

DEPARTMENT OF NATURAL RESOURCES

RECORD OF DECISION

**In the Matter of the Determination of
the Need for an Environmental Impact
Statement for the Camden State Park
Instructor's Cabin Removal Project,
Lyons Township, Lyon County,
Minnesota**

**FINDINGS OF FACT,
CONCLUSIONS, AND ORDER**

FINDINGS OF FACT

Introduction

1. The Minnesota Department of Natural Resources (DNR) is planning the demolition of a former swimming Instructor's Cabin at Camden State Park. The Instructor's Cabin is listed in the National Register of Historic Places (NRHP) as a contributing building to the Camden State Park Civilian Conservation Corps (CCC)/Works Progress Administration (WPA) Rustic Style Historic District. It is located in the southwest portion of the historic district. The building has been vacant since 1997 and sustained damage in two separate storm events in 2009 and 2011.
2. The Instructor's Cabin (DNR Asset No. 401490) is one of 13 contributing resources to the Camden State Park CCC/WPA Rustic Style Historic Resources Historic District, listed in the NRHP in 1991. The district includes seven contributing buildings, three contributing structures, and three contributing objects. The contributing structures include: the diversion dam, recreational dam and lake, and a bridge. The contributing objects are drinking fountains. Contributing resources are those which illustrate the significance of the historic district. They were constructed within the period of significance and have maintained a level of integrity adequate to convey the historical significance of the district. These resources are located in the northern portion of the park along the Redwood River. The district also includes one non-contributing building, a wood shed constructed in 1971. The buildings constructed by the CCC, the Veterans Conservation Corps (VCC) and the WPA in Minnesota's state parks typically feature log construction, local stone, rough wood siding, large stone chimneys, natural colors, and traditional building techniques. The historic district is architecturally significant as an outstanding collection of rustic style buildings featuring split stone construction. The landscape design for Camden State Park is a notable example of National Park Service master planning which allowed the natural topography of the winding Redwood River to determine the location of the various functional areas in the park.
3. The DNR regulates the public use and promotes public enjoyment of State park lands and is delegated responsibility for protecting historical or archaeological artifacts or sites, historic structures, signs, or facilities, and other natural resource features and amenities in the state park system. Historic properties are managed in the following state parks: Blue Mounds, Buffalo River, Camden, Charles A. Lindbergh, Crow Wing, Flandrau, Fort Ridgely, Gooseberry Falls, Interstate, Itasca, Jay Cooke, Lac qui Parle, Lake Bemidji, Lake Bronson,

Lake Carlos, Lake Shetek, Minneopa, Monson Lake, Old Mill, Scenic, Sibley, Whitewater, and possibly others. DNR is responsible for the management of numerous historic properties under frequent consultation with the State Historic Preservation Office (SHPO).

4. Camden State Park is located in in the Redwood River Valley in southwest Minnesota, approximately ten miles southwest of Marshall, and ten miles north of U.S. Highway 14, in Lyon County. Camden State Park was authorized in 1935 and currently consists of 2,237 acres in the Redwood River Valley and has over 84,000 visitors annually.

