

FINDING OF NO SIGNIFICANT IMPACT

Environmental Assessment for Blue Mounds State Park Lower Mound Lake Basin Restoration Luverne, Rock County, Minnesota Public Assistance Grant Program Federal Emergency Management Agency, Department Of Homeland Security

The Minnesota Department of Natural Resources (MN DNR) has received funding from the Federal Emergency Management Agency (FEMA) for assistance with the restoration of Lower Mound Lake Basin and Mound Creek as it flows through the former basin to a natural stream channel. The MN DNR applied for funding from FEMA's Public Assistance (PA) Program to underwrite the proposed project. FEMA's PA grant program provides federal assistance to government organizations and certain private nonprofit (PNP) organizations following a Presidential disaster declaration. Public Assistance is authorized by Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law [P.L.] 93-288), 42 U.S.C. 5121-507.

The proposed project is located in Rock County, Minnesota, which is in the far southwest corner of the state. The nearest population center is the city of Luverne with a population of 4,745. (US Census 2010). The proposed project is located within Blue Mounds State Park statutory boundary, approximately 5 miles north of the City of Luverne. MN DNR proposes to restore Lower Mound Lake Basin and Mound Creek as it flows through the former basin to a natural stream channel. Restoration of the basin includes the elements listed below. The proposed project area encompasses 60 acres. Within the project area is the area of impact, or construction limits, which covers 30 acres, including the entire drained basin along with what remains of the Lower Dam, immediately adjacent areas, staging area for construction equipment and an access route.

Proposed project elements include the following:

- Demolition and removal of the storm damaged dam remnants
- Construction of a pedestrian bridge
- Restoration of Mound Creek
- Restoration of vegetation within the basin
- Construction of pedestrian trails
- Utilize best management practices (BMPs) for construction activities.

Along with a detailed description of the project, use of construction equipment, staging and sequencing is detailed in the Environmental Assessment (EA).

In accordance with FEMA Directive 108-1, *Environmental Planning and Historic Preservation Responsibilities and Program Requirements* (Aug. 22, 2016) and DHS Instruction Manual 023-01-001-01, Implementation of the National Environmental Policy Act, (rev. 01) (Nov. 6, 2014), an EA was prepared pursuant to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 – 4347 (2000), as implemented by the regulations promulgated by the President's Council on Environmental Quality (40 Code of Federal Regulations [C.F.R.] 30 §§ 1500 – 1508). The purpose of the EA was to analyze the potential individual and cumulative environmental impacts

of the construction of the four individual projects and to determine whether to prepare an Environmental Impact Statement (EIS) or this Finding of No Significant Impact (FONSI).

The Proposed Action, as described in the EA, will not result in any significant adverse impacts to geology, seismicity, waters of the United States, wetlands, floodplains, threatened and endangered species, zoning and land use, visual resources, public services and utilities, public health and safety, traffic and circulation, low income or minority populations, or cultural resources. During the construction period, short-term impacts to soils, water quality, air quality, and noise are anticipated. All short-term impacts require conditions to minimize and mitigate impacts to the proposed project site and surrounding areas. The project was coordinated with the Minnesota State Historic Preservation Office, MN DNR, and federally recognized Indian tribes with interests in the area.

CONDITIONS

The Subrecipient, in this case, the MN DNR, is responsible for compliance with Federal, State, and local laws and regulations, including obtaining any necessary permits prior to beginning construction activities, and adhering to any conditions laid out in these permits. Any substantive change to the scope of work would require re-evaluation by FEMA for compliance with NEPA and any other laws or Executive Orders.

The Subrecipient must adhere to the following conditions should the Preferred Alternative be implemented. Failure to comply with FEMA grant conditions may jeopardize Federal funding.

- 1) Appropriate construction BMPs will be implemented to minimize soil erosion. The measures will be implemented, installed, and maintained as required by the National Pollutant Discharge Elimination System Permit. The measures may include, but are not limited to, the use of wildlife friendly, natural fiber, erosion control blankets, silt fencing, hydromulch, and rock checks. In addition, construction equipment will be staged in designated area(s). Where removal of streamside vegetation is necessary, native vegetation will be saved and restored wherever possible.
- 2) Measures will be taken to reduce the potential for temporary air quality impacts during construction including, keeping fuel-burning equipment running time to a minimum, minimizing open construction areas, and watering open construction areas to control dust when necessary.
- 3) To mitigate for potential impacts to the terrestrial and aquatic environment, native vegetation will be planted throughout the basin. Seine nets will be used to move aquatic species out of the stream during times of potential impact from construction activity.
- 4) If hazardous materials are encountered during construction, materials will be handled and disposed of in accordance with all applicable state and federal rules and regulations.
- 5) To minimize the risks to safety and human health, all construction activities will be performed using qualified personnel trained in the proper use of the appropriate equipment including all appropriate safety precautions; additionally, all activities would be conducted

in a safe manner in accordance with the standards specified in the Occupational Safety and Health Administration's regulations.

- 6) Equipment will be maintained in good working order to minimize noise and pollution.
- 7) The Subrecipient will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify FEMA and Minnesota Homeland Security and Emergency Management. The Subrecipient will ensure construction activities in the vicinity of the discovery are immediately halted and will take all reasonable measures to avoid or minimize harm to the property until FEMA concludes consultation with the SHPO, THPOs, and other appropriate consulting parties, including Tribes.
- 8) Contractor is expected to use fill from a commercial source or regularly-maintained stockpile. If this is not the case, the Subrecipient shall inform FEMA of the fill source so required agency consultations can be completed prior to beginning ground disturbing activities.
- 9) If deviations from the proposed scope of work result in substantial design changes, the need for additional ground disturbance, additional removal of vegetation, or in any other unanticipated changes to the physical environment, the Subrecipient must contact FEMA, and a re-evaluation under NEPA and other applicable environmental laws will be conducted by FEMA.
- 10) The Subrecipient is responsible for obtaining and complying with all required State and Federal permits and approvals.
- 11) No spoil material removed from the basin may be stored or disposed of in a regulated floodplain or wetland area.
- 12) The subrecipient will notify the Shakopee Mdewakanton Sioux Community of Minnesota by U.S. mail of the start of construction 30 days before that date.
- 13) The subrecipient will notify the Shakopee Mdewakanton Sioux Community of Minnesota by U.S. mail of status 60 days after construction activities have begun.
- 14) The subrecipient will notify the Shakopee Mdewakanton Sioux Community of Minnesota that construction has ended within 30 days of the conclusion of construction activities.

FINDINGS

Based upon the conditions and information contained in the EA and in accordance with FEMA Directive 108-1, *Environmental Planning and Historic Preservation Responsibilities and Program Requirements* (Aug. 22, 2016), and Executive Orders 11988 (Floodplain Management), 11990 (Protection of Wetlands), and 12898 (Environmental Justice), FEMA has determined that the proposed actions would not have any significant impacts on the quality of the natural and human environment. As a result of this FONSI, an Environmental Impact Statement will not be prepared.

APPROVAL



Nicholas Dorochoff
FEMA Region V Deputy Regional Environmental Officer

04/30/18
Date



Amanda C. Ratliff
FEMA Region V Public Assistance Branch Chief

4/30/18
Date