Grindstone Dam Removal Project Scoping Environmental Assessment Worksheet and Draft Scoping Decision Document

Public Comments and Agency Responses to Public Comments Received During the Scoping Public Comment Period

October 12 – November 12, 2020

Public Comment Period

The Scoping Environmental Assessment Worksheet (EAW) and Draft Scoping Decision document (DSDD) were released for public review on October 12, 2020. The 30-day public comment period closed on November 12, 2020. During the public comment period, a public informational meeting was held on November 5, 2020, hosted by the Minnesota Department of Natural Resources (DNR). This informational meeting was held virtually via WebEx. To ensure all members of the public could access the meeting, those who did not have reliable equipment of their own were invited to attend the meeting at a computer lab at the City Hall Community Room in Hinckley, Minnesota so that. The meeting included a presentation about the proposed project, the need for an EIS, and the environmental review process. The DNR also offered a Question and Answer session, followed by a formal public comment period. A court reporter was present to record the meeting, including public comments. Attendees were informed of the opportunity to submit written comments via email or mail prior to the close of the comment period.

Written comments were received on the scoping documents from a total of 14 entities, including state and local agencies and citizens. Oral comments were received from an additional two individuals at the public meeting. Individual comments in each comment submission and transcript (i.e., oral record, letter, form or email) have been assigned a comment identification number and, where feasible, the DNR has grouped similar comments together and responded to a comment representative of the grouping. All substantive comments have responses and clarification of subject matter presented in the scoping documents has been provided where needed. For each group of comments or individual comment this document also indicates whether the comment prompted a change or clarification to the Final EIS Scope.

List of Commenters and Comment ID

Name of Commenter	Comment ID
Jim Erickson	1A
Peter Truitt	2A
G Kelzenberg	3A
Stuart Knappmiller	4A
Burlington Northern-Santa Fe Railway(BNSF) – Dan Peltier	5A – 5C
Jonathan Jones	6A – 6B
Dan Johnson	7A
Pine County – David Minke	8A
Todd Thomas	9A
Mike Hove	10A – 10B
Mike Link	11A
Wayne Cessna, Sherry Ambrose, Don & Nancy Grice, Pat Riley, Donald & Andrea Zeman, Tobie & Yonna Hickle	12A – 12B
Minnesota Pollution Control Agency (MPCA) – Karen Kromar	13A – 13J
City of Hinckley – Kyle Morell	14A – 14N
Wayne Cessna (oral comments)	15A
Don Grice (oral comments)	16A – 16B

Responses to public comments received

This section includes responses to public comments received during the Scoping EAW comment period and indicates the impact it had on the Final Scoping Decision Document (FSDD).

NOTE: Individual comments were combined where comments were similar; the comment representative of the common theme was used.

Comment topic: Support of the proposed project

Comment ID: 1A, 2A, 3A, 4A, 6A, 7A, 10A, 11A

- **COMMENT:** Commenter expresses support of the proposed project due to benefits to the environment, fish and other aquatic wildlife, recreation and/or costs of dam replacement.
- **RESPONSE TO COMMENT**: Commenter provides their personal and/or professional opinion of the project. Comment acknowledged. Comments did not address content of the scoping documents or offer specific suggestions for inclusion in the scope of the EIS.
- **Impact on FSDD:** No change.

Comment topic: Alternatives

***Comment ID*:** 2A

- **COMMENT:** Commenter suggests trying to get energy out of the river using small scale hydropower solutions as an Alternative to consider. The commenter also provided website links with information on products available.
- **RESPONSE TO COMMENT**: The suggestion to obtain hydropower from the river at this site does not fit with the purpose and need of the proposed project. Comment acknowledged.
- **Impact on FSDD:** No change.

***Comment ID*:** 6B

- **COMMENT:** Commenter recommends habitat restoration and/or a park be put in place of the reclaimed reservoir.
- **RESPONSE TO COMMENT:** The proposed project lies within the Hinckley Aquatic Management Area (AMA), which will continue to provide recreation opportunities for the public that are in line with AMA rules and regulations. The SEAW and the DSDD discuss the proposed project and proposed project alternatives to be analyzed in the EIS. Habitat restoration is proposed to aid in restoration of floodplain and upland habitat (See Item 6b of the SEAW and Section 2.1 of the DSDD). Recreation opportunities such as fishing, kayaking, and canoeing will still exist within the AMA (See Items 11 and 20 of the SEAW).
- **Impact on FSDD**: No change.

