DEPARTMENT OF NATURAL RESOURCES

RECORD OF DECISION

In the Matter of the Determination of the Need for an Environmental Impact Statement for the Whitewater State Park Campground Development, Winona County, Minnesota

FINDINGS OF FACT, CONCLUSIONS, AND ORDER

FINDINGS OF FACT

1. Whitewater State Park (WSP) is situated about two miles south of Elba, twenty miles west of Winona, and twenty miles east of Rochester, Minnesota. The WSP encompasses 2,733 acres of mostly steep, forested bluffland and river valley. WSP is one of the most popular state parks in Minnesota, receiving over 325,000 visitors in 2013.

2. Minnesota Department of Natural Resources (DNR) is proposing to develop a new campground in WSP, located in Winona County. The new campground area will include approximately 45 to 50 campsites with electric service, four camper cabins, three redesigned group camps with picnic shelters, and two new sanitation buildings. The proposed campground is located on state park lands east of TH 74 across from the park's visitor center entrance. The project area lies on a high terrace of the Middle Fork of the Whitewater (MFW) River, above its 100-year flood hazard area.

3. Pursuant to *Minnesota Rules*, part 4410.4300, subpart 1, an environmental assessment worksheet (EAW) must be prepared for projects that meet or exceed the threshold defined in any of the subparts 2 to 37. If full build-out is achieved, the project would exceed the threshold for a campground and RV park development of 50 or more sites on a permanent recreational development, as defined under *Minnesota Rules*, part 4410.4300, subpart 20.

4. Pursuant to *Minnesota Rules*, part 4410.0500, subpart 1, for any project listed in part 4410.4300, the governmental unit specified in those rules shall be the responsible governmental unit (RGU) unless the project will be carried out by a state agency, in which case that state agency shall be the RGU. As the proposer of the project, the DNR is delegated RGU status for conducting the environmental review.

5. The DNR prepared an EAW for the project, pursuant to *Minnesota Rules*, parts 4410.1400 and 4410.1500.

6. The EAW was filed with the Minnesota Environmental Quality Board (EQB) and a notice of its availability was published in the EQB Monitor on September 29, 2014. A copy of the EAW was sent to all persons on the EQB Distribution List, to those persons known by the Department to be interested in the proposed project, and to those persons requesting a copy. A press release announcing the availability of the EAW was sent to newspapers and radio and television stations statewide. Copies of the EAW were also made available for public review and inspection at the Minneapolis Public Library; the DNR Library (St. Paul); the Rochester Library; DNR Central Region Office (St. Paul); St. Charles Public Library; and Plainview Public Library. The EAW was also made available to the public via posting on the DNR's website.

7. The 30-day EAW public review and comment period began September 29, 2014 and ended October 29, 2014, pursuant to *Minnesota Rules*, part 4410.1600. The comment period closed at

4:30 pm. The opportunity was provided to submit written comments on the EAW to the DNR by U.S. Mail, by facsimile, or electronically by email.

8. The EAW is incorporated by reference into this Record of Decision on the determination of need for an environmental impact statement (EIS).

9. During the 30-day EAW public review and comment period, the DNR received written comments on the EAW from agencies and individuals. A copy of the comments is included with this Record of Decision as Attachment 1. The Findings No. 10 through No. 12 include further discussion on comments received and responses from the DNR.

    1. Robert and Julie Rocheleau (September 27, 2014)
    2. Nate and Hanna Hutton (September 29, 2014)
    3. Joel Dunnette on behalf of Zumbro Valley Audubon (October 20, 2014)
    4. Dave Engstler (October 21, 2014)
    5. Kelly Gragg-Johnson on behalf of State Historic Preservation Office (October 28, 2014)
    6. Karen Kromar on behalf of Minnesota Pollution Control Agency, September 29, 2014)

10. Several commenters expressed an opinion about the merits of the proposed project and did not address the accuracy and completeness of the Environmental Assessment Worksheet (EAW), specific impacts that require further investigation, the potential for significant environmental effects, or the need for an environmental impact statement (EIS).

    Several commenters expressed "support" or approval of the project. Commenters provided recommendations on design characteristics of proposed developments or noted the potential to use local native seed sources for plantings proposed in the project area.

    The DNR appreciates the additional information provided by the commenters. Individuals submitting comments in this category will generally find their comments regarding the merits of the proposed project not addressed in this Record of Decision. These comments will be provided to the proposer and to permitting and/or approval entities and/or authorities for their consideration as part of further decisions about whether to permit, approve, and/or implement the project.

11. The Minnesota Pollution Control Agency (MPCA) provided a letter indicating the need to increase the capacity of WSP's existing RV dump station or to build another one.

    The DNR appreciates receiving notice that the project has been reviewed by the agency's resource staff. As MPCA permitting authorities are apprised of the final proposed configuration, the DNR will coordinate with MPCA to configure the station according to applicable regulations.

12. The Minnesota State Historical Preservation Office (SHPO) commented that two bridges along Trunk Highway 74 are within or adjacent to the project area; have been determined eligible for listing in the National Registry of Historic Places; and are considered contributing resources to the Whitewater State Park CCC/WPA/Rustic Style Historic Resources historic district. The SHPO looks forward to reviewing the results of a proposed project area survey which is being drafted by the DNR. The SHPO indicates the potential applicability of Section 106 of the National Historic Preservation Act of 1966 and 36CFR8700 rules, if federal assistance is indicated.

    Bridge 5836 will not be affected by proposed developments and the concrete headcut wall of Bridge 5835 may receive repairs/modifications during channel restoration work proposed for the unnamed ephemeral stream (see Finding 13h). The DNR appreciates the coordination provided by the SHPO and looks forward to continuing consultation on the project relative to the forthcoming archaeological review report and the potential effects on the historic bridge. If

federal assistance is involved, the federal agencies would need to engage Section 106 protocol and submit their relevant reports to SHPO. Also see Finding 13s.

13. Based upon the information contained in the EAW, the DNR has identified the following topics of potential environmental effects associated with the project:

    a. Project Magnitude, Scheduling, and Construction
    b. Compatibility with Plans, Ordinances, and Land Uses
    c. Compatibility with Transportation
    d. Erosion and Sedimentation
    e. Groundwater
    f. Wastewater Treatment System
    g. Water Supply
    h. Surface Waters
    i. Invasive Species Management and Control
    j. Wildlife and Habitat
    k. Rare Features & Native Plant Communities
    l. Hazardous Waste Historical Presence
    m. Hazardous Materials Used
    n. Construction and Municipal Wastes
    o. Vehicle Emissions
    p. Odors and Dust
    q. Noise
    r. Visual Impacts
    s. Historical Properties
    t. Cumulative Potential Effects

    Each of these environmental effects is discussed in more detail below. Discussion on cumulative effects as identified in the EAW under Item No. 19 is included with the relevant environmental effect below (Findings 13d, 13h, and 13t). Each topic references the EAW Item Numbers (in parenthesis) that address the topic.

a. Project Magnitude, Scheduling, and Construction (EAW Item No. 6b)

The proposed campground development will be located within a 54-acre project area situated on a high, gently-sloping terrace of the Middle Fork of the Whitewater River, with construction occurring at least 500 feet from the river. Approximately 12 acres of land will be disturbed during construction, including about 3 acres of conversion to impervious surface as bituminous or graveled roadways, building sites, and pathways. Earth moving equipment including graders, bull dozers, trucks, back hoes, skid steers, and ditchers, and other implements and tools will be used to prepare the paths, roadways, utilities, stormwater management features, campsites, building foundations and construct the buildings and utilities.

The campground development will convert an area of largely open space into a space used for camping and outdoor recreation. Some of the project area is already dedicated for use as a group camp area. The development will occur on old field habitat that has been revegetated.

