

ATTACHMENT G

Minnesota Department of Natural Resources

Marsh Lake Ecosystem Restoration Project

Minnesota State Historic Preservation Office
(SHPO) Correspondence and Agreement



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY

ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1878

December 22, 2010

Regional Planning and Environment Division North
Environmental and GIS Branch

SUBJECT: Signed Memorandum of Agreement for Marsh Lake Ecosystem Restoration Project,
Swift, Lac qui Parle and Big Stone Counties, Minnesota

Dr. Tom McCulloch
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office Building, Suite 803
1100 Pennsylvania Avenue, NW
Washington, D.C. 20004

Dear Dr. McCulloch:

The St. Paul District, U.S. Army Corps of Engineers (Corps) and the Minnesota State Historic Preservation Officer (SHPO) have prepared the enclosed Memorandum of Agreement to cover the Corps' Section 106 responsibilities to mitigate adverse effects to the National Register of Historic Places-eligible Marsh Lake Dam resulting from the proposed Marsh Lake Ecosystem Restoration Project. The director of Region IV (Southern Region) of the Minnesota Department of Natural Resources (DNR), as the Project's non-Federal sponsor, has signed the MOA as a concurring party.

The Corps is submitting the enclosed original-signature final MOA to the Advisory Council in order to comply with Section 106 of the National Historic Preservation Act and 36 CFR Part 800, paragraph 800.6(b)(1)(iv). Both the Minnesota SHPO and the Minnesota DNR are being sent copies of the signed MOA. The actual mitigation documenting Marsh Lake Dam will be conducted under a Corps' contract in the spring or early summer of 2011. If you have any questions or comments on the Project or the enclosed MOA, please contact Ms. Virginia Gnabasik, St. Paul District Corps archeologist, at (651) 290-5262 or by email at virginia_r.gnabasik@usace.army.mil.

Sincerely,

Randall D. Devendorf
Acting Chief, Environmental and GIS Branch

Enclosure
Original signature copy of MOA



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY

ST. PAUL DISTRICT, CORPS OF ENGINEERS
100 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

December 22, 2010

Regional Planning and Environment Division North
Environmental and GIS Branch

SUBJECT: Signed Copy of Memorandum of Agreement for the Marsh Lake Ecosystem
Restoration Project, Big Stone, Lac qui Parle and Swift Counties
(SHPO Number 2009-0850 Final MOA)

Ms. Mary Ann Heidemann, Manager
Government Programs and Compliance
State Historic Preservation Office
Minnesota Historical Society
345 Kellogg Boulevard West
St. Paul, Minnesota 55102-1906

Dear Ms. Heidemann:

Enclosed for your records is a copy of the signed *Memorandum of Agreement Between the U.S. Army Corps of Engineers, St. Paul District, and the Minnesota State Historic Preservation Officer Regarding Mitigation of Adverse Effects to Marsh Lake Dam Resulting From the Marsh Lake Ecosystem Restoration Project, Swift, Lac qui Parle and Big Stone Counties, Minnesota* (MOA). The original signature copy of the MOA is being filed with the Advisory Council on Historic Preservation per 36 CFR Part 800, Protection of Historic Properties, paragraph 800.6(b)(1)(iv). A copy is also being sent to the Minnesota Department of Natural Resources, Region IV office, as that regional office handles the Lac qui Parle Wildlife Management Area at Marsh Lake and is the non-Federal sponsor for the Project.

The point of contact for implementing the MOA at the St. Paul District, U.S. Army Corps of Engineers is Ms. Virginia Gnabasik, District archeologist, who can be reached at (651) 290-5262 or by email at virginia.r.gnabasik@usace.army.mil. On November 15, 2010, Ms. Kelly Gragg-Johnson of your office should have received an email from the Office of Federal Agency Programs containing a pdf of the Advisory Council's letter to the Corps regarding their decision not to participate in the Project's MOA.

