

# DEPARTMENT OF NATURAL RESOURCES

## RECORD OF DECISION

**In the Matter of the Determination of the  
Need for an Environmental Impact  
Statement for the Tioga Recreation Area  
Mountain Bike Trail Project in the City of  
Cohasset, Itasca County, Minnesota**

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

### **FINDINGS OF FACT**

1. The City of Cohasset proposes construction of 30 miles of single-track mountain bike trail within the 500-acre Tioga Recreation Area. Facilities include a trailhead, parking, signage, restroom facilities, picnic shelters, changing shelters, and a bike repair station. Additional outdoor recreational opportunities would be available, including hiking and snowshoeing.
2. The proposed project requires preparation of a State Environmental Assessment Worksheet (EAW) for constructing a trail at least ten miles long on forested or other naturally-vegetated land for a recreational use other than snowmobiling or cross-country skiing. See Minn. R. 4410.4300, subp. 37A.
3. The Minnesota Department of Natural Resources (DNR) is the Responsible Governmental Unit (RGU) in the preparation and review of environmental documents related to the Tioga Recreation Area Mountain Bike Trail Project (Project). See Minn. R. 4410.0500, subp. 1.
4. The DNR prepared an EAW for the Project. See Minn. R. 4410.1400.
5. The EAW was filed with the Minnesota Environmental Quality Board (EQB) and a notice of its availability was published in the EQB *Monitor* on June 18, 2018. A copy of the EAW was sent to all persons on the EQB Distribution List, to those persons known by DNR to be interested in the proposed Project, and to those persons requesting a copy. A statewide press release announcing the availability of the EAW was sent to newspapers, and radio and television stations. Copies of the EAW were also available for public review and inspection at the DNR Northeast Regional Office, the DNR Central Office library, the Minneapolis Public Library, the Duluth Public Library, and the Grand Rapids Area Library. The EAW was also made available to the public via posting on the DNR's website. See Minn. R. 4410.1500.
6. The 30-day EAW public review and comment period began June 18, 2018 and ended July 18, 2018. Written comments on the EAW could be submitted to the DNR by U.S. Mail, by facsimile, or electronically via email. See Minn. R. 4410.1600.

7. During the 30-day EAW public review and comment period, the DNR received written comments on the EAW from the agencies and individuals listed below. The comment letters are included in Attachment A of this Record of Decision.

Garshelis, Judy (June 25, 2018)  
Learmont, R.D. (July 10, 2018)  
LeValle, Terry (June 27, 2018)  
Libbey, Richard (July 18, 2018)  
Minnesota Department of Agriculture, Becky Balk (June 14, 2018)  
Minnesota Pollution Control Agency, Karen Kromar (July 12, 2018)  
Minnesota State Historic Preservation Office, Sarah Beimers (July 10, 2018)  
Shideler, Mary (June 21, 2018)  
Wick, Heide (July 9, 2018)

DNR's responses to substantive public comments on the EAW are provided in Findings of Fact paragraph 8. See Minn. R. 4410.1700, subp. 4.

8. Comments from the submissions listed in Findings of Fact paragraph 7 are provided sequentially and verbatim as practical, with DNR's response following each comment.

A. Commenter – Judy Garshelis

Comment A1: We live off Tioga Beach Road on Hanna Road. The bike trails seem like a nice idea except for the following: where will people park? The boat landing is overflowing many weekends and fishing tournament days.

Response A1: EAW Item 6b identifies the Project would include a newly constructed trailhead parking area, which would be adjacent to the existing overflow boat trailer parking area and Tioga Mine Pit parking lot. The new parking area would have its own separate entrance to reduce congestion with the public water access parking area. Regarding the issue of "boat landing overflow," EAW Items 9a.i and 19b identify the DNR Division of Parks and Trails plans to expand parking for the Tioga Public Water Access. The Proposer expects these improvements to provide adequate capacity such that parking would not typically occur along the side of Tioga Beach Road.

Comment A2: Also, Tioga Beach Road is very windy and there are people who ride bikes and walk. There is no bike lane. It is already not real safe. It will be even worse if you add a huge amount of traffic.

Response A2: EAW Item 6b identifies the Project would include a walking/biking connector trail between Tioga Beach and the new, expanded trailhead parking lot. Because the connector trail would follow Tioga Beach Road off the road shoulder but within the right-of-way, cyclists and walkers would not typically be expected to travel on the shoulder of Tioga Beach Road.

Comment A3: Last, Tioga Beach Road is our only exit if there is a fire, etc. Adding more traffic and congestion will make it very difficult to get out.

Response A3: The Proposer anticipates the existing two-lane road would be able to safely accommodate residents and facility users along Tioga Beach Road and other surrounding roads.

Comment A4: And for those of us that work, how much longer will it take us to get to the end of the road due to the extra traffic?

Response A4: Because the proposed Project includes a dedicated trailhead and parking area with its own separate entrance, the Proposer anticipates minimal traffic and no increase in travel times.

Comment A5: I think parking should be off route 17.

Response A5: The City of Cohasset reports this was not considered a viable option. This is because reaching the Tioga Recreation Area from Itasca County Highway 17 would require the purchase and/or crossing of private property to provide facility access and parking. Project objectives are fully satisfied relying on Tioga Beach Road to access the site.

Comment A6: Thank you for considering these comments.

Response A6: Comment noted.

B. Commenter – R. D. Learmont

Comment B1: Thank you for making available for comment the subject EAW. At this moment I have three comments for your consideration.

Response B1: Comment noted.

Comment B2: While the proposal development is in the City of Cohasset and is therefore not covered by the Itasca County Comprehensive Plan and Zoning Ordinance, there are references to the Itasca County trails plan and other items that tie the proposal into a larger context. I agree that proposals of this type should be viewed in a regional context, and with that in consideration, I note that a pertinent reference not mentioned or referred to in the EAW is the Itasca County Iron Mining Overlay Zone, a part of the county comprehensive plan. The proposed development lies within that overlay zone, which was developed to take into account a very important element in the regional history, economy, and development, and I strongly recommend that the reference to the location within the overlay zone and that mention of this mining overlay zoning be included as part of the EAW and review process.

Response B2: The comment is correct. The Tioga Recreation Area falls within the Itasca County Iron Mining Overlay Zone. This information is provided to the City of Cohasset, regulators, and any interested parties through this Record of Decision.