Scheduling of the construction is during the spring, summer, and fall of 2015, with final grading in spring, 2016. Buildings and access roads will be designed for long term use and constructed to a high standard under the authority of a licensed engineer.

This site has been selected for the project to minimize negative effects associated with such developments on the natural resources of the river valley, as described under Findings 13b

through 13t. In addition, the site will enable the development of an efficient facility in terms of staffing and its location in proximity to other park amenities and maintenance facilities.

The design, construction, and scheduling of the project will have temporary, local, and minor environmental effects on the project area.

b. Compatibility with Plans, Ordinances, and Land Uses (EAW Item Nos. 9a.ii and 9b)

Depending on their magnitude, developments within state parks may require the state park's master plan be amended and public notice be provided (*Minnesota Statutes*, Section 86A.09, subd. 6). The Whitewater State Park Management Plan (1979) included the need to replace campgrounds that were located in flood prone areas. State park management plans guide the development and management of facilities and the unit's natural and cultural resources, and communicate the need to balance resource protection and recreational opportunities (*Minnesota Statutes*, Section 86A.05, subd. 2(c). An amendment to the park's master plan is in progress to reflect current park development plans, including the new campground proposal.

One of the options for the Whitewater Country Loop State Trail brings the state trail through the WSP valley along TH 74 and through the campground development area. The WSP and its campground development are considered compatible with the WCL State Trail route and the trail's master plan. The amendment to the WSP management plan will incorporate planning decisions for the portion of the state trail passing through the park.

The Whitewater Wildlife Management Area (WMA) is managed to provide habitat for deer, ruffed grouse and turkey. The Callahan Unit of the WMA lies within WSP's boundary one mile west of the proposed campground and the North Branch Unit abuts WSP's northern boundary. The campground will likely be used for staging ventures into the WMA, with some hiking trails extending to areas near the WMA. The campground development is considered compatible with the management goals of the Whitewater WMA.

The Whitewater River State Water Trail (WRSWT) begins about two miles downstream from the campground development in Elba. The campground may provide a staging area for river excursions and enable increased usage of the water trail. The campground development could increase the amount of sediment reaching the river if managed poorly. As discussed in topics that follow, the construction of the campground has been planned to control the quality and quantity of water leaving the site and will be supervised by a licensed engineer. The campground development is considered compatible with the management goals of the WRSWT.

The project area was selected for development because it provides the best options to avoid and minimize potential environmental effects and to achieve compatibility with surrounding land uses. The project's proximity to other park campground facilities enables better recreational opportunities for park users and improves management efficiency. Avoidance and minimization planning have been applied during the planning of the campground development.

The proposed project has been evaluated for consistency with the goals and objectives of the Winona County Zoning Ordinances and the Winona County Comprehensive Plan, updated November 2014. Certain developments described in Winona County Zoning Ordinances under Chapters 9, 10, 11, and 13 have performance standards and some may require a conditional use permit. The WSP land is zoned Agriculture/Resource Conservation. Winona County has a Steep Slopes and Bluffs ordinance regulating construction projects proposed on slopes greater than 12 percent. The project's Stormwater Pollution Prevention Plan (SWPPP) needs to be available for review by the Soil and Water Conservation District (SWCD) and County Engineer. Other performance standards for commercial recreation campgrounds, such as, sewage treatment, floodplain, and shoreland zoning are also defined in county ordinances.

While respecting mandates set in state rules and statutes, the DNR's goal is to comply with applicable provisions in the Winona County's Comprehensive Plan and Zoning Ordinances during the construction and operation of the campground. The DNR routinely coordinates with local governments on projects as a courtesy and to foster good working relationships.

Wildlife areas, game management, and forest preserves are permitted principal uses within Winona County's Agriculture/Resource Conservation zone. The subsurface sewage treatment system (SSTS), if less than 10,000 gpd, and other features of the campground development also entail a review or permit from the County. Soil erosion and sedimentation control BMPs will be made available to the County Engineer and the Winona County Soils and Water Conservation District for review and, as a courtesy, to the Whitewater River Watershed Project. No work within the project area will be conducted on slopes of twelve percent or greater and no conditional use permits are applicable.

The project is compatible with plans, ordinances, and land uses in the project locale and in Winona County in general.

c. Compatibility with Transportation (EAW Item Nos. 9b and 18)

The new access driveway for the campground development will be located across from the WSP visitor center and Cedar Hill Campgrounds entrance approach. The proposed changes to the intersection will affect traffic flow along TH 74 through the park. The existing intersection used for the main park entrance will be reconfigured to access the new campground facility. About two miles of new roadway will be constructed within the project area to access the facilities.

The Annual Daily Traffic (AADT) level for the segment of TH 74 that passes through WSP, as provided by Minnesota Department of Transportation (MnDOT) Traffic Data, is 1550 vehicles per day. The TH 74 roadway provides the only two access routes to WSP and the new campground project. The main collector routes for inbound traffic are: CR 4 (Wabasha) and CR 10 and CR 2 (Olmsted) to CR 39 (Winona) from the northwest (Plainview); via CR 9 (Olmsted) from the west (Rochester); and via U.S. Hwy 14 from the south (St. Charles). There are no known transit services that provide service to the park. The WCL State Trail, if its route passes through the park, is likely to increase usage of the campground.

The DNR tracks park attendance as well as vehicle counts on a daily basis. The period with the most active campground use typically occurs from April 1 to October 15, with peak usage occurring on weekends and holidays. The existing campground sees full occupancy during most weekends, from May through September.

The estimated average daily traffic generated in the park is expected to be similar to present levels, but would potentially increase somewhat, possibly up to twenty percent during peak usage. Heaviest traffic at the park typically occurs during campground check-in, which mostly occurs between 10:00 AM and 5:00 PM with peak check-in and check-out times occurring between 3:00 PM and 5:00 PM daily. With an estimated 80 total sites, the peak hour trip estimate is 63 trips. The expected maximum number of trips that could occur on any given day is 312 trips.

In consultation with MnDOT, the northbound bypass lane will be converted to a right-turn lane at the proposed 4-way intersection. Introduction of east-bound (EB)- west bound (WB) trips across TH 74 to access the new campground after check-in and check-out at the contact station is anticipated. Given the revised traffic movements, it is proposed that the intersection operate as a through-stop condition, with TH 74 the through route. A designated pedestrian crossing will be included at the intersection. An existing entrance to the primitive group camp area will be removed. DNR will continue to consult with MnDOT to facilitate the design of efficient and safe sight-lines and grades at the intersection. The proposed configuration of the intersection will

handle all crossings/turning movements to the new campground, group camps, and camper cabins to the east and the existing visitor center and Cedar Hill Campground to the west, thus minimizing the number of park entrances along TH 74.

Existing parking within WSP consists of parking near public facilities, campsites, and dedicated roadside areas. Most of the 110 campsites have parking space for two vehicles. Additional parking spaces will be established at campsites, group camp and sanitation buildings, camper cabins, and other visitor accommodations. Proposed parking capacity for campsite visitors will include 100 to 150 passenger vehicles or 50 to 55 vehicle/trailer units. The group camp and sanitation building parking will include 15 or 20 stalls; the camper cabins, an additional 8 to 16 stalls, or 4 to 8 vehicle/trailer units; and miscellaneous visitor parking of 20 to 30 stalls. The designed parking capacity for the campground development will accommodate typical vehicle numbers experienced during the campground's peak usage.

The design standards for modern campgrounds and the DNR's experience in campground development contributed to determining the development's parking capacity requirements. The sizes and numbers of vehicles entering the park are by choice of park visitors. Safety and convenience are important to the success of the campground development and fewer stalls could increase congestion and parking along campground access roads, which is generally discouraged.

