

# **ENVIRONMENTAL ASSESSMENT**

## **Conversion of Land and Water Conservation Fund Lands in Lake Bronson State Park for the Sale of Lots within the Lakeside Subdivision**

### **Kittson County, Minnesota**

Submitted by:

Minnesota Department of Natural Resources

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# **Conversion of Land and Water Conservation Fund Lands in Lake Bronson State Park for the Sale of Lots within the Lakeside Subdivision**

## **Executive Summary**

Lake Bronson State Park proposes to convert certain state owned lot parcels within Lakeside Subdivision, located within the park, to private ownership. The existing management of these twenty-one lots under the current ownership model is an issue for both the Minnesota Department of Natural Resources, who manages the park, and the current private landowners who reside aside these parcels. The purpose of the sale is transfer public ownership of these small scattered lots to private individuals.

The sale is needed to help the overall management of the park. Resources can be better protected, recreation more focused & acquisition developments redirected to other areas of concern for the park.

This Environmental Assessment (EA) evaluates four alternatives: a no action alternative and three action alternatives, one of which is the preferred action (preferred alternative). Under the no action alternative, the park would not sell any of the parcels and continue the current management policy.

This EA has been prepared in compliance with the National Environmental Policy Act to provide the decision-making framework that 1) analyzes a reasonable range of alternatives to meet objectives of the proposal, 2) evaluates potential issues and impacts on the park's resources and values, and 3) identifies mitigation measures to lessen the degree or extent of these impacts. Impact topics evaluated in detail in this EA are cultural resources, including archeological sites, and historic structures/objects; and visitor use, recreation, and education and interpretation. Some impact topics were dismissed because they are not present or the alternatives considered would result in no noticeable effects.

No major adverse effects were identified under any of the alternatives considered. The public, regulatory agencies, and other stakeholders will have an opportunity to comment on this EA. Comments received will be considered prior to making a decision on the proposed project.

**Contents**

**1.0 PROJECT DESCRIPTION..... 3**

**2.0 PURPOSE AND NEED..... 4**

**3.0 ALTERNATIVES, INCLUDING THE PROPOSED ACTION ..... 8**

**4.0 AFFECTED ENVIRONMENT ..... 10**

**5.0 ENVIRONMENTAL IMPACTS ..... 2**

**REFERENCES ..... 1**

**APPENDIX A MAPS AND FIGURES ..... 2**

**APPENDIX B CULTURAL RESOURCES REPORT..... 23**

**APPENDIX C SUMMARY OF PUBLIC COMMENTS ..... 24**

## **1.0 PROJECT DESCRIPTION**

This project involves the conversion of land and water conservation fund lands within Lake Bronson State Park. The area for conversion is a selection of state-owned lot parcels within the Lakeside Subdivision. Lake Bronson State Park is located in Kittson County in northwest Minnesota on the south branch of Two Rivers. The Lakeside Subdivision is within the statutory boundary of Lake Bronson State Park and is located north of Lake Bronson, a human-made reservoir that was created by the construction of a dam on the South Branch of the Two Rivers in 1936. Lake Bronson State Park is managed by the Minnesota Department of Natural Resources (MnDNR), Parks and Trails division.

This Environmental Assessment (EA) addresses the proposal to offer for public sale a total of twenty-one lots located within the Lakeside Subdivision. These lots are intermingled with private lots in an area of the park that has been traditionally seen as private property. The goal of the conversion is to divest ownership of the lots in proximity to private lots and focus acquisition, resource efforts and recreational opportunities on areas of the consolidated state lots within the subdivision and in the rest of the park as a whole.

The roughly thirty-acre tract of land that is now the Lakeside Subdivision was owned by the Bronson Community Golf Club, which had the land surveyed and platted into the Lakeside Subdivision in 1939. The subdivision currently contains 59 privately owned lots and 104 state-owned lots. The lots have a range of sizes but most are roughly 5,000 square feet with most 50' x 100' in size. Many of the private lots in this area have some sort of structure on them with associated sewers and wells.

Only a subset of the 104 state-owned lots (21 lots, roughly 50'x100' each) are proposed to be sold. It is unusual for a subdivision to be located within a Minnesota state park and this

subdivision is located between two privately held Bible camps: the Galilee Bible Camp and the Lake Bronson Baptist Bible Camp. Lake Bronson State Park, the Lake Bronson Dam and the Lakeside Subdivision have provided a unique and complex situation of land and water management since park establishment.

The purpose of the land conversion is to address operational and recreational efficiencies and to aid in the consolidation of state and private lands within the state park. Additionally, a 2014 Minnesota state statute directs the DNR to sell these parcels and requires that the sale of this set of lots within the Lakeside Subdivision provide funding for future purchase of other inholdings within the statutory boundaries of Lake Bronson State Park. This would provide protection of environmental values and recreational opportunities throughout the entirety of this unit. This will be accomplished by the preferred alternative: the conversion and sale of a portion of the state-owned lots (21 lots) that are highly intermingled with privately owned lots.

