

ATTACHMENT NO. 1

**SPLIT ROCK LIGHTHOUSE STATE PARK
CAMPGROUND EXPANSION PROJECT**

**WRITTEN COMMENTS RECEIVED DURING
EAW PUBLIC REVIEW AND COMMENT PERIOD**

DECEMBER 26, 2011 – JANUARY 25, 2012

7081.0080 PERFORMANCE AND COMPLIANCE CRITERIA.

Subpart 1. **General.** New construction, replacement, or existing MSTs designed under this chapter are considered conforming if they meet the requirements of this part. Existing MSTs constructed before February 4, 2008, are considered conforming if they meet the requirements of this part, except for subpart 4, items D and E.

Subp. 2. **Treatment required.** All sewage discharged from a dwelling or other establishment not served by a system issued a permit containing effluent and discharge limits or specific monitoring requirements by the agency must be treated according to local ordinances that comply with this chapter, chapter 7082, and Minnesota Statutes, section 115.55.

Subp. 3. **Public health and safety; imminent threat.**

A. To be in compliance, all MSTs must:

(1) have treatment processes and devices that do not allow sewage or sewage effluent contact with humans, insects, or vermin;

(2) disperse sewage effluent into soil or sand below final grade, with the effluent remaining below final grade;

(3) not discharge to drainage tile, the ground surface, or surface water or back up sewage into dwellings or other establishments;

(4) treat and disperse sewage effluent in a safe manner, including protection from physical injury and harm; and

(5) not have received hazardous material.

B. MSTs must be deemed an imminent threat to public health or safety for noncompliance with item A and any other condition that poses an imminent threat as determined by a qualified employee MSTs inspector or licensed MSTs inspection business.

Subp. 4. **Groundwater protection.** To be in compliance, all MSTs must:

A. meet the requirements of part 7080.1500, subpart 4, item D;

B. not be seepage pits, cesspools, drywells, leaching pits, sewage tanks, and treatment vessels that observably leak below the designated operating depth;

C. not allow viable fecal organisms to contaminate underground waters or zones of seasonal saturation;

D. employ nitrogen reduction processes that reduce nitrogen contribution to groundwater as determined in subitem (1) or (2):

(1) if the discharge from an MSTS will impact water quality of an aquifer, as defined in part 4725.0100, subpart 21, the effluent from an MSTS, in combination with the effective recharge to the groundwater, must not exceed a concentration of total nitrogen greater than 10 mg/l at the property boundary or nearest receptor, whichever is closest; and

(2) if the discharge from an MSTS will not impact water quality of an aquifer, as defined in part 4725.0100, subpart 21, best management practices developed by the commissioner to mitigate water quality impacts to groundwater must be employed; and

E. not exceed a groundwater discharge of phosphorus to a surface water that exceeds the phosphorus standard to the receiving water.

Subp. 5. **Other conformance.** To be in compliance, MSTS must meet the requirements of items A and B.

A. All methods and devices used to treat and disperse sewage must be designed to conform to all applicable federal, state, and local regulations.

B. Systems no longer in use must be abandoned according to part 7080.2500.

Subp. 6. **System operation.** To be in compliance, an MSTS must meet performance standards and be operated and managed according to its operating permit and management plan, as described in part 7081.0290. To be in compliance, an MSTS designed before February 4, 2008, must be operated according to applicable requirements of part 7080.2450.

Subp. 7. **Compliance criteria for systems receiving replacement components.** Components of existing MSTS that cause noncompliance must be repaired or replaced. The repaired or replacement components must meet technical standards and criteria in parts 7081.0110 to 7081.0280. The remaining components of the existing system must comply with subparts 2 to 5, including subpart 4, item D, if constructed after February 4, 2008.

Subp. 8. **Upgrade requirements.**

A. MSTS in compliance with this part shall be issued a certificate of compliance. Systems found not in compliance shall be issued a notice of noncompliance.

B. MSTS issued a notice of noncompliance based on criteria in subpart 3 shall be repaired or replaced within ten months or as directed by Minnesota Statutes, chapter 145A, whichever is most restrictive.

C. MSTS issued a notice of noncompliance based on criteria in subpart 4 or 5 shall be repaired or replaced according to local ordinance requirements.

D. Systems issued a notice of noncompliance based on criteria in subpart 6 must immediately be maintained, monitored, or managed according to the operating permit.