Comment ID 8A, 14A, 14G, 14J

- **COMMENT:** Commenter expresses support for two other project alternatives (dam replacement or installation of a rock arch rapids) to maintain the recreational features of the reservoir that has served city and county residents for over a century.
- **RESPONSE TO COMMENT**: Commenter provides two alternatives to the proposed project. One alternative would be to replace the dam. The second alternative would be to install a rock arch rapids. Both of these alternatives, along with reasons why they will not be carried forward for analysis in the EIS, were discussed in the Draft Scoping Decision Document (DSDD).

  Reconstruction of the dam was discussed in Section 2.6 of the DSDD. Rebuilding the dam would address aging infrastructure and safety concerns related to the inability to pass floods. However, over the long term, these concerns would remain due to the continuous need for maintenance and repairs and the ongoing risk of dam failure. Rebuilding the dam would not satisfy the additional purposes of the proposed Project, which is to allow for fish and wildlife passage into upper reaches of the river and restore natural stream features and sediment transport within this section of the Grindstone River. Additionally, concerns for drownings caused by the hydraulic roller of the dam would go unresolved.

  Constructing a rock arch rapids was discussed in Section 2.5 of the DSDD. Construction of a rock arch rapids would maintain the current full pool reservoir, remove drowning hazards associated with the current dam, and allow for fish and wildlife passage. However, instability issues would remain near the earthen berm, normal sediment transport would still be disrupted and natural stream features and habitat diversity could not be established with this alternative.

  Minnesota Rules 4410.2300, item G states, "An alternative may be excluded from analysis in the EIS if it would not meet the underlying need for or purpose of the project, it would likely not have any significant environmental benefit compared to the project as proposed, or another alternative, of any type, that will be analyzed in the EIS would likely have similar environmental benefits but substantially less adverse economic, employment, or sociological impacts." Since rebuilding the dam, or installing a rock arch rapids would not meet all purposes and needs of the proposed project, and since these alternatives would not likely have any significant environmental benefit to the proposed project, it was determined that these alternatives would not be carried forward for additional analysis in the EIS.

  The SEAW addresses potential recreation impacts from the proposed project (See SEAW Items 11 and 20), which lies within boundaries of the Hinckley Aquatic Management Area. Aquatic Management Areas are established "to protect, develop, and manage

lakes, rivers, streams, and adjacent wetlands and lands that are critical for fish and other aquatic life, for water quality, and for their intrinsic biological value, public fishing, or other compatible outdoor recreational uses." While the fishing pier would be removed, anglers would be able to fish from the restored riverbank and have opportunities to catch fish species that are not currently present within the Grindstone Reservoir. While the boat launch would also be removed (currently there is little boating use on the reservoir), public carry-in access to the river would exist following the proposed project and the restored river channel and connection to downstream areas of the river may attract new recreational use in the form of kayaking, canoeing, and tubing. Areas for education and outreach would still exist following the dam removal.

- **Impact on FSDD:** No change

Comment topic: Special studies

***Comment ID*:** 5A, 5B

- **COMMENT:** Commenter suggests that a Hydrologic and Hydraulics (i.e., H & H) study be conducted in order to determine potential downstream impacts on peak flow rates at the 50, 100, and 500 year recurrence intervals. Commenter also suggests that the DNR should consult with owners of downstream structures to identify any possible effects of the project, and should reach agreement with those owners on mitigation measures for any negative effects.
- **RESPONSE TO COMMENT**: When the DNR Division of Fish and Wildlife was considering possible projects resolving the Grindstone Dam concerns, a conceptual steady state model was conducted in order to identify whether or not removal of the dam would have impacts on upstream or downstream flows and property for the 100-year flood. The model demonstrates that removal of the dam would not increase water surface profile elevations upstream of the current location of the dam or downstream of the County Road 61 crossing for the 100-year flood event.