The amount of impervious surface will increase due to the amount of space dedicated to meeting parking and roadway needs for the campground development. Road widths, durability, and configurations must be designed to effectively manage peak hour traffic. Higher peak hour traffic and larger recreational vehicles are factors used to determine the size of entrance roads and loop access roads that are designed for the project. Stormwater management controls that are addressed below have been incorporated into the project to prevent excessive runoff and sediment from leaving the site.

When compared to existing traffic levels, the regional impact to traffic will be negligible. Traffic patterns through the park are expected to remain similar to existing patterns and volumes. The proposed project will be compatible with regional transportation systems and represents best practices for internal park traffic management.

d. Erosion and Sedimentation (EAW Item Nos. 9a.iii, 10b, and 11.b.ii)

Stormwater runoff from the project area eventually reaches the MFW River via four main pathways: an intermittent stream north of the project area, a centrally located ephemeral stream bisecting the project area, overland to the river south of the project area, and at Gooseberry Glen Campground, which is adjacent to the river. Closure of Gooseberry Glen Campground and its conversion to a day use area will occur after this project has been completed.

Construction-related disturbances will affect 12 acres, including increasing the amount of impervious surface from 2.1 acres to 5.4 acres, 10 percent of the project area. The WCL State Trail through the project area would increase the impervious surface area by an additional 0.8 acres, one percent of the project area. Lawn and landscaping will increase to 13 percent and tree, shrub, or grass cover would decrease 6 percent to 77 percent of the project area.

Hydrologic analysis using the HydroCAD modeling tool was conducted for benchmarking runoff volumes of existing and proposed conditions. The HydroCAD model indicated that the overall stormwater runoff and volume will increase with the new development. The preliminary estimates of post-project runoff are increases of: 120 percent for a 2-year storm event; 60 percent for a 10-year storm event; and 30 percent for a 100-year storm event. The increase in runoff volume identified in the HydroCAD Model represent the volume that will need to be managed according to standards applied in the stormwater pollution prevention plans.

Along with the increased runoff volume, the water quality of the runoff could deteriorate somewhat, with possible increases in pollutants, such as sediment and phosphorus, reaching MFW River, which is on the list of specially-protected waters and the list of impaired waters.

The silt loam soils (Festina and Chaseburg soil series) that occupy most of the project area are prone to water erosion, if compacted or left barren without plant cover, and wind erosion, when dry and pulverized. If runoff is not managed, controlled or filtered, the amount of soluble solids and nutrients it carries to surface waters would increase.

To mitigate the potential for increased runoff, nutrients, and sediments reaching the river, the DNR has established general goals and avoidance measures that address permitting requirements. Goals of the project's stormwater management are to infiltrate a minimum of 1 inch of runoff from new impervious surfaces; meet provisions of Appendix A of the NPDES Construction Stormwater Permit for discharges to Special Waters and Impaired Waters, including the Stormwater Pollution Prevention Plan (SWPPP); make adequate provisions for reducing the temperature of stormwater runoff prior to its entering the MFW River; and provide BMPs necessary to meet Minnesota B3 guidelines within a 5-foot radius around proposed sanitation buildings and camper cabins (B3 Guidelines Ver. 2.2, Dept. of Administration).

The B3 (Buildings, Benchmarks and Beyond) Guidelines are sustainable building design guidelines that are mandatory for all new buildings receiving Legislative bond appropriations after January 1, 2004 and for major renovations receiving funding after 2009. The B3 Site and Water Guidelines for stormwater management encourage maintaining a more natural hydrologic cycle through infiltration, evapotranspiration, and reuse. Examples of performance criteria include: leave no soil open for more than 48 hours; repair erosion-damaged areas after large storm events within 6 hours; limit sediment discharge to stringent standards; and continue monitoring during ongoing occupancy.

The BMPs identified in the SWPPP will be applied in coordination with the Winona County Soil and Water Conservation District to control erosion, as identified in Winona County Ordinance 9.15. The SWPPP will also be shared with the staff managing the Whitewater River Watershed project. No development will occur on steep slopes (>12%) and bluffs, as identified in Winona Co. Ordinance 11.6. Cabins are located on gentle slopes near steep sloping bluffland.

To meet the applicable standards of stormwater control for Special Waters and Impaired Waters, the model indicated that about 0.5 acre-feet of water needs to be retained through on-site infiltration for a 1-inch in 24-hour rainfall event. Preliminary hydrologic modeling indicates no generation of runoff from the site up to a 1-inch in 24-hour rainfall event. Beyond the 1-inch rainfall event, the site would begin generating runoff.

During construction, the project will use a variety of stormwater BMPs including: construction phasing; limiting areas of disturbance; disconnecting impervious surfaces by diverting runoff; using silt fence, bale checks, compost logs, and other devices to act as barriers and filters for sediment-laden stormwater runoff; and installing temporary sediment basins located near main discharge points.

Silt loam soils have a good-to-well drained capability and a moderate infiltration rate, as identified by their Class B Hydrologic Soils Group designation. Because of the fine nature of the soils, care must be taken to retain infiltration capabilities during construction by keeping soils as non-impacted as possible, e.g. limiting the size of the construction zone clearings to an efficient work area and making other areas off-limits to heavy equipment. After construction, additional stabilization measures will be utilized, including: using tackified-hydromulch; applying wildlife-friendly erosion control blankets; direct seeding; hydro-seeding; mulching; strategic shrub and

tree plantings; and promoting growth of undisturbed vegetation. B3 guidelines set higher standards for the construction of landscaped areas around buildings to capture roof runoff prior to its discharge. Retaining vegetation around campsite and roadways to mitigate their heating effects on stormwater and providing additional green space and buffers for treating runoff will be promoted as opportunities arise.

During the operation of the development, infiltration BMPs and temporary detention basins will remain in place to treat runoff, regulate flows, and mitigate for the increase in runoff volume. This will be accomplished through several means, including: constructing small, distributed impoundments (swales) and additional medium sized low-lying basins to act as temporary runoff storage areas to reduce peak flow volumes; distribute campsites to reduce soil disturbance; disconnect impervious areas from surface waters using vegetated pathways for drainage. Wet sedimentation basins with dead storage for the treatment of stormwater runoff are not proposed. Areas of stormwater management, such as infiltration basins, will benefit from tilling and vegetation establishment to retain the well-drained properties of the soil.

During park operations, some compaction of native soils beyond the zone of proposed developments is anticipated; but trampling is generally not a problem within the existing park campgrounds. Pedestrians and bikers will be encouraged to use designated campsite zones, the road system, maintained trails, and mowed/trimmed areas; screens of dense vegetation will be strategically placed to restrict use to those designated areas. Drainage features built for the campground will also serve to manage compacted soils in the area.

To protect buildings and roads, water management techniques, such as properly directed roof runoff and clay soil caps will be applied around building floors and foundations. Rock weepers and drainage tiling will be installed along pavement to convey water away from trails and roadways. Routine maintenance, such as crack sealing, landscaping and roof/gutter clearing, is essential for preventing water from affecting structures.

Avoidance, minimization, and mitigation through provisions of the NPDES Construction Stormwater Permit, including Appendix A for Special and Impaired Waters and the SWPPP will help contain erosion and sedimentation. The environmental effects from erosion and sedimentation will be temporary, local, and minor.

e. **Groundwater (EAW Item Nos. 9a.ii, 10a, and 11a.ii)**

WSP is located within a region of shallow carbonate bedrock that contains many active karst features. Many sink holes are found 6 miles south of the park. Many springs and a few caves are found in the park. The clarity and relatively constant, cool temperature of spring-fed streams in the Whitewater area make them suitable for trout. No known karst features are found within or near the project area. The proposed project is not located within a Minnesota Department of Health (MDH) wellhead protection area.

The fractures and solution cavities in the bedrock make the ground water susceptible to pollution from the land surface. Therefore, the maintenance of a clean groundwater supply for human consumption depends in large part on the how the landscape, wells, and wastewater treatment systems are managed. The MFW River is listed impaired for use as drinking water due to high nitrate levels.

