



**Planning & Development Division**  
*Planning & Economic Development Department*

Room 160  
411 West First Street  
Duluth, Minnesota 55802



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**Meeting Agenda**  
**Heritage Preservation Commission**  
**Monday, July 10, 2023 – 12:00pm**  
**City Council Chambers, Third Floor City Hall, 411 W. First Street**

1. **Call to Order/Determination of Quorum**
2. **Public Hearings**
3. **Consideration of Minutes (6-12-2023)**
4. **Communications**  
Section 106 Review – FHWA Superior Hiking Trail Project
5. **Report of Final Disposition on Matters Previously Before the Commission**
6. **Reports of Officers, Staff and Committees**  
PC Liaison Update
7. **Consideration of Matters Regarding Commission Action**
8. **Other Business**
9. **Adjournment**

Heritage Preservation Commission  
June 12, 2023 Meeting Minutes  
Council Chambers – City Hall

Call to Order and Roll Call

President Jessica Glander called to order the meeting of the Heritage Preservation Commission (HPC) at 12:01 p.m. on Monday, June 12, 2023.

**Attendance:**

Attending: Ken Buehler, Gary Eckenberg, Jessica Glander, Brandon Hartung, Jess McCullough, and Kal Randa

Absent: N/A

Staff Present: Jenn Moses, and Tom Church

Consideration of Minutes

March 13, 2023 HPC Meeting

**MOTION/Second:** Buehler/Randa approved the minutes with minor change

**VOTE: (6-0)**

Presentation

Incline Steps Signage Project –Doug Stevens addressed the commission and gave an overview of the history of the incline, and his involvement. The city's parks commission approved adding the steps to their recreational hiking trail system. The Duluth Preservation Alliance agreed to sign on as the 501 3c organization. They are currently accepting donations. Stevens hopes to have the needed \$4,000 for the signage by the end of the summer, so the signs can be built in the winter and hopefully installed next Spring. Stevens welcomed questions. Commissioner Gary Eckenberg asked about the signage project's round-up event. Stevens said the event was well attended and helped raise money. Stevens said project includes four interpretive signs, and the other signs would be wayfinding in nature. The signs will be created by Tony Dierckins. President Glander thanked Stevens for providing the HPC with the entire story. She asked him to consider sharing the signs with the HPC along with the Parks commission when they are ready for presentation in a joint meeting, so the project can move forward as soon as possible.

Communications

Section 106 APE Delineation – Blatnik Bridge – Church gave an overview. Three historic sites have been identified, and they will continue to track the project.

Section 106 Review – Verizon Antenna Replacement at Lakeside Early Learning – Per Church, the towers will be added to the newer portion of the building and will not exceed the chimney height.

FHWA Superior Hiking Trail Project – request for information on past SHT reviews. Church stated the location on the trail has not been determined yet. The FHWA will let the city know if the project will be within city limits.

Report of Final Disposition of Matters Previously Before the Commission –

N/A

Reports of Officers, Staff and Committees

Planning Commission overview – Gary Eckenberg gave an overview. There is land which was previously sold by the Women’s Club going through a variance request, but nothing particularly historic in nature.

Consideration of Matters Regarding Commission Action

N/A

Other Business

N/A

Adjournment

Meeting adjourned at 12:29 p.m.

Respectfully,

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Adam Fulton – Deputy Director  
Planning and Economic Development Division



Cultural Resources Unit, Environmental Stewardship  
395 John Ireland Boulevard, Mail Stop 620  
Saint Paul, MN 55155-1800

June 27, 2023

Via Email

Nicole Foss, Environmental Review Transportation Liaison  
Minnesota State Historic Preservation Office  
Administration Building #203  
50 Sherburne Avenue  
Saint Paul, MN 55155

Re: Superior Hiking Trail Maintenance (FRTP 0024-22-2C)  
Carlton, Cook, Lake and Saint Louis Counties  
Federal Review

Dear Ms. Foss:

Minnesota Department of Transportation Cultural Resources Unit (MnDOT CRU) staff meeting the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-44739) in archaeology, history, and architectural history have reviewed the above-referenced project pursuant to our Federal Highway Administration (FHWA)-delegated responsibilities for compliance with Section 106 of the National Historic Preservation Act (54 USC 300108) and its implementing regulations, 36 CFR 800, and under the terms of the *Programmatic Agreement Among the Federal Highway Administration, the Minnesota State Historic Preservation Office, the Advisory Council on Historic Preservation; the Department of the Army, Corps of Engineers, St. Paul District; and the Minnesota Department of Transportation; Regarding Implementation of the Federal-Aid Highway Program in Minnesota (Statewide PA)*. The project will receive funding from the FHWA through the Minnesota Department of Natural Resources (DNR).

We also reviewed the above-referenced project to determine whether MnDOT has responsibilities under Minnesota Statutes regarding cultural resources. Compliance with Minnesota Statute is the responsibility of the entity doing, funding, or licensing the work under the Minnesota Historic Sites Act (Minn. Stat. 2022 138.661-138.669); or the agency controlling any public lands that may be affected by proposed work (e.g., right-of-way or through temporary or permanent easements) for the Minnesota Field Archaeology Act (Minn. Stat. 2022 138.31-138.42). The Minnesota DNR is responsible for compliance with the Minnesota Historic Sites Act for this project since it is funding or permitting the project. Numerous public entities control the land on which the project will occur and are responsible for compliance with the Minnesota Field Archaeology Act. Under the Minnesota Field Archaeology Act, MnDOT is responsible only for the portion of the project that crosses MnDOT right-of-way.

We are writing to consult with the Minnesota State Historic Preservation Office (MnSHPO) pursuant to MnDOT's duties and responsibilities under federal law and the Statewide PA. Because there are no known or suspected significant archaeological or historic sites on MnDOT-controlled public lands that will be affected by the project (see below), we are not submitting the project plans to your office or the Office of the State Archaeologist (OSA) for review under the Minnesota Field Archaeology Act. This letter may facilitate the ability of other land-controlling agencies to meet their responsibilities under Minnesota Statutes.

## Project Description

The project, as described in the Cultural, Noise, and Threatened & Endangered Review Request dated February 15, 2023, and additional information provided via email dated February 23, 2023, will consist of maintenance to the existing Superior Hiking Trail corridor and spur trails. The trail is approximately 342 miles (including the main trail and spur trails) that crosses through Carlton, Cook, Lake, and Saint Louis Counties (see full list of township, range, and section information, see Table 1, attached). Most of the trail is a natural surface footpath with an 18-inch treadway. A vegetation clear zone of approximately four (4) feet will be maintained. Maintenance work will include activities such as clearing of fallen trees and debris, lopping and weed whipping of trail corridor vegetation, and minor tread repair using hand tools.<sup>1</sup> No tree cutting will occur. When determined necessary, ground disturbance will be minimal. No borrow pits for trail repair will be dug as part of maintenance.

The Superior Hiking Trail Association has maintenance agreements with a number of public entities throughout the corridor and is not responsible for trail maintenance in areas where the trail association provides maps for the best walking routes along pre-existing pedestrian, bicycle, or shared use paths. For example, within the City of Duluth, the Superior Hiking Trail Association has an agreement with the City of Duluth Parks & Recreation and has no maintenance responsibilities related to the trail where it coincides with city streets and sidewalks. It also has no maintenance responsibilities related to the trail where it coincides with US Army Corps of Engineers land near the Duluth Ship Canal.

Based on the information provided by the project proposer and pursuant to 36 CFR 800.3 and Stipulation 3.C of the Statewide PA, MnDOT CRU has determined that the proposed project constitutes a federal undertaking as defined in 36 CFR 800.16(y) that has the potential to cause effects to historic properties. Further, MnDOT CRU has also determined that the proposed project is a state undertaking subject to the Minnesota Historic Sites Act and the Minnesota Field Archaeology Act. MnDOT has no responsibilities under the Minnesota Historic Sites Act and, under the Minnesota Field Archaeology Act, MnDOT's responsibilities are limited to the areas that cross MnDOT right-of-way.

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<sup>1</sup> Although the original project description included replacement of a boardwalk, that project activity is no longer included in the scope of work per an email communication from Lisa Luukkala, June 8, 2023.

## Area of Potential Effects (APE)

Based on the Cultural, Noise, and Threatened & Endangered Review Request dated February 15, 2023, and pursuant to 36 CFR 800.4 and Stipulation 3.C of the Statewide PA, MnDOT CRU has established an Area of Potential Effects (APE) as shown in the attached “AREA OF POTENTIAL EFFECTS OVERVIEW” map. Based on the minimal potential for ground disturbance and physical alteration to the existing trail, the APE includes four (4) feet to each side of the centerline of the trail and four (4) inches below ground surface.

