



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

Environmental Assessment

Outgrant of Property at Upper St. Anthony Falls Lock and Dam

Minneapolis, MN

November 2023

Environmental Assessment

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Environmental Assessment

Proposed Outgrant of Property at Upper St. Anthony Falls Lock and Dam

1 Introduction

This EA addresses the effects of the U.S. Army Corps of Engineers, St Paul District (MVP), proposed outgrant of a lease, up to 25 years in duration, to Owámniyomni Okhódayapi (formerly Friends of the Falls or FOF), a qualified non-profit organization, pursuant to Title 16, Section 460d of the United States Code. The proposed action is intended by the requestor to provide park and recreational programming for the public at Upper St. Anthony Falls Lock and Dam (USAFLD) on an interim basis while continuing to support tasks in furtherance of a later conveyance and outgrant of real property interests to the City of Minneapolis or its designee under Section 356(f) of the Water Resources Development Act of 2020 (WRDA 2020). As part of the lease, Owámniyomni Okhódayapi would provide cultural and environmental interpretive programming, conduct tours, and host events. Any development, including ground disturbing activities, site alterations or construction, would require separate review and approval by MVP including compatibility with operations and maintenance activities and compliance with all applicable environmental laws. The lease would be subject to amendment, modification and/or termination for compliance with WRDA 2020.

Background

In Section 356(f)(1) of WRDA 2020, Congress directed the Secretary of the Army to convey all or substantially all of the real property owned by the United States adjacent to or in the vicinity of the Upper St. Anthony Falls Lock and Dam (USAFLD), subject to the right of the Secretary to retain easements to continue to operate and maintain the USAFLD. Section 356(f)(1) further provided that for any real property and structures that are not conveyed in fee, the Secretary shall provide access and use rights including exclusive license or easement for a comprehensive recreational, touristic, and interpretive experience. Section 356(f)(2) provides that “Ownership rights to the Upper St. Anthony Falls Lock and Dam shall not be conveyed under this subsection, and the Secretary shall retain all rights to operate and maintain the Upper St. Anthony Falls Lock and Dam.”

The City, Owámniyomni Okhódayapi as the City’s agent for evaluation, and MVP have been working together to support the Section 356 activities, including real estate, environmental, cultural, and engineering studies. While these studies continue, Owámniyomni Okhódayapi is requesting a lease to provide park and recreational programming. Owámniyomni Okhódayapi would also use the leased area for continued studies in support of Section 356 activities. Owámniyomni Okhódayapi provided its request for a 25-year lease to MVP on October 16, 2023. The City gave its consent to Owámniyomni Okhódayapi to pursue a lease for this purpose on November 2nd, 2023 via an approved resolution.

The City and Owámniyomni Okhódayapi anticipate continued evaluation of the parameters and requirements for conveyance and outgrant of real property interests under Section 356 during the proposed outgrant term. MVP will consider an outgrant duration of up to 25 years. To fulfill the Section 356 direction for conveyance of real property and provision of exclusive license or easement to the City or its designee for a comprehensive recreational, touristic, and interpretive experience, MVP may amend, modify, or terminate the proposed outgrant at a later date.

Purpose and Need

The purpose of the proposed action is to provide park and recreational opportunities on the USAFLD property prior to conveyance and outgrant of real property interests to the City or its designee in accordance with Section 356 of the Water Resources Development Act (WRDA) of 2020. The City, through its agent Owámniyomni Okhódayapi, is evaluating the Section 356 conveyance and outgrant. An interim outgrant to Owámniyomni Okhódayapi would further the evaluation while allowing some public programming to begin on site. The need is discussed in Background, above.

Authority

Under 16 USC 460d, the Corps may grant leases and licenses for park and recreational purposes, including conservation of fish and wildlife, to qualified state or local governmental entities, Federally Recognized Tribes, and qualified 501(c)(3) non-profit organizations. Owámniyomni Okhódayapi is a qualified non-profit organization.