  A conceptual hydrologic and hydraulic study (i.e., H & H study) will be conducted to look at potential upstream and downstream impacts from the proposed alternatives (which include the proposed Project, the No Action Alternative, the partially engineered channel restoration and the fully engineered channel restoration) described in the FSDD (See Sections 2.1, 2.2 and 2.5). Storm events ranging from the 5 year recurrence interval to the 500 year recurrence interval will be studied. The Draft EIS will describe results of these conceptual models and will describe any potential impacts to upstream or downstream properties or structures. Potential mitigation measures would be discussed in the Draft EIS.
- **Impact on FSDD:** Change. A conceptual level H & H study will be conducted which will look at potential upstream and downstream impacts. Information obtained from this

model will be included in the EIS. In addition, the EIS will discuss mitigation recommendations, if necessary.

***Comment ID*:** 13J

- **COMMENT:** Commenter refers to the study design of the proposed Sediment and Contaminant Study (See DSDD Section 6.2) and recommends not focusing on the historical thalweg for sediment sampling due to potential for sediment to deposit in other areas of the reservoir.
- **RESPONSE TO COMMENT**: Comment acknowledged. DNR staff concur that sediment deposition is most likely to occur in the upper reaches of the reservoir since shear stress drops significantly as the steeper slope of the river meets the backwaters of the dam.
- **Impact on FSDD:** Change. The number and sample locations described in the Sediment and Contaminant study (See FSDD Section 6.2) have been modified.

Comment topic: Mussels

***Comment ID*:** 10B

- **COMMENT:** Commenter recommends removing the dam thoughtfully to avoid impacting mussels and other animals downstream from sediment release.
- **RESPONSE TO COMMENT**: Numerous items in the SEAW discuss impacts from sediment release, as well as mitigation measures to minimize these impacts. See SEAW Item 6b Item 8, Item 11bii, and Item 13.

  Demolition of the dam would be done during normal or low flow conditions. Demolition would proceed in a slow, deliberate manner to allow for a gradual, controlled release of water, which would minimize excess flow and deposition of sediment downstream (Items 6b and 13d of the SEAW). The proposed Project, or any alternative, would require a National Pollution Discharge Elimination System (NPDES) Construction Stormwater (CSW) Permit from the Minnesota Pollution Control Agency (MPCA) (See SEAW Item 8). To prevent runoff, best management practices (BMPs) would be used to stabilize soils and permitting requirements would be followed (Item 11bii).

  The DSDD describes topics that are proposed to be discussed in the EIS and any special studies needed to gather unknown information. A sediment study and a mussel study are proposed in order to gather more information regarding potential impacts (See DSDD Sections 6.2 and 6.3). In addition, impacts to mussels and other aquatic animals are proposed to be discussed in the EIS (See DSDD Section 3.2).
- **Impact on FSDD:** No change.

***Comment ID*:** 13H

- **COMMENT:** Commenter suggests that the SEAW could have discussed potential benefits to endangered mussels as a result of the proposed project. Endangered mussel

species could benefit from the removal of the dam by gaining upstream habitat above the dam. Early stage mussels attach themselves to the gills of certain migratory fish species that carry them farther upstream, where the tiny new mussels then drop off the fish to begin their new lives. The dam blocks the upstream migration of fish from the lower Grindstone River and Kettle River, and so the dam potentially has harmed the mussel community upstream of the dam.

- **RESPONSE TO COMMENT**: Comment acknowledged. Item 13e of the SEAW mentioned the relationship mussels have with host fish species and stated that endangered mussel species identified within the vicinity of the proposed Project would benefit from restored connectivity in the river system. Significant impacts to mussels are not expected to occur; however, the DSDD (See Section 3.2.3) indicates that potential impacts to mussel species will be discussed in the EIS and a mussel study will be conducted in order to document species present, including state and federally listed species (See DSDD Section 6. 3). This would include a discussion on benefits to mussel species as well.
- **Impact on FSDD:** No change.

