



**US Army Corps
of Engineers**®

St. Paul District

Appendix G - Coordination

Upper St. Anthony Falls Lock and Dam

Section 216 Disposition Study

Draft Integrated Disposition Report and
Environmental Assessment

December 2020

Appendix G

TABLE OF CONTENTS

National Park Service September 15, 2017

Implementation Guidance Section 1168 WRDA 2018

Implementation Guidance Section 1125 WRDA 2018

Minnesota Senators January 8, 2019

Minnesota Senators October 22, 2019

Friends of the Lock and Dam November 21, 2019

Minneapolis Public Works Scoping September 6, 2019

National Park Service October 18, 2019

Minneapolis June 29, 2020

Fish and Wildlife Coordination Act Letter April 27, 2020

Minneapolis December 8, 2020



United States Department of the Interior

NATIONAL PARK SERVICE
Mississippi National River and Recreation Area
111 E. Kellogg Blvd., Ste 105
St. Paul, Minnesota 55101-1256

IN REPLY REFER TO:

September 15, 2017

Colonel Samuel L. Calkins
Commander, St. Paul District
U.S. Army Corps of Engineers
180 5th St. E., Suite 700
St. Paul, MN 55101

Dear Colonel Calkins:

We continue to enjoy our excellent relationship with the Corps of Engineers and appreciate the partnership that has developed between our two agencies.

We also look forward to exploring new ideas in the future, both with you and our other outstanding partners in and around the area. Our goal continues to center on providing outstanding interpretive, educational, and recreational opportunities along the Mississippi River corridor. Our commitment to civic engagement, as well as our ultimate success, is predicated largely on our ability to partner with communities, our outstanding Members of Congress, and key partners like the Corps.

As you begin the disposition study for the Upper St. Anthony Falls Lock, Lower St. Anthony Falls Lock and Dam, and Lock and Dam No. 1, one key question that has arisen concerns the potential transfer of these structures to a public or private entity.

In particular, some have mentioned the National Park Service, Mississippi National River and Recreation Area as a potential owner of the Upper Lock. While we find the Upper Lock to be of significant interest to the story and history of the Mississippi River, it is not within our financial or operational capacity to take ownership of the Lock itself, and therefore, we are not interested in owning it. We feel it is important for the Corps to understand this position prior to beginning the study.

However, within our capacity, we are interested in continuing interpretation and education at the Upper Lock. The park currently has a five-year agreement with the St. Paul District to provide these services and another agreement with the Minneapolis Park and Recreation Board to clean the restrooms. We hope to continue these relationships or ones like them for the long-term. Great partnerships like these make our presence possible. Given strong financial backing from the Mississippi Park Connection (MPC),

Friends of the Lock and Dam and others, and staff support from MPC and our enthusiastic volunteers, we are able to offer tours and programs at the Upper Lock seven days a week for the summer season with great interest and success. In time we hope to extend the number of days we are open.

If you have any questions, you can reach me at john_anfinson@nps.gov or at 651-293-8432.

Sincerely,

A handwritten signature in black ink that reads "John O. Anfinson". The signature is written in a cursive style with a large, stylized "J" and "A".

John O. Anfinson
Superintendent

Cc

MWR-Regional Director

Senator Amy Klobuchar

Senator Al Franken

U.S. Representative Betty McCollum

U.S. Representative Keith Ellison

Spencer Cronk, City of Minneapolis

Jayne Miller, Minneapolis Park and Recreation Board

Christine Goepfert, National Parks Conservation Association

Katie Nyberg, Mississippi Park Connection

Whitney Clark, Friends of the Mississippi River

Kjersti Monson, Friends of the Lock and Dam

Kevin Baumgard, USACE-MVP

Nanette Bischoff, USACE-MVP

Michael DeRusha, USACE-MVP



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

CECW-P

APR 25 2019

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Revised Implementation Guidance for Section 1168 of the Water Resources Development Act (WRDA) of 2018, Disposition of Projects

1. The Assistant Secretary of the Army, Civil Works approved on 18 April 2019 Section 1168 of WRDA 2018. The attached implementation guidance is posted for internal and external use on the U.S. Army Corps of Engineers official WRDA website: <http://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/>.
2. Please ensure wide dissemination of this guidance. Questions regarding this implementation guidance should be directed to the Headquarters POC, Ada Benavides, Senior Policy Advisor, Planning and Policy Division, at (202) 761-0415 or ada.benavides@usace.army.mil.

A handwritten signature in blue ink, appearing to read "J. Dalton".

JAMES C. DALTON, P.E.
Director of Civil Works

DISTRIBUTION:
COMMANDERS, REGIONAL BUSINESS AND PROGRAMS DIRECTORS
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MISSISSIPPI VALLEY DIVISION, CEMVD
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SOUTHWESTERN DIVISION, CESWD



DEPARTMENT OF THE ARMY
ASSISTANT SECRETARY OF THE ARMY
CIVIL WORKS
108 ARMY PENTAGON
WASHINGTON DC 20310-0108

APR 18 2019

MEMORANDUM FOR THE COMMANDING GENERAL, U.S. ARMY CORPS OF ENGINEERS

SUBJECT: Implementation Guidance for Section 1168 of the Water Resources and Development Act of 2018, Disposition of Projects

1. Reference.

a. Memorandum, Subject: Interim Guidance on the Conduct of Disposition Studies, 22 August 2016.

b. Engineer Regulation 1105-2-100, Planning Guidance Notebook, dated 22 April 2000.

c. ER 200-2-2, Procedures for Implementing NEPA, dated 4 March 1988.

d. ER 1165-2-119, Modifications to Completed Projects, dated 20 September 1982.

2. Section 1168 of the Water Resources Development Act of 2018 (WRDA 2018) directs the Secretary, in carrying out a disposition study for a U.S. Army Corps of Engineers (Corps) project or a separable element of such a project, to consider modifications that would improve the overall quality of the environment in the public interest, including removal of the project or separable element of a project. Section 1168(b) directs the Secretary to conduct the study in a transparent manner. Section 1168(c) endorses removal of a project or separable element of a project in partnership with other federal agencies and non-Federal entities, to the extent permitted under existing authorities, when the Secretary determines that a Federal interest no longer exists and recommends removal. Section 1168 of WRDA 2018 and reference 1a are enclosed.

3. Section 1168(a) directs the Secretary to consider modifications that would improve the overall quality of the environment in the public interest, including removal of the project or separable element of a project, when conducting a disposition study. When modification of a project or removal of project features and improvements is likely to be more costly than continued operation and maintenance but may be justified based on ecosystem restoration benefits, the Corps will continue to follow existing guidance in reference 1a. That guidance allows modifications to projects, including removal of

SUBJECT: Implementation Guidance for Section 1168 of the Water Resources and Development Act of 2018, Disposition of Projects

project features and improvements, for ecosystem restoration purposes to be further investigated in a feasibility study if a non-Federal interest is willing to share in the study costs. While disposition studies will not be utilized to formulate construction recommendations to modify projects for ecosystem restoration purposes, the Corps will continue to use disposition studies to explore opportunities for other Federal agencies and non-Federal entities to assume jurisdiction over or ownership of project features and improvements that no longer provide the benefits for which they were authorized. Subject to deauthorization of the project by Congress, such opportunities may ultimately result in modification of the project or removal of project features by entities other than the Corps to benefit the quality of the environment.

4. Section 1168(b) requires the disposition study process to be transparent. The disposition study process already includes opportunities for public input in accordance with the Corps' procedures for complying with the National Environmental Policy Act described in Engineer Regulation (ER) 1105-2-100 and ER 200-2-2. The Corps publishes final disposition study decision documents on the responsible Corps District's webpage.

5. Subsection (c) of Section 1168 endorses removal of a project or separable element of a project in partnership with other federal agencies and non-Federal entities, to the extent permitted under existing authorities, when the Secretary determines that a federal interest no longer exists and recommends removal. Because Congress has not granted the Secretary with the authority to deauthorize a completed water resources development project whose operations no longer meet the authorized purpose, structural elements that are required for a project's authorized purpose cannot be removed prior to enactment of legislation deauthorizing the project. Only structural elements of a project that are excess to the project's authorized purpose may be removed under existing authorities.

6. This guidance shall be transmitted to the appropriate Corps Division and District Commanders and posted to the Corps' WRDA website within five business days of receipt (written or electronic) from this office. Guidance shall be transmitted and posted as is and without additional guidance attached.

SUBJECT: Implementation Guidance for Section 1168 of the Water Resources and Development Act of 2018, Disposition of Projects

7. Questions regarding this implementation guidance should be directed to Gib Owen, Office of the Assistant Secretary of the Army for Civil Works at gib.a.owen.civ@mail.mil or 202 520 4867.



R. D. JAMES
Assistant Secretary of the Army
(Civil Works)

Enclosure

cf: MG Scott Spellmon, Deputy Commanding General, Civil and Emergency Operations
James Dalton, Director of Civil Works

Water Resources Development Act of 2018, Section 1168 - Disposition of Projects

(a) **IN GENERAL.** In carrying out a disposition study for a project of the Corps of Engineers, or a separable element of such a project, including a disposition study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a), the Secretary shall consider modifications that would improve the overall quality of the environment in the public interest, including removal of the project or separable element of a project.

(b) **DISPOSITION STUDY TRANSPARENCY.** The Secretary shall carry out disposition studies described in subsection (a) in a transparent manner, including by

- (1) providing opportunities for public input; and
- (2) publishing the final disposition studies.

(c) **REMOVAL OF INFRASTRUCTURE.** For disposition studies described in subsection (a) in which the Secretary determines that a Federal interest no longer exists, and makes a recommendation of removal of the project or separable element of a project, the Secretary is authorized, using existing authorities, to pursue removal of the project or separable element of a project in partnership with other Federal agencies and non-Federal entities with appropriate capabilities to undertake infrastructure removal.