2 Alternatives

No Action Alternative

The No Action alternative is: MVP would continue to own, operate, and maintain the property within the study area. No outgrant would be issued to Owámniyomni Okhódayapi for use of this property. Owámniyomni Okhódayapi would continue to access public areas of the site with notice to MVP and would seek access for itself or its contractors to non-public areas through ad hoc right of entry requests or with MVP personnel providing guided access on an as-needed basis. Owámniyomni Okhódayapi would not provide park or recreational programming.

Proposed Alternative

The proposed alternative is: MVP would issue an outgrant consisting of a lease, up to 25 years in duration, to Owámniyomni Okhódayapi for a 5.2-acre section of the USAFLD property (Figure 1). With this outgrant, Owámniyomni Okhódayapi, in cooperation with the City, would be able to advance its planning for future use of the property consistent with the Section 356 authority, including Owámniyomni Okhódayapi's stated vision to restore connections of the Native American culture and heritage of the surrounding area. Owámniyomni Okhódayapi could engage in activities that include performing required and customary studies, tests and examinations at the site that require prior approval from MVP. Owámniyomni Okhódayapi plans to provide cultural and environmental interpretive programming, conduct tours, and host events at the site to the public as described in its application. Such activities would be centered around Indigenous voices and be focused on the religious and cultural significance of the site to the Dakota Nations. Programs and events are anticipated to occur about once per month during the initial years of the outgrant.

Grant of a lease would not authorize Owámniyomni Okhódayapi to make any permanent physical changes to the property, or changes to project operations. The proposed lease would have restrictions on use to ensure there is no interference with the MVP's Operations and Maintenance activities of the site. Also, the proposed interim lease would require Owámniyomni Okhódayapi to avoid conflicts with the National Park Service's provision of park and interpretive services, and use of space under its current permit arrangement with the Corps. The proposed

lease would not alter, and would require avoidance of conflicts with, any existing easements with other parties.

Under the proposed outgrant, certain areas associated with USAFLD would remain closed to public access due to MVP operation and maintenance needs and for public safety purposes. This would include, but not be limited to, the lock galleries, access to areas descending below the top of the lock walls (i.e., ladder wells, stairway to lower guide wall, etc.), garage area, lock wall control rooms, Lockmaster office, and elevator. Owámmiyomni Okhódayapi does not propose to operate the restroom building, which would remain closed to access. Parking on site would remain unchanged from its current restrictions, and fencing would remain. The parking area outside the fenced area is subject to an existing easement with Minneapolis Parks and Recreation. The easement area is planned for use by Minnesota Department of Transportation during rehabilitation of the Stone Arch Bridge planned to begin in 2024. Use of this area would be restricted in accordance with the easement.

The proposed lease would provide some park and recreational services to the public while the City and Owámmiyomni Okhódayapi continue evaluations in furtherance of real property conveyance consistent with WRDA Sec. 356 2020.

Prior to any conveyance of property under Section 356 or the implementation of physical changes under either the proposed outgrant or a subsequent outgrant, additional federal review would be required, including additional review pursuant to NEPA. This may include the need for another Environmental Assessment (EA) or possibly, an Environmental Impact Statement (EIS).

