



*Working to protect the Mississippi River  
and its watershed in the Twin Cities area*

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October 18, 2019

US Army Corps of Engineers  
Attn: N. Bischoff (PM-B)  
180 5th Street East, Suite 700  
St. Paul, MN 55101

Re: Comments on the Scope of the Environmental Assessment for the Disposition Study for the Upper St. Anthony Falls Lock and Dam

Dear Ms. Bischoff:

Thank you for the opportunity to comment on the scope of the Environmental Assessment (EA) for the Disposition Study for the Upper St. Anthony Falls (USAF) Lock and Dam located in the Twin Cities.

Friends of the Mississippi River (FMR) is a non-profit organization with a mission to engage community members and other stakeholders to protect, restore and enhance the Mississippi River and its watershed in the Twin Cities Region. We represent thousands of people in the metropolitan area who care deeply about the river, including a growing membership of over 2,700 people and more than 3,200 volunteers and 2,000 advocates engaged each year.

FMR was founded in 1993 to provide a voice for the river and newly formed National Park – The Mississippi National River and Recreation Area (MNRRA). In 2014, we helped to organize and lead the Stop Carp Coalition's advocacy campaign to close the Upper St. Anthony Falls Lock. Today we work closely with MNRRA and a myriad of other agency and organizational stakeholders to help care for and celebrate the Mississippi River's amazing natural and cultural resources.

The significance of the Mississippi River throughout the study area cannot be overstated. St. Anthony Falls is the centerpiece of the Minneapolis riverfront and the reason for the city's founding. It is also the only natural waterfall on the entire length of the Mississippi River, the sounds and sights of which have attracted visitors for generations. Because these unique resources are so naturally and culturally significant, they played an important role in establishing the National Park designation for the river corridor.

During the past 25 years, the Minneapolis downtown riverfront has undergone an enormous transformation. Decades of neglect and environmental damage inspired the community to convert a blighted area to a National Historic District, a National Park and a vibrant downtown neighborhood, with well over two billion dollars invested to date. The Central Riverfront parks and trails draw millions of hikers, bikers and festivalgoers each year, as well.

We urge the Corps to conduct a thorough investigation of all the potential impacts to these important natural, cultural and recreational resources. Any recommendation to dispose of lock and dam infrastructure must be done in a manner that protects the environment, ensures public safety and provides public benefits to the community.

We also encourage the Corps to **conduct the disposition study as expeditiously as possible.**

***Generally speaking, FMR strongly supports the vision for a new visitor center at the Upper St. Anthony Falls Lock, put forth by the Friends of the Lock Dam with support from the City of Minneapolis and the National Park Service.***

Consistent with the plain language of the WRDA Act of 2018 and the Congressional Intent Letter signed by Senators Klobuchar and Smith, **the study should focus on a partial disposition**, and the partial disposition should reflect coordination (“a joint plan”) with the City to further local adopted plans for the central riverfront. In order fulfill the partial disposition option, the Corps would need to continue to own and operate those portions of the USAF lock necessary to maintain flood control.

**FMR does not support the “no action” alternative or the full disposal of the USAF lock** because these alternatives could prevent MNRRA from continuing to engage the public at the site.

The “no action” alternative does not ensure adequate ongoing maintenance of the lock structure. Since the Corps has a recreation mission at the USAF Lock, the Corps should continue maintenance as needed to facilitate visitor use and enjoyment.

We do not support the “disposal” alternative for the following reasons:

- If the USAF was no longer tied to the federal government, MNRRA could lose a critical review authority, and its ability to protect and enhance the site and area’s significant qualities will be diminished.
- Full disposal could lead to complete privatization of the site with no public access, which would be contrary to the aforementioned Congressional Intent Letter.
- Full disposal would prevent the continued flood control activities that the Corps is still responsible for under existing authorities.

To reiterate, we request that the Corps reject the “no action” and full disposition options, and focus the study on “partial disposition” alternatives that will best serve the public

interest. Approaching the study in this way will ensure that the Corps can expedite the process as directed to by Congress.