Environmental Review Process

5. Pursuant to *Minnesota Rules*, part 4410.4300, subpart 1, an environmental assessment worksheet (EAW) must be prepared for projects that meet or exceed the threshold defined in any of the subparts 2 to 37. The threshold for mandatory completion of an EAW for actions involving historical places, as defined in *Minnesota Rules*, part 4410.4300, subpart 31, is “the destruction, in whole or part, or the moving of a property that is listed on the NRHP or State Register of Historic Places.”
6. Pursuant to *Minnesota Rules*, part 4410.0500, subpart 1, for any project listed in part 4410.4300, the governmental unit identified in those rules shall be the responsible governmental unit (RGU) for the EAW unless the project would be carried out by a state agency, in which case that state agency shall be the RGU. The DNR proposes to undertake the Camden State Park Instructor’s Cabin Removal Project and is the RGU for conducting the environmental review for this project.
7. The DNR prepared an EAW for the project, pursuant to *Minnesota Rules*, parts 4410.1400 and 4410.1500.
8. The EAW was filed with the Minnesota Environmental Quality Board (EQB) and a notice of its availability was published in the EQB Monitor on December 21, 2015. A copy of the EAW was sent to all persons on the EQB Distribution List, to those persons known by the Department to be interested in the proposed project, and to those persons requesting a copy. A press release announcing the availability of the EAW was sent to newspapers and radio and television stations statewide. Copies of the EAW were also made available for public review and inspection at Minneapolis Public Library; the Marshall-Lyon Library, Marshall; the DNR Central Office, St. Paul; the DNR Southern Region Office, New Ulm; and the DNR Camden State Park Office, Lynd. The EAW was also made available to the public via posting on the DNR website.
9. The 30-day EAW public review and comment period began December 21, 2015 and ended January 20, 2016, pursuant to *Minnesota Rules*, part 4410.1600. The comment period closed at 4:30 pm. The opportunity was provided to submit written comments on the EAW to the DNR by U.S. Mail, by facsimile, or electronically by email.
10. The EAW is incorporated by reference into this Record of Decision on the determination of need for an environmental impact statement (EIS).

Public Comments Received

11. During the 30-day EAW public review and comment period, the DNR received written comments on the EAW from seven parties, including four private individuals and three representatives of government agencies. Copies of the comment letters are included with this Record of Decision as Attachment A. Findings 12 to 14 include further discussion on comments received and responses from the DNR.
 1. Tom Watson (December 22, 2015)
 2. Amy Wilfahrt on behalf of the U.S. Forest Service, Superior NF, Gunflint Ranger District (December 22, 2015)
 3. Anne Varberg (December 22, 2015)
 4. Larry Watson (December 22, 2015)
 5. Texas49 (email handle) (December 23, 2015)
 6. Rhonda Wynia on behalf of Southwest Regional Development Commission (January 19, 2016)
 7. Karen Kromar on behalf of the MPCA (January 15, 2016)
12. A number of comments were submitted expressing general opinions about the project, including support (or lack thereof) for the project and work to be undertaken. These comments have been isolated from other substantive comments (if present) that originated from letters submitted by: Anne Varberg and Larry Watson.

Response: The DNR acknowledges these comments. These comments did not address the accuracy and completeness of the EAW, specific impacts that require further investigation, the potential for significant environmental effects, or the need for an environmental impact statement (EIS). Individuals submitting comments in this category will generally find their comments regarding the merits of the proposed project are not addressed in this Record of Decision. Comments in this category will be provided to the project proposer and to permitting and/or approval entities and/or authorities for their consideration as part of further decisions about whether to permit, approve, and/or implement the project.

Rhonda Wynia on behalf of the Southwest Regional Development Commission stated that the Commission accepted the EAW report and no consultation was required. Karen Kromar on behalf of the Minnesota Pollution Control Agency stated that the EAW was reviewed and the MPCA had no comments at this time.

Response: The DNR appreciates the responses received and acknowledges the reviews.

13. The following comments were considered to be applicable to issues of accuracy, completeness, potential impacts that warrant further investigation or the need of an EIS on the proposed project, according to the standards defined in *Minnesota Rules*, part 4410.1600.
14. A number of commenters asked about alternatives to demolition or suggested the cabin be renovated and used as a camper cabin, moved, or its antiquated parts, such as windows, doors, etc., be recycled as reclaimed wood. These comments were included in letters submitted by: Tom Watson; Amy Wilfahrt; Larry Watson; and Texas49.

- a. Consider whether the cabin could be renovated and used as a camper cabin.

Response: (See EAW Items 9a.ii. and 14.) DNR, Division of Parks & Trails has taken this idea into consideration and it was discussed extensively during the state park management plan amendment process in 2012. The Camden State Park Management Plan Amendment (2012) recommends that the Instructor's Cabin be demolished and rebuilt in the style of the original building to provide a camper cabin-like overnight lodging opportunity. However, it was determined not to be operationally or economically feasible to reconstruct or convert this site into a camper cabin at this time.

