fund, would require “special federal funding . . . that would not impact normal transportation and natural resource funding for Minnesota and Wisconsin.” It also specified that a “responsible public agency or private entity” must “assume full legal and financial responsibility for the Stillwater Lift Bridge, holding MnDOT and WisDOT harmless.”

G. \$5 Million Appropriation for Repair of Lift Bridge

Also in December 2000, but before the Section 7(a) Determination, at the initiative chiefly of Minnesota Congressman Bill Luther, the US Congress passed a special appropriation of \$5 million for the “rehabilitation, repair, and restoration of the historic Stillwater Lift Bridge.” In announcing the insertion of the funds into the House version of the appropriation, the Congressman stated: “I am committed to doing everything possible to save this historic structure that has been such an integral part of this community for nearly a century. Once you tear down a structure such as this, you lose part of your history and connection to the past which can never be returned.”

No specific plans have yet been developed for the expenditure of these funds.

H. Responses to Three Lift Bridge Options, MN/WI Negotiations, MN Legislative Extension to June 2002

In response to the three options concerning the Lift Bridge in the Section 7(a) Determination, the ACHP, based on advice from the two state SHPOs, rejected the removal and pier options and said it could live only with the retention of the full bridge as a working bridge. The Wisconsin DNR, however, took the position that full removal was preferable and the pier option would be acceptable. Moreover, if full retention were selected, WisDNR would exercise a claimed veto power under Wisconsin laws by refusing to issue a required state permit for the New Bridge.

Meanwhile, the Departments of Transportation of the two states were prepared to accept any of the three options for the Lift Bridge, but could not find any source for the land conservation funds required by the Section 7(a) Determination. FHWA examined federal sources and found no uncommitted funds available outside the regular federal highway fund allocations to the two states. The two states indicated that each had a backlog of high priority highway projects that would prevent its allocating an additional \$10 million or \$15 million to the New Bridge project.

On January 12, 2001, MnDOT suspended work on the New Bridge project due to insufficient federal funding for the Lift Bridge mitigation alternatives, the inability of federal, state, and local agencies to reach a consensus on the disposition of the Lift Bridge, and failure to reach municipal consent of project. (The municipal consent withheld as of that time was from Oak Park Heights, which was then and continues to be concerned about the exact configuration of the approach roads and State Highway 36.) MnDOT then wrote WisDOT to say that in the face of continuing impasse, it would decline to spend any additional funds on the New Bridge. This included advancing the Supplementary EIS, unless Wisconsin would guarantee the \$10 million or \$15 million for the accompanying land conservation fund if sources were not otherwise found in the next few years. Minnesota said that if there were no evidence of consensus among agencies and the funding questions remained unresolved by June 1, 2001, they would no longer consider the New Bridge an active project. Wisconsin declined to make the back-up financial guarantee requested by Minnesota.

Meanwhile, the Minnesota legislature inserted in the state budget a provision that keeps the project alive at least until June 1, 2002, by limiting the ability of MnDOT to reallocate funding away from the New Bridge project to other projects until after that date.

Then in January 2001, Governor Tommy Thompson of Wisconsin resigned to become Secretary of Health and Human Services in the Administration of President Bush, and Lieutenant Governor Scott McCallum became the Governor. He appointed a new Secretary of Natural Resources, Darrell Bazzell. On July 11, 2001, the new Secretary wrote to the Wisconsin Secretary of Transportation, Terry Mulcahy, stating that he was “willing to consider options that retain the current bridge and causeway but only if a fair, equivalent mitigation package can be funded and implemented.” He expressed regret that an earlier agreement to remove the old bridge was not acceptable, and asked for “a discussion with the historic preservation agencies . . . to explore whether there is room for compromise.”

I. Summary

For purposes of this Conflict Assessment, the major issues emerging from these recent events are:

- Whether the option recommended in the Braun Report and accepted in the MOU (Braun C) should go forward into the Draft Supplemental Environmental Impact process.
- Whether the three Lift Bridge options are all viable, and how to decide among them. In particular, if the Lift Bridge is to remain in its entirety as a working bridge, how will two financial burdens be handled: the \$15 million land conservation fund, and ongoing funds to maintain and operate the bridge into the future.
- When and how to program and expend the \$5 million appropriated by Congress for the Lift Bridge?
- How to reconcile the different approaches of the two states and of the various federal agencies.

- Whether the Lift Bridge issues and the New Bridge issues should remain linked as closely as they have been so far. If so, how should the linkage be carried forward? If not, how might separate but related decision and commitment tracks be established?

This Conflict Assessment will examine in more detail the issues of each of the two bridges, then discuss major process options, and conclude with a set of recommendations.

III. THE LIFT BRIDGE – ISSUES AND OPTIONS

A. Historic Character of the Bridge

The Braun Report summarizes the history of the Lift Bridge:

“The first Stillwater Bridge was opened in 1876. This bridge burned down in 1904 and was replaced by a timber, pontoon swing bridge in 1910. This bridge was used until 1928, when it was closed due to structural deterioration. The existing Stillwater Lift Bridge was opened to traffic in 1931 and remains operational today.

“The bridge was placed on the National Register of Historic Places in 1989 because it is one of the few remaining original examples in the Upper Midwest of a tower-and-cable lift bridge with truss spans. Six such bridges were built in Minnesota and Wisconsin before World War II; two remain in Minnesota and one remains in Wisconsin.

“The Stillwater Lift Bridge is used as an icon by the City of Stillwater and many downtown businesses.”

B. Current Condition

All parties agree that the Lift Bridge needs to remain in operation at least until a New Bridge may be built, which at the earliest would not be before 2005 or 2006. It carries essential traffic – according to the Braun Report, average annual daily traffic (total, in both directions) of about 15,000 vehicles per day and an average of 940 vehicles in the peak direction during the evening peak hour (about 4:30-5:30 p.m.). Over half of the trips on the existing bridge begin or end (or both) in Stillwater, Bayport or Oak Park Heights, MN, or in Houlton, WI. Interviewees told us that major surges of traffic occur on summer weekends, especially when there is a public event in Stillwater.

In the spring of 2001, the river rose so high in a “100-year” flood that the bridge was closed for over a month. Most traffic went about 7 miles downriver and used the 6-lane bridge at Hudson for Interstate 94, which is the main east-west link between the Twin Cities and Milwaukee and Chicago. It was hard for people to get to work or shop or do business in Stillwater, having to drive down one side of the river, cross at I-94, and drive up the other side. The Greater Stillwater Chamber of Commerce estimates that business was down at least one-third during that period.

The Lift Bridge is part of the state highway systems of Minnesota and Wisconsin. The two state DOTs jointly maintain the bridge and pay for operation of the lift.

Currently, the Lift Bridge is widely viewed as needing repairs and a major overhaul. Interviewees reported that its structural members appear to be rusting, it needs a major protective (and not just cosmetic) repainting, its lift mechanism needs rehabilitation, and its piers need shoring up. There is concern that if another large flood occurs, the bridge could be washed out.

Many people we interviewed commented on the use of the bridge by heavy trucks, which appear to add significant wear and tear to the bridge. (The technical study, described below, concludes that the chief wear and tear on the bridge from truck use comes not from weight but from the increased salt and other corrosive run-off.) There also appear to many to be no enforced weight limits. A number of people commented that because weight limits are enforced on the I-94 bridge seven miles downstream, some heavier trucks seem to use the Lift Bridge instead, to avoid those limits.

To assess the expected life of the Lift Bridge, MnDOT contracted with A. G. Lichtenstein & Associates of Paramus, New Jersey to perform a technical study “to observe the condition of the existing bridge, evaluate its load carrying capacity, and estimate its life expectancy under several alternatives.” The so-called Lichtenstein Report was issued in May 1999. It conducted an inspection and summarized the condition of main bridge elements as follows:

Concrete Deck	Fair
Stringers and Floorbeams	Poor to Good
Trusses	Poor to Good
Paint System	Poor to Good
Substructure	Good
Railings	Good
Machinery	Fair to Good

With respect to remaining life, the Report concludes: “Overall, without any steel repairs, minor repairs to the deck slab to address safety issues and minor maintenance to the mechanical system..., the Stillwater Bridge would be able to support MnDOT 28 ton trucks for approximately 7-9 years (2006 to 2008), at which time load restrictions would be required on the bridge. The bridge would continue to function for another 3-6 years (2009-2014) before the deck slab load capacity would preclude usage by vehicles (3 ton capacity).”

With no major repairs, in other words, the Lift Bridge could be incapable of carrying vehicles until 2009. Based on our interviews, a number of people feel that the bridge is deteriorating more rapidly than the Lichtenstein Report predicted, but these fears seem based more on qualitative judgment than on any current technical examination.