## Consultation & Public Involvement

On February 23, 2023, MnDOT CRU reviewed the undertaking’s proposed activities for exemptions in existing consultation protocol agreements between FHWA and certain tribes. After initial review of these agreements, MnDOT CRU notified the following Tribal Nations about the undertaking, pursuant to 36 CFR 800 and Minn. Stat. 10.65: Bois Forte Band of Chippewa, Fond du Lac Band of Lake Superior Chippewa, Grand Portage Band of Chippewa, Leech Lake Band of Ojibwe, Lower Sioux Indian Community, Mille Lacs Band of Ojibwe, Prairie Island Indian Community, Red Lake Nation, Santee Sioux Nation, Shakopee Mdewakanton Sioux Community, Turtle Mountain Band of Chippewa, Upper Sioux Community, and White Earth Nation. We specifically requested input into the process of identifying historic properties of religious or cultural significance and sought the Tribal Nation’s interest in becoming a consulting party. As of the date of this letter, no Tribal Nations responded.

In addition to the consultation requests sent to the Tribal Nations described above, MnDOT CRU also sent an Information Request to OSA and MIAC on February 24, 2023, asking if they had additional information on sites we had identified or if they were aware of any sites in the APE that were not identified in our searches. Due to the nature of previously identified archaeological sites within the APE, the information request was accompanied by a request for recommendations pursuant to the Minnesota Field Archaeology Act and the Private Cemeteries Act. MIAC recommended the project incorporate an unanticipated discovery plan. OSA recommended a comprehensive Phase IA literature review and avoidance of certain known sites along the corridor. MnDOT CRU conducts a Phase IA literature review as part of project intake and has determined that since the maintenance of the existing trail will facilitate avoiding further effects to any known or unidentified archaeological sites, avoidance is not necessary with the inclusion of the unanticipated discovery plan as a condition of the finding under Section 106 as stated below. The recommendation has been shared with the Superior Hiking Trail Association and the DNR to facilitate their compliance with Minnesota Statute.

On Monday, May 8, MnDOT communicated with the City of Duluth’s heritage preservation commission (HPC) about the project and let them know that they would receive a copy of this submittal pursuant to Stipulation 3.A.i of the Statewide PA (see “AREA OF POTENTIAL EFFECTS: DETAIL NEAR DULUTH” maps for portion within the City of Duluth).

The State Historic Site Network maintained by the Minnesota Historical Society (Minn. Stat. 2022 138.662) was reviewed and one state historic site was identified within the APE: Split Rock Lighthouse (Minn. Stat. 2022 138.662, Subd. 29). This state historic site is also a National Historic Landmark. MnDOT CRU staff met with Marais Bjornberg on May 10, 2023, and invited the Minnesota Historical Society to become a consulting party on this federal undertaking; Marais Bjornberg verbally accepted the invitation on behalf of the Minnesota Historical Society and is copied on this submittal. MNHS requested further consultation should any maintenance activities occur within the boundaries of the state historic site; a condition has been placed on the finding to ensure further consultation takes place should activities be identified (see "AREA OF POTENTIAL EFFECTS: DETAIL NEAR SPLIT ROCK LIGHTHOUSE" maps and below). This will also facilitate consultation with the Secretary of the Interior under 36 CFR 800.10, should it become necessary.

The trail is partially located within the Superior National Forest (see "AREA OF POTENTIAL EFFECTS OVERVIEW" map). MnDOT CRU staff met with Lee Johnson and Sara Kerfoot, USDA Forest Service staff, on May 10, 2023, and invited Superior National Forest to become a consulting party on this FHWA undertaking; Lee Johnson verbally accepted the invitation on behalf of Superior National Forest and is copied on this submittal. Superior National Forest remains responsible for Section 106 compliance for any maintenance activities that are also federal undertakings for the USDA Forest Service. However, USDA Forest Service staff indicated that the maintenance activities proposed are of the type that would normally fall under the list of screened exemptions in the Superior National Forest's Section 106 programmatic agreement with MnSHPO and has indicated that the work within the Superior National Forest would result in a finding of No Historic Properties Affected.<sup>2</sup> USDA Forest Service Staff requested to be notified of any unanticipated discoveries within the boundaries of the Superior National Forest.

The trail passes through USACE-owned properties in the City of Duluth where the Superior Hiking Trail Association has no maintenance responsibilities and merely maps the best walking routes. Although no maintenance activities are anticipated in this area, MnDOT CRU is copying USACE on this submittal per communications from May 2023 as a courtesy.

The trail passes near or through several MnDOT historic roadside properties. MnDOT CRU staff met with Andrea Weber of MnDOT's Site Development Unit until on May 10, 2023. Andrea Weber expressed concerns about any work that could damage extant buildings or site features associated with historic roadside properties. Although no work that could damage buildings or site features is anticipated, a condition has been placed on the finding to ensure historic

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<sup>2</sup> Email correspondence from Sara Kerfoot to Barbara Howard, May 19, 2023. The full list of screened exemptions can be found in Appendix B of the *Programmatic Agreement among the Advisory Council on Historic Preservation; the United States Department of Agriculture, Forest Service Superior National Forest; the Minnesota State Historic Preservation Officer; the Bois Forte Band of Chippewa; the Grand Portage Band of Chippewa and the Fond du Lac Band of Lake Superior Chippewa Regarding the Process for Compliance with Section 106 of the National Historic Preservation Act for Undertakings on the Superior National Forest of the U.S. Forest Service*, executed in 2015.

architecture-history resources are not harmed as part of maintenance activities (see below). Andrea Weber is copied on this submittal.

## Identification of Properties

Following delineation of the APE, MnDOT CRU set review areas to guide identification efforts. The archaeological review area is limited to the APE; the architecture-history review area included properties within 150 feet of the trail.<sup>3</sup> On February 23, 2023, and in May 2023, MnDOT CRU staff reviewed information on state-designated and listed properties, significant archaeological and historic sites, burials/cemeteries, and other previously inventoried properties in databases maintained by the MnSHPO, OSA, and the Minnesota Indian Affairs Council (MIAC), including the unrecorded historic cemeteries data layer available via the OSA Web Portal. USDA Forest Service staff also shared information on three previously identified properties near the trail.

Previously identified properties within the archaeological and architecture-history review areas are included in Tables 2 and 3, attached, and in descriptions below. Due to the extensive size of the area reviewed, the yet-to-be specified locations for trail maintenance activities, and the limited nature of the scope of work proposed, MnDOT CRU has determined that additional archaeological and architectural history investigations are unwarranted at this time.

Based on the identification efforts described here and below and pursuant to 36 CFR 800.4 and Stipulations 3.D and 3.E of the Statewide PA, MnDOT CRU has determined there are at least 53 historic properties in or near the APE.<sup>4</sup>

### Minnesota Historic Sites Act & Minnesota Field Archaeology Act

The Minnesota Historic Sites Act obligates the “state, state department, agencies, and political subdivisions” carrying out, funding, or licensing a project to consult with MnSHPO when the project could affect properties designated as part of the state historic site network (Minn. Stat. 2022 138.662), selected for inclusion in the State Register of Historic Places (Minn. Stat. 2022 138.664), or listed in the National Register.

The Minnesota Field Archaeology Act obligates “state and other governmental agencies” to submit project plans to MnSHPO and OSA when the project could affect “significant

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<sup>3</sup> The architecture-history review area was set as a buffer from the trail so that GIS review could more reliably identify previously mapped architecture-history properties within or near the narrow APE aligned to the trail. Architecture-history properties are mapped with points centered on primary roadways and would not otherwise be identified through an intersection with the APE. While a GIS review of this sort is dependent upon the accuracy and age of the data, this technique provided a means to review existing information on historic properties in or near the APE more efficiently than a general database query. The information was used to determine the level of identification efforts needed for the project pursuant to 36 CFR 800.4.

<sup>4</sup> MnDOT CRU notes that these numbers are based on current evaluation status as presented in GIS and in applicable databases. Numerous previously identified properties remain unevaluated and not all properties have been identified; the numbers are likely higher.



archaeological or historic sites” that are either known or predicted to exist on public lands or waters under their control. When those sites are suspected to be American Indian, MnDOT also provides project plans to MIAC. MnDOT CRU currently defines “significant archaeological and historic sites” as archaeological sites that are listed in, or eligible for inclusion in, the National Register of Historic Places (National Register) and archaeological sites associated with the state historic sites on federally owned land (Minn. Stat. 2022 138.57), the state historic sites on lands owned by governmental units outside the state (Minn. Stat. 2022 138.581), and properties designated as part of the state historic site network (Minn. Stat. 2022 138.662).

Identification efforts indicate there are at least 22 properties subject to these Minnesota Statutes.<sup>5</sup> DNR is responsible for the Minnesota Historic Sites Act for this undertaking. Although one of the properties subject to the Minnesota Field Archaeology Act (21CLd Grand Portage of St. Louis Beginning) crosses MnDOT ROW, the APE intersects the significant archaeological site on land managed by the DNR and, therefore, MnDOT is not responsible for compliance with the Minnesota Field Archaeology Act for this property.

