

# MINNESOTA DEPARTMENT OF NATURAL RESOURCES

## RECORD OF DECISION

**In the Matter of the Determination of  
the Need for an Environmental  
Impact Statement for the Tenant  
Farmer's House Removal, Charles A.  
Lindbergh State Park, Little Falls,  
Morrison County, Minnesota**

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

### **FINDINGS OF FACT**

1. The Minnesota Department of Natural Resources (DNR) proposes to demolish and remove the Tenant Farmer's House at the Charles A. Lindbergh State Park in Little Falls in Morrison County, Minnesota. The structure is a safety hazard due to its state of disrepair and proximity to popular attractions and amenities in the State Park, and its condition detracts from the local scenery. The house was the home of the early-1900s tenant on the farm owned by Congressman Charles A. Lindbergh Sr., namesake of the park and father of the famous aviator. The house is listed in the National Register of Historic Places as part of the Charles A. Lindbergh State Park and Lindbergh House Historic District.
2. The proposed project is in Little Falls in Morrison County, Minnesota. The house was originally constructed in 1904 and served as the residence of the Lindbergh's tenant farmers until the 1930s; it subsequently served as the State Park manager's residence from the mid-twentieth century until the 1980s. Originally, this was a square, one-story, wood-frame structure on a stone foundation, approximately 28 feet long by 32 feet wide (about 896 square feet), with an exterior access (cellar doors) to the basement. In the 1960s, a rectangular addition was constructed on the west elevation, approximately 25 feet by 15 feet (360 square feet) and included an interior door and staircase to access the basement. The house is clad with wood clapboard siding, is fenestrated with one-over-one windows, and has a hipped roof covered with asphalt roll roofing. A brick chimney is located at the ridgeline. The façade features a hipped roof dormer and a hipped roof porch with a single pedestrian door. An additional pedestrian door is located on the west elevation of the addition and provides access to the basement as well as the addition. The house has been vacant since 1986. Exterior restoration work was undertaken in 1997, which included new roll roofing and exterior paint. The building has not sustained damage from one particular event but has been subjected to ongoing deterioration as a result of its vacancy and water infiltration through the damaged roof.

The proposed project will include demolition and removal of the Tenant Farmer's House. The original stone and mortar foundation may remain onsite as an interpretive feature. After removal of the structure, ground cover onsite will be revegetated to turf/lawn and landscape, consistent with the surrounding area of the park. Reconstruction of the Tenant Farmer's House is not planned at this time.

3. Pursuant to *Minnesota Rules* 4410.4300, subpart 31, an environmental assessment worksheet (EAW) must be prepared for the destruction, in whole or in part, or the moving of a property that is listed on the National Register of Historic Places or State Register of Historic Places. Because the Tenant Farmer's House is listed in the National Register of Historic Places, its demolition required the completion of an EAW.
4. Pursuant to *Minnesota Rules*, part 4410.4300, subpart 31, the Responsible Governmental Unit (RGU) is either the local governmental unit (LGU) or the Minnesota Department of Natural Resources (DNR). In this case, the LGU would be Little Falls. Further, according to *Minnesota Rules* 4410.0500, when a State Agency proposes a project then the agency shall always be the RGU. Since this is the case with the proposed project, the DNR has taken on the role of the RGU.
5. The DNR prepared an EAW for the proposed project, pursuant to *Minnesota Rules* 4410.1400.
6. The EAW is incorporated by reference into this Record of Decision on the Determination of Need for an Environmental Impact Statement (EIS).
7. The EAW was filed with the EQB and a notice of its availability was published in the *EQB Monitor* on August 23, 2022. A copy of the EAW was sent to all persons on the EQB Distribution List, to those persons known by DNR to be interested in the proposed project, and to those persons requesting a copy. A statewide press release announcing the availability of the EAW was sent to newspapers and radio and television stations. Copies of the EAW were distributed to the DNR Central Region Headquarters, the DNR Library located at DNR's Central Office, the Hennepin County-Minneapolis Central Public Library, the Kitchigami Regional Library, and the Carnegie Library in Little Falls. The EAW was also made available to the public via posting on DNR's website. *See Minnesota Rules 4410.1500.*
8. The 30-day EAW public review and comment period began August 23 and ended September 22, 2022, pursuant to *Minnesota Rules*, chapter 4410.1600. The opportunity was provided to submit written comments on the EAW to the DNR by U.S. mail or electronically.
9. During the 30-day EAW public review and comment period, the DNR received written comments from the agencies and individuals listed below.
10. *Minnesota Rules* 4410.1700, subp. 4 indicates that the Record of Decision must include specific responses to all substantive and timely comments on the EAW. All comments and issues raised in comment submittals were reviewed to determine if they addressed the accuracy or completeness of the material contained in the EAW or environmental impacts that may warrant further investigation prior to the final ROD.
11. Responses to all substantive comments are summarized below in paragraph 12. Each submittal was arranged chronologically by date of submittal and given an identification