Reconstruction may be pursued in the future if project funding is available and if the reconstructed structure is deemed to be compatible with park operations. The stone foundation would remain onsite for context and historical interpretation; appropriate architectural documentation recommended by the SHPO has been completed to mitigate for the loss of the cabin structure.

- b. The DNR should contact Dakota County to see if the County would be interested in salvaging the building for use in its historical Dakota Village that has been recreated at the Dakota County Fair Grounds. The building might be moved to the historical town and repaired and used as an additional historical structure.

Response: (See EAW Items 12b. and 14.) The historical significance of the instructor's cabin is heavily dependent upon its current location within the historic district. Moving the building would be detrimental to its historical integrity and would result in the loss of its distinction as a structure eligible for listing in the National Register of Historic Places. Remaining original materials vary between fair to severely damaged condition. The building assessment confirmed that many of the remaining materials are too heavily damaged to be reused or salvaged. The DNR is recommending that the structure not be sold through the costly sale bid process and is seeking the required approval for demolition.

- c. Consider whether antiquated parts of the structure, such as windows, doors, etc., could be recycled and sold as reclaimed wood.

Response: (See EAW Items 12b. and 14.) The building assessment confirmed that many of the remaining materials are too heavily damaged to be reused or salvaged. If the estimated salvage value is low or the salvage effort would likely damage significant natural resource features, the DNR recommends that the structure is not sold through a costly sale bid process but is designated for demolition (DNR Operational Order No. 99). All building demolitions require the approval of the Minnesota Department of Administration. It is at the discretion of the demolition contractor whether to salvage and recycle the removed materials or place them in a land fill.

Potential Environmental Effects (Fully Addressed in EAW)

15. Based on information contained in the EAW, the DNR determined that potential environmental effects of the project regarding the following topics and natural resources found in the vicinity of the project would be minor. Also, the DNR determined that the following topics did not have the potential for significant environmental effects and the listed

natural resources found in the vicinity of the project would not be potentially significantly affected.

Topics of Potential Environmental Effect

a. Compatibility with Plans, Ordinances, and Land Use

The project is compatible with neighboring land uses, Lyon County Comprehensive Plan, Lyon County Zoning Ordinances, Southwest Regional Development Commission, and park operations. Coordination with Lyon County is ongoing. The project is compatible with the goals and recommendations in the Camden State Park Management Plan (1978) and the Management Plan Amendment (2012). In 1978 the condition of the cabin was listed as poor in the Camden State Park Management Plan. In the 2012 plan amendment, the DNR recommended the Instructor's Cabin be demolished and rebuilt in the style of the original building.

The project is compatible with plans, ordinances, and land uses in the project locale and Lyon County in general, with the exception of the established historic district. Proposed mitigation identified by the SHPO for the demolition of a historic property in a designated historic district is described under Finding 16b (Historic Properties).

b. Erosion and sedimentation (stormwater quality or quantity)

Soil features that cause limitations to the proposed project developments were not identified. Due to the small project footprint, no construction or operation stormwater permits or management plans would be needed. No information about the project's demolition activity has indicated an increase in erosion and sedimentation affecting the nearby tributary stream and wetlands.

c. Hazardous materials and generation of hazardous wastes

No existing contamination or potential hazards on or in close proximity to the project site were identified based on MPCA's "What's in my Neighborhood (WIMN)" database and DNR Camden State Park operations information. No hazardous materials related to the proposed project would be used or stored. The project would not generate or store hazardous wastes during demolition. However, contamination has been identified in the building structure itself (See Finding 16c).

d. Wastewater

The project would not generate or release wastewater during construction or operation.

e. Visual effects

Visual glare or vapor plumes would not occur during building demolition and debris removal. Aesthetics of the park landscape would improve by removing the derelict building.

f. Traffic and transportation infrastructure in or near project area

Movement of the construction crew and transport of debris would occur infrequently throughout the day. No information about the project has identified a potential

environmental effect on traffic and transportation infrastructure in or near Camden State Park.