#### Exception to the Interstate Exemption

Under the terms of the Advisory Council’s “Section 106 Exemption Regarding Effects to the Interstate Highway System” dated March 7, 2005 (70 Fed. Reg. 11931), FHWA is not required to consider project effects to components essential to the operation of the Interstate Highway System, including but not limited to the Interstate roadbed, engineering features, bridges, tunnels, rest stops, interchanges, off-ramps, and on-ramps. However, Interstate 35 from Mesaba Avenue to 26th Avenue East in Duluth (from Reference Point 256.2 to 259.6) is included in Minnesota’s list of exceptions to this exemption (currently maintained at [www.environment.fhwa.dot.gov/env\\_topics/historic\\_pres/highways\\_list.aspx](http://www.environment.fhwa.dot.gov/env_topics/historic_pres/highways_list.aspx)). Therefore, potential effects to this portion of Interstate 35 are considered as part of this review. Just west of the west end of this exception to the exemption, the trail crosses over Interstate 35 on an existing overpass; the trail then travels underneath the Interstate for approximately 100 feet on a paved path. The trail again crosses over Interstate 35 on existing paths at approximately 12th Avenue East (see attached “AREA OF POTENTIAL EFFECTS: DETAIL NEAR I-35 INTERSTATE EXCEPTION” map). The Superior Hiking Trail Association is not responsible for trail maintenance in these areas.

#### Railroads

The APE crosses seven (7) railroad properties that have been previously studied by MnDOT CRU as part of our ongoing efforts to evaluate Minnesota’s roadside properties or were otherwise previously identified as part of past consultation:

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<sup>5</sup> Similar to historic properties in the APE, MnDOT CRU notes that these numbers are based on current evaluation status as presented in GIS and in applicable databases. Numerous previously identified archaeological sites remain unevaluated and not all sites have been identified; these numbers may be higher.

- Duluth Transfer/NP/BN/BNSF Railway (SL-XRR-005): Not Eligible
- Erie Mining Company Mainline Railroad Corridor Historic District (XX-RRD-045): Eligible
- Duluth & Iron Range Railway Corridor Historic District, Soudan Mine to Two Harbors (XX-RRD-046): Eligible
- Reserve Mining Company Mainline Railroad (XX-RRD-047)<sup>6</sup>
- Duluth and Iron Range Railroad /Duluth Missabe and Iron Range Railroad (DM&IR): Two Harbors to Soudan Segment (XX-RRD-DMR001): Eligible
- Duluth Transfer Railway Company: Railroad Segment (XX-RRD-NPR019)<sup>7</sup>
- Duluth Short Line Railway Company/St. Paul and Duluth Railroad Company/Northern Pacific Railway Company: Knife Falls Branch (XX-RRD-NPR030): Eligible

### Trunk Highways

The APE crosses eight (8) trunk highways that have been previously studied by MnDOT CRU as part of our ongoing effort to evaluate Minnesota's trunk highways or were otherwise identified as part of past consultation:

- Trunk Highway 1 (XX-ROD-166): Not eligible
- Trunk Highway/US Highway 2 (XX-ROD-176): Not eligible
- Trunk Highway 11 (XX-ROD-013, SL-ROD-003): Although an individual segment was found eligible for inclusion in the National Register, the entire extent was determined Not Eligible. The portion that passes through the APE was not identified as a significant segment.
- Trunk Highway 23 (XX-ROD-152, XX-ROD-007): Not eligible.
- Trunk Highway 53 (XX-ROD-023): Although an individual segment was found eligible for inclusion in the National Register, the entire extent was determined Not Eligible. The portion that passes through the APE was not identified as a significant segment.
- Trunk Highway 61 (SL-DUL-3476, XX-ROD-006, XX-ROD-008, XX-ROD-159, CK-TPT-014): Although an individual segment was found eligible for inclusion in the National Register, the entire extent was determined Not Eligible. The portion that passes through the APE was not identified as a significant segment.
- Trunk Highway 194 (XX-ROD-109): Not eligible.
- Trunk Highway 210 (XX-ROD-153, XX-ROD-156): Not eligible.

### Assessment of Effects

MnDOT CRU staff meeting the Secretary of the Interior's Professional Qualifications Standards in architectural history and archaeology reviewed project documentation and considered effects for the myriad historic properties within the APE. Pursuant to 36 CFR 800.5(a), analysis

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<sup>6</sup> Although this appears in GIS data and in the Historic Inventory database, no form has been submitted.

<sup>7</sup> Although this appears in the Historic Inventory database, no form has been submitted.

considered physical; visual; atmospheric; noise and vibration; traffic, access, and parking; cumulative; and indirect effects. Because this is an existing trail that is simply being maintained through this project, physical effects are most likely.

Routine removal of debris from existing trails has minimal to no potential to affect historic properties of the types included in the archaeological and architecture-history review areas. Therefore, individual effects assessments for each of the historic properties have not been performed. Further, because the exact nature of the scope of work in particular locations is not yet determined but anticipated to include minor tread repair on the trail and may include minimal ground disturbance, MnDOT CRU has conditioned the project on the use of an unanticipated discovery plan to address any potential effects to previously documented or undocumented cultural resources encountered during maintenance activities.

As conditioned, including the use of the unanticipated discovery plan, avoidance of certain properties, and further consultation should project activities affect certain types of architecture-history resources, the proposed work is anticipated to avoid adverse effects to historic properties in the APE.

### Conclusion & Request for Comments: No Adverse Effect with Conditions

Pursuant to 36 CFR 800.5(b) and (d)(1) and Stipulation 3.G of the Statewide PA, MnDOT CRU finds that the federal undertaking, as currently proposed, will have **No Adverse Effect** to historic properties. This finding is based on the following conditions (FHWA, with the assistance of MnDOT CRU, will ensure are the conditions are met as required by Stipulation 3.G of the Statewide PA):

- Trail maintenance activities will remain within the APE (i.e., four (4) feet to each side of the centerline of the trail and four (4) inches below ground surface) and any ground disturbance will also remain within the existing trail prism (defined as the portion of the trail that has been previously disturbed by past construction).
- The Superior Hiking Trail Association will develop an inadvertent discovery plan that includes notification to the proper land controlling agencies, such as the Superior National Forest for inadvertent discoveries within the Superior National Forest boundaries, and notification to MnDOT CRU for all inadvertent discoveries, including historical and pre-contact archaeological resources and human remains. This plan must be reviewed and accepted by MnDOT CRU prior to the start of any trail maintenance activities funded under this federal grant.
- No trail maintenance will occur within the boundaries of the Split Rock Lighthouse Historic Site or on property managed by the US Army Corps of Engineers without further consultation. If any maintenance activities are identified for these locations, the Superior Hiking Trail Association will provide MnDOT CRU with information about the proposed scope of activities and MnDOT CRU will reopen consultation with the

appropriate consulting parties, including the Secretary of the Interior pursuant to 36 CFR 800.10, if warranted.

- Except for removal of fallen trees and debris, trail maintenance activities will not include work on or near structural or site features that could be associated with historic architecture-history resources without further consultation. These features include, but are not limited to, stairs, retaining walls, bridges, and curbing. If any maintenance activities are identified for these locations, the Superior Hiking Trail Association will provide MnDOT CRU with information about the proposed scope of proposed activities and MnDOT CRU will reopen consultation with the appropriate consulting parties if warranted due to the historic nature of the property and the scope of work.

Pursuant to Stipulation 3.G of the Statewide PA and to facilitate meeting responsibilities under Minnesota Statutes, we request any comments from your office within 21 days of receipt of this letter and respectfully request an expedited review for the reduced timeframe. Specifically, we are requesting comments from your office on the APE, identification efforts, and findings of effect. Per 36 CFR 800.6(a)(2), consulting parties (copied) are also invited to provide written comments on these items within the same timeframe.

This letter also documents that MnDOT has no responsibilities under the Minnesota Historic Sites Act or the Minnesota Field Archaeology Act for this undertaking. MnDOT corresponded separately with OSA and MIAC regarding the significant archaeological and historic sites in the APE and have shared the responses received with Minnesota DNR and the Superior Hiking Trail Association to facilitate their compliance with the Minnesota Field Archaeology Act.

Please do not hesitate to contact me if you have any questions, require additional information on the historic properties or potential effects, or would like to schedule a meeting to discuss the project.