C. The Three Options in the Future

The extent to which the Lift Bridge is repaired depends in part on how long a life the states and the federal government want the bridge to have, beyond the minimum of five or so years until a New Bridge could be built. Of the people interviewed, no one proposed that the Lift Bridge should be required to exist forever. Proponents of removing the Lift Bridge talk generally about another 7 to 10 years of life without major investments. However, there is concern that another major flood could wipe out the bridge entirely. Proponents of retaining the Lift Bridge talk generally about making a near-term investment that would extend the life another 25 years, or possibly more, with the future after that to be determined – as it is with many historic structures - toward the end of that period. It is useful, therefore, to assess the three major options for the

Lift Bridge's future within a range of approximately 5 to 25-plus years – rather than an all-or-nothing, remove-immediately-or-remain-forever, set of unrealistic assumptions.

Option 1 – Removal of the Lift Bridge

This option would remove the Lift Bridge entirely, either when the New Bridge is built or when the current “useful life” of the Lift Bridge has come to an end. In 1999, when the Lichenstein Report was prepared, the remaining useful life was estimated at approximately 10 years. This estimate assumes ongoing maintenance sufficient to keep the bridge safe and operational, but no major overhauls. Cost of repair and maintenance of the Lift Bridge for the interim period, and removal of the bridge and causeway once a New Bridge may be built, is estimated at \$2 million.

Proponents of removing the bridge for the most part do not value the historic aspect of the bridge as much as they do limiting the number of structures crossing the river. Their arguments rely heavily upon the historic pattern – that every time a new bridge has been constructed across the St. Croix River since its designation as a Wild and Scenic River, an old bridge has been removed. The same, they say, is true of other types of crossings, such as power lines. They oppose “proliferation” of river crossings. Some also point out that the Lower St. Croix could have been designated for its “historic” and “cultural” values, but it was designated only for its “scenic” and “recreational” values. In addition, some who favor removing the Lift Bridge do not consider it particularly handsome, referring to it with phrases such as “that old thing” and “a blemish on the landscape.” Finally, while recognizing the substantial existing development along the Minnesota side of the river, they consider an important goal to be the return of the river to as natural a condition as possible.

Opponents of removing the bridge put a very high value on its historic character of the bridge as important in its own right, made even more important by its ties to Stillwater's historic downtown. The two together constitute Stillwater as one of the nation's and the region's significant historic resources, they believe. They point out that most postcards of Stillwater show both the bridge and the downtown, and together they are a significant tourist attraction. And they view the Lift Bridge as an enhancement, not a detraction, to the scenic view from both sides of the river and from vessels in its middle – an essential part, in other words, of what they consider the “scenic” values for which the Lower St. Croix was designated for special federal protection. There was already too much development along this part of the river to consider it “wild,” so to try to “return” it to something close to wild is neither required nor realistic.

Option 2 – Conversion of the Lift Bridge into a pier

This option would convert the Bridge into a Pier, leaving an open channel on the Wisconsin side. Of seven major sections of the bridge, approximately five would be removed, along with the causeway that extends onto the Wisconsin side. This option emerged several years ago as a “compromise” between tearing down the bridge and leaving it up beyond the next five to ten years. Estimated cost of conversion to a pier is \$3 million, (\$2 million for the construction and maintenance until conversion to a pier, and \$1 million for “long-term maintenance” thereafter).

Proponents of converting the bridge into a pier point out that the lift section of the bridge, with its two towers, would be retained – and those are the most important parts of the bridge to the viewer. The pier, they say, would remain as an important scenic and tourist attraction. Cutting off the bridge on the Wisconsin side would create a free flowing channel there so that vessels could pass without delay and without requiring the bridge to be opened. In addition, costly refurbishing of the lift mechanism, and providing staff to operate it, would not be required since the lift would not operate. Thus both capital and operating costs would be reduced, but much of the historic value would be preserved.

Opponents of converting the bridge into a pier believe that the historic value of the bridge is to serve as a bridge, not a pier. Removal of so many structural sections would so detract from the historic value as to make what would remain just an odd vestige. They believe that this is only an apparent “compromise” that leaves most significant concerns on both sides of the controversy unmet.

Option 3 – Preservation of the Lift Bridge

This option would preserve the existing bridge into the foreseeable future, by strengthening its structural elements and overhauling the lift mechanism when necessary to assure its continued. If the New Bridge is built, the Lift Bridge could be used either just for bicycles and pedestrians, or for local traffic as well. If the New Bridge is not built, the Lift Bridge would continue to carry cars (and trucks below weight limits). Cost of this option is estimated at \$7 million (\$5 million for restoration, and \$2 million for long-term maintenance costs).

Some proponents of retaining the Lift Bridge all the way across the river recommend consideration of retaining the bridge but making the lift mechanism inoperable. Locking the lift in the “down” position would require existing vessels – mostly paddle-wheel tour operators – to function either above or below the bridge but not both. Because this option would violate US Coast Guard requirements to regulate navigable rivers to permit commercial use, it has not been pursued in this Conflict Assessment – although the number of interviewees believing that this idea should be considered suggests that in any longer range study this is an idea not to be summarily rejected.

Others favoring retention of the bridge suggest locking the lift in the “up” position, with stairs and/or glass-enclosed elevators to and from the platform suspended high between the two towers. This option could support travel by pedestrians and bikes, including the disabled if elevators are used, and could itself be a tourist attraction.

The Lichtenstein Report examined conversion to a bike/pedestrian bridge, with two conditions – one with the lift operating, the other with the lift permanently in a raised position. With the lift operating, the life of the bridge is slightly longer than if no major repairs are made, primarily because use by pedestrians and bikes requires less salt thereby causing less corrosion than automobile and truck use. The alternative that would fix “the lift span in the raised position to allow for navigational passage without the need for maintaining the mechanical integrity of the lift span” would have an even longer life, since the lift mechanism could be abandoned.

“Elevators and stairways [would] be constructed to meet current American Disabilities Act requirements and allow pedestrians to travel across the entire structure,” the Report notes.

“Placing the lift span in a permanently raised position,” the Report noted, would require a detailed structural analysis of the tower system based on wind loading criteria for an elevated structure. It is most likely that the lift span towers were not designed to be in the raised position indefinitely, and the towers would require strengthening.” A number of interviewees told us they believe that the bridge structure could not withstand high winds if the platform were locked up in the air, and that windshear might topple the bridge. For this reason, this option has not been pursued further in this Conflict Assessment – although it is an idea that may deserve further technical analysis.

Proponents of retaining the bridge favor it for all the reasons they oppose removing the Lift Bridge. As noted above, the bridge is one of only three such lift bridges left in the Upper Midwest. They consider the historic bridge an asset, both to the St. Croix River and to the City of Stillwater. They believe that it is an essential element of the outstandingly remarkable scenic values that led to special federal protection for the river. They point out that the National Park Service administers both the Wild and Scenic Rivers program and the National Register of Historic Places – and that the different missions of these two NPS components would be made fully compatible by retaining the bridge.

Opponents of retaining the bridge prefer to have the bridge removed, for all the reasons stated above in the discussion of Option 1.

(Another approach that involves retaining the Lift Bridge is the combination of two two-lane bridges – eastbound on the Lift Bridge, and westbound on a two-lane New Bridge – which would function as a “one-way pair.” This proposal was developed by three local Minnesota architects. It is discussed below in Section IV in the context of proposals for the New Bridge.)

Discussion

Most people interviewed believe that, of the above three options, the one most likely to receive the widest support among key public and private agencies and groups is Option 3 – preservation of the Lift Bridge. Both Option 1 (removal of the Lift Bridge) and Option 2 (conversion of the Lift Bridge to a pier) are opposed by the historic preservation interests – in the federal government, the state governments, and the private sector. As noted below, however, there are major issues to be resolved in connection with Option 3 (retention of the Lift Bridge).

At the federal level, the FHWA and the NPS are both willing to support any of the three options so long as the requirements of the December 2000 Section 7(a) Determination under the Wild and Scenic Rivers Act, described in Section II, can be satisfied. The Advisory Council on Historic Preservation has continued strong opposition to Options 1 and 2, for the reasons outlined above, and strongly favors Option 3.

So far as we have been able to discover, the Section 7(a) Determination of the prior Administration, making all three options acceptable, has not been reviewed by the new

Administration since it took office in January 2001. We know of no indication that the determination will be changed, nor do we know of any guarantee that it will not. From the federal point of view, the chief problem identified to us is the \$15 million fund that the Section 7(a) Determination requires if the Lift Bridge is preserved as a working bridge. This is a common concern among all those who favor preserving the Lift Bridge, and will be discussed separately below in Section B.

In Minnesota, the Department of Transportation and the Department of Natural Resources are willing to support any of the three options, subject to certain concerns, and the State Historic Preservation Office supports Option 3 but has major problems with Options 1 and 2. In the end, Minnesota Governor Jesse Ventura could determine a unified position for the state, but so far neither he nor his Commissioner of Transportation has taken a position on the Lift Bridge itself, while both have stated several times that the state Administration favors construction of the New Bridge if the various conflicts can be resolved and if Minnesota's share of its cost can be met within total state transportation funding priorities. There are other major demands on Minnesota transportation funds, and the New Bridge is not necessarily at the top of the list.