letter. If a submittal contained more than one comment, each comment was assigned a unique comment identification letter and number.

- A. anonymous (August 23, 2022)
- B. Brigid Fitzgerald (August 23, 2022)
- C. Anonymous (August 23, 2022)
- D. Dottie and Doug Haeder (August 23, 2022)
- E. Phyllis Stransky (August 23, 2022)
- F. Jim Erickson (August 23, 2022)
- G. Donovan Walker (August 23, 2022)
- H. Anonymous (August 26, 2022)
- I. Barry Shillingford (August 27, 2022)
- J. Dale Johnson (August 28, 2022)
- K. Patti Diestler (August 29, 2022)
- L. Larry Sharon (September 7, 2022)
- M. Jennifer Tworzyanski, on behalf of the Office of the State Archeologist (OSA) (September 14, 2022)
- N. Donna Olson (September 15, 2022)
- O. Theresa Nygard (September 22, 2022)
- P. Ron Kresha, State Representative- District 9B
- Q. Ren Holland (September 23, 2022)

12. Comments received, as well as the DNR's response to the comment, are provided below.

A. Comments B-F and I supported the project.

B. Comments H, J, K, L and N expressed disappointment in the project as proposed and advocate for the further preservation of the historic property.

RESPONSE: Thank you for your regard and respect for this and the other historic structures at Charles A. Lindbergh State Park. Unfortunately, the condition of the structure is such that repair and preservation are no longer possible and leaving the structure in its current state would present a safety hazard to the public.

C. Comments A, B, E, G, and L urge the project proposer to erect a marker, signage, or other interpretative feature providing information to the public on the history of the structure and its tenant farmers.

RESPONSE: Thank you for your concerns and suggestions to communicate the significance of this historic structure to park visitors. The project proposer has not yet made any decisions on the specific format of any interpretative feature but is considering several possibilities. This request will be shared with the project proposer.

D. Commenter- Larry Sharon:

The commenter provided additional historic information and correspondence that indicated previous DNR plans for the property and urged the preservation of the building foundation and development of interpretative signage.

RESPONSE: Thank you for your regard for these historic properties. These comments have been shared with the proposer, DNR Division of Parks and Trails. The proposer has not yet made any final decisions regarding the possible preservation of the foundation or the precise nature of informational signage.

E. Commenter- Jennifer Tworzyanski:

The commenter requests a copy of the Phase 1 Archaeological Reconnaissance report be submitted to the Office of the State Archaeologist office upon completion and before the project commences, so that that Office may make recommendations at that time regarding the survey's sufficiency.

RESPONSE: Thank you for your comment. When the results of the Phase I archeological reconnaissance are available, the DNR will submit a copy to the OSA for review. The DNR looks forward to any guidance, recommendations, or feedback that the OSA can provide on the results of this survey.

F. Commenter-Donna Olson:

In addition to expressing dismay at the need to remove this structure, the commenter shared that she is a descendant of the tenant farmer cited in the notice. The commenter also shared photos and some additional domestic details.