Comment B3: Attachment 1 addresses soil classifications and limitations. As noted therein, 23 percent of the proposed development (or more) involves “dumps, mine,” however, “landform and parent material” is listed as “NA.” It is actually very well known what the parent material is – it is from mining activity – and that description should be included in the appropriate place in Attachment 1.

Response B3: The comment correctly notes these soils result from mining activity, which includes an overburden stockpile and other stockpiles in this area. Mining-related stockpiles may or may not include iron bearing materials. The overburden stockpile came from the Tioga No. 2 mine as “mine stripping;” this large overburden stockpile (or dump) is not part of the mineral exclusion area but is still the result of mining activity. The other stockpiles constitute low grade iron materials and lean ore stockpiled for future use and iron recovery.

EAW Attachment 1 did not identify the parent material for the mining-related soils because this was not provided in the Soil Properties Table in the reference document, which is the “Soil Survey of Itasca County, Minnesota” (1987). Although not provided in the properties table, supporting narrative text in the Soil Survey does describe the parent material of “Soil Type 1042-Dumps, Mine” as consisting “of piles of low grade iron ore...mainly 3 to 10 inches in diameter but ranges from the size of pebbles to boulders.” This clarification is available to the City of Cohasset, regulators, and interested parties through this Record of Decision.

Comment B4: Because of the proposed development clearly lying on mine land, and over both in situ and surface iron ore resources, and to be consistent with a variety of other facts including knowing that the iron ore resource is a major asset to the local, state, and national economy that would be encumbered by construction of a trail system over and upon it, I would strongly suggest that the EAW and subsequent or related documents with regard to permissions, grants, or otherwise, include clear language that in the event a mountain bike trail or any other development is done in the proposed area that encumbers access to the iron ore resource the project proponent and its affiliates will be responsible for promptly removing the trail and related encumbrance(s) at their own expense.

Response B4: The DNR Lease would include provisions regarding any encumbrance of mineral resources. The Proposer would bear the costs of any trail-related activity to prepare for any future mining activity. This recommendation is available to Itasca County, the City of Cohasset, and interested parties through this Record of Decision.

Comment B5: Thank you for your consideration and inclusion of these comments.

Response B5: Comment noted.

C. Commenter – Terry LeValle

Comment C1: I am a neighboring land owner to the Tioga project and today I write you with full affirmation and support of what you folks are taking on. Sir, I don't know how many bicycles I own and if they have air in the tires. In fact, I can't remember the last time I even rode one. Today I write you in support for a different reason – that I feel you need to know when considering this project.

Response C1: Comment noted.

Comment C2: My passion is scuba diving. I have logged countless dives in the Tioga Pit over the last five years and have watched the water clarity remarkably decline over that time. Each dive brings

more and more trash to be found ranging from diapers, food/chip bags, cigarette butts, cans and bottles of every shape and size – the list goes on and on and on.

Response C2: EAW Item 9a.i identifies the Project site is currently used for a variety of public recreational uses, including scuba diving. Proposed project-related improvements at the Tioga Mine Beach include trash and weed removal to improve beach access and cleanliness.

Comment C3: It is my guess that while the property is owned by the State, enforced by the County, and maintained by the City that no one Agency is calling the shots and each is doing their part to some extent.

Response C3: The comment correctly notes the proposed Project site is administered by the State of Minnesota-DNR and Itasca County. The City of Cohasset operates the adjoining Tioga Beach Park and a connecting paved trail. The DNR Division of Parks and Trails also maintains the Tioga Public Water Access at the site.

Comment C4: I am just one citizen with perhaps a selfish and off topic opinion with an open enough mind that you are going to hear every possible yeah/nay angle imaginable. The space has so much more to offer than its current model. In short, if you are going to improve the space, don't do it half-[way]. I challenge you to come and come with full intentions of inviting the recreating public to use it for all of its beauty beyond dumping televisions at the boat landing, tossing diapers into the lake, and smoking pot.

Response C4: The purpose of the Project is to develop a purpose-built mountain bike trail system within the Tioga Recreation Area. The Project would offer a variety of recreational options for residents and visitors as well as accommodate multiple user groups. The Project area would continue to serve recreational uses such as swimming, fishing, paddle boarding, kayaking, scuba diving, hiking, running, biking, and bird-watching.

D. Commenter – Richard Libbey

Comment D1: I would like to comment on the Tioga Beach Recreation Area EAW.

Response D1: Comment noted.

Comment D2: The EAW addresses runoff and erosion from the 30 miles of proposed trails. Pokegama Lake and Tioga Pit are both classified as Outstanding Resource Value Waters under Minn. Rule 7050.0470 and should be protected from any runoff.

Response D2: The comment is correct; both of these waterbodies are classified as Outstanding Resource Value Waters. See Minn. R 7050.0470, subp. 4 (36) & (47). EAW Item 11b.ii identifies the requirement for a Minnesota Pollution Control Agency (MPCA)-administered Construction Stormwater General Permit for the project, including the need for a Stormwater Pollution Prevention Plan (SWPPP). This permit would require additional best management practices (BMPs), as well as seasonal construction-timing restrictions, to be applied where any discharge has the potential to reach the Tioga Mine Pit and Pokegama Lake.

Comment D3: I have some concerns about potential runoff from the Itasca County Tax Forfeit property on north of Tioga Pit into Pokegama [L]ake that should be addressed during construction and operation. Several years ago I noticed brown discolored water flowing from this area into the ditch on the west side of the Tioga Beach Road. I followed it up through the woods several hundred yards and found a channelized eroding ditch-four wheeler trail that was fed by [two] perched wetlands on the north side of the pit. The main course of the runoff was near an old fence line about 100 feet north of the pit. The design of the new trails should take this into consideration to prevent this runoff. I'm not sure if this is a seasonal spring event or how often it occurs.

Response D3: This comment is being provided to the Proposer and Itasca County through this Record of Decision.

Comment D4: There is also a wetland east of Cavanaugh Lake that drains into Pokegama. Construction in this area needs to minimize runoff into the wetland.

Response D4: This comment is being provided to the Proposer and the MPCA, the Itasca County Soil and Water Conservation District, and the US Army Corps of Engineers through this Record of Decision.

E. Commenter – Minnesota Department of Agriculture, Becky Balk

Comment E1: The Minnesota Department of Agriculture does not have any comments on the Tioga Recreation Area Mountain Bike Trail Project EAW.

Response E1: Comment noted.

