Appendix E:

# Environmental Coordination and Correspondence

From:	<u>Fairman, Kate (DNR)</u>
То:	Cyphers, Trevor W CIV USARMY CEMVP (US)
Subject:	[EXTERNAL] RE: LD 2 Spillway Embankment Project
Date:	Wednesday, October 18, 2017 12:19:13 PM

Hello Trevor,

Thanks for your email. You'll probably need to get a determination of environmental review need from the RGU once you have a project design to make sure everyone is on the same page regarding next steps for environmental review. We'll want to be kept updated if there is a DNR work in public waters permit (or existing permit amendment) needed. I would imagine Dakota County would be fine being RGU, but if they would like to request DNR be RGU for the project, they will need to request that change in RGU be granted by the Environmental Quality Board. I wouldn't worry about those details until you have a determination from the County that an EAW is required, but at that point we can discuss more.

Let me know if you have additional questions. Thanks for the head's up! Kate

Kate Fairman Planning Director | Environmental Review Unit Minnesota Department of Natural Resources 500 Lafayette Road North Saint Paul, MN 55155 Phone: 651-259-5082 Email: kate.fairman@state.mn.us mndnr.gov

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (US) [mailto:Trevor.W.Cyphers@usace.army.mil] Sent: Tuesday, October 17, 2017 9:27 AM To: Fairman, Kate (DNR) <kate.fairman@state.mn.us> Subject: LD 2 Spillway Embankment Project

Kate,

Good morning, my name is Trevor Cyphers, a biologist with the St. Paul Army Corps of Engineers. Aaron McFarlane recommended I contact you regarding a project we are starting within Pool 2 of the UMR. The Corps is proposing to construct some form of embankment protection along the current spillway embankment at Lock and Dam 2 as the current riprap on the spillway is becoming degraded. There are currently three different options that the Corps is considering at Lock and Dam 2. These options includes adding new riprap to the current embankment, constructing a sand berm attached to the current embankment and creating an offshore island. The goal of the project is to protect the current earthen embankment from erosion via wind-driven wave action, ice action and river currents. The current preferred alternative for the project is creating the sand berm in front of the existing spillway. On top of providing protection for the existing embankment, we are hoping the sand berm would provide additional floodplain habitat. The need for an embankment at Lock and Dam 2 was determined through a Problem Appraisal Report (PAR) that focused on embankment protection at Dams 2-10. A similar berm was created along the Lock and Dam 4 spillway in 2007. As of right now, the project is in its infancy and probably wouldn't be awarded for contract until September 2018 or later, but with this project requiring an EAW, I wanted to make sure you aware of the project. As of right now the RGU for the project would be Dakota County, which may not or may not have the resources to undertake that responsibility. If they are not willing or prefer not to be the RGU for this project, would the MN DNR be willing undertake that responsibility? If you need any clarification on the project, or want to

discuss the project, feel free to give me a call.

Thank you,

Trevor W. Cyphers Fishery Biologist U.S. Army Corps of Engineers 180 5th Street East, Suite 700 St. Paul, MN 55101-1678 Office: (651) 290-5031 Mobile: (507) 273-7546 trevor.w.cyphers@usace.army.mil

Hi Kate,

I know I left you a voicemail, but I wanted to leave you a more detailed email before I left for the day. A couple things came up at our meeting today regarding the Lock and Dam 2 embankment and where we might want to go. Our original idea was to simply do a sand berm in front of the existing embankment, similar to what was completed at Lock and Dam 4. Throughout the discussion there were some concerns regarding the structural stability of the embankment with the addition of the berm. This brought up the discussion of an offshore island and what the benefits of that structure would be. Jon Hendrickson then had the idea that we could potential look into using a smaller sand berm attached to the embankment and an offshore island, which would lead to more beneficial use of dredged material. I was hoping that Tom Novak, Nick Castellane and I could meet up next week with you and other interested DNR folks and discuss these different options. I know the three of us are free next Thursday and Friday, especially in the morning. We could also come over to your office to make things easier. Let me know if this could be a possibility.

Thanks,

Trevor

Trevor W. Cyphers Fishery Biologist U.S. Army Corps of Engineers 180 5th Street East, Suite 700 St. Paul, MN 55101-1678 Office: (651) 290-5031 Mobile: (507) 273-7546 trevor.w.cyphers@usace.army.mil

CLASSIFICATION: UNCLASSIFIED

From:	Fairman, Kate (DNR)
То:	Cyphers, Trevor W CIV USARMY CEMVP (US)
Subject:	[Non-DoD Source] RE: Doodle poll for meeting regarding potential ACOE Lock and Dam 2 Embankment Project (UNCLASSIFIED)
Date:	Monday, February 12, 2018 2:35:53 PM

Thanks, Trevor. I'm thinking next Thursday morning is looking like the best opportunity.

If that doesn't work for the rest of the PDT team, please encourage them to fill in their availability as soon as possible. Thank you! Kate

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (US) [mailto:Trevor.W.Cyphers@usace.army.mil] Sent: Monday, February 12, 2018 2:12 PM To: Fairman, Kate (DNR) <kate.fairman@state.mn.us> Subject: RE: Doodle poll for meeting regarding potential ACOE Lock and Dam 2 Embankment Project (UNCLASSIFIED)

# CLASSIFICATION: UNCLASSIFIED

Kate,

Thank you for putting this together. After having a meeting with the PDT last week, I think next week will be better for us, as our civil engineer is working on putting some CAD drawings together this week. I also spoke with Washington County regarding the RGU status and will be forwarding them the doodle poll invite. Also, I will bug the rest of the PDT to fill out the doodle poll so we can determine the best day to have the meeting.

Thanks,

Trevor

-----Original Message-----

From: Fairman, Kate (DNR) [mailto:kate.fairman@state.mn.us]

Sent: Tuesday, February 6, 2018 12:21 PM

To: Doneen, Randall (DNR) <randall.doneen@state.mn.us>; Horton, Becky (DNR) <br/> <br/>becky.horton@state.mn.us>; Skancke, Jennie (DNR) <jennie.skancke@state.mn.us>; Cyphers, Trevor W CIV USARMY CEMVP (US)

<Trevor.W.Cyphers@usace.army.mil>; Novak, Thomas CIV USARMY CEMVP (US)

<tom.novak@usace.army.mil>; Schnick, Emily (MPCA) <emily.schnick@state.mn.us>; Brist, Jim (MPCA) <jim.brist@state.mn.us>

Subject: [Non-DoD Source] Doodle poll for meeting regarding potential ACOE Lock and Dam 2 Embankment Project

Hello All,

Trevor Cyphers at the Army Corps of Engineers contacted me regarding an upcoming project that the Corps is considering. They are still considering options at this point, but wanted to engage us in the conversation as they work through some preliminary options. Please participate in the poll (link below) if you are interested in attending. If you are interested in attending but cannot make any of the proposed dates, please let me know and we can figure something out. If others should be included, please forward the link as appropriate.