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

MAY 06 2019

CECW-P

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Revised Implementation Guidance for Section 1225 of the Water Resources Development Act (WRDA) of 2018, Upper Mississippi River Protection

1. The Assistant Secretary of the Army, Civil Works approved on 2 May 2019 Section 1225 of WRDA 2018. The attached implementation guidance is posted for internal and external use on the U.S. Army Corps of Engineers official WRDA website: <http://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/>.
2. Please ensure wide dissemination of this guidance. Questions regarding this implementation guidance should be directed to the Headquarters POC, Ada Benavides, Senior Policy Advisor, Planning and Policy Division, at (202) 761-0415 or ada.benavides@usace.army.mil.

A handwritten signature in blue ink, appearing to read "J. Dalton".

JAMES C. DALTON, P.E.
Director of Civil Works

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COMMANDERS, REGIONAL BUSINESS AND PROGRAMS DIRECTORS
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SOUTH ATLANTIC DIVISION, CESAD
SOUTH PACIFIC DIVISION, CESP
SOUTHWESTERN DIVISION, CESWD



DEPARTMENT OF THE ARMY
ASSISTANT SECRETARY OF THE ARMY
CIVIL WORKS
108 ARMY PENTAGON
WASHINGTON DC 20310-0108

MAY -2 2019

MEMORANDUM FOR THE COMMANDING GENERAL, U.S. ARMY CORPS OF ENGINEERS

SUBJECT: Implementation Guidance for Section 1225 of the Water Resources and Development Act of 2018, Upper Mississippi River Protection

1. Reference.

- a. Section 2010 of Water Resources Reform and Development Act of 2014 (WRRDA 2014), Upper Mississippi River Protection.
- b. Interim Guidance on the Conduct of Disposition Studies, dated 22 August 2016.
- c. Engineer Regulation (ER) 1105-2-100, Planning Guidance Notebook.
- d. Implementation Guidance for Sections 1015 and 1023 of the WRRDA 2014, Contributed Funds, dated 11 February 2015.

2. Section 1225 of Water Resources Development Act of 2018 (WRDA 2018) amends Section 2010 of WRRDA 2014 to direct that the ongoing disposition study for Upper St. Anthony Falls (USAF), Lower St. Anthony Falls (LSAF), and Lock and Dam 1 (L&D 1) be modified to provide a separate report for USAF and a report for LSAF and L&D 1. Section 1225 provides for additional considerations in completing a disposition study report for USAF and directs the Secretary to accept and expend funds contributed by a state or political subdivision of a state to carry out the USAF study. Section 1225 is enclosed.

3. Subject to the availability of funding:

- a. The U.S. Army Corps of Engineers (Corps) St. Paul District Commander will expedite the ongoing disposition study and report for the USAF Lock and Dam that is separate from any report on any other locks and dams being considered in the ongoing disposition study. To the extent practicable the District Commander will narrow the scope of the ongoing disposition study to focus on the evaluation of alternatives for the disposition of the USAF Lock and Dam.

- 1) The report on the disposition of the USAF Lock and Dam will identify opportunities to modify the federally owned facilities for the purposes of recreation and/or ecosystem restoration. If such opportunities exist but are likely to be more costly

SUBJECT: Implementation Guidance for Section 1225 of the Water Resources and Development Act of 2018, Upper Mississippi River Protection

than continued operation and maintenance of the facilities, detailed investigation of such opportunities will be subject to initiation of a cost-shared feasibility study with a non-Federal interest in accordance with guidance in reference 1b.

2) While the District Commander will not formulate alternatives for ecosystem restoration or recreation in the disposition study, the disposition study will fully evaluate alternatives to transfer jurisdiction or ownership of the facilities to other federal agencies and non-Federal entities. Such alternatives, if recommended and authorized by Congress, may ultimately result in the modification of the facilities by entities other than the Corps for purposes of recreation or ecosystem restoration.

3) The report on the disposition of the USAF Lock and Dam will also explore alternatives for the partial disposition of the USAF Lock and Dam facilities and surrounding real property. The disposition study will consider retaining real property or improvements necessary to maintain any flood risk management benefits of the project in federal ownership.

b. The District Commander will provide the draft USAF Lock and Dam report with the concurrence of the Major Subordinate Command (MSC) Commander to the Director of Civil Works (DCW) within 15 days of a final draft report being completed. The Deputy Assistant Secretary for the Army for Civil Works, Projects, Planning and Review will participate in the Corps Senior Leader meeting that shall be held before a Director's Report is finalized. Upon DCW review and approval of the Director's Report, the signed report will be provided within two business days to the Assistant Secretary of the Army for Civil Works (ASA(CW)) for review and action. Upon Administration clearance of the report the ASA(CW) will transmit the Director's Report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate in accordance with Section 1117(b) of WRDA 2018.

4. Section 1225(e) directs the Secretary to accept and expend funds that are contributed by a State or a political subdivision of a State under 33 U.S.C. 701h-1, which deals with advanced funds, to carry out the USAF Lock and Dam disposition study. However, any funds proposed to be contributed by such entities, to carry out the disposition study, will be accepted following the standard procedures in reference 1d for the acceptance of contributed funds under 33 U.S.C. 701h. Funds contributed under 33 U.S.C. 701h are not eligible for credit or repayment.

5. Following delivery of the USAF report on the disposition of the USAF Lock and Dam, and subject to the availability of funding, the District Commander will continue the ongoing disposition study by completing the evaluation of alternatives for the disposition of the LSAF Lock and Dam and L&D 1. Recommendations for the disposition of those facilities will be presented in a separate report to the DCW through the MSC. The Deputy Assistant Secretary for the Army for Civil Works, Projects, Planning and Review will participate in the Corps Senior Leader meeting that shall be held before a Director's

SUBJECT: Implementation Guidance for Section 1225 of the Water Resources and Development Act of 2018, Upper Mississippi River Protection

Report is finalized. Upon DCW review and approval of the Director's Report, the signed report will be provided within two business days to the ASA(CW) for review and action. The ASA(CW) will transmit the approved Director's Report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate in accordance with Section 1117(b) of WRDA 2018.

6. This guidance shall be transmitted to the appropriate Corps Division and District Commanders and posted to the Corps' WRDA website within five business days of receipt (written or electronic) from this office. Guidance shall be transmitted as is and without additional guidance attached.

7. Questions regarding this implementation guidance should be directed to Gib Owen, Office of the Assistant Secretary of the Army for Civil Works, at gib.a.owen.civ@mail.mil or 703-695-4641.



R. D. JAMES
Assistant Secretary of the Army
(Civil Works)

Enclosure

cf: MG Scott Spellmon, Deputy Commanding General, Civil and Emergency Operations
James Dalton, Director of Civil Works

Water Resources Development Act of 2018, Section 1225 - Upper Mississippi River Protection.

Section 2010 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1270) is amended by adding at the end the following:

(d) **CONSIDERATIONS.** In carrying out a disposition study with respect to the Upper St. Anthony Falls Lock and Dam, including a disposition study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a), the Secretary shall expedite completion of such study and shall produce a report on the Upper St. Anthony Falls Lock and Dam that is separate from any report on any other lock or dam included in such study that includes plans for

- (1) carrying out modifications to the Upper St. Anthony Falls Lock and Dam to
 - (A) preserve and enhance recreational opportunities and the health of the ecosystem; and
 - (B) maintain the benefits to the natural ecosystem and human environment;
- (2) a partial disposition of the Upper St. Anthony Falls Lock and Dam facility and surrounding real property that preserves any portion of the Upper St. Anthony Falls Lock and Dam necessary to maintain flood control; and
- (3) expediting the disposition described in this subsection.

(e) **CONTRIBUTED FUNDS.** The Secretary shall accept and expend funds to carry out the study described in subsection (d) that are contributed by a State or a political subdivision of a State under the Act of October 15, 1940 (33 U.S.C. 701h-1).

FOR REFERENCE ONLY NOT PART OF THE GUIDANCE

Water Resources Development Act of 2018, Section 1117 – Inclusion of Project or Facility in Corps of Engineers Workplan

(a) **IN GENERAL.** The Secretary shall, to the maximum extent practicable, include in the future workplan of the Corps any authorized project or facility of the Corps of Engineers

(1) that the Secretary has studied for disposition under an existing authority, including by carrying out a disposition study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a); and

(2) for which a final report by the Director of Civil Works has been completed.

(b) **NOTIFICATION TO COMMITTEES.**—Upon completion of a final report referred to in subsection (a), the Secretary shall transmit a copy of the report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

United States Senate

WASHINGTON, DC 20510

October 22, 2019

Mr. R.D. James
Assistant Secretary of the Army (Civil Works)
108 Army Pentagon
Washington, DC 22202

Dear Mr. James:

We write to ask for an update on the expedited completion of the disposition study and report for the Upper St. Anthony Falls Lock and Dam under Section 1225 of the America's Water Infrastructure Act of 2018.

Section 1225 of the America's Water Infrastructure Act of 2018 directed the Army Corps of Engineers (Corps) to conduct a disposition study and report for the Upper St. Anthony Falls Lock and Dam separate from the Lower St. Anthony Falls Lock and Dam and Lock and Dam 1. This was done specifically so that it could be completed in an expedited manner.

To that end, we respectfully request responses to the following questions:

- How is the disposition study for the Upper St. Anthony Falls Lock and Dam being expedited?
- What activities has the Corps taken to expedite the study as compared to a general study timeline?
- What activities were taken with respect to the disposition study between enactment of Section 1225 in October 2018 and the beginning of scoping in October 2019?
- What additional activities or resources has the Corps dedicated for the disposition study in order to meet an expedited timeline?
- Without bypassing thorough environmental review, what other activities or resources can the Corps deploy to ensure that the disposition study meets an expedited timeline?

Thank you for your attention to this important matter.