Potential Environmental Effects on Natural Resources in the Vicinity of the Project

g. Geological and topographical features

The project would not have an environmental effect on local geologic and topographic features.

h. Groundwater and wells

The small project area (0.01 acre) defines the whole zone of construction. The project would not appropriate water for construction or operation and no modifications of existing water infrastructure would be made. The routine maintenance of equipment and precautions taken during refueling would avoid fuel spills and hydraulic fluid leakage during construction.

i. Wetlands and other surface waters

The small upland project area (0.01 acre) defines the whole zone of construction, where work would be completed in less than one day. A woodland border prevents vehicular encroachment on the nearby wetlands.

j. Air (stationary source emissions and vehicle emissions)

Stationary source emissions would not be generated by this project. Construction vehicles would temporarily produce vehicle emissions from during the demolition and debris removal. The construction period would be less than one day and haul distances would be short.

Potential Environmental Effects (Discussed Further in this Record)

16. Based upon the information contained in the EAW and comments received during the public review, the following topics of potential environmental effects associated with the project necessitate additional discussion on the potential for significant environmental effects. Each of the following environmental effects is discussed in more detail below:

a) Project Magnitude, Scheduling, and Construction; b) Historic Properties; c) Solid Wastes; d) Wildlife and Fisheries Habitats and Species; e) Invasive Species; f) Noise, Dust, and Odors; and g) Cumulative Potential Effects

a. Project Magnitude, Scheduling, and Construction

Minnesota Department of Natural Resources is proposing to demolish a former swimming Instructor's Cabin at Camden State Park. The proposed demolition is limited to the Instructor's Cabin, which is located within a historic district and listed on the NRHP. The wood-frame building would be removed and hauled to the Lyon County Landfill for disposal. Building materials would be loaded into a dump truck with a clam-shell backhoe and by hand. Several truckloads of solid waste would be hauled to the nearby Lyon County solid waste landfill. Equipment would access the site only from the front side of the cabin using existing park roads and trails. The concrete and stone

foundation wall would remain in place, remaining visible with a six inch exposure. The demolition and removal of the structure would likely take less than one day to complete. The date when the demolition would occur has not been established.

The purpose of the proposed project is to eliminate a public safety hazard. The cabin is a safety hazard due to its state of disrepair and proximity to popular park attractions and amenities. The presence of the dilapidated structure also detracts from the local scenery.

If the estimated salvage value is low or the salvage effort would likely damage significant natural resource features, the DNR recommends that the structure is not sold through a costly sale bid process but is designated for demolition (DNR Operational Order No. 99).

The DNR would manage the contract for removal of the Instructor's Cabin according to the *Minnesota Rules*, Chapter 1255, State Surplus Proper Sales Section, as described in the State of Minnesota Property Management Policy and User Guide (2014), and the DNR Operational Order No. 99, Building Disposal.

The potential environmental effects related to the design, scheduling, and construction of the project would be temporary and minor.

b. Historic Properties

The swimming Instructor's Cabin was constructed in 1938 by the WPA and was originally built as a residence for the swimming instructor at the park. It was converted into an interpretive center at some point prior to 1991 and has been vacant since 1997. The remaining original structural materials vary between fair to severely damaged condition. The wood-frame building measures 21-feet x 13½-feet and rests upon a 10-inch wide concrete foundation faced with local fieldstone (no logs or stone chimney features are included). In the 2012 Park Management Plan Amendment, the DNR recommended the Instructor's Cabin be demolished and rebuilt in the style of the original building to provide a camper cabin-like overnight lodging opportunity. Currently, the Instructor's cabin and twelve other contributing resources make up the NRHP-listed historic district. No known archaeological sites are located in in proximity to the cabin.