F. Commenter – Minnesota Pollution Control Agency, Karen Kromar

Comment F1: Thank you for the opportunity to review and comment on the Environmental Assessment Worksheet (EAW) for the Tioga Recreation Area Mountain Bike Trail project (Project) located in the city of Cohasset, Itasca County, Minnesota. The Project consists of construction of 30 miles of recreational bike trail. MPCA staff has reviewed the EAW and has no comments at this time.

Response F1: Comment noted.

Comment F2: We appreciate the opportunity to review this project. Please provide the notice of decision on the need for an Environmental Impact Statement. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this EAW, please contact me by email at [Karen.kromar@state.mn.us](mailto:Karen.kromar@state.mn.us) or by telephone at 651-757-2508.

Response F2: Comment noted. MPCA will be provided the Record of Decision as prescribed in the State Environmental Review Program rules. See Minn. R. 4410.1700, subp. 5.

G. Commenter – Minnesota State Historic Preservation Office, Sarah Beimers

Comment G1: Thank you for providing this office with a copy of the Environmental Assessment Worksheet (EAW) for the above-referenced project.

Response G1: Comment noted.

Comment G2: Based on the submitted documentation which included the Phase I archaeological survey report that was prepared for this project, we conclude that there are no properties listed in the National or State Registers of Historic Places, and no known or suspected archaeological properties in the area that will be affected by this project.

Response G2: This conclusion is available to the City of Cohasset, regulators, and other interested person through this Record of Decision. The Proposer commits to follow the Unanticipated Discoveries Plan that details the procedures to follow if archaeological resources are encountered; this would be provided to the project manager prior to the start of construction.

Comment G3: Implementation of the undertaking in accordance with this finding, as documented, fulfills the agency's responsibilities pursuant to M.S. 138. If the project is not constructed as proposed, including, but not limited to, a situation where subsequent engineering/design changes to the currently proposed project diverts substantially from what was presented at the time of this review, or engineering/design changes involving undisturbed new rights-of-way or easements are made for the undertaking following completion of this review, your agency will need to reopen consultation with our office.

Response G3: Comment noted.

Comment G4: Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36 CFR § 800. If this project is considered for federal financial assistance, or requires a federal permit or license, then review and consultation with our office will need to be initiated by the lead federal agency. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106.

Response G4: The Proposer is notified of this potential procedural requirement through this Record of Decision.

Comment G5: Please contact our Environmental Review Program at (651) 201-3285 if you have any questions regarding review of this project.

Response G5: Comment noted.

H. Commenter – Mary Shideler

Comment H1: This morning while walking along the proposed bike trail I saw this showy lady's slipper growing. There was foliage nearby of other lady's slipper too. [A picture of a showy lady's slipper and associated geo-coordinates were provided by the commenter].

Response H1: DNR confirms the picture provided in the comment is a blooming showy lady's slipper (*Cypripedium reginae*), which is the Minnesota State Flower. The geo-coordinates are for a location immediately adjacent to the Tioga Pit Lake. This species occurs on a wide variety of sites within its range, from wet to dry and sunny to deep shade. It can be considered somewhat common in Itasca County. Showy lady's slippers are not listed as a protected rare species under the Minnesota Endangered Species Act (Minn. Stat. § 84.095).

Comment H2: Please be mindful of these orchids.

Response H2: The site identified by the geo-coordinates appears to be in an area not proposed for Project development. This part of the site would include safety fencing that restricts future public access along the edge of the Tioga Mine Pit, which was where the plant was reported to be located.

Collection and sale of native orchids, including the showy lady's slipper, is regulated by Minn. Stat. § Chapter 18H.18 (2003); this law details the conditions where collection by individuals for personal use may occur. The Proposer commits to inspect the proposed trails, parking area, and trailhead during the field-level design for native plants that merit special consideration, including the showy lady's slipper. If a concern is identified, then avoidance would be pursued as possible. These project features would also be inspected for the presence of invasive plant species, with both types of inspection included as a condition of the DNR Lease.

I. Commenter – Heide Wick

Comment I1: The trail system looks great. I especially look forward to multi-season use – biking in the summer and snowshoeing or cross-country skiing in the winter. Skating would be a nice winter addition, too.

Response I1: Comment noted.

Comment I2: Please be sure connecting trails from Cohasset and Grand Rapids are safe for bikers.

Response I2: This comment is available to the City of Cohasset through this Record of Decision.

9. Based upon the information contained in the EAW and received as public comments, the DNR has identified the following types of potential environmental effects associated with the Project:
  - a. Project Construction
  - b. Cover Type Conversion
  - c. Erosion and Sedimentation
  - d. Stormwater
  - e. Wetlands
  - f. Wildlife Resources and Habitat



- g. Rare Wildlife Species
- h. Vegetation
- i. Invasive Plant Species
- j. Noise
- k. Traffic
- l. Cumulative Potential Effects

Each of these environmental effects is discussed in more detail below.

a. Project Construction

This topic was addressed in EAW Items 6, 10, 11, 13, 16, and 17 and Comments D3 and D4.

Construction would be necessary to install the 30-mile network of trails, parking lot, fencing, and the trailhead area. Site development would include clearing of the proposed trail corridors and other sites using mechanized tools such as mini-excavators, mini-skid steers, powered wheelbarrows, and brush mowers; hand tools would include chainsaws, brush cutters, shovels, and picks. The constructed trails would not exceed six-feet in width, and may be less than six-feet wide for trails designated as “more difficult” and “difficult.” The final location of each trail may be shifted to minimize environmental effects and/or address other routing considerations during final design. Typical trail ceilings for mountain bike trails range from seven-to-nine feet.

Project-related construction activities are considered temporary and limited to the Project site. These actions are subject to ongoing public regulatory authority by the City of Cohasset’s Grading and Filling Permit and Conditional Use Permit, Itasca County’s Trail License and Special Use Permit, DNR’s Lease, and MPCA’s National Pollutant Discharge Elimination/State Disposal System (NPDES/SDS) Permit. The Proposer is committed to construct the trails according to the International Mountain Biking Association’s (IMBA’s) professional design standards. Maintenance would be ongoing subject to the conditions of the DNR Lease, the City of Cohasset Conditional Use Permit, and the Itasca County Trail License.

b. Cover Type Conversion

This topic was addressed in EAW Items 9 and 11.

Cover type reflects vegetation and land uses within and surrounding the Project site, which for the proposed Project includes reclaimed mineland exhibiting a mix of forest, wetlands, and riparian areas. Development-related cover type conversion primarily affects forested areas, although some brush/grassland-types of vegetation would be converted to trails and/or trailhead and parking area. Avoiding wetlands would be a project feature to limit impacts to this cover type.