Sincerely,



Barbara A.M. Howard, Historian  
[Barbara.Howard@state.mn.us](mailto:Barbara.Howard@state.mn.us) | 651-366-3636

Encl. Table 1. Public Land Survey Location information  
Table 2. Architecture-History Resources in or near the APE  
Table 3. Archaeology Resources in or near the APE  
Area of Potential Effects (APE) Maps

CC: CRIS (Administrative Record)

Lisa Luokkala, Superior Hiking Trail Association  
Dan Golner, Minnesota Department of Natural Resources  
Curtis Sedlacek, US Army Corps of Engineers  
Nancy Komulainen-Dillenburg, US Army Corps of Engineers  
Marais Bjornberg, Minnesota Historical Society  
Sara Kerfoot, USDA Forest Service  
Lee Johnson, USDA Forest Service  
Thomas Church, City of Duluth Heritage Preservation Commission  
Andrea Weber, MnDOT Site Development Unit  
Jennifer Tworzyanski, Office of the State Archaeologist  
Melissa Cerda, Minnesota Indian Affairs Council

**Table 1. Public Land Survey Location info (Twp/Range/Sect):**

<b>Township</b>	<b>Range</b>	<b>Section(s)</b>
48N	15W	4, 5, 6, 30
48N	16W	1, 2, 3, 9, 10, 15, 22, 23, 24, 25
49N	14W	6
49N	15W	1, 12, 13, 14, 22, 23, 27, 31, 33, 34
50N	14W	1, 2, 10, 11, 12, 14, 15, 23, 26, 27, 28, 31, 32, 33, 34
51N	13W	6
51N	14W	1, 2, 11, 13, 14, 24, 25, 35, 36
52N	13W	1, 11, 12, 14, 15, 16, 20, 21, 29, 31, 32
53N	10W	2, 3, 6, 7, 10, 15, 16, 17, 18
53N	11W	1, 2, 4, 6
53N	12W	1, 10, 11, 12, 15, 22, 27, 28, 29, 30, 31, 32
53N	13W	36
54N	10W	24, 25, 35, 36
54N	11W	21, 22, 23, 26, 27, 28, 31, 32, 33, 35
54N	8W	5, 6, 7
54N	9W	1, 9, 10, 11, 12, 16, 17, 19, 20, 21, 22, 27
55N	8W	1, 10, 11, 12, 14, 15, 16, 20, 21, 29, 30, 31, 32
55N	9W	36
56N	7W	2, 8, 9, 10, 11, 14, 15, 17, 19, 20, 30, 31
56N	8W	25, 35, 36
57N	7W	3, 4, 9, 10, 13, 14, 15, 16, 23, 24, 25, 26, 35
58N	5W	4, 5, 8, 9, 17, 19, 20, 30
58N	6W	21, 22, 25, 26, 27, 28, 29, 30, 35, 36
58N	7W	25, 26, 27, 34
59N	3W	6
59N	4W	1, 2, 9, 10, 11, 16, 17, 20, 29, 30, 31, 32
59N	5W	25, 26, 27, 33, 34, 35, 36
60N	2W	1, 2, 3, 4, 5, 7, 8, 18
60N	3W	2, 10, 11, 12, 15, 16, 20, 21, 29, 31, 32
61N	1E	1, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20
61N	1W	1, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20
61N	2E	1, 2, 3, 4, 5, 6, 24, 25, 26, 35, 36
61N	2W	1, 2, 3, 4, 5, 6, 24, 25, 26, 35, 36
61N	3E	5, 6
62N	2E	33, 35, 36
62N	3E	2, 3, 10, 15, 21, 22, 27, 28, 29, 32
62N	4E	4, 6
63N	3E	35, 36
63N	4E	3, 10, 11, 14, 22, 23, 26, 27, 31, 32, 33, 34, 35
64N	4E	28, 33, 34

**Table 2. Architecture-History Resources in or Near the APE**

Note: The properties are located within 150-foot buffer of the APE based on current GIS practice of mapping properties on the nearest roadway.

<b>MnSHPO Inv #</b>	<b>County</b>	<b>Property Name</b>	<b>Address</b>	<b>Eligibility</b>
CK-GMC-033	Cook	Gunflint Trail, Grand Marais Segment	1st St., 5th Ave., 2nd Ave. W, CSAH 7, Creechville Rd.	CEF
CK-UOG-044	Cook	Cascade River Wayside	3481 Minnesota Highway 61	Listed
CK-UOG-046	Cook	Temperance River Roadside Parking Area	Both sides of TH 61 at the Temperance River	CNEF
CK-UOG-055	Cook	Bridge No. 5088	Crosses Temperance Rvr 1.4 M NE of Schroeder	CNEF
CK-UOG-074	Cook	Gunflint Trail, Rural Segment 1	CSAH 12 Grand Marais N limits to Four Corners	CEF
CK-UOG-092	Cook	Kodonce River Rest Area	MN 61 9.0 mi NE of Grand Marais	CNEF
CL-THT-008	Carlton	Jay Cooke State Park CCC/WPA/Rustic Style Historic District	off Mn. Hwy. 210	Listed
CL-THT-016	Carlton	Swinging Bridge	off Mn. Hwy. 210	Listed
CL-THT-017	Carlton	River Inn	off Mn. Hwy. 210	Listed
CL-THT-030	Carlton	Grand Portage of the St. Louis River Corridor A: Site 1	TH 210, Jay Cooke State Park	Listed; State Register
CL-THT-036	Carlton	Culvert 1, Lake Superior and Mississippi Railroad:Thomson to Fond du Lac Segment	T.H. 210, Jay Cooke State Park	Listed; CEF
LA-BBT-001	Lake	Split Rock Lighthouse	off U.S. Hwy. 61	NHL; Listed; State Historic Site Network
LA-BBT-022	Lake	Bridge 3459 (Old Baptism River Bridge)	TH 61 over Baptism River	CEF
LA-SVB-009	Lake	Silber Bay Historic District		CEF
LA-SVC-002	Lake	Gooseberry Falls State Park	off U.S. Hwy. 61 (Gooseberry Falls State Park)	Listed
LA-SVC-024	Lake	Bridge No. 3585 (razed (?))	U.S. Hwy. 61 over Gooseberry River	Listed
LA-SVC-036	Lake	Caretaker's Cabin	off U.S. Hwy. 61 (Gooseberry Falls State Park)	Listed

<b>MnSHPO Inv #</b>	<b>County</b>	<b>Property Name</b>	<b>Address</b>	<b>Eligibility</b>
LA-SVC-037	Lake	stone curbing	off U.S. Hwy. 61 (Gooseberry Falls State Park)	Listed
LA-SVC-046	Lake	Gooseberry Falls Roadside	SE side of TH 61 SW of the jct. of TH 61 and Gooseberry River	Listed
LA-SVC-059	Lake	foot bridge (non-contributing)	off U.S. Hwy. 61 (Gooseberry Falls State Park)	Listed
LA-SVC-067	Lake	Upper Falls	off U.S. Hwy. 61 (Gooseberry Falls State Park)	Listed
LA-SVC-071	Lake	Encampment Forest (Association) Historic District		CEF
LA-SVC-100	Lake	Split Rock Trailhead Wayside	W side of MN 61, 1.75 mi NE of Blueberry Hill Rd	CNEF
SL-DUL-0055	Saint Louis	Industrial property	9th Ave. W. and waterfront	
SL-DUL-0356	Saint Louis	house	1132 Chester Park Drive	
SL-DUL-0551	Saint Louis	Corps of Engineers Duluth Area Office Administration Building	600 Lake Ave. S.	CEF
SL-DUL-0783	Saint Louis	house	2430 Rosalyn	
SL-DUL-0824	Saint Louis	Fitger Brewing Company	600 Superior St. E.	Listed
SL-DUL-0826	Saint Louis	Bengetta Moe Bakery	716 Superior St. E.	Listed
SL-DUL-0827	Saint Louis	Moen Tire Company	722 Superior St. E.	
SL-DUL-0828	Saint Louis	Emerald Realty	730 Superior St. E.	
SL-DUL-0829	Saint Louis	Decker's Gallery	734 Superior St. E.	
SL-DUL-0830	Saint Louis	Hartley Building	740 Superior St. E.	Listed
SL-DUL-0834	Saint Louis	Dr. Maggie House	1401 Superior E St	
SL-DUL-1063	Saint Louis	house	2450 Woodland Ave.	
SL-DUL-1065	Saint Louis	house	2516 Woodland Ave.	
SL-DUL-1066	Saint Louis	house	2616 Woodland Ave.	
SL-DUL-1116	Saint Louis	Devonshire Apartments	1321 E 1st St	
SL-DUL-1308	Saint Louis	Sheila's Place	1323-1331 E 2nd St	
SL-DUL-1309	Saint Louis	apartments	1326-1338 2nd St. E.	
SL-DUL-1310	Saint Louis	Endion & Belnord Apartments	1401-1407 E 2nd St	CNEF
SL-DUL-1311	Saint Louis	House	1402 E 2nd St	