Since being vacated in 1997, various damage and repairs have occurred to the cabin. In 1998, the roof and parts of the floor were replaced. In 2009, the roof required patching after a large branch fell and damaged it during a storm. Repairs were made with the partial replacement of decking and shingles. The Instructor's Cabin has been in disrepair since another storm in 2011 caused more extensive damage than in 2009. Over the ensuing years, the building remained unused and continued to deteriorate with no other repairs provided. The roof and floor have both collapsed and the side walls have bowed in or out. They have separated at the corners and shifted slightly on the foundation. Most of the wall studs are hidden behind interior and exterior sheathing. Those that are visible show evidence of rot from a prolonged exposure to the elements. The building remains in disrepair to the present day and is fenced off for public safety. The DNR proposed to the Minnesota Historical Society State Historical Preservation Office (SHPO) to demolish the wooden structure, while retaining the stone foundation. Additional fill material would be placed within the foundation along the interior walls to reduce exposure height.

Minnesota Historic Sites Act (*Minnesota Statutes*, section 138.661 through 138.669) requires that state agencies consult with the SHPO before undertaking or licensing projects that may affect properties on the State Register of Historic Places or the NRHP.

The SHPO agreed that the proposed demolition would result in an adverse effect to the NRHP-listed building and the historic district because of the loss of a contributing resource. As mitigation for the adverse effect on the cabin, the SHPO determined that a Level II Minnesota Historic Property Record (MHPR) be completed prior to its removal. It is customary to prepare MHPR documentation during the National Historic Preservation Act Section 106 (Section 106) process or other State determinations as mitigation for demolition of, or significant alteration to, a historic property. The Minnesota Historic Property Record guidelines for completing Level II reports define the documentation necessary for the record and the required means of record preservation.

The DNR provided the SHPO an archival copy of the MHPR for the Instructor's Cabin. The document has been incorporated into the Minnesota Historical Society (MHS) Manuscripts Collection and is maintained in the DNR Engineer's permanent storage file. The foundation for the Instructor's Cabin would be left intact for future reference to provide context for historical interpretation. The foundation would remain visible to park visitors.

Although the Camden State Park Master Plan indicated that the DNR intends to build a cabin of comparable structure and materials, using the archived architectural drawings, the DNR does not intend to rebuild the cabin at this time. If reconstruction of the cabin is considered a viable option in the future, the DNR would have the information necessary for building a replica of the original structure. For state owned properties, all building demolitions also require the approval of the Minnesota Department of Administration.

Through its review and mitigation requirements, the SHPO has provided sufficient measures that assign standards for DNR's historic properties management. The measures taken would effectively mitigate for the environmental impacts on the park's historic properties.

The environmental effects on historic properties are identified and have been mitigated under consultation with the SHPO and in accordance with the Minnesota Historic Sites Act. Although the cabin would be demolished, the building has become derelict due to storm damage and beyond the condition for renovation. As a result of the project, the cabin would be lost, but the potential overall environmental effects on the historic district would be limited and manageable.

c. Solid Wastes

Several truckloads of solid waste composed of demolition debris from the wooden structure would be hauled to the Lyon County solid waste landfill located less than five miles from the project area.

A Hazardous Materials Survey was completed for the Instructor's Cabin to achieve compliance with *Minnesota Statutes*, Chapter 115A, according to *Minnesota Rules*, part 7035.0805, as administered by MPCA. The purpose of this part is to ensure that hazardous materials are characterized and properly managed prior to and during the

demolition. To ensure compliance, the contractor is required to notify the MPCA 10 days in advance of the intent to perform a demolition.

Contamination has been identified in the building structure itself and has been characterized as hazardous materials. The brown interior trim paint, likely applied prior to 1980, contained a lead concentration greater than the regulatory threshold of 5,000 ppm. Regulations require that, if any scaling or peeling of lead paint is recognized, a coat of new paint be applied to the peeling surface prior to demolition, unless authorized not to do so by local authorities (e.g., unsafe structure). Some building appurtenance, such as switches and lamps, may contain mercury. If these items are present and conditions allow, they would be removed and disposed prior to demolition. No asbestos containing building materials (ACBMs), polychlorinated biphenyls (PCBs), or other materials that would require further abatement were found within the building.