## **2.0 PURPOSE AND NEED**

### **2.1 PURPOSE**

The Land and Water Conservation Fund (LWCF) Act of 1965 (Public Law 88-578, 78 Stat 897) was enacted to “assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations and visitors who are lawfully present within the boundaries of the United States of America such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States by (1) providing funds for authorizing federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for the federal acquisition and development of certain lands and other areas.”

The LWCF Act requires states to operate and maintain by acceptable standards the properties or facilities acquired or developed for public outdoor recreation use. Further, Section 6(f)(3) of the LWCF Act requires that no property acquired or developed with LWCF assistance shall be converted to other public outdoor recreation uses without the approval of the Secretary of the Department of Interior, and only if he/she finds it to be in accord with the then existing State Comprehensive Outdoor Recreation Plan (SCORP) and only upon such conditions as he/she deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location (36 CFR 59).

States are responsible for ensuring, on behalf of the National Park Service (NPS), that proposals submitted to the NPS for federal decisions, including new applications and amendments for LWCF previously approved projects such as conversions, temporary non-conforming uses, and public facility exceptions, are developed in accordance with all applicable federal, state, and local laws and regulations. The federal legislation that coordinates the consideration of the potential for impacts to the human environment as a result of a federal action is the National Environmental Policy Act (NEPA). The NEPA process coordinates compliance with applicable related federal, state, and local environmental requirements. To facilitate and document this coordination, states must ensure that the LWCF Proposal Description and Environmental Screening Form (PD/ESF) is completed and accompanies each LWCF proposal submitted for federal review and decision.

LWCF grant assistance was used by the Minnesota Department of Natural Resources (MnDNR) to fund Lake Bronson State Park acquisition and continued development within the park. This included nine individual grants which date from 1967 to 1980. The most recent grant closed in December 31, 1980. Pursuant to Section 6(f)(3) of the LWCF Act, lands acquired for public

outdoor recreation shall not be wholly or partly converted to other than public outdoor recreation uses without the approval of the National Park Service (NPS). The conversion of publicly owned state park land to private ownership requires approval of the NPS.

## **2.2 DECISIONS NEEDED**

The LWCF helps preserve, develop, and provide accessibility to outdoor recreation resources. LWCF Section 6(f) stipulates that any land developed or improved with LWCF funds cannot be converted to other than outdoor recreational use unless replacement land of at least equal fair market value and seasonably equivalent usefulness is provided. Lake Bronson State Park has utilized LWCF funds and as such, this conversion requires an Environmental Assessment (EA). The scope of the environmental review for this conversion is the 6(f) boundary, Lake Bronson State Park.

The NPS Regional Director will need to make two decisions based on the facts and recommendations contained in this EA document: (1) select an alternative; and (2), determine if the selected alternative is a major federal action significantly affecting the quality of the human environment, thus requiring the preparation of an Environmental Impact Statement (EIS).

## **2.3 BACKGROUND**

The northwest portion of the state has traditionally been free of standing water and the droughts of the 1930s caused wells in the region to dry up in the area. Unable to sink deeper wells because of a layer of salt, it was thought the only solution for the future was to dam the South Branch of the Two Rivers and create a sizable artificial lake. Dam construction began in 1936 with additional Civilian Conservation Corp and Works Progress Administration recreational contributions built soon after. The dam and facilities were then turned over to the State of Minnesota and in 1937 and the area became Two Rivers State Park, which became part of the Minnesota Department of Conservation. The park was renamed Lake Bronson State Park in 1945

and today operates under the division of Parks and Trails within the Minnesota Department of Natural Resources.

Lake Bronson State Park currently has a developed beachfront, a visitors center with a playground and a nearby picnic shelter with other assorted recreational components nearby. The park recently totaled 123,889 annual visits with 4825 being overnight. The park offers multiple camping opportunities, with a campground serving 158 drive-in sites, three backcountry sites, two canoeing sites and one group camp.

A private element exists within the park boundaries that impact the management of the whole park. As stated, the Lakeside Subdivision was developed within the park for private ownership. Along with the subdivision there is an associated dock operation for those wishing to have private berths for lake use. Two separate privately held camps have been established to serve group recreation. Still other sections of private land exist within the statutory boundaries, including an old county gravel pit and old hunting parcels. The DNR has inquired about both properties and would pursue purchase with the funding from the Lakeside Subdivision sale.

The lots proposed for conversion are intermingled with privately owned lots within the subdivision. Many of these private parcels have improvements and buildings on them and would be difficult to purchase by the DNR and more difficult to rehabilitate back to a natural setting. These improved structures and facilities are located in the north-central portion of the park in Township 161 North, Range 46 West and Section 33. This is an area of the park that has been traditionally seen as private due to the human structures and general development of the private camps.

The State Park land within the proposed sale of 21 lots does not have any recreational facilities such as picnic areas, campground, interpretive sites, overlooks, or water access points. The lots



do not contain marked summer hiking and biking trails, winter cross-country ski or snowmobile trails.