The concerns of MnDOT and MnDNR with respect to Option 3 relate not only to the \$15 million fund of concern to the federal government, but also to the ongoing ownership, maintenance, and operating cost responsibilities of perpetuating the Lift Bridge. If the New Bridge – part of the state highway system – is built, neither state DOT wants to be burdened with its share of the continuing costs and responsibilities of the Lift Bridge as well. This issue will be addressed separately below in Section B.

In Wisconsin, as described above in recounting events in Section II, the primary obstacle in the past to a unified state position that would accept any of the three options concerning the Lift Bridge has been the Wisconsin Department of Natural Resources. WisDNR had previously opposed Option 3 and stated that it would exercise its power under state regulations to deny permits for the New Bridge unless either Option 1 or Option 2 were selected for the Lift Bridge. WisDNR's position was based chiefly on its strongly held support of a non-proliferation policy -- that if a new bridge is built in the St. Croix River, an old one must be removed. As noted above, this position has now changed, making any of the three Lift Bridge options acceptable to WisDNR.

The priority of the City of Stillwater has been to support construction of the New Bridge. In the past, it has also put a high priority on the retention of the Lift Bridge, and after the "pier" compromise emerged, the City supported it, going so far as to commit to taking ownership of the Lift Bridge once the New Bridge is built. In Wisconsin, the St. Croix County Board of Supervisors recognize "the urgent need" to construct the New Bridge. So far as we have determined, its last official vote was in 1997, prior to development of the Braun C Alternative, but it participated in the Braun process and can be expected to be supportive of this alternative when it provides official comments on a Draft Supplementary Environmental Impact Statement if one is circulated. It appears, however, that the Board has not taken an official position on any of the three Lift Bridge options.

Among private organizations, the historic preservation groups – River Town Restoration, Inc. (focused on historic values of both the city of Stillwater and the Lift Bridge) the Stillwater Lift Bridge Association (focused only on the bridge) and the Stillwater River Association all support only Option 3. The newly formed Greater Stillwater Chamber of Commerce so far has not taken any official position on either the Lift Bridge or the New Bridge, but in the past polls of the Stillwater Chamber have shown overwhelming support for retention of the Lift Bridge (97% in one poll) as well as strong support for construction of the New Bridge (62% in the same poll). So far as we have been able to determine, the Sierra Clubs of Minnesota and of Wisconsin have not taken a position with respect to preservation of the Lift Bridge if a New Bridge is built. They are on record supporting retention of the Lift Bridge if a New Bridge is not built. Indeed, they have based their strong opposition to a New Bridge, in part on the sufficiency of the Lift Bridge, in combination with new transportation control measures, to manage current and future levels of traffic.

In short, retention of the Lift Bridge appears to be the most viable option in terms of reaching consensus among federal, state, and city government, and those private groups that have spoken on the issue – subject, however, to three major concerns. These will be addressed below.

D. Three Major Issues in Retaining the Lift Bridge

Three major issues need to be addressed in considering whether to retain the Lift Bridge as a working bridge: how to deal with the land conservation fund required by the Section 7(a) Determination; how to provide for ongoing maintenance and repair into the future if the New Bridge is built; and what plans and programs for use of the retained Lift Bridge would be selected.

1. The \$15 Million Required by the Section 7(a) Determination

At the outset, it is important to note that this fund comes into play only if the New Bridge is built, and as such it then becomes an element – however funded – of the cost of the New Bridge. If the Lift Bridge is retained and the New Bridge is not built, there is no DOI requirement of a conservation fund at all.

Among those interviewed, there are several perspectives about the \$15 million fund. Those responsible for managing the cost of the New Bridge project see no readily apparent source of funds. The state DOTs, given many other highway priorities, do not want to use their regular highway formula allocation to increase the cost of the project beyond what it already is. FHWA says it has searched for other available federal transportation funds but finds no discretionary money available that could be committed for this purpose.

Neither the NPS nor the state DNRs consider it appropriate to tap their funds – such as funding sources designed to enhance natural resources either in the National Park system or in companion state parks – to help pay for one of the costs of the New Bridge. Both state and federal park and natural resource agencies see a dangerous precedent that could be applied far beyond this particular bridge – requiring the park agencies to pay for mitigation to offset the impacts of transportation projects on the parks they manage.

Historic preservation interests tend to resent the “inverse” relationship between the amount of the fund and the Lift Bridge options – in their view, it is actually a benefit to the “scenic” and “recreational” values for which the Lower St. Croix was designated under the WSRA to retain the Lift Bridge; the detriment would be to remove the Lift Bridge. Therefore, they argue, the fund should be larger if the Lift Bridge is removed, smaller if it is kept as a pier, and reduced to nothing if the Lift Bridge is retained.

Others claim that the purposes of the fund are so vague as to be extremely difficult to justify. They ask: Exactly what will the \$15 million be used for? If it is for buying up right-of-way along the sides of the river, especially on the Wisconsin side, it will be “a drop in the bucket.” If its use extends further inland, miles outside the “viewshed” of the river, to buy conservation easements and help implement other land use restrictions to preserve the River’s watershed, that could make significant contributions to the health of the river and to control growth, but it would also create a difficult precedent for Wisconsin. In response to a different highway project where funds were committed to acquire land quite far from the project area, the Wisconsin Legislature established a narrow and specific limit on the expenditure of highway funds beyond the right-of-way.

Other observers point out, however, that while \$15 million would not go far in actually buying up land along the Wisconsin bluffs, if a significant portion of that amount were set aside as a trust fund for enhancement of the Lower St. Croix, annual income from such fund could be used effectively to purchase various kinds of conservation restrictions and small, but key parcels in developing an expanded open space plan.

The Lower St. Croix NSR is jointly managed by three agencies: the National Park Service (NPS), the Minnesota Department of Natural Resources (MnDNR), and the Wisconsin Department of Natural Resources (WisDNR), which together constitute the Lower St. Croix Management Commission. (A fourth member of the Commission, the Minnesota-Wisconsin Boundary Area Commission, ceased to exist as of October 2001.) The Management Commission released its final Cooperative Management Plan for the St. Croix River in November 2001 in the Federal Register. The plan points out that various approaches to protecting the river other than outright acquisition of land should be examined, such as “cooperative agreements, environmental regulations, local zoning ordinances, private land stewardship.” “There will be support,” it notes, for greater use of land trusts and other nonregulatory and nongovernmental land protection methods.” Renegotiation of scenic easements is also recommended “where needed to include provisions for natural and cultural resource protection and modifications of vegetation management practices.”

Despite significant differences over the use and feasibility of the \$15 million land conservation fund, virtually all acknowledge that there was no technical basis for the amounts of the fund – no studies supporting the amount of each fund, linking that amount to different impacts on growth on the Wisconsin side, or showing how the amounts relate logically to the three Lift Bridge options. Rather, there is general agreement that the \$10 and \$15 million in the Section 7(a) determination were simply round, perhaps related to a rough percentage of the estimated capital cost of the New Bridge and designed primarily to make modification of the NPS “non-

proliferation” policy acceptable to that agency and to other groups that share its concern about not degrading the river area. By investing significant amounts in land conservation for the river and its “immediate environments,” in the language of the Wild and Scenic Rivers Act, NPS was presumably determining that the Lower St. Croix Riverway, in these exceptional circumstances, would be “protected and enhanced” significantly enough to offset having two river crossings where there is now only one.

Given the uncertainties of how the land conservation fund would be raised and expended, some interviewees favor renegotiating the amount and uses of the fund with the new Administration. Some of these favor counting the special \$5 million appropriation for the repair of the Lift Bridge as part of the land conservation fund requirement – which appears to be a major departure from the language and purpose of the Section 7(a) determination.

Others favor a special federal appropriation, comparable to the special appropriation of \$5 million to repair the Lift Bridge. They acknowledge, however, that the budget situation is very different following September 11 – not only are budgets tighter, but priorities have changed to prosecuting the war against terrorism and enhancing homeland security. Will the expenditure – whether state or federal, and whether from an existing source or a new appropriation – survive scrutiny, either by the Executive or Legislative branches, in a period of new budget realities? And if the fund is deleted or significantly reduced, will the Section 7(a) Determination approving the New Bridge be undermined?

Despite these differences, there is actually substantial agreement among those interviewed on certain key elements. Most agree that the \$15 million probably will not survive if it is just a number pulled out of the air, such as 10% of the estimated capital cost of the New Bridge. Most feel substantial vulnerability in somewhat blindly committing to finding the funds. And most agree that the use and amount of the funds must be made specific and justifiable. Building on these areas of substantial agreement, we will make specific suggestions in Section V below about a process that could help increase the chances of finding an amount in the general area of \$15 million that could be justified and could advance the purposes of all parties to the controversy. Again, it is important to note that these issues concerning the conservation fund arise only if the New Bridge is built.

2. Ownership, Maintenance, and Operating Responsibilities

Unless and until a New Bridge is built, ownership, maintenance and operating responsibilities for the Lift Bridge are not an issue: they remain the joint responsibility of the two state DOTs. The bridge is part of the state highway system of both Minnesota and Wisconsin, and as such receives regular budgetary support.