<b>MnSHPO Inv #</b>	<b>County</b>	<b>Property Name</b>	<b>Address</b>	<b>Eligibility</b>
SL-DUL-1312	Saint Louis	Mettner	1406-1406 1/2E 2nd St	
SL-DUL-1341	Saint Louis	Burgess house	2019 E 2nd St	
SL-DUL-1342	Saint Louis	apartments	2022-2024 E 2nd St	
SL-DUL-1450	Saint Louis	apartments	1401 3rd St. E.	
SL-DUL-1451	Saint Louis	house	1407 3rd St. E.	
SL-DUL-1906	Saint Louis	Apartment	216 N 14th Ave E	
SL-DUL-1910	Saint Louis	house	117-119 North 14th Ave. E.	
SL-DUL-1911	Saint Louis	rowhouse	208-214 North 14th Ave. E.	
SL-DUL-1913	Saint Louis	rowhouse	219-225 North 14th Ave. E.	
SL-DUL-1914	Saint Louis	Gladon Apartments	310 North 14th Ave. E.	
SL-DUL-1915	Saint Louis	house	316 North 14th Ave. E.	
SL-DUL-1916	Saint Louis	house	320 North 14th Ave. E.	
SL-DUL-2302	Saint Louis	Chester Creek Junction	Chester Park Dr. over Chester Creek	CEF
SL-DUL-2304	Saint Louis	Twin Lakes Complex (Twin Ponds Complex)	Skyline Parkway at Hank Jensen Drive	CEF
SL-DUL-2306	Saint Louis	Western Extension Segment	Rogers Parkway between Lincoln Park and I-35	CEF
SL-DUL-2311	Saint Louis	Concrete Arch Bridge	abandoned bridge over Keene Creek	CEF
SL-DUL-2312	Saint Louis	Bardon's Peak Segment	Skyline Parkway from I-35 to Beck's Road	CEF
SL-DUL-2313	Saint Louis	Lower Skyline Drive	Spirit Mountain Ski Area	CEF
SL-DUL-2317	Saint Louis	Bardon's Peak West Overlook	Skyline Drive	CEF
SL-DUL-2318	Saint Louis	Mission Creek Segment	Skyline Parkway	CEF
SL-DUL-2325	Saint Louis	Mission Creek Bridge #5 (Bridge No. L6000)	Skyline Drive over Mission Creek	CEF
SL-DUL-2331	Saint Louis	Knowlton Creek Boulevard	from Fairmount Park to Lower Skyline Parkway/Bardon's Peak Segment	CEF
SL-DUL-2332	Saint Louis	Duluth, Winnipeg and Pacific Railroad Bridge	Over Knowlton Creek Blvd roadway	CEF
SL-DUL-2333	Saint Louis	Lincoln Park Drive	from W 3rd St to W Skyline Parkway	CEF
SL-DUL-2339	Saint Louis	Chester Park Drive	from E 4th St to W. Kent Rd	CEF
SL-DUL-2369	Saint Louis	Duluth Ship Canal Historic District	off Lake Ave.	State Register; CEF

<b>MnSHPO Inv #</b>	<b>County</b>	<b>Property Name</b>	<b>Address</b>	<b>Eligibility</b>
SL-DUL-2380	Saint Louis	Aerial Lift Bridge (Bridge No. L6116)	Lake Ave. over Duluth Ship Canal	Listed; State Register
SL-DUL-2394	Saint Louis	Enger Memorial Tower	Enger Park	CEF; SEF
SL-DUL-2414	Saint Louis	UMD Gap Segment	Glenwood, Snively, and Junction Rds.	CEF
SL-DUL-2415	Saint Louis	Rogers Parkway Segment, Terrace Parkway	Skyline Parkway from Chester Park to Lincoln Park	CEF
SL-DUL-2434	Saint Louis	Bridge No. L6127	W. Skyline Parkway over Twin Lakes	CEF
SL-DUL-2440	Saint Louis	Garfield Park/Lincoln Park	W 3rd St between 25th Ave and 26th Ave	CEF
SL-DUL-2446	Saint Louis	Bridge No. L6115	Skyline Parway over Chester Creek	CEF
SL-DUL-2500	Saint Louis	Lake Superior and Mississippi Railroad Corridor: Duluth Segment	West Duluth Junction (near S 67th Ave W) to South Lake Ave	CEF
SL-DUL-2507	Saint Louis	Munger Trail Bridge	Munger Trail (former Duluth Missabe & Northern Railway) over Canadian National Railroad	
SL-DUL-3099	Saint Louis	Bridge No. 69123	W. Skyline Parkway over U.S. Hwy. 53	CEF
SL-DUL-3104	Saint Louis	Railroad Bridge	crosses unnamed creek that runs into the St. Louis Bay	CNEF
SL-DUL-3153	Saint Louis	Bridge 69885	Pedestrian at Mesaba I 35 & Two Ramps .4 miles NE of Garfield Ave.	CNEF
SL-DUL-3186	Saint Louis	House	1408 E 5th St	
SL-DUL-3227	Saint Louis	Duplex	1405-1407 E Superior St	
SL-DUL-3249	Saint Louis	House	1027 Grandview Ave	
SL-DUL-3250	Saint Louis	House	1028 Grandview Ave	
SL-DUL-3254	Saint Louis	House	1034 Grandview Ave.	
SL-DUL-3320	Saint Louis	Apartment	102-108 S 14th Ave E	
SL-DUL-3321	Saint Louis	Duplex	112-114 S 14th Ave	
SL-DUL-3322	Saint Louis	House	120 S 14th Ave E	
SL-DUL-3503	Saint Louis	(Building Foundation Wall)	Approximately 1202-1204 West Michigan St	
SL-DUL-3512	Saint Louis	(Omaha Road)		
SL-DUL-3600	Saint Louis	Lake Shore Park (Leif Erikson Park stage)	10 London Rd.	
SL-DUL-3678	Saint Louis	First Seventh Day Adventist Church	1333 E Superior St	

<b>MnSHPO Inv #</b>	<b>County</b>	<b>Property Name</b>	<b>Address</b>	<b>Eligibility</b>
SL-DUL-3680	Saint Louis	commercial building	1324 E 1st St	
SL-DUL-3681	Saint Louis	commercial building	1328-1330 E 1st St	
SL-DUL-3691	Saint Louis	Farmers Market	1324 E 3rd St	
SL-DUL-3692	Saint Louis	house	1325 E 3rd St	
SL-DUL-3780	Saint Louis	House	800 Chester Park Dr	
SL-DUL-3781	Saint Louis	House	810 Chester Park Dr	
SL-DUL-3782	Saint Louis	House	814 Chester Park Dr	
SL-DUL-3783	Saint Louis	House	816 Chester Park Dr	
SL-DUL-3784	Saint Louis	House	818 Chester Park Dr	
SL-DUL-3786	Saint Louis	House	904 Chester Park Dr	
SL-DUL-3787	Saint Louis	House	912 Chester Park Dr	
SL-DUL-3788	Saint Louis	House	916 Chester Park Dr	
SL-DUL-3789	Saint Louis	House	922 Chester Park Dr	
SL-DUL-3790	Saint Louis	House	928 Chester Park Dr	
SL-DUL-3793	Saint Louis	House	1408 3rd St E	
XX-ROD-160	Lake	Reserve Milepost 7 Tailings Basin Road Network		
XX-TML-001	Multiple	High Voltage Transmission Line and Overhead Power Lines	Erie Mining Company Mining Landscape Historic District	SEF

**Table 3. Archaeology Resources in or Near the APE**


Site Number	County	Site Name	Site Function	Site Evidence	Mortuary	Eligibility
21CK0013	Cook	Grover Conzet Work Relief Camp	CCC Camp	Historic Documentation, Ruin	No	Unevaluated
21CK0362	Cook	River Washout		Lithic Scatter	No	Unevaluated
21CKah	Cook	Oberg Homestead	Homestead	Ruin	No	Unevaluated
21CKam	Cook	Leveaux Mountain Lookout		Ruin	No	Unevaluated
21CKao	Cook	Carlton Peak Lookout	Other:Fire Tower	Ruin	No	Unevaluated
21CKax	Cook	Pond Cabin	Homestead	Ruin	No	Unevaluated
21CKbl	Cook	Henry's Mill	Saw Mill	Ruin	No	Unevaluated
21CKdr	Cook	Old Gunflint Cabin		Ruin	No	Unevaluated
21CKex	Cook	Good Harbor CCC Camp (Co. 1741, F-20)	CCC Camp	Ruin	No	Unevaluated
21CKg	Cook	Temperance River Mouth		Single Artifact Find Spot	No	Unevaluated
21CKjp	Cook	Hecht of a Barn	Homestead	Ruin	No	Unevaluated
21CL0003	Carlton	CCC Camp No. 2711	CCC Camp	Ruin	No	Unevaluated
21CL0014	Carlton	Oak Trail Signpost 22		Artifact Scatter	No	Unevaluated
21CL0039	Carlton	Fond du Lac Pond 9	Habitation aboriginal camp or village	Lithic Scatter	No	Unevaluated
21CLd	Carlton	Grand Portage of St. Louis Beginning	Portage Trail	Portage Trail Road	No	Listed
21CLe	Carlton	Grand Portage of St. Louis Roche Galet	Portage Trail	Portage Trail Road	No	State Register
21LA0011	Lake	Little Two Harbors	Fishing, Ghost Town	Artifact Scatter, Historic Documentation, Ruin	No	Unevaluated
21LA0520	Lake	Split Rock Lumber Company Logging Camp	Logging Camp	Artifact Scatter, Ruin	No	Unevaluated
21LA0524	Lake	Gitchi Gami Trail 1		Lithic Scatter	No	Unevaluated
21LA0542	Lake	Split Rock Light House		Ruin	No	Unevaluated