Given the small size of the lots and the proximity to private lands, the lots are not practically accessible for use by the public. Lastly, in 2014 the Minnesota State Legislature authorized the sale of land within Lake Bronson State Park, Chapter 217 S.F.No. 2449, Section 25.

### **3.0 ALTERNATIVES, INCLUDING THE PROPOSED ACTION**

This section describes and compares the alternatives considered by DNR to meet the land management objectives. Alternative A is the Proposed Action, Alternative B is an expanded conversion action including the entire subdivision, Alternative C is to pursue purchase of all the private properties within Lakeside Subdivision and Alternative D is a No Action Option.

Alternatives A and B would require LWCF NPS approval and property replacement.

#### **3.1 ALTERNATIVE A – PROPOSED ACTION**

The Proposed Action includes the conversion of the 21 lots which are located in Blocks one, four, and five of the Lakeside Subdivision. These lots are 95,775 square feet or 2.2 acres in area (not including platted streets). These lots are intermingled with privately owned lots. Image one is a platted map of the original subdivision and images two and three show the mix of privately owned lots and state-owned lots within this planned development. Of platted blocks one, four and five, 53 of the lots are currently in private ownership and 21 of the lots are in state ownership. Image four indicates the possible replacement lands within the park's statutory boundaries.

#### **3.2 ALTERNATIVE B – CONVERT ALL LOTS IN LAKESIDE SUBDIVISION**

This action would convert all state-owned lots within the entire subdivision from park land to potential lots for sale. In blocks three, six, seven, eight, nine, ten, eleven, twelve, thirteen and fourteen, there are currently seven lots in private ownership and 83 lots in state ownership. In

the subdivision in its entirety, there are 60 lots currently in private ownership and 104 lots in state ownership. Minnesota DNR Parks and Trails do not support Alternative B and it is not supported by the current state statute. The state land in the subdivision outside of blocks one, four and five contain high-quality shortgrass prairie and listed species.

### **3.3 ALTERNATIVE C – PURCHASE ALL PRIVATE LAND IN LAKESIDE SUBDIVISION**

Within the Lakeside Subdivision area, some of the lots are impacted severely by the private lands in terms of the nearness of their residences and structures. The 1978 Lake Bronson State Park Management Plan had directed acquisition of undeveloped lots and cabin properties. This has proved difficult over the years mainly due to price and landowners' unwillingness to sell their private lands. Since publication of the Management Plan, many of the cabins have turned into year-round residences and their increase in values has resulted in an unpractical purchasing situation for the State. This alternative is not feasible due to the lack of willing sellers and the higher cost of these improved lots.

### **3.4 ALTERNATIVE D – NO ACTION**

No action option would entail not offering any state lots for sale within the Lakeside Subdivision and Lake Bronson State Park. As the nature of the intermingled state-owned/private lots and houses is residential, and not viewed as part of the state park, the state-owned lots would not be promoted and used for public enjoyment. Private landowners currently within the subdivision would continue to be interspersed with state lots and use the lots as open lots adjacent to their properties.

It is in the best interest of the park to divest these lots in the preferred alternative – Alternative A the Proposed Action. With the proceeds from the sale of these lots, other inholdings can be

purchased that would enhance the recreational opportunities and environmental resource qualities of Lake Bronson State Park.

#### **4.0 AFFECTED ENVIRONMENT**

This section of the EA provides analysis for the affected environment based on the proposal to change the land use of the state-owned Lakeside Subdivision lots.

Overall, Lake Bronson State Park is a 4,375 acre community park that includes both active and passive recreational opportunities for visitors. Of this amount, approximately six acres are being considered for conversion to private ownership. State park land within the proposed sale of 21 lots does not include any recreational facilities such as picnic areas, campground, interpretive sites, overlooks, or water access points. The lots do not contain marked summer hiking and biking trails, winter cross-country ski or snowmobile trails. Because of the small size of the lots and their proximity to private lands, the lots are not practically accessible for use by the visiting public.

#### **4.1 PHYSICAL AND BIOLOGICAL ENVIRONMENT**

Lake Bronson State Park is a fine example of a transition area between prairie and forest landscapes. It supports a variety of wildlife from the prairie-dwelling upland sandpipers and sharp-tail grouse to the spectacular American elk. Lake Bronson is one of the few significant bodies of water in the area and provides the visitor with an excellent swimming beach, good fishing, and enjoyable canoeing and boating. Thousands of years ago, Glacial Lake Agassiz covered the northwest corner of the state and extended into North Dakota and Canada. It was formed by glacial ice that blocked drainage to the north. The landscape in Lake Bronson State Park was formed as a result of the forces of this glacial lake. As the ice blockage to the north melted, Lake Agassiz began to retreat in stages, creating a series of gravel ridges along a generally flat terrain. The ancient McCauleyville beach ridge that passes through the park was formed during the final stage of the lake's retreat from Minnesota. Streams in the area usually meander quietly except when passing over a former beach ridge where rapids may exist. In time, eroded notches formed

in the beach ridge. One of these notches was used as the site for the dam which backed up the South Branch of the Two Rivers to form Lake Bronson.