Comment topic: Impacts to private wells

***Comment ID*:** 12A, 14C, 14F, 14L, 15A, 16A

- **COMMENT:** Commenters express concern regarding potential impacts to private wells north of the Grindstone Reservoir and ask about legal responsibilities of the Proposer should impacts occur.
- **RESPONSE TO COMMENT**: Impacts to private wells as a result of the proposed project are discussed in the SEAW (See Item 11aii) and DSDD (See Sections 3.3.2 and 6.4).

  The removal of the Grindstone Dam and the subsequent elimination of the Grindstone Reservoir is expected to lower the water table a maximum of 10.5 feet locally near the dam, which could affect local groundwater users in the area. Records of private domestic wells in the Minnesota Well Index (MWI) indicate that the maximum decrease of 10.5 feet in the water table could result in a moderate to high risk of well interference in private wells near the reservoir. Other wells that may be at risk from dam removal include unverified wells in the MWI (unverified wells are wells that appear in the MWI, however locations of these wells may not be accurate) and private domestic supply wells that are not included in the MWI due to incomplete reporting.

  As discussed in the DSDD, impacts to private domestic wells were identified to be potentially significant and would be discussed in the Draft EIS. A special study will be conducted to identify all wells located within at least 2,000 feet of the reservoir dam, and possibly farther, and to obtain the information necessary to evaluate their potential for impacts from dam removal (See Section 6.4 of the DSDD). The impacts to the water

table from dam removal will be focused near the site of the dam, diminishing rapidly moving away from it. DNR's experience and professional judgment indicate that impacts beyond 2,000 feet are not likely to be significant. Information from this study would be used to inform discussion on private domestic water supply impacts in the EIS, as well as discuss mitigation recommendations, if necessary (See Section 3.3.2 of the DSDD).

- **Impact on FSDD:** No change.

Comment topic: Impacts to private land due to geology

***Comment ID*:** 12B, 14B, 14E, 14K, 16B

- **COMMENT:** Commenters express concern to impacts to property north of the Grindstone Reservoir due to potential karst conditions and ask about legal responsibilities of the Proposer should impacts occur.
- **RESPONSE TO COMMENT**: Geology within the vicinity of the proposed project is discussed in the SEAW (See Item 10a) and the DSDD (See Sections 3.3.1 and 6.4).

  Karst conditions are described as areas underlain by karst-prone bedrock (carbonate bedrock, Hinckley and St. Peter sandstones) with less than 50 feet of overlying glacial sediment. These types of conditions are known to occur in Pine County; the proposed project area and its immediate surroundings meet the criteria for karst. Since the geology of the proposed project area meets the definition of a karst prone area, draining of the Grindstone Reservoir could result in land slumping or sinking due to collapse of conduits becoming unsaturated. Sinkholes, seeps, or springs (which are indicators of karst conditions) have not been documented in the area of the dam; however, it is not known if formal searches for these features have been conducted within the proposed project area and its immediate surroundings.

  As discussed in the DSDD, impacts due to the geology of the area were identified to be potentially significant and will be discussed in the EIS. A special study will be conducted in areas adjacent to the Grindstone Reservoir in order to better understand depth of the Hinckley Sandstone and potential land subsidence risk from the elimination of the Grindstone Reservoir. The study will focus within 250 meters of the reservoir edge and will search for underground anomalies, and determine if these anomalies represent sinkholes or conduits associated with karst. The goal of these borings is to characterize all accessible bedrock anomalies, especially those near built structures. The EIS will discuss results from the geology study and describe any potentially significant impacts to land and structures, should the area be prone to karst. The EIS will also discuss mitigation recommendations, if necessary.
- **Impact on FSDD:** No change.

Comment topic: Noise

***Comment ID*:** 13I

- **COMMENT:** Commenter recommends that equipment used for dam removal and channel restoration be muffled, as appropriate, while doing work on the site.
- **RESPONSE TO COMMENT**: All activity associated with the proposed project would be limited to daytime hours and would be in conformance with state and local noise standards (See SEAW Item 17). Noise impacts are not proposed to be further analyzed in the EIS (See DSDD Section 3.1).
- Comment will be forwarded to the Proposer for their consideration during project planning.
- **Impact on FSDD:** No change.