Approximately 23.8 acres of Project-related cover type conversion is considered permanent over the 20-year site lease. Limiting the trail corridors to a maximum width of six feet, plus keeping tree removal and canopy opening to a minimum, would be the principal means to minimize Project-related cover type conversion effects.

c. Erosion and Sedimentation

This topic was addressed in EAW Items 10 and 11 and Comment D4.

The Project has the potential for erosion and sedimentation during construction and operations. This is because of the presence of soils classified with moderate and severe erosion hazard potential combined with steep slopes (exhibiting approximately 200-feet of elevation gain). Approximately 61 percent of the trails would be developed on these sensitive soils on steep slopes. The potential for erosion would be partially offset because the majority of the site's soils are well-drained with moderate-to-high permeability. Where erodible soils cannot be avoided, the trails would incorporate shallow inclines or armoring techniques as the primary means of erosion control. For areas with steep slopes greater than 33 percent, BMPs appropriate to steep slopes would be employed as part of the trail's final design and construction. During operations, the Proposer would regularly inspect the Project for spot erosion that may occur and stabilize the exposed areas as needed.

Erosion and subsequent sedimentation to nearby waterbodies is possible during construction of the parking area and trailhead. Given the proximity of these Project features to the Tioga Mine Pit, Pokegama Lake, and wetlands, erosion control would be a necessary Project feature. Additional BMPs, as well as seasonal construction-timing restrictions, would be required where stormwater discharge has the potential to reach the pit lake and/or Pokegama Lake. A likely permit requirement would be redundant erosion control measures for any soil disturbing activities that encroach within 50 feet of natural surface waters or wetlands at the site.

Project-related potentials for erosion and sedimentation are subject to ongoing public regulatory authority under the MPCA NPDES/SDS Construction Stormwater General Permit #MNR10000001 and the required SWPPP. This approval addresses potential stormwater runoff impacts where temporary erosion and sediment control BMPs would be installed prior to construction. For trail construction, the Proposer commits to employ trail designs prescribed by the IMBA's Sustainable Trailbuilding Guidelines. Specific measures include: avoiding the fall line; avoiding flat areas; the trail grade should not exceed one-half the sideslope being traversed; grade reversals; and lowered trail outslope. Other available measures include erosion control blankets, biologs, vegetation buffers, mulching, and installing silt fence. The DNR Lease and Itasca County Special Use Permit would require monitoring and erosion control over the life of the Project.

d. Stormwater

This topic was addressed in EAW Items 11 and 13 and Comments D3 and D4.

The 3.3 acres of new parking area, along with the greater trailhead site and accompanying amenities, are assumed to be impervious surfaces for the purpose of stormwater management. Because the Project should avoid discharge to the lakes, the impervious surfaces would be designed and contoured to shed water away from nearby waterbodies.

Project-related stormwater generation is subject to ongoing public regulatory authority under MPCA NPDES/SDS Construction Stormwater General Permit #MNR10000001 and SWPPP. All

potential sources of stormwater are a component of the Common Plan of Development under the General Permit. At the parking and trailhead areas, the General Permit would require that stormwater be retained on these parts of the site via infiltration (if possible) or other volume reduction practices, and not be discharged to surface waters unless prohibited due to high seasonal water tables or bedrock. Proposer commitments to employ the IMBA's Sustainable Trailbuilding Guidelines would emphasize a design to specifically allow trails to drain water in a non-erosive, stormwater-limiting manner. Because the Tioga Mine Pit and Pokegama Lake are classified as a "Special Water" under the Minnesota Construction Stormwater Program, the SWPPP would be required to meet the prescriptions of Appendix A, Parts C.1, C.2, and C.3 of the General Permit. Soils would also have to temporarily or permanently stabilized within seven days of disturbing soils on parts of the site that drain to the Special Water.

e. Wetlands

This topic was addressed in EAW Item 11 and Comment D4.

The Project does not propose to encroach or place fill into wetlands; however, wetland crossings may prove necessary to meet Project objectives. If field review indicates a wetland crossing cannot be avoided, then bridges or elevated boardwalks placed on piers or driven pilings would be used to mitigate potential impacts to wetlands. The following BMPs would be used to avoid altering the wetland's cross-section and/or hydrological characteristics: avoiding crossing open waterbodies; only traversing narrow wetland sections; minimizing disturbance; minimizing the number of pilings required by maximizing the span between pilings; and minimizing habitat fragmentation.

Project-related wetland impacts are subject to ongoing public regulatory authority under the Minnesota Wetland Conservation Act, which is administered by the Itasca County Soil and Water Conservation District (SWCD), and the US Army Corps of Engineers (USACE) Clean Water Act Section 404 Permit. Although the Proposer does not anticipate any wetland mitigation would be required if the measures identified above are employed in the design, location, and installation of any elevated boardwalk or bridge structures, these agencies would be consulted to confirm potential permitting requirements if a bridge or elevated crossing is required. Mitigation would be conducted pursuant to any permit conditions.

f. Wildlife Resources and Habitat

This topic was addressed in EAW Item 13.

Wildlife and associated habitat would be affected by Project-related construction and facility usage when complete. Potential environmental effects include: changes in ground habitat due to limited removal of understory vegetation along the trail; accidental introduction of invasive species; and human-related disturbance during construction and subsequent facility operations and/or periodic site maintenance. Construction-related effects would be temporary, while disturbance effects would be ongoing and vary as a function of the level of site usage. Measures available and incorporated into the Project to minimize operational effects to wildlife include: retaining vegetative communities and associated habitat to the extent practicable; controlling the

potential introduction and spread of invasive plant species; and maintaining the trail corridors to a width of six or less feet.

Project-related impacts are subject to ongoing public regulatory authority under the DNR Lease that would require assessment and control of invasive plant species at the site. Provisions in the MPCA-required SWPP to minimize soil erosion and sedimentation could also lessen potential adverse effects to wildlife. Minimizing cover type conversion would also address potentially adverse habitat effects.

g. Rare Wildlife Species

This topic was addressed in EAW Item 13.