When the region was without lakes, the drought of the 1930s caused wells to dry up in the area. Unable to sink deeper wells because of a layer of salt, it was thought the only solution for the future was to dam the South Fork Two River and create a sizeable artificial lake. Dam construction began in 1936 and was finished during the summer of 1937.

#### **4.1.1 LISTED, PROPOSED AND CANDIDATE SPECIES**

A site visit to the Lakeside Subdivision's impacted 'for sale' parcels occurred on July 16, 2014. At that time no listed species were found during the environmental review. The vegetation of the lots is typical of disturbed aspen woodland with brome, exotic honeysuckle and extensive poison ivy in the understory. It worth noting that Lake Bronson is listed as a Minnesota Biological Survey 'Outstanding' site of biodiversity significance (see image five), however the disturbed public parcels within the Lakeside Subdivision lack this characteristic at this time.

##### *Federally Listed Species*

The U.S. Fish and Wildlife Service (USFWS) lists three species known to occur or recently occurring within the boundaries of Lake Bronson State Park: Western Prairie Fringed Orchid, listed as endangered; Dakota Skipper, listed as threatened; Poweshiek Skipperling, listed as endangered. Additionally, areas of Lake Bronson State Park are federally listed as critical Dakota Skipper habitat and, as such, are protected under the Endangered Species Act. The northern long-eared bat, federally proposed as endangered, has potential to occur in Lake Bronson State Park. None of the federally listed species or critical habitat were observed within the project area, although the possibility exists that the Dakota Skipper could occur in the open high-quality prairie adjacent to the lot sale area.

### Minnesota State Listed Species

The Minnesota Natural Heritage Inventory System (NHIS) database was reviewed by DNR Parks and Trails resource management staff to determine if there are records of threatened, endangered and special concern species known to exist within or near the project area. There are 45 relevant NHIS records within Lake Bronson State Park, including 20 records of 14 vascular plants; five records of four insects; one record of one vertebrate animal; one record of one mussel; 18 records of four S1, S2, S3 native plant communities.

## **4.2 WATER FEATURES**

The South Branch of the Two Rivers was dammed in 1936-37 by the US Army Corps of Engineers to stabilize water levels in the area. This action has resulted in two tangible outcomes: usable potable water for the local communities during years of drought and flood control during high-water years. The water features of Lake Bronson as well as its shoreline are on the National Historic Register.

### **4.2.1 WETLANDS**

Based on the National Wetland Inventory (NWI) data, wetlands occur within the boundary of Lake Bronson State Park.

## **4.3 LAND USE**

Land uses at Lake Bronson State Park include natural resource conservation and both active and passive outdoor recreation. Recreational opportunities at the park include hiking, biking, wildlife watching, picnicking, canoeing, camping, fishing, boating, cross-country skiing, and snowmobiling. The park maintains several miles of trails for summer use including: 14 miles of hiking trails, a self-guided 1.5 mile interpretative trail, 5 miles of mountain bike trails and a 2 mile paved biking trail. During the winter season, the Park maintains 7 miles of groomed cross-country skiing trails and 3 miles of snowmobile trails, which also connect back to other trails in

the Grant-In-Aid system. The facilities of the Park include 152 semi-modern drive-in campsites, 3 backpack campsites, two canoe campsites, a group camp, a picnic area with 110 tables, an observation tower, a swimming beach, and a drive-in water access.

#### **4.4 CULTURAL/PALEONTOLOGICAL RESOURCES**

A December 2014 review of the standing structures and archaeological sites inventory maintained by the Minnesota State Historic Preservation Office (SHPO) identified the individual reports documenting cultural resource investigations conducted in the region regarding the defined project area. An examination of these investigations conducted, consisting of the planned Right Of Way easement and a prescribed one-mile buffer, yielded no information regarding previously recorded archaeological sites.

A review of the History/Architecture Inventory (standing structures) Files at SHPO was conducted to identify inventoried historic structures recorded within the Project area and the one-mile buffer. Previous architectural surveys of the area identified nineteen properties within a one mile radius of the project area. None of the inventoried structures are located within the defined Project area. A no properties finding is recommended for archaeological and architecture/history considerations.

A more detailed Cultural Resources Report for the project is included as Appendix B.

#### **4.5 RECREATIONAL OPPORTUNITY**

According to the MnDNR, Lake Bronson State Park averages nearly 123,889 annual visits, with approximately 4,825 of those being overnight visits. The park does not maintain statistics on visitor demographic data; however, the MnDNR provides “equal opportunity to participate in and benefit from programs of the Minnesota Department of Natural Resources regardless of race, color, creed or religion, national origin, sex, marital status, status with regard to public assistance, sexual orientation, age, or disability.”

## **5.0 ENVIRONMENTAL IMPACTS**

While Chapter 4 of this EA looks broadly at the general environment of Lake Bronson State Park, Chapter 5 will focus only on the land to be converted out of LWCF, which consists of 95,775 square feet or 2.2 acres. This is an area of residential development, with assorted roads and structures located nearby.