Thank you!

Kate Fairman Planning Director | Environmental Review Unit Minnesota Department of Natural Resources 500 Lafayette Road North Saint Paul, MN 55155 Phone: 651-259-5082 Email: kate.fairman@state.mn.us <<u>mailto:kate.fairman@state.mn.us</u>> mndnr.gov <BlockedBlockedhttp://mndnr.gov/>

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CLASSIFICATION: UNCLASSIFIED

From:	Cyphers, Trevor W CIV USARMY CEMVP (US) on behalf of Fairman, Kate (DNR)
То:	Kough, Trevor V CIV USARMY CEMVP (US); Castellane, Nicholas J CIV (US); Doneen, Randall (DNR); Hendrickson, Jon S CIV USARMY CEMVP (US); Horton, Becky (DNR); Schmidt, Luke L CIV USARMY CEMVP (US); Skancke, Jennie (DNR); Brist, Jim (MPCA); Schnick, Emily (MPCA); Cyphers, Trevor W CIV USARMY CEMVP (US);
	Novak, Thomas CIV USARMY CEMVP (US); DeBates, TJ (DNR)
Subject:	FW: ACOE Lock and Dam 2 Embankment Project Initial Discussion (UNCLASSIFIED)
Attachments:	ATT01077 1.jpq ATT69850 2.jpq ATT61384 3.jpq ATT11230 4.jpq

#### FYI

----Original Appointment-----From: Fairman, Kate (DNR) [mailto:kate.fairman@state.mn.us] Sent: Monday, February 12, 2018 4:03 PM To: Fairman, Kate (DNR); Doneen, Randall (DNR); Horton, Becky (DNR); Skancke, Jennie (DNR); Brist, Jim (MPCA); Schnick, Emily (MPCA); Cyphers, Trevor W CIV USARMY CEMVP (US); Novak, Thomas CIV USARMY CEMVP (US); DeBates, TJ (DNR) Subject: [Non-DoD Source] ACOE Lock and Dam 2 Embankment Project Initial Discussion When: Thursday, February 22, 2018 9:00 AM-10:30 AM (UTC-06:00) Central Time (US & Canada). Where: MN\_DNR\_ROOM\_C2\_MAIN\_CONF

Hello All,

This meeting is being set in response to a request from ACOE to discuss options for an upcoming Lock and Dam 2 embankment project proposal. This was the time and date that worked for most individuals. Apologies for those who are unavailable at this time—we will try to catch you up after the meeting, or please let me know if you'd like to send someone in your place.

Trevor: Please share with others at the Corps who I may have missed, (I don't seem to have an email for Nick Castellane or Jon Hendrickson).

Becky and/or TJ: Please include other staff as appropriate.

This was requested to be an in-person meeting to discuss some possible components of the forthcoming project, but if you would like to attend via Skype, please let me know and I will set up a link.

Please let me know if you have any questions. Thanks! Kate

Kate Fairman Planning Director | Environmental Review Unit Minnesota Department of Natural Resources 500 Lafayette Road North Saint Paul, MN 55155 Phone: 651-259-5082 Email: kate.fairman@state.mn.us <mailto:kate.fairman@state.mn.us> mndnr.gov <Blockedhttp://mndnr.gov/>

<Blockedhttps://www.facebook.com/MinnesotaDNR> <Blockedhttps://twitter.com/mndnr> <Blockedhttp://www.dnr.state.mn.us/emailupdates/index.html>

CLASSIFICATION: UNCLASSIFIED

From:	McDaniels, Dee
То:	Fairman, Kate (DNR); Doneen, Randall (DNR); Horton, Becky (DNR); Skancke, Jennie (DNR); Brist, Jim (MPCA); Schnick, Emily (MPCA); Cyphers, Trevor W CIV USARMY CEMVP (US); Novak, Thomas CIV USARMY CEMVP (US); DeBates, TJ (DNR); Stiras, Joel K (DNR); Levitt, Jim (DNR); Stauffer, Kevin W (DNR); Dieterman, Daniel M (DNR); Parris, Leslie (DNR); Castellane, Nicholas J CIV (US); Hendrickson, Jon S CIV USARMY CEMVP (US);
	Kough, Trevor V CIV USARMY CEMVP (US)
Cc:	Peck, Melissa (EQB)
Subject:	[Non-DoD Source] RE: ACOE Lock and Dam 2 Follow-up: RGU Status
Date:	Thursday, March 1, 2018 12:36:00 PM
Attachments:	image001.png image002.png image003.png image004.png

Kate:

Dakota County concurs that the DNR is the RGU for the proposed Lock and Dam 2 embankment project. We would like an opportunity to comment on the project whether or not an EAW is required. Please keep us informed as the project moves forward.

Thank you.

Dee McDaniels, Water Resources Specialist

Dakota County Environmental Resources Dept.

14955 Galaxie Avenue

Apple Valley MN 55124

dee.mcdaniels@co.dakota.mn.us <<u>mailto:dee.mcdaniels@co.dakota.mn.us</u>>

Phn: 952.891.7024 ~ Fax: 952.891.7031

From: Fairman, Kate (DNR) [mailto:kate.fairman@state.mn.us]

Sent: Tuesday, February 27, 2018 2:38 PM

To: Doneen, Randall (DNR); Horton, Becky (DNR); Skancke, Jennie (DNR); Brist, Jim (MPCA); Schnick, Emily (MPCA); Cyphers, Trevor W CIV USARMY CEMVP (US); Novak, Thomas CIV USARMY CEMVP (US); DeBates, TJ (DNR); Stiras, Joel K (DNR); Levitt, Jim (DNR); Stauffer, Kevin W (DNR); Dieterman, Daniel M (DNR); Parris, Leslie (DNR); Castellane, Nicholas J CIV (US); Hendrickson, Jon S CIV USARMY CEMVP (US); Kough, Trevor V CIV USARMY CEMVP (US); McDaniels, Dee Cc: Peck, Melissa (EQB) Subject: ACOE Lock and Dam 2 Follow-up: RGU Status

Hello All,

As a follow-up from last week's meeting, I contacted EQB regarding the conceptual project and the question of

whether DNR or Dakota County would be assigned to be the Responsible Governmental Unit (RGU) for the Lock and Dam 2 embankment project.