Once the approvals are secured, the DNR Facilities Advisor would prepare the demolition contract. It is at the discretion of the demolition contractor whether to salvage and recycle materials or place them in a land fill.

Minor environmental effects are anticipated from the disposal of solid wastes generated during the cabin demolition.

d. Wildlife and Fisheries Habitats and Species

The swimming Instructor's Cabin site is located in a public use/recreation area of Camden State Park. The project area is located within an area designated as an outstanding Site of Biodiversity Significance (SBS), which encompasses a large portion of Camden State Park. The Instructor's Cabin is within a Basswood–Bur Oak–(Green Ash) Forest, which is recognized as an element of biodiversity and considered vulnerable to extirpation in Minnesota. High quality native plant communities, including most of the local forested Redwood River valley and several upland prairies, are within the SBS. The forest habitat provides a refuge for many species of wildlife, as forest cover is scarce outside the valley.

A state listed threatened plant species, cutleaf waterparsnip (*Berula erecta*), occurs just upstream of the swimming pond in the seep area, about 65-feet from the project site. The creek heelsplitter (*Lasmigona compressa*), a state-listed mussel species of special concern, has been documented in the Redwood River in the vicinity of the proposed project. Also considered as a species potentially affected by the project is the northern long-eared bat (*Myotis septentrionalis*), a federally-listed threatened species (April 2015) and state-listed species of special concern.

No known occurrences of northern long-eared bat roosts or hibernacula are found within an approximate one-mile radius of the project area. The cabin does not harbor bats at this time but the DNR must evaluate U.S. Fish and Wildlife Service (FWS) compliance requirements to Section 4(d) of the Endangered Species Act (ESA) in areas affected by white-nose syndrome, which includes Lyon County.

No evidence was identified in the EAW that potential environmental effects of the demolition would affect the management of, or cause other disturbances to, the special forest community, as all work would take place on the day use area, within a mowed area

on the front side of the building. Also, the adjacent wooded area forms a barrier to vehicular encroachment into the stream bottom and surrounding wetlands, thus protecting the population of cutleaf waterparsnip plants from the potential environmental effects of the project. The project would include only bridge traffic across Redwood Creek and would not affect the creek habitat essential to the creek heelsplitter mussel because no increase in pollutants and sedimentation in the creek are anticipated.

The Final 4(d) Rule that identifies Endangered Species Act protections for the northern long-eared bat was published in the Federal Register on January 14, 2016 and will take effect on February 16, 2016. The final rule shows a change in requirements necessary for compliance from the Interim 4(d) Rule, which was identified in the EAW. The Final 4(d) Rule and FAQs guide project proposers on relevant protection procedures when working in the white-nose syndrome zone. The FWS indicate that, on rare occasions, northern long-eared bats have roosted in human-made structures including buildings, barns, pavilions, sheds and cabins. The rule states that incidental take from activities that do not involve tree removal and do not take place within hibernacula or would not alter the hibernaculum's entrance or environment are not prohibited and a permit is not necessary. The Final 4(d) Rule would allow the cabin demolition to proceed without consultation or permit, unless bats would be found to occupy the structure.

No evidence was found that indicated wildlife, including Species of Greatest Conservation Need listed for the Coteau Moraines subsection (78 species), nor their habitats would be affected. The project's small size of a few hundred square feet and its brief duration indicate that minor environmental effects on wildlife, rare features, and the adjacent native woodland would be likely.

e. Invasive Species Management and Control

Equipment mobilization and the disturbance of ground surface might cause an introduction of invasive species to the project area. Some management of the restored area and reseeded area may be necessary if invasive species spread into the seeded area. The area within the foundation would receive base fill that is overlain with a weed blanket, covered with four to six inches of clean, weed free top soil, and reseeded to native vegetation.