Sincerely,



Amy Klobuchar
United States Senate



Tina Smith
United States Senate



November 21, 2019

VIA EMAIL

U.S. Army Corps of Engineers
180 5th St. E., Suite 700
St. Paul, MN 55101
Attn: Nanette Bischoff, Project Manager, St. Paul District, US Army Corps of Engineers,
MplsLocksDisposition@usace.army.mil

Re: Property Ownership and Transfer Considerations for Upper St. Anthony Falls Lock (the “Upper Lock”)

Dear Nan:

As you requested, we want to provide more focus and detail for the acquisition proposal of Friends of the Lock and Dam (“FL&D”) contained in our recent comment and expression of interest letter sent to you on behalf of the U.S. Army Corps of Engineers (the “Corps”). To outline our proposal:

1. FL&D has proposed that the Corps would retain ownership of the Upper Lock structure and continue to maintain and operate the Upper Lock structure for flood control and water supply. The property to be retained by the Corps is referred to as the “Retained Property”.
2. The City of Minneapolis (the “City”) or its designee would acquire from the Corps its rights in real property in and surrounding the Upper Lock (the “Acquired Property”). The Acquired Property would include property owned outright by the Corps as well as the Corps’ interest (through easements or other usage rights) in surrounding property.
3. FL&D has generally identified areas of the Upper Lock that would be needed for its development and operation of the Falls Initiative. Those parcels are identified on Exhibit A attached to this letter.
4. FL&D will specifically identify the parcels of Upper Lock property that are owned outright by the Corps and the parcels of adjoining property on which the Corps has easements or other usage rights. FL&D has already begun the work of obtaining the title reports, boundary surveys and copies of existing agreements necessary to determine the specific identification.
5. FL&D recognizes the need to work cooperatively with the Corps in connection with the Corp’s ongoing flood mitigation operations at the Upper Lock. For example, FL&D has prepared a study for crane access and operations. FL&D will work with the Corps to accommodate each constraint that the Corps has identified:
 - a. Operations structures
 - b. Access for the Corps and other parties that need access (e.g. Xcel Energy)
 - c. Flood management operations
 - d. Crane

6. FL&D and the Corps will also work cooperatively with the City toward advancing the adopted plans and objectives of the City and other key stakeholder entities as identified in the City's authorizing resolution for this project, including assuring that no hydroelectric generating facility will be developed on the Upper St. Anthony Falls site.
7. FL&D has also identified matters that would be the Corps' responsibility to address and resolve as part of the acquisition process:
 - a. Roof, asbestos, elevator
 - b. Safety barrier/debris gate as hazard mitigation measures
 - c. Lock chamber water intake tubes
8. Throughout this process, FL&D and the Corps would discuss and negotiate valuation and acquisition of land, structures, and use rights pertaining to the depicted areas.
 - a. Fee title acquisition
 - b. Easement acquisition
 - c. Permanent license agreements for the Retained Property to establish usage rights for FL&D without which the Acquired Property could not be used for the Falls Initiative

Please let me know if you have any questions or if you need additional information. Otherwise, we will continue our efforts to move the disposition process toward its conclusion.

Sincerely,

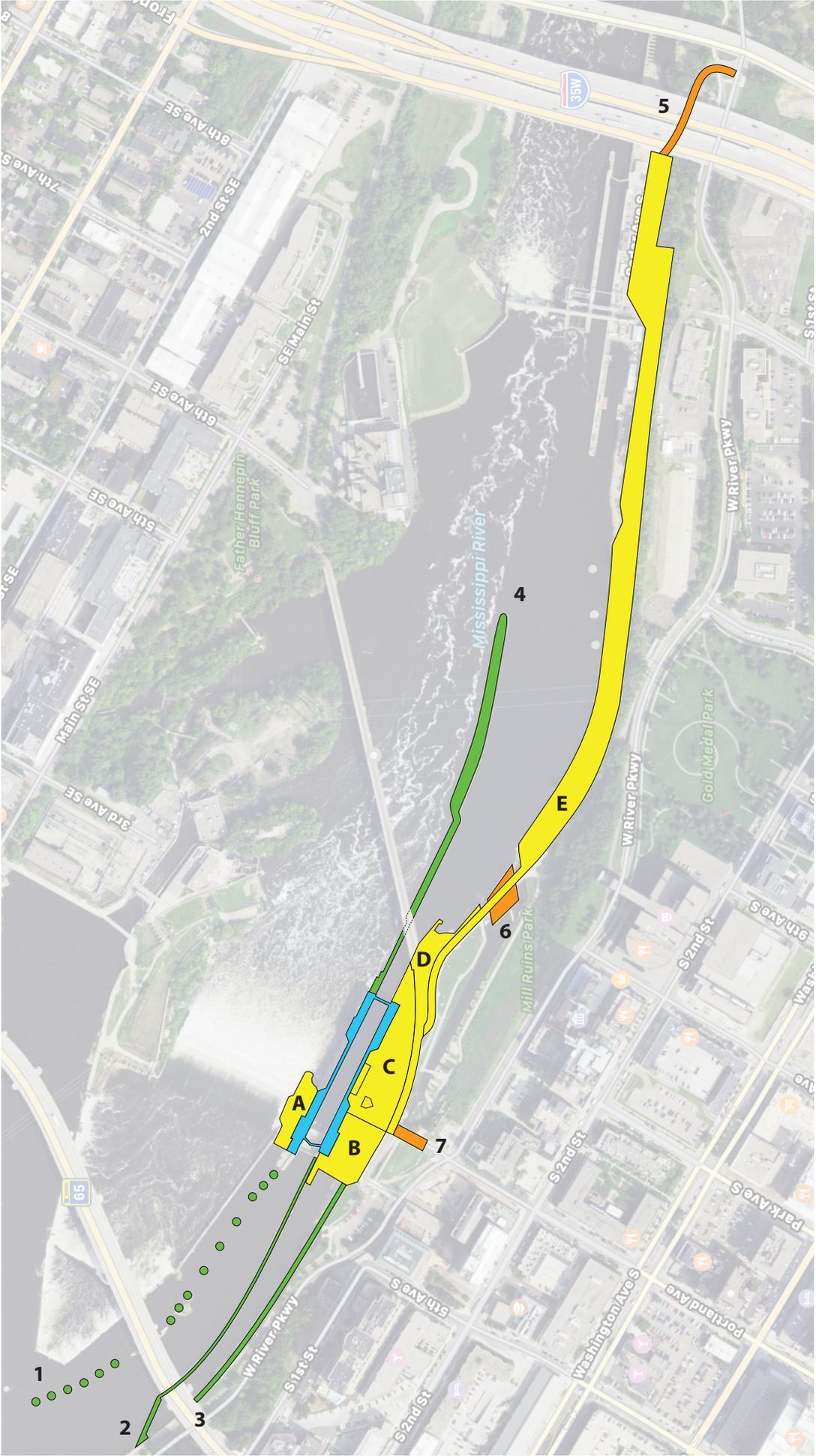


Mark Andrew, President
Friends of the Lock & Dam
900 N 3rd Street
Minneapolis MN 55401

Cc: Paul Reyelts, Chairman of the Board, Friends of the Lock & Dam
Mark Wilson, Vice President, Friends of the Lock & Dam
Kjersti Monson, Project Director, Friends of the Lock & Dam

EXHIBIT A

Friends of the Lock & Dam Acquisition Interest Map



-  Fee Title Acquisition (Parcels A, B, C, D, E)
-  Public Amenity & Hazard Mitigation Easements (Numbers 1-4)
-  Access Easements (Numbers 5-7)
-  License Agreement

Legend for Designated Areas
for
Ownership and Transfer of Property for
Upper St. Anthony Falls Lock

General

- For Fee Title Acquisition, the Corps will convey fee title subject to existing easements held by others
- On certain parcels of Fee Title Acquisition property, the Corps will retain access or other usage rights as described below
- For the License and for Easements on property now owed by the Corps, the Corps will retain fee title ownership but will grant the described license or easement
- For Easements held by the Corps on property not now owned by the Corps, the Corps will assign the easement rights it now owns
- The access easements to be granted by the Corps are those rights that are necessary to make the Fee Title Acquisition property usable for the Falls Initiative
- The Corps will retain dredging rights and responsibilities for the Lock

Fee Title Acquisition (Parcels A, B, C, D, E)

 Parcel A – River’s Edge Lock Structure

- The Corps will convey Parcel A but will retain a non-exclusive easement over the portion of Parcel B necessary to allow access to Parcel A

 Parcel B – Central Control Station and North Portion of City’s Edge Lock Structure

- The Corps will convey Parcel B but will retain an easement over the portion of Parcel B necessary to allow the required crane staging
- FL&D understands that the Central Control Station structure is a historical structure and development and use of the structure for the Falls Initiative will be limited by that designation

 Parcel C – South Portion of City’s Edge Lock Structure

- The Corps will convey Parcel C to the Falls Initiative
- The Corps will prepare the structure for disposition by making needed repairs (for example, roof replacement, asbestos removal and elevator repair)

 Parcel D – Vacant Lot under Stone Arch Bridge and South of Parcel C

- The Corps will convey Parcel D to the Falls Initiative

 Parcel E – Road along River South of Parcel D

- The Corps will convey Parcel E to the Falls Initiative

 License Agreement

- The Corps will grant a permanent, exclusive license for FL&D over the subject property for FL&D to use the subject property to construct and operate amenities, and for FL&D and visitors of the Falls Initiative to utilize the subject property so that the Falls Initiative experience will be a comprehensive recreational, touristic, and interpretive experience

 | Public Amenity & Hazard Mitigation Easements (Numbers 1-4)

- The Corps will grant easements to allow for the construction and operation by FL&D of amenities at the Falls Initiative and usage of the amenities by FL&D and the visiting public
- The easement over Parcel 1 would include the right to construct and use (a) a safety barrier as a hazard mitigation measure, (b) a pedestrian pathway for public use and (c) sculptures and other art or design features
- Rights and responsibilities of other parties with respect to these areas will remain as they now exist, including, for example, covering intake tubes in the backwater channel and removal of debris

 Access Easements (Numbers 5-7)

- Corps will assign its existing easement rights over these areas to provide access for FL&D and all visitors to and from the Falls Initiative
- Rights and responsibilities of other parties with respect to these areas will remain as they now exist



Public Works
350 S. Fifth St. - Room 203
Minneapolis, MN 55415
TEL 612.673.3000
www.minneapolismn.gov

September 6, 2019

U.S. Army Corps of Engineers
180 5th Street East, Suite 700
Attn. Nanette Bischoff (PM-B)
St. Paul, MN 55101

**RE: Public Comment on the Water Resources Development Act of 2018
Sec. 1225. Upper Mississippi River Protection**

Dear Ms. Bischoff:

Thank you for the opportunity to comment on the Disposition Study of the Upper St. Anthony Falls Lock and Dam.