As you may recall, the project as currently conceptualized is likely to exceed the mandatory category threshold requiring an EAW under Minnesota Rules 4410.4300 Subpart 27A. Wetlands and Public Waters, which identifies the local government unit as the RGU. However, the project also meets the definition of a "phased action" as defined by Minnesota Rules 4410.0200 Subpart 60 in relation to the ACOE's Lower Pool 2 Boulanger Bend Project (for which the EAW was completed in 2017), and the Dredge Material Management Plan Project (for which the EAW process is currently ongoing). DNR has been acting as the RGU for these phased actions.

Because there were two different RGUs that could be identified for the Lock and Dam 2, I contacted Melissa Peck at the Environmental Quality Board (EQB) for their interpretation. Upon consideration, EQB staff provided the interpretation that because there was an existing project for which this new project would be considered a "phase," the existing RGU would maintain this status for the Lock and Dam 2 project. This means that DNR is the RGU for the proposed Lock and Dam 2 embankment project at this point.

\*\*It should be noted, however, that if at some point in time the project no longer meets the definition of a "phased action," the RGU status may need to be reconsidered. For example, if the project is put on hold for an extensive amount of time, such as several years beyond the completion of the DMMP, it may not meet the component of the "phased action" definition which states, "B. are substantially certain to be undertaken sequentially over a limited period of time."

Please let me know if there are any questions about the resolution of this question.

Thank you,

Kate Fairman Planning Director | Environmental Review Unit Minnesota Department of Natural Resources 500 Lafayette Road North Saint Paul, MN 55155 Phone: 651-259-5082 Email: kate.fairman@state.mn.us <<u>mailto:kate.fairman@state.mn.us</u>> mndnr.gov <<u>Blockedhttp://mndnr.gov/></u>

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From:	Cyphers, Trevor W CIV USARMY CEMVP (USA)
То:	Skancke, Jennie (DNR); Novak, Thomas CIV USARMY CEMVP (USA)
Cc:	Castellane, Nicholas J CIV (US)
Subject:	RE: [Non-DoD Source] RE: LD 2 Protective Island - Sediment Sampling Requirements (UNCLASSIFIED)
Date:	Wednesday, November 13, 2019 9:50:00 AM
Attachments:	ATR 11X17.pdf

Jennie,

Attached is the current 95% plan set for the project. As I mentioned on the phone, I'm hoping to submit the first review of the EAW this week. I'm thinking we can work on the required permits so that they are ready by the time the EAW is finalized.

Thanks,

Trevor

-----Original Message-----From: Skancke, Jennie (DNR) [<u>mailto:jennie.skancke@state.mn.us</u>] Sent: Wednesday, November 13, 2019 9:10 AM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil>; Novak, Thomas CIV USARMY CEMVP (USA) <tom.novak@usace.army.mil> Subject: [Non-DoD Source] RE: LD 2 Protective Island - Sediment Sampling Requirements (UNCLASSIFIED)

Hi Tom and Trevor, is it possible to get an update on this project, when it will come to my desk for permitting and current plan set? Meeting to get our new Regional Manager up to speed. Thanks, Jennie

Jennie Skancke South and West Metro Area Hydrologist | Ecological and Water Resources Minnesota Department of Natural Resources 1200 Warner Rd St. Paul, MN, 55106 Phone: 651-259-5790 Email: Jennie.Skancke@state.mn.us mndnr.gov

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Sent: Thursday, September 5, 2019 2:52 PM To: Brist, Jim (MPCA) <jim.brist@state.mn.us>; Skancke, Jennie (DNR) <jennie.skancke@state.mn.us> Cc: Fairman, Kate (DNR) <kate.fairman@state.mn.us>; Schnick, Emily (MPCA) <emily.schnick@state.mn.us> Subject: LD 2 Protective Island - Sediment Sampling Requirements (UNCLASSIFIED)

### CLASSIFICATION: UNCLASSIFIED

Good afternoon,

I know I've spoken with most of you on this subject, but I wanted to make sure I've covered everything. Within the

attached file is a map of the current footprint of the Lock and Dam 2 Protective Island and where sediment samples have been taken. The attachment contains the results of the contaminate screening for three of those samples, which I labelled environmental samples. Environmental samples were completed early on in the planning process (2017) and therefore are not in ideal locations based on the current project features. Based on the analysis of the environmental samples, it appears the sediment within the project area is clean and free of contaminates.

Any material dredged within the project area (i.e., access and habitat dredging), would be placed in-water within the emergent wetland area depicted on the map. Granular and fine material for the island would come from dredged material placement sites or dredge cuts within Pool 2. With this project requiring an EAW, I wanted to make sure that we have an adequate number of environmental samples for placing material into the emergent wetland. If anyone feels that more environmental samples are necessary, please let me know and I can coordinate with my team.

Thank you,

Trevor Cyphers Fishery Biologist U.S. Army Corps of Engineers 180 5th Street East, Suite 700 St. Paul, MN 55101-1678 Office: (651) 290-5031 Mobile: (507) 273-7546 trevor.w.cyphers@usace.army.mil

CLASSIFICATION: UNCLASSIFIED CLASSIFICATION: UNCLASSIFIED

From:	Fairman, Kate (DNR)
То:	Cyphers, Trevor W CIV USARMY CEMVP (USA)
Cc:	Castellane, Nicholas J CIV (US); Metzker, Kathleen (DNR)
Subject:	[Non-DoD Source] RE: LD2 Protective Island - EAW Submittal (UNCLASSIFIED)
Date:	Friday, November 22, 2019 3:14:54 PM

Thank you Trevor.

I am working on downloading them this afternoon. We will consider today the point of receipt of the data submittal and the beginning of our 30-day review period. You will be hearing from us regarding comments and information needs approximately December 23, 2019.

Please contact me or Kathy if you have any questions. Kate

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Sent: Friday, November 22, 2019 9:04 AM To: Fairman, Kate (DNR) <kate.fairman@state.mn.us> Cc: Castellane, Nicholas J CIV (US) <Nicholas.J.Castellane@usace.army.mil>; Metzker, Kathleen (DNR) <kathleen.metzker@state.mn.us> Subject: RE: LD2 Protective Island - EAW Submittal (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Kate,

I've updated the documents so that they are ADA compliant and sent them to you via our file sharing service (DoD SAFE).