The Project has the potential to affect the following rare wildlife species:

*Bald Eagle.* The Project site includes habitat suitable for bald eagles. Construction activity could result in physical, visual, and noise disturbance effects to this species, especially from February 15 to August 15 when eagles are most sensitive to disturbance. These impacts would be temporary and limited to times when construction occurs. The Proposer commits to follow the National Bald Eagle Management Guidelines, including conducting surveys to determine the presence of active nest(s) prior to tree clearing and subsequent construction. Tree removal is projected to be very limited.

*Northern Long-eared Bats.* The Project site may include summer roosting and foraging habitat suitable for the northern long-eared bat. Any Project-related removal of large trees with suitable bark, cavities, or degree of decay could diminish available roosting and rearing habitat, especially if these trees are removed during the summer months. Tree clearing, if required for the Project, would be limited and conducted in a manner to ensure no federally-prohibited take of this species. Ensuring no federal take of this bat species would be accomplished by not clearing any trees within 150 feet of a known, occupied roost tree from June 1 to July 31.

*Canada Lynx and Gray Wolf.* The proposed Project occurs within or near habitat suitable for Canada lynx and gray wolf. If denning sites are present for either species, any environmental effects would be limited to the Project site and result from Project-related construction and/or human disturbance. Measures to minimize impacts include: controlling the introduction and spread of invasive plant species; maintaining minimum corridor widths; and limiting impacts to adjacent vegetation. The Proposer commits to avoid denning sites if found. Controlling the introduction and spread of invasive plant species would be a requirement of the DNR Lease and Itasca County Special Use Permit. The Project design includes limiting the trail width to six-or-less feet and minimizing vegetation removal.

h. Vegetation

This topic was addressed in EAW Item 13 and Comments H1 and H2.

Project-related construction would remove ground layer vegetation at the trailhead, parking area, and along the approximately 30 miles of proposed trail corridors at the Project site. Clearing would eliminate existing vegetation along an up to six-foot-wide corridor during construction. Trail use would result in a barren treadway in the middle of the corridor, where over time grasses would most likely survive along the outside of the managed trail corridor. The dominant overstory should not be appreciably affected by trail construction or management. The Proposer commits to inspect the trailhead, parking area, and trails for native plants meriting special consideration, for example the Minnesota State Flower shiny lady's slipper. Requirements in the DNR Lease to control invasive plant species would also protect existing vegetation.

i. Invasive Plant Species

This topic was addressed in EAW Item 13.

Project-related construction and ongoing visitor use could provide opportunities for the introduction and/or spread of invasive plant species. Invasive plant species can adversely affect wildlife habitat and lessen site-level biodiversity, the latter due to invasive species outcompeting native plants. Soil disturbance due to construction, or unmanaged trail development or use, could provide conditions suitable for the establishment of invasive plant species introduced to the site by animals, birds and wind, operator clothing, or on equipment, trucks, or bicycles originating from offsite infested areas. Construction materials such as gravel could provide seedstock for invasive plant species to become established at the Project site. The site has not been surveyed for the presence of invasive plant species.

Project-related impacts are subject to ongoing public regulatory authority under the DNR Lease that would require assessment and control of invasive plant species at the site pursuant to Minn. Stat. § 84D and Minn. Rules part 6216. The DNR Lease would require a site survey for invasive plant species. Construction BMPs available to limit the introduction of invasive plant species include, but are not limited to, the following: inspecting and cleaning equipment prior to entering the site; minimizing soil disturbance to the extent practicable; minimizing the import of new materials by using onsite materials; locating and using staging areas that are free of invasive plant species; and monitoring revegetation once construction is complete. The Proposer commits to inspect the site for invasive plant species and use clean non-native materials for construction purposes. Keeping riders to designated trails and installing a portable wash station are both measures to limit impacts.

j. Noise

This topic was addressed in EAW Item 17.

The Project would generate noise during daytime construction and maintenance activities above existing conditions. Use of small diesel- or gasoline-powered equipment during trail construction, such as mini-excavators or mini-skid steers, would generate noise while operating. These noise levels can be lessened by use of noise-reduction mufflers on construction and/or maintenance equipment. Operation of other handtools or small equipment, such as chainsaws and brush

cutters, would generate noise during site construction and periodic maintenance. State Noise Standards are not expected to be exceeded.

k. Traffic

This topic was addressed in EAW Item 18 and Comments A2, A3, and A4.

The Project would increase traffic above current conditions to a projected 110 trips per day, with a maximum peak hourly traffic level of 7 trips per hour projected on Saturday afternoons. This minor increase in traffic is not expected to affect traffic congestion on adjacent roads or the regional transportation system. The connector trail between Tioga Beach and the trailhead parking area would direct both bicycle and pedestrian traffic off Tioga Beach Road between the facilities.

l. Cumulative Potential Effects

This topic was addressed in EAW Item 19.

Cumulative potential environmental effects are the combined effects of the proposed Project and past, present, and reasonably foreseeable future projects. See Minn R. 4410.0200, subp. 11a.

Future timber harvest activity and the proposed expansion of the parking lot at the Tioga Public Water Access were identified as reasonably foreseeable projects within the environmentally relevant area for the Project.

Construction-related noise, traffic, and water quality effects from timber harvest and expansion of the public water access parking area could overlap and combine with the Project's impacts. The cumulative potential effects would be limited to the first two-to-five years of the Project until planned timber harvest and the parking lot expansion are complete.

Cumulative noise effects are possible over the first five years of the Project when timber harvest activity is underway. Because timber harvest principally occurs under frozen soil conditions, harvest-related noise could interact with noise from wintertime cross-country ski trail grooming generated by snowmobiles; the frequency of this event is expected to be low and occur during daytime hours. Exceedance of State Noise Standards is not expected.

Cumulative traffic effects would persist over the 20-year term of the DNR Lease from individual vehicles as they enter and leave the recreation area and public water access. These cumulative traffic effects would likely have seasonal peaks around the three major summer holidays and other peak-use levels around special events (e.g., fishing contests; organized biking events). Given the location of both sets of parking facilities, cumulative traffic effects are expected to be limited to the upper reach of Tioga Beach Road that is the only access to the site.

Cumulative water quality effects are possible but not expected if both the Project and the Tioga Public Water Access parking lot both meet the conditions of the MPCA Construction Stormwater General Permit. This is because measures required under the General Permit are designed to limit

erosion and subsequent transport of sediment and nutrients offsite to adjacent waterbodies. Monitoring would be required to ensure effective sediment and nutrient control of water leaving the site.

No other potential cumulative effects are anticipated for the Project.