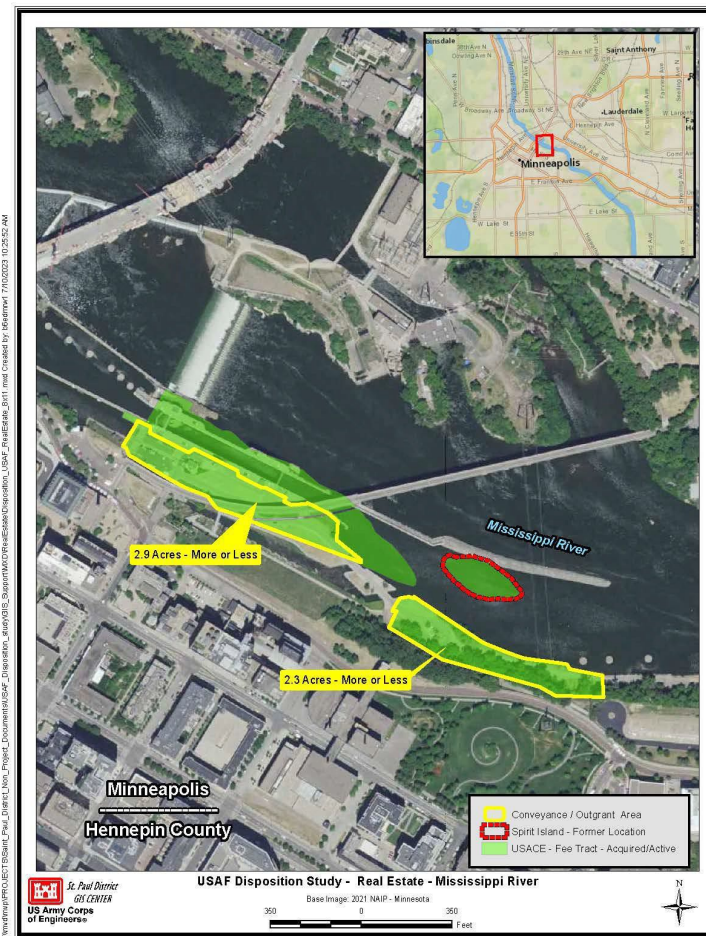


Figure 1. USAFLD Property Considered for Lease and Conveyance.

3 Affected Environment and Environmental Consequences

Specific descriptions of the existing conditions for each of the identified resources that could be affected by the proposed action are provided in the draft Upper St. Anthony Falls Lock and Dam Section 216 Disposition Study dated December 2020 (MVP 2020) and, more generally, in the EA completed for the Upper Mississippi River Master Plan for Resource Management (Appendix A *in* MVP 2022). Updates to those resources relevant to the proposed alternative are described below.

The assessment of environmental effects is based on a comparison of conditions with and without implementation of the proposed plan in comparison to the No Action alternative over the period of the proposed outgrant that would be up to 25 years in duration. Effects identified would generally be commensurate with the duration of a lease. Since the proposed alternative includes no proposed permanent physical or operational changes from current conditions at USAFLD, this EA concludes no effects to most resources and the conditions described for each resource would not change (Table 1). Exceptions to this are also noted below.

Study Area

The study area is identified as two pieces of land totaling 5.2 acres on the UAFLD property under MVP's jurisdiction (Figure 1). These areas on the right descending bank of the Mississippi River, to the south and east of the navigation lock. This area is highly disturbed and completely terrestrial; no aquatic resources are included.

The area is within Federal Emergency Management Agency's (FEMA) Community Disaster Resiliency Zone, which is prioritized for targeted federal support. This designation went into effect on September 6, 2023.

Update to Resources and Environmental Consequences of No Action and Action Alternatives

Threatened and Endangered Species

Search results of a of the U.S. Fish and Wildlife Services IPAC system using the study area (Figure 1) conducted on October 20, 2023 identified eight federally listed species that could be present:

Northern long-eared bat, *Myotis septentrionalis*, endangered
Tricolored bat, *Perimyotis subflavus*, proposed endangered
Whooping crane, *Grus americana*, experimental population
Higgins eye pearlymussel, *Lampsilis higginsii*, endangered
Salamander mussel, *Simpsonaias ambigua*, proposed endangered
Snuffbox mussel, *Epioblasma triquetra*, endangered
Winged mapleleaf, *Quadrula fragosa*, endangered
Monarch butterfly, *Danaus plexippus*, candidate

A more intense examination of the study area indicates no presence of the listed species on the site and consideration of the alternatives in comparison to the species habitat preference indicate that there would be no effects to listed species under the No Action or Proposed Alternative. This is a disturbed terrestrial area with no listed species present and there would be no permanent physical or operational changes.

Recreation

The No Action would not have any effects on recreation. Current recreation provided by the NPS would continue. The proposed alternative would involve programmed recreation and educational experiences as described above. This would provide minor short-term but recurring beneficial effects to recreation. The proposed alternative would not alter existing provision of recreation by the NPS. Owámniyomni Okhódayapi would be required, through conditions of the lease, to implement such activities to avoid effects to MVP lock and dam operations and maintenance activities and NPS activities including tours. The proposed action would avoid conflicts with Section 356 conveyance and outgrant rights of the City of Minneapolis.