Thanks,

Trevor

-----Original Message-----From: Fairman, Kate (DNR) [mailto:kate.fairman@state.mn.us] Sent: Tuesday, November 19, 2019 4:49 PM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Cc: Castellane, Nicholas J CIV (US) <Nicholas.J.Castellane@usace.army.mil>; Metzker, Kathleen (DNR) <kathleen.metzker@state.mn.us> Subject: [Non-DoD Source] RE: LD2 Protective Island - EAW Submittal (UNCLASSIFIED)

Hello Trevor,

I wanted to let you know that we have been able to assign a project manager for the LD2 Protective Island EAW. Kathy Metzker will be acting as the EAW project manager, so you can contact her directly regarding process questions, etc. at kathleen.metzker@state.mn.us, or at 651-259-5694.

In addition, I wanted to make you aware of an issue that needs resolution prior to our moving forward with review of the data submittal. While the DNR in general, and the environmental review unit specifically, has long had a policy of ensuring all documents that are published to our webpage are ADA compliant for screen-readers (for those with visual impairments), departmental policy has evolved to include these requirements for documents that are processed internally as well. This allows staff members who might require an accommodation to work on documents without necessarily exposing their own medical conditions or disabilities. Although I was able to download LD Protective Island EAW documents, all of the documents appear to have some 'errors' in terms of ADA accessibility. The project won't lose its place in our queue, (i.e. Kathy will continue to be your project manager), but if you would please resolve the ADA accessibility in the documents and re-send them, we will be able to begin the review process at that point. Aaron McFarlane has worked on ADA accessibility in EA documents in the past and may be able to assist here. Let us know if you hit any snags or if you have any concerns.

Thank you for your assistance. Kate

Kate Fairman Planning Director | Environmental Review Unit Minnesota Department of Natural Resources 500 Lafayette Road North Saint Paul, MN 55155 Phone: 651-259-5082 Email: kate.fairman@state.mn.us mndnr.gov

-----Original Message-----From: Fairman, Kate (DNR) Sent: Friday, November 15, 2019 3:39 PM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Cc: Castellane, Nicholas J CIV (US) <Nicholas.J.Castellane@usace.army.mil> Subject: RE: LD2 Protective Island - EAW Submittal (UNCLASSIFIED)

Hello Trevor,

This email is to acknowledge receipt of the LD2 Protective Island EAW initial data submittal. I will be in contact with you again next week regarding the assignment of a project manager and next steps.

Please let me know if you have any questions. Thank you, Kate Fairman

Kate Fairman Planning Director | Environmental Review Unit Minnesota Department of Natural Resources 500 Lafayette Road North Saint Paul, MN 55155 Phone: 651-259-5082 Email: kate.fairman@state.mn.us mndnr.gov

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Sent: Wednesday, November 13, 2019 3:54 PM To: Fairman, Kate (DNR) <kate.fairman@state.mn.us> Cc: Castellane, Nicholas J CIV (US) <Nicholas.J.Castellane@usace.army.mil> Subject: LD2 Protective Island - EAW Submittal (UNCLASSIFIED)

Kate,

I've sent you the EAW files using our SAFE drop-off application. Let me know if you have any trouble accessing the documents. Also, Steve Clark said that it may be a while until he is ready to resubmit the Pool 2 DMMP.

Thanks,

Trevor Cyphers Fishery Biologist U.S. Army Corps of Engineers 180 5th Street East, Suite 700 St. Paul, MN 55101-1678 Office: (651) 290-5031 Mobile: (507) 273-7546 trevor.w.cyphers@usace.army.mil

CLASSIFICATION: UNCLASSIFIED CLASSIFICATION: UNCLASSIFIED

From:	Cyphers, Trevor W CIV USARMY CEMVP (USA)
To:	<u>Metzker, Kathleen (DNR)</u>
Cc:	Jiwani, Suzanne (DNR); Fairman, Kate (DNR)
Subject:	RE: need the HEC-RAS model done for the Lock and Dam 2 Protective Island Project (UNCLASSIFIED)
Date:	Tuesday, December 10, 2019 8:46:00 AM

Kathy,

I've forwarded your message to the hydrologist who completed the HEC-RAS model and he said he would submit the model to you. Please let me know when you receive what you need.

Thanks,

Trevor

-----Original Message-----From: Metzker, Kathleen (DNR) [mailto:kathleen.metzker@state.mn.us] Sent: Monday, December 9, 2019 8:52 AM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Cc: Jiwani, Suzanne (DNR) <suzanne.jiwani@state.mn.us>; Fairman, Kate (DNR) <kate.fairman@state.mn.us> Subject: [Non-DoD Source] need the HEC-RAS model done for the Lock and Dam 2 Protective Island Project

Hi Trevor,

As you know, I am the project manager for the MN DNR's completeness review for the Lock and Dam 2 Protective Island Project in the Upper Mississippi River in Minnesota, near the City of Hastings. The EA references a HEC-RAS model created to simulate expected changes in flood elevations as a result of the island construction, and summarizes the results of the model in the EA, but I cannot find the model itself in the submissions that we've received. Our floodplain technical review team requires the original model for their review. Can you provide this?

Suzanne Jiwani is our technical lead for the floodplain program, so I am copying her on this email.

Thanks,

Kathy Metzker

Enviromental Review Project Manager- Lock and Dam 2 Protective Island EAW

CLASSIFICATION: UNCLASSIFIED

From:	Cyphers, Trevor W CIV USARMY CEMVP (USA)
То:	Metzker, Kathleen (DNR)
Cc:	Fairman, Kate (DNR)
Subject:	RE: Lock and Dam 2 Protective Island Construction EAW- Initial Data Submittal- question about cultural resources (UNCLASSIFIED)
Date:	Wednesday, December 11, 2019 11:21:00 AM

Kathy,

The archeologist that completed Sections 3.3 and 4.3 for the project (Bradley Perkl) is currently out of the office. I'll touch base with him and either he or myself will get back to you regarding your cultural resource questions.

Thanks,

Trevor

-----Original Message-----From: Metzker, Kathleen (DNR) [mailto:kathleen.metzker@state.mn.us] Sent: Wednesday, December 11, 2019 10:47 AM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Cc: Fairman, Kate (DNR) <kate.fairman@state.mn.us> Subject: [Non-DoD Source] Lock and Dam 2 Protective Island Construction EAW- Initial Data Submittal- question about cultural resources

Hi Trevor,

I have a documentation question for you. Section 3.3 describes the cultural resources found within and near the project area. This section mentions several previous cultural/historic/archeological investigations in the area, as well as consultations with the Minnesota State Historic Preservation Office (SHPO). Do you have any of this documentation or correspondence, especially any correspondence that would convey any final decisions or determinations by SHPO? This documentation is required by our Minnesota EAW process. Also, is there any continuing or ongoing involvement by SHPO or any similar agency on this project?