If the New Bridge is built, the City of Stillwater has said that it will take ownership of either the fully retained Lift Bridge, or the pier portion thereof. The City, however, has no presently identifiable funds to maintain or operate it.

Possible sources of funds suggested by interviewees are:

- Continuation the Lift Bridge as part of the state highway system into the future, even once the New Bridge is functioning, thereby making the bridge eligible for regular state maintenance funds;
- Tolls on the Lift Bridge;
- Tolls on the New Bridge;
- Tourist parking charges in Stillwater;
- Financial support from local businesses, particularly large ones such as Anderson Windows, the King Power Plant, and others;
- User fees if the Lift Bridge is used mainly for pedestrians and bikes; and
- Some combination of a number of the above (or other) elements into an adequate total funding package.

There may be other sources of operating and maintenance funds as well. It is worth noting, however, that there has been no detailed consideration of how much ongoing maintenance and operations would cost and what are the potential sources where the objective is to retain the Lift Bridge into the foreseeable future. Since there are at least another five years until a New Bridge is built, there is significant time between now and then to develop various funding approaches and select among them if it is decided to retain the Lift Bridge. Note that the \$5 million special appropriation is more than the estimated \$2 million needed to maintain the bridge for 10 years and then remove it (Option 1). Thus, it would seem that the special appropriation is more than enough to make near-term repairs and continue operation for at least that long, and probably longer.

3. Plans and Programs for a Retained Bridge

There has been only the most general consideration of plans and programs for the Lift Bridge if it is retained.

One concept, if a New Bridge is built, is to use the Lift Bridge just for pedestrians and bikes, tying into trail systems on both sides of the river. It would presumably meet the NPS and WisDNR objective of restoring the bluff on the Wisconsin side by removing the current highway, since the New Bridge would cross the river into a new bluff area a little more than half a mile south of the current crossing. Suggestions were made that a bike/pedestrian trail system could traverse the general location of the current road but not in its exact configuration; rather, the new trail system could take a somewhat zig-zag route up the ravine so that the hillside could be restored. From there this crossing could be tied into trails both north (to Taylor's Falls) and south (to the I-94 bridge at Hudson) on both the Minnesota and Wisconsin side.

This idea has not been developed in any detail. No agency or group has so far taken the lead to carry this beyond the general concept. No options have been sketched, no total trail system approaches have been laid out, no interagency task group has been created, and no advisory group has met to begin to chart such a course. The idea has never been made sufficiently vivid so that the concept can be adequately evaluated.

In interviews, there were indications of substantial interest in developing such a trail system on both sides of the river, using the Lift Bridge as a key component. Such an approach would

appear to bring together three separate parts of NPS (WSR, trails and other aspects of the National Park System, and the National Register of Historic Places), several parts of the two states' DNRs (trails and lands, and joint administration over the Lower St. Croix as a Wild and Scenic River), and both federal and state preservation offices (ACHP and the two SHPOs). Such an approach also would seem likely to engage the energies of the private preservation groups and the affected local governments. Indeed, Stillwater itself owns substantial undeveloped parkland on the Wisconsin side of the river at the end of the Lift Bridge; a trail system would seem to encourage appropriate development of that area, as well.

Some have told us that such an approach could not only build upon the current tourist attractions of downtown Stillwater and the Lift Bridge, but also move beyond the downtown to become an ingredient in significant economic growth and development in a larger area, particularly western Wisconsin.

Another option is to continue to use the Lift Bridge for cars, perhaps only on weekends, or even only on summer weekends, when Stillwater is itself a major destination, or at other limited times of day, and at the same time have enough space on it for bicycles and pedestrians. There is currently a sidewalk on the bridge apparently wide enough to handle both. Some feel that this option should be explored.

Other suggestions, which may be appropriate either in place of or in conjunction with a New Bridge, include establishing park-and-ride on the Wisconsin side where vans and carpools could transport people both to downtown Stillwater and further south to major employers such as Anderson Windows, the King power plant, and commercial establishments along Trunk Route 36. Other Transportation System Management elements, as they are called, could be considered, thereby addressing one of the key current transportation issues – congestion in downtown Stillwater.

E. Conclusions

The options for the future of the Lift Bridge can be divided into shorter-term and longer-term. In the shorter-term, everyone agrees that the Lift Bridge is needed to carry traffic at least until a New Bridge is built, probably five years away or more. In the longer-term, the options outlined above could be considered, along with others. To evaluate any of the options, both short-term and long-term, more details are needed and difficult issues need to be addressed.

It is important to note, however, that the Lift Bridge needs repair and restoration. Such work will have to include shoring up the structure, refurbishing the “lift” mechanism, and providing a thorough preservative paint job. All of these actions are required to sustain the bridge in the short-term. They are also the very actions that are essential building blocks for the long-term if a decision is made to retain the bridge. A number of interviewees pointed out that if these steps are not taken in the short-term, there is not likely to be a long-term.

It appears from the interviews that the option of retaining the Lift Bridge as a working bridge is most likely to receive support from the largest number of agencies and private groups. For historic preservation agencies and organizations, of course, full retention is their major objective.

For most of those who support a New Bridge, retaining the Lift Bridge is at least acceptable, and for some preferable. Indeed, a number of people interviewed actually expressed a strong preference to end up with both the Lift Bridge and a New Bridge. And for those who do not support a New Bridge, retaining the Lift Bridge is essential.

IV. THE NEW BRIDGE – ISSUES AND OPTIONS

As noted above in Section II on Major Recent History, the Braun Report has become the basis for further consideration of the New Bridge. That report considered the features as described in the Draft EIS, and recommended a new location and a new design, while confirming the Draft EIS proposal that the bridge should be four lanes wide.

A. Needs and Impacts

Controversy focused on the New Bridge is likely to highlight the questions of whether the bridge is needed and whether the land uses it may encourage are desirable or not.

The first question is whether there is a need for a New Bridge. Those who favor the New Bridge essentially rely on the findings in the Final EIS and in the Braun Report – that traffic is already bad at the Lift Bridge, that it will only get worse, that increased development on the Wisconsin side is going to happen in any event, and that the New Bridge is needed to accommodate the traffic that such development will generate.

Those who oppose the New Bridge contend that traffic congestion in downtown Stillwater and across the Lift Bridge can be alleviated by such operational and traffic management schemes as improved signalization, possible one-way treatment of major streets in the downtown and expanded satellite parking outside the center, substantial park-and-ride and van pooling on the Wisconsin side to assist Wisconsin residents who work on the Minnesota side (such as Anderson Windows), and consideration of making the Lift Bridge one way at different periods on weekends – all together known as “Transportation System Management” measures – would go a long way toward alleviating current congestion. And they also believe that there should be more systematic regional transportation planning on the Wisconsin side in a manner that directly deals with land use issues, and absent such planning, they believe a New Bridge would induce sprawl on that side of the river.

At federal, state and local levels, officials charged with decision-making authority have all supported the need for the New Bridge (although there is some question as to how the need for this bridge compares to the need for other important highway projects, particularly in Minnesota). Wisconsin local and state officials respond to the land use issues by saying that there will be some additional growth in western Wisconsin, but not the huge amount that some might oppose. Large development in Wisconsin has not occurred along the I-94 corridor after the four- and later six-lane bridge was constructed at Hudson. In addition, local officials say they have worked with the state to limit the number of intersections on the Wisconsin side so that scattered development is less likely to occur. It should occur where it is desired, they say, and not grow out of control, as is the case where there are numerous intersections and “curb-cuts.”

These issues of need were analyzed in the Final EIS for the previously Preferred Alternative and should be discussed again in detail in considering the Braun C Alternative in a Draft Supplemental EIS for the New Bridge if one is issued – an appropriate context for such analysis.

B. Location

With one exception discussed below in Section F, we found virtually no interest among those who favor a New Bridge in questioning the Braun Report's recommendation of its Alternative C as the Preferred Alternative. The only concerns stated by proponents of the New Bridge about Alternative C were based on reports that it had been modified (in location, height, length of curve, and design) by the states as they work toward a Draft Supplemental Environmental Impact Statement, and people want to know specifically what the changes are, why they are being proposed, and how these changes (if in fact made) should be evaluated.

C. Design

The Braun Report also described four basic designs for the New Bridge – a “steel plate/girder” design similar to many freeway bridges, including the existing I-94 bridge; a low cable stayed bridge; a “through tied arch,” and a “deck tied arch.” These four alternatives appear as Figure 8 in the Braun Report, which is reproduced here in Appendix D.

The report recommended the “deck tied arch” because it

- “Is a distinctive bridge type that will distinguish this bridge from a more typical freeway-style bridge;
- Is compatible with existing structures and the historic and natural character along the St. Croix Wild and Scenic River;
- Has no vertical structural elements above the bridge deck.
- Blends into the horizon and doesn't block views from the river.
- Has less impact on the river's viewshed than the other landmark bridge types.”