Statutory Authority: *MS s 115.03; 115.55*

History: *32 SR 1400; 35 SR 1353*

Posted: *March 11, 2011*

In 1963 we tent camped across Europe for much of the summer. In many of the showers there one could use all of the cold water that one wished to. However, there was a coin operated meter which controlled the amount of time that one could use hot water!! We would often lather up a time or two using cold water and then luxuriate in a brief hot water rinse! Might you wish to consider something like that to conserve both water and what ever energy source you will be using to heat water for the showers? Yes, yes, I fully realize that today's pampered Americans will howl over such a situation! However, protecting the north shore environment should give reason to the DNR to turn a 'deaf ear' to such howls... They will get used to it.... Just thoughts. Meters will be much more effective than any signage, etc.! Presumably you will be using low flow shower heads.... Yes?

Not too many years ago two young fellows from the Twin Cities area came up to the north shore in the spring. They were dressed TOTALLY inappropriately for the weather and on ground (snow) conditions. One of them perished of hypothermia as a result of their getting confused in the woods and not being properly prepared. It is fully realized that 'one can not legislate out stupid'. However, might it be appropriate to very carefully, through quality signage, warn hikers of potential cold and wet conditions that can occur at nearly any month on the north shore? Just thoughts from one who has lived there since 1961.

The EAW mentions concerns of vegetation degradation by snow shoe hares. Frankly, while I'm not familiar with the immediate area of the proposed campground, I do know that since about the early 1980, for what ever reasons, the snow shoe hair know that since about the early 1980, for what ever reasons, the snow shoe hair population on the north shore is VERY low. Granted that can suddenly change... However it has not for some time... Just observation from an outdoors-man.

Lastly, and quite importantly, in item 8 p. 6 you mention a list of needed permits for the campground expansion. Notable by its absence, is a Conditional Use Permit from Lake County. If a similar project was proposed by a private individual a CUP from LC would be required. Was this an over site? Is one not needed? If not, why not? In item 27 p. 22 you X yes, but yet require no CUP from LC...???

Please do be as respectful as possible, during both construction and operation of the campground, of any nearby private property!

Again, thank you so much for the opportunity to comment!! Good Luck with the project!
Most sincerely,

Jim Linscheid
5850 Lax Lake Road
Silver Bay, MN 55614-3633

Cultural resources and man-made features in the project area are few. One major feature not mentioned is a railroad grade dating from the logging operation at the Split Rock River between 1899 and 1906. This grade is known locally as the "telephone grade" as the first telephone lines strung up the North Shore to Beaver Bay from London Crossing apparently followed this grade. The grade is also marked on a 1922 Lake County road map as an early road to Beaver Bay prior to the completion of Highway 61 between Silver Creek Cliff and Beaver Bay in 1924. Last year two wells were drilled for the new campground within 10-20 feet of this grade. I would suggest that this railroad grade be preserved by avoiding disturbance during and after construction. The grade would make a desirable hiking trail that would tie in with existing trails in the state park at a future time.

On Figure 2 that accompanied the EAW report two creeks near or in the project area are misnamed, or have been intentionally renamed. What shows as Shipwreck Creek (S-032) has been known as Chapin's Creek since at least the 1920's. Chapin built a large cabin near the mouth of this creek around the time that Highway 61 was built in the 1920's. David and Susan Tanner currently own and have restored the old Chapin cabin. Chapin's Creek and Chapin's Curves on Highway 61 got their names from this connection. Also, Unnamed Creek (S-031) was changed from No Name Creek, the name it was given in the 1980's by DNR staff. This comes from a more original name from an earlier map where it was referred to as Anonymous Creek. It seems that, especially in the case of renaming Chapin's Creek to Shipwreck Creek, it is a misguided attempt to rename the stream at the expense of its historic ties and its local identity. Split Rock Creek has held that name since at least 1900.

Lastly, the opening of the new campground will no doubt have an impact on Split Rock Lighthouse Historic Site use patterns, as well as those of the state park. Pull-through parking in the historic site parking lot is currently inadequate for the busiest days of mid-summer and during fall color weekends. With added RV and trailer use in the state park parking requirements will have to be monitored and reassessed and possibility additional parking space added. It is anticipated that the campground use will slightly increase visitation to the lighthouse but it is anticipated that the current interpretive program can adjust to that. Accessibility to the observation deck (near the lighthouse) from the visitor center is currently under review by the Minnesota Historical Society and improvements are anticipated with improvements to access by the time that the campground is opened to the public. The campground will require more traffic to stop and use the state park contact station. No doubt DNR has taken this into consideration with any remodeling or future planning for the roadway and for the contact station.

Thank you for the opportunity to comment.