Thanks, Kathy Metzker

CLASSIFICATION: UNCLASSIFIED

From:	Metzker, Kathleen (DNR)
То:	Cyphers, Trevor W CIV USARMY CEMVP (USA)
Cc:	Fairman, Kate (DNR); Townley, Jill (DNR); Shillcox, Jennifer (DNR)
Subject:	[Non-DoD Source] DNR Completeness Determination- Initial Data Submittal, Proposed Lock and Dam Pool 2 Protective Island
Date:	Monday, December 23, 2019 4:22:27 PM
Attachments:	2019-12-23-LockAndDam2ProtectiveIslandEAW-CompletenessDetermination.pdf 2019-12-23-LockAndDam2ProtectiveIsland-Comments-InitialDataSubmission-USACECopy.xlsx

Dear Trevor,

Attached please find a letter conveying MN DNR's decision regarding the completeness of the initial EAW data submittal for the proposed Lock and Dam 2 Protective Island. Also please find attached a spreadsheet with the DNR's comments on the data submittal.

I look forward to working with you further on this,

Kathy Metzker

Land Use Hydrologist

From:	Cyphers, Trevor W CIV USARMY CEMVP (USA)
To:	<u>Metzker, Kathleen (DNR)</u>
Cc:	Fairman, Kate (DNR)
Subject:	RE: Permits and Approvals Required - LD2 Island EAW
Date:	Thursday, February 13, 2020 9:45:00 AM

Kathy,

Thank you for the response and the permit list. I just wanted to clarify one thing. We don't issue Corps permits to ourselves (i.e., Section 10 and 404 CWA), and the reasoning is listed below:

"As outlined in 33 CFR 335.2 and in 33 CFR 322.3(c)(1), the Corps of Engineers does not issue itself permits under Section 10 of the 1899 Rivers and Harbors Act, or Section 404 of the Clean Water Act. However, unless otherwise exempted, the Corps does comply with the same laws that apply to applications for Corps permits (NEPA, Endangered Species, Section 401 water quality certification, Section 404(a) notice and opportunity for hearing, Section 404(b)(1) compliance, Historic Preservation, Fish and Wildlife Coordination, etc)."

As for the wetland creation aspect of the project, that action would be covered under the section 10 and 404 permits, so no additional permit would be required for this project.

Thanks again,

Trevor

-----Original Message-----

From: Metzker, Kathleen (DNR) [mailto:kathleen.metzker@state.mn.us] Sent: Tuesday, February 11, 2020 9:57 AM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Cc: Fairman, Kate (DNR) <kate.fairman@state.mn.us> Subject: [Non-DoD Source] RE: Permits and Approvals Required - LD2 Island EAW

Hi Trevor,

I can see how that would be confusing. I apologize. We added additional likely permits in the EAW text while we were doing our review, but apparently did not add these details to the spreadsheet. One is an endangered species takings permit, which you may or may not need, and the other two are Corps permits. I have been advised that the Corps still needs to get permits for Corps-related work.

I added wetland permits as a possibility, because you will be creating wetlands where none now exist. I don't know whether such permits are currently required for wetland creation or not. I can tell you that, back in the 90s when I was a grad student in the wetland ecology program at Ohio State, we created a study wetland and the Corps made us apply for permits for working in wetlands in order to create them but that was a long time ago and maybe the protocols have been refined. I expect to get further guidance on this question from people who work regularly with these issues.

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Sent: Monday, February 10, 2020 1:50 PM To: Metzker, Kathleen (DNR) <kathleen.metzker@state.mn.us> Subject: Permits and Approvals Required - LD2 Island EAW

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Kathy,

I'm working through the EAW comments and had a question regarding the required permit and approval (EAW Section 8, Comment ID #11), which states that some additional permits have been added. Could you provide the potential permits that you mention in this comment? The only additional permit that I can think of would be and NPDES permit, which the awarded contractor would get if necessary.

Thanks

Trevor Cyphers Fishery Biologist U.S. Army Corps of Engineers 180 5th Street East, Suite 700 St. Paul, MN 55101-1678 Office: (651) 290-5031 Mobile: (507) 273-7546 trevor.w.cyphers@usace.army.mil

From:	<u>Metzker, Kathleen (DNR)</u>
То:	Cyphers, Trevor W CIV USARMY CEMVP (USA)
Cc:	Fairman, Kate (DNR); Shillcox, Jennifer (DNR)
Subject:	[Non-DoD Source] RE: LD 2 Protective Island - Data Submittal Two
Date:	Monday, March 16, 2020 3:14:11 PM

Thanks Trevor. I got them.

Today marks the beginning of our 30-day review period, which will end on April 15. At that time we will make a determination of data completeness for this submission. You may receive comments and requests for further information at various points during the 30-day review period, as the need arises.

Sincerely,

Kathy Metzker

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Sent: Monday, March 16, 2020 3:00 PM To: Metzker, Kathleen (DNR) <kathleen.metzker@state.mn.us> Cc: Fairman, Kate (DNR) <kate.fairman@state.mn.us> Subject: RE: LD 2 Protective Island - Data Submittal Two

Kathy,

I finally got the remaining documents to upload. Let me know if you have any troubles accessing them.

Thanks,

Trevor

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) Sent: Monday, March 16, 2020 1:57 PM To: Metzker, Kathleen (DNR) <kathleen.metzker@state.mn.us> Subject: RE: LD 2 Protective Island - Data Submittal Two

Yep, working on it. Having a some slight issues with the internet at the moment.

-----Original Message-----From: Metzker, Kathleen (DNR) [<u>mailto:kathleen.metzker@state.mn.us</u>] Sent: Monday, March 16, 2020 1:23 PM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Cc: Fairman, Kate (DNR) <kate.fairman@state.mn.us> Subject: [Non-DoD Source] RE: LD 2 Protective Island - Data Submittal Two

I already downloaded the EA, so that would be fine.

I don't have the EAW yet.

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Sent: Monday, March 16, 2020 1:17 PM To: Metzker, Kathleen (DNR) <kathleen.metzker@state.mn.us> Cc: Fairman, Kate (DNR) <kate.fairman@state.mn.us> Subject: RE: LD 2 Protective Island - Data Submittal Two

It appears that my second attempt crashed. If it isn't too much hassle, I send the remaining documents and leave out the EA, as it is the largest file.

-----Original Message-----From: Metzker, Kathleen (DNR) [mailto:kathleen.metzker@state.mn.us] Sent: Monday, March 16, 2020 12:59 PM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Cc: Fairman, Kate (DNR) <kate.fairman@state.mn.us> Subject: [Non-DoD Source] RE: LD 2 Protective Island - Data Submittal Two

Oh, okay.