### **5.1 PHYSICAL AND BIOLOGICAL ENVIRONMENT**

The lots proposed for sale do not have any recreational facilities or roads within them. The proposed sale lots are mostly in an aspen/oak woodland.

#### **5.1.1 LISTED, PROPOSED, AND CANDIDATE SPECIES**

##### *Federally Listed Species*

As none of the federally listed species known to be present at Lake Bronson State Park occur within aspen/oak woodland, there is no likelihood of federally listed species occurring within the boundaries of the lots proposed for sale under this EA. The public comment period for the listing of the northern long-eared bat is currently re-opened, so there is no information available on the proposed listing and management needs of this bat. There are no occurrence records of the northern long-eared bat within Lake Bronson State Park.

##### *Minnesota State listed Species*

MnDNR database search reports no state listed species within the proposed lot sale area. The following species occur adjacent to the area of interest: Holboell's Rock-creep, MN threatened; Blanket Flower, MN special concern; Oat grass, MN special concern; Clustered Broomrape, MN special concern; Dry Sedge, MN special concern; Blunt Sedge, MN special concern. The dry prairie north of the proposed lot sale is classified as a Dry-Sand-Gravel Prairie (Northern), which is an S2 native plant community. S2 native plant communities are considered imperiled within the State of Minnesota. See image six for further explanation.

## **5.2 WATER FEATURES**

The proposed lot sale is far enough back from the shoreline of Lake Bronson that there are no anticipated impacts to Lake Bronson.

### **5.2.1 WETLANDS**

There are no wetlands in the project area. Site inspection by MnDNR wetlands staff confirmed this finding.

## **5.3 LAND USE**

The project is not expected to affect land use within Lake Bronson State Park. The Proposed Action is located in an existing area within the park that already has private property. There will be minimal to no impacts to other areas of the park. Second, the project is located in an area of the park that is void of recreational facilities such as trails, campsites, boat launches, and picnic areas.

## **5.4 CULTURAL/PALEONTOLOGICAL RESOURCES**

No architectural or archaeological properties were identified within the project area. The project will have no direct impact upon architectural or historic resources. The project would have no adverse visual impacts upon any potential architectural or historic resources. Furthermore, vegetative screening provided from trees within the project area prevents a visual impact upon any potential nearby architectural or historic resources.

## **5.5 RECREATIONAL OPPORTUNITY**

Because the sale is located in an area of Lake Bronson State Park that already has private lands with little public recreational use with no developed recreation facilities, few impacts are anticipated as a result. The lots and parcels being sold have little public use and are an issue for park maintenance and overall park management.



## **5.6 CUMULATIVE IMPACTS**

Cumulative impacts refer to the impacts on the environment that result from incremental impact of the Proposed Action when added to together, past, present and reasonably foreseeable future actions. No foreseeable cumulative impacts will occur as the result of this land conversion in considering the planned new line and removal of an existing distribution line within the park.

## **5.7 ENVIRONMENTAL JUSTICE**

The Proposed Action described in this EA is not likely to have a significant adverse environmental, economic, social, or health impact on minority or low income populations as impacts to recreation within Lake Bronson State Park are not likely to be affected. No other issues related to environmental justice from the project are anticipated.

## REFERENCES

Minnesota Department of Natural Resources (MnDNR). A Management Plan for Lake Bronson State Park. 1978.