The main difference between the two “tied arch” bridges is that in the “through” tied arch design, the main center arch rises above the road surface, while in the “deck” tied arch, the main center arch is below the road surface, as a support. Having the main arch below the road surface is viewed as a major advantage by the National Park Service and the two state DNRs, since the bridge height is lower and the arch structure intrudes only minimally into the viewscape of the river.

Those we interviewed were not focused on fine-tuned differences among these alternatives, although most were strongly opposed to a traditional concrete and steel freeway-style bridge (as contained in the Final EIS). Virtually everyone interviewed felt that the Braun Report's two tied arch bridge designs seemed more in keeping with the historic character of Stillwater and were a great advance over a freeway-style bridge. A number of interviewees suggested the appropriateness of a “signature” bridge in such a key location, and did not feel that the design potential of this location had been fully developed yet. Some also felt that having a “signature” bridge, even one that might rise more into the viewscape of the river, was more important than trying to keep intrusion into the viewscape to a minimum, since they believe that a great (and more prominent) design for the New Bridge would actually enhance the view of the river, not detract from it.

D. Scale

The Braun Report recommends that the New Bridge should be four lanes wide because:

- “Safety concerns related to grade and curvature on the bridge and driver distractions over the river would be reduced with a four-lane design.
- Bridges are built to last at least 50 years and, therefore, need capacity for well beyond the 20-year planning horizon.
- The land use and travel pattern analysis indicates that adding two lanes of capacity to the St. Croix River corridor will have a marginal impact on regional growth but may help to direct growth from its present north-south direction to existing east-west urban areas in Wisconsin. This would be beneficial to protection of the river corridor.
- There are existing or planned four-lane approaches on both sides of the river.
- Providing additional lane capacity at this location would provide long-range protection against future bridge crossing pressure north of Stillwater where the river corridor is more pristine.
- It is not cost-effective to construct this river crossing with less than four lanes of capacity because it would not adequately meet the transportation needs.”

This recommendation of the Braun Report was accepted by a majority of those interviewed, particularly in view of policy from the two states that they would not invest in such a large capital cost to build only a two-lane bridge.

But a significant minority favors consideration of a two-lane bridge, on the grounds that placing some constrictions on east-west travel would produce better land use patterns with less “sprawl” from the Minneapolis-St. Paul area and instead would emphasize the north-south direction of current development. They disagree with the Braun Report’s negative assessment of the impact on the river itself of such north-south development, particularly if such development is kept back from the River’s bluffs on the Wisconsin side.

The issue of scale of the bridge thus raises the larger issue of where and how much development is likely to be encouraged by the New Bridge. What for some is “growth” that is inevitable, for others is “sprawl” that should be discouraged. These issues should be directly and thoroughly addressed in the Draft Supplemental EIS.

E. Approach Roads in Minnesota and Wisconsin

Approach roads planned on both sides of the river would be divided highways with four lanes. On the Minnesota side, the four-lane divided nature of east-west Trunk Highway 36 continues all the way to St. Paul, while north-south Trunk Highway 95 is mostly two-lane. On the Wisconsin side, the four-lane bridge width would be blended with State Trunk Highways 64 (east-west) and 35 (north-south). Neither of these Wisconsin roads is consistently four lanes; currently they narrow to a mostly two-lane configuration.

On the Minnesota side, there are three main issues about approach roads. One is an inevitable aspect of a Braun C alignment for the bridge – it fails to use substantial right-of-way already acquired for the Final EIS alignment’s approach roads, and would require some new right-of-way for ramps. The second issue is what impact, if any, there would be on traffic in Stillwater from various configurations of approach roads, including weekend congestion. Tourists and others currently travel to the historic and retail establishments in downtown Stillwater; how local weekend congestion would be affected is still to be assessed in detail.

More significant than the previous two issues is a debate largely (but not entirely) internal to Oak Park Heights as to whether the road should be grade-separated or not at the several interchanges in that city. Currently, such intersections are not grade-separated, and serve as principal entrance points, both directly and via access roads, to malls, restaurants and other retail establishments that have grown up along the road. In addition, because of congestion on Main Street in downtown Stillwater, many drivers from St. Paul take back roads “over the hill” to get to the Lift Bridge or to bypass Stillwater on the way to or from Trunk Highway 95 north of the City.

Currently these issues are the subject of a Regional Transportation Corridor Study being conducted by MnDOT. They have recently also been the subject of substantial local neighborhood concern in Oak Park Heights, as some in those neighborhoods have concluded that the configuration of Trunk Highway 36, particularly the question whether it is grade-separated or not, could have a substantial impact on their residential areas. In addition, commercial establishments realize that grade separations may reduce business for some while increasing it for others. These issues will be a substantial focus of the Corridor Study, with key policy directions still to be developed by the City of Oak Park Heights through its City Council. MnDOT estimates that the Corridor Study, which extends all the way to St. Paul, will take several years to complete.

On the Wisconsin side, issues concerning access roads are less evident. There is no municipal consent law, and there is less existing development – residential, commercial, and industrial – to be affected. The Wisconsin plan is to change a good part of State Highways 36 and 64 into four-lane divided highways. The exact nature of these additional road improvements, and any issues about them, have not been a focus of this Conflict Assessment.

F. The 3-Architects’ Plan

In the summer of 2000, three architects from Stillwater and Marine-on-the-St. Croix, Minnesota, under the name of The Friends of the St. Croix, put forth a plan they called the “Citizen’s Common Sense Plan.” It would preserve the Lift Bridge serving two lanes of traffic, and build a new two-lane bridge near it having a similar design but high enough so that vessels could pass under it at all times. Each bridge would be one way, in opposite directions. The New Bridge would be two lanes heading west from Wisconsin to Minnesota, and the Lift Bridge would be two lanes heading east from Minnesota to Wisconsin, together constituting a “one-way pair,” as highway engineers call it. The new two-lane bridge would not be a “freeway style” bridge; its maximum speed would be 40 miles per hour. At a public meeting in Stillwater in August 2000, attended by several hundred people and sponsored by the Stillwater River Association, press

coverage indicated that there appeared to be substantial citizen interest in the proposal. Graphics of this proposal are included in Appendix E.

The main arguments favoring this plan include preserving the Lift Bridge; building a nearby bridge with a scale and design compatible with both the Lift Bridge and Stillwater's historic downtown; continuing to direct eastward traffic through downtown Stillwater as an aid to its commercial establishments, but having the westward bridge traffic bypass the downtown, thereby significantly alleviating congestion.

MnDOT opposes this plan. The main arguments against the plan are that the New Bridge would be too close to the Lift Bridge, thereby negatively impacting its historic values; that it would continue to bring too much traffic into downtown Stillwater, where the streets cannot handle it, thereby continuing the congestion that the New Bridge is designed to alleviate; and that the ramp system where the New Bridge would join Minnesota Trunk Highway 95 would negatively impact plans for new parkland and would not work effectively in terms of traffic flow. MnDOT also believes that such a "one-way pair" would not have the capacity to handle traffic demand into the mid- and long-term future.

We understand that the City Councils of Stillwater and Oak Park Heights have so far taken no position on this proposal.

We will recommend in the next section that this proposal be examined as an alternative in the Draft Supplementary Environmental Impact Statement for the New Bridge, if one is issued, and be sufficiently elaborated so that there will be adequate information to permit meaningful review and comment by agencies, localities, and the general public.

G. Conclusions

The New Bridge is a controversial project. It has substantial support and substantial opposition, with complex impacts both positive and negative. The process established to review Draft Environmental Impact Statements is designed to permit informed and thorough analysis of such impacts. In the next section we recommend a process to move forward with that analysis.

V. MAJOR PROCESS OPTIONS AND RECOMMENDATIONS

As noted at the outset, this Conflict Assessment deals with issues concerning next steps – process options, not substantive conclusions. Major questions are whether negotiations, which have largely been at a stand-still for a good part of 2001, should be resumed, and if so, over what issues, in what form, under whose auspices, with what facilitation assistance, if any, and on what time-table? Major process questions will be addressed below, with our recommendations as to each.

A. Lift Bridge and New Bridge Processes – Single or Separate?

In assessing the issues so far, we have noted the connections between the future of the Lift Bridge and the New Bridge project. We have also noted the substantial complexity of issues surrounding each of the bridges separately.

To date, the issues have been related partly by negotiation stances of various parties, but with many of the detailed issues left out of the negotiation equation. For example, the Braun Report, submitted in September 1998, notes that it was not the author's "specific charge" to resolve the issue of the disposition of the Lift Bridge, and while a "compromise" appeared possible at one point, it did not emerge because "legal issues were too complex and opinions were too strong to resolve this issue within the available time."

As discussed above in Section II on Major Recent History, just over two years after the Braun Report, the Department of Interior in December 2000 determined that the four-lane Braun C bridge did not have a direct and adverse effect on the scenic and recreational values of the St. Croix River under the protective requirements of the Wild and Scenic Rivers Act "when the project is taken along with its mitigation package." DOI further determined that, consistent with such requirements, the New Bridge could be combined with any of one of three options concerning the Lift Bridge: removing it, retaining part of it as a pier, or retaining it in its entirety – so long as a land conservation fund is established.