Community Cohesion

The no action alternative would have no effect on community cohesion. The proposed alternative is intended to provide programming while advancing the City of Minneapolis's vision, with Owámniyomni Okhódayapi as its agent for evaluation, for realizing long-term site re-use goals, which emphasizes the strong Native American historic and cultural connection to the location. Minor short-term benefits are anticipated for the community's sense of unity and would be anticipated to result in benefits to community cohesion with emphasis on Tribal Nations and other interested parties, while the Section 356 conveyance and outgrant continues to be evaluated by the City and Corps.

Cultural Resources

The Owámniyomni (St. Anthony Falls) area is culturally, geologically, economically, technologically, and historically significant on a regional, national, and international scale. The energy of the falls provided an economic base for the region that eventually became a national and international leader in the production of goods. The USAFLD was completed in 1963 to facilitate navigation above the falls as part of the Upper Mississippi River UMR 9-Foot Navigation Channel Project.

The USAFLD contains a total of 21 known associated properties, with 15 properties constructed and functioning as part of the facility. Thirteen of these properties contribute to the historic complex. The remaining properties predate construction of the complex, lack historic integrity, or were built outside of a proposed period of significance (1959-1976) and are non-contributing properties.

The USAFLD is individually eligible for listing on the National Register of Historic Places (NRHP) under Criterion A, in the areas of Transportation, Maritime History, Industry and Commerce, and under Criterion C, in the area of Engineering. The USAFLD also meets the criteria for designation as a Minneapolis landmark. Preliminary results of a recently completed evaluation of the USAFLD facility proposes a boundary that encompasses the upstream and downstream guide walls, dolphins, the shear gate, the downstream jetty, the central lock section (i.e., lock chamber, central control building, upstream and downstream control stations, miter gates, and the Tainter gate), and the crescent shape parcel bounded by the central lock section, the West Channel Dam, and the Stone Arch Bridge - including the parking lot (Bray and Hommerding 2022).

Owámniyomni is a significant site to the Dakota community and the area is within their ancestral homeland. Preliminary results of a Traditional Cultural Property survey indicate that the Owámniyomni is an important part of Dakota history and continuing cultural identity. It retains integrity of condition and relationship and meets eligibility requirements for listing on the NRHP under Criterion A for its association with Dakota history, Criterion B for its association with

significant persons, Criterion C for its association with other significant sites, and Criterion D for its ability to yield important information about Dakota history.

Various archaeological deposits, historic depictions, and historic and oral accounts demonstrate the use of Owámniyomni and its vicinity for over twelve millennia. Consequently, hundreds of historic properties exist in the area with numerous historic standing structures and archaeological sites eligible or listed on the NRHP. The USAFLD is situated on Upton Island, an anthropogenic formation consisting of sawdust, cinder, rock, and other materials that was excavated into the limestone-shale-sandstone bedrock. The USAFLD lies within the St. Anthony Falls Historic District and the proposed St. Anthony Falls Locks and Dams Historic District. Archaeological deposits in the USAFLD include a masonry dam remnant, stone and concrete foundation remnants of a sawmill platform, and an abandoned tailrace under the parking lot. Portions of the NRHP listed Stone Arch Bridge are adjacent to and run across the USAFLD, segments of which have been removed and replaced with a metal truss to accommodate the lower approach to the lock.

Under a No Action Alternative, MVP would continue to operate the facility and conduct historic preservation reviews as needed. Under the proposed alternative, issuing an outgrant would have no adverse effect on the historic property because conditions of the lease would restrict physical alterations or activities, such as physical data collection (e.g., geological borings), demolition, construction, and other development or ground disturbing activities. Any proposals to alter the complex would be reviewed by MVP in accordance with applicable laws and policies.

