



United States Department of the Interior

NATIONAL PARK SERVICE

601 Riverfront Drive
Omaha, NE 68102

IN REPLY REFER TO:
10.B(2550)

September 9, 2021

Ms. Sarah J. Beimers
State Historic Preservation Office
Minnesota Department of Administration
50 Sherburne Avenue, Suite 203
St. Paul, MN 55155

RE: LWCF 27-01416, Redevelopment of Lincoln Park, City of Duluth, MN

Dear Ms. Beimers:

In accordance with Section 106 of the National Historic Preservation Act (NHPA) and as set forth in the Advisory Council on Historic Preservation rules at 36 CFR Part 800, the National Park Service (NPS) and the Division of State Parks and Trails within the Minnesota Department of Natural Resources (MDNR), our authorized agent, have conducted consultation with your office and consulting parties for the proposed federal undertaking. The federal undertaking is the NPS approval of an Outdoor Recreation Legacy Program (ORLP) competitive award under the Land and Water Conservation Fund (LWCF) grant program, to the City of Duluth (City) for the redevelopment of Lincoln Park.

The redevelopment of Lincoln Park will be undertaken with assistance provided in a 50% matching share of the project cost from the NPS ORLP grant fund. Details of the proposal and site improvements to Lincoln Park can be found in the attached, updated Site Plan.

In addition to consultation between the MDNR, Minnesota State Historic Preservation Office (MNSHPO), and other consulting parties, the NPS has notified Tribal Historic Preservation offices (THPO) and tribal governments affiliated with the project area to seek input on any potential impacts to areas with cultural or religious significance to those tribes. An invitation to consult was sent to all tribes that may have an interest in the area along with a project description and a map delineating the boundary of the projects. No objection or concerns about the projects have been received from tribal governments.

In March of 2019, the City of Duluth and the MDNR initiated Section 106 consultation with the MN SHPO and presented its plans for the redevelopment of Lincoln Park to MN SHPO and the

public. During the early stages of consultation, it became clear that the City of Duluth needed to revise its plans for the redevelopment of Lincoln Park in order to avoid or minimize adverse effects to this historic resource. After the City revised its plans and conducted a public meeting, in December of 2020, the NPS and MDNR reinitiated Section 106 for this undertaking.

Pursuant CFR 800.11, consulting parties were provided with documentation detailing the extent of Federal involvement and its area of potential effects; a report which detailed the historic properties identified; an assessment of those historic resources in relation to the National Register of Historic Places criterion; and alternatives for the project to avoid and minimize effects to historic properties within the APE. Consulting parties convened and discussed the proposed redevelopment of Lincoln Park on June 8 and July 1.

Prior to the June 8th meeting consulting parties were provided with the revised project scope, the revised project design plans, documentation that thoroughly identified historic properties within the area of potential effect, and analysis of the significance of historic properties and their eligibility for listing in the National Register. Consulting parties agreed that Lincoln Park is eligible for listing in the National Register of Historic Places (NRHP) under Criterion A in the areas of Community Planning and Development and Entertainment/Recreation, and under Criterion C in the area of Landscape Architecture. At this meeting, a request was made for additional information concerning the suggested treatment of Lincoln Park Drive. That information was provided to the consulting parties on June 29th. Reconfiguration of the APE was also recommended and agreed upon by the consulting parties prior to the second consulting parties meeting.

The NPS and MDNR held a second consulting parties meeting on July 1, 2021 to solicit feedback on the draft Assessment of Effect for this undertaking, which included the City's chosen alternatives for the retaining walls #1 and #3, Lincoln Park Drive and revision of the treatment plans based on consulting parties' input at the prior meeting.

As a result of input from the MNSHPO, the consulting parties and the public throughout the project planning phases and the Section 106 consultation process, revisions were made to the plans for the redevelopment of Lincoln Park Drive to avoid and minimize adverse effects to the National Register eligible Lincoln Park and the historic properties which contribute to its significance. These revisions have included moving a new playground to a less visible location, modifying details of the plans to ensure the stone pavilion's rehabilitation meets the Secretary of Interiors Standards for treatment of historic properties and modifying the proposal in order to keep Lincoln Park Drive open to vehicular traffic – something the public felt very strongly about. Also, the City plans to reclaim Lincoln Park Drive, an environmentally sensitive and long-term repair, rather than do a mill and overlay as originally proposed.

Summary of Adverse Effect Finding

As a result of the resized proposed project, NPS, with input from the MNSHPO and consulting parties, has determined that there will be an adverse effect to the National Register eligible Lincoln Park. Of the four alternative options examined for retaining wall #1, the 1940–1941

stone wall below the upper terrace, the City has chosen Option 1: removal of the wall. This removal, along with the removal of wall #3, will have an adverse effect on the historic Lincoln Park. While removal of the wall is an adverse effect, it was agreed upon at our July 1st meeting that the removal of the wall will not significantly diminish the Lincoln Park's integrity nor its historic significance and the park will retain its eligibility to the NRHP under Criterion A and C upon completion of the proposed project.

The southern, tallest end of the wall is disintegrating, and the consulting parties agreed that this hazardous condition must be removed. The City and its engineers have investigated the northern end, which tapers along the southwestern edge of the terrace to its western terminus and are concerned about the wall's condition. Both sections of the wall were built by inexperienced laborers retained by the National Youth Administration using materials that were available at little or no cost, so the northern section likely has the same construction flaws as the section that failed. The City is concerned about its eventual collapse and believes that repointing this remnant would constitute only a temporary fix. There are also structural issues in making a stable connection between the remnant and the new grading. Please see the report, *Lincoln Park Retaining Wall - Wall 1 Structural Assessment and Rehabilitation Estimates* (LHBCorp, project engineers) for more information attached.

After extensive examination of alternatives for the retaining wall, assessment of effects and deliberation with consulting parties, the NPS has determined that Option 1, the removal of retaining wall #1, is an acceptable adverse effect. We ask for your review and concurrence on this determination of adverse effect.

Concurrently the City has developed a public review process to inform the public of the adverse effect finding related to this project and will take comments from the public on the proposed finding. Information will be posted on the City's website for review by the public regarding the new, revised site plan and a summary of the findings as a result of consultation under Section 106 for this undertaking.

The NPS is forwarding to you and the consulting parties along with this letter the following documents:

- Lincoln Park Retaining Wall – Wall 1 Structural Assessment and Rehabilitation Estimates (includes proposed development options and analysis of each option with associated costs; developed by LHBCorp);
- Draft Memorandum of Agreement
- Assessment of Effects for the Lincoln Park Improvement Project, June 2021

The City has made extensive efforts to avoid and minimize potential adverse effects to Lincoln Park, and the project as a whole will support the long-term preservation of this beloved community park. We thank you for your guidance and support throughout this process and look forward to continuing to work with you and the other consulting parties to develop a Memorandum of Agreement (MOA) outlining stipulations to mitigate this adverse effect.

Toward completion of the MOA, we have attached a copy of a draft for your review. Please provide any comments and feedback within the document to Mai Neng Moua, mai.n.moua@state.mn.us within 30 days of your receipt of this letter and the draft MOA. We have also provided the draft MOA to the consulting parties requesting their review and feedback within the same timeframe.

If you have any questions or concerns, please contact Barry_jurgensen@nps.gov or Mai.N.Moua@state.mn.us.

Sincerely,

Roger Knowlton
Program Manager, Recreation Grants Program

cc:

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