

## **Final Notice and Public Explanation of a Proposed Activity in a Floodplain**

This is to give notice that the City of Duluth as Responsible entity under 24 CFR Part 58 has conducted an evaluation as required by Executive Order 11988, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded under the National Outdoor Recreation Legacy Program funds from the National Parks Service Land and Water Conservation Program administered by the Minnesota Department of Natural Resources, and Community Development Block Grant (CDBG) funds from the Department of Housing and Urban Development funds administered by the City of Duluth. The proposed project is located at 411 Lincoln Park Dr in the City of Duluth, St Louis County, Minnesota. The project will focus on restoration of the Works Progress Administration (WPA) pavilion, restoration of the Upper Terrace, including a new parking lot, basketball court, nature playscape and picnic pavilion, ADA trail connections, resurfacing of multi-use play field, relocation and construction of new structured playground, repaired picnic pavilion, new parking lot and site furnishings on Lower Terrace, new park entrance gates and signage/wayfinding, repave and stabilize Lincoln Park Drive. The total anticipated project costs are \$1,817,350, including \$750,000 National Outdoor Recreation Legacy Program funds, and \$45,000.47 CDBG funds. The amount of floodplain in the project area is approximately 1.5 Acres.

The City of Duluth has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values. The Lower Terrace of Lincoln Park is where most of the current park assets are located and are anticipated to be refurbished or replaced. Most of the Lower Terrace is located within the 100-year flood plan, which limits the alternatives to siting this park infrastructure. WPA Pavilion: Since there is refurbishment in-place, there is no effective alternate site or action for this component. Playground: The community input determined that the playground needed to be placed on the same side of Lincoln Park Drive as Miller Creek and the bathrooms (in the WPA Pavilion). The playground in its current location is entirely within the floodplain. The new proposed location only 25% of the playground area will intersect with the 100-year floodplain. Other locations were not considered, due to steep slopes, proximity to parking, restrooms and the picnic pavilion. New Lower Terrace Parking Lot: This parking lot is partially within the 100-year floodplain. At one time we had considered a second parking lot on the lower terrace and it also would have intersected with the 100-year floodplain, however it has been removed from the scope. There were no other viable alternatives, as vehicle access is limited to the north side of Miller Creek, and topography could not accommodate parking. Further, any alternative site would have required constructing a bridge or bridges across the creek, and those sites would also be located in the floodplain. LP Drive: this is a reclaim in its current location. There were no viable alternatives due to the topography. Upper Terrace Retaining Wall: We considered many alternatives including refurbishing the existing wall, partial removal/partial repair. Ultimately, these options were cost prohibitive. The final decision on removal actually removes a man-made asset susceptible to damage & liability, improves connectivity between the east & west sides of the park, and also restores the area to a more natural setting. Park Amenities: These items will be placed near active use areas such as the playground and pavilions. Signage is to be placed throughout the park for wayfinding and informational purposes. We will locate these outside the floodplain when possible, but in some cases there are no alternatives. Trails and Lighting: This is another case where existing trails and footpaths are primarily being refurbished in-place, and much of which is located outside the floodplain, or intersections are minimal. No alternatives were considered as they do not exist. Picnic Pavilion: Since there is refurbishment in-place, there is no effective alternate site or action for this component. A major component of this project is green Infrastructure improvements. Several years ago, the park

experienced flooding and some improvements were made to improve storm water management, including bio swales, cutting in a new water channel for when Miller Creek overtops its banks, and streambank restoration and armoring. In this plan, we do incorporate additional bio swales, drainage improvements associated with trails, rain gardens and storm retention incorporated into the both parking facilities. Some project elements, particularly the new parking lot and retaining wall removal, will require tree removal. All trees and shrubs added as a part of this project will be native species. The project is in compliance with state and local floodplain protection procedures.

The City of Duluth has reevaluated the alternatives to building in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas.

Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

Written comments must be received by the City of Duluth at the following address on or before May 4, 2022 attention Adam Fulton, by email [duluthcommdev@duluthmn.gov](mailto:duluthcommdev@duluthmn.gov) or by mail Planning & Development Division, City Hall Rm 160, 411 W 1st St, Duluth, MN 55802. A full description of the project may also be reviewed online here: <https://duluthmn.gov/parks/parks-planning/st-louis-river-corridor/lincoln-park/> Community members may also arrange a time to view a paper copy in-person at City Hall them by calling (218) 730-5580 or by emailing [duluthcommdev@duluthmn.gov](mailto:duluthcommdev@duluthmn.gov)

Date: Wednesday April 27, 2022  
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