Sincerely,

Randall D. Devendorf
Acting Chief, Environmental and GIS Branch

Enclosure
Signed copy of MOA



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY

ST. PAUL DISTRICT, CORPS OF ENGINEERS
160 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

December 22, 2010

Regional Planning and Environment Division North
Environmental and GIS Branch

SUBJECT: Signed Copy of Memorandum of Agreement for the Marsh Lake Ecosystem
Restoration Project, Big Stone, Lac qui Parle and Swift Counties

Mr. Mark Matuska
Regional Director, Region IV
Minnesota Department of Natural Resources
261 Highway 15 South
New Ulm, Minnesota 56073

Dear Mr. Matuska:

Enclosed for your records is a copy of the signed *Memorandum of Agreement Between the U.S. Army Corps of Engineers, St. Paul District, and the Minnesota State Historic Preservation Officer Regarding Mitigation of Adverse Effects to Marsh Lake Dam Resulting From the Marsh Lake Ecosystem Restoration Project, Swift, Lac qui Parle and Big Stone Counties, Minnesota (MOA)*. The original signature copy of the MOA is being filed with the Advisory Council on Historic Preservation per 36 CFR Part 800, Protection of Historic Properties, paragraph 800.6(b)(1)(iv). A copy is also being sent to the Minnesota State Historic Preservation Office at the Minnesota Historical Society in St. Paul.

The point of contact for implementing the MOA at the St. Paul District, U.S. Army Corps of Engineers is Ms. Virginia Gnabasik, District archeologist, who can be reached at (651) 290-5262 or by email at virginia.r.gnabasik@usace.army.mil.

Sincerely,

Randall D. Devendorf
Acting Chief, Environmental and GIS Branch

Enclosure
Signed copy of MOA

**MEMORANDUM OF AGREEMENT
BETWEEN THE U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT,
AND THE MINNESOTA STATE HISTORIC PRESERVATION OFFICER
REGARDING MITIGATION OF ADVERSE EFFECTS TO MARSH LAKE DAM
RESULTING FROM THE MARSH LAKE ECOSYSTEM RESTORATION PROJECT,
SWIFT, LAC QUI PARLE AND BIG STONE COUNTIES, MINNESOTA**

[Final – November 2010]

WHEREAS, the St. Paul District, U.S. Army Corps of Engineers (Corps) is conducting a feasibility study of ecosystem restoration measures at Marsh Lake on the Minnesota River in Swift, Lac Qui Parle, and Big Stone Counties, Minnesota; and

WHEREAS, the State of Minnesota, Department of Natural Resources (DNR) is the main landowner around Marsh Lake, as the Lac Qui Parle Wildlife Management Area, and is the non-Federal sponsor of this ecosystem restoration feasibility study; and

WHEREAS, the Corps and Minnesota DNR are proposing an ecosystem restoration project at Marsh Lake on the Minnesota River (Project) with the following primary features (a-g) and optional features (h-j) (see Figures 1 and 2):

- a. Restoring the Pomme de Terre River to its former (pre-dam) channel by excavating an opening through the Marsh Lake Dam embankment and constructing three earthen berms or cutoff dikes across two low areas and the abandoned diverted river channel above the dam embankment to prevent Marsh Lake from spilling into the restored river channel;
- b. Constructing a bridge over the restored Pomme de Terre River channel at the embankment to allow continued vehicle access to the dam;
- c. Modifying Marsh Lake Dam at its outlet by excavating a 2.1-foot-deep, 30-foot-wide notch into the existing fixed ogee crest spillway and constructing a nine-tier rock-ramp fishway to allow fish passage between Marsh Lake and the Lac Qui Parle Reservoir downstream;
- d. Constructing a new 90-foot-wide gated water control structure with 12 bays at the existing emergency spillway to enable future water level management of Marsh Lake;
- e. Adding walkways over the existing fixed crest spillway and fishway and over the gated water control structure to allow access across the entire dam, which walkways could serve a secondary recreational purpose as part of the Minnesota River State Trail for pedestrian and bicycle traffic;
- f. Breaching the abandoned fish rearing pond levee below the dam embankment to allow it to change water level with the rest of upper Lac Qui Parle Reservoir to provide seasonally variable habitat for fish and shorebirds;
- g. Constructing three linear, rock wave-barrier islands in Marsh Lake between the dam and Louisburg Grade Road to reduce wind fetch and thereby shoreline erosion;
- h. Adding stoplog structures to the six concrete culverts through Louisburg Grade Road to enable separate water level management in upper Marsh Lake;
- i. Improving the recreation area at Marsh Lake Dam, including adding an interpretive kiosk, adding a canoe and kayak landing/launch area near the spillway for access to the Pomme

de Terre River and Minnesota River/upper Lac qui Parle Reservoir, and adding shoreline fishing and wildlife viewing platforms; and,

j. Improving recreational and educational features at six existing boat ramps (Upper Pool Landing, Minnesota River Landing, Correll Landing, Killen Landing, Cabin Site Landing, and Peterson Landing) on Marsh Lake by adding interpretative kiosks and shoreline fishing/wildlife viewing platforms. Additional parking would also be provided at the Minnesota River Landing.