10. The following permits and approvals are needed for the Project:

<u>Unit of government</u>	<u>Type of application</u>
DNR	Lease
MPCA	NPDES/SDS Construction Stormwater General Permit #MNR1000001
Itasca County	Trail License Special Use Permit
Itasca County SWCD	Wetland Conservation Act Approval if needed
City of Cohasset	Zoning Permit Grading and Filling Permit Conditional Use Permit
USACE	Clean Water Act Section 404 Permit if needed

## CONCLUSIONS

1. The Minnesota Environmental Review Program Rules, *Minnesota Rules* part 4410.1700, subparts 6 and 7, set forth the following standards and criteria to compare the impacts that may be reasonably expected to occur from the project in order 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. The RGU shall consider the following factors: whether the cumulative potential effect is significant; whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect; the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect; and the efforts of the proposer to minimize the contributions from the project;*
- C. the extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority. The RGU may rely only on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the project; and*

*D. the extent to which environmental effects can be anticipated and controlled as result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.*

2. *Type, extent, and reversibility of environmental effects.*

Based on the Findings of Fact paragraphs 9a to 9k, the DNR concludes that the following types of potential environmental effects, as described in the Findings of Fact, will be limited in extent, temporary, or reversible:

Project Construction  
Cover Type Conversion  
Erosion and Sedimentation  
Stormwater  
Wetlands  
Wildlife Resources and Habitat  
Rare Wildlife Species  
Vegetation  
Invasive Plant Species  
Noise  
Traffic

3. *Cumulative potential effects. The RGU shall consider the following factors: whether the cumulative potential effect is significant; whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect; the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect; and the efforts of the proposer to minimize the contributions from the project.*

The effects of all past projects comprise the existing condition of the project area. Cumulative environmental effects result from the addition of the effects of the proposed project and reasonably foreseeable future projects to the existing condition.

As described in Findings of Fact paragraph 9l, future timber harvest activity and proposed expansion of the parking lot at the Tioga Public Water Access were identified as reasonably foreseeable future projects whose effects could interact with the Project. Construction-related potential cumulative noise, traffic, and water quality effects would be temporary and limited to the first two-to-five years of the Project; timber harvest would occur subject to DNR and Itasca County prescriptions while the parking lot expansion would be subject to a DNR Lease and MPCA water quality permitting authority. Traffic-related cumulative effects would persist over the life of the Project, but would be limited to the upper reach of Tioga Beach Road. Any potential cumulative water quality effects would be subject to the provisions of the MPCA Construction Stormwater General Permit.

Based on the Findings of Fact above, the DNR concludes that the cumulative potential environmental effects due to noise, traffic, and water quality are not significant when viewed in connection with: other contributions; the degree to which the project complies with mitigation measures to minimize project impacts; and/or the efforts the proposer has made to minimize contributions from the project.



4. *Extent to which environmental effects are subject to mitigation by ongoing public regulatory authority.*

Based on the information in the EAW and Findings of Fact above, the DNR concludes that the following potential environmental effects, as described in Findings of Fact paragraphs 9a through 9k, are subject to mitigation by ongoing public regulatory authority:

Prior to initiation of this project, the following permits and approvals would be required: DNR Lease; City of Cohasset Zoning Permit, Grading and Filling Permit, and Conditional Use Permit; Itasca County Special Use Permit, Trail License, and possible WCA approval; MPCA NPDES/SDS Construction Stormwater General Permit; and possible USACE Clean Water Act Section 404 Permit. When applying the standards and criteria used in the determination of the need for an environmental impact statement, the DNR finds that the Project is subject to these regulatory authorities to an extent sufficient to mitigate potential environmental effects through measures identified in the EAW and Record of Decision.

Environmental effects due to Project construction are subject to mitigation by ongoing public regulatory authority from the DNR Lease, the City of Cohasset Grading and Filling Permit, the Itasca County Special Use Permit, and the MPCA Construction Stormwater General Permit. The Proposer commits to employ appropriate mountain bike trail construction BMPs for the trail network. Safety fencing would be installed around the Tioga Mine Pit pursuant to the DNR Lease and Itasca County Special Use Permit.

Environmental effects from cover type conversion are subject to mitigation by ongoing public regulatory authority from the DNR Lease, the City of Cohasset Zoning Permit and Conditional Use Permit, and the Itasca County Special Use Permit. Proposer commitments to employ the IMBA's trail development guidelines would also reduce cover type conversion.

Environmental effects due to erosion and sedimentation are subject to mitigation by ongoing regulatory authority from the MPCA Construction Stormwater General Permit. The Proposer commits to employ appropriate mountain bike trail construction BMPs for water quality and erosion control for the trail network.

Environmental effects from stormwater are subject to mitigation by ongoing public regulatory authority from the MPCA Construction Stormwater General Permit.

Environmental effects to wetlands, if they unfold, are subject to mitigation by ongoing public regulatory authority from the Itasca County SWCD Wetland Conservation Act Approval and the USACE Clean Water Act Section 404 Permit. A Project goal is to avoid wetland impacts altogether; but if wetlands must be crossed, then the Proposer commits to employ specific measures to limit the impacts from boardwalks such that effects triggering state and federal wetland permitting requirements are not generated.

Environmental effects to wildlife resources and habitat are subject to mitigation by ongoing public regulatory authority from the DNR Lease and Itasca County Special Use Permit to control invasive

species. Proposer commitments to limit the trail width to a maximum of six feet, avoid wetlands, and minimize vegetation removal also provide mitigation for impacts to wildlife resources and habitat.

Environmental effects to rare wildlife species are subject to mitigation by ongoing public regulatory authority from the DNR Lease and Itasca County Special Use Permit to control invasive species. Proposer commitments to employ BMPs for the northern long-eared bat and bald eagles also provide mitigation. Avoidance of denning sites for Canada lynx or gray wolves are also measures available to mitigate adverse environmental effects to these species.

Environmental effects to vegetation are subject to mitigation by ongoing public regulatory authority from the DNR Lease, the Itasca County Special Use Permit, and the City of Cohasset Conditional Use Permit. The Proposer commits to avoid impacts to native plants meriting special consideration, which would be a condition of the DNR Lease.

Environmental effects resulting from invasive plant species are subject to mitigation by ongoing public regulatory authority from the DNR Lease and Itasca County Special Use Permit. Proposer commitments to use only clean fill and control any plants that may colonize the site, which would be a condition of the DNR Lease, also address potential effects due to the establishment and spread of invasive plant species.