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Sent: Monday, March 16, 2020 12:58 PM To: Metzker, Kathleen (DNR) <kathleen.metzker@state.mn.us> Cc: Fairman, Kate (DNR) <kate.fairman@state.mn.us> Subject: LD 2 Protective Island - Data Submittal Two

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Kathy,

It appears DoD SAFE sent my submittal before I was done uploading all the appropriate files. The full submittal is currently being downloaded and should be coming your way very soon. Sorry for the inconvenience.

Thanks,

Trevor

Jason and Melissa,

I was told that both of you were either taking over for Jennie Skancke and Jim Brist in your respective departments or could point me to the proper point of contact. I wanted to touch base with both of you regarding a project that the Corps is working toward implementing near Lock and Dam 2. The project requires a Minnesota EAW and I've currently submitted the second iteration of the review document. If everything goes smoothly with this submittal, it is the Corps' intent to submit the EA for public review concurrently with the EAW.

Being that both Jennie and Jim were involved to some extent with this project, I was wondering what level of understanding each of you have with the project. It is my intent to have the permitting completed fairly soon after the EAW is completed and signed. With that being said, what would be the best time to begin the permit application process for this project?

For some background information, I've attached the executive summary and a figure containing the primary features of the project. If you would like more information, I can send you the draft EA and Plans Sets. If you think it would be beneficial, we could set up a call to discuss the permitting process for this project.

Thanks,

Trevor Cyphers Fishery Biologist U.S. Army Corps of Engineers 180 5th Street East, Suite 700 St. Paul, MN 55101-1678 Office: (651) 290-5031 Mobile: (507) 273-7546 trevor.w.cyphers@usace.army.mil Perfect! Thx, Trevor.

Jim

Jim Brist (he/him/his) 401 Water Quality Certification Coordinator MPCA 651-757-2245

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-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Sent: Wednesday, April 8, 2020 3:28 PM To: Brist, Jim (MPCA) <jim.brist@state.mn.us> Cc: Hotz, Anna (MPCA) <Anna.Hotz@state.mn.us> Subject: RE: Lock and Dam 2 Protective Island Project

Jim,

A couple of great questions. According to Jon Hendrickson, once an island of this fashion is constructed and vegetation is established, maintenance is very low to non-existent. He said that the most likely cause of damage would be during Spring break-up, when ice could potentially displace some of the stability features (i.e., groins, vanes, riprap). If that were to happen, we could either fix the structure or monitor it, but he has never seen this type of thing result in structural failure. The benefit with the island, if structures needed to be fixed or maintenance was necessary, we could coordinate and permit the fixes in a timely fashion instead of doing it immediately.

Our original idea was to do a riparian berm with an offshore island. However, during the planning phase of the project our geotech engineer told us that a riparian berm would cause settlement of the embankment and we would need to reshape and overbuild the embankment to account for this. This would have likely been outside of project funds and costly, so we decided against incorporating the berm.

The DNR will let us know if they approve of this version of the EAW by 15 April. After that, I believe they have 30 days to prepare the document before it goes out for a 30-day public review. If everything works out, it would be sometime in Mid-May, but a date hasn't been decided upon at this point.

Thanks,

Trevor

-----Original Message-----From: Brist, Jim (MPCA) [mailto:jim.brist@state.mn.us] Sent: Wednesday, April 8, 2020 9:33 AM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Cc: Hotz, Anna (MPCA) <Anna.Hotz@state.mn.us> Subject: [Non-DoD Source] RE: Lock and Dam 2 Protective Island Project Hi Trevor.

I reviewed the draft EA and just have a couple of questions.

At some point the island is likely to need repair as well. Is there any estimated life expectancy of the island structure?

One of the rejected alternatives was a riparian berm. Was there any consideration given to using both the Island in addition to riparian berms?

Ok, I guess I have one more, but this one is related to timing. You said that if all goes well with this draft, that the EA would be released at the same time as the EAW. Do you know what that date is?

Thx, Jim

Jim Brist (he/him/his) 401 Water Quality Certification Coordinator MPCA 651-757-2245

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-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Sent: Friday, April 3, 2020 1:46 PM To: Brist, Jim (MPCA) <jim.brist@state.mn.us> Cc: Schnick, Emily (MPCA) <emily.schnick@state.mn.us>; Hotz, Anna (MPCA) <Anna.Hotz@state.mn.us> Subject: RE: Lock and Dam 2 Protective Island Project

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Jim,

Glad you will be still involved with the project. I've attached the draft EA, draft 404(b)(1) and the Plans and Specs to get your started. Be sure to let me know if you have any questions.

Thanks,

Trevor

-----Original Message-----From: Brist, Jim (MPCA) [mailto:jim.brist@state.mn.us] Sent: Friday, April 3, 2020 1:15 PM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Cc: Schnick, Emily (MPCA) <emily.schnick@state.mn.us>; Hotz, Anna (MPCA) <Anna.Hotz@state.mn.us> Subject: [Non-DoD Source] Lock and Dam 2 Protective Island Project

Hi Trevor.

I'll be your MPCA contact and yes, please send me the draft EA and the Plan Sets.

Because this project utilizes dredge material, I have copied Emily Schnick (MPCA dredge expert) and have included our guidance document on managing dredge materials

BlockedBlockedhttps://www.pca.state.mn.us/sites/default/files/wq-gen2-01.pdf

Thanks for including us!

Jim

Jim Brist (he/him/his)

401 Water Quality Certification Coordinator

MPCA

651-757-2245

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From:	Metzker, Kathleen (DNR)
То:	Cyphers, Trevor W CIV USARMY CEMVP (USA)
Cc:	Fairman, Kate (DNR); Townley, Jill (DNR); Shillcox, Jennifer (DNR)
Subject:	[Non-DoD Source] Completeness determination- proposed Lock and Dam 2 Pool Protective Island EAW- Second Data Submittal
Date:	Wednesday, April 15, 2020 11:06:26 AM
Attachments:	Appendix C LD2 Island 404(b)(1) Draft East Metro Fisheries comments 3-17-20.docx LockAndDam2ProtectiveIsland-SecondDataSubmittal-Comments.xlsx LD2 Island Appendix B EAW Supplement-USACECopy.docx 2020-04-15-USACE-LockAndDam2ProtectiveIslandEAW-SecondDataSubmittal-CompletenessDecision.pdf

Dear Mr. Cyphers,

Attached please find MN DNR's completeness determination for the second data submittal for the EAW for the proposed Lock and Dam 2 Pool Protective Island Project. Also please find attached an Excel spreadsheet with comments, as well as two Word documents (the draft EAW, and the draft Appendix C) with embedded comments and other items flagged for your convenience.