Aquifers located within the WSP are considered high sensitivity aquifers. Aquifer sensitivity refers to the degree of geological protection of the aquifer(s) used by the public water supply. The aquifer(s) that the wells draw from are classified as highly sensitive to contamination due to the local geological setting, where pollutants entering from the surface are only partially abated.

Well sensitivity refers to the integrity of the wells, i.e., knowing whether construction and maintenance standards are achieved, regardless of aquifer sensitivity. Four of seven WSP wells meet current standards for construction and maintenance and do not present a pathway for contamination. Three wells are considered susceptible to contamination because either no information about well construction is available or they do not meet current construction standards. One well is not in use and has been disconnected from the system. Any new wells established for the campground development, if needed, will meet current construction and maintenance standards, as defined by MDH rules and guidelines.

Although much of the project area soils would be sensitive to contamination from wastes or chemical spills, as discussed under the Finding 13m, the potential for accidental spills or other contamination of soils and groundwater during or after project development is limited; a spill prevention plan is provided in the SWPPP; and spills must be promptly reported to authorities.

Although groundwater is vulnerable to contamination, due to the region's karst features, there is a minor risk of groundwater contamination from spills or improper well development. Cleanup requirements ensure that the effects of any spills would be temporary and local.

f. Wastewater Treatment System (EAW Item Nos. 11b.i.2 and 11b.i.3)

Effective management of wastewater limits the potential of wastewater nutrients entering surface and ground waters. Most of the wastewater generated at the proposed campground will be discharged to a subsurface sewage treatment system (SSTS). A dump station for recreational vehicles use is available at the park. The proposed SSTS system will consist of septic tank configurations followed by a soil-based treatment system, such as a mound, trench, or at-grade drain field. Two sanitation buildings with restroom and shower facilities are planned. The maximum design flow for the new SSTS system, including a 15 percent safety factor, is estimated at 4900 gallons per day (gpd). No wastewater discharges to surface waters will occur.

The Festina soil mapping unit covers a large portion of the project area. According to the Natural Resources Conservation Service (NRCS), Festina soils with 0 to 2 percent slopes are not limited for the development of mound or at-grade SSTS wastewater drain fields and, soils with 2 to 6 percent slopes, are slightly limited. The soils have desirable properties for managing wastewater, including, a good capacity for infiltration and absorbing effluent; the 6 to 10 foot or greater depth to groundwater/bed rock in the vicinity of the project area is sufficient for managing wastewater; and the soil unit does not have excessive slopes or a tendency for ponding or flooding.

Wastewater treatment is regulated under MPCA rules. The DNR is working with the MPCA to confirm whether a National Pollution Discharge Elimination System/State Disposal System (NPDES/SDS) permit is required as defined under Minnesota Rules, Chapter 7081. If an SDS permit is not required, Winona County would administer the SSTS permit application. Local ordinances govern both individual subsurface sewage treatment systems (5,000 gpd or less) and mid-sized subsurface sewage treatment systems (5000 gpd to 10,000 gpd). Winona County Planning Department through the Zoning Ordinance (Chapter 13) and authority from the MPCA regulates the design, permitting, installations, and inspections of SSTS. The DNR will comply with all SSTS rules including those governing spacing between drain fields and existing wells. Any new wells will be located uphill, at least 200 feet from any SSTSs.

The MPCA has identified the potential need for either the expansion of an existing dump station or constructing an additional station. Additional coordination between agencies will be pursued to resolve this concern.

The wastewater conveyance system from the project will not discharge directly into a municipal treatment system. Municipal system service during project operation will be limited to the

treatment of settling tank wastewater. A licensed septic tank pumping service will be hired to transport the wastewater from the park to a system that is licensed to manage the material.

The wastewater treatment systems will have temporary, local, and minor effects on groundwater quality. Surface water quality will not be affected by wastewater contamination.

g. Water Supply (EAW Item No. 11.b.iii)

Usage level of the campground development is anticipated to be less than 10,000 gpd. Water usage will be monitored to determine whether actual use meets or exceeds the projected amounts. A DNR Water Appropriations permit would be needed if a water system takes more than 10,000 gallons in a single day, or one million gallons per year. The water supply for WSP is obtained from seven primary wells but appropriation is based on individual wells or manifold systems.

The new campground project will utilize existing wells, where feasible and cost effective. If additional potable water is needed, the DNR will submit a notification to the MDH of its intent to drill a new well and 24-hour advanced notice of construction, as defined in *Minnesota Rules*, Chapter 4725, parts 1820 and 5825. The licensed well driller must prepare a boring record and test the public water well for bacterial and nitrate levels. The Minnesota Department of Labor also must review the plumbing plan for the water and sewer distribution system.

Use of ground water supplies will be minor and local but continue long term.

h. Surface Waters (EAW Item Nos. 9a.ii, 9a.iii, and 11.b.iv)

The Middle Fork of the Whitewater River is 0.1 to 0.3 miles from the project area. The MFW River is on the MPCA 303d list of impaired waterbodies due to exceedances of fecal coliform, nitrate, and turbidity standards. The exceedances impair the following designated uses on the MFW River: Aquatic Recreation, Aquatic Life, and Drinking Water.

The MFW River has a designated flood hazard area and a designated shoreland zone to which building restrictions apply. The MFW River is classified as a Tributary Stream relevant to the Winona County Shoreland Rules. The shoreland zone for this river segment is 300 feet wide, measured from the ordinary high water level (OHWL) of the river. As a Tributary Class river, septic systems must be at least 75 feet away from the river, and structures, must be at least 100 feet away.

The DNR conducted a detailed analysis and used modeling to build a new flood regime map that is considered more reliable than others presently available for this section of the MFW River. The project will not build structures or affect hydrological processes within the 100-year flood zone nor within the shoreland zone of the river. The campground development is located on a high terrace beyond the 100-year flood zone of the MFW River valley.

The removal of Gooseberry Glen campground and its conversion to a day use area will be within the MFW River shoreland zone and within its 100-yr floodplain. The work will mostly involve removing campground structures, trails, and roads and planting native ground cover on areas of disturbance. Gravel parking and naturalized play area construction are being considered but final plans for the day use area have not been completed.

The removal of campground structures at Gooseberry Glen will cause temporary ground disturbances on the floodplain. To mitigate for the temporary disturbances, stabilization measures to manage stormwater will be utilized, as listed under Item No. 13d (mulching, erosion control blankets, reseeding, etc.). Floodplain stability will improve after vegetation reestablishes.

Also, construction is proposed to repair an existing crossing and build a new crossing over an ephemeral stream that bisects the project area. The ephemeral stream is not a regulated Public Water nor a regulated tributary of a designated trout stream because it is not spring fed. The existing crossing consisting of two culverts has limited capacity to handle the higher flows during storm events. Higher rates of scouring and erosion are evident along the channel and there is the possibility that the stream could abandon its present channel. Additional work on stabilizing the ephemeral stream channel is under consideration. Priorities will be balanced between maintaining the natural course of the stream while protecting campground amenities. Some soil disturbance and erosion potential is anticipated during both installations. A Section 404 Clean Water Act permit (US Army Corps of Engineers) and a 401 Water Quality certification (MPCA) may be required for work along this ephemeral creek. The DNR will continue to coordinate with the USACE and MPCA on permitting and approval needs for the proposed construction and channel improvements associated with the ephemeral stream.

No wetlands are located within the project area and other nearby wetlands will not be affected.

Surface waters will be protected from contamination using mitigation strategies provided under Finding 13d for stormwater and Finding 13f for wastewater.

