

Appendix G: Stakeholder and Public Input Summary for the Hartley Pond and Dam Feasibility Study

Compiled June 7, 2024

Table of Contents

Overview of Public Engagement	1
<hr/>	
PUBLIC MEETINGS AND PRESENTATIONS	1
PUBLIC INFORMATION MEETINGS	2
STEWARDSHIP FESTIVAL	2
PUBLIC INPUT MEETING	2
COMMISSION MEETINGS	2
SURVEY OVERVIEW	2
WRITTEN PUBLIC COMMENTS OVERVIEW	3
Hartley Pond and Dam Feasibility Study Survey Results	4
<hr/>	
Q.1 – WHAT ARE YOUR THOUGHTS REGARDING THE PROPOSED CHANGES TO HARTLEY POND?	4
Q.2 – IF THE CITY MOVES FORWARD WITH SUPPORT FOR THE PROJECT, WHAT QUESTIONS DO YOU HAVE ABOUT THE PROJECT?	5
Q.3 – DO YOU THINK A POND IS A CRITICAL FEATURE, EVEN IF IT COSTS MORE TO INCLUDE IN THE PROJECT?	7
Q.4 – DO YOU HAVE ANY CONCERNS THAT YOU WOULD HOPE THE DESIGN PROCESS WILL ADDRESS?	7
COPY OF THE PUBLIC SURVEY	10
TABLE OF ALL SURVEY RESULTS	14
Written Public Comments Received Between November 1, 2023 – May 31, 2024	25
<hr/>	
ARROWHEAD FLY FISHERS LETTER	28
HARTLEY NATURE CENTER POSITION STATEMENT	29
DULUTH NEWS TRIBUNE ARTICLE NOVEMBER 17, 2023	32

Overview of Public Engagement

The below information provides a summary of the various forms of public engagement used during the Study development and written input received as of June 7, 2024. Full comments and survey results are provided for reference.

Public Meetings and Presentations

The public input opportunities for the Feasibility Study informational meetings, commission meetings, presentations, and a survey. As part of their scope of work, the contractor developing the Study participated and provided materials for three public meetings in 2023. The purpose of these meetings was to provide information to the public about how the Study was progressing, and to answer questions about the study process and the proposed alternatives. As summary of the informational meetings is provided below.

Public Meetings were announced via press releases, Facebook events and posts made on the Duluth Parks & Recreation page, and mailings. On September 26, 2023, a postcard was mailed to 615 residences around Hartley Park and along Tischer Creek downstream from Hartley to inform them of the October and November public informational meetings. In addition, on May 9, 2024, a letter was mailed to 615 residences around Hartley Park inviting them to attend the formal public input meeting on May 23rd and/or complete the survey.

Public Information Meetings

- February 23, 2023
- October 9, 2023
- November 21, 2023

All meetings were held at Hartley Nature Center and included a presentation about the Study status, followed by the opportunity for the public to ask questions. Staff present at each meeting included the City's Project Manager, the MN DNR's Project Manager and members of the consultant team. The first two meetings were attended by 8-10 citizens. The third meeting had about 40 attendees. Presumably, the increased attendance was due to an article published by the Duluth News Tribune about the project that ran one week prior to the meeting. That article can be found at the end of this summary. Public input was not formally accepted at these meetings; they were informational only. However, a form was available on the project webpage for people to submit inquiries or comments at any time and people did submit comments outside of the formal public comment period (May 8 – 31, 2024).

Stewardship Festival

On November 11, 2024, Hartley Nature Center held a stewardship festival in the Nature Center lobby wherein several agencies and organizations working within the park provided information to the public about various issues. The consultant and City of Duluth attended this event and answered questions about the project.

Public Input Meeting

On May 23, 2024, a public input meeting for the Feasibility Study was held at Hartley Nature Center. Attendees were able to ask questions of the project staff. The survey was also available in paper format at the meeting and a QR code to access the online form of the survey was provided to attendees. Survey responses and general responses received by the City via email or webpage form are provided in this appendix and are available electronically on the project webpage.