Lee Radzak



Historic Site Manager
Split Rock Lighthouse
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- rates” yet some discontinuity in substrate, or perhaps planned erodible fill has produced a viable site. The parameters of this “ site” are not defined and need to be. Failure of a septic system on such steep slopes and in such close proximity to Lake Superior would be unacceptable.
4. Split Rock Campground’s present lack of electric hook-up campsites seems to be the motivating factor for this expansion. Frequently mentioned throughout the worksheet, electricity to campsites will facilitate RV camper use of the new campground. I find this catering to RV accommodation to be short-sighted for a fleet that will not arrive. RVs use a disproportionately high volume of gasoline for mobility. Fuel prices are sure to increase in the future. The indiscriminate use of gasoline and the resulting hydrocarbon pollutants that contribute to global warming will surely be restricted as the situation becomes ever more severe in the years to come. Although there is mention made of co-existing tent accommodation, does two months of maximum campground registration at the existing campground warrant 77 new sites? And why is the campground full in July and August? Because the warm weather of summer and the natural, forested and undeveloped surroundings draw people that want to “get back to nature”. Removing vast areas of natural cover, putting up electrical wires on poles for eternally lighted structures will detract from the appeal of the North Shore!
 5. Loss of wetlands in this locale, without even mitigation *in the watershed*, will no doubt be granted by permit by the Corps of Engineers, but should never be allowed. The benefits of wetlands are well established and yet in their natural setting, continue to be removed. How can this flagrant abuse of wetland functionality for clean water and the capture of sediment again be disregarded under proposed campsite conditions of 60% steep slope and minimal groundwater flow over shallow rock substrate? Wetlands provide the only means to slow water flow during precipitation events. The four acres of wetland loss, along with 5 acres of impervious surface creation and the loss of mature tree cover due to 35 acres of proximal harvesting would overwhelm any environmental stability! Yes, other sites were removed from consideration because of more numerous wetland conditions, but why does the area of least wetland disturbance justify construction in such a generally high value and scarce wetland environment?
 6. I wish to comment on Figures 2, 3, 4 and 5. In Figure 2, “Un-named Creek (S-031)” is labeled but not shown. I suspect the label compromises the depiction of the creek, had it been shown in characteristic symbology for an intermittent stream in blue color. This essentially limits determination of creek morphology. Lack of stream depiction occurs in Figure 4 as well. In Figure 3, the Project Area shown is half-way outside the State Park Boundary. Is this an indication of the earlier boundary before land was acquired for campground expansion? If so, please refer to opening statement about pre-determination of said project before public input. In Figure 5, I am confused by the differing texture below the light green shade to indicate slopes >12%. In some areas, the texture looks like elevation lines, yet that is inconsistent. If these are lines of elevation, I would like to be able to see indication of line values so I could determine direction of slope.

Thank-you for your consideration of these comments.

Linda Ross Sellner

If your project requires a Section 404 permit application, the Guidelines specifically require that “no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences” (40 CFR § 230.10(a)). Time and money spent on a proposal prior to applying for a Section 404 permit cannot be factored into the Corps’ decision whether there is a less damaging practicable alternative to the proposal. General information about the Corps permitting process can be obtained online at <http://www.mvp.usace.army.mil/regulatory>.


Please be aware that if your project requires a Section 404 permit application, a wetland delineation of the 179 acre project area may be required. Once approved by the Corps, this wetland delineation would need to be used in the design of the project planning phase for the exploration and evaluation of alternatives.

Without detailed project plans that include the location of wetlands and water crossings, we cannot provide specific comments regarding the effects to waters of the U.S. Therefore, we would strongly recommend that the project proposer request a meeting with the Corps to obtain information regarding information that would be necessary for a permit review.

In addition, we noted that Page 23 of the EAW mentioned several minor development/maintenance projects within the park scheduled for the 2012 construction season. Please be aware that should these activities involve the discharge of dredged or fill material (including mechanized land clearing, culvert replacements, etc.) in waters of the United States, a Department of the Army permit would be required prior to the start of work. Please contact Ms. Leslie Day in our Two Harbors office to discuss whether a Department of the Army permit would be required for these projects and arrange for an on-site consultation.

If you have any questions about the Corps’ regulation of a particular wetland or activity, please contact Ms. Leslie Day in our Two Harbors office at (218) 834-6630. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,


for Tamara E. Cameron
Chief, Regulatory Branch

Copy furnished:
Joan Weyandt, BWSR
Deb Boyd, Minnesota Department of Natural Resources – Division of Parks and Trails

ATTACHMENT NO. 2

SPLIT ROCK LIGHTHOUSE STATE PARK CAMPGROUND EXPANSION PROJECT

WRITTEN COMMENTS RECEIVED AFTER EAW PUBLIC REVIEW AND COMMENT PERIOD

From: [Kevan Hanson](#)
To: [*Review, Environmental \(DNR\)](#)
Subject: Split Rock EAW
Date: Wednesday, January 25, 2012 9:46:06 PM

I recently learned of the planned expansion to Split Rock Light House Campground.

I have regularly visited the campground since I was 5 years old because it is one of the few remaining places in Minnesota to relax and enjoy nature in a private/tranquil setting. It would be a tragedy to lose the rustic feeling of the existing campground. Please reconsider.

