

August 7, 2020

Mike Magner
DNR Forestry/ Fish & Wildlife Archaeologist
DNR Forestry Resource Assessment Office
483 Peterson Road
Grand Rapids, MN 55744

RE: Roseau River Lake Bottom Project
Roseau River Watershed District flood control project
Roseau County
SHPO Number: 2017-0952

Dear Mr. Magner:

Thank you for continuing consultation on the above project. Information received on July 9, 2020 has been reviewed pursuant to the responsibilities given the State Historic Preservation Officer by the National Historic Preservation Act of 1966 and implementing federal regulations at 36 CFR 800, and to the responsibilities given the State Historic Preservation Office by the Minnesota Historic Sites Act (Minn. Stat. 138.665-666) and the Minnesota Field Archaeology Act (Minn. Stat. 138.40).

Define Undertaking and Area of Potential Effect

As we understand it, the Roseau Watershed District is proposing to construct a flood control project (Project) along the Roseau River in north-central Roseau County. The Project will include the construction of a series of ditches, embankments, and water control structures that will better enable the drained basin of Roseau Lake to retain run-off. The Project will impact private and state lands that are managed as part of the Roseau Lake Wildlife Management Area (WMA) and will affect WMA parcels that were acquired as part of federal programs administered by the U.S. Fish and Wildlife Service, therefore making this Project an undertaking subject to review under Section 106 of the NHPA. The U.S. Fish and Wildlife Service has authorized the Minnesota Department of Natural Resources to act as its agent in meeting the requirements of Section 106 of the NHPA and its implementing regulations.

We have reviewed your cover letter dated July 9, 2020 as well as the Phase I archaeological survey report titled *Phase I Archaeological Investigation for the Roseau River Lake Bottom Project, Roseau County, Minnesota* (April 2020) as prepared by HDR (Report). The information provided in regards to your agency's determination of the area of potential effect (APE) for the Federal undertaking is unclear and we do not have an understanding at this time of the full extent of the APE for this Project. Although the discussion and map (page 2) in the Report has taken into consideration the potential direct, physical effects of the proposed Project on historic properties of an archaeological nature, there has been little discussion of any direct effects the Project may have on any man-made historic features such as drainage/diversion ditches. There has also been little discussion of indirect effects on above-ground historic properties. The APE for indirect effects should take into account any introduction of visual, atmospheric or audible elements that may have an effect on historic properties as well as any changes to the character of a property's use or to

physical features within the property's setting. Please clarify your agency's definition of the Project APE in regards to both direct and indirect effects and provide our office with a map that shows the final APE for this Project. It would be helpful if this map also included the historic properties (both archaeological and above-ground historic resources) that have been identified within the final APE as a result of the investigations.

Identification of Historic Properties

Archaeological Resources

According to the report, six new archaeological sites were identified within the Project area as a result of the investigations: sites **21RO0045**, **21RO0046**, **21RO0047**, **21RO0048**, **21RO0049** and **21RO0050**. We agree that sites **21RO0045**, **21RO0046**, **21RO0047**, **21RO0048**, and **21RO0049** are **not eligible** for listing in the National Register of Historic Places (NRHP). We also agree that archaeological site **21RO0050** has the potential to be eligible for listing in the NRHP. If this site cannot be avoided by all Project construction activities, further Phase II evaluation of the site will be necessary.

History/Architecture Properties

According to the Report, two previously identified properties are located within the Project "Study Area", **Bridge L9507 (RO-JAD-002)** and a **town hall (RO-DET-002)**. It is unclear whether these properties would be located within the final APE for this Project. The Report states that "neither intersects the Project APE", but since the APE is not well defined at this point in regards to indirect effects, we are unable to agree with this statement. From the aerial maps that were included in the Report, as well as images from Google Earth, there appear to be several farmsteads/historic structures/diversion ditches in the Project's "Study Area". If any history/architecture properties are over 50 years old and lie within the final APE for this Project, they should also be surveyed and evaluated.