The DNR would ensure equipment comes in clean and the staff and contractors follow DNR Operational Order 113 Invasive Species, DNR Operational Order 59 (Pesticides and Pest Control) and Divisional guidelines to prevent and manage the spread of invasive species. Periodically staff would monitor the seeded area for weedy/invasive species growth and mow or apply weed control treatment, if necessary.

The project would have temporary, local, and minor environmental effects on the potential of increasing the presence of invasive species in the project area.

f. Noise, Dust, and Odors

Noise. Sensitive receptors may include wildlife and park visitors, both of which might be temporarily disturbed during the demolition and debris removal. The occasional noise generated by the demolition and removal would be of short duration and is anticipated to stay well within the State noise standards.

Dust and Odors. Demolition of the structure, debris removal, and the placement of fill material would create minor dust and odors for a short duration, limited to less than one day.

Provisions for minimizing noise, odors, and dust are typically included in demolition contracts.

The increases in noise, odors, and dust generated during construction would be temporary, limited to normal daily work periods, and manageable.

g. Cumulative Potential Effects

The proposed demolition and removal of the storm-damaged swimming Instructor’s Cabin would be an adverse effect on the historic property itself and on the Camden State Park CCC/WPA Rustic Style Historic District. The project’s effects on the cabin could combine with effects from other projects in the historic district of Camden State Park that result in a cumulative potential effect on the historic district, listed on the NRHP.

In 2016, a renovation is proposed for the historic Park Manager’s Residence to convert the structure into a lodging facility within the historic district. Also, the DNR is also aware of draft plans by Lyon County Highway Department for replacing three county road bridges within or near the historic district of the park. The SHPO considers that the bridges are contributing resources to the district.

Cumulative potential effects are limited to those created by these projects. The proposed renovation on the nearby historic Park Manager’s Residence would have a beneficial effect. Regarding the proposed bridge replacements, the SHPO is negotiating with the County to prevent or reduce an adverse effect from the bridge construction. Also the draft plans are being reviewed through development of the U.S. Army Corps of Engineers Section 404 permit (Clean Water Act) and requisite Section 106 review (National Historic Preservation Act of 1966). The final bridge designs have not been approved and the cumulative potential effects from the bridge projects are unknown at this time. Mitigation for the potential effects of this demolition project is being coordinated with the SHPO through an ongoing regulatory process.

Considering the derelict condition of the storm damaged building the demolition is reasonable, while the cumulative potential effects on the historic district due to the listed projects, as determined at this time, would be limited.

Permits and Approvals

17. The following permits and approvals are needed for the project:

Unit of government	Type of application	Status
MPCA	Hazardous Materials Survey	Completed
MPCA	Contractor’s Duty of Notification (Intent to Perform a Demolition)	Pending
Minnesota Dept. of Administration	Approval for Demolition, <i>Minnesota Statutes</i> , Section 16B.24, Subd. 3	Pending

CONCLUSIONS

1. The Minnesota Environmental Review Program Rules, *Minnesota Rules*, chapter 4410.1700, subparts 6 and 7 set forth the following standards and criteria, to which the effects of a project are to be compared, to determine whether it has the potential for significant environmental effects.

In deciding whether a project has the potential for significant environmental effects, the following factors shall be considered:

- a. type, extent, and reversibility of environmental effects;*
 - b. cumulative potential effects of related or anticipated future projects;*
 - c. extent to which the environmental effects are subject to mitigation by on-going regulatory authority; and*
 - d. the extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by agencies or the project proposer, including other EISs.*
2. *Type, extent, and reversibility of environmental effects.*

Based on the Findings of Fact above, the DNR concludes that the following potential environmental effects, as described in Findings 15a to 15j and Findings 16a to 16g, would be limited in extent, temporary, or reversible:

Topics of Potential Environmental Effect (fully addressed in the EAW)

- a. Compatibility with Plans, Ordinances, and Land Use
- b. Erosion and sedimentation (stormwater quality or quantity)
- c. Hazardous materials and generation of hazardous wastes
- d. Wastewater
- e. Visual effects
- f. Traffic and transportation infrastructure in or near project area

Potential Environmental Effect on Natural Resources (fully addressed in the EAW)