WHEREAS, Marsh Lake Dam (SW-APT-003) has been determined individually eligible to the National Register of Historic Places under Criterion A for its association with the Lac Qui Parle Flood Control Project, a Works Progress Administration project of the Federal Relief Programs following the Great Depression in 1929, and retains its integrity of original location, design, setting, materials, workmanship, feeling and association, and will be directly affected by proposed ecosystem restoration features a, b, c, and d, and restoration/recreation feature e, which will substantially change the historic setting of the dam and the way the dam operates and;

WHEREAS, proposed ecosystem restoration features c and d will also change the way Marsh Lake Dam is operated;

NOW, THEREFORE, the Corps, the Minnesota Department of Natural Resources, and the Minnesota State Historic Preservation Officer (SHPO) agree that upon filing this Memorandum of Agreement (MOA) with the Advisory Council on Historic Preservation, and upon the Corps' decision to proceed with the Marsh Lake ecosystem restoration project, the Corps shall ensure that the following stipulations are implemented prior to construction in order to mitigate the effects of the undertaking on the National Register eligible Marsh Lake Dam and comply with Section 106 of the National Historic Preservation Act, as amended.

STIPULATIONS

The Corps, as the Federal agency undertaking the Project, shall ensure the following stipulations are complied with prior to construction of ecosystem restoration features a, b, c, d, and e to mitigate adverse effects to Marsh Lake Dam's integrity of design, setting, and feeling. The proposed spillway modifications will also substantially change the way the dam operates.

A. The Corps or its contractor will document the historic Marsh Lake Dam property in its original and present condition, using Level II documentation as described in the *Minnesota Historic Property Record Guidelines* (updated June 2009 version). Level II documentation consists of: 1) a Minnesota Historic Property Record (MHPR) Background Data Form; 2) a brief two-page narrative description of the historic property (i.e., Marsh Lake Dam, SW-APT-003), its history, and a bibliography; and 3) documentation photography (black-and-white, 35 mm Kodak TMAX ISO 100 print film) covering historic photographs of Marsh Lake Dam, of the existing dam with its embankment and related features, and of historic plans and drawings of Marsh Lake Dam. Photographic documentation will follow the requirements given in Appendix E in the MHPR Guidelines.

B. The Corps will provide copies of the completed MHPR Level II documentation for Marsh Lake Dam to the Minnesota SHPO, to the Minnesota DNR's Regional Office, to the Lac qui

Parle Wildlife Management Refuge, and to the Swift, Big Stone, and Lac Qui Parle County Historical Societies.

C. Dispute Resolution. Should any of the signatory parties to this MOA object to any plans, documents, or reports prepared under the terms of this MOA within 30 days after receipt, the Corps shall consult with the objecting party to resolve the objection. If the Corps determines that the objection cannot be resolved, the Corps shall forward all documentation on the dispute to the Advisory Council on Historic Preservation. Any recommendation or comment provided by the Advisory Council will be understood to pertain only to the subject of the dispute. The Corps' and the Minnesota DNR's responsibilities to carry out all actions under this MOA that are not the subject of the dispute will remain unchanged.

D. Amendments. Any signatory party to this MOA may request that it be amended, whereupon the parties will consult to consider such amendment.


E. Termination. Any signatory party to this MOA may terminate it by providing thirty (30) days notice to the other parties, provided that the parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination.

F. Anti-Deficiency Provision. All obligations on the part of the Corps shall be subject to the availability and allocation of appropriated funds for such purposes. Should the Corps be unable to fulfill the terms of this agreement, it will immediately notify the Minnesota SHPO and the Minnesota DNR and consult to determine whether to amend or terminate the MOA pending the availability of resources.

G. Sunset Clause. This MOA will continue in full force and effect until the mitigation of adverse effects to the National Register-eligible Marsh Lake Dam by the proposed ecosystem restoration features has been completed as stipulated above, unless the proposed features are not constructed or authorization for their construction is rescinded.

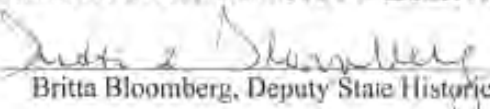
Execution and implementation of this Memorandum of Agreement evidences that the Corps has satisfied its Section 106 responsibilities for all aspects of this undertaking.