Commission Meetings

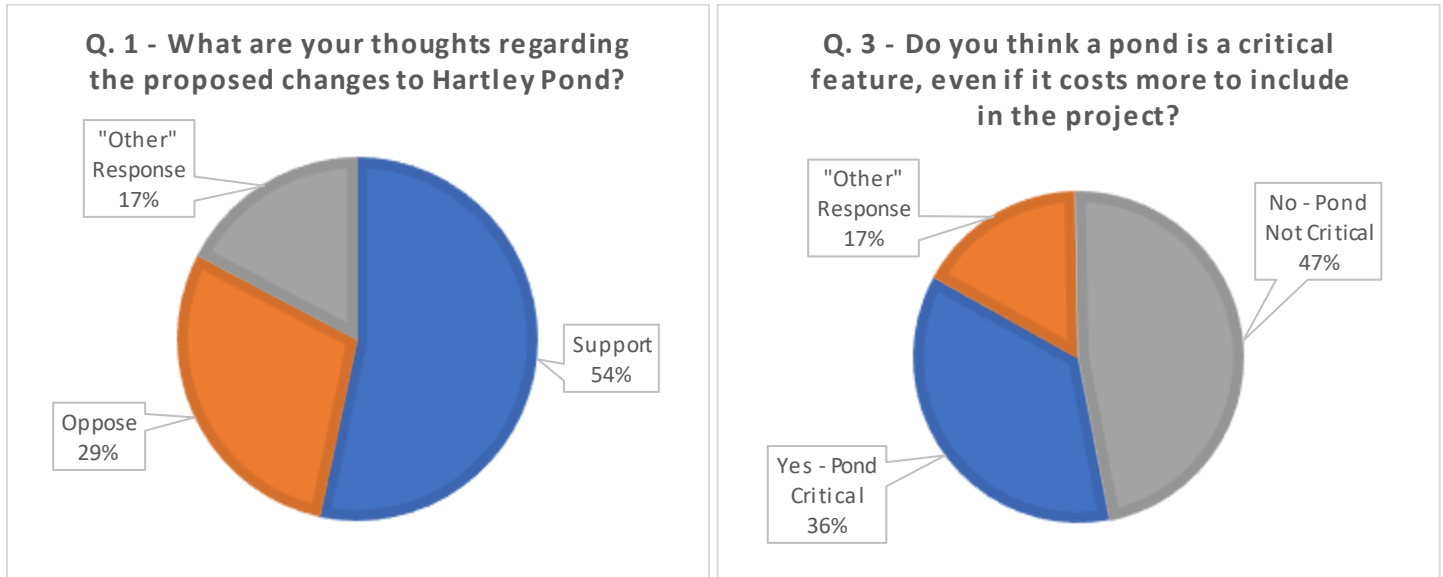
The Feasibility Study was presented to the Natural Resources Commission and the Parks and Recreation Commission on May 1 and May 8, 2024 respectively. The public was able to provide 3-minute comments about the project at these meetings during the public comment portion of the agendas and were recorded as part of the meeting minutes.

Survey Overview

A four-question, open community survey was available between May 8 – 31, 2024. The survey included a brief overview of the recommendations included within the Feasibility Study, with a link to the full Study available, followed by the four prompts that were in an open question (text entry) response format. The survey did not collect demographic information. The intent of the questions was to provide an additional opportunity for public input directly targeting key considerations to inform decision making for the project.

Notice about the survey was provided via a letter mailed to property owners adjacent to the creek below Hartley Park, multiple posts made on the Duluth Parks & Recreation Facebook page, a press release posted May 16, and an announcement at the May 23 public meeting at Hartley Nature Center. A final reminder of the survey's closing date was posted via Facebook on May 28, which had a reach (estimated number of unique people that saw the post at least once) of 4,560.

There was a total of 77 respondents to the survey. Their responses are briefly characterized below with additional information in the following sections. A copy of the blank survey is provided for reference.



- **Q. 1 – What are your thoughts regarding the proposed changes to Hartley Pond?**
 - Of 75 completed responses, 40 Support, 22 Oppose, and 13 were unclear (“other”).
 - Of the 13 “other” responses, 7 were possibly (but not definitively) supportive, and 6 were unclear.
- **Q. 2 – If the City moves forward with support for the project, what questions do you have about the project?**
 - Of 61 completed responses, 12 had no questions, 40 included questions, and 9 included comments without questions.
 - Of the 40 responses with questions, the most common themes related to: wildlife (8), flood protection (6), funding or logistical (6), recreation opportunities (4), creek and pond quality or access (5), and a remaining 11 questions.
- **Q. 3 – Do you think a pond is a critical feature, even if it costs more to include in the project?**
 - Of 72 completed responses, 26 No, 34 Yes, and 12 were unclear (“other”).
 - Of the 12 “other” responses, 3 opposed, 4 were somewhat neutral, and a remaining 5 other responses.
- **Q. 4 – Do you have any concerns that you would hope the design process will address?**
 - Of 56 completed responses, 9 stated no concerns, 19 identified concerns or questions, and 28 provided other comments.
 - Of the 19 that identified concerns or questions, the most common themes related to: flood events and downstream flooding (5), minimizing construction impacts (5), restoration and habitats (4), pond quality and sizing (4), and a remaining 1 response.
 - Of the 28 that provided other comments, the most common themes related to: opposing change to existing pond and/or the design process (8), wildlife comments (4), supportive of continued design (2), future restoration planning (2), and 12 remaining other responses.