The campground development will have temporary, local, and minor effects on surface waters.

i. Invasive Species Management and Control (EAW Item No. 13c)

Construction, campground use and maintenance, resource management, and visitor movements within the park can contribute to the spread of invasive species. Four problematic invasive plant species (garlic mustard, wild parsnip, dame's rocket and crown vetch) are known to exist within or near the project area and their abundance may increase during and after construction. Initial grubbing and grading during preparation of the construction site will increase sunlight for these and other invasive species.

DNR Operational Order 113 provides guidance and directives on agency procedures for implementing site-level invasive species management. The DNR Division of Parks and Trails has guidelines specific to its administered areas. Approved methods of applying herbicides are described on the herbicide label and under DNR Operational Order 59. Pesticide application must be preceded by a natural heritage information database review to insure endangered or threatened species or significant native plant communities are not harmed.

Management priorities within WSP are to: keep new invasive species out of the park by cooperating with other DNR Divisions and MnDOT; contain and limit the spread of existing populations of established species; and minimize new establishments, especially during the project's post-development period. The park staff will concentrate efforts at containing known species to reduce the potential of their expansion into surrounding native plant communities. The strategy will strive to protect high quality native plant communities first and gradually reduce local source populations as time and resources allow.

Prior to project construction preventive measures will be taken to inhibit invasive species expansion during construction, including assessing and treating the project area. During construction, machinery needs to be cleaned when leaving weedy areas to prevent the movement of plant materials to other parts of the project area. Weed-free seed sources should be used for plantings. Diligent and timely establishment of ground cover on the disturbed areas as soon as possible after construction ceases is critical to achieving invasive species control. After construction, the WSP staff will implement invasive species monitoring and control programs as identified in the operational orders.

Preventing the deterioration of high quality forest occasionally requires management of resource areas to prevent their deterioration due to the spread of invasive species. The proposed campground development will not hinder the management of invasive species in nearby forested habitats.

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

j. Wildlife and Habitat (EAW Item Nos. 7, 9a, 9a.iii, 13b, 13c, and 13d)

The project area was farmed within the past fifty years and planted to tame grasses once cropping ceased. Some tree growth has established either through plantings or natural succession on the site. The tall grasses and shrubs support small mammals, prairie birds, and foraging areas for deer and turkey.

The project development will cause a loss of wildlife habitat, open space, and landscape connectivity. The campground development will locally affect wildlife and their habitat, which consists of old field vegetation of mostly tame grasses and planted woodland. The project would convert a largely undeveloped landscape (green space) to a low intensity development for camping. Over several decades, efforts were made to restore the old field to native forest cover. Some of the tree plantings would be lost when areas are cleared for the campground. After construction, about one-fourth of the area will be comprised of lawn/landscaping, impervious surface, or infiltration basin, and three-fourths will be in tall grasses, shrubs or trees.

Some loss of ecological services will occur due to the loss of vegetation to be replaced with a built environment of campsites, facilities, and access roads. The campground construction will transform land that provides ecological services for natural cycles, such as the water cycle, clean air, and soil protection.

Some of the common species currently using the site will be displaced by construction activities or by the conversion of some of the habitat to impervious surfaces. Noise disturbances during construction will cause wildlife to leave the area temporarily. Following construction, the area will likely become more frequented by species associated with human settlements and less frequented by the species found on less-developed habitats. A high quality native forest cover located on the steep valley slopes that flank the east side of the project area would remain largely unaffected.

The MFW River is a designated trout stream and is identified as a medium priority stream for DNR Fishery's Long-Term Monitoring Program in southeast Minnesota. For river segments in this program, discharge, geomorphology, fish habitat, and aquatic plants are measured every four years to establish a long term record. The ephemeral stream within the project area is not considered a regulated tributary of a designated trout stream because it is not spring fed. Construction work on the dry run creek will be completed prior to October 15 to minimize impacts to trout reproduction.

Avoidance and minimization of environmental effects and mitigation measures are inherent in the campground development. The loss of wildlife habitat is discounted or mitigated by the following considerations.

Wildlife species currently using the project area are common and widespread throughout southeastern Minnesota and therefore have a lower conservation status when compared with less common species. Animals frequenting the campground are considered edge species, often preferring disturbed open habitat over extensive forestland. After the campground becomes operational, overall wildlife will likely use the site similar to pre-construction levels. Some

species, however, will continue to avoid the area because of campground activities and the increase of impervious surfaces.

The campground development will cause a loss of low quality wildlife habitat and open space in WSP. Use of the low quality site will prevent other less disturbed sites from being developed.

The loss of landscape connectivity due to the project is limited, with the project area juxtaposed next to the TH 74 road corridor and with no fencing or other constrains to wildlife movement to be established.

The campground project will not impact the ability to implement restoration practices on about 77 percent of the project area. Tree and shrub plantings will be incorporated into landscaping plans for the campground development.

To improve the project area for wildlife, restoration efforts of the old fields will be intensified. The woodland area will be increased by eight acres to improve the environs for wildlife and campers. Shrubs will be strategically planted to provide screening between camp sites. Once trees mature, mast production for wildlife will increase and remain available for their use during the fall and winter months when campground use is limited.

The campground development will not affect wildlife management in WSP. Wildlife is managed to a limited degree in WSP. Hunting is allowed in the WSP in the late fall season. Wildlife use of campgrounds and peripheral areas is largely encouraged through measures that discourage noisy or harassing behavior in the state park system.

The campground development will not affect the management of the nearby areas of biodiversity significance. Vegetation management that is currently used in or adjacent to the project area will continue including invasive species management described above, prescribed burning of peripheral native habitats, and restoration of forest cover in the project area.

Fish resources will only be affected indirectly if the water quality of the MFW River is affected. Water quality of the river would be affected by erosion and sedimentation that is not contained in the project area. Trout streams are defined as special waters that require additional measures to prevent overflow waters from heating cold water resources. Erosion and sedimentation controls and measures for preventing warming of runoff that could reach the MFW River have been discussed under Finding 13d.

Habitat for wildlife may marginally deteriorate because of the campground development.

Construction and operations of the campground development will have temporary, local, and minor effects on wildlife.

k. Rare Features & Native Plant Communities (EAW Item No. 13b)

Several endangered, threatened and special concern (ETS) species occur within proximity to the project area. The populations are mostly found within nearby high quality forested areas on the upper valley slopes, where conditions tend to be dryer, or in association with wetlands and the MFW River, such as the pickerel frog and other rare aquatic species. Several artificial bat structures that have been constructed near the visitor center are currently in use. Known populations of the state threatened timber rattlesnake are found within WSP, with den locations recorded about one mile away. Timber rattlesnake occurrences in the vicinity of proposed developments are very infrequent.

No rare, threatened, or endangered species will be directly affected by the project nor will the conversion of old field affect native habitats for these species. The project area does not provide

habitat for forest interior species due to the broken canopy of the woodland and the low quality of the ground flora. Potential movement of some of these rare animals could occasionally bring them into the project area. A very limited amount of ephemeral aquatic habitat is available for use by the pickerel frog and other rare aquatic species. Rattlesnakes sometimes range farther than normal during droughts to seek moisture. Bat species would forage in the project area but the campground development should not affect their activities except possibly improving foraging success with the addition of low intensity lighting.

The potential for encountering timber rattlesnakes in the project area is minimal. All crews and visitors will be notified of this possibility through instructions, displays, or literature available at WSP. Any timber rattlesnakes discovered during project construction and operation will be left alone, if not a threat to personnel, or moved to a safe location if posing a hazard. In the event of any unintentional rattlesnake fatality due to construction activities, park staff will salvage the snake and coordinate with DNR nongame staff. Wildlife friendly erosion control blankets will be specified in construction documents to minimize the entanglement of rattlesnakes and other wildlife.