ST. PAUL DISTRICT, U.S. ARMY CORPS OF ENGINEERS

BY: 
Col. Michael J. Price, District Engineer

Date: 22 November 2010

MINNESOTA STATE HISTORIC PRESERVATION OFFICER

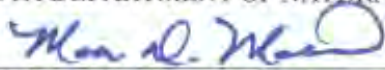
BY: 
Britta Bloomberg, Deputy State Historic Preservation Officer

Date: 11/30/10

Marsh Lake Dam Mitigation MOA
Page 4 of 4

Concur:

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

BY: 
Mark Matuska, Regional Director

Date: 12/14/10

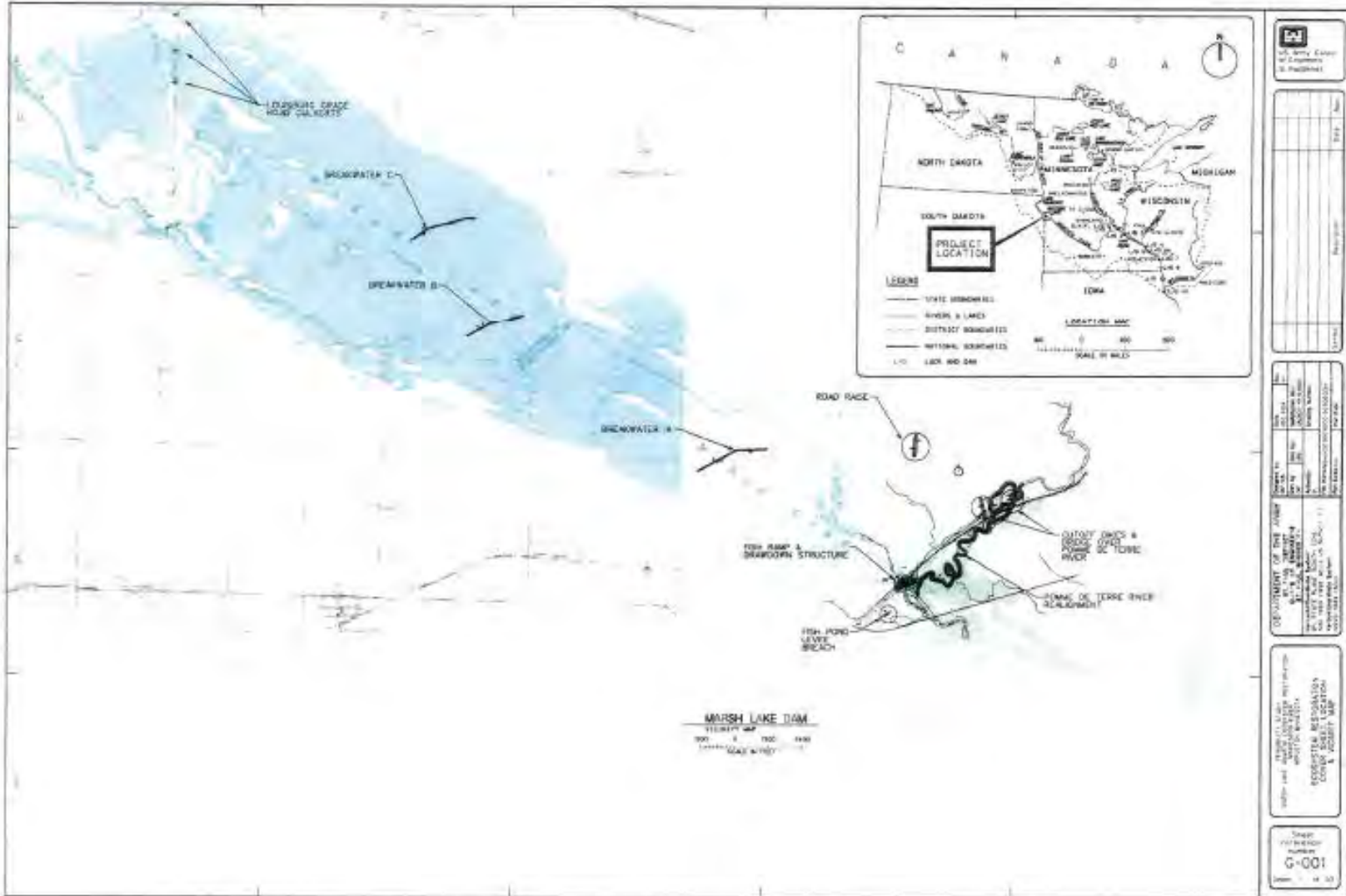


Figure 1. Marsh Lake Ecosystem Restoration Project, location of features a through h.