If you have any questions about this or would like to talk further about it, please email me or call me at 651-259-5694.

Sincerely,

Kathy Metzker

Bridget,

No worries, thank you for the update. We had an internal call last week, and one of my coworkers (Aaron McFarlane), whom worked on the Boulanger Bend Project, had a suggestion for a path forward as that project had a similar situation as LP2 Island. Aaron said that Rich filled out a take permit for the MnDNR because they were the RGU for the project. I'm not sure if he fully completed the permit or not; however, it could be a potential solution. That way the Corps isn't applying for a permit, but the mussel information surrounding the project is captured.

Thanks,

Trevor

-----Original Message-----From: Henning-Randa, Bridget (DNR) [<u>mailto:Bridget.Henning-Randa@state.mn.us</u>] Sent: Monday, May 18, 2020 11:51 AM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Subject: [Non-DoD Source] RE: Lock and Dam 2 Protective Island Project - Mussel Assessment

Hi Trevor,

Sorry I missed your call. I did bring the situation to my supervisor last week, but have not heard back on a direction to take. I believe that they are continuing to discuss it, and I will let you know as soon as I learn more.

Thanks, Bridget

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Sent: Wednesday, May 13, 2020 2:21 PM To: Henning-Randa, Bridget (DNR) <Bridget.Henning-Randa@state.mn.us> Subject: RE: Lock and Dam 2 Protective Island Project - Mussel Assessment

Bridget,

I hope all is well. During on our call last week you mentioned that you had an internal meeting last Friday. I was just wondering if you got any clarification for our situation during that call. Feel free to give me a call if you want to discuss. I should be free most of the week apart from Friday morning.

Thanks,

Trevor

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) Sent: Wednesday, May 6, 2020 11:44 AM To: 'Henning-Randa, Bridget (DNR)' <Bridget.Henning-Randa@state.mn.us> Cc: Kelner, Daniel E CIV USARMY CEMVP (USA) <Daniel.E.Kelner@usace.army.mil> Subject: RE: Lock and Dam 2 Protective Island Project - Mussel Assessment

Hey Bridget,

I left you a lengthy voicemail a few minutes ago. If it works, Dan Kelner (our mussel biologist) will give you a call at 1pm today and we can have a three-way call to discuss a path forward.

Thanks,

Trevor

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) Sent: Wednesday, May 6, 2020 7:08 AM To: Henning-Randa, Bridget (DNR) <Bridget.Henning-Randa@state.mn.us> Subject: RE: Lock and Dam 2 Protective Island Project - Mussel Assessment

Good idea, I'll give you a call today at 11.

- Trevor

-----Original Message-----From: Henning-Randa, Bridget (DNR) [<u>mailto:Bridget.Henning-Randa@state.mn.us</u>] Sent: Tuesday, May 5, 2020 2:55 PM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Subject: [Non-DoD Source] RE: Lock and Dam 2 Protective Island Project - Mussel Assessment

Hi Trevor,

It appears we are playing phone tag. Maybe we should set up a time to chat? I am free today at 3, or tomorrow at 11 or 1. Let me know if any of those work for you.

Thanks, Bridget

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Sent: Tuesday, April 28, 2020 2:48 PM To: Baker, Richard (DNR) <richard.baker@state.mn.us> Cc: Henning-Randa, Bridget (DNR) <Bridget.Henning-Randa@state.mn.us> Subject: RE: Lock and Dam 2 Protective Island Project - Mussel Assessment

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Rich and Bridget,

Sorry to bother you, but I was just wondering if you had an opportunity to review the content of my previous email regarding the Lock and Dam 2 Island and potential mussel impacts. Feel free to give me a call if you would like to discuss.

Thanks again,

Trevor

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) Sent: Thursday, April 16, 2020 12:07 PM To: richard.baker@state.mn.us Cc: Bridget.Henning-Randa@state.mn.us; Kelner, Daniel E CIV USARMY CEMVP (USA) <Daniel.E.Kelner@usace.army.mil>; Mcfarlane, Aaron M CIV USARMY CEMVP (USA) <Aaron.M.McFarlane@usace.army.mil> Subject: Lock and Dam 2 Protective Island Project - Mussel Assessment

## Rich,

Good afternoon, I hope all is well. I'm contacting you based on a couple comments I received during a Minnesota EAW internal review. I've attached an excel spreadsheet that contains the aforementioned comments that focus on potential mussel concerns. The project requiring the EAW would involve constructing an island located just north of the Lock and Dam 2 Embankment. The island would protect the existing embankment from erosion and provide a beneficial use for dredged material, as the island would incorporate features based on the UMRR Environmental Design Handbook. I've attached the Draft EA for additional context and background information.

During the scoping phase of the project Dan Kelner, Aaron McFarlane, and myself surveyed the project area and extent of the island footprint on two separate occasions (2017 and 2018) utilizing our skimmer dredge. The results of our surveys are summarized in Section 3.2.2, while the potential mussel impacts of the island are discussed in Section 4.2.2. of the EA. Given the habitat condition of the project area was poor (fine flocculent substrate) and the near absence of mussels within the island footprint, additional dive surveys were not warranted.

As outlined in the EA, potential mussel impacts would be extremely low. There should be no impacts to state-listed species as only a single individual of a state protected species (Quadrula nodulata) was collected live and was placed near the transect collected, but outside of the project footprint. The near absence of mussels in the project footprint coupled with beneficial features added to the project, would likely benefit mussels in the long term throughout this area.

Do you concur with the Corps' determination that the survey accurately characterizes mussel resources, impacts to mussels would be negligible, and mitigation measures, including the need for a Take Permit or mussel relocation, are not warranted for this project? Let me know if you have any questions or would like to set up a call with Dan, Aaron and myself to discuss this topic further.

Thanks,

Trevor Cyphers

Fishery Biologist U.S. Army Corps of Engineers 180 5th Street East, Suite 700 St. Paul, MN 55101-1678 Office: (651) 290-5031 Mobile: (507) 273-7546 trevor.w.cyphers@usace.army.mil

From:	Metzker, Kathleen (DNR)
То:	Cyphers, Trevor W CIV USARMY CEMVP (USA)
Cc:	Townley, Jill (DNR); Henning-Randa, Bridget (DNR); Davis, Mike J (DNR); Sietman, Bernard (DNR); Collins, Melissa (DNR)
Subject:	[Non-DoD Source] update on mussels
Date:	Monday, July 20, 2020 2:45:54 PM

Hi Trevor,

Many of us at the DNR have been talking about mussels in the past week or so, and it looks like a consensus has formed. Due to the unsuitable habitat in the project area, the few specimens of state listed species found there (only one), and the fact that the project will have a net positive impact on the mussel community, we will not press for a takings permit.