The Blufflands Subsection of the Minnesota Ecological Classification System contains 156 Species in Greatest Conservation Need (SGCN), the most of any subsection in Minnesota, which includes 82 species that are federal or state endangered, threatened, or of special concern. The subsection provides a critical migratory corridor for forest songbirds, raptors, and waterfowl. It is the most important subsection for reptiles and one of the most important subsections for mollusks. Specific areas that are important for SGCN include Whitewater WMA and WSP.

Species found in nearby high conservation value forest habitats could be indirectly affected by visitors scrambling through areas where the plants are established. These encounters would likely be uncommon and non-intensive. Many SGCN animals are found in the Blufflands Subsection but no key habitats for SGCNs are found in the project area.

Dry-mesic oak forest (MHs37) and a subtype of this forest (MHs37a) native plant communities (NPCs) are found near the proposed development. Other high value NPCs occur higher up on the valley slopes. These are sensitive areas but will not be impacted by the project because of the distance of separation from the project area and the steepness of the landform. Much of the bluffland to the east and south of the proposed project area is mapped as areas of moderate biodiversity significance by the Minnesota Biological Survey (MBS).

Minor environmental effects to adjacent high quality forests are anticipated. First, less than 1,000 feet of a 4-foot wide aggregate trail is proposed within forested habitat in the northeastern project area. Second, camper cabin sites are proposed either adjacent to the edge of forested areas of MHs37 or tucked into natural canopy openings of MHs37. Impacts to adjacent forests from surface runoff and potential erosion will be minimal because the forest land is elevated from the terrace where the development will occur. BMP practices to minimize erosional events during construction will be defined in the SWPPP.

The current project design is configured to largely avoid impacts to the Dry-mesic oak forest (MHs37). When constructing the graveled bike trail in the wooded northeastern project area, measures will be taken to avoid disturbing any rare species or high quality forested vegetation in the area. No removal of canopy trees is expected. Siting of cabins and associated use areas will minimize impacts to adjacent MHs37 communities by using degraded areas at the interface of the forest. Cabin 3 is likely the farthest within the MHs37 forest canopy but the adjacent canopy trees will not be impacted and the ground layer vegetation is in fair condition.

The environmental effects on rare features in the project vicinity will be temporary, local, and minor.

l. Hazardous Waste Historical Presence (EAW Item No. 12b)

A small abandoned municipal waste dump site, likely from the mid-1900s, is located east of the existing group camp area and north of the proposed camper cabin area. The extent or depth of the waste is not known, but it likely covers less than 0.25 acres. Testing is being conducted to determine presence of contamination, clean-up options, and other considerations After the technical report is available, MPCA staff will provide guidance for determining the best options available for mitigating this site.

Two other potentially contaminated sites have been identified near the project area, as reported in MPCA's - What's in My Neighborhood database (WIMN). In 2000, when heating fuel was no longer needed in the WSP, a fuel storage tank was removed from just north of the project area. A small volume of soil was found to be contaminated, possibly due to spills that occurred during routine fuel transfers. The site was cleaned up and cleared of contamination. The MPCA case file for the site has been closed. The second site, classified as an unreported dump, is located about 1,000 feet southwest of the group camp area. In 1972, the dump site was closed and steps were taken to secure the debris in place according to MPCA standards for closure. Measures were taken to protect ground and surface waters, prevent public access to debris, bury the wastes with two feet of fill, and fulfill other requirements. The site is classified as inactive and does not pose a threat to public health.

A vault toilet will be removed from the group camp area. Its foundation area will be sampled for contamination, and if identified, clean-up and abatement measures will follow.

The presence of historical contamination has been evaluated and potential effects from extant contamination are minor, local and under approved containment and mitigation protocol.

m. Hazardous Materials Used (EAW Item No. 12c)

During project construction and operation of the proposed campground development, releases of toxic or hazardous substances will be incidental. Major spills or releases are unlikely. Use of petroleum products is typically the largest potential source of toxic or hazardous materials.

The NPDES Construction Stormwater permit requires a site specific SWPPP to be completed for construction. This SWPPP is required to include pollution prevention measures for solid waste and hazardous material spills that occur during construction.

Refueling spills and equipment breakdowns, such as broken hydraulic lines, could introduce contaminants into the soil during construction. Equipment operators are cognizant of precautions necessary during refueling. Refueling would be conducted away from surface waters and equipment would be regularly inspected and repaired to prevent inadvertent loss of fuels, oils, or other hazardous fluids. Spills will be reported to the Minnesota Duty Officer (MDO) and the DNR supervisor of the work being performed. The MDO will in-turn contact appropriate officials, depending on the nature of the spill. With the park's vehicle service center located nearby, no additional fuel storage sites are proposed for use in the project area during campground operation.

Only non-hazardous cleaning supplies will be stored in proposed facilities.

The increases in hazardous material use and spill potential will be temporary, local, and minor.

n. Construction and Municipal Wastes (EAW Item No. 12b)

Development of the site will generate typical construction waste and debris. Construction wastes will be disposed off-site at a qualified disposal area by the contractor.

Campground operations will generate general municipal solid waste that will require disposal. Recycling is promoted under current park operations and containers for recycling food and beverage containers are consistently available to visitors and staff. A local garbage hauler will be contracted to move the waste and recyclable materials to an off-site location. Instructive signage will be provided to further promote recycling.

The increases in solid wastes from construction and during park operations will be temporary, local, and minor.

o. Vehicle Emissions (EAW Item No. 16)

Gasoline and diesel powered vehicles will generate air emissions during the construction and operation of the campground. The exhaust emissions contain pollutants such as carbon monoxide, nitrogen oxides, reactive organic gasses, sulfur dioxide and suspended particulate matter, all of which may carry associated health risks. Project construction activities will temporarily increase these airborne pollutant levels. Vehicle emissions could increase as more recreational vehicles are used in the campgrounds or as visitor numbers increase with the opening of the new campground facility.

Increase in use levels would likely be less than 20 percent, as the number of new campsites is offset by the decommissioning of 31 campsites from the Gooseberry Glen campground on the west side of TH 74. Campground quiet hours are established to limit night and early morning vehicle operations in the campground. Normal campground etiquette promotes quietude and a respect for nearby campers. This indirectly translates to limiting idling vehicles, revving engines, and lower traffic speeds. The ambient air quality standards will be met during project construction and during the campground operation.

The increases in air emissions from construction and during park operations will be temporary, local, and minor.

p. Odors and Dust (EAW Item No. 16)

Dust and odors may result when large machinery is in operation, especially during windy days. During park operations, an increase in campfire use will occur and an increase in fugitive dust may occur during windy days. During periods of heavy traffic and windy conditions, the dust may become airborne and create an annoyance to nearby residents.

To minimize impacts, construction phasing will be implemented to limit the size of the active work zone. The DNR will establish limited daily working hours to minimize disturbance to park patrons and area residents. Surrounding forested areas will help reduce the potential for fugitive dust from spreading to adjacent campground areas (over 300 feet away) and to other receptor sites (over 900 feet away). The potential for fugitive dust generation will be monitored by the project engineer.

The increases in odors and dust from construction and during park operations will be temporary, local, and minor.

q. Noise (EAW Item No. 17)

The existing low noise level in the MFW River valley is generated by traffic on TH 74, occasional operation of farm equipment above the bluff line, the movements of the local campers, and noise generated from routine park operations and maintenance activities. Ambient noise within the state park is typical for wildlife and recreational areas.

Seasonal construction activities that require the use of large equipment, electric tools, compressors, and other machinery and tools will temporarily increase noise levels in the MFW River valley. Additional visitors using the campground development and park maintenance activities will increase noise levels in the valley after construction is completed. Common noise sources for the park may range from 30 decibel (dB) for secluded woods to 90 dB for a chainsaw or lawnmower at one meter. With the potential for an increase in park visitors, noise levels could increase somewhat during park operations.