Environmental effects due to facility construction-, operation-, and maintenance-related noise are subject to mitigation by ongoing public regulatory authority under the MPCA-administered State Noise Standards.

Environmental effects due to traffic are subject to ongoing regulatory authority under the City of Cohasset Conditional Use Permit.

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.*

Environmental studies undertaken by the Proposer include:

Phase I Cultural Resources Survey for the Proposed Tioga Recreation Area Mountain Bike Trail System, Itasca County, Minnesota. June 5, 2018. Prepared by *10,000 Lakes Archaeology, Inc.*

Guidance documents are based on the best available scientific studies that have been tested and approved by regulatory authorities. The Project is being designed in accordance with:

“Trail Solutions – IMBA’s Guide to Building Sweet Singletrack.” 2004. International Mountain Biking Association.

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 Tioga Recreation Area Mountain Bike Trail Project in Itasca County, Minnesota.

7. Based on consideration of the criteria and factors specified in the Minnesota Environmental Review Program Rules (*Minnesota Rules* part 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 the proposed Tioga Recreation Area Mountain Bike Trail 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 Tioga Recreation Area Mountain Bike Trail Project in Itasca County, Minnesota.

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

Dated this 30<sup>th</sup> day of July, 2018

**STATE OF MINNESOTA  
DEPARTMENT OF NATURAL RESOURCES**



Barb Naramore  
Assistant Commissioner

# **RECORD OF DECISION**

## **Attachment A**

### **Tioga Recreation Area Mountain Bike Trail Project Environmental Assessment Worksheet**

#### **Public Comments**

**From:** Judy Garshelis  
**To:** [MN Review, Environmental \(DNR\)](#)  
**Subject:** Tioga Recreation Area  
**Date:** Monday, June 25, 2018 9:07:00 PM

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We live off Tioga Beach Rd. On Hanna Rd. The bike trails seem like a nice idea except for the following: where will people park? The boat landing is overflowing many weekends and fishing tournament days. **Comment A1**

Also, Tioga Beach Rd. Is very windy and there are people who ride bikes and walk. There is no bike lane. It is already not real safe. It will be even worse if you add a huge amount of traffic. **Comment A2**

Last, Tioga Beach Rd. Is our only exit if there is a fire, etc. Adding more traffic and congestion will make it very difficult to get out. **Comment A3**

And for those of us that work, how much longer will it take us to get to the end of the road due to the extra traffic? **Comment A4**

I think parking should be off route 17. **Comment A5**

Thanks for considering these comments. **Comment A6**

Judy Garshelis  
35132 Hanna Rd.  
Cohasset

Sent from my iPad

Rec'd  
WHT  
7/10/18

R. D. Learmont  
P.O. Box 2756  
Warba, Minnesota 55793  
July 8, 2018

DNR Division of Ecological and Water Resources  
Mr Bill Johnson, Planning Director  
500 Lafayette Road  
Saint Paul, Minnesota 55155-4025

Re: Comments on Draft EAW Regarding Tioga Recreation Area Mountain Bike Trail

Dear Mr. Johnson:

Thank you for making available for comment the subject EAW. At this moment I have three comments for your consideration, please: **Comment B1**

1. While the proposal development is in the City of Cohasset and is therefore not covered by the Itasca County Comprehensive Plan and Zoning Ordinance, there are references to the Itasca County trails plan and other items that tie the proposal into a larger context. I agree that proposals of this type should be viewed in a regional context, and with that in consideration, I note that a pertinent reference not mentioned or referred to in the EAW is the Itasca County Iron Mining Overlay Zone, a part of the county comprehensive plan. The proposed development lies within that overlay zone, which was developed to take into account a very important element in the regional history, economy, and development, and I strongly recommend that reference to the location within the overlay zone and that mention of this mining overlay zoning be included as part of the EAW and review process. **Comment B2**
2. Attachment 1 addresses soil classifications and limitations. As noted in therein, 23 percent of the proposed development (or more) involves "dumps, mine", however, "landform and parent material" is listed as "NA". It is actually very well known what the parent material is - it is from mining activity - and that description should be included in the appropriate place in Attachment 1. **Comment B3**
3. Because of the proposed development clearly lying on mine land, and over both in situ and surface iron ore resources, and to be consistent with a variety of other facts including knowing that the iron ore resource is a major asset to the local, state, and national economy that would be encumbered by construction of a trail system over and upon it, I would strongly suggest that the EAW and subsequent or related documents with regard to permissions, grants, or otherwise, include clear language that in the event a mountain bike trail or any other development is done in the proposed area that encumbers access to the iron ore resource the project proponent and its affiliates will be responsible for promptly removing the trail and related encumbrance(s) at their own expense. **Comment B4**

Thank you for your consideration and inclusion of these comments. **Comment B5**



R. D. Learmont

Terry LaValle  
22571 Henderson Rd  
Cohasset, MN 55721

Bill Johnson, EAW project manager  
Environmental Policy & Review Unit, Ecological & Water Resources Division, DNR  
500 Lafayette Rd  
St. Paul, MN 55155-4025

Greetings Mr. Johnson,

I am a neighboring land owner to the Tioga project and today I write you with full affirmation and support of what you folks are taking on. Sir, I don't know how many bicycles I own and if they have air in the tires. In fact, I can't remember the last time I even rode one. Today I write you in support for a different reason – that I feel you need to know when considering this project. **Comment C1**

My passion is scuba diving. I have logged countless dives in the Tioga Pit over the last 5 years and have watched the water clarity remarkably decline over that time. Each dive brings more and more trash to be found ranging from diapers, food/chip bags, cigarette butts, cans and bottles of every shape and size – the list goes on and on and on. **Comment C2**

It is my guess that while the property is owned by the State, enforced by the County, and maintained by the City that no one Agency is calling the shots and each is doing their part to some extent. **Comment C3**

I am just one citizen with perhaps a selfish and off topic opinion with an open enough mind that you are going to hear from every possible yeah/nay angle imaginable. The space has so much more to offer than its current model. In short, if you are going to improve the space, don't do it half assed. I challenge you to come and come with full intentions of inviting the recreating public to use it for all of its beauty beyond dumping televisions at the boat landing, tossing diapers into the lake, and smoking pot. **Comment C4**



6/21/2018  
Terry LaValle

**From:** Rich Libbey  
**To:** [MN Review, Environmental \(DNR\)](#)  
**Cc:** [Rich Libbey](#)  
**Subject:** Tioga Beach Recreation Area  
**Date:** Wednesday, July 18, 2018 3:45:35 PM