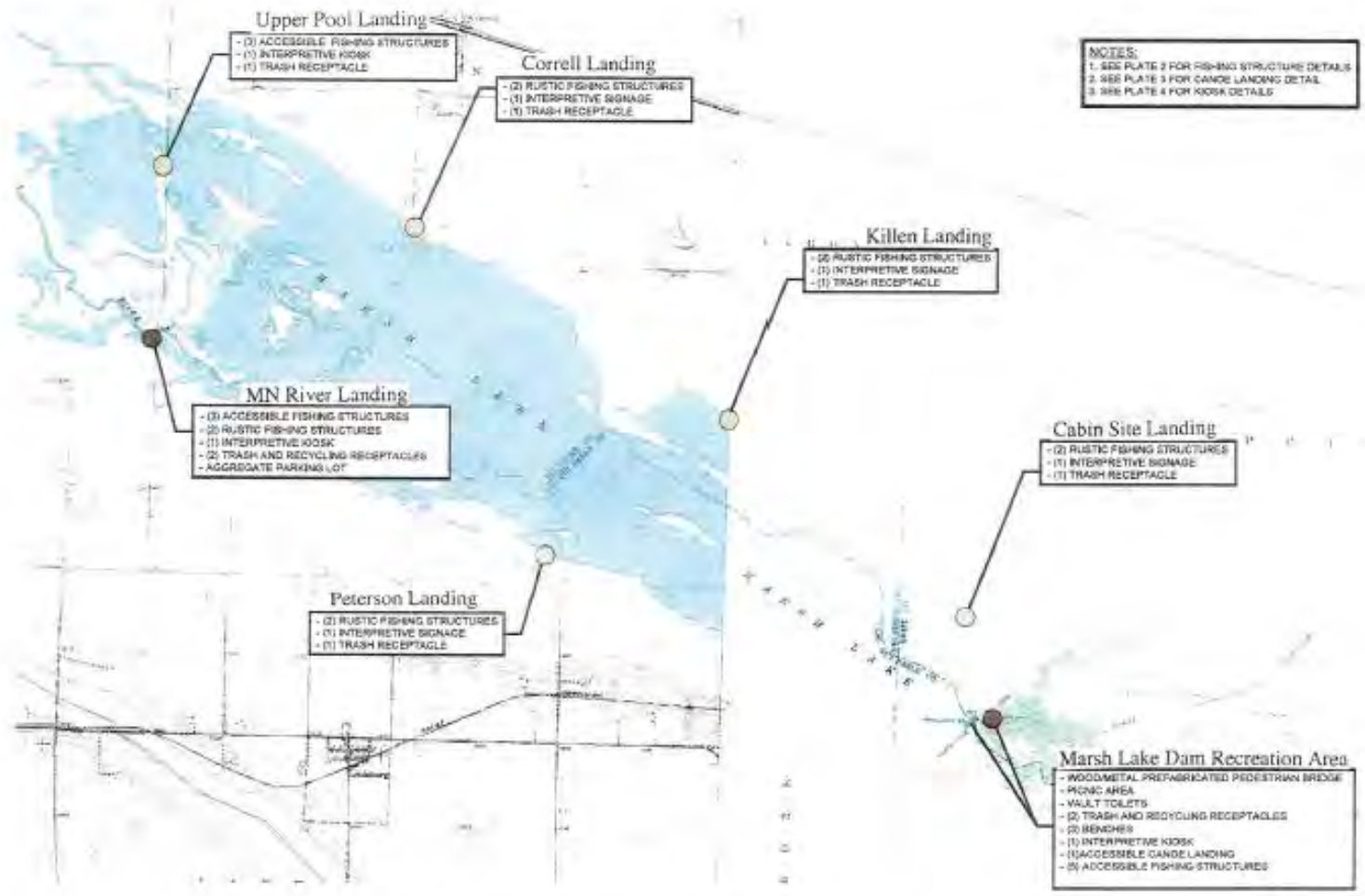


Figure 2. Marsh Lake Ecosystem Restoration Project, location of recreation features i and j.