Happy Monday!

Kathy

From:	Cyphers, Trevor W CIV USARMY CEMVP (USA)
То:	Metzker, Kathleen (DNR)
Subject:	RE: feedback and comments on current draft- Lock and Dam 2 protective island EAW
Date:	Tuesday, July 21, 2020 9:55:00 AM
Attachments:	<u>Vanes.ipg</u>

Kathy,

I passed the comment along about incorporating chinking stones with the riprap to our engineers and hydrologists that are working on the project and their responses are below:

Engineering: It's not our normal practice because we have specifically designed gradation with specific W50 requirements (minimum size/weight of stone that has 50% of the entire gradation smaller than given), which determine the hydraulic performance of the rock layer. If you mix smaller stones in before placing the riprap the W50 and performance of the layer will change. It could be possible to try and chink the surface of the layer to fill in voids but that might not be as successful and could settle out after a while.

Hydraulics: During past project we have tried placing chinking stone on top and it usually doesn't last very long. For that reason, we don't recommend this practice.

I've attached an example of what the rock vanes will look like once completed. Most of the riprap incorporated into the rock vanes throughout are projects are passable for wildlife (i.e., turtles) just above the tie-in area. After some time, they become a nice habitat feature that provides a bit of habitat diversity to the sand bench.

Thanks,

Trevor

-----Original Message-----From: Metzker, Kathleen (DNR) [<u>mailto:kathleen.metzker@state.mn.us</u>] Sent: Tuesday, July 14, 2020 9:42 AM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Subject: [Non-DoD Source] FW: feedback and comments on current draft- Lock and Dam 2 protective island EAW

A comment on riprap.

-----Original Message-----From: Collins, Melissa (DNR) <Melissa.Collins@state.mn.us> Sent: Tuesday, July 14, 2020 9:27 AM To: Metzker, Kathleen (DNR) <kathleen.metzker@state.mn.us> Subject: RE: feedback and comments on current draft- Lock and Dam 2 protective island EAW

Hi Kathy,

I noticed that they are still planning to exclusively use the R140 rip-rap. We requested that smaller aggregates be added to fill in gaps near shorelines to make the embankments more wildlife passable.

Thanks!

Melissa Collins Regional Environmental Assessment Ecologist | Ecological and Water Resources Pronouns: She/her Minnesota Department of Natural Resources 1200 Warner Road St. Paul, MN 55106 Phone: 651-259-5755 Email: melissa.collins@state.mn.us mndnr.gov

-----Original Message-----From: Metzker, Kathleen (DNR) <kathleen.metzker@state.mn.us> Sent: Monday, July 13, 2020 9:28 AM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Cc: Collins, Melissa (DNR) <Melissa.Collins@state.mn.us>; Townley, Jill (DNR) <jill.townley@state.mn.us> Subject: RE: feedback and comments on current draft- Lock and Dam 2 protective island EAW

Thanks. That's one more issue we can scratch off the list!

-----Original Message-----From: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Sent: Friday, July 10, 2020 3:47 PM To: Metzker, Kathleen (DNR) <kathleen.metzker@state.mn.us> Cc: Collins, Melissa (DNR) <Melissa.Collins@state.mn.us>; Townley, Jill (DNR) <jill.townley@state.mn.us> Subject: RE: feedback and comments on current draft- Lock and Dam 2 protective island EAW

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Kathy,

Thank you for getting this back to me, I appreciate it. I'll work on looking through the comments next week and see if I need any further clarification. First, I wanted to send you the SHPO letter. I will make sure to attach it with the next submittal as well. Have a great weekend.

- Trevor

-----Original Message-----From: Metzker, Kathleen (DNR) [mailto:kathleen.metzker@state.mn.us] Sent: Friday, July 10, 2020 12:27 PM To: Cyphers, Trevor W CIV USARMY CEMVP (USA) <Trevor.W.Cyphers@usace.army.mil> Cc: Collins, Melissa (DNR) <Melissa.Collins@state.mn.us>; Townley, Jill (DNR) <jill.townley@state.mn.us> Subject: [Non-DoD Source] feedback and comments on current draft- Lock and Dam 2 protective island EAW

Hi Trevor,

I've reviewed the draft that you submitted and made some comments in it.

We have made progress, but still have some outstanding issues. These are the ones that I see:

Mussels- I have been talking to many different people to get feedback and suggestions on what we should do about

the possibility of state-listed mussels in the project area, but this is still unresolved.

SHPO concurrence letter- I think we still do not have the SHPO concurrence letter. We will need this when the EAW is submitted to EQB.

BMPs to control or contain sedimentation from runoff at the staging area: MPCA has stated that there should be redundant out of water BMPs and at least one in water BMP to contain sediment. The EAW lists two out of water BMPs (sandbags and silt curtains), but no inwater BMPs. This is important, because the Mississippi is impaired for turbidity in this area, so at least one candidate in water BMP should be mentioned.

Appendix E is, I think, still not done. Considering that Appendix E is 'a coordination appendix that contains detailed descriptions of compliance efforts for certain regulations', its content may address the unresolved questions about minimizing and mitigating turbidity and sedimentation.

Concerning mufflers on construction equipment: this is common MPCA requirement, but I understand that some equipment might not be suitable for being outfitted with a muffler. I expanded a little on your comment on noise in the EAW; take a look and see if it works for you. We'll see what MPCA has to say on this.

Measures to control/mitigate/reduce sedimentation and turbidity when the island is constructed- We need a fill placement method that offers the least sediment release, and a mention of inwater BMPs to control the sediment and reduce/minimize/control turbidity in the river in the project area. I saw some turbidity language in the 404 permit, but it just states an intention to have BMPs without describing what those will actually be. We need some discussion of these.

Regarding planting or seeding the emergent wetland on the island: comments from the REAE indicate that the region is fine with letting this self vegetate if it's a type 3 or 4 wetland, but not a type 2 wetland. Considering that this is a constructed wetland, it is up to the corps what kind of wetland it will be. I see that the text says that it will be a type 3 or 4, and I added some text to clarify that this is by design intent. So it looks like self-vegetating should be okay here.

Let me know if you have any more questions. I hope we can resolve the mussel issue soon.

Thanks, Kathy