RESPONSE: Thank you for sharing this additional information, as well as the photos, of Mr. Gertz. This information has been shared with the project proposer, and will be followed up on as needed. Please also see Responses to Commenters B and C.

G. Commenter-Theresa Nygard:

This commenter believes that the structure can still be restored, or moved and sold, and provides two proposals for consideration.

RESPONSE: This comment does not address the completeness or accuracy of the EAW document or environmental effects resulting from the project, and therefore is considered outside the scope of this document. This comment has been provided to the project proposer for consideration and follow up as needed.

H. Commenter-Representative Ron Kresha:

The Commenter requests an extension of the decision period, as well as additional information regarding the maintenance processes and preservation plans of historic buildings in State Parks and additional information on the EAW process.

RESPONSE: Thank you for your concern regarding this historic structure as well as your general interest in the EAW process and DNR Parks and Trails' preservation of historic structures. However, these questions concern general DNR and EQB practices and statutory requirements, rather than any concerns specific to the proposed project. DNR staff have been in contact with Representative Kresha's office independently to address these concerns and to provide him with the requested information.

I. Commenter- Ren Holland:

The commenter expresses regret at the loss of the structure and proposes a plan to salvage the structure by demolishing the newer addition and relocating the original structure to a new location within the fenced area of the Lindbergh site.

RESPONSE: Thank you for your concern regarding this structure, and for your suggestion to salvage the tenant farmer's house. It is unlikely that the original structure could be salvaged or strengthened enough to be moved, even with reinforcement. However, this suggestion has been passed on to the project proposer for consideration.

13. Based upon the information contained in the EAW and received as public comments, the DNR has identified the following potential environmental effects associated with the project:

a) **Land Use.** This topic was addressed under EAW Items 6b and 10.

Removal of the Tenant Farmer's House would have a temporary negative effect on use of the park in the vicinity of the proposed project, due to the demolition activities and presence and use of demolition and debris removal equipment. After removal, the proposed project would have a permanent positive effect on land use in the park due to the removal of a safety hazard.

b) **Historic Properties.** This topic was addressed under EAW Items 6b and 15.

The proposed demolition and removal of the Tenant Farmer's House will have an adverse effect on the historic property itself and on the Charles. A. Lindbergh State Park and Lindbergh House Historic District. The project's effects on the house could combine with effects from other construction projects in the historic district of Charles A. Lindbergh State Park that result in a cumulative potential effect on the historic district, listed on the National Register of Historic Places. A Suitable Course of Action plan will be defined by the DNR in consultation with the State Historic Preservation Office in order to mitigate the adverse effect resulting from the demolition.

c) **Visual Impacts.** This topic was addressed under EAW Item 16.

Removal of the Tenant Farmer’s House and replacement with turf/lawn and landscape vegetation would have a temporary negative effect on visual qualities while the demolition is occurring and would have a permanent impact on visual qualities due to the removal of the structure and its replacement with landscaping.

d) **Air Quality impacts.** This topic was addressed under EAW Item 17.

The proposed project would have a minor temporary adverse effect on air quality while demolition activities are carried out. This effect is limited in geographic extent to the immediate vicinity and would only occur during demolition.

e) **Cumulative Potential Effects.** This topic was addressed under EAW Item 21.

The proposed demolition and removal of the Tenant Farmer’s House will have an adverse effect on the historic property itself and on the Charles. A. Lindbergh State Park and Lindbergh House Historic District. The project’s effects on the house could combine with effects from other construction projects in the historic district of Charles A. Lindbergh State Park that result in a cumulative potential effect on the historic district, listed on the National Register of Historic Places.

14. The DNR requested and was granted a 15-day extension for making a decision on the need for an EIS as provided under the provision of *Minnesota Rules*, chapter 4410.1700 Subp. 2.b.

