



**US Army Corps  
of Engineers®**  
St. Paul District

# Public Notice

**Project:** Upper St. Anthony Falls Lock and Dam Disposition Study

**Date:** January 22, 2021      **In Reply Refer to:**  
**Expires:** March 18, 2021      Regional Planning and  
Environment Division North

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1. **Background.** The St. Paul District, Corps of Engineers (Corps) is re-releasing the Upper St. Anthony Falls Lock and Dam disposition study draft report after updating it to reflect new legislation passed by Congress in the Water Resources Development Act of 2020. Section 356 of the Water Resources Development Act of 2020, or WRDA 2020, signed into law Dec. 27, 2020, authorizes the Secretary of the Army to convey lands adjacent to the Upper St. Anthony Falls lock to the City of Minneapolis, and provide additional licenses over the lock structures for recreation, tourism and interpretative purposes. The Corps released its initial draft report Dec. 16, 2020 and paused the public review on Jan. 7, 2021. WRDA 2020 does not change the Corps' tentatively selected plan, which recommends complete disposal of the federal project at Upper St. Anthony Falls, and offering monetary incentive to expedite the disposal.

2. **Project Proponent.** St. Paul District, Corps of Engineers, 180 Fifth Street East, Suite 700, St. Paul, Minnesota 55101-1678.

3. **Project Authority.** The disposition study is authorized under the authority of Section 216 of the Flood Control Act of 1970 (PL 91-611) investigating the modification of completed projects or their operation when found advisable due to significantly changed physical or economic conditions and for improving the quality of the environment in the overall public interest.

4. **Project Location.** The study area for the proposed action includes Upper St. Anthony Falls Lock and Dam (USAF) and a portion of the associated 9-foot navigation channel of the Upper Mississippi River, Hennepin County, Minnesota (Figure 1). The study area is part of the Mississippi National River and Recreation Area (MNRRA).

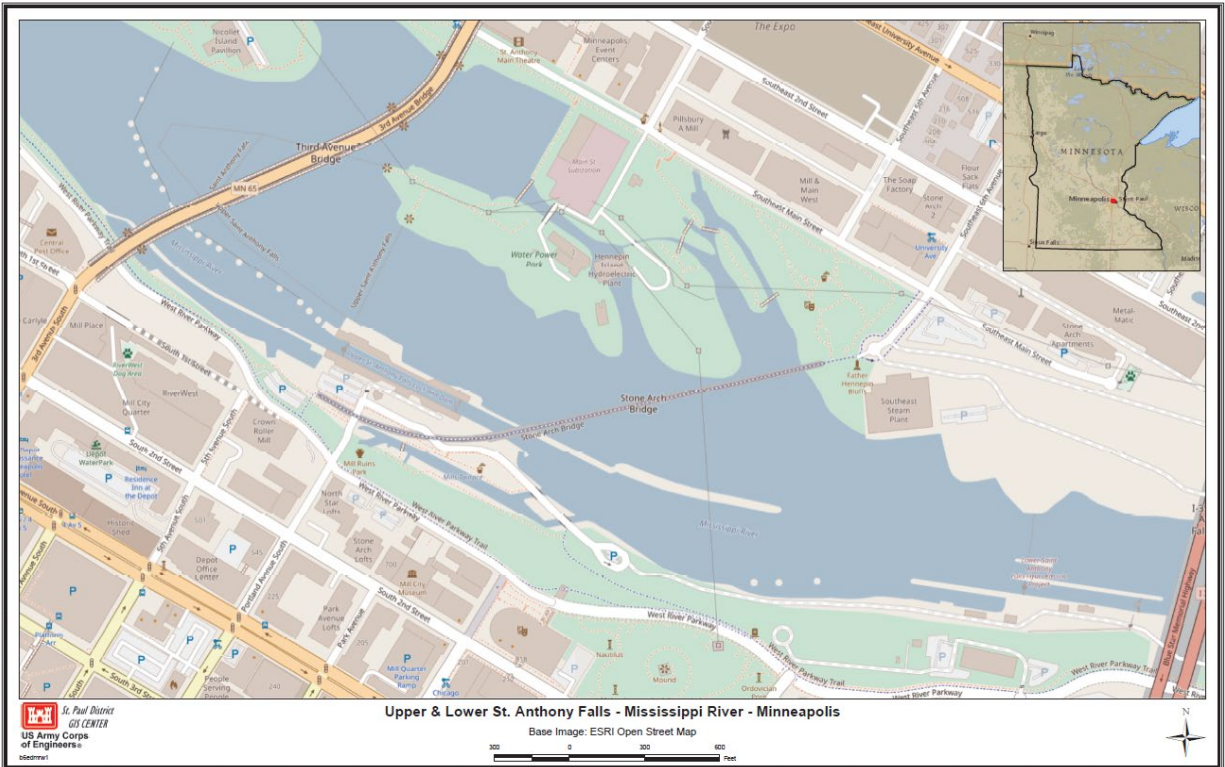


Figure 1. Upper St. Anthony Falls Lock and Dam Location.