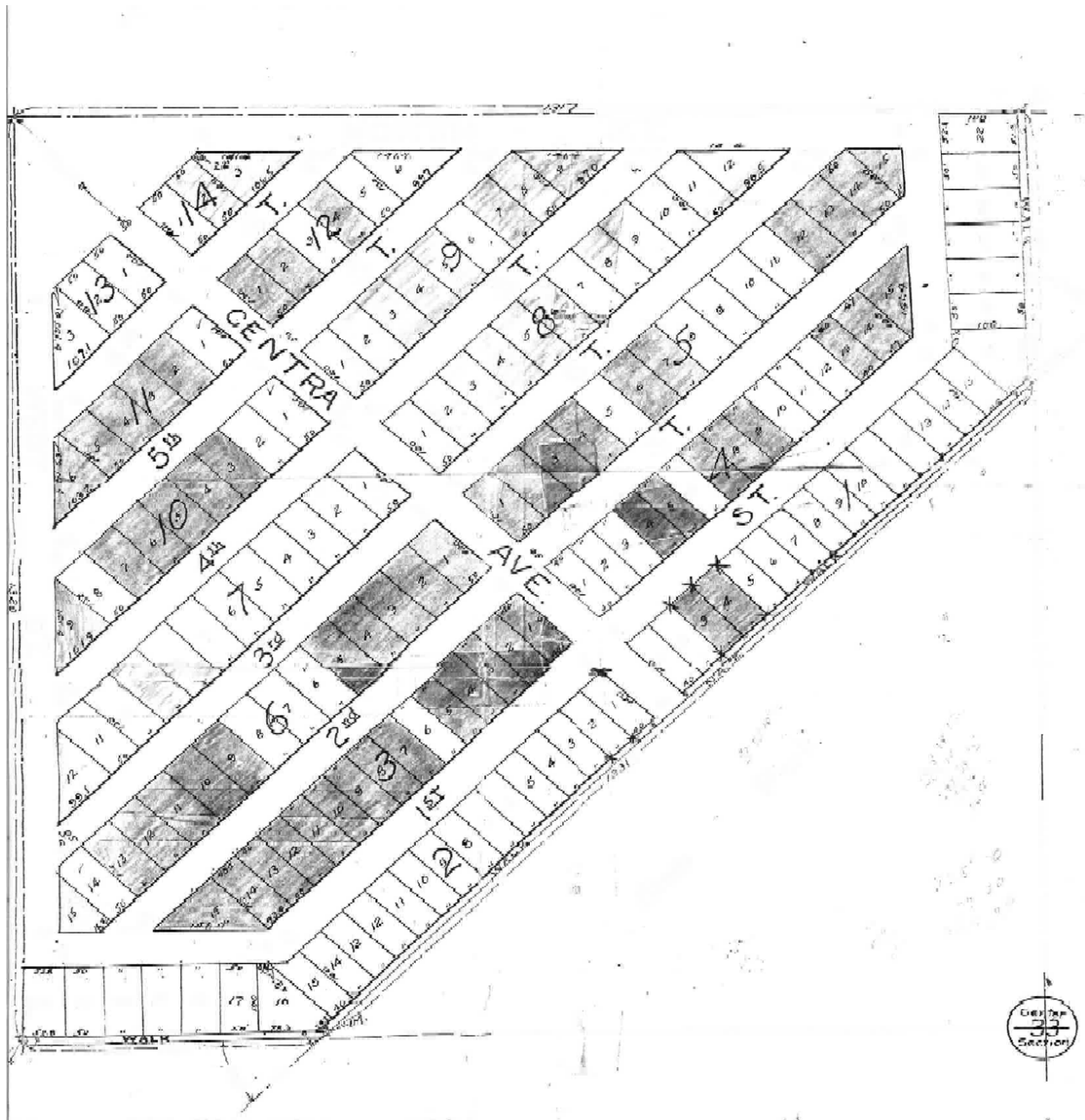
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Minnesota Department of Natural Resources (MnDNR). Minnesota's State Comprehensive Outdoor Recreation Plan, 2014-2018.

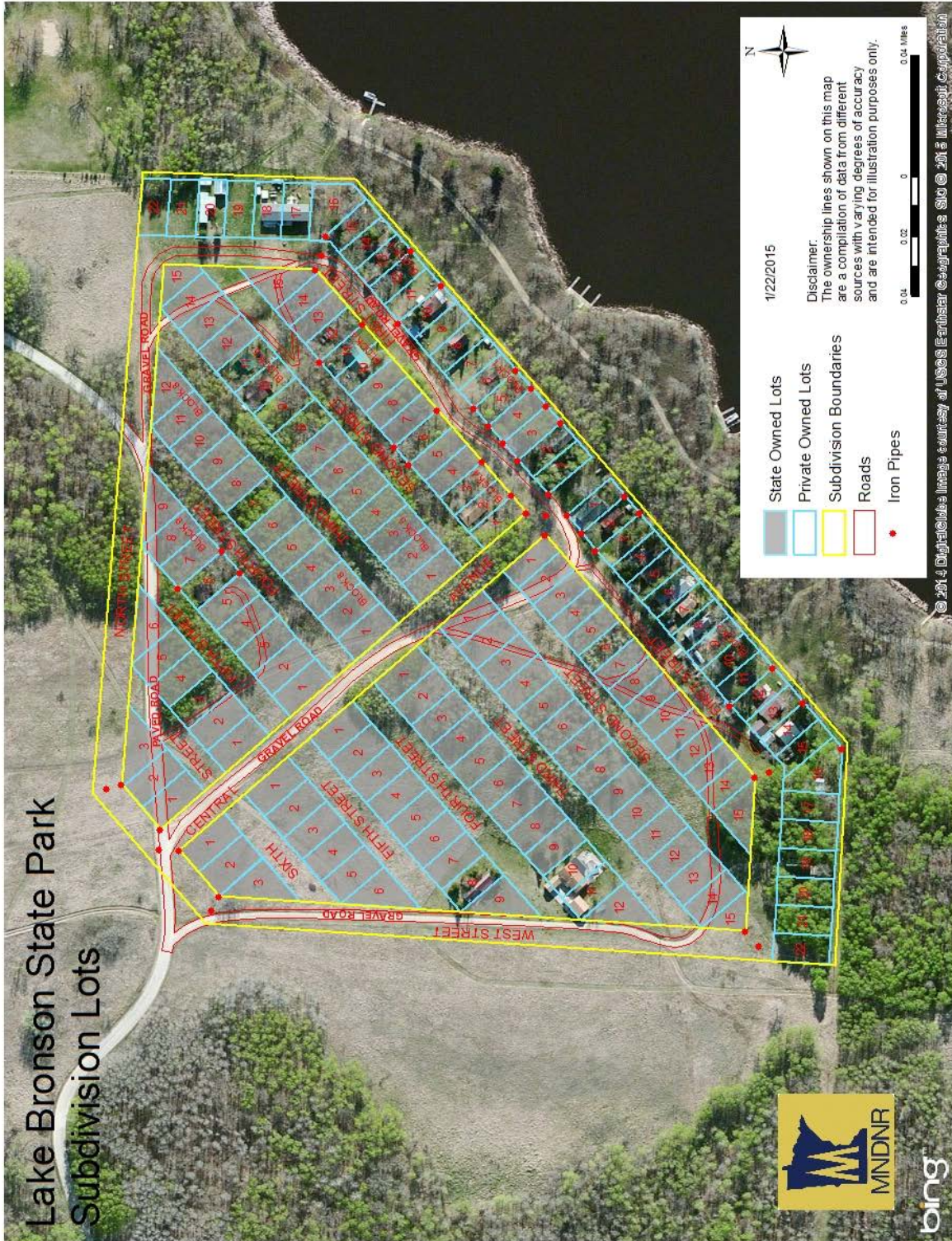
Minnesota Historical Society Archaeology Department (SHPO). Cultural Resource Reconnaissance Survey for a Proposed Land Sale of 21 Lots, Lake Bronson State Park, Kittson County, Minnesota. 2014.