By this Determination, the Lift Bridge and the New Bridge issues were explicitly tied together. Note, however, that the connection between the two became primarily that of cost – not cost of restoring and maintaining the Lift Bridge, but cost of a land conservation fund to be required if the New Bridge is built. The total required for such fund would vary with the particular future selected for the Lift Bridge – the removal option would require no additional money; the pier option, \$10 million; and the full retention option, \$15 million.

These are not the costs of the total mitigation package for each option, since the two land conservation funds all add onto the \$8.415 million mitigation package for the New Bridge already agreed, as described in Section II. That package, of course, assumed that the Lift Bridge would be removed. By retaining the Lift Bridge either as a pier or as a full working bridge, certain expenditures in the \$8.415 million mitigation would not be needed – such as cleaning up

the edges of the River after the Lift Bridge is removed. The resulting total net mitigation costs of the three Lift Bridge options are:

Option 1, removal:	\$8.415 million
Option 2, conversion to a pier:	\$16.1 million
Option 3, full retention	\$21.9 million

Left out of the above formulation, of course, are both cost and non-cost issues associated with the Lift Bridge itself. The issues are not solely those of mitigation requirements. As noted above in discussing the Lift Bridge in Section III, these issues relate chiefly to the extent of restoration required in the short-run, until a New Bridge may be built; the timing, amount, and cost of longer-term restoration work if the bridge is to be retained; the long-term function of the bridge (pier, or vehicles, or pedestrian/bike), and mechanisms for funding ongoing operations and maintenance into the future. Each of these issues requires detailed technical analysis and an extensive process or processes involving, agencies, municipalities, private groups and the general public. Leadership is needed to establish and maintain momentum on resolving these Lift Bridge questions.

On the New Bridge side of the process ledger, the issues are different. They include whether the bridge is needed and/or desired, whether to complete and circulate the Draft Supplementary EIS, how to resolve bridge design questions, when and how to resolve access road issues on both sides of the river, what kinds of target deadlines to establish for moving to the Final Supplementary EIS and Record of Decision that proponents of the New Bridge consider their primary objectives. As in the case of the Lift Bridge, leadership will be needed to maintain momentum on the New Bridge issues.

There is no question that certain decisions about each bridge need to be coordinated – especially whether, if a New Bridge is built, the Lift Bridge is to be used primarily for pedestrians and bikes, or for vehicles as well. But the major question, as we see it, is should the issues of the two bridges be made part of the same process of analysis, negotiation and decision, or should they be separated into distinct but coordinated processes?

The following factors favor placing issues of the two bridges in a single process:

1. *Financial links.* The financial considerations appear intertwined. The state DOTs do not want to be left to pay for ongoing operation and maintenance of the Lift Bridge if they are also maintaining the New Bridge. In addition, making the most cost-effective decision in the long run on reinvestment in the Lift Bridge appears to be dependent in part on whether or not there will be a New Bridge. Finally, the land conservation fund price tag depends on which Lift Bridge option is selected. If a decision is made to preserve the Lift Bridge as a full span in working condition, for example, then one of the costs of the New Bridge is the \$15 million land conservation fund.
2. *Cars, or pedestrians and bikes?* The issue of whether the Lift Bridge should be retained for vehicles or changed to use predominantly for pedestrians and bikes is of course directly affected by whether a New Bridge is built. Obviously, if a New Bridge is not

built, then the Lift Bridge must continue to carry vehicles, while also accommodating pedestrians and bikes.

3. Long-term traffic uses. Perhaps the most fundamental reason for connecting issues about the two bridges in a single process is a strategic one, at least from the perspective of the proponents of the New Bridge: if a separate process leads to a decision to rehabilitate the Lift Bridge for long term traffic use, some arguments for the New Bridge may be undercut.

The following factors favor dividing issues of the two bridges into two separate but coordinated processes:

1. Different technical issues. To some extent, the technical issues concerning each bridge require different expertise and resources, most likely drawing on different staff units within the major agencies. The Lift Bridge issues are focused on cost-effective maintenance of a historic structure, possible planning for pedestrian and bike trails, development of more extensive trail systems up and down both sides of the river, integration with potential tourist and other economic development activities in surrounding areas, exploration of creative ways to pay for ongoing costs for the next generation or two. By contrast, the New Bridge issues are focused on completion of environmental analysis and documentation in such areas as minimization of impacts, travel demand forecasts, land use implications, integrating bridge planning with networks of highways on both sides of the river, selection of a final bridge design; and – if a decision is made to build it – completing final design and entering into major construction contracts. For the most part these are sets of distinctly different tasks, performed by agency staff with different areas of expertise, and organized in different parts of the state DOTs and DNRs and even the NPS, as well as in the nearby cities and counties.
2. Different immediate tasks. The immediate, urgent tasks are different for each. Regarding the Lift Bridge, steps need to be taken in the immediate future to provide basic maintenance by strengthening its supports, refurbishing the lift mechanism, repairing or replacing rusting elements, and thoroughly repainting in a manner that will protect for some years. A number of those interviewed believe that essential, long-term maintenance has been deferred pending a decision to the bridge, and such maintenance should wait no longer. Regarding the New Bridge, immediate steps need to be taken to complete the DSEIS if there is to be a firm decision within the next year to build it or not, since the draft and final environmental impact processes have specific requirements as to content and timetables. Restoring the Lift Bridge would not appear to require a federal environmental impact statement.
3. Partially overlapping but significantly different stakeholders. The stakeholders concerned about the two bridges overlap to some extent, but also have some significant divergence. Those stakeholders with overlapping interests include, of course, FHWA and NPS at the federal level, the two state DOTs and DNRs, and the two municipalities in Minnesota and the towns and counties in Wisconsin. The Greater Stillwater Chamber of

Commerce is also interested in both. Those concerned mostly with the Lift Bridge include the historic preservation interests, both public and private: the ACHP, the two SHPOs, River Town Restoration, the Stillwater Lift Bridge Association, the National Trust for Historic Preservation. Those concerned predominantly with the New Bridge include its major proponents and opponents – on the one hand, the development, business, daily commuter, and trucking interests; and on the other hand, organizations such as the Sierra Club and others concerned about “sprawl” and protection of the river from a new crossing.

4. *Different leadership.* It will take leadership to resolve the two sets of issues, but it is more likely that separate leadership for each will make greater progress on the issues of each bridge than if the two sets of issues are lumped together, competing for attention. Specific staff needs to be designated to assume the leadership on each, with a clear mission and clear accountability for results. Keeping the two sets of issues together in fully blended leadership will tend to diffuse focus and weaken responsible project management.
5. *The politics of negotiations.* Finally, from what could be called a “political” standpoint, keeping the two sets of issues together is unnecessarily complicating negotiating over each. People whose primary interest is to preserve the Lift Bridge may be advancing arguments against the New Bridge; people who oppose the New Bridge may be using preserving the Lift Bridge in part as a cover; and people who can live with having both bridges tend to feel caught in the crossfire, sometimes feeling forced to take sides.

Separating the processes for the two bridges appears to us to be the wiser course, together with overall coordination as appropriate. Consideration of the various financial dimensions is an important example of an issue requiring some coordination. But coordination is not the same as integration. The issues, the timetables, the types of expertise needed, the leadership, and the politics involved in negotiation are substantially different for each bridge. Separating the processes will be more likely to let the decision-makers, the private groups and the public-at-large give direct and thorough attention to the very real issues to be resolved about each bridge.

B. Lift Bridge Process

There are two major questions to be decided about the Lift Bridge. First, the nature and timing of repairs and rehabilitation; and second, its longer term future – removal, retention as a pier, or preservation as a working bridge (either just for pedestrians and bikes, or for vehicles as well).

It would appear that the first question is ready to be answered. Among those interviewed, there was substantial consensus favoring taking immediate steps to rehabilitate, repair, and restore it. Proponents of the New Bridge understand that the Lift Bridge needs to continue to function until a New Bridge may be built, and proponents of long-term preservation do not want to risk losing the historic resource as a result of neglecting basic maintenance. The special federal appropriation of \$5 million is available for these purposes.

The second question – the long-term future of the Lift Bridge – appears simpler in some respects, but more complicated in others.

It appears simpler technically, because most of the basic rehabilitation, repair, and restoration that seem essential in the short-run are substantially the same activities that would enable it to survive in the long run. It also may be simpler politically, because there appears to be widespread local support for preservation and, within the last six months, substantial federal and state agency consensus that preserving the Lift Bridge could be combined with building the New Bridge. Among those interviewed in agencies and private organizations, many place priority on preserving the Lift Bridge, and many place priority on building the New Bridge – but most could live with both.

Deciding on the long term future of the Lift Bridge seems more complicated, however, because the long-term options seem dramatically different, with agencies and private organizations holding strong positions based on clear concerns. It is noteworthy, however, that there has been little effort put into translating those positions and concerns into concrete options, supported by conceptual planning, articulated criteria, solid feasibility analysis, and development of creative new approaches. Without such detailed development of concrete alternatives, parties tend to stay locked in a state of apparent disagreement with no clear way out.

