

MEETING MINUTES - TOWER HARBOR EA UPDATE



Re: Tower Harbor Redevelopment Project
Tower, Minnesota

Date of Meeting: 02/26/09

Project Manager: Matt Bolf

Time of Meeting: 1:00 p.m.

SEH No.: A-TOWER0703.00

Location of Meeting: SEH – St. Paul Office

Present: Tim Kotzian, Mayor Steve Abrahamson, Tom Heinowski – City of Tower
Amy Loiselle, – MN Department of Natural Resources (Waters)
Ronald Wieland – MN Department of Natural Resources (Enviro. Program)
Joe Geis – MN Department of Natural Resources (Fisheries)
Rian Reed – MN Department of Natural Resources (Enviro. Resource)
Randall Doneen – MN Department of Natural Resources (Enviro. Review Unit)
Tom Estabrooks – MPCA (Watershed Project Manager)
Lynette Roshell – State Aid Project Development
Kevin Kliethermes - FHWA
Matt Bolf, Jeremy Walgrave, Bob Rogers – SEH

The following items were discussed at the above referenced meeting:

- I. Matt Bolf introduced himself as the Project Manager for SEH for the Harbor Development project and gave a summary of the project and the status of the EA.
 - A. The EA public hearing process ended on December 19th. Comments were received from the DNR, MPCA, SWCD, EPA, and one private resident. The main objective of the meeting was to discuss the comments from the DNR and MPCA and the responses given in the EA Update.

- II. Jeremy Walgrave discussed the additional information that was included in the EA Update in regards to water quality on the project. This included discussion of phosphorous loading, boat traffic, sediment resuspension, storm water runoff, harbor flushing, aquatic habitat, and shoreline erosion.
 - A. There was discussion about the enforcement of storm water management systems that will occur around the development. The City has already had a zoning change for the harbor development area, has set up a design review committee, and is working on design standards to govern the development. The DNR requested that information be included into the EA Update as to the process by which the City will govern the storm water. The DNR also requested to stay involved when development occurs around the harbor.
 - B. There was a discussion about the aeration comment in the EA Update for the future harbor. Jeremy explained that at this time, we don't believe stagnation will be a problem based on flow data and modeling of the harbor/channel, but that a monitoring program should be setup as part of a contingency plan. If there would be a problem in the future, aeration could potentially be a solution, but other options would also be explored. The City and DNR discussed what groups they could work

with to team on a monitoring program for the new harbor and Pike Bay. It was agreed that the two parties will continue to discuss this as the project progresses.

- C. The EA Update stated that the entire channel and Pike Bay will be posted as a “No Wake Zone.” Randall suggested that the City be the lead on completing a surface water ordinance through the DNR to complete this legal process. The City agreed to this but stated they don’t have the resources to enforce this and they would look to the DNR Conservation Officers and Sheriff to enforce laws and regulations of public waters. Amy will send SEH a link to the website for surface water ordinances.
- III. Matt gave an update on the additional dredging information that was included in the EA Update. This included potential management/disposal areas, information on how the dredged quantities were estimated for the channel and harbor, and proposed methods of dredging.
 - A. There was a general discussion of what the dredged materials could be used for after being removed from the site and dewatered. At this time, the City is envisioning stockpiling the dredge material and reusing it in the future as topsoil.
 - B. Matt told the DNR that the supplemental information they received included a copy of the soundings and channel/harbor cross sections that were used in the quantity computations.
 - C. Tom Estabrooks requested a copy of the environmental borings that were taken in the channel and a copy of the testing report of the soils. Matt will send him a copy of the report. Matt informed him that Brett Ballavance had a copy of the report and had provided a preliminary statement of the high levels of copper and arsenic that were found in the tests and that they appear to be similar to background levels for this area.
 - IV. Matt and Jeremy gave an update on the additional information in the EA Update in regards to the future jetty and bulkhead design. The EA Update discusses known background and historical information, potential construction methods, and overall lengths of walls. The supplemental information also included maps of replacement areas and preliminary design sketches, and photos of wall options.
 - A. The DNR stated they didn’t have sufficient time to review this section and the supplemental information before the meeting. They agreed to address this in a follow up letter.
 - V. There was a discussion on the proposed control structure and the base of the rapids.
 - A. Jeremy discussed what modeling had been done when looking at this and provided a preliminary sketch of what a sill control structure would look like. Jeremy stated at this time, he feels a sill would satisfy the transition needed from the dredged harbor and the rapids. Matt stated that no final design has been completed for any structure but that the City and SEH will work closely with the DNR during the design development.
 - B. The DNR reminded the group that the rapids are at the base of a trout stream and that no impact to the rapids will be allowed.
 - C. The group also discussed the possibility of dredging this portion of the harbor to a shallower depth. This option will be further evaluated during the more detailed design phase.
 - VI. Matt discussed the additional information that was include in the EA Update for soils report and contaminated soils.
 - A. SEH provided the DNR and MPCA supplemental information prior to the meeting that included a copy of the soils report, a map of the boring locations, and general information about the permitting process that the project will follow.
 - B. Matt discussed the potential of entering the project into the VIC program. At this time, no contaminated soils or locations have been identified. Matt suggested working with the MPCA as areas are identified to be impacted. If during this process any contaminates are found, the City will work with the MPCA on entering into the VIC program to ensure any contaminated soils are

excavated and disposed of properly. Tom Estabrooks agreed to this but stressed the importance of working with the MPCA during the development of these areas.

- VII. Bob Rogers gave an update on recent discussion with the USACE.
- A. Tim Peterson from the USACE has been involved with past meetings and had comments on the initial EA publication and the EA Update. SEH will provide a copy of the minutes of this meeting to the USACE and follow up with any additional comments they may have.
- VIII. Bob Rogers discussed how all comments were handled in the EA Update. He reminded the group that several paragraphs were added to the EA Update and in many cases the response to comments section directed the reader back to Section III of the EA Update as opposed to rewriting the text.
- IX. Bob provided Mn/DOT and FHWA with a Final Section 4(f) Evaluation that will be inserted in the EA Update.
- A. Kevin questioned what the agreement was between the City and DNR for any future replacement of the boat landing. Since the existing MOA between the City and DNR doesn't require replacement of the landing, the City and DNR agreed to work with each other on finding a replacement location. This will be added into the EA Update and Section 4(f) text.
- B. Ron Wieland requested a copy of the MOA for the boat landing. SEH will provide him a copy.
- X. There were several miscellaneous questions and discussions regarding other elements of the project.
- A. Kevin stated that he would like letters from the resource agencies, including DNR, MPCA, and USACE, that they are comfortable with the project so far and would support the project moving forward. There was a general discussion about this. The DNR stated they could send a letter to the City and would have it to them by March 13th. Matt stated he will contact Tom next week to discuss a letter from the MPCA. SEH will also contact the USACE regarding additional comments and a letter.
- B. Matt gave an update on the status of other project components. He stated that the City is comfortable with the EA Update and will be ready to start the approval process after the letter is received from the DNR on March 13. The group generally agreed to this barring any major issues the agencies may find during their review.

SEH believes that this document accurately reflects the business transacted during the meeting. If any attendee believes that there are any inconsistencies, omissions or errors in the minutes, they should notify the writer at once. Unless objections are raised within seven (7) days, we will consider this account accurate and acceptable to all.

If there are errors contained in this document, or if relevant information has been omitted, please contact at Matt Bolf, P.E. at 218.279.3025.

c: All in attendance
Walter Leu and Todd Campbell – Mn/DOT
Matt Hemmilla – St. Louis County
Tim Peterson, USACE
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