National Park Service (NPS), U.S. Department of the Interior (DOI). Land and Water Conservation Fund State Assistance Program, Federal Financial Assistance Manual, Volume 69. October 1, 2008.

# APPENDIX A MAPS AND FIGURES



**Image #1 – Original Platting of the Lakeside Subdivision - 1939**

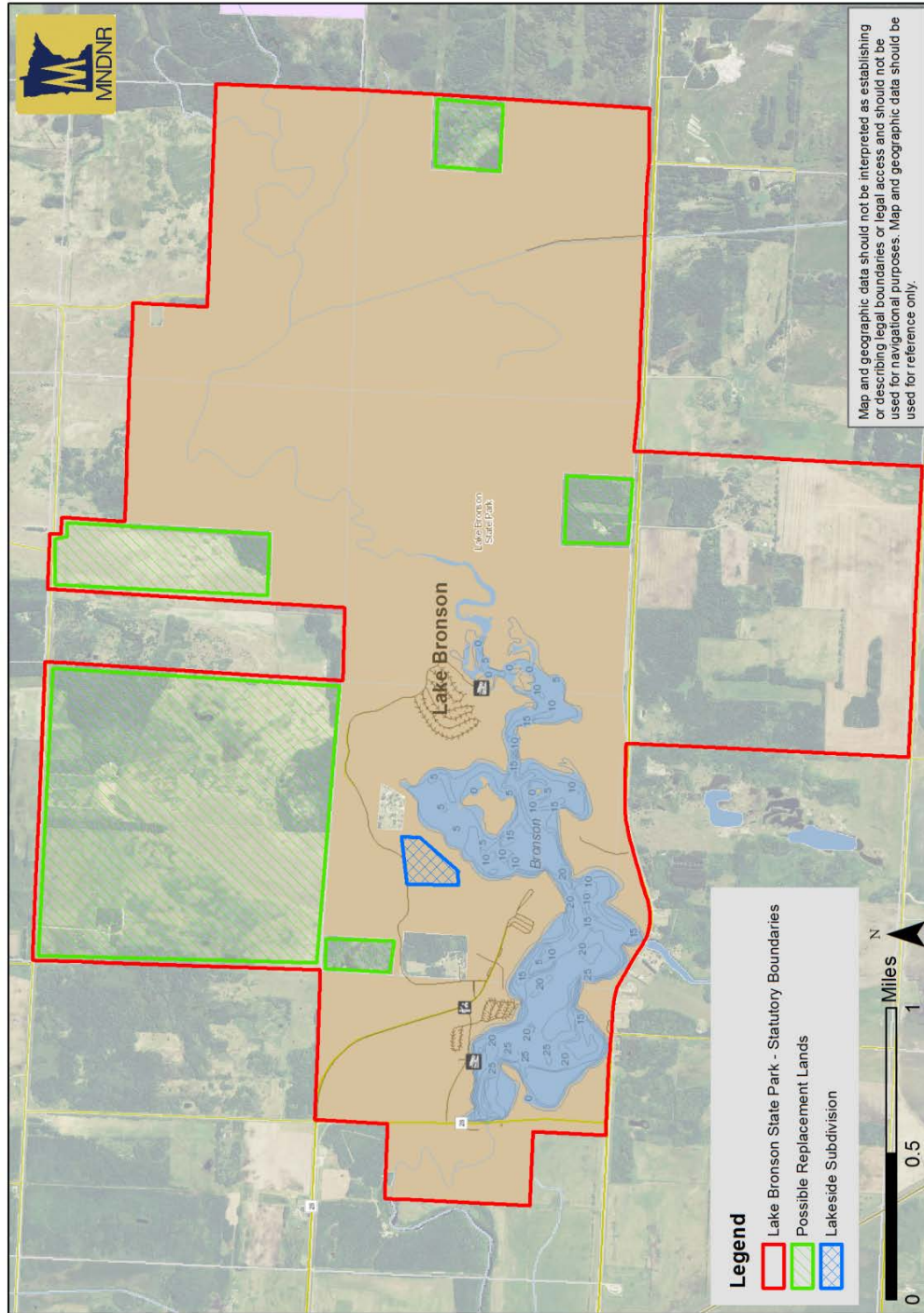


**Image #2 – Aerial of Lakeside Subdivision - 2015**

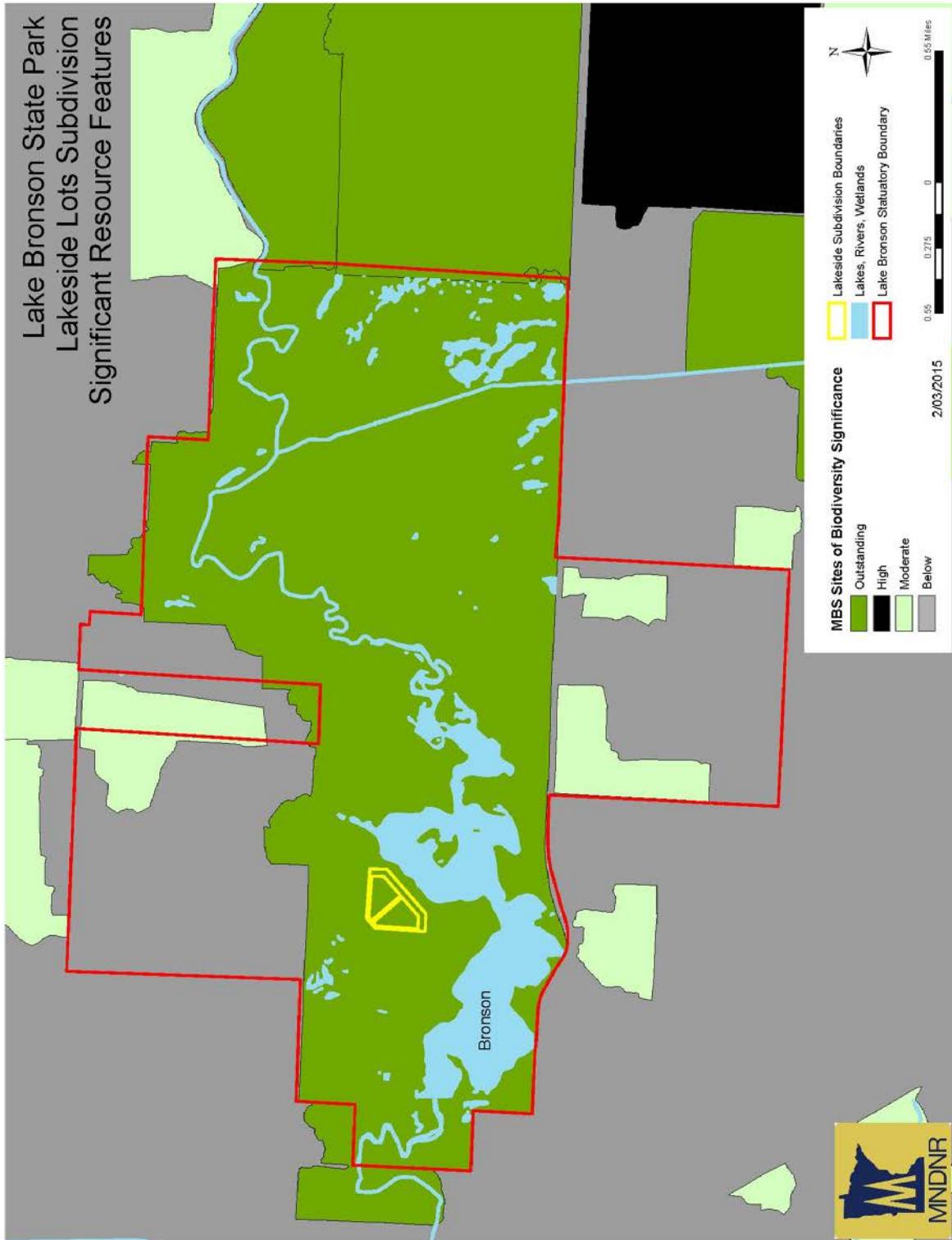


**Image #3 – Current Situation of Lakeside Subdivision**

# Lake Bronson State Park Statutory Boundaries - Possible Replacement Lands



**Image #4 – Possible Replacement Land Parcels within Lake Bronson State Park Statutory Boundaries**



**Image #5 – Significant Resource Features within Lake Bronson State Park**





**Image #6 – Heritage Elements and Native Plant Communities within the Lakeside Subdivision Area**

# APPENDIX B CULTURAL RESOURCES REPORT

## APPENDIX C SUMMARY OF PUBLIC COMMENTS