STATE HISTORIC PRESERVATION OFFICE

August 17, 2015

Mr. Terry Birkenstock, Deputy Chief
Regional Planning and Environment Division North
St. Paul District, Corps of Engineers
180 5th Street East, Suite 700
St. Paul, MN 55101-1638

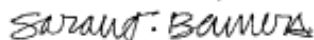
RE: Marsh Lake Ecosystem Restoration Project
Draft Level II Minnesota Historic Property Record (MHPR) for the Marsh Lake Dam
Lac Qui Parle and Swift Counties
SHPO Number: 2009-0850 MOA

Dear Mr. Birkenstock:

Thank you for the opportunity to comment on the Draft Level II Minnesota Historic Property Record (MHPR) documentation for the Marsh Lake Dam. This documentation has been prepared pursuant to Stipulation A of the memorandum of agreement negotiated for the Marsh Lake Ecosystem Restoration Project. The draft photos and narrative appear to satisfy Stipulation A of the agreement and we look forward to receiving the final Level II MHPR documentation.

Please contact Kelly Gragg-Johnson, Review and Compliance Specialist, at (651) 259-3455 if you have any questions regarding our comments.

Sincerely,



Sarah J. Beimers, Manager
Government Programs and Compliance

cc: Brad Perkl, USACE Archaeologist



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

October 28, 2015

REPLY TO
ATTENTION OF

Regional Planning and Environment Division North

Ms. Sarah Beimers
Government Programs and Compliance
State Historic Preservation Office
Minnesota Historical Society
345 Kellogg Boulevard West
St. Paul, MN 55102-1906

SUBJECT: Minnesota Historic Property Record Level II Documentation for Marsh Lake Dam,
Lac qui Parle and Swift Counties, Minnesota. SHPO Number 2009-0850

Dear Ms. Beimers:

The St. Paul District, U.S. Army Corps of Engineers (Corps) is continuing the planning for an ecosystem restoration project (Project) at Marsh Lake on the Minnesota River near Appleton, Minnesota. Because some of the actions will alter the National Register of Historic Places eligible Marsh Lake Dam (MHPR No. XX-RVR-004 [former no.: LP-HAN-004, SW-APT-003]), a Level II historic property record documentation was completed and the final version was presented to your office on October 13, 2005. The Corps has sent copies of the Level II document to the Minnesota Department of Natural Resources Southern Regional Office, the Lac qui Parle Wildlife Management Refuge and the Swift, Big Stone and Lac qui Parle Historical Societies. These actions satisfy Stipulations A and B of the Project's Memorandum of Agreement.

Also, a contract has been awarded to complete archaeological surveys and evaluative investigations at the proposed and alternative borrow areas for the Project. These studies will be completed this fall and the results and recommendations coordinated with your office. Please direct any questions or comments to Dr. Bradley Perkl, Corps archaeologist, at (651) 290-5370.

Sincerely,

Terry J. Birkenstock
Deputy Chief, Regional Planning and
Environment Division North

Enclosure



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

October 28, 2015

REPLY TO
ATTENTION OF

Regional Planning and Environment Division North

Dennis Frederickson, Regional Director
DNR Regional Office
21371 State Highway 15
New Ulm, MN 56073

SUBJECT: Minnesota Historic Property Record Level II Documentation for Marsh Lake Dam,
Lac qui Parle and Swift Counties, Minnesota.

Dear Mr. Frederickson,

The St. Paul District, U.S. Army Corps of Engineers (Corps) is continuing review on an ecosystem restoration project at Marsh Lake on the Minnesota River near Appleton, Minnesota. The intent is to restore the aquatic and riparian ecosystem of Marsh Lake to a similar condition prior to the dam's construction in the 1930s. Key features include restoring the Pomme de Terre River to its historic channel, constructing a drawdown structure and fish passage within the dam structure and notching an abandoned fish pond dike.

Some of the work will result in adverse effects to the National Register of Historic Places eligible Marsh Lake Dam and its historic setting. As mitigation for adverse effects, the Corps completed a Level II historic property record documentation as stipulated in the Memorandum of Agreement between the Corps and the Minnesota State Historic Preservation Office.

Enclosed is the final Level II Minnesota Historic Property Record for the Marsh Lake Dam. Please direct any questions or comments to Dr. Bradley Perkl, Corps archaeologist, at (651) 290-5370.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry J. Birkenstock".