We support a robust evaluation of the environmental, social and economic impacts all the alternatives and proposals that are investigated through the study. In conducting the disposition study and EA, Friends of the Mississippi River requests that the Army Corps of Engineers evaluate and report on the following issues.

**The Study should give high priority to alternatives that will continue to serve the public interest.**

As described in our introductory comments, the location of this study is at the center of some of Minneapolis' most treasured public spaces. Located within a national park, a national historic district, a state critical area and a regional park, this place has a history of public investment and serving the public good.

The downtown riverfront, surrounded by historic treasures and other civic uses, is bursting at the seams with people who are filling up new parks and trails faster than they can be built. The Army Corps of Engineers is part of the community that has and will continue to expand opportunities for the public to enjoy this special place on the iconic Mississippi River.

In addition to the inherent value these places provide, everything that surrounds the USAF lock and dam represents many billions of dollars in public investment. We strongly urge the Corps to carefully examine how each alternative will continue to serve the public interest and give the highest consideration to those alternatives that prioritize public use and enjoyment of the river, the parks and other public amenities.

**Special consideration should be given to evaluate potential impacts to the National Park and its resources and programs**

The Mississippi National River and Recreation Area (MNRRA) was established by Congress as a National Park in 1988. The 72-mile corridor that runs from Dayton to Hastings represents the only unit of the National Park Service dedicated to celebrating and interpreting the Mississippi River. The Twin Cities metropolitan river corridor was given national park status because of its historical significance and outstanding natural resource value—and because this is where the Mississippi River changes the most, transitioning from a low-banked prairie river to a broad floodplain river lined with tall bluffs. A significant transition for those changes occurs right at St. Anthony Falls.

The Corps should evaluate the potential impacts each alternative will have on the seven resource types identified in the MNRRA enabling legislation: historical, recreational, scenic, cultural, natural, economic, and scientific. Although not specifically called out in the legislation, water resources play an extremely important role in the health of the river and park, and impacts to water resources should also be evaluated.

In 2016, the State of Minnesota adopted rules for the Mississippi River Corridor Critical Area, a state designated corridor that shares a boundary with MNRRA. Since MNRRA does not have regulatory authority for development in the corridor, the MRCCA rules provide standards to protect key resources in the park. The Corps should evaluate all options/alternatives to ensure they are consistent with the state MRCCA rules (chapter 6106).

In addition to ensuring that National Park resources are protected, the Study should consider potential impacts to park users. According to the Metropolitan Council, the Central Riverfront Regional Park is among the top five most visited parks in the region, with close to five million park users annually. These numbers are likely to grow as Waterworks is built as a public gathering place and housing development continues to add residents, and park users, to the area.

Currently, National Park Service staff provides visitor services and tours at the USAF Lock observation deck. Their involvement has dramatically increased the number of people that visit, experience and enjoy the lock. This arrangement provides great visibility for both the NPS and the Corps, and it should continue.

NPS staff and their partners also conduct paddling activities in Minneapolis with youth and adults, and they host paddle share stations along the river. The Corps should consider potential impacts to these NPS programs and the growing interest in paddle sports on the Mississippi River.

The geographic area of this study is entirely within the MNRRA, and ideally, the Corps would engage MNRRA as a close federal partner in conducting this study. At a minimum, National Park Service staff should play the role of a consulting agency of special significance.

The possibility of disposal of any of the Corps' infrastructure could have enormous impacts on the National Park, and we would like to see MNRRA staff be closely consulted in the Corps' decision-making process.

### **The Corps should make recommendations that improve the human and natural environment and create or enhance recreational opportunities**

**Human Environment:** The Corps should make recommendations that enable future uses at the USAF Lock to improve the human environment by transforming underutilized property into additional economic and cultural assets and creating a world-class destination to activate the community's relationship with the river.