Air Quality and Greenhouse Gases

Under the no action alternative, there would be no emissions and no contribution to GHG made by Owámniyomni Okhódayapi activities other than minor emissions associated with transit to and from the site on an as-needed basis. Under the action alternative, impacts to air quality and GHG emissions would be anticipated to be slightly higher than the no action. This is because of minor increased traffic to and from the site during tours and other interpretive functions. Such activities would be similar to current NPS use.

Environmental Justice

Environmental Justice is institutionally significant because of Executive Order (EO) 12898 of 1994 and Department of Defense's Strategy on Environmental Justice of 1995, which directs federal agencies to identify and address any disproportionately high adverse human health or environmental effects of federal actions to minority and/or low-income populations, as well as EO 14008, 13985 and 13990.

EO 14096 Revitalizing Our Nation's Commitment to Environmental Justice for All was published in the Federal Register on April 26, 2023 (88 FR 25251). The EO outlines the government-wide approach to environmental justice and the requirements to identify, analyze, and address disproportionate and adverse human health and environmental effects of federal actions.

MVP used two tools, USEPA EJScreen and the Council on Environmental Quality (CEQ)'s Climate and Economic Justice Screening Tool (CEJST), to evaluate potential environmental justice concerns. Because the analysis considers disproportionate impacts, MVP defined two areas to facilitate comparison: 1) the area affected and 2) the community of comparison. For purposes of this analysis, the affected area incorporates two Census tracts (27053126101 and 27053126102). The community of comparison includes the larger regional area and is defined as the smallest political unit that serves as a basis for comparison and includes the affected

area. The City of Minneapolis and Hennepin County, Minnesota are the communities of comparison.

A minority population, for the purposes of this environmental justice analysis, is identified when the minority population of the potentially affected area is greater than 50% or the minority population is meaningfully greater than the general population or other appropriate unit of geographic analysis. Additionally, the CEQ identifies “low-income” using Census data for “individuals living below the poverty level.” The USEPA EJScreen mapping and screening tool was used to obtain minority population and low-income population data. Within the affected area, people of color account for 33% and low-income populations account for 16% of the population compared to 40% and 33% respectively for the City of Minneapolis, and 33% and 22% for Hennepin County, Minnesota (U.S. Environmental Protection Agency 2023). Of note, the metric for traffic (daily traffic counts/distance to road) in the affected area (1,100) was double that of the City of Minneapolis (540) and almost 4 times greater than Hennepin County (300). This is not surprising given the proximity of the affected area to downtown Minneapolis. However, the proposed alternative is not expected to increase traffic over existing conditions; guided tours as part of the lease would be limited to a small audience.

MVP also reviewed the proposed alternative using version 1.0 of the CEJST, which is identified in ASA(CW) guidance as the default tool for EJ analysis, for detail on the census tract including USAFLD. The tract is not considered disadvantaged according to the CEJST. It does not meet any burden thresholds or at least one associated socioeconomic threshold identified in the tool. Based on the above, the affected area does not include a disadvantaged community. The nearest disadvantaged community according to CEJST data is tract No. 27053104400, approximately 0.5 miles from USAFLD. No adverse effects to that area are anticipated or would be minor/too attenuated to measure. The proposed alternative would not have any adverse impacts related to environmental justice. The no action alternative would have no effect.

Cumulative Effects

The CEQ, a division of the Executive Office of the President established by NEPA, defines cumulative impact as “the impact on the environment [that] results from the incremental impact of an action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions” (40 C.F.R. 1508.7).

The study area is a heavily disturbed space that has historically undergone major changes with industrialization and urbanization of downtown Minneapolis. Studies and projects that are currently planned and likely to occur in the region in the foreseeable future are described in the references provided. Updates to these are described in the USAFLD Disposition Study (MVP 2020). Also, included are repairs to the Stone Arch Bridge by the Minnesota Department of Transportation to be implemented between the spring of 2024 and spring of 2026. Overall, the cumulative effects of the proposed project would be minor when taken into consideration with other activities in the pool. The activities that would or could occur under the proposed alternative would be limited to the use of existing facilities and open areas as described above. The planned repairs of the Stone Arch Bridge would occur adjacent to the site and are planned to use the USAFLD outer parking lot for construction activities for multiple years under terms of existing outgrants from the Corps. In general, the proposed outgrant would not contribute to cumulative effects. As discussed above, the study area is also subject to conveyance and outgrant pursuant to the terms of Section 356 of WRDA 2020. The Section 356 activities would be subject to separate environmental review.