Terry J. Birkenstock
Deputy Chief, Regional Planning and
Environment Division North

Enclosure



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

October 28, 2015

REPLY TO
ATTENTION OF

Regional Planning and Environment Division North

Big Stone County Historical Society
985 Highway 12
Ortonville, MN 56278

SUBJECT: Minnesota Historic Property Record Level II Documentation for Marsh Lake Dam,
Lac qui Parle and Swift Counties, Minnesota.

To whom it may concern:

The St. Paul District, U.S. Army Corps of Engineers (Corps) is continuing review on an ecosystem restoration project at Marsh Lake on the Minnesota River near Appleton, Minnesota. The intent is to restore the aquatic and riparian ecosystem of Marsh Lake to a similar condition prior to the dam's construction in the 1930s. Key features include restoring the Pomme de Terre River to its historic channel, constructing a drawdown structure and fish passage within the dam structure and notching an abandoned fish pond dike.

Some of the work will result in adverse effects to the National Register of Historic Places eligible Marsh Lake Dam and its historic setting. As mitigation for adverse effects, the Corps completed a Level II historic property record documentation as stipulated in the Memorandum of Agreement between the Corps and the Minnesota State Historic Preservation Office.

Enclosed is the final Level II Minnesota Historic Property Record for the Marsh Lake Dam. Please direct any questions or comments to Dr. Bradley Perkl, Corps archaeologist, at (651) 290-5370.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry J. Birkenstock".

Terry J. Birkenstock
Deputy Chief, Regional Planning and
Environment Division North

Enclosure



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

October 28, 2015

REPLY TO
ATTENTION OF

Regional Planning and Environment Division North

Swift County Historical Society
2134 Minnesota Avenue Highway 12 West
Benson, MN 56215

SUBJECT: Minnesota Historic Property Record Level II Documentation for Marsh Lake Dam,
Lac qui Parle and Swift Counties, Minnesota.

To whom it may concern:

The St. Paul District, U.S. Army Corps of Engineers (Corps) is continuing review on an ecosystem restoration project at Marsh Lake on the Minnesota River near Appleton, Minnesota. The intent is to restore the aquatic and riparian ecosystem of Marsh Lake to a similar condition prior to the dam's construction in the 1930s. Key features include restoring the Pomme de Terre River to its historic channel, constructing a drawdown structure and fish passage within the dam structure and notching an abandoned fish pond dike.

Some of the work will result in adverse effects to the National Register of Historic Places eligible Marsh Lake Dam and its historic setting. As mitigation for adverse effects, the Corps completed a Level II historic property record documentation as stipulated in the Memorandum of Agreement between the Corps and the Minnesota State Historic Preservation Office.

Enclosed is the final Level II Minnesota Historic Property Record for the Marsh Lake Dam. Please direct any questions or comments to Dr. Bradley Perkl, Corps archaeologist, at (651) 290-5370.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry J. Birkenstock".

Terry J. Birkenstock
Deputy Chief, Regional Planning and
Environment Division North

Enclosure



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

October 28, 2015

REPLY TO
ATTENTION OF

Regional Planning and Environment Division North

Lac qui Parle Historical Society
250 8th Avenue
Madison, MN 56256

SUBJECT: Minnesota Historic Property Record Level II Documentation for Marsh Lake Dam,
Lac qui Parle and Swift Counties, Minnesota.

To whom it may concern:

The St. Paul District, U.S. Army Corps of Engineers (Corps) is continuing review on an ecosystem restoration project at Marsh Lake on the Minnesota River near Appleton, Minnesota. The intent is to restore the aquatic and riparian ecosystem of Marsh Lake to a similar condition prior to the dam's construction in the 1930s. Key features include restoring the Pomme de Terre River to its historic channel, constructing a drawdown structure and fish passage within the dam structure and notching an abandoned fish pond dike.

Some of the work will result in adverse effects to the National Register of Historic Places eligible Marsh Lake Dam and its historic setting. As mitigation for adverse effects, the Corps completed a Level II historic property record documentation as stipulated in the Memorandum of Agreement between the Corps and the Minnesota State Historic Preservation Office.

Enclosed is the final Level II Minnesota Historic Property Record for the Marsh Lake Dam. Please direct any questions or comments to Dr. Bradley Perkl, Corps archaeologist, at (651) 290-5370.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry J. Birkenstock".

