**Date:** May 21, 2019

**To:** Parties on the EAW Distribution List / Other Interested Parties

**From:** Kate Fairman

**Subject:** Lower Pool 2 Channel Management Study: Boulanger Bend to Lock and Dam No. 2 Project Record of Decision

The Minnesota Department of Natural Resources (MNDNR), as the Responsible Governmental Unit for environmental review of the Lower Pool 2 Channel Management Study: Boulanger Bend to Lock and Dam No. 2 project, located in Washington and Dakota Counties, Minnesota, has issued the attached Record of Decision (ROD) regarding the Need for an Environmental Impact Statement for the project. The project’s notice of the ROD will be published in the MEQB Monitor on June 3, 2019 (Vol. 43; No. 22).

The MNDNR concluded on September 6, 2017 that an Environmental Impact Statement (EIS) was not required because the project did not have the potential for significant environmental effects. This Record of Decision was appealed by a non-profit group with an interest in developing Lower Grey Cloud Island, PAS Associates, Ltd., and the Minnesota Court of Appeals remanded the matter back to MNDNR in June 2018. The US Army Corps of Engineers (USACE) then revised the project to change the proposed dredge disposal location to no longer include Lower Grey Cloud Island and instead to use four placement sites which have been included in previous environmental reviews. Based on this, MNDNR then revised the Record of Decision, and determined on May 21, 2019 that an Environmental Impact Statement (EIS) was not required because the revised project did not have the potential for significant environmental effects. The justification for this determination is contained in the Record of Decision. The Record of Decision also contains the Department’s responses to all substantive written comments received on the EAW during the 30-day public review and comment period, and a description of the environmental review processes that this project has undergone.

Issuing this Record of Decision concludes the state environmental review process for this project according to the Minnesota Environmental Quality Board rules, Minnesota Rules, part 4410.1000 to 4410.1700. This project can proceed to permitting and approvals.

For additional information or copies of the Record of Decision, please call (651) 259-5082.

**Attachment**: Record of Decision (May 21, 2019) Attachments 1 – 3: Project Maps and Public Comments Received