Table 1. Environmental Assessment Matrix

PARAMETER	No Action Alternative							Proposed Alternative						
	BENEFICIAL			NO EFFECT	ADVERSE			BENEFICIAL			NO EFFECT	ADVERSE		
	SIGNIFICANT	SUBSTANTIAL	MINOR		MINOR	SUBSTANTIAL	SIGNIFICANT	SIGNIFICANT	SUBSTANTIAL	MINOR		MINOR	SUBSTANTIAL	SIGNIFICANT
A. Social Effects														
1. Noise Levels				X							X			
2. Aesthetic Values				X							X			
3. Recreational Opportunities				X						ST				
4. Transportation				X							X			
5. Public Health and Safety				X							X			
6. Community Cohesion (Sense of Unity)				X						ST				
7. Community Growth and Development				X							X			
8. Business and Home Relocations				X							X			
9. Existing/Potential Land Use				X							X			
10. Controversy				X							X			
B. Economic Effects														
1. Property Values				X							X			
2. Tax Revenue				X							X			
3. Public Facilities and Services				X							X			
4. Regional Growth				X							X			
5. Employment				X							X			
6. Business Activity				X							X			
7. Farmland/Food Supply				X							X			
8. Commercial Navigation				X							X			
9. Flooding Effects				X							X			
10. Energy Needs and Resources				X							X			
C. Natural Resource Effects														
1. Air Quality				X							X			
2. Terrestrial Habitat				X							X			
3. Wetlands				X							X			
4. Aquatic Habitat				X							X			
5. Habitat Diversity and Interspersion				X							X			
6. Biological Productivity				X							X			
7. Surface Water Quality				X							X			
8. Water Supply				X							X			
9. Groundwater				X							X			
10. Soils				X							X			
11. Threatened or Endangered Species				X							X			
D. Cultural Resource Effects														
1. Historic Architectural Values				X							X			
2. Precontact & Historic Archeological Values				X							X			

X = Long-term effects; ST = Short-term recurring effects, commensurate with the duration of the lease.

4 Environmental Compliance

National Environmental Policy Act

The National Environmental Policy Act (NEPA; 42 USC § 4321 et seq.) establishes the broad national framework for protecting our environment. NEPA's basic policy is to assure proper consideration to the environment prior to undertaking any major federal action. Two alternatives have been presented and the significance of the project's impacts have been evaluated. The document will be distributed to agencies, the public and other interested parties to gather any comments or concerns. If no significant impacts to the environment are found, a Finding of No Significant Impact (FONSI) will be signed by the St. Paul District commander.

National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966, as amended by Public Law 96-515 (94 Stat. 2987), established national policy for historic preservation, authorized the Secretary of the Interior to expand and maintain a National Register of Historic Places, and created the Advisory Council on Historic Preservation. Section 106 specifies that federal agencies, must consider the effect of the action on any property included in or eligible for the National Register of Historic Places. MVP is coordinating this action with the SHPO and Tribal Nations and Advisory Council on Historic Preservation with release of this document. MVP has made a determination that the proposed alternative would have no adverse effect on historic properties and requested concurrence from the SHPO November 27th, 2023.

5 Coordination

Coordination with agencies and Native American Tribes is being implemented with release of this document.

6 Distribution and Review of the Draft Environmental Assessment

This draft environmental assessment is being made available for a 30-day public review and comment period. The document can be viewed at: <https://www.mvp.usace.army.mil/Home/Public-Notices/>. Questions on the project or comments on the Environmental Assessment can be directed to David Potter at 651.290.5713 or at david.f.potter@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.