The considerations for the study listed include recreational opportunities, ecosystem health, and a partial disposition of the lock and dam necessary to maintain flood control. We continue to advocate for the maintenance of river elevations necessary to ensure the drinking water supply for the City of Minneapolis as another important consideration.

The upper Mississippi River is the sole source of drinking water for the City of Minneapolis and our wholesale customers – a population totaling over 500,000 people. Our raw water pump station is located in the upper pool of the St. Anthony Falls Lock and Dam. Failure to maintain sufficient dam pool elevations would materially impact the City's ability to withdraw water from this sustainable source, especially at times of low river flows.

We respectfully request that the maintenance of adequate river elevations necessary for the reliable supply of drinking water for the City of Minneapolis be weighed heavily as a consideration in any final recommendations.

Thank you,

A handwritten signature in blue ink that reads "Robin Hutcherson".

Robin Hutcherson
Director of Public Works

CC:
Glen Gerads, Director of Water Treatment & Distribution
Gene Ranieri, Director of Intergovernmental Relations





IN REPLY REFER TO

United States Department of the Interior

NATIONAL PARK SERVICE
Mississippi National River and Recreation Area
111 E. Kellogg Blvd., Ste 105
St. Paul, Minnesota 55101-1256

District Engineer
St. Paul District, Corps of Engineers
ATTN: Regional Planning and Environment Division North
180 Fifth Street East
St. Paul, Minnesota 55101-1638

18 October 2019

Dear Colonel Jansen:

Please find attached the Mississippi National River and Recreation Area's (NRRA) comments on the "Disposition Study for the Upper St. Anthony Falls Lock and Dam, Minneapolis, Minnesota." The NRRA is a unit of the National Park Service that runs with the Mississippi River for 72 miles through the Twin Cities metropolitan area. Rather than repeat our comments on the "Scoping for the Upper St. Anthony Falls Lock and Dam, Lower St. Anthony Falls Lock and Dam, and Lock and Dam 1 Disposition Study" submitted on August 20, 2018, I have attached the original cover letter and comments. The overall context and many of the specific comments apply, although I recognize that the disposition study of the Lower St. Anthony Falls Lock & Dam and Lock & Dam No. 1 will not begin until next year. In this letter, I address the three principal alternatives for the Upper St. Anthony Falls (USAF) Lock, associated lands and related infrastructure.

St. Anthony Falls ranks among the Mississippi River's most important sites. It is the Great River's only major waterfall. Historically, explorers, painters and writers made the falls a national and international landmark. St. Anthony gave birth to the timber and flour milling industries that drove the Minneapolis and regional economies. Minneapolis led the nation and at times the world in flour milling from 1880 to 1930. For these reasons, the falls anchors the St. Anthony Falls National Register of Historic Places Historic District. This district features two National Historic Landmarks and one National Civil Engineering Landmark. The Upper St. Anthony Falls Lock itself is eligible for the National Register as a key part of the river's story. St. Anthony Falls and many of the resources surrounding it are of national significance and, therefore, especially important to the Mississippi NRRA.

No Action

The Corps needs to clearly define what it means by No Action. The Corps public presentation for this study states that the Corps will:

Continue to operate the flood gate as needed. Continue to allow agreements with the National Park Service to conduct tours at the site. Continue maintenance as needed to preserve the flood gate operation. While the navigation mission and the 9-foot channel will continue to be authorized, the low priority for dredging will continue due to lack of demand. Unless otherwise directed, under the no action alternative the lock would remain closed to all navigation.

What the Corps does not address is the level of maintenance it will conduct for the USAF Lock and related infrastructure. There should also be a statement that says: "Continue maintenance as needed to fully facilitate visitor use and enjoyment." Since the Corps has a recreation mission at the USAF Lock, this is justified and needed, given the great increase in visitation and even greater potential. The USAF Lock saw 25,587 visitors in 2019, and the NRRA and our partners hope to grow that number next year. This level of visitation demands adequate maintenance for the visited portions of the site to a degree that the Corps maintained them before the lock closed. Our concern is that without a committed level of funding needed to maintain the lock's appearance and overall upkeep at it was as of June 9, 2015, there will be a gradual and steady deterioration of the site. Visitors to Corps and National Park Service sites expect professionally maintained facilities, and it would reflect poorly on both if we did not meet those expectations.

The Willamette River disposition study defines the No Action as the "Status Quo Alternative (No Action)" and says this means the Corps will "maintain the current caretaker status. Minimal maintenance activities of the facility shall continue and repairs would be conducted on an "as needed" basis" Such an approach to the USAF Lock would lead to a steady deterioration. Again, given the number of visitors coming to this site and its prominent location in downtown Minneapolis this would be unacceptable.

Cultural and Historical Resources

The USAF Lock has been determined eligible for the National Register of Historic Places. Section 106 of the National Historic Preservation Act considers neglect an adverse effect. If the No Action alternative leads a steady decline in maintenance, this could constitute an adverse effect. The Corps will need to address this matter in its evaluation. As the USAF Lock lies at the center of the St. Anthony Falls National Register Historic District, visible deterioration of the lock and related infrastructure could also impact the historic district.

Scenic Quality

The USAF Lock's location makes highly visible to millions of people. The St. Anthony Falls area has received over two billion dollars of investment over the past several decades, and the pace of investment is accelerating. Nearly three million people visit the

St. Anthony Falls each year. The lock's condition could detract from the area's scenic and economic values if allowed to deteriorate.

Disposal

Alternative 2 –Deauthorize the navigation, recreation and flood mitigation missions at USAF and dispose of the entire federal project, including the lock structure, all lands, buildings, and property and portions of the 9-foot channel maintained by the Corps.

- *Consider structural removal prior to disposal.*
- *Consider disposal without structural removal.*

Disposal of the USAF Lock would have significant consequences for the Mississippi NRRRA. If the lock leaves federal ownership, the NRRRA will lose the special provisions and oversight granted to the park in its authorizing legislation, including Sec. 704. This section provides that:

Before any department, agency, or instrumentality of the United States issues or approves any license or permit for any facility or undertaking with in the Area and before any such department, agency, or instrumentality commences any undertaking or provides any Federal assistance to the State or any local governmental jurisdiction for any undertaking within the Area, the department, agency, or instrumentality shall notify the Secretary.

This section mandates timelines and a recourse with Congress, if necessary, for the NRRRA that non-federal entities would not have to honor, if there was no federal tie to their action. So, disposal could diminish key protections for the seven resource types Congress directed the NRRRA to protect and enhance. The NPS needs assurance that its ability to protect and enhance these seven resource types will not be lost or weakened by disposal. Consequently, the NRRRA could need language in any transfer of the lock, associated lands and infrastructure out of federal control that ensures a high level of review by the NRRRA similar to what it has now. As an example, the NPS's historic monuments program, under which historic properties are transferred out of federal control, provides such protections.

Cultural and Historical Resources

If the USAF Lock is transferred out of federal ownership, we expect that the Section 106 review process would lead to a Memorandum of Agreement, under Section 106 of the National Historic Preservation Act, that would provide for a comparable level of review and protection to that had the sites remained under federal ownership for Section 106 matters. If this does not happen, then the Mississippi NRRRA will lose a critical review authority, and its ability to protect and enhance the site and area's significant qualities will be diminished.

We assume that if the Corps decided to remove any portion of the USAF Lock prior to disposal, the Corps would undertake the required Section 106 and other environmental reviews needed.

Recreation

If the Corps disposed of the USAF Lock to an entity that ended or greatly reduced visitor access, this would adversely affect the visitor experience for local, national and international visitors. A new owner could also preclude the Minneapolis Park and Recreation Board from fully implementing plans for its Water Works park development. Friends of the Lock and Dam’s proposal anticipates creating a robust visitor experience at the USAF Lock that would bring in hundreds of thousands of visitors. This experience includes providing access to the channel between the guidewall above the falls and the western shore. If a new entity restricted access to this channel, it could greatly limit the visitor experience for those using the amenities at Water Works or coming to a new visitor center at the lock. Thus, the Corps should give priority to opportunities that continue and expand visitor access to the lock, associated lands and related infrastructure.

Scenic Quality

New uses of the USAF Lock could adversely affect the scenic qualities of the St. Anthony Falls area and could adversely affect the St. Anthony Falls Historic District as well. The Corps should consider opportunities that do not diminish the scenic or historic qualities of the area.

Direct, Indirect and Foreseeable Impacts

NPS guidance on the National Environmental Policy Act (NEPA) states that “Courts have applied what is known as the “hard look” standard in deciding whether or not an agency has fully complied with the environmental analysis requirements of NEPA. This means that there must be evidence that the agency considered all foreseeable direct, indirect, and cumulative impacts; used sound science and best available information; and made a logical, rational connection between the facts presented and the conclusions drawn.” (NPS NEPA Handbook Supplemental Guidance). If the Corps recommends disposal, then the Corps should evaluate all foreseeable impacts.

Partial Disposal

Alternative 3 –Retain those features of the project that are necessary for flood mitigation, while disposing of property and features not needed for flood mitigation. This could include deauthorization of the navigation mission at USAF, and deauthorization of the 9-foot channel upstream of USAF.