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I would like to comment on the Tioga Beach Recreation Area EAW. **Comment D1**

\*\*\* Runoff-

The EAW addresses runoff and erosion from the 30 miles of proposed trails. Pokegama Lake and Tioga Pit are both classified as Outstanding Value Resource Waters under Minn. Rule 7050.0470 and should be protected from any runoff. **Comment D2**

I have some concerns about potential runoff from the Itasca County Tax Forfeit property on north of Tioga Pit into Pokegama lake that should be addressed during construction and operation. Several years ago I noticed brown discolored water flowing from this area into the ditch on the west side of the Tioga Beach Road. I followed it up through the woods several hundred yards and found a channelized eroding ditch-four wheeler trail that was fed by 2 perched wetlands on the north side of the pit. The main course of the runoff was near an old fence line about 100 feet north of the pit. The design of the new trails should take this into consideration to prevent this runoff. I'm not sure if this is a seasonal spring event or how often it occurs. **Comment D3**

There is also a wetland east of Cavanaugh Lake that drains into Pokegama. Construction in this area needs to minimize runoff into the wetland. **Comment D4**

Sincerely Richard Libbey

18603 Hale Lake Drive

Grand Rapids, Minnesota 55744



**From:** [Balk, Becky \(MDA\)](#)  
**To:** [Johnson, Bill H \(DNR\)](#)  
**Cc:** [Balk, Becky \(MDA\)](#)  
**Subject:** RE: ATTN: Tioga Recreation Area Mountain Bike Trail Project EAW / Available for Public Review  
**Date:** Thursday, June 14, 2018 11:25:40 AM  
**Attachments:** [image011.png](#)  
[image012.png](#)  
[image013.png](#)  
[image002.png](#)

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Bill,

The Minnesota Department of Agriculture does not have any comments on the Tioga Recreation Area Mountain Bike Trail Project EAW. **Comment E1**

Thank you.

### **Becky Balk**

**Land Use Program Manager**

**Agricultural Marketing & Development Division**

625 Robert Street North | St Paul, MN, 55155

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800-657-3864 | Use your preferred relay service | [info.pca@state.mn.us](mailto:info.pca@state.mn.us) | Equal Opportunity Employer

July 12, 2018

Bill Johnson  
Planning Director  
DNR Division of Ecological and Water Resources  
500 Lafayette Road  
St. Paul, MN 55155-4025

Re: Tioga Recreation Area Mountain Bike Trail Environmental Assessment Worksheet

Dear Bill Johnson:

Thank you for the opportunity to review and comment on the Environmental Assessment Worksheet (EAW) for the Tioga Recreation Area Mountain Bike Trail project (Project) located in the city of Cohasset, Itasca County, Minnesota. The Project consists of construction of 30 miles of recreational bike trail. Minnesota Pollution Control Agency (MPCA) staff has reviewed the EAW and has no comments at this time. **Comment F1**

We appreciate the opportunity to review this project. Please provide the notice of decision on the need for an Environmental Impact Statement. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this EAW, please contact me by email at [Karen.kromar@state.mn.us](mailto:Karen.kromar@state.mn.us) or by telephone at 651-757-2508. **Comment F2**

Sincerely,

A handwritten signature in blue ink that reads 'Karen Kromar' with a checkmark at the end.

Karen Kromar  
Project Manager  
Environmental Review Unit  
Resource Management and Assistance Division

KK:bt

cc: Dan Card, MPCA, St. Paul  
Patrick Carey, MPCA, Duluth

July 9, 2018

*Rec'd  
WHT  
7/10/18*

Bill Johnson  
Planning Director  
MN Dept of Natural Resources  
500 Lafayette Road North  
St. Paul, MN 55155

RE: EAW – Tioga Recreation Area Mountain Bike Trail Project  
Cohasset, Itasca County  
SHPO Number: 2018-1206

Dear Mr. Johnson:

Thank you for providing this office with a copy of the Environmental Assessment Worksheet (EAW) for the above-referenced project. **Comment G1**

Based on the submitted documentation which included the Phase I archaeological survey report that was prepared for this project, we conclude that there are no properties listed in the National or State Registers of Historic Places, and no known or suspected archaeological properties in the area that will be affected by this project. **Comment G2**

Implementation of the undertaking in accordance with this finding, as documented, fulfills the agency's responsibilities pursuant to M.S. 138. If the project is not constructed as proposed, including, but not limited to, a situation where subsequent engineering/design changes to the currently proposed project diverts substantially from what was presented at the time of this review, or engineering/design changes involving undisturbed new rights-of-way or easements are made for the undertaking following completion of this review, your agency will need to reopen consultation with our office. **Comment G3**

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36 CFR § 800. If this project is considered for federal financial assistance, or requires a federal permit or license, then review and consultation with our office will need to be initiated by the lead federal agency. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106. **Comment G4**

Please contact our Environmental Review Program at (651) 201-3285 if you have any questions regarding our review of this project. **Comment G5**

Sincerely,

*Sarah J. Beimers*

Sarah J. Beimers  
Environmental Review Program Manager



Thu 6/21/2018 12:12 PM [NOTE: RGU combined emails (x2)]

Mary Shideler <thekayaklady@icloud.com>

Tioga Recreation Area

To ☐ MN\_Review, Environmental (DNR)

**i** Follow up. Start by Tuesday, June 26, 2018. Due by Tuesday, June 26, 2018.

This morning while walking along the proposed bike trail I saw this lady's slipper growing. There was foliage nearby of other lady's slipper too.

The approximate coordinates of the showy lady's slippers location is:

**Comment H1**

N 47 13.314 W93 36.805



Please be mindful of these orchards.

**Comment H2**

**From:** Heidi Wick  
**To:** [MN Review, Environmental \(DNR\)](#)  
**Subject:** TIOGA trail system  
**Date:** Monday, July 09, 2018 6:48:01 PM

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The trail system looks great. I especially look forward to multi-season use - biking in the summer and snowshoeing or cross-country skiing in the winter. Skating would be a nice winter addition, too. **Comment 11**

Please be sure connecting trails from Cohasset and Grand Rapids are safe for bikers. **Comment 12**

Heidi F Wick  
35936 Johnson Ln  
Cohasset, MN 55721

218-999-5828 home  
614-561-1044 mobile  
[wickwater11@gmail.com](mailto:wickwater11@gmail.com)