Site Number	County	Site Name	Site Function	Site Evidence	Mortuary	Eligibility
21LA0546	Lake	CCC Work Camp SP-10/SP-5	CCC Camp	Artifact Scatter, Ruin	No	Unevaluated
21LA0556	Lake	Split Rock & Northern Railroad Trestle Camp	Habitation aboriginal camp or village	Artifact Scatter, Ruin	No	Eligible
21LA0569	Lake	Superior Hiking Trail Scraper	Other: unknown	Single Artifact Find Spot	No	Unevaluated
21LAaa	Lake	Welands		Historic Documentation	No	Unevaluated
21SL0817	Saint Louis	Whitney Brothers Sand and Gravel Hopper		Ruin	No	Unevaluated
21SL1159	Saint Louis	Lake Superior Vista 2		Lithic Scatter	No	Unevaluated
21SL1160	Saint Louis	Lake Superior Vista 3		Single Artifact Find Spot	No	Unevaluated
21SLaed	Saint Louis	Spirit Mountain Mound Group 1	Burial Mound	Earthwork	Yes	Unevaluated
USDA-FS 09090700001	Cook	Leveaux Mountain Lookout	Lookout Tower	Concrete Footings	No	Unevaluated (likely ineligible)
USDA-FS 09090700407	Cook	Tarpaper Palace	Habitation	Collapsed shack	No	Unevaluated (recommended ineligible)
USDA-FS 0909070425	Cook	Temperance Washout	Processing	Lithic Scatter	No	Ineligible







Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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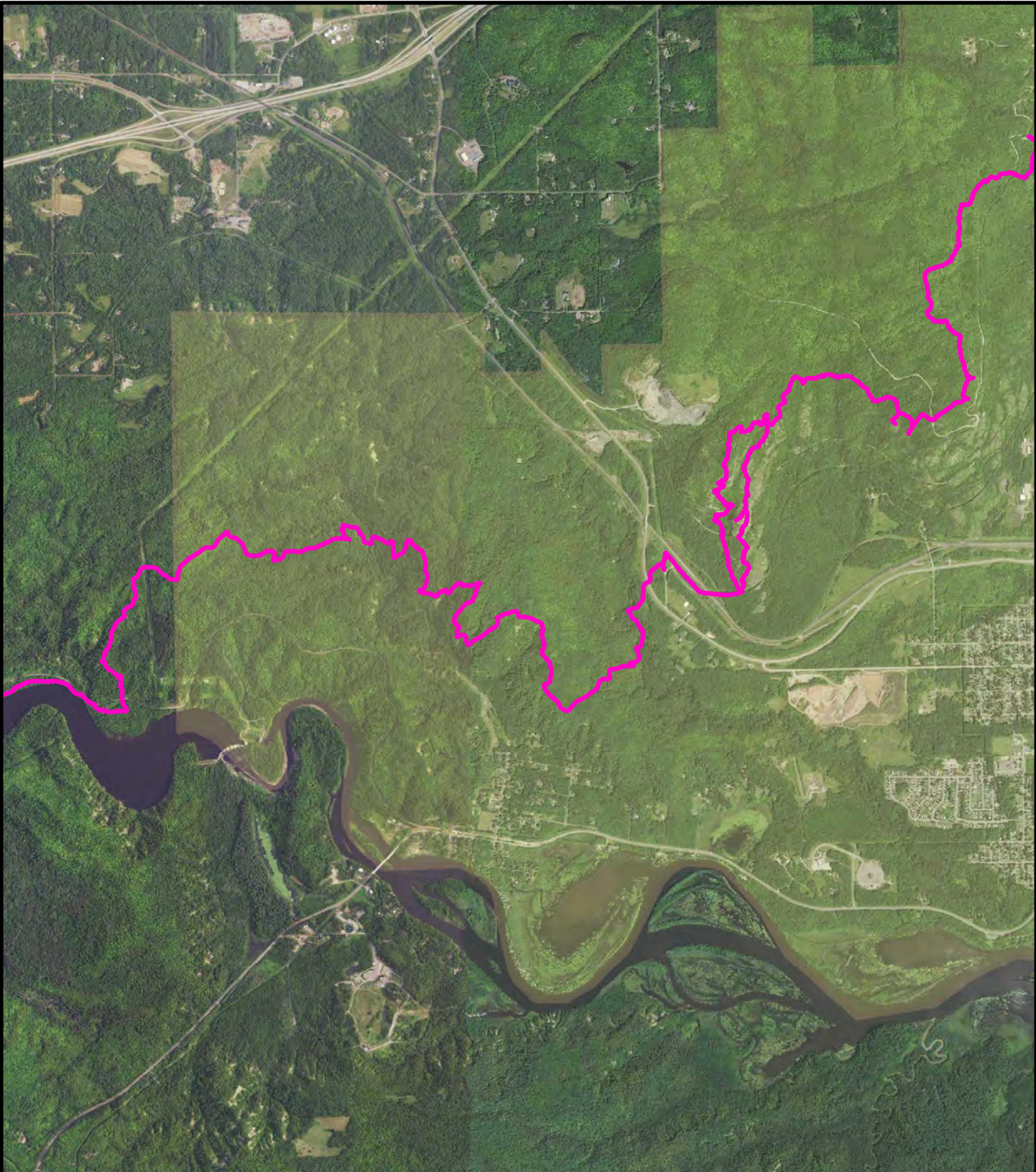
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
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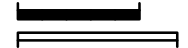
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 City of Duluth

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SUPERIOR HIKING TRAIL MAINTENANCE PROJECT  
AREA OF POTENTIAL EFFECTS  
DETAIL NEAR DULUTH  
(Page 1 of 7)



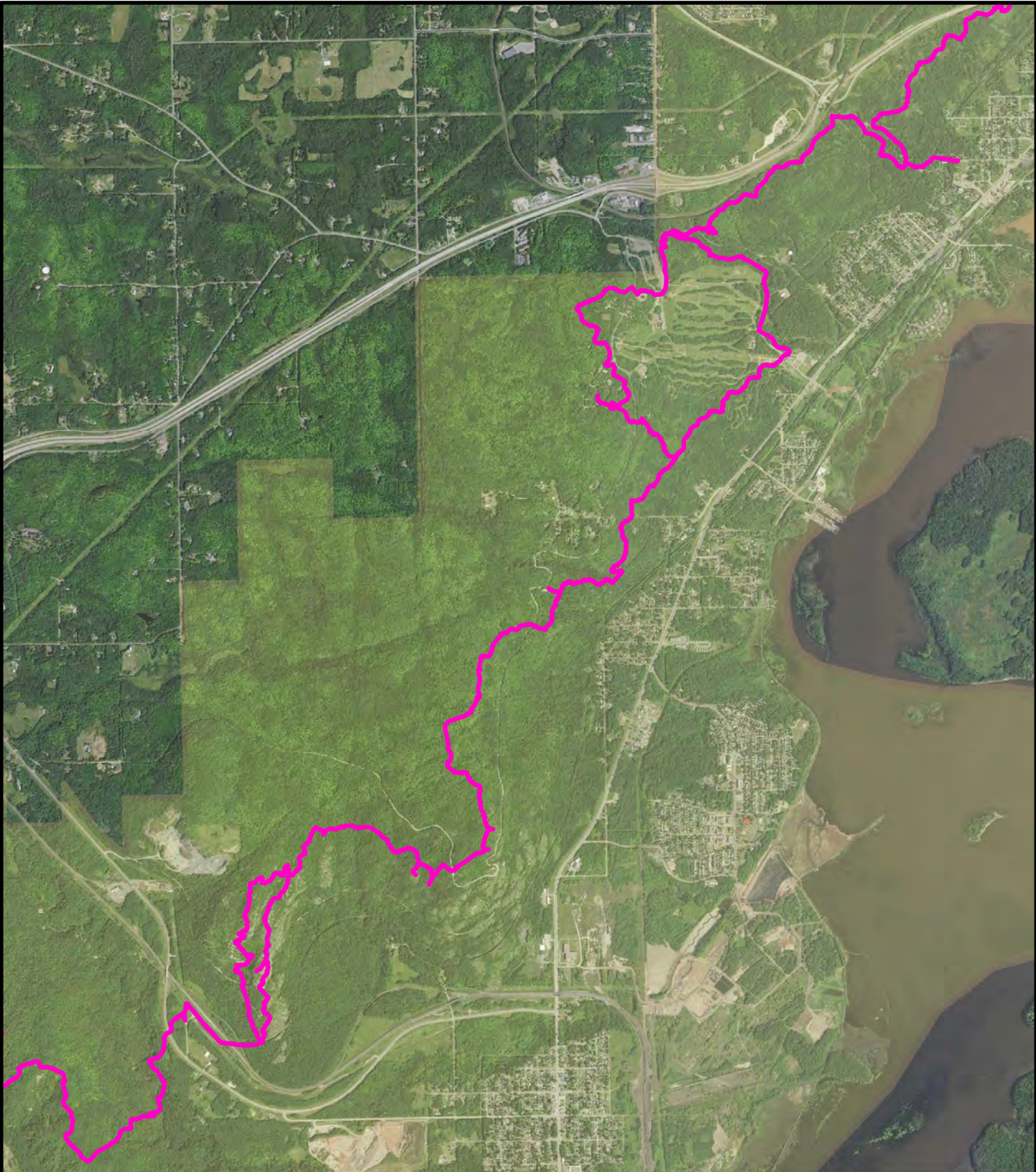
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
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AREA OF POTENTIAL EFFECTS  
DETAIL NEAR DULUTH  
(Page 2 of 7)