Partial disposition is consistent with the language of WRDA 2018, which directs the Corps study to include a plan for “a partial disposition of the Upper St. Anthony Falls Lock and Dam facility and surrounding real property that preserves any portion of the Upper St. Anthony Falls Lock and Dam necessary to maintain flood control...” (Section

1225 (d)(2) of WRDA 2018.) This alternative is also consistent with the Congressional intent as stated by Senators Amy Klobuchar and Tina Smith to the Corps in their letter of January 8, 2019. Per the above, the Corps should work with the City, Friends of the Lock & Dam and others to transfer the elements not needed for flood mitigation to the public entity most capable of repurposing the lock, associated land and infrastructure for the best results for the human environment, ecosystem and recreational opportunities.

For partial disposal, our comments above on disposal apply to those elements the Corps would dispose of. For those elements the Corps would retain, we assume it would conduct any necessary Section 106 or other environmental reviews needed for any work the Corps undertook on the elements it retained.

Partial disposal could enhance the USAF Lock's visitor use and enjoyment, making it available to far more visitors and in far more ways than exist today. So, those opportunities that offer the greatest benefit in this regard and do so in ways that protects the overall character of the site, the St. Anthony Falls Historic District and the scenic qualities of the area should be favored over any that do not.

Overall, the lock and related lands and infrastructure could be repurposed for visitor access where that access does not interfere with flood mitigation management by the Corps. The USAF Lock, surrounding land and related infrastructure offer a spectacular opportunity to view St. Anthony Falls and to get near it and the Mississippi River. Mill Ruins Park, Mill City Museum and the Stone Arch Bridge together already draw millions of visitors every year. With the plans for Waterworks Park on the West, the river's west bank will be seeing even more visitors. Together, all these sites will provide the USAF Lock with a guaranteed stream of visitors.

For those portions of the lock, related real estate and infrastructure that the Corps does not consider retaining, the Mississippi NRRA recommends:

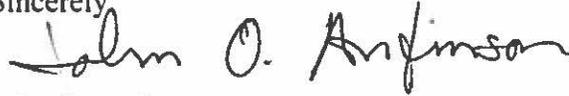
- Transferring or selling those portions to an entity that will use such space and infrastructure for recreation purposes, including visitor use and enjoyment.
 - The main parking lot provides an opportunity to build a new structure that could serve recreation and human uses, such as education and interpretation and other amenities for visitor use and enjoyment.
 - The parking area and berm downstream of the restroom to the end of the lock structure and Stone Arch Bridge could also be used as described in the preceding bullet point.
 - Any new structure must be done at a scale and such a way that it does not cause adverse effects to the St. Anthony Falls Historic District, the Stone Arch Bridge National Engineering Landmark, the USAF Lock as an eligible historic site or the critical viewsheds of the St. Anthony Falls area.
- Remodeling or repurposing some spaces within the lock structure for better staff and visitor use while preserving essential aspects of historic character. Such spaces include the:
 - Office/lunch room
 - Restrooms/locker rooms

- Lower Control Stand
- Garage
- And other such spaces
- Providing safe and easy access to the entire lock surface, interior of lock, green space below outer lock wall, guidewalls, outdraft barrier, backwater between the inner upstream guidewall and west bank, and upstream dolphins.
 - Lock surface
 - Install appropriate fencing, matching the site's historic character, on entire lock. Get rid of barbed wire.
 - Lock interior
 - Allow tours of tunnels inside the lock, recognizing access issues for some individuals.
 - Green space below outer lock wall
 - Clarify ownership. Corps slides from its public presentation show some of this area as Corps fee title land but not a Corps structure. What ownership or authority does the Corps have for this land? From historic photographs, it appears this lands was part of the coffer dam built for the lock's construction.
 - If the Corps does not have title or authority over this land, it could work with Xcel and other partners to gain access and help
 - Repair the stairs
 - Provide safety railings
 - Provide handicap access
 - Undertake ecological restoration and build a path through the restored green space that brings visitors to the river's edge, where they can see, hear and feel the power of St. Anthony Falls.
 - Guidewalls up and downstream
 - Provide necessary safety fencing to entire length of all the guidewalls and offer access for visitors to walk out on them, either by themselves or with a interpretive staff member.
 - Outdraft barrier
 - Provide access to the concrete portions of this structure, with adequate safety fencing
 - Land between USAF Lock and LSAF Lock
 - Provide public access to the road connecting the two locks to create a better circulation pattern for visitation at the USAF Lock and, possibly, the LSAF Lock.

To facilitate the above recommendations, the Mississippi NRRRA believes affirming and expanding the Corps' recreation mission under this alternative, especially for whatever portions of the site it would retain, is important. Taking advantage of this opportunity could provide the Corps with a great public relations tool.

If you have any questions, please contact me at john_anfinson@nps.gov or 651-293-8432.

Sincerely

A handwritten signature in cursive script that reads "John O. Anfinson". The signature is written in black ink and is positioned to the right of the word "Sincerely".

John O. Anfinson
Superintendent



IN REPLY REFER TO

United States Department of the Interior

NATIONAL PARK SERVICE
Mississippi National River and Recreation Area
111 E. Kellogg Blvd., Ste 105
St. Paul, Minnesota 55101-1256

District Engineer
St. Paul District, Corps of Engineers
ATTN: Regional Planning and Environment Division North
180 Fifth Street East
St. Paul, Minnesota 55101-1638

20 August 2018

Dear Colonel Calkins,

Please find attached the Mississippi National River and Recreation Area's comments on the "Scoping for the Upper St. Anthony Falls Lock and Dam, Lower St. Anthony Falls Lock and Dam, and Lock and Dam 1 Disposition Study." In this cover letter, I address the special context of these locks and dams and of the Mississippi River in the Twin Cities, for these locks and dams do not lie in just any reach of any river. They lie in a unique and very special reach of the nation's greatest river.

St. Anthony Falls ranks among the Mississippi River's most important sites. It is the Great River's only major waterfall. Historically, explorers, painters and writers made the falls a national and international landmark. St. Anthony gave birth to the timber and flour milling industries that drove the Minneapolis and regional economies. Minneapolis led the nation and at times the world in flour milling from 1880 to 1930. For these reasons, the falls anchor's the St. Anthony Falls National Register of Historic Places Historic District. This district features two National Historic Landmarks and one National Civil Engineering Landmark. The Upper St. Anthony Falls Lock itself is eligible for the National Register as a key part of the river's story. The St. Anthony Falls area has received well over two billion dollars of investment over the past several decades, and the pace of investment is accelerating.

Lower St. Anthony Falls Lock and Dam and Lock and Dam No. 1 lie in the reach locally referred to as the "Gorge." The Gorge stretches 8.5 miles, from St. Anthony Falls to the mouth of the Minnesota River. Nowhere on the Mississippi does the river drop so quickly over such a short distance and through such a narrow canyon. From above St. Anthony Falls to the Minnesota River, the Mississippi plummets 110 feet. The bluffs are 80 to 100 feet high and only one-quarter to one-third of a mile apart. Before the locks and dams, turbulent rapids rushed through the gorge at high water. At low flows, the Gorge became a shallow stream filled with sand, gravel and rock bars. Parkways now define both sides and are part of the Grand Rounds National Scenic Byway, drawing millions of people every year to scenic and recreational amenities.

Congress established the National Park Service by the Organic Act of 1916 with the mission "...to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." I recognize that St. Anthony Falls and the Gorge lie within the heart of the river's largest metropolitan area and are hardly unimpaired. Our authorizing legislation takes this into account but is still anchored to the 1916 Organic Act.

While the National Park Service manages other units on the Mississippi River, the Mississippi National River and Recreation Area (NRRRA) is the only one whose mission and focus is the Great River. We are the Mississippi River's National Park. Whatever the outcomes of the Corps Disposition Study, they will impact this National Park Service unit. So, the NRRRA has a special interest and stake in the Disposition Study.

Congress established the NRRRA in 1988 with the direction "To protect, preserve and enhance the significant values of the waters and land of the Mississippi River Corridor within the Saint Paul-Minneapolis Metropolitan Area." Congress emphasized that "There is a national interest in the preservation, protection and enhancement of these resources for the benefit of the people of the United States." The NRRRA, therefore, has a responsibility to the American people to ensure any future actions protect, preserve and enhance the significant values here. This is a national conversation, not just local, which is why organizations like the National Parks Conservation Association and American Rivers are weighing in.

As the history behind the NRRRA's creation demonstrates, the State of Minnesota is also committed to protecting, preserving and enhancing the resources of the Mississippi River through the Twin Cities. In 1973, the State passed the Critical Areas Act to protect areas with exceptional historic, cultural, or aesthetic values or natural systems. Three years later, Democratic Governor Wendell Anderson established a 72-mile stretch of the Mississippi River, including a 4-mile reach of the Minnesota River, and the adjoining lands in the Twin Cities metropolitan region as the state's first critical area. In 1979, Republican Governor Albert Quie extended the Mississippi River Corridor Critical Area designation (E.O. 17-19), and the Metropolitan Council (Resolution 79-48) made the designation permanent the same year.

When Congress established the NRRRA in 1988, it used the same boundary as the Critical Area and did not mandate new rules and regulations. Instead, the State agreed to ensure protection of the significant resources through State laws and regulations. In a key step honoring that agreement, the Minnesota Legislature designated the NRRRA a State Critical Area in 1991. Further binding the NRRRA to the Mississippi River Corridor Critical Area, the Mississippi River Coordinating Commission (1994), Minnesota Governor Arne Carlson (1994) and Secretary of the Interior Bruce Babbitt (1995) signed the NRRRA's Comprehensive Management Plan.