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

Unit of Government	Type of Application	Status
<i>MDNR, Parks and Trails</i>	<i>Construction/Demolition Contract</i>	<i>Pending</i>
<i>MDNR, Parks and Trails</i>	<i>Funding</i>	<i>Pending</i>
<i>Minnesota Department of Administration, Surplus Services</i>	<i>Approval for Demolition</i>	<i>Pending</i>
<i>Minnesota Pollution Control Agency (MPCA)</i>	<i>Demolition Notification</i>	<i>To be submitted at least 10 working days before demolition</i>

## 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.*

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

Based on the Findings of Fact above, the DNR concludes that the following potential environmental impacts, as described in paragraph 13, will be either limited in extent, temporary, or reversible:

- a. Land Use
- b. Visual Impacts
- c. Air Quality Impacts

The following potential environmental impact would be a permanent negative impact:

a. Historic Properties

This impact is nonreversible and could contribute to a cumulative adverse potential effect with the loss or degradation of other historic structures in the vicinity. However, this cumulative effect would only occur if a series of subsequent independent decisions resulted in the removal of these other properties as well. This can be avoided if these properties are properly maintained. Additionally, mitigation for the adverse effect to the historic property and historic district will be addressed in a Suitable Course of Action plan agreed upon between the DNR and State Historic Preservation Office. Therefore, the loss of this property alone, although both permanent and negative, is of minimal impact.

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

There are no known planned or anticipated future projects that would result in cumulative adverse potential effects on land use, visual impacts, air quality impacts, or historic properties. If one of the other historic properties in the Lindbergh House Historic District were removed, this project would contribute to a cumulative adverse potential effect on the district; however, no such project is expected at this time.

*3. 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 project's environmental effects on historic properties and those stemming from the management of solid wastes are subject to on-going public regulatory authority.

Pursuant to the Minnesota Department of Administration authority as defined in Minnesota Statutes, Section 16B.297 and Minnesota Rules, Chapter 1255, as described in the State of Minnesota Property Management Policy and User Guide (2014), the DNR is regulated in the management of property that has no further utility or monetary value to the State.

Minnesota Historic Sites Act (Minnesota Statutes, sections 138.661 to 138.669) requires that state agencies consult with the SHPO before undertaking or licensing projects that may affect properties on the State Registry of Historic Sites or the NRHP. Mitigation for the adverse effect to the historic property and historic district will be addressed in a Suitable Course of Action plan agreed upon between the DNR and State Historic Preservation Office. Although the specifics of the plan have not yet been finalized, they could include informational kiosks, site plaques, and other displays that document the history of the structure for the benefit of the public.

Minnesota Statutes, Section 85.011 identify that the creation and establishment of state parks, designated state recreation areas, and waysides are for the purpose of conserving the scenery, natural and historic objects and wildlife and to provide for the enjoyment of the same in a manner that would leave them unimpaired for the enjoyment of future generations.

Minnesota Statutes, Chapter 115A (Minnesota Rules, Chapter 7035) includes completion of a Hazardous Materials Survey and Notification of the MPCA of Intent to Perform Demolition (ensures compliance with Minnesota Rules, part 7035.0805). The purpose of this part is to ensure that hazardous materials are characterized and properly managed prior to and during the demolition.

4. *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 project proposer has completed several similar projects safely removing historic structures that have become damaged beyond repair, as well as the repair or removal of park facilities not considered to be historic properties.

2. The DNR has prepared EAWs for other historic property or other structure removal projects engaged in by the project proposer, which have had similar or more significant environmental impacts. These include the Blue Mounds State Park Dam Removal, Camden State Park Cabin Removal, and the Carlos Avery WMA Brood Shed Removal. 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 Tenant Farmer's House Removal Project.



3. Based on consideration 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 Tenant Farmer's House Removal 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 Tenant Farmer's House Removal Project in Charles A. Lindbergh State Park, Little Falls, Morrison 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 28<sup>th</sup> day of October, 2022.

**STATE OF MINNESOTA  
DEPARTMENT OF NATURAL RESOURCES**



Jess Richards  
Assistant Commissioner