Determination of Effect

Once a final APE determination has been made, and the historic property identification efforts are complete, we will consult further regarding an appropriate finding of effect for this Project. It will be critical for your agency to provide sufficient documentation in support of any final effect finding for this undertaking. Please submit further information regarding your agency's final APE determination and any additional survey information that is completed for above-ground historic properties that are located within the final Project APE.

We look forward to further consultation regarding this project. Please contact me at kelly.graggjohnson@state.mn.us if you have any questions regarding our review of this project or wish to discuss any of our comments or recommendations in more detail.

Sincerely,

Kelly Gragg-Johnson

Kelly Gragg-Johnson
Environmental Review Specialist

Attachment B

From: Joyal, Lisa (DNR)

Sent: Wednesday, April 29, 2020 3:21 PM

To: Brown, Nicholas (DNR) <nicholas.brown@state.mn.us>

Cc: Prachar, Randy E (DNR) <randy.prachar@state.mn.us>; Cohn, Charlotte W (DNR) <charlotte.cohn@state.mn.us>

Subject: Roseau Lake Rehabilitation and Sprague Creek Wetland Restoration and Mitigation - NH Concurrence Response

I have reviewed the attached assessment of the potential for the above project to impact rare features, and have the following comments:

- The assessment accurately identifies state-listed species within the search area, and addresses potential impacts to these species.
- Of particular concern are potential impacts to state-protected plants. Accordingly, the document states that a plant survey is planned for the upcoming growing season. Please follow the processes outlined in the attached *Rare Plant Guidance* and *Rare Species Survey Process*.
- While the assessment does address native plant communities that are records in the NHIS Rare Features Data, it does not address the more comprehensive dataset on native plant communities found in the DNR Native Plant Community layer. The document only identifies Spring Fens as being present within the project footprint, but the following rare native plant communities (conservation status rank of S1, S2, or S3) have been documented within the Sprague Creek Wetland Restoration boundary and should be identified and addressed in the EAW:
 - FPn63c – White Cedar Swamp (Northwestern)
 - FPn71 – Northern Rich Spruce Swamp (Water Track)
 - FPn71a – Rich Black Spruce Swamp (Water Track)
 - OPn93 – Spring Fen
 - WFn53b – Lowland White Cedar Forest (Northern)
 - WFn74a – Alder – (Red Currant – Meadow-Rue) Swamp
- I have some minor edits (see attached document) regarding WCA and the permit to take process that should be incorporated into the EAW.

The reference number for this correspondence is ERDB #20200021-0002.

Thank you for notifying us of this project, and for the opportunity to provide comments.

Sincerely,

Lisa Joyal

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**Lisa Joyal**

Endangered Species Review Coordinator | EWR

NHIS Data Distribution Coordinator | EWR

**Minnesota Department of Natural Resources**

500 Lafayette Road, Box 25

St. Paul, MN 55155

Phone: 651-259-5109

Email: [lisa.joyal@state.mn.us](mailto:lisa.joyal@state.mn.us)

[mndnr.gov/eco](http://mndnr.gov/eco)

**From:** Joyal, Lisa (DNR)  
**Sent:** Friday, November 20, 2020 3:55 PM  
**To:** Quiram, Gina (DNR) <[gina.quiram@state.mn.us](mailto:gina.quiram@state.mn.us)>  
**Subject:** Roseau Lake Rehabilitation & Sprague Creek Wetland Restoration for Mitigation

I have reviewed the attached assessment of the potential for the above project to impact rare features, and concur with the assessment. Impacts to rare features have been adequately addressed. As stated in the EAW, additional botanical surveys will be conducted and, if any documented state-protected species cannot be avoided, the project proposer will apply for a permit to take.

Thank you,

Lisa Joyal

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Lisa Joyal

Endangered Species Review Coordinator | EWR

NHIS Data Distribution Coordinator | EWR

Minnesota Department of Natural Resources

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