I need to make one final, compelling point for why it is paramount the Corps carefully consider its conclusions and recommendations for the Disposition Study. From their founding in the mid-nineteenth century, Minneapolis and St. Paul began shaping the Mississippi River for navigation and hydropower through the Corps of Engineers and private entities. For the first time since then, there is opportunity to consider a new relationship with the river. The study's outcome will likely shape the river in the Twin Cities for generations to come.

As the above background shows, the Mississippi River through the Twin Cities is of exceptional importance to the nation, State and local communities. Consequently, we have high expectations for a deep and broad analysis to help the American people understand all that No Action, Deauthorization and Disposition could mean. Individual interests will advocate for preserving or

protecting a particular stake or aspect of the Mississippi River tied to one or more of the locks and dams. The NRRA, however, must consider all seven resources identified by Congress in our authorizing legislation and assess the overall benefits or losses of any particular action or recommendation by the Corps.

For the NRRA to fully and fairly do this, we need the Corps to thoroughly respond to the questions we ask and the concerns we raise in our attached comments, as well as to those asked and raised by other interests. We will be available at any time during your analysis to help in whatever way we can.

If you have any questions, please contact me at john_anfinson@nps.gov or 651-293-8432.

Sincerely,

A handwritten signature in black ink that reads "John O. Anfinson". The signature is written in a cursive style with a large, prominent "J" and "A".

John O. Anfinson
Superintendent

St. Paul District, Corps of Engineers
Twin Cities Locks and Dams Disposition Study
Mississippi National River and Recreation Area Comments
August 20, 2018

Mississippi National River and Recreation Area Resources

The Act establishing the Mississippi National River and Recreation Area (NRRA) on November 18, 1988, (Public Law 100-696) explains why Congress created the park and defines what the National Park Service (NPS) needs the Disposition Study to address.

TITLE VII – MISSISSIPPI NATIONAL RIVER AND RECREATION AREA, Subtitle A – Mississippi National River and Recreation Area, FINDINGS AND PURPOSES

- Sec. 701 (a) FINDINGS. – Congress finds that:
 - The Mississippi River Corridor within the Saint Paul-Minneapolis Metropolitan Area represents a nationally significant historical, recreational, scenic, cultural, natural, economic, and scientific resource.
 - There is a national interest in the preservation, protection and enhancement of these resources for the benefit of the people of the United States.
- Sec. 701 (b) PURPOSES. – The purpose of this subtitle are:
 - To protect, preserve and enhance the significant values of the waters and land of the Mississippi River Corridor within the Saint Paul-Minneapolis Metropolitan Area.

To adequately evaluate the potential impacts of the No Action and Deauthorization/Disposal alternatives at the Upper St. Anthony Falls Lock, Lower St. Anthony Falls Lock and Dam and Lock and Dam No. 1, the Corps needs to identify and assess the potential impacts to the seven resource types identified in Sec. 701(a).

Because these resources are of national significance, the NRRA’s authorizing legislation also states:

- Sec. 704 (b) FEDERAL AGENCY ACTIVITIES
 - (1) IN GENERAL. — Before any department, agency, or instrumentality of the United States issues or approves any license or permit for any facility or undertaking within the Area and before any such department, agency, or instrumentality commences any undertaking or provides any Federal assistance to the State or any local governmental jurisdiction for any undertaking within the Area, the department, agency, or instrumentality shall notify the Secretary. The Secretary shall review the proposed facility or undertaking to assess its compatibility with the plan approved under section

703. The Secretary shall make a determination with respect to the compatibility or incompatibility of a proposed facility or undertaking within 60 days of receiving notice under this subsection. If the Secretary determines that the proposed facility or undertaking is incompatible with the plan, he shall immediately notify such Federal department, agency, or instrumentality and request such department, agency, or instrumentality to take the actions necessary to conform the proposed facility or undertaking to the plan. The Federal department, agency, or instrumentality shall, within 60 days after receiving the Secretary's request, notify the Secretary of the specific decisions made in response to the request. To the extent that such department, agency, or instrumentality does not then conform such facility or undertaking to the request of the Secretary, the Secretary is directed to notify the Congress in writing of the incompatibility of such facility or undertaking with the plan approved under section 703.

The Seven Resource Types – A Brief Description

The descriptions of the seven resource types below are not comprehensive but should give the Corps a good idea of what they need to consider. We recognize that positive impacts to one type of resource could negatively affect another. The Mississippi National River and Recreation Area Comprehensive Management Plan (CMP), developed in accordance with Sec. 703 (i), provides “a general framework to coordinate natural, cultural, and economic resource protection, visitor use, and development activities” (CMP, General Concept, p. 11). It details policies and actions for seven resource types that contribute to the significance of the area, but it distinctly “recognizes the national significance of the Mississippi River as a natural riverine ecosystem.” In doing so, the CMP states that “fish and wildlife resources, including bottomland forests, bluffland, and riverine habitats will receive greater protection” (CMP p. 12). We will look at all the impacts, however, and weigh the overall effects. (For a copy of the CMP see <https://www.nps.gov/miss/learn/management/lawsandpolicies.htm> or contact the park.)

Economic Resources. The NPS focuses on economic uses of the corridor consistent with the values for which the area was established. Commercial barge shipping, tour boats, marinas, recreation, tourism and hydroelectric power generation fit this focus. The park's authorizing legislation stresses that the park protect, preserve and enhance those uses and resources of national significance, although we also consider the importance of local and regional significance.

Historical and Cultural Resources. The cultural resources of the area consist of evidence of past activities on or near the river. These include burial mounds, campsites, village sites, and ethnographic resources that illustrate the nature of the occupation by Native Americans. The fur trading period, early settlement, and later urbanization, as well as agricultural and industrial activity on or near the river, are included in historic districts, national historic landmarks, national register properties, and locally designated historic sites. All three lock and dam sites have been determined eligible for the National Register of Historic Places.

Natural Resources. The natural resources of the NRRRA are considered to be the assets or values related to the natural world, such as plants, animals, birds, water, air, soils, geologic features, fossils and scenic vistas. Natural resources are those elements of the environment not created by humans, although they have been affected by human action. The most important natural resource in the corridor is the Mississippi River itself. It is a globally significant riverine ecosystem that must be protected and restored because it serves, in part, as a migratory corridor for wildlife, because it is essential to sustaining the biological diversity of the continent and the natural functions of the numerous aquatic and terrestrial communities of which it is composed, and because it supports the quality of life for the citizens who live and work and play on and near it.

Recreational Resources. The park was specifically designated a Recreation Area. The corridor offers a broad range of recreational and educational experiences closely tied to the character of the resource and complementing other recreational opportunities in the metropolitan area. The variety of passive and active resource-related recreational activities in the Mississippi NRRRA include fishing, hunting, boating, canoeing, rowing, cross country skiing, snowshoeing, hiking, bicycling, jogging, picnicking, taking photographs, birding, and participating in a variety of interpretive and educational programs.

Scientific Resources. Scientific resources have not been defined specifically, but they include resource related issues and research that can provide a better understanding of the Mississippi River's past and potential future. The park's paleontological remains are an example of resources related to research opportunities and education. These remains lie within the bedrock layers of the river's bluffs and date to the Ordovician Period (444 to 488 million years ago). Research on water quality, the river's fish and mussel populations, changing climate conditions on river flow and what the river was like before it was dammed for hydropower and navigation all fit under scientific research that would benefit the river and its resources. (See CMP pg. 29 Resources Management and "scientific research.")

Scenic Resources. The corridor includes many outstanding vistas, areas of scenic beauty, and tranquil places in the midst of a large urban area. Scenic views can vary from an entirely wild and natural looking setting to the cityscapes of Minneapolis, St. Paul and other communities from the Mississippi River.

Fundamental Resources and Values

Every unit of the National Park System develops a Foundation Document to provide basic guidance for planning and management decisions. A primary benefit of developing a foundation document is the opportunity to integrate and coordinate all kinds and levels of planning from a single, shared understanding of what is most important about the park. For its Foundation Document, the Mississippi NRRRA identified the following fundamental resources and values:

- Cultural and historic sites that owe their national significance to their presence along the Mississippi River.

- Economic resources supported by the Mississippi River in the NRRRA that are integral to the nation's economy.
- Collaborative relationships with governments, private sector organizations, non-profits, schools, and individuals that help the park to achieve its purpose.
- Healthy aquatic ecosystems that provide for a rich and diverse assemblage of fish, mussels, macro-invertebrates and other species, as well as the opportunity for scientific study.
- Healthy terrestrial ecosystems that provide for a rich and diverse assemblage of plants and animals, as well as the opportunity for scientific study.
- Birds that rely on the Mississippi River Flyway in the NRRRA to provide nesting, resting and feeding habitat.
- Scenic views that allow people to experience the distinctive landscapes of the NRRRA.
- Outdoor recreation opportunities and experiences that connect visitors with the river and its natural places, its cultural and historic sites and its scenic vistas.
- The presence of bluffs, caves, waterfalls and fossil beds that demonstrate the unique geologic character of the Mississippi River in the NRRRA.
- Water Quality – Clean water that supports human use of the Mississippi River and vibrant ecosystems in the NRRRA.

The NRRRA will be reviewing the Corps Disposition Study and Environmental Assessment with these fundamental resources and values in mind.

Site Resources: Land, Infrastructure and Water

As we understand it, the holdings of the Corps of Engineers at each site include the assets listed below. If we are missing something, please let us know.

- Upper St. Anthony Falls: Lock, guidewalls, outdraft barrier, 15 dolphins, parking lot, and land between lock and spillway.
- Lower St. Anthony Falls: Lock, dam, guidewalls, 3 dolphins, and access roads on each end.
- Lock and Dam No. 1: Locks, dam, guidewalls, bluff retaining walls, road, and land. Does the Corps own the hydroelectric plant powerhouse, just the base or dam portion, or both? We understand the Corps also holds 326 acres of flowage easements in Pool 1.
- Meeker Island Lock and Dam: Did the Corps fully dispose of the Meeker Island Lock and Dam land and infrastructure? The lock ruins are still present along the east bank, the bear traps gates lie on the west side under sand, and the partially demolished dam lies under Pool 1.