Written Public Comments Overview

Between November 1, 2023 and May 31, 2024, a total of 11 public comments were submitted via email or the public comment form provided on the project webpage. Of the 11 comments, 3 were generally opposed to changes to Hartley Pond and 8 were supportive of changes. It is not clear if, or to what extent, people that provided public comment also submitted survey responses. The number of support and/or opposition should not be considered additive. Rather, they should be viewed as separate types of responses.

Two letters (position statements) were submitted to Duluth Parks & Recreation regarding the Feasibility Study:

1. March 8, 2024 from the Arrowhead Fly Fishers indicating support for the restoration of Tischer Creek and supporting modifications to Hartley Pond.
2. March 25, 2024 from Hartley Nature Center indicating support for the removal of Hartley Dam to restore the ecological and hydrologic functioning of Tischer Creek, and support for further consideration of the flow-restrictive (open bottom) culvert alternative as an interim solution if dam removal is not selected.

Hartley Pond and Dam Feasibility Study Survey Results Summary

Q.1 – What are your thoughts regarding the proposed changes to Hartley Pond?

Responses were assessed and categorized as either: Support, Oppose, Other. Comments ranged from very supportive to very oppositional. For the purposes of assessment, comments were only assigned as “support” or “oppose” if they directly addressed the question with positional verbiage. Vague responses or those that were difficult to categorize were given an “Other” and their text is provided below.

Of 75 completed responses, 40 Support, 22 Oppose, and 13 were unclear (“other”).

Other responses, grouped by theme:

- Possibly supportive, but not readily definitive (7):
 - As a frequent observer of Tischer Creek along St Marie St. near UMD, Wallace Ave and Vermilion St, I support anything to mitigate sediment as well as fallen branches. Over the last 2 years I have noted no fish evidence e.g. tadpoles.
 - I understand the move to restore Duluth's trout streams and clear sediment that obstructs Hartley Creek. As I say below, I think that the pond has served some real purposes for children and want to see at least a small pond retained.
 - If there is a negative environmental influence currently then make them
 - The pond is iconic but landscapes change. If a change in the pond is necessary for the overall ecological health of the park, provide good education to the public and move forward.
 - My initial thought is the pond has to stay, its always been there and aesthetically it just seems right. But, honestly, I have never "used" the pond. (as a side note, I use Hartley 2-3 times a week year round) I have read most of the FS and I understand the downfalls of having a pond. I guess if a re-route of Tischer Creek is going to happen, I would like to see a smaller pond constructed. I have questions about the water level in a new pond and how it would be fed? *natural springs? Would it go dry in summer as recent years seem to have less rain fall. What would it take to get the trout population back throughout the creek? I honestly have never talked to someone who has caught or has seen trout in the creek. It would be nice to see the population grow.
 - Interesting - I like the bigger size of the pond, but also want a healthy ecosystem.
 - Part of me is sad to think of the pond being gone, but another part knows it would be more beneficial to return the area to its original state.
- Possibly oppose, but not readily definitive (1):
 - I would be sad to see the pond go.
- Other Q1 responses (5):
 - Effects to wildlife in Hartley Park.
 - I like what was done with Chester's overhaul, but the pond does see a lot of activity as well. Ice, paddle, kids fishing, winter fat biking.
 - I believe a flood control structure to maintain consistent flow throughout the system is valuable. I recognize water temperature is likely increased in the holding pond but if water is released through a

structure allowing release from cooler strata then a viable reproductive brook trout population may be possible in the lower reaches of the creek.

- I guess I don't entirely understand why the pond should be changed.
- Why are we doing this?

Q.2 – If the City moves forward with support for the project, what questions do you have about the project?

A total of 61 completed responses, 12 had no questions, 40 included questions (compiled below), and 9 included comments without questions.

Compiled Questions (40), grouped by types of questions:

- Creek and pond quality or access (5):
 - What will change with regard to the way the creek runs now? More water, change in temperature?
 - The stream route will be original channel?
 - I have concerns about water quality in the pond if it remains but does not get any flow from the stream any more? Is someone looking into the potential water quality in a small disconnected pond?
 - access to the smaller pond?
 - Will the pond need to be dredged to remain stable?
- Wildlife (8):
 - What happens to all the wildlife that currently resides in or depends on the pond? Why does everything revolve around destroying something to appease Hunter and fishers?
 - How will beaver be managed in the future? They are a natural part of this ecosystem and should be preserved for their intrinsic and educational value.
 - What will be the impact on the wildlife living in the pond?
 - Would there be a negative impact by reducing the size of the pond? That is my concern for any animals who are used to the way the environment is? I understand the need to make the stream colder for trout, are other animals affected?
 - Will the city respect wildlife in the park?
 - Have the waterfowl been considered?
 - If you do remove the dam, will you allow the beavers to be beavers? They are a natural part of the ecosystem, or kill them like the last beaver that set up shop on Tischer in Hartley?
 - Modifying the entire ecological system of an area can have devastating effects on local plants and animals. Even for those migratory animals that use Hartley as a way point, what research has been conducted or will be to ensure the proposed changes won't effect species that are reliant on the pond and its ecological value?
- Funding and Logistical (6):
 - If money is spent on the design, can the City give some assurance that they will work to move the project forward to construction?
 - Will there be a time when access to that area is cut off? How long?
 - How soon will it be in the finished state?
 - What is the expected time frame for the project? Will stocking of brook trout resume?
 - How long would it take, what would be the noise levels, and if there's enough funding?
 - How soon can it be done? Does city pay or is the fed govt pay?
- Flood Protection (6):
 - Will the dam be maintained and why? What does the modeling show related to protecting downstream properties?
 - When will it be completed. What are anticipated impacts of flow down stream. During heavy rainfall events, will flow in the creek change and lead possibly lead to flooding? Or possibly the opposite might occur with the wetland area able to absorb more water. How might the change with the storm water system along Woodland Ave play a role?

- Will the design include considerations for extreme rain events?
- Will the culvert be large enough to allow sufficient flow? Will concern for the homes downstream mean that the area will be flooded (and the stream warmed) periodically? And why wasn't the same consideration given to those living downstream of the Bluestone development on Oregon Creek (That would be me.)?
- What will the effects be down stream through the neighborhoods? Will it be more prone to flood?
- First, who will pay for it? Secondly, I have read the studies and I am concerned for the residents along the Tischer Creek neighborhoods during heavy rainfall. With the changes proposed, especially with dam removal, what are the plans for those homes? They will flood.
- Recreation (4):
 - How many boardwalks will eventually be built to/through this wetland?
 - Can we build a trail along the creek instead of spending money to dig out another pond?
 - Will there still be a small pond for skating?
 - What impacts will this have on trail access if at all?
- Other (11):
 - What is the benefit?
 - Why is this necessary?
 - Why is this needed?
 - Is this really going to improve the downstream creek that much? So much brush and trees have been removed along the creek over the past several years that used to shade the creek. How much would this actually benefit the trout population for the short stretch between Hartley and UMD. Once it gets near UMD it is not much of a trout stream anymore and the falls below Vermillion Road prevent any upstream migration from below.
 - Why has this plan not been widely publicized with much more opportunity for public comment? Who decided that a trout stream is more important than the esthetic and historic value of the park? What were the criteria for that decision?
 - Mosquito management? How will mosquitos be mitigated with creating more wetland area? Or will the old pond not resort into wetlands?
 - Will the drained area just be muddy wet swamp for breeding mosquitos?
 - What is the environmental impact of the project (bringing in all the equipment, building a man-made structure, etc.) and how does that improve what is already happening?
 - Are changes being made to support the ecological health of the park or to maximize access for users? I support the first above the latter.
 - Why? What is the reason to remove it? Is taking this resource away from the public just for better fishing? Is the DNR requiring the City to remove it? Is the DNR only concerned with their mission and not what the residents want or need.
 - What are the City's long-term plans for the existing dam?

Comments (8):

- Why move forward. Do nothing now, perhaps five or ten years from now do some pool excavation if really needed to maintain the pool.
- I believe that once the city moves forward our concerns won't matter
- I would want specifics on cost and maintenance.
- The cost/timeline. I think the citizens are maxed out on taxes in the last few years.
- I think the health of the stream and the natural habitat for the wildlife who live there is more important than the people who visit.
- I'd be curious to know the advantages of making the changes or the disadvantages of what it's currently doing.
- I hope the updates will be on the website.

- I'm curious to see results of water quality/temperature afterward the project is completed. I went to public listening sessions and don't have too many more questions. I think this is a great idea.

Q.3 – Do you think a pond is a critical feature, even if it costs more to include in the project?

Responses were assessed and categorized as either: Yes, No, Other. Of 72 completed responses, 26 No, 34 Yes, and 12 were unclear (“other”).

Other Responses (12), grouped by theme:

- Oppose change to existing pond (3):
 - The smaller pond would have nearly zero recreational possibilities and the aesthetics would be greatly diminished as well.
 - Just leave it the way it is. The pond is a beloved spot in Hartley. The pond in Chester was removed. Fine. Leave the one in Hartley.
 - The pond should not be