Kevan Hanson

ATTACHMENT NO. 3

**SPLIT ROCK LIGHTHOUSE STATE PARK
CAMPGROUND EXPANSION PROJECT
RECORD OF DECISION**

**REVISED FIGURE 5.
SPLIT ROCK LIGHTHOUSE STATE PARK
CAMPGROUND EXPANSION – PROPOSED
DEVELOPMENT.**

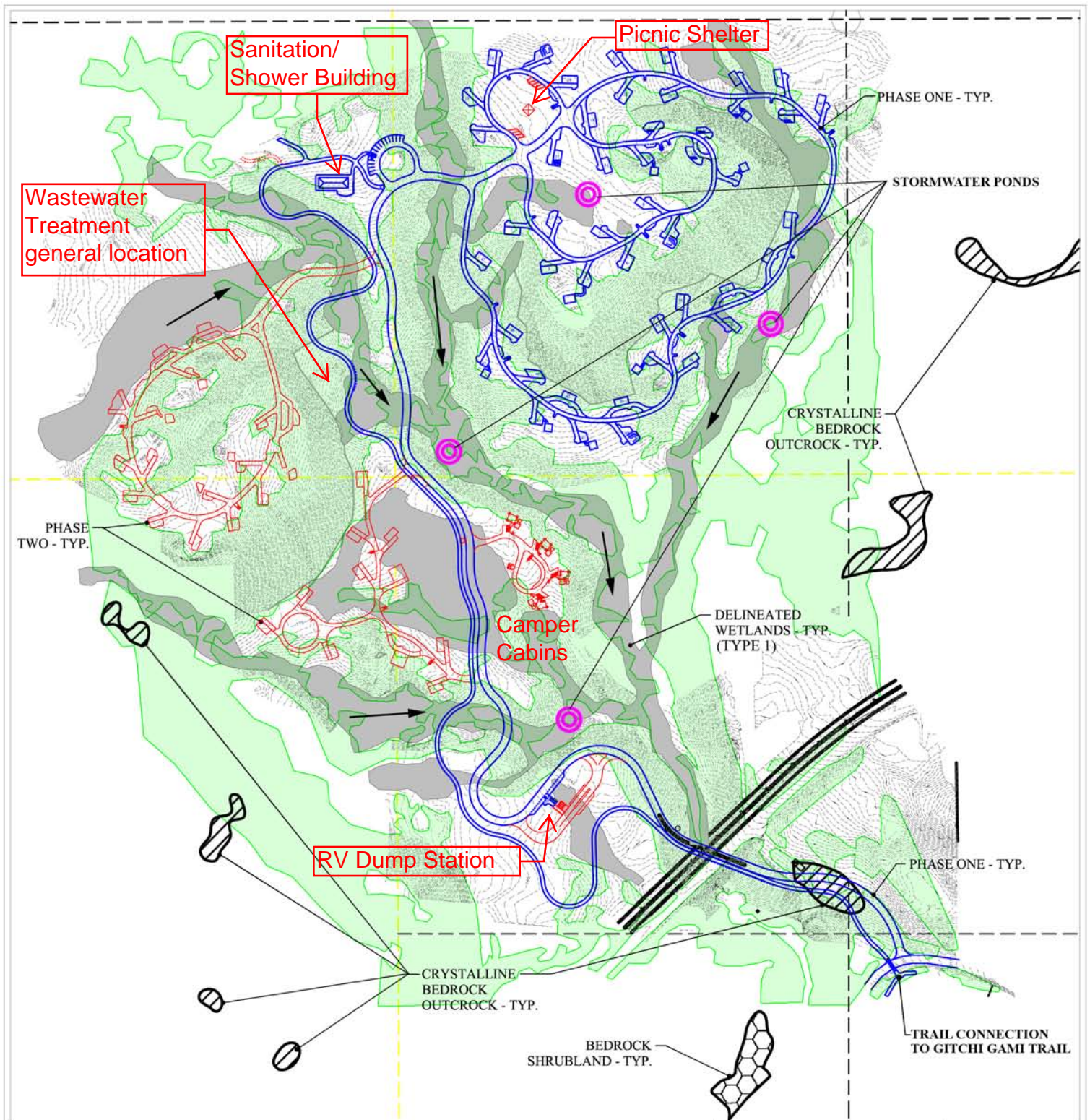


Figure 5: Split Rock Lighthouse State Park Campground Expansion - Proposed Development

LEGEND

-  Phase 1 Construction
-  Phase 2 Construction
-  Slopes: >12%
-  Delineated Wetlands (Type 1)
-  Crystalline Bedrock Outcrop
-  Bedrock Shrubland
-  Flow direction