In addition to the above resources, the Corps has had the authority and responsibility for the navigation channel. This raises some questions about Pool 1. We recognize that the Upper and Lower St. Anthony Falls pools were the result of hydro power projects. Pool 1, however, is a direct result of the navigation project. The navigation channel is one portion of the pool. Does

the Corps have any long-term responsibility for the pool? Can the Corps walk away without considering the pool or reservoir it would leave behind? What impacts on infrastructure and resources does leaving the pools in place have under deauthorization and disposal? For example, what is the long-term effect of Pool 1 on bridges and other infrastructure through freeze-thaw action?

Since Lock and Dam No. 1 was built before the National Environmental Policy Act, it received no environmental review. In considering the cumulative impact of its alternatives, will the Corps need to consider the natural river as the baseline for determining cumulative impacts?

No Action Alternative

A. Definition of No Action. The Corps needs to clearly define what it means by No Action. The Corps has stated that under the No Action alternative, “the St. Paul District [would] continue to operate the sites as-is.” Does this mean that each site will continue to receive the funding and staff time needed to maintain each in the condition it was as of June 9, 2015, or will funding be used elsewhere, leading to the gradual and steady deterioration of each site? If the Corps prioritizes funding to other locks and dams and to channel maintenance elsewhere, the three sites and navigation channels connecting them will begin to deteriorate. It seems this would constitute a “Phased Reduction of Operation and Maintenance Plan” rather than a No Action Plan. Turning over the visitor center at Upper St. Anthony Falls to the NPS and discontinuing dredging are ways in which the Corps is withdrawing from its historic roles. What else might the Corps discontinue or reduce? We need to know, if we are going to comment on all the effects of a No Action alternative.

The [Willamette River Disposition Study with Integrated Environmental Assessment](#) defines the No Action as the “Status Quo Alternative (No Action),” and says this means the Corps will “maintain the current caretaker status. Minimal maintenance activities of the facility shall continue and repairs would be conducted on “as needed” basis” Such an approach to the three sites on the Mississippi River would lead to a steady deterioration.

B. Level of Service. What Level of Service will the Corps use as the basis of the No Action alternative? Level 3 and Level 6 would have substantially different impacts on recreation, economic benefits, natural resources, and, possibly, other resource types identified in the NRRRA’s legislation. Unless the Corps specifies one Level of Service that will not change, it may be necessary for the Corps to assess the impacts under two or more levels.

C. Dredging. What effects will no dredging of Pool 1 or the Lower St. Anthony Falls Pool have?

- Economic Resources. What impacts will no dredging have on recreational boating, tour boats and marinas? With no tour boat use, all commercial lockages would end.
- Natural Resources. What habitat changes will occur and with what ramifications for fish, wildlife and mussels? Would islands begin to form in the river? Would sandbars begin extending out into the river, bars that could provide mussel habitat? The August 2007

drawdown of Pool 1 to help with recovery efforts at the 35W Bridge suggests that bars will form and that islands could as well.

- **Recreation.** The channel between Lock and Dam No. 1 and Lower St. Anthony Falls Lock and Dam is already silting in, and there is no continuous 9-foot channel. Without dredging, tour boats and larger pleasure boats may eventually find the river in Pool 1 impassable. These consequences will impact at least two aspects of recreational enjoyment.
- **Safety.** The Coast Guard has not placed channel markers in 2018 in response to the Corps not dredging the channel. This could become a safety issue for tour boats and recreational craft.
- **Potential Future Projects.** How might no dredging affect future actions? For example, as more sediment accumulates behind Lock and Dam No. 1, a dam removal project would have to address the impacts and costs of dealing with more sediment.

D. Other Channel Maintenance. What is the Corps' plan for dealing with logs and debris that become lodged in the former navigation channel immediately above the Upper St. Anthony Falls Lock? What about debris that collects in the Upper St. Anthony Falls lock chamber? What about Lower St. Anthony Falls and Lock and Dam No. 1 if lock use discontinues at either or both?

The buildup of natural and human-related debris could become unsightly and adversely affect the scenic qualities and historical setting at each site. It could also affect recreational use and safety. If the Corps does not manage the debris, some other entity may have to spend funding on it.

E. Cultural and Historical Resources. National Register Structures. All three sites have been determined eligible for the National Register of Historic Places. Section 106 of the National Historic Preservation Act considers neglect an adverse effect. If the No Action alternative leads a steady decline in maintenance at each site, this could constitute an adverse effect. The Corps will need to address this matter in its evaluation. As the Upper St. Anthony Falls Lock lies in the center of the St. Anthony Falls National Register Historic District, adverse effects at the lock could also impact the historic district.

F. Recreation. The closure of the Upper St. Anthony Falls Lock has segmented the river for recreational craft and tour boats. The users of recreational craft can only use the river above or below the lock and dam or deal with complicated and more time-consuming effort of portaging or trailering their boats around the lock. Tour boats are now limited to the pools below the falls. If by a change in the Level of Service, the Lower St. Anthony Falls Lock and Lock No. 1 close to recreational craft and/or tour boats, this would further segment the river, compounding the issues just mentioned.

Visitor access to Lock and Dam No. 1. In addition to the recreation impacts mentioned above, how will visitor access change under No Action? If the Corps decides to prioritize its funding

elsewhere, or if they go to a lesser Level of Service, will the visitor facilities be open fewer hours or not at all?

G. Scenic Quality. All three lock and dam sites lie within the heart of the Twin Cities metropolitan area and will be highly visible to many people. The St. Anthony Falls area has received well over two billion dollars of investment over the past several decades, and the pace of investment is accelerating. Lock and Dam No. 1 lies within the highly scenic Gorge, directly below the Minnesota Veterans Home and next to the Ford site that will soon see a major new redevelopment. Consequently, the scenic quality of all three lock and dam sites is paramount, and if the No Action alternative could lead to visual impacts, the public will need to know.

H. Project Costs. Long-Term Costs. While the three sites require \$1.5 million in annual maintenance, what is the annual cost when major maintenance is factored in? We assume the economic analysis will address this, but to have the information now would help shape and focus our comments.

IV. Deauthorization and Disposal

The Meaning of Deauthorization and Disposal

Deauthorization and disposition would have significant consequences for the Mississippi NRRRA. For any site or part of a site that leaves federal ownership, the NRRRA will lose the special provisions and oversight granted in its authorizing legislation, including Sec. 704. As stated above, this section provides that:

Before any department, agency, or instrumentality of the United States issues or approves any license or permit for any facility or undertaking within the Area and before any such department, agency, or instrumentality commences any undertaking or provides any Federal assistance to the State or any local governmental jurisdiction for any undertaking within the Area, the department, agency, or instrumentality shall notify the Secretary.

This section then mandates timelines and recourse with Congress, if necessary, for the NRRRA that non-federal entities would not have to honor, if there was no federal tie to their action. So, deauthorization and disposal could diminish and discontinue key protections for the seven resource types defined above. The NPS needs assurance that its ability to protect preserve and enhance the seven resource types Congress identified will not be lost or weakened by deauthorization and disposal. Consequently, the NRRRA could need language in a deauthorization bill that would continue what its authorizing language provides.

B. Navigation. If the Corps deauthorizes and/or disposes of its locks and dams, it is unlikely that a new entity would continue to operate them for navigation. If the Lower St. Anthony Falls Lock and Lock No. 1 close, this would further segment the Mississippi River in the heart of the Twin Cities. The Lower St. Anthony Falls Pool and Pool 1 would become isolated from the rest of the river. Consequently, boaters would have to portage or trailer their boats around the locks and

dams. Upstream fish migration would end and with it the migration of mussels that use specific fish as hosts. Each pool could become a unique ecosystem, especially without dredging.

If Congress deauthorizes the locks and dams, but the Corps cannot find an entity that will take Lock and Dam No. 1 or Lower St. Anthony Falls Lock and Dam, what Level of Service would the Corps implement, and how would this impact recreation and other resources?

C. Dredging and Other Channel Maintenance. We are already seeing the impacts of the Corps no longer maintaining the 9-foot navigation channel. It is unlikely that another entity will take on the Corps' navigation mission of operating the locks, maintaining the channel and keeping up all the related infrastructure. The issues raised under the No Action alternative with regard to no dredging and channel maintenance also apply to deauthorization and disposal scenarios, unless a new entity agreed to resume dredging and lock use. Tour boats, recreational boats and marinas would likely be affected by the ending of navigation under a new owner.

D. Cultural and Historical Resources. If the sites are removed from federal ownership, we expect that the Section 106 review process would lead to a Programmatic Memorandum of Agreement that would provide for an equivalent level of review and protection to that had the sites remained under federal ownership. See also our comments on No Action.

E. Recreation

- Visitor Experience and Access
 - Upper St. Anthony Falls Lock. If the Corps disposes of the Upper St. Anthony Falls Lock to an entity that ended visitor access at the Upper Lock, this would adversely affect the visitor experience. Over the past three years of our partnership at the Upper Lock, the NPS and Corps have learned the public has a tremendous interest in visiting the lock. The National Parks Conservation Association and Friends of the Lock and Dam are advocating the lock become a world-class visitor center with the NPS leading the interpretive experience. The Minneapolis Park and Recreation Board's Water Works park development will transform the river's west bank, greatly increasing visitation to this area. A new owner could also preclude or greatly diminish the scope of all these plans.
 - Lock and Dam No. 1. Again, a new owner may not want to continue providing visitor access to this lock, which was designed to let visitors freely cross over the locks and access the outer lock wall.
- As discussed above, deauthorization and/or disposal would most likely end lock use at Lower St. Anthony Falls and Lock and Dam No. 1. This would end tour boat and recreational craft use of the locks and needs to be addressed.
- See comments under No Action and segmenting the river.