Currently many see no way out – partly because future options for the Lift Bridge have not been made precise. People cling to one or another option without a very clear idea of what it would entail. And the dialogue has seemed to be phrased in terms of either/or, either remove it, or restore it, or cut it in half. Debate without details tends to lead to arguments that may be more abstract than real, with little opportunity to move through the debate to concrete solutions.

If state decision-makers continue to leave open the question of the Lift Bridge's long-term future, there is likely to be a continuation of impasse about both bridges, with little opportunity to develop momentum for either.

To be sure, the question of the future of the Lift Bridge is difficult, as outlined above in Section III. Key issues include the nature and sequence of restoration activities; ongoing ownership, maintenance and operating responsibilities, particularly focused on finding a steady funding mechanism; transportation management programs that might alleviate current and future congestion, such as stringently enforced truck weight limitations, van pooling and park and ride services; and specific plans and programs for a retained bridge. If for example it is decided to adopt the general concept of a long-term pedestrian and bike crossing in the long-term, a concrete plan, with trail systems on both sides of the river going both north and south, would need to be developed.

Recommended Process

These issues are best addressed within the context of an overall Lift Bridge planning and decision effort. It should have deadlines, be technically grounded and fiscally responsible, have substantial public involvement, and demonstrate a firm commitment to preserving what most view as a major asset to Stillwater, Houlton, and the entire Lower St. Croix area.

If there is a desire to develop concrete approaches to the preservation of the Lift Bridge, with a view to making specific decisions within a limited time frame, then immediate attention should be paid to the leadership question and to the structure, scope, cost and timing of the planning effort.

Leadership and the Management Group

A key question is where to identify leadership to manage such a Lift Bridge process. We recommend that a five-agency Core Management Group be established to take the initiative in establishing this process. The National Park Service, each state's Department of Natural Resources, and the State Historic Preservation Office of each state are logical members of such a Core Group. NPS and the two DNRs are appropriate because together they already constitute the Management Commission for the Lower St. Croix Scenic Riverway. The State Historic Preservation Office in each state should be part of the core inter-agency group because of the central goal of preservation. The heads of these five agencies should identify staff within their organizations who have responsibility not only for river protection but also for trails, land management, and historic preservation. The key is to identify staff with substantial experience, enthusiasm and leadership skills.

We also recommend supplementing these agency designees with representatives of several of the private organizations active in preservation to constitute a Steering Group. Participation by the Departments of Transportation of the two states and by the Federal Highway Administration would of course be appropriate as well, particularly if experts in those departments in the areas of historic preservation, bike and pedestrian facilities, innovative water transportation, and trail and scenic road are involved. Thus, a Steering Group of about ten members could provide overall and balanced direction with a view to keeping the process moving forward.

Among other elements worth serious consideration for such an effort are the following:

- Retaining an outside technical and planning consultant, experienced in planning for national parks and historic areas and having a solid track record in effectively involving the general public;
- Retaining an outside facilitator, either as part of a planning consultant team or as a separate professional;
- Establishing deadlines and phases, with meaningful outreach to the general public during each phase; and
- Establish major reporting milestones subject to wide review among affected government units, private organizations, and the general public.

Above all, enlisting creative energies of key agencies and organizations is key to turning the Lift Bridge process into a productive search to achieve a mission rather than just a bureaucratic exercise.

Advisory Group

We also recommend that a larger Advisory Group be created as a source for creative energies, a sounding board, and an actual working group with specific assignments made to individual members and subgroups of members. Members of an Advisory Group could include (but not be limited to):

- Local and county governments on both sides of the River, extending inland to places like New Richmond if there is interest;
- Local and regional outdoor recreational organizations;
- Local historic preservation organizations, such as the Stillwater Lift Bridge Association, River Town Restoration, and others;
- Local business organizations, including the Greater Stillwater Chamber of Commerce, the New Richmond-Somerset Area Chamber of Commerce, and any similar groups from Hudson to Taylor's Falls, and from St. Paul to New Richmond;
- Organizations specifically devoted to supporting national and state parks;
- Organizations devoted to the preservation of the River, such as the St. Croix River Association and Friends of the St. Croix; and
- The Advisory Council on Historic Preservation

The Lower St. Croix Management Commission already has a citizens task group it established for the development of its Cooperative Management Plan. We have not examined the effectiveness of that group, but it is possible that it could become a starting point for the creation of a larger group. Whatever group is established, it would be highly desirable if it were constituted as a task force – with joint work assignments and shared products.

If the recommendation for a separate Lift Bridge process is adopted, there seems no reason that the Lift Bridge process could not be launched within the next 60 days. Further process design could be provided though the Institute once state decision-makers have established a basic overall direction and identified leadership charged with steering toward it.

C. The New Bridge Process

The major issue of process connected with the New Bridge is whether the Draft Supplemental EIS process should move forward. If the Lift Bridge issues are moved onto a separate but coordinated track, as recommended above, then the way should be cleared to move forward with the Supplemental Impact Statement process for the New Bridge on an expedited basis.

Recommended Process

We recommend that the environmental process for the New Bridge be re-activated within the next 30 days. A draft of the Supplemental EIS already exists. Some of its analysis may need to be updated, with attention to design and location details of the Braun C proposal. As recommended above, it should include consideration of the “one-way pair” proposal of the three local architects. There is already a section drafted on the growth/sprawl issues; that material should be reviewed to determine whether it adequately responds to the significant questions in

this area. The analysis and the process should of course emphasize open and full consideration of all major impacts; the current draft should be reviewed and revised as necessary to make sure it fulfills that objective, and then begin its formal circulation as a Draft as soon as possible.

These are not minor issues to analyze. They are filled with technical complexity and intense controversy, often over matters of basic values. Given the long history of the New Bridge project, drafters of this next set of environmental documents already know the geography of the challenges. The process should try to develop a way through the complexity in a balanced, thorough, and open manner.

Participants

The two cities on the Minnesota side should have a major role in the EIS process, since in the end they will be asked to approve the project. The two mayors and city councils should be substantially involved in structuring the process with their residents, so that the final options developed and selections made can reflect municipal concerns and so that the respective city councils can give their approval, if that is what they want, with their residents and major groups informed and involved.

Involvement of local government on the Wisconsin side should also be strengthened. There are significant land planning and highway issues in which the counties and towns, including St. Joseph's, have a major stake. With substantial assistance from the state DNR and DOT, St. Croix County has recently created and adopted a new set of land planning guidelines; the County's expertise and concerns over its future directions needs to be built into the process.

The two Minnesota cities should also consider concrete ways to enhance working ties with each other over these issues, such as periodic coordinating meetings. Such "municipal caucus" meetings could also include local government from the Wisconsin side.

Leadership and the Inter-Agency Group

The existing Inter-Agency Group that has helped to steer the EIS process for the New Bridge to date, under the leadership of FHWA in Minnesota, should be continued and augmented. The FHWA Division office in Minnesota, located in St. Paul, has played a particularly useful role so far in convening the various agencies to try to get issues explored and decisions made in a timely way. This leadership has been effective in part because the agency has been neutral with respect to the Lift Bridge issues. Continued FHWA leadership in the New Bridge process should be encouraged.

- The Inter-Agency Group convened by FHWA currently consists of ten members:
- Minnesota Department of Transportation
- Wisconsin Department of Transportation
- Minnesota Department of Natural Resources
- Wisconsin Department of Natural Resources
- Minnesota State Historic Preservation Office
- Wisconsin State Historic Preservation Office

- Advisory Council on Historic Preservation
- National Park Service
- City of Stillwater
- Federal Highway Administration

Given Minnesota’s municipal consent law, it would appear wise to add:

- The City of Oak Park Heights.

In addition, local government representation from the Wisconsin side of the river should be added if there is interest in such involvement:

- St. Croix County (or the Town of St. Joseph)

Advisory Group

While relying heavily on the various local governments to structure opportunities for effective involvement by their citizens, creation of a formal advisory group should be considered. A good start would be the membership of the St. Croix River Crossing Advisory Group (SCRCAG), which was created to be part of the Braun Report process. Leaving out the 12 agencies already included or suggested for inclusion in the interagency group, and leaving out the Minnesota/Wisconsin Boundary Area Commission because it no longer exists, the members of the SCRCAG were:

- Environmental Groups (two representatives selected by them – Sierra Club and Minnesota Center for Environmental Advocacy)
- Historical community (one representative selected by them – River Town Restoration)
- Metropolitan Council
- Minnesota Chambers of Commerce (one representative – Stillwater Area Chamber of Commerce)
- Minnesota Historical Society, also representing Wisconsin Historical Society – both of which administer the respective State Historic Preservation Office in its state
- Wisconsin Chambers of Commerce (one representative – New Richmond-Somerset Area Chamber of Commerce) Washington County Board of Commissioners
- Congressman Ron Kind (Wisconsin)
- Congressman Bill Luther (Minnesota)

We are not recommending reconstituting the SCRCAG as such, since that group had a limited focus. But we do strongly recommend creation of an Advisory Group for the New Bridge, drawing on members who participated before and additional members as appropriate.