**Natural Environment:** The Corps should make recommendations that will protect the natural and water resources around the USAF Lock, including ensuring that the aesthetic flow over the USAF dam spillway is consistent with the public interest and benefit. Furthermore, the Corps should make recommendations that consider the opportunity to enhance the natural environment through environmental restoration and stewardship.

Recreational Opportunities: The Corps should work with City and its partners, and consult with the National Park Service and the Minneapolis Park Board, to ensure the proposed alternatives would support and enhance anticipated riverfront improvements, including access to trails, fishing opportunities and other waterfront activation, water access and docking opportunities, and planned park development. In particular, the regional park plan to establish a portage route around the lock and dam should remain feasible even if ownership and/or use of the lock change.

Historic Resources: The Corps should consider the historical significance of the Upper Lock on the cultural, historic, archeological, socio-economic, recreational and other resources of the St. Anthony Falls Historic District. The Stone Arch Bridge is a highly significant historic resource that intersects with the USAF Lock. Any potential negative impacts should be avoided.

### **The Corps should not recommend the Crown Hydro Proposal as a feasible alternative**

In consideration of ways to improve the human, natural, recreational and cultural/historical resources surrounding the USAF lock and dam, it is clear that the Crown Hydro proposal is incompatible with these goals. Numerous questions about the Crown Hydro proposal have gone unanswered for years, including questions about possible damage to the Stone Arch Bridge. Another persistent conflict is near the water intake tunnel at the upstream end of the lock. The currents and suction created by this water intake would render paddling and portaging near the lock impossible and extremely dangerous.

The Corps should make recommendations that are in the public interest, and should give significant weight to the statements of numerous stakeholders and the City resolution that development of a hydroelectric power plant on the USAF Lock would be counter to the public interest. Furthermore, the Corps should conclude that a hydroelectric power facility cannot coexist with the envisioned public use of the land because it would be incompatible with providing access to hazard-free water for boats and people on both the upriver and downriver sides of the property.

### **The Corps should make recommendations consistent with, the relevant guidance and public interest as defined in all adopted plans and resolutions that will be impacted by the Corps' recommendation and actions**

There are numerous local, regional and national adopted plans, resolutions, initiatives and projects underway for this stretch of the river, and it is essential that the Corps review these documents, identify possible conflicts and/or inconsistencies with the disposition study alternatives and report on potential impacts to current and future river corridor plans and projects, including cumulative effects.

#### *Documents to review include the following:*

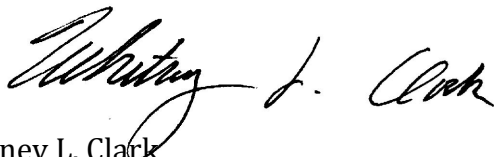
- Mississippi National River and Recreational Area - Comprehensive Management Plan;

- State of Minnesota - Mississippi River Corridor Critical Area, Minn. Rules Ch. 6106;
- City of Minneapolis - Downtown Public Realm Framework Plan; City Resolution 2018R;
- Minneapolis Park & Recreation Board - Central Mississippi Riverfront Regional Park Master Plan; Water Works/Mill Ruins Park;
- Minneapolis Downtown Council – Intersections: Downtown 2025 Plan;
- Meet Minneapolis Convention and Visitor Association - Destination Transformation 2030;
- National Parks Conservation Association - Transforming the Lock;
- St. Anthony Falls Heritage Board - Changing Relationships to the Power of the Falls

The study should also include a review of public safety matters through consultation with the Hennepin County Water Patrol, Minnesota Department of Public Safety, Minneapolis and St. Paul Fire and Police Departments, and other relevant public safety agencies.

Thank you for your consideration of our comments. Please contact me ([wclark@fmr.org](mailto:wclark@fmr.org)) or Irene Jones ([ijones@fmr.org](mailto:ijones@fmr.org)) if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Whitney L. Clack". The signature is written in a cursive style with a large, sweeping initial 'W'.

Whitney L. Clack  
Executive Director