F. Scenic Quality. By discontinuing how the Corps has used and managed the three sites and the navigation channel, new uses could adversely affect the scenic qualities of each site and of the river. See also our comments on No Action.

G. Hydroelectric Power. What will happen to hydroelectric power production at Lock and Dam No. 1 and Lower St. Anthony Falls Lock and Dam if Brookfield decides not to take all or part of either site? If Congress deauthorizes the three sites and no other entity comes forward to take over the hydroelectric power generation, would Brookfield continue operating until the Corps finds a solution?

H. Direct, Indirect and Foreseeable Impacts

National Park Service guidance on NEPA states that “Courts have applied what is known as the “hard look” standard in deciding whether or not an agency has fully complied with the environmental analysis requirements of NEPA. This means that there must be evidence that the agency considered all foreseeable direct, indirect, and cumulative impacts; used sound science and best available information; and made a logical, rational connection between the facts presented and the conclusions drawn.” (NPS NEPA Handbook Supplemental Guidance)

Foreseeable Impacts. If the Corps can reasonably foresee the potential result of disposal or knows who one or more of the sites or portions of one of those sites will go to, then the Corps should have to evaluate these potential impacts of disposition. For example, if the Corps recommends to Congress or GSA that Brookfield get Lock and Dam No. 1, because Brookfield has made it known they want to take over that site, then the Corps should examine the effects of that transfer. Brookfield would have to clearly define what its intentions are with regard to the whole site or the portion or portions it agrees to take so that the Corps can provide a knowledgeable assessment of the known and potential direct, indirect and cumulative impacts.

If the Corps recommends deauthorization but has no likely taker for one or more of the sites, the Corps will need to address how it would manage the sites once deauthorized. If deauthorized, will the Corps have funding to maintain the sites? While there may be interest in acquiring some of the lands and structures associated with each site, it is likely no one will be interested in some elements. If one entity can take the more desirable elements, the possibility that another would take the less desirable ones decreases. This suggests that the Corps could get stuck with some elements indefinitely. If the Corps decides to dispose of one or more of the sites piecemeal, it should evaluate the direct, indirect and cumulative impacts of doing so.

June 29, 2020

Nan Bischoff
Army Corps of Engineers
180 5th Street E
St Paul, MN 55101

Dear Ms. Bischoff,

The City appreciates the partnership that the Army Corps of Engineers has shown through the Disposition Study process regarding the Upper St. Anthony Lock and Dam. Our residents and the residents of this country deserve to experience the beauty and power of the Mississippi River at the Upper St. Anthony Lock and Dam. The riverfront is going through a civic and community led renewal that will allow greater access to this wonderful national treasure. We are happy to partner with the Army Corps of Engineers in this endeavor.

Thank you for sharing information about the draft Disposition Study. The City and the Friends of the Falls, our community partner, want to express our desire to continue our relationship with the Army Corps of Engineers on this project. The City wishes to start a period of negotiation and discussion regarding the future of the Lock. This discussion will center around the ownership models, maintenance, uses, and long-term capital upkeep. During this process of negotiation and discussion, the City desires to keep all options open and included in the draft Disposition Study including partial disposition of the asset.

We look forward to taking this next step of discussion and discovery with the Army Corps of Engineers as we learn more about how to bring the Upper St. Anthony Lock and Dam successfully into the next phase of its useful life.

Yours truly,



Jacob Frey
Mayor, Minneapolis



Steve Fletcher
Ward 3, Minneapolis City Council

December 8, 2020

COL Karl Jansen
Commander
U.S. Army Corps of Engineers
108 5th St. East, Ste. 700
St. Paul, MN 55101-1678

Subject: Upper St. Anthony Falls Lock and Dam

Dear Colonel Jansen,

The City of Minneapolis wishes to make clear its intentions regarding the Upper St. Anthony Lock. It is the continued position of the City of Minneapolis as approved by our City Council through resolution 2018 R-098 that we support the project being proposed by the Friends of the Falls in their desire to use ancillary land at the site of the Upper St. Anthony Lock for a visitor center through a partial disposal from the Army Corps of Engineers. A copy of that resolution is enclosed.

Although there had been some discussions initiated by the Army Corps about other ownership options, the City has concluded that the City of Minneapolis is not interested in and will not take full ownership of the Upper St. Anthony Lock to facilitate the project. We request that the Disposition Study allow a partial disposition of the land around the Upper St. Anthony Lock. The Corps is the most qualified entity with the expertise to manage the infrastructure of the lock and the water management responsibility for the entire river system.

Please let us know if you have any questions regarding our position.

Sincerely,



Jacob Frey
Mayor



Steve Fletcher
Ward 3 Council Member



Andrew Johnson
Ward 12 Council Member

Cc:
Senator Amy Klobuchar
Senator Tina Smith
Representative Betty McCollum
Representative Angie Craig
Representative Ilhan Omar
Lieutenant General Scott Spellmon
Major General Diana Holland
Minneapolis City Council

**Resolution 2018R-
By Johnson**

Approving the redevelopment plan of the Upper St. Anthony Falls Lock and Dam and the surrounding area (“The Falls”), as well as the prohibition of development of any hydroelectric generating facilities on the Upper St. Anthony Falls Lock and Dam, and the proposed principles and objectives for federal legislation.

Whereas, in 2014, the U.S. Army Corps of Engineers (the “USACE”) was directed by an Act of the United States Congress to close the Upper St. Anthony Falls Lock and Dam to navigation by Section 2010 of the Water Resources Reform and Development Act of 2014; and, on June 9, 2015, it was closed to navigation; and

Whereas, in October, 2015, the USACE announced its intent to begin a disposition study for the Upper St. Anthony Falls Lock and Dam pursuant to Section 216 of the Flood Control Act of 1970 (84 Stat. 1830); and

Whereas, the Upper St. Anthony Falls Lock and Dam continues to be used for flood risk management, public tours, and as a launching point for emergency water rescues; and

Whereas, the Upper St. Anthony Falls Lock and Dam is a unit of Mississippi National River and Recreation Area (“MNRRA”), which was established by Congress in an act of November 18, 1988 and identified as a nationally significant historical, recreational, scenic, cultural, natural, economic and scientific resource (16 U.S.C. 460zz et. seq.); and

Whereas, Friends of the Lock and Dam, a nonprofit with 501c3 status, in cooperation with other local stakeholders and community partners, has developed a vision for the Upper St. Anthony Falls Lock and Dam as described in “The Falls: St. Anthony Falls Lock and Dam Park and Visitor Center” (“The Falls”) which is responsive to decades of public planning consistently recommending the creation of an iconic visitor center and attraction at St. Anthony Falls; and

Whereas, The Falls redevelopment vision is entirely congruent with the recommendations and adopted plans of the City and other key stakeholder entities, including the City’s recent *Destination Transformation 2030* plan; the Minneapolis Park and Recreation Board’s *Central Mississippi Riverfront Regional Park Master Plan*; the Downtown Council’s *Intersections: Downtown 2025* plan; the National Parks Conservation Association’s *Transforming the Lock* plan; and the St. Anthony Falls Heritage Board’s *Changing Relationships to the Power of the Falls – West Bank* plan, as well as numerous other long range plans for the area; and

Whereas, Friends of the Lock and Dam is working with a broad coalition of interested parties to advance legislation for inclusion in the next Water Resources Development Act (“WRDA”) bill to further The Falls initiative and support the outcomes described in the other adopted plans described herein; and

Whereas, the City of Minneapolis is seeking \$1.5 million of state bonds for predesign and design of the Upper St. Anthony Falls redevelopment, and Friends of the Lock and Dam have committed to matching bonding funds 2 to 1 (\$3 million private funds) for predesign, and design of The Falls; and Friends of the Lock and Dam has already raised \$5 million in private contributions to support these efforts; and

Whereas, the City Council has previously directed Intergovernmental Relations, Community Planning & Economic Development, City Attorney and Public Works staff to work with representatives of Friends of the Lock and Dam, USACE, Minneapolis Park and Recreation Board, and other interested parties to examine options for the future of the Upper St. Anthony Falls Lock, including examining different ownership and operational structures that could meet the state constitutional and statutory requirements for the receipt of state bond funds and other public financing support,

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council recognizes the Upper St. Anthony Falls Lock and Dam and surrounding area as a nationally significant historical, recreational, scenic, cultural, natural, economic and scientific resource;

Be It Further Resolved that the City Council approves and supports the implementation of The Falls initiative, and reaffirms its direction to staff to work with representatives of Friends of the Lock and Dam, USACE and other interested parties to examine options to implement The Falls initiative;

Be It Further Resolved that to revitalize and preserve the value of the Upper St. Anthony Falls Lock – an invaluable part of MNRRA – the City Council hereby states its opposition to the development of any hydroelectric generating facilities on the Upper St. Anthony Falls Lock; and

Be It Further Resolved that the City Council supports and commits the City to work toward outcomes described in principle for WRDA legislation attached hereto as Exhibit A.

Proposed Principles & Objectives for Federal Legislation

2018 Water Resources Development Act

1. Establish flood control, recreation and water supply management as the primary project purposes for Upper St. Anthony Falls Lock and Dam.
2. Remove Upper St Anthony Falls Lock from current U.S. Army Corps of Engineers disposition study and direct the U.S.A.C.E. to initiate a feasibility study to allow for development of (i) a visitor center, (ii) interpretive, exhibition and event spaces and (iii) other amenities intended to enhance and preserve the historical, cultural and recreational value of the Lock and Dam and surrounding area. Ensure the feasibility study considers partial disposition of the site in a fashion that will allow access to state G.O. bond-financed assistance.
3. Direct the U.S. Army Corps of Engineers to consult and establish partnerships with federal, state, local and non-profit entities, and if applicable, identify a resolution adopted by the City of Minneapolis supporting the redevelopment of the Lock and Dam.
4. Prohibit further development or increased capacity of hydroelectric generating facilities on Upper St. Anthony Falls Lock.