Comment topic: Fish impairments

***Comment ID*:** 13G

- **COMMENT:** Commenter notes that the SEAW cites an outdated fish impairment on the Grindstone River below the dam. Commenter suggests that with the current MPCA fish Index of Biotic Integrity and more recent sampling, the impairment has undergone a "correction" and that reach has been removed as an impairment on the impaired water list. The correction becomes official once the Environmental Protection Agency approves the impaired waters list. As such, the fish community is doing nicely on the Grindstone River below the dam.
- **RESPONSE TO COMMENT**: Comment acknowledged. While the fish community below the dam may have shown some improvements, the proposed Project would allow a number of species to recolonize upstream of the dam. In total, DNR records show 29 species found in the watershed downstream of the dam are not currently found upstream of the Grindstone Dam. This includes the lake sturgeon, which historically was recorded from Grindstone Lake, but does not currently exist upstream of the Grindstone Dam.
- **Impact on FSDD:** No change.

Comment topic: Stormwater

***Comment ID*:** 13A

- **COMMENT:** Commenter notes that because the Grindstone River has construction related impairments defined in the National Pollutant Discharge Elimination System/State Disposal System General Construction Stormwater Permit (CSW Permit) and if the Project will disturb 50 acres or more, above the Ordinary High Water Level (OHWL) of the creek, the Stormwater Pollution Prevention Plan will require review and approval by the MPCA prior to obtaining permit coverage.

- **RESPONSE TO COMMENT**: Item 8 of the SEAW lists permits that will be required prior to any work on the proposed project. Item 11bii notes that the Stormwater Pollution Prevention Plan would be developed in accordance with the CSW Permit. The DSDD (See Section 8.0) indicates that the EIS will identify all permits and approvals required for the proposed project. The EIS will not necessarily contain all information required for a decision on those permits.
- **Impact on FSDD:** No change.

***Comment ID*:** 13B

- **COMMENT:** Commenter notes that the CSW permit applies to areas located above the OHWL of the stream, as defined by the DNR. Areas below the OHWL must meet BMP requirements of the DNR Public Waters Work Permit.
- **RESPONSE TO COMMENT**: Comment acknowledged. A DNR Public Waters Work Permit is identified in Item 8 of the SEAW. The DSDD (See Section 8.0) indicates that the EIS will identify all permits and approvals required for the proposed project. The EIS will not necessarily contain all information required for a decision on those permits.
- **Impact on FSDD:** No change.

***Comment ID*:** 13C – 13E

- **COMMENT:** Commenter provides Permit requirements to mitigate and limit soil disturbance and provide sediment control.
- **RESPONSE TO COMMENT**: SEAW Item 11bii discusses examples of BMPs that are proposed to limit soil disturbance. The DSDD (See Section 8.0) indicates that the EIS will identify all permits and approvals required for the proposed project. The EIS will not necessarily contain all information required for a decision on those permits
- **Impact on FSDD:** No change.

***Comment ID*:** 13F

- **COMMENT:** Commenter notes that dewatering activities will require BMPs to remove sediment prior to discharging the water back into the stream.
- **RESPONSE TO COMMENT**: The proposed project does not plan to remove water from the stream (i.e., dewater) (See SEAW Item 11biii). Item 6b of the SEAW describes demolition of the dam, which would entail a slow drawdown of the reservoir by creating notches in the spillway.
- **Impact on FSDD:** No change.

Comment topic: Securing permits

***Comment ID*:** 5C

- **COMMENT:** Commenter notes that they have had previous discussions with the Proposer regarding policies and procedures for access to BNSF land during construction

of the proposed project, as well as preferences regarding abandonment of the current water intake which provides water to the Hinckley AMA fish rearing ponds (See SEAW Item 6b) and requests that these preferences be incorporated into the project design and specifications.

- **RESPONSE TO COMMENT**: Comment acknowledged. Comment will be forwarded to the Proposer for their consideration during project planning and permitting.
- **Impact on FSDD:** No change.

Comment ID: 14I

- **COMMENT:** Commenter asks what the plan would be if permitting cannot be secured.
- **RESPONSE TO COMMENT**: The Proposed project would not be allowed to secure permits until after completion of the EIS. Should the Proposer not be able to secure all permits for the proposed project, then the Proposer would need to reconsider options; speculating about this now is premature.
- **Impact on FSDD:** No change.