Terry J. Birkenstock
Deputy Chief, Regional Planning and
Environment Division North

Enclosure

STATE HISTORIC PRESERVATION OFFICE

November 16, 2015

Mr. Terry Birkenstock, Deputy Chief
Regional Planning and Environment Division North
St. Paul District, Corps of Engineers
180 5th Street East, Suite 700
St. Paul, MN 55101-1638

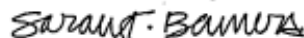
RE: Marsh Lake Ecosystem Restoration Project
Final Level II Minnesota Historic Property Record (MHPR) for the Marsh Lake Dam
Lac Qui Parle and Swift Counties
SHPO Number: 2009-0850 MOA

Dear Mr. Birkenstock:

Thank you for the opportunity to comment on the Final Level II Minnesota Historic Property Record (MHPR) documentation for the Marsh Lake Dam. This documentation has been prepared pursuant to Stipulation A of the Memorandum of Agreement (MOA) negotiated for the Marsh Lake Ecosystem Restoration Project. We understand that the Corps has also provided copies of the MHPR to the Minnesota Department of Natural Resources Southern Regional Office, the Lac qui Parle Wildlife Management Refuge and the Swift, Big Stone and Lac Qui Parle Historical Societies. We agree that these actions satisfy Stipulation A and Stipulation B of the MOA.

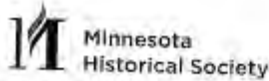
We understand that cultural resource surveys are underway for the proposed and alternative borrow areas for this project. We look forward to further consultation on the results of these surveys. Please contact Kelly Gragg-Johnson, Review and Compliance Specialist, at (651) 259-3455 if you have any questions regarding our comments.

Sincerely,



Sarah J. Beimers, Manager
Government Programs and Compliance

cc: Brad Perki, USACE Archaeologist



STATE HISTORIC PRESERVATION OFFICE

Using the Power of History to Transform Lives
PRESERVING SQUARES • CONNECTING

March 16, 2016

Mr. Terry Birkenstock, Deputy Chief
Regional Planning and Environment Division North
St. Paul District, Corps of Engineers
180 5th Street East, Suite 700
St. Paul, MN 55101-1638

RE: Marsh Lake Ecosystem Restoration Project
Cultural Resources Survey - Proposed borrow area
Lac Qui Parle and Swift Counties
SHPO Number: 2009-0050 MOA

Dear Mr. Birkenstock:

Thank you for continuing consultation on the above project. Information received in our office on 17 February 2016 has been reviewed pursuant to the Memorandum of Agreement (MOA) negotiated for the Marsh Lake Ecosystem Restoration Project.

We have completed our review of the report entitled *Intensive Phase I Cultural Resources Survey of a Proposed Borrow Area Containing Archaeological Site 21SW27 and an Alternate Borrow Area for the Marsh Lake Ecosystem Restoration Project, Swift County, Minnesota* (February 2016), prepared by Bear Creek Archaeology. We agree with your agency's determination that archaeological site 21SW27, which is located within the proposed borrow area for the project, is **not eligible** for listing in the National Register of Historic Places (NRHP). We understand that archaeological sites 21SW65 and 21SW66, which were identified within an alternate borrow area, will be avoided. These sites have not been evaluated for the NRHP. If for any reason the alternate borrow area is proposed for this project, a Phase II evaluation of these sites will be necessary, as will further consultation with our office. The gravel road at the western boundary of the proposed borrow area, Sturm-Wilson Road (SW-APT-016), is a contributing resource to the Lac Qui Parle Flood Control Project Historic District, which has previously been determined eligible for listing in the NRHP. You have determined that impacts to this historic road will be avoided and that this project will have no adverse effect on the property. We concur with your determination.

With the submission of this report and the previously submitted Minnesota Historic Property Record for the Marsh Lake Dam, the terms of the MOA have been fulfilled. If you have any questions regarding our review of the terms of the agreement, please contact Kelly Gragg-Johnson, Review and Compliance Specialist, at (651) 259-3455.

Sincerely,

Sarah J. Beimers, Manager
Government Programs and Compliance

cc: Brad Perki, USACE Archaeologist

USACE-MVP-0000124392

Minnesota Historical Society, 346 Kellogg Boulevard West, Saint Paul, Minnesota 55102
651-259-3000 • 888-727-8388 • www.mhhs.org