Park campsites are the nearest sensitive receptor sites, approximately 300 feet away from the project area. The nearest private residences are about 900 feet away. Resident wildlife may be temporarily disturbed by large equipment operation during construction.

Construction phasing will be implemented to limit the size of the active work zone. Vehicles will be operated with standard noise arrestor devices in good working condition. Noise from construction activities will be temporary and limited to normal daily work periods.

Vegetation within the river valley will help buffer nearby receptors from the increased noise anticipated during project construction. The moderate distances to receptor sites will allow noise to dissipate before reaching receptor sites. Wildlife affected by the increase in noise levels will likely move to more secluded areas away from the work zone. The bluff and valley lands provide ample areas for wildlife to use during construction and most of the resident wildlife presently using the project area or their replacements will likely return to the project area once the campground is in operation.

All construction work and future campground use will conform to state noise standards.

The increases in noise from construction and during park operations will be temporary, local, and minor and are anticipated to have minor effects on the residents and visitors in the valley. The DNR will monitor noise generation if complaints arise.

r. Visual Impacts (EAW Item No. 15)

Several scenic overlooks are within WSP, including Chimney Rock, Signal Point, Eagle Point, Coyote Point, and Inspiration Point. The project area may be visible from some of these overlooks. The project will not pose a negative impact to the views of the river valley or surrounding landscapes. Forest cover will eventually screen much of the campground area.

Proposed development of sanitation buildings will be designed to blend in with the surrounding environment and native vegetation will be planted to provide screening. Avoidance measures will be incorporated into site development plans to prevent disturbance of existing trees in the group camp area. Native vegetation will be reestablished in areas disturbed and new plantings within the project area will be completed.

Sanitation buildings and some other park facilities are typically lit through the night to improve visitor safety and convenience. Proposed lighting will use low-intensity bulbs, stand below the level of the tree canopy and project downward to minimize light pollution.

No environmental effects associated with visual glare or vapor plumes will occur during construction or park operation. Visual impacts from the project will be minor.

s. Historical Properties (EAW Item No. 14)

Archaeological sites and historic properties were identified on or in proximity to the site by the State Historical Preservation Office (SHPO) during a search of the Minnesota Archaeological Inventory and Historic Structures Inventory database. Reports containing the results of the search were included as an attachment to the EAW.

Created in 1919, Whitewater State Park is one of the earliest parks of Minnesota's state park system. In the 1930s, WSP became one of three parks in the state that was developed by both Civilian Conservation Corps (CCC) and Works Progress Administration (WPA) transient camps.

Rustic style historic resources that are representative of living quarters and work project details of the CCC/WPA era are found in the WSP. In 1989, a National Register of Historic Places (NRHP) Historic District was formed to recognize the historic importance of the area and resources that encompass a diverse collection of buildings and structures constructed with native limestone. The 536 acre-historic district boundary is the same as the 1941 WSP park boundary.

Although the NRHP Historic District lies mostly south of the campground development, it overlaps the southern-third of the project area. Two rustic-style historic resources that are eligible for listing in the NRHP are located outside of the historic district and along the west boundary of the project area. Bridge 5835 (WN-ELT-042) at the northwest corner of the project area will not be affected. Bridge 5836 (WN-ELT-041) is a historic culvert that serves an ephemeral stream channel crossing TH 74. The historic bridge structure is just downstream from the channel work proposed on the ephemeral stream (Finding 13h). The concrete headcut wall of Bridge 5835 may receive modifications during channel restoration work.

The effects of the project on the historic bridge structure will be evaluated by Minnesota State Parks and Trails Cultural Resource Management Program staff. Additional site reviews will be implemented prior to construction.

During archaeological surveys undertaken for past developments, four archaeological sites were identified in proximity to the campground development. Two sites are west of TH 74 and the project area and two are south of the project area. The sites contain American Indian lithic artifact scatters and CCC/WPA camp archaeological remains.

None of the recorded archaeological sites will be affected by the proposed project. Consistent with high standards for managing archeological resources, DNR archaeologists will conduct a cultural resource reconnaissance survey for the project's construction zone in concert with the Minnesota State Parks and Trails Cultural Resource Management Program of the Minnesota Historical Society, SHPO. Once completed, the report will reference the project plans. If any archaeological resources are encountered during the survey or construction, appropriate measures will be implemented to evaluate and, if necessary, protect the resources. If federal assistance is involved, the federal agencies would need to engage Section 106 protocols and submit their relevant reports to SHPO.

Project developments are anticipated to have minor effects on the historic properties associated with the historic district.

t. Cumulative Potential Effects (EAW Item No. 19).

Construction-related disturbances will affect over 23 percent of the proposed 54-acre project area, including increasing the amount of impervious surface. After the proposed campground

development is completed, the area of impervious surfaces will increase by 3 acres to 10 percent of the project area (5.42 acres) and the area of lawn and landscaping will increase to 13 percent. The project will increase soil compaction and decrease infiltration due to the addition of less permeable and impermeable surfaces (campsites, spurs, roads, buildings, and other use areas). During construction, the area's soil would be exposed and vulnerable to erosion. Along with increases in runoff volume, the quality of the runoff could deteriorate, with increases in pollutants, such as sediment and phosphorus, reaching the receiving waters. Cumulative potential effects associated with the proposed project are primarily related to surface water quality.

Proposed projects in the vicinity of the campground development include: Gooseberry Glen Campground Closure (removal of campground structures and some access roads, conversion to a day use area, and addition of a parking area); Whitewater River Channel Restoration (propose to abandon existing channel, resulting from the 2007 historic flood, and re-establish the dimension, pattern, and profile of the new 1000-foot stream channel based on comparative reference channel metrics); Whitewater Country Loop State Trail (proposed 14 foot-wide trail corridor extending through WSP could be built near TH 74 road); and Rehabilitation of Upper and Lower Cedar Hill campgrounds in 2016 (restore some campsites, reconfigure access road, and replace sanitation building). The proposed projects would disturb ground cover near the campground development and likely increase runoff and sedimentation affecting water quality of the MFW River, at least in the short term.

The proposed projects may contribute to the cumulative potential effects on water quality of the MFW River, which is listed on the current MPCA 303d Impaired Waters List for the following: aquatic recreation, due to fecal coliform; aquatic life, due to turbidity; and drinking water, due to nitrates.

The potential environmental effects related to the campground development could combine with environmental effects from other past, present, or these reasonably foreseeable future projects for which a basis of expectation has been laid. If runoff is not managed, controlled or filtered during and after construction of these projects, the amount of soluble solids and nutrients carried to surface waters could increase. Some projects would increase the quantity of runoff to the MFW River. All projects could increase, at least temporarily, the amount of sediments and other pollutants entering the river.

Advanced hydrological modeling has been used to develop the alternative chosen for repairing the river channel. To reduce erosion along reworked areas, construction is proposed for the fall of 2015, during a period of low flow when the risk of a flood event is low. The work in public waters permit from the DNR stipulates that an alternatives analysis be completed as part of the permitting process. Based on the modelling, the stability of the river shoreline and channel should improve and the environmental effects of construction should be minimized. The project's in-stream sediment contributions will be evaluated further within a mandatory EAW for the project that is being drafted by the DNR. BMPs will be applied to help mitigate effects of the project on the stream, including timing of construction to minimize erosion, shortening the period of construction to reduce the time that soils are exposed, use and placement of sediment and rock structures that promote a stable channel, and other measures. Long term benefits of the project are to reduce stream bank failure and erosion during flood events.