- g. Geological and topographical features
- h. Groundwater and wells
- i. Wetlands and other surface waters
- j. Air (stationary source emissions and vehicle emissions)

Topics of Potential Environmental Effect (discussed further in this record)

- a. Project Magnitude, Scheduling, and Construction
- b. Historic Properties
- c. Solid Wastes
- d. Wildlife and Fisheries Habitats and Species
- e. Invasive Species
- f. Noise, Dust, and Odors
- g. Cumulative Potential Effects

3. *Cumulative potential effects of related or anticipated future projects.*

The effects of all past projects comprise the existing conditions of the project area. Cumulative environmental effects add to the existing condition, the proposed project, and future projects.

Cumulative environmental effects for future projects are assessed by evaluating the effect on the environment resulting from the incremental effects of the project under review plus similar effects from certain future projects that overlap spatially or temporally with the proposed project.

Based on the Findings of Fact above, the DNR concludes that cumulative potential effects on the historic district in a form that is detrimental to its long term preservation would be limited and not significant.

4. *Extent to which environmental effects are subject to mitigation by on-going public regulatory authority.*

Based on the information in the EAW and Findings of Fact above, the DNR has determined that the following environmental effects, as described in Findings 15a to 15j and Findings 16a to 16g, are subject to mitigation by ongoing public regulatory authority. When applying standards and criteria used in the determination of the need for an environmental impact statement, the DNR finds that the project's environmental effects on historic properties and those stemming from the management of solid wastes are subject to on-going public regulatory authority.

Project Magnitude, Scheduling, and Construction (Finding 16a). Pursuant to the Minnesota Department of Administration authority as defined in *Minnesota Statute*, Section 16C.23 and *Minnesota Rules*, Chapter 1255, as described in the State of Minnesota Property Management Policy and User Guide (2014), the DNR is regulated in the management of property that has no further utility or monetary value to the State.

Historic Properties (Finding 16b). *Minnesota Historic Sites Act (Minnesota Statutes*, sections 138.661 to 138.669) requires that state agencies consult with the SHPO before undertaking or licensing projects that may affect properties on the State Registry of Historic Sites or the NRHP.

Minnesota Statutes, section 85.011 identify that the creation and establishment of state parks, designated state recreation areas, and waysides are for the purpose of conserving the scenery, natural and historic objects and wildlife and to provide for the enjoyment of the same in a manner that would leave them unimpaired for the enjoyment of future generations.

Solid Wastes (Finding 16c). *Minnesota Statutes*, Chapter 115A (*Minnesota Rules*, Chapter 7035) includes completion of a Hazardous Materials Survey and Notification of the MPCA of Intent to Perform Demolition (ensures compliance with *Minnesota Rules*, part 7035.0805). The purpose of this part is to ensure that hazardous materials are characterized and properly managed prior to and during the demolition.

5. *Extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by public agencies or the project proposer, or other EISs.*

Minnesota Historic Property Record guidelines for completing Level II reports define the documentation necessary for the record and the required means of preservation.

6. The DNR has fulfilled all the procedural requirements of law and rule applicable to determining the need for an environmental impact statement on the proposed Camden State Park Cabin Removal Project.
7. Based on considerations of the criteria and factors specified in the Minnesota Environmental Review Program Rules (*Minnesota Rules*, chapter 4410.1700, subparts 6 and 7) to determine whether a project has the potential for significant environmental effects, and on the Findings and Record in this matter, the DNR determines that the proposed Camden State Park Cabin Removal Project does not have the potential for significant environmental effects.

ORDER

Based on the above Findings of Fact and Conclusions:

The Minnesota Department of Natural Resources determines that an Environmental Impact Statement is not required for the Camden State Park Cabin Removal Project in Lyon County, Minnesota.

Any Findings that might properly be termed Conclusions and any Conclusions that might properly be termed Findings are hereby adopted as such.

Dated this 10th day of February, 2016.

**STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES**



Barb Naramore
Assistant Commissioner