

Record of Decision Attachment 1

Radio Tower Bay Wetland Restoration

Environmental Assessment Worksheet

Public Review Period – April 28 – May 28, 2014

Public Comments Received



Minnesota Pollution Control Agency

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May 27, 2014

Mr. Ronald Wieland
Department of Natural Resources
Environmental Review Planner
500 Lafayette Road
St. Paul, MN 55155

Re: Radio Tower Bay Wetland Restoration Project Environmental Assessment Worksheet

Dear Mr. Wieland:

Thank you for the opportunity to review and comment on the Environmental Assessment Worksheet (EAW) Radio Tower Bay Wetland Restoration Project (Project) located in the city of Duluth, Minnesota. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, the MPCA staff has the following comments for your consideration.

6.b. Description, pg. 4

It should be indicated to the reader whether or not the wood waste/mucky soil is contaminated or not. Given the history of this area, there could be concerns from the public regarding this issue.

How will the organic mulch be transferred for beneficial reuse? Where will it be transferred to? Likewise with the materials that will not be used for beneficial reuse – how will these materials be transferred to a landfill? Has a landfill been designated?

6.b. Description, pg. 5

What will the decanted carriage water be monitored for?

How will the dewatering into Mud Lake affect the hydraulic conductivity in the area?

6.b. Description, pg. 6

What surface water will the discharged water be sent to? Where does Mud Lake discharge to?

What will be the construction of the piping? How will the joints be sealed?

How will the pumps be refueled? What kind of containment will be in place for overfills?

12. Physical Impacts on water resources, pg. 23

Why is there a low risk of environmental contamination from the installation, operation or removal of the slurry pipe and associated booster pumps?

16. Erosion and sedimentation, pg. 25

How will the equipment be refueled and maintained? What best management practices will be in place to prevent contamination to the soil and surface water? It should be mentioned here that a Spill Prevention Plan will be prepared and put in-place.

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16. Erosion and sedimentation, pg. 26

What is the final disposition of the membrane when the project is complete? What is the final disposition of the rock weir when the project is complete?

18. Water quality; wastewater, pg. 28

It is indicated that testing will be conducted during the startup and periodically thereafter until processing is complete. This should be more explicit, and what parameters will be tested?

20. Solid wastes, hazardous wastes, storage tanks, pg. 31

Will the final discharge meet surface water criteria for the area it will be discharged to?

We appreciate the opportunity to review this project. Please provide your specific responses to our comments and the notice of decision on the need for an Environmental Impact Statement. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this EAW, please contact me at 651-757-2482.

Sincerely,



Kevin Kain
Planner Principal
Environmental Review Unit
Resource Management and Assistance Division

KK:bt

cc: Craig Affeldt, MPCA, St. Paul
MPCA Regional Manager – Tom Estabrooks
Jim Brist MPCA-St. Paul
Patrice Jensen MPCA St. Paul

From: Charles Froseth <cfroseth@DuluthMN.gov>
Sent: Thursday, May 29, 2014 3:03 PM
To: Wieland, Ronald (DNR); Lindgren, John P (DNR)
Subject: RE: Nice discussing Radio Tower Bay with you today

Ron

Not sure if this is John's email. Please let him know I at least tried to send comments.

Staff from Planning and Engineering sat down and did a short review of Radio Tower Bay EAW. Below are our comments.

May have used the 2008 form, the 2011 is the new one.

Page 3 Description, the EAW describes RTB as being in the City of Duluth. Since this is a public water, not really our jurisdiction?

Page 4, 2nd paragraph down, if the levels are potentially harmful, when copper sulfate is applied to the water it might be appropriate to place warning signs or some other method of public notice to protect our citizens.

Page 5, Project description, they are calling for the pumps to run around the clock (24hrs per day)... might this cause a noise issue for our residents?

Page 5, Mobilization, what specific erosion and sediment controls will be installed? Will the City of Duluth storm sewer system be utilized?

Page 9, Beneficiaries, the City of Duluth is not listed? Page 3 stated that this is City of Duluth property.

Page 33, Noise levels, none of the data on NAC levels and L10, L1 levels will matter if our Mayor starts receiving angry phone calls from residents. They may want to have a contingency plan in case of noise complaints and the pumps are not allowed to run 24 hours per day. The city should have a plan as to whom those complaint calls are directed to at the DNR or other agency.