7 References

- Bray, Madeline and Chris Hommerding 2022: *Archaeological and Architectural History Literature Review and Assessment for the Falls Initiative Project, Minneapolis, Hennepin County, Minnesota*. The 106 Group Project No. 2483, St. Paul.
- Corps of Engineers, St. Paul District (MVP). 2020. Upper St. Anthony Falls Lock and Dam; Draft Integrated Disposition Report and Environmental Assessment. December (Revised January 2021). St. Paul, Minnesota.
- Corps of Engineers, St. Paul District (MVP). 2022. Appendix A. Environmental Assessment & Finding of No Significant Impact. Upper Mississippi River Master Plan for Resource Management; Upper Saint Anthony Falls, Lower Saint Anthony Falls and Pools 1-10. St. Paul, Minnesota. September.

FINDING OF NO SIGNIFICANT IMPACT

OUTGRANT OF PROPERTY AT UPPER ST. ANTHONY FALLS LOCK AND DAM MINNEAPOLIS, MINNESOTA

The U.S. Army Corps of Engineers, St. Paul District (Corps) has conducted an environmental analysis in accordance with the National Environmental Policy Act of 1969, as amended. The final Environmental Assessment (EA) dated 27 December 2023, for the Outgrant of Property at Upper St. Anthony Falls Lock and Dam (USAFLD) addresses the proposed issuance of a lease to Owámniyomni Okhódayapi (formerly Friends of the Falls of FOF), a qualified non-profit organization.

The proposed alternative in the Final EA, incorporated herein by reference, is to issue a 25-year lease up to 25 years in duration for park and recreational purposes on 5.2 acres of land on the USAFLD property to Owámniyomni Okhódayapi pursuant to 16 USC 460d. Owámniyomni Okhódayapi's intent is to provide cultural and environmental interpretive programming, conduct tours, and host events. Owámniyomni Okhódayapi proposes to conduct such activities in consultation, coordination and conjunction with the Dakota Nations. Owámniyomni Okhódayapi would provide such programming while it also conducts various evaluation activities in support of evaluating acquisition of real property interests for the City of Minneapolis as a comprehensive recreational, touristic, and interpretive experience in accordance with Section 356 of the Water Resources Development Act of 2020. The City of Minneapolis has indicated that the proposed alternative is not in conflict with Section 356.

For both the no-action and proposed alternative, the potential effects were evaluated, as appropriate. A summary assessment of the potential effects of the proposed alternative are listed in Table 1:

Table 1: Summary of Potential Effects of the Recommended Plan

	Insignificant effects	Insignificant effects as a result of mitigation*	Resource unaffected by action
Aesthetics	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aquatic resources/wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Invasive species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fish and wildlife habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Threatened/Endangered species/critical habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic properties	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other cultural resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floodplains	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous, toxic & radioactive waste	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Insignificant effects	Insignificant effects as a result of mitigation*	Resource unaffected by action
Hydrology	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land use	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Navigation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise levels	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socio-economics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental justice	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tribal trust resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Climate change	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the proposed action. Best management practices (BMPs) as detailed in the lease will be implemented, if appropriate, to minimize impacts. These would include restrictions to physical alterations or activities, such as physical data collection (e.g., geological borings), demolition, construction, and other development or ground disturbing activities. Proposals to alter the complex would be reviewed by the Corps in accordance with applicable laws and policies.

No compensatory mitigation is required as part of the proposed alternative.

Public review of the draft IFR/EA and FONSI was completed on XX29 December 2023. All comments submitted during the public review period were responded to in the Final EA and FONSI.

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, the U.S. Army Corps of Engineers determined that the proposed action will have no effect on federally listed species or their designated critical habitat.

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the U.S. Army Corps of Engineers determined that the proposed action would have no adverse effect on historic properties. The MN SHPO concurred on xxx date.

All applicable environmental laws have been considered and coordination with appropriate agencies and officials has been completed. Based on this report, the reviews by other Federal, State, and local agencies, Tribes, input of the public, and the review by my staff, it is my determination that the proposed action would not cause significant adverse effects on the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

Date

Eric R. Swenson
Colonel, Corps of Engineers
District Commander