The recommended advisory group should be one in which the members are informed, fully engaged in discussions, and have a meaningful influence on project decisions. Consideration should be given to retaining a third party neutral to assist in facilitating such an advisory group. It is possible that from time to time the interagency group could benefit from an outside facilitator as well.

As in the case of the Lift Bridge process recommended in Section B above, further process design assistance the New Bridge process could be provided through the Institute. Understandably, our recommendations are less detailed for the New Bridge process than the Lift Bridge process because the regulations for Environmental Impact Statements establish a certain structure for timing and content of review and advice. Nevertheless, it is worth noting the special challenge concerning the New Bridge process going forward: many participants are going to feel they have been through this before, for many years – in the original environmental impact process, in the Braun process, and at other. The challenge is to make the process meaningful – balanced, open, and thorough – even though much of the territory may seem like familiar ground to the participants. Re-activating the process, which we strongly recommend, requires re-energizing it as well.

Finally, since the land conservation fund is a requirement imposed by the DOI Section 7(a) Determination for the New Bridge, if it is constructed, consideration of how to turn that into a reality, as discussed above in Section III, needs to be an area where the Lift Bridge Process and the New Bridge process overlap. Ultimately a creative endeavor to identify, first, what precisely the fund should be used for, and second, how it should be raised, will be needed. It is entirely possible that with such details in hand, and a constituency behind it, the Department of Interior could elaborate the uses for the fund in a manner that is consistent with its Section 7(a) Determination but that also specifically helps implement a particular implementation plan developed in the Lift Bridge process. Requests for funds to implement such a plan are more likely to be received positively by the Federal Highway Administration and possibly by the Congress for a special appropriation than the current very general contours of the fund.

D. Conclusion

In making the above suggestions – creating a separate process specially designed to deal with the Lift Bridge issues, and expeditiously proceeding with the next steps in the Supplementary EIS process for the New Bridge – we have tried to identify one way to break the current logjam. As impartial outsiders who have tried to keep our focus on process issues rather than on particular outcomes, we advance the suggestions because they seem to hold promise for making meaningful headway on many of the problems that have stalled progress for a long time. These recommendations are not cast in concrete, but rather they are subject to reaction, modification, and improvement by all parties involved in the controversy.

One thing is clear to us, however. The people we have interviewed are tired of the current terms of the debate and the seemingly endless impasse. To some extent they appear to be tired of the issues, even though when they begin to talk they obviously feel passionately about them. Virtually all those whom we interviewed would like to chart some new course.

We have tried to suggest several approaches to stimulate new thinking among those who have struggled with these difficult and important issues for so long. Out of that new thinking on the part of dedicated federal, state and local agencies, organizations and individuals could come a way – or several ways – forward.

DEFINITION OF ABBREVIATIONS

ACHP – Advisory Council on Historic Preservation

DOI – U.S. Department of Interior

EIS – Environmental Impact Statement (A Draft and Final EIS were prepared for the initial set of bridge alternatives; a Draft Supplemental EIS is in progress for the Braun C Alternative.)

FHWA – Federal Highway Administration (a part of the U.S. Department of Transportation)

MnDNR – Minnesota Department of Natural Resources

MnDOT – Minnesota Department of Transportation

NEPA – National Environmental Policy Act (the federal law that requires the preparation of Environmental Impact Statements for certain federal actions)

NPS – National Park Service (part of the U.S. Department of the Interior)

SHPO – State Historic Preservation Office (They review the historic and archeological impacts of certain federal actions and send reports to the Advisory Council on Historic Preservation.)

USDOT – U.S. Department of Transportation

WSR – Wild and Scenic Rivers (specially designated rivers under the federal Wild and Scenic Rivers Act)

WSRA – federal Wild and Scenic Rivers Act

WisDNR – Wisconsin Department of Natural Resources

WisDOT – Wisconsin Department of Transportation

APPENDIX A.

U.S. INSTITUTE FOR ENVIRONMENTAL CONFLICT RESOLUTION

The U.S. Institute for Environmental Conflict Resolution is a federal program established by the U.S. Congress to assist parties in resolving environmental, natural resource, and public lands conflicts. The Institute is part of the Morris K. Udall Foundation, an independent federal agency of the executive branch overseen by a board of trustees appointed by the President. The Institute serves as an impartial, non-partisan institution providing professional expertise, services, and resources to all parties involved in such disputes, regardless of who initiates or pays for assistance. The Institute helps parties determine whether collaborative problem solving is appropriate for specific environmental conflicts, how and when to bring all the parties to the table, and whether a third-party facilitator or mediator might be helpful in assisting the parties in their efforts to reach consensus or to resolve the conflict. In addition, the Institute maintains a roster of qualified facilitators and mediators with substantial experience in environmental conflict resolution, and can help parties in selecting an appropriate neutral. (See www.ecr.gov for more information about the Institute.)

APPENDIX B.

LIST OF PEOPLE INTERVIEWED

GOVERNMENT

Advisory Council on Historic Preservation

John M. Fowler, Executive Director

Laura Dean,

Don L. Klima, Director, Office of Planning & Review

City of Oak Park Heights, Minnesota

David Beaudet, Mayor

City of Stillwater, Minnesota

Jay Kimble, Mayor

Federal Highway Administration

Frederick Skaer, Director, Planning & Environment, Washington DC

Leland W. Dong, Project Development Specialist, Washington DC

Cynthia J. Burbank, Program Manager, Planning & Environment, WashingtonDC

Alan R. Steger, Division Administrator, Minnesota Division

Cheryl B. Martin, Environmental Engineer, Minnesota Division

Stanley M. Graczyk, Project Development Engineer, Minnesota Division

William K. Fung, Division Administrator, Wisconsin Division

Metropolitan Council

Ted Mondale, Chair

Minnesota Department of Transportation

Elwyn Tinklenberg, Commissioner

Douglas J. Weiszhaar, Deputy Commission/Chief Engineer

Rick Arnebeck, Area Manager, Washington & Chisago Counties

Todd J. Clarkowski, Area Engineer

Minnesota Department of Natural Resources

Steven P. Johnson, River Management Supervisor

Minnesota State Historic Preservation Office

Ian R. Stewart, Deputy Director, Minnesota Historical Society

Dennis A. Gimmetstad, Government Programs and Compliance Officer

Britta Bloomberg, Minnesota Historical Society

National Park Service

William Schenk, Regional Director, Omaha, Nebraska

David Gibbon, Regional Office, Omaha, Nebraska
Paul Roelandt, Management Assistant, St. Croix National Scenic Riverway
Jill Medland, Planning & Compliance Specialist, St. Croix Natl Scenic Rvwy
John O. Haubert, Outdoor Recreation Planner, Washington DC

Town of St. Joseph, Wisconsin
Pat Collins, Chairperson

St. Croix County, Wisconsin
David Fodrozci, Planning Department

Office of Congressman Bill Luther
Steven R. Heuer, Legislative Director
Robert B. Decheine, Chief of Staff

Office of Congressman Ron Kind
Ron Kind, Member of Congress, Wisconsin, Third District
Brad Pfaff, Senior Policy Advisor

Wisconsin Department of Transportation
Terry Mulcahy, Secretary
James S. Thiel, General Counsel
Carol D. Cutshall, Director, Bureau of Environment
Robert S. Newbery, Historian, Bureau of Environment
Terry C. Pederson, District Planning Projects Engineer

Wisconsin State Preservation Office
Rick Bernstein, Architectural Historian

Wisconsin Department of Natural Resources
Darrell Bazzell, Secretary
Francis M. Fennessy, Deputy Secretary

D. PRIVATE ORGANIZATIONS

Greater Stillwater Chamber of Commerce
Patty Schachtner, Executive Director
Jerry Brown, Member
Nancy Kohns, Member
Tim Keenan, Member
Laura Slidy, Member
Loann Stokes, Member

River Town Restoration
James P. Laskin

Sierra Club

Scott Elkins, State Director, Minnesota, North Star Chapter
Elizabeth Hendricks Schmiesing, Member, North Star Chapter
Jim Blau, Member, North Star Chapter
Thomas Clarke, Member, North Star and Wisconsin chapters
Judy Bellairs, Member, North Star Chapter
Brett Hulsey, Director, Midwest Region

St. Croix River Association

Laurence R. Kennedy, President

Stillwater Lift Bridge Association

Donald Empson, Director
Jill Greenhalgh, Arcola Mills on the St. Croix River

The Friends of the St. Croix

Roger Tomten
Rod Drescher

E. INDIVIDUALS

Jeanne M. Anderson, Stillwater MN
Richard P. Braun, Transportation Consultant, Minneapolis MN
Ted Thompson, Stillwater MN

APPENDIX C.
ALTERNATIVES IN THE BRAUN REPORT

APPENDIX D.

BRIDGE DESIGN ALTERNATIVES IN THE BRAUN REPORT

APPENDIX E.
THE 3-ARCHITECTS' PLAN