**5. Summary of the Proposed Action.** The Corps operates the Upper St. Anthony Falls Lock (USAF), located on the Mississippi River in Minneapolis, Minnesota. Section 2010 of Water Resources Reform and Development Act of 2014, Pub. L. 113-121, directed the Corps to close the lock to navigation operations, but to continue to carry out emergency operations necessary to mitigate flood damages. Navigation at the lock ceased on June 9, 2015. Prior to the closure of USAF, the lock operated as part of a system to enable navigation to access the upper reaches of the Mississippi River 9-foot navigation channel.

Disposition studies are a specific type of Section 216 study with the intent to determine whether a water resources development project operated and maintained by the Corps of Engineers should be de-authorized and the associated property and Government-owned improvements disposed of. If the Corps determines that Federal interest no longer exists, it must consider, and may recommend, disposal of the project or separable elements of the project under existing authorities.

The USAF Disposition Study analyzes three types of potential alternatives at the USAF site: (1) no action; (2) complete de-authorization by Congress of the Federal missions at the site and disposal of the properties according to Federal law; and (3) partial de-authorization and partial disposal. The partial disposal alternative would maintain the emergency flood mitigation capability of the structure.

After evaluation and comparison of the alternatives, the Tentatively Selected Plan (TSP) is Alternative 1a, Complete Deauthorization and Disposal combined with offering a monetary incentive to the new owner in exchange for expediting the disposal through a direct property transfer. The TSP recommends that Congress deauthorize the project, ending the Corps' primary navigation mission at the USAF Lock and all other secondary missions, including recreation. The TSP recommends that most lands and all Federally-owned project features be transferred to another entity. The Corps would no longer have a physical or legal presence at the USAF site. The site would cease to be a Federal property. The Federal government would no longer be responsible for future operation and maintenance of the disposed property. The TSP recommends that Congressional deauthorizing language include granting the Secretary of the Army authority for two years in which to negotiate the terms of the transfer of property, and authorizing payment of the incentive. Deauthorization would require Congressional Approval.

Results of the study are summarized in the draft integrated Disposal Report and Environmental Assessment (DR/EA) referenced in this notice, which analyzes potential environmental effects and concludes the action would not constitute a major federal action significantly affecting the quality of the human environment. In accordance with the National Environmental Policy Act of 1969 (NEPA), the Corps is making the draft DR/EA available for public comments and will be holding one or more virtual public meetings summarizing the report prior to the comment deadline via Facebook Live or similar web-based platform. The Corps is allowing a 60-day review period. Additional details on these meeting(s) will be posted at least two weeks beforehand on the District's website: <https://www.mvp.usace.army.mil/>.

## **6. Permits/Coordination.**

a. General. The proposed action has been coordinated with agencies that included the U.S. Fish and Wildlife Service, U.S. National Park Service, Minnesota Department of Natural Resources, and Minnesota State Historical Preservation Office.

b. Federal. A draft DR/EA that includes a draft Finding of No Significant Impact was prepared and coordinated in accordance with the National Environmental Policy Act. Coordination with the U.S. Fish and Wildlife Service occurred during the planning process.

**7. Summary of Environmental Impacts.** The assessment of environmental effects is based on a comparison of conditions with and without implementation of the proposed plan and a reasonable range of alternatives and are compared to the No Action Alternative. However, each action alternative would involve some degree of property transfer and associated operations and maintenance responsibilities, but assumes no physical or operational changes from current conditions. This EA concludes no effects to any of the resources described within the report and the conditions described for each resource would not change under any of the alternatives. The EA addresses only the impacts of the Federal disposal action. The EA does not address environment effects that may be due to a future owner's actions which are not foreseeable.

**8. Report.** A draft DR/EA that describes the project and the potential environmental impacts in detail is available to the public and can be viewed at:

<https://www.mvp.usace.army.mil/MplsLocksDisposition/>. The report includes maps, a Draft Finding of No Significant Impact, and letters of coordination from regulatory agencies.

**9. Comment.** If you have any comments on the environmental assessment, they should be provided before the expiration date of this notice. Persons submitting comments are advised that all comments received will be available for public review, to include the possibility of posting on a public website. Personal contact information will not be redacted. General questions on the project can be directed to Nan Bischoff at telephone number (651) 290-5426 or at email: [Nanette.m.bischoff@usace.army.mil](mailto:Nanette.m.bischoff@usace.army.mil). Please address all formal written correspondence on this project to: District Engineer, St. Paul District, Corps of Engineers, ATTN: Regional Planning and Environment Division North, 180 Fifth Street East, St. Paul, Minnesota 55101-1638. Comments can also be submitted via [MplsLocksDisposition@usace.army.mil](mailto:MplsLocksDisposition@usace.army.mil)

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