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
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
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DETAIL NEAR DULUTH  
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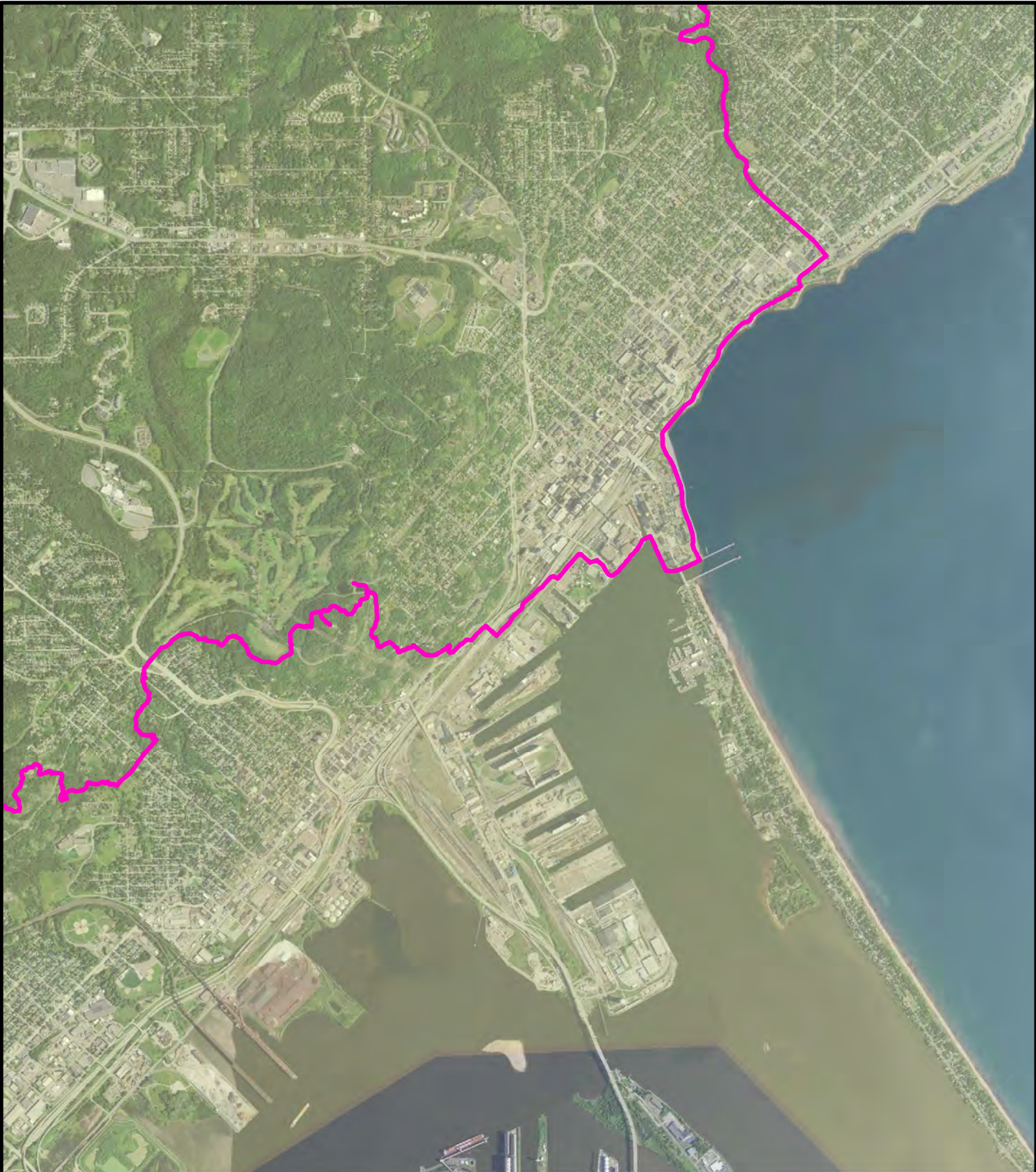
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
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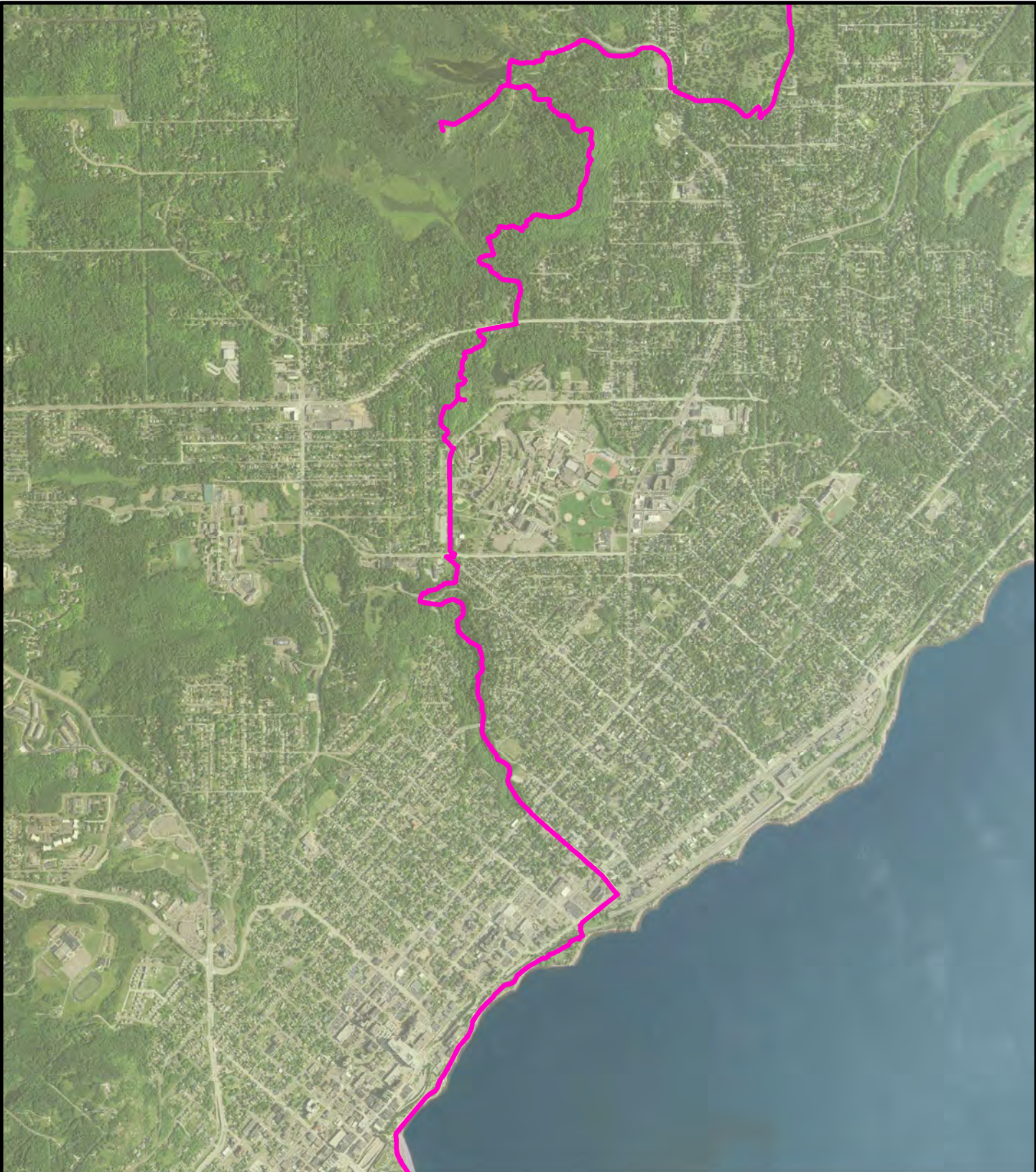
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
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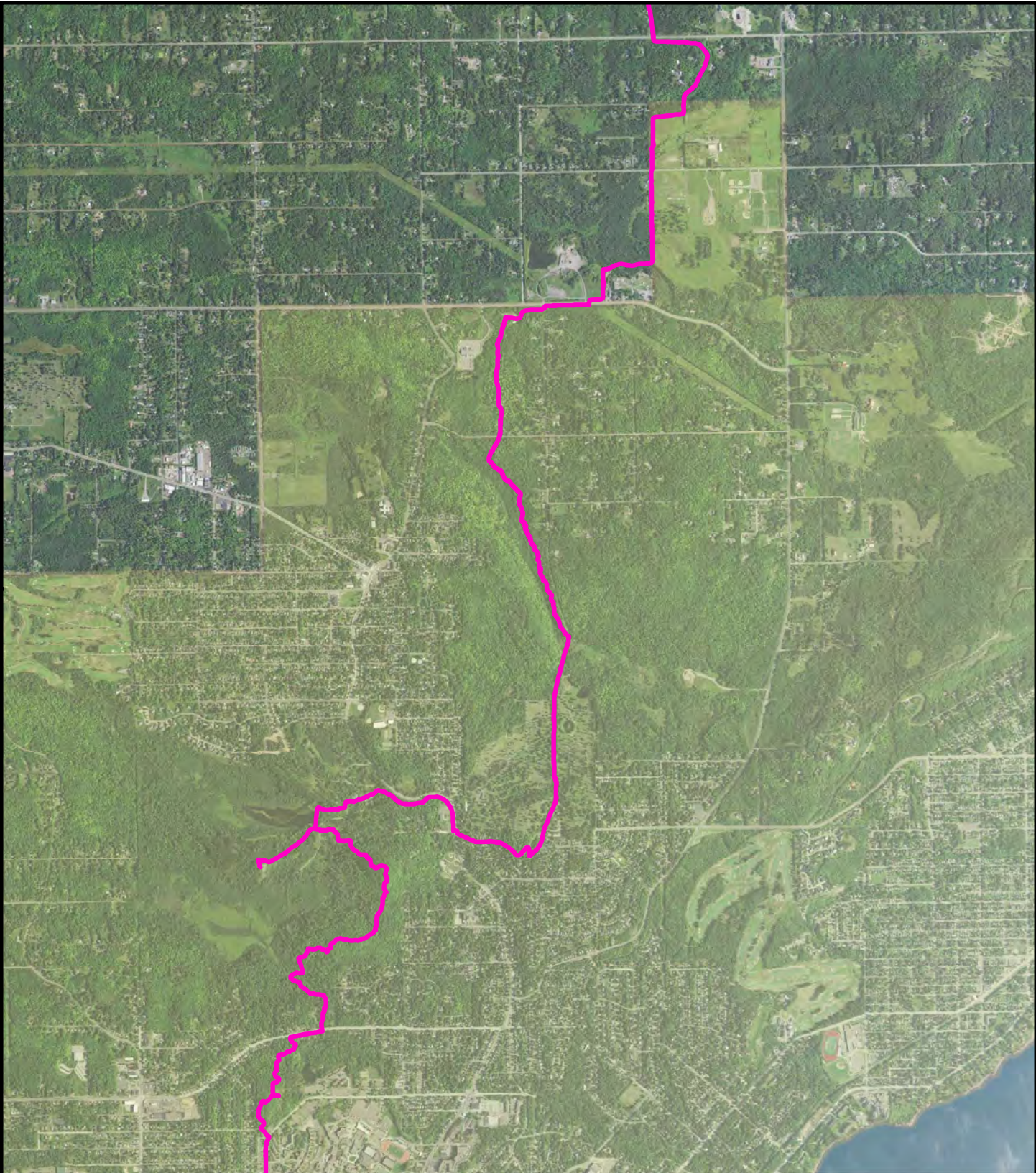