Development of the WCL State Trail will increase impervious surfaces (possibly 4 acres) in the watershed of MFW River, potentially contributing to a decrease in water quality. Minor increases in pollutants reaching the river could also occur from other miscellaneous park improvement projects and from the Gooseberry Glen Campground Closure, during and after its conversion to a day use area. Stormwater management of the proposed campground and other future developments will incorporate a variety of BMPs designed to limit these projects' contribution to

cumulative potential effects on water quality. Using infiltration capacity of surrounding natural and designed vegetated areas for stormwater management will be fundamental to the development of these projects. In general, these projects are considered non-intensive and dispersed, and natural vegetation can play a large role in controlling associated runoff and sedimentation. Passive overland routing of runoff is a preferred method for handling runoff along linear corridors and campgrounds. Designs would incorporate the use of the adjacent filter strips to absorb runoff generated by the developments. If conditions allow, frequent slope breaks will be implemented to prevent drainage from accumulating due to construction and creation of impervious surfaces. The BMPs for these projects would conform to those described for the campground development (EAW under Item No. 11.b.ii. and this Record under Finding 13d.

The mitigation efforts will be applied to all of these project developments to achieve permitting standards of the NPDES Construction Stormwater General Permit, the special provisions under Appendix A for trout streams and impaired waters, and the accompanying SWPPP. Also higher standards of stormwater management are incorporated to meet the B3 Guidelines for buildings in the campground development. The guidelines encourage maintaining a more natural hydrologic cycle through infiltration, evapotranspiration, and reuse.

Although there is a greater risk of pollutants entering the MFW River during and after the construction period, only a small increase in pollutants entering the river is likely to occur over the long-term. The only variable that exacerbates the potential for increased runoff and sedimentation over the long term is the increased area of impervious surfaces. The impervious surface is dispersed over long distances or within low intensive developments that reduce large increases in runoff in specific areas. Flash flooding during construction presents a small risk that would produce a large stormwater pulse of sedimentation into the river. The BMPs applied during construction should be sufficient to manage the temporary risk of higher sedimentation. Over the long term, the stability of the landscape and river channel should be improved as vegetation is reestablished on the disturbed areas. In the context of the widespread use of lands for cropping and pasture, the incremental contribution of these proposed projects to the watershed will be small.

The MFW River watershed encompasses 53 square miles of mostly agricultural crop and pasture lands, and less than 15 percent forestland. The proposed project developments have project areas that are minor, less than 0.4 square mile.

The cumulative potential effects on water quality of the MFW River will be temporary and minor in comparison to other contributions in the watershed.

14. The DNR did not meet the standard six-week deadline for completion of this Record of Decision due to environmental review staffing constraints. The proposer was provided information on the delay encountered. Work on the Record was reinitiated in December 2014, approximately six-weeks after the EAW's public comment period closed.

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

Unit of government	Type of application	Status
US Army Corps of Eng.	RGP-003-MN8 general permit	To be determined
	MN joint application form	To be determined
MN Dept. of Administration	Minnesota Sustainable Building B3 Guidelines for Sanitation Building & Camper Cabins	To be implemented
MN Dept. of Health	Well Construction Notice, Registry, Inspection	To be determined

MN Dept. of Labor	Building Permit, Plumbing Plan Review	To be obtained
MN Dept. of Natural Resources	Appropriation Permit	To be determined
MN Dept. Transportation	Right-of-Way/Utility	To be obtained
MN Pollution Control Agency	Section 401 Permit	To be determined
	NPDES Construction Stormwater Permit	To be obtained
	NPDES/SDS (State Disposal Sys. Permit)	To be determined
State Historical Preservation Office	Historic Preservation Review	To be reviewed
Winona County	Septic Design	To be provided
	SSTS & MSTS Permits	To be determined
MN Legislature	Parks and Trails Legacy Fund and Bonding appropriations	Anticipated (FY 2016) Ongoing

CONCLUSIONS

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

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

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

2. Based on the Findings of Fact above, the DNR concludes that the following potential environmental effects, as described in Findings 13a through 13t, will be limited in extent, temporary, or reversible:

   a. Project Magnitude, Scheduling, and Construction
   b. Compatibility with Plans, Ordinances, and Land Uses
   c. Compatibility with Transportation
   d. Erosion and Sedimentation
   e. Groundwater
   f. Wastewater Treatment System
   g. Water Supply
   h. Surface Waters
   i. Invasive Species Management and Control
   j. Wildlife and Habitat
   k. Rare Features & Native Plant Communities
   l. Hazardous Waste Historical Presence
   m. Hazardous Materials Used
   n. Construction and Municipal Wastes
   o. Vehicle Emissions
   p. Odors and Dust
   q. Noise
   r. Visual Impacts

s. Historical Properties
t. Cumulative Potential Effects

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

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

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

   Based on the Findings of Fact above, the DNR concludes that cumulative potential effects from stormwater runoff and sedimentation, as described in Findings 13a through 13t, are not significant.

   During construction or implementation, the campground development and the other proposed projects in the area could temporarily increase stormwater runoff and sediments entering the MFW River, which is an impaired stream. Stormwater management for the proposed project and reasonably foreseeable projects will be conducted under the stringent permitting conditions of Appendix A (Special and Impaired Waters) of the NPDES Construction Stormwater Permit as identified under Finding 13d of this Record. Over the long term, the stability of the landscape and river channel should be improved as vegetation is reestablished on the disturbed areas. The additional runoff from proposed developments will be managed and contained.

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

   Based on the information in the EAW and Findings of Fact above, the DNR has determined that the following environmental effects, as described in Findings 13a through 13t, are subject to mitigation by ongoing public regulatory authority.

   The negative effects of erosion, sedimentation, and reduced water quality from construction-related activity are subject to regulatory authority under the MPCA NPDES General Construction Stormwater Permit including Appendix A for Special and Impaired Waters and the SWPPP.

   The negative effects of wastewater would be managed depending on the authority designated by MPCA rules. An MPCA NPDES/SDS permit or a SSTS/MSTS Winona County permit would be applicable, depending on size of the new treatment system and its relationship with nearby wastewater facilities.

   The project's archaeological review is subject to SHPO oversight, pursuant to Minnesota Field Archaeology Act and the Minnesota Historic Sites Act.

   When applying standards and criteria used in the determination of the need for an environmental impact statement, the DNR finds that the project is subject to regulatory authority through the Minnesota construction stormwater permit, wastewater disposal permit, and the SHPO to sufficiently mitigate potential environmental effects on water and historical resources through measures identified in the EAW that are specific and reasonably expected to occur.

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.*

   The DNR has recently planned and completed EAWs for several campground developments, including campgrounds at Split Rock Lighthouse State Park (2012) and Lake Vermilion State Park (2013).

Management Plans are required for each state park, state recreation area, and state trail, in accordance with *Minnesota Statutes*, section 86A.09. Management plans provide a strategic vision for each unit and guides the development of facilities and management of the unit's natural and cultural resources. Several planning documents including the management plan have been completed for WSP:

- 2008. Whitewater Country Loop State Trail Master Plan. DNR.
- 1989. National Register of Historic Places Registration Form (Nomination form). U.S. Dept. of Interior, National Parks Service.
- 1981. Whitewater: a Minnesota State Park Development Project Reconnaissance Survey. Streiff, Jan E., University of Minnesota, Department of Anthropology.
- 1979. Whitewater State Park Management Plan. DNR.

Numerous rare features and high value conservation areas are conserved within the state park system through a team of specialists, including park managers and resource specialists, such as ecologists, hydrologists, and archaeologists, who are experienced in natural resources management and conservation issues relevant to the development of recreational facilities.

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 Whitewater State Park Campground Development project.

7. Based on considerations of the criteria and factors specified in the Minnesota Environmental Review Program Rules (*Minnesota Rules*, chapter 4410.1700, subpart 6 and 7) to determine whether a project has the potential for significant environmental effects, and on the Findings and Record in this matter, the DNR determines that the proposed Whitewater State Park Campground Development 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 Whitewater State Park Campground Development project in Winona County, Minnesota.

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

Dated this 29th day of January, 2015.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

Barb Naramore

Barb Naramore
Assistant Commissioner