Comment topic: Project cost and funding

***Comment ID*:** 14D, 14M

- **COMMENT:** Commenter asks if the proposed project is the most cost effective option and asks about the cost of appropriating water from the Grindstone River for use in the fish rearing ponds. Commenter also suggests lining the current gravity fed pipe, rather than installing a new pipe along the Grindstone River.
- **RESPONSE TO COMMENT**: Cost was only one factor considered in the Division of Fish and Wildlife's (FAW) decision-making process regarding the proposed project. Other factors included: safety, ecological impact, recreation, infrastructure, history, and technical feasibility.

  As noted in the SEAW (See Section 6b), the Grindstone Reservoir currently provides a water source for three drainable fish rearing ponds located 0.2 miles downstream from the dam along the Grindstone River. The permanent water level change resulting from the removal of the dam and the elimination of the reservoir would render the current water intake at the reservoir unusable and would require an alternate water source to fill the ponds.

  Regardless of the proposal to remove the dam, the water supply line would need to be addressed due to its age and condition. The current supply line is 68 years old and had been re-lined 43 years ago. The Division of Fish and Wildlife put out a request for bid to inspect via remote camera televise the line to fully assess the condition of the pipe,

however the length of the line is prohibitive to televising, and requests for bids went unanswered.

DNR engineering staff are currently designing a system that would involve appropriating water from the Grindstone River for use in the fish ponds (See SEAW Section 6b). A full project cost estimate is not available; however, $160,000 has been earmarked to execute this work. Likewise, cost of appropriating water from the Grindstone River is not available at this time; however, operational costs are not expected to be significantly different compared to what is currently in place as pumping is required with the current infrastructure.

- **Impact on FSDD:** No change.

***Comment ID*:** 14H

- **COMMENT:** Commenter appreciates the efforts to install an educational kiosk within the AMA but questions the use of money on the kiosk. Commenter discusses requests made by the City of Hinckley to install garbage cans, lighting, and picnic tables within the AMA in order to address concerns with litter and vandalism.
- **RESPONSE TO COMMENT**: Funding for the kiosks was provided to the Commissioner of the Department of Natural Resources to maintain the history of the Grindstone River Dam at Hinckley via a 2019 legislative appropriation. The Division of Fish and Wildlife is open to continuing discussion with the City of Hinckley about amenities at the site while keeping in line with rules and regulations of the AMA. This comment does not address content of the scoping documents or offer specific suggestions for inclusion in the scope of the EIS.
- **Impact on FSDD:** No change.

***Comment ID*:** 14N

- **COMMENT:** Commenter asks what the plan would be if funding cannot be secured.
- **RESPONSE TO COMMENT**: Should the Proposer not be able to secure funds to pay for the proposed project, then the Proposer would need to reconsider options; speculating about this now would be premature.
- **Impact on FSDD:** No change.

Comment topic: Groundwater impacts

***Comment ID*:** 9A

- **COMMENT:** Commenter asks if the proposed project would cause the outdoor hockey rink known as "The Pit" to fill with water.
- **RESPONSE TO COMMENT**: The proposed project would not cause groundwater levels to rise. The Pit will not fill with water as a result of the proposed project.
- **Impact on FSDD:** No change.

Comment topic: Fish barriers

***Comment ID*:** 14G

- **COMMENT:** Commenter notes that an additional barrier exists five miles upstream of the Grindstone Dam, thus removing the dam would not fully restore fish and wildlife connectivity to the Grindstone River.
- **RESPONSE TO COMMENT**: While there is a dam present five miles upstream on the North Fork of the Grindstone River at Grindstone Lake, removal of the Grindstone Dam will restore connectivity within the majority of the river between the main stem of the Grindstone River and 24 miles of the North Fork and South Fork of the Grindstone River. As stated in the DSDD (See Section 1.0), allowing for fish and wildlife passage is just one of the purposes of the proposed Project, other purposes of the proposed Project are to address safety concerns, and restore natural stream features, natural sediment transport and habitat diversity within this section of the Grindstone River.
- **Impact on FSDD**: No change.