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
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(Page 7 of 7)



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**Legend**

-  Split Rock Lighthouse (approx. boundary)
-  APE

FRTP 0024-22-2C  
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 MAINTENANCE PROJECT  
 AREA OF POTENTIAL EFFECTS  
 DETAIL NEAR SPLIT ROCK LIGHTHOUSE



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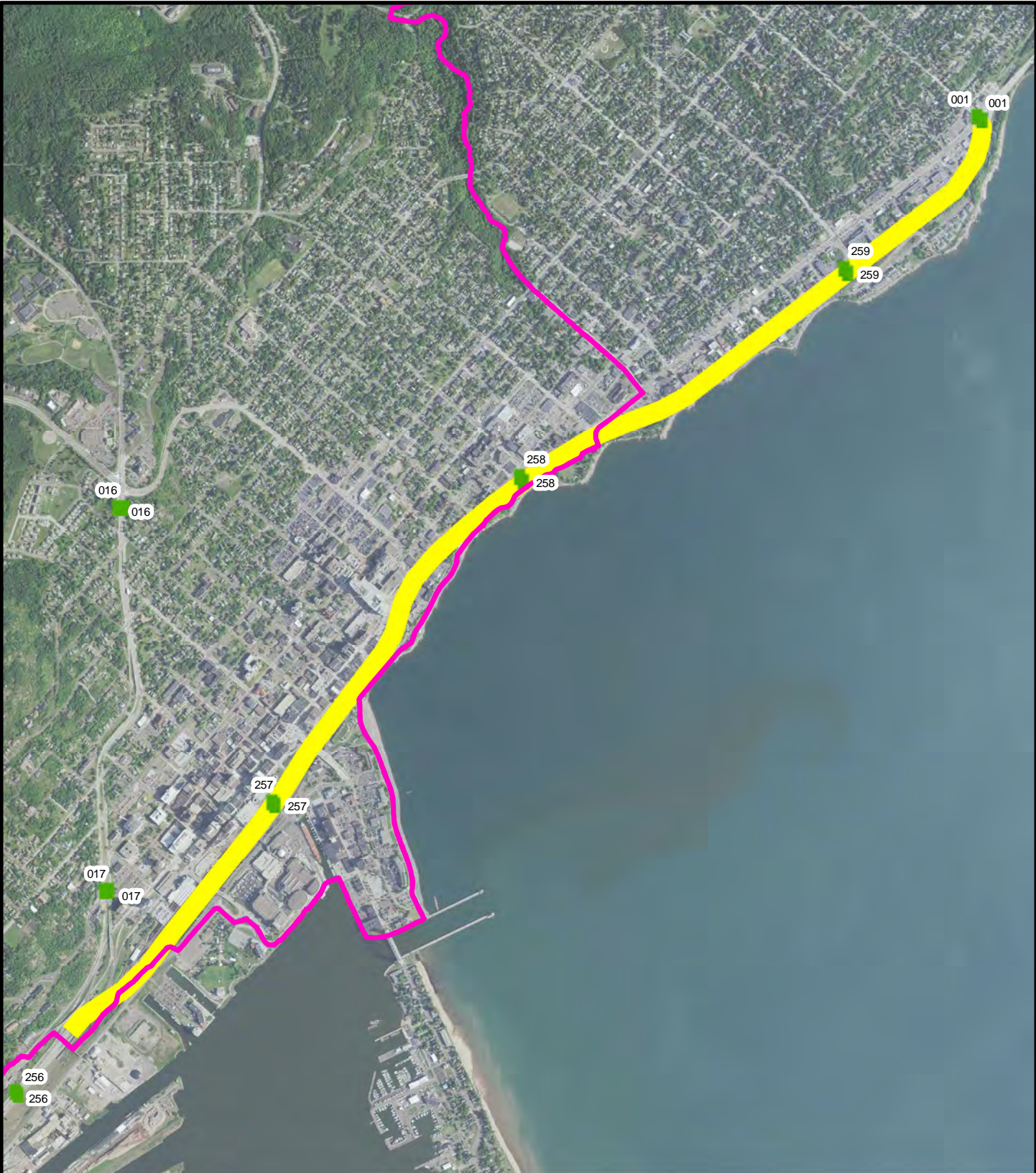


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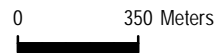




**Legend**

- APE
- Reference Posts
- Interstate Exception

FRTP 0024-22-2C  
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 MAINTENANCE PROJECT  
 AREA OF POTENTIAL EFFECTS  
 DETAIL NEAR I-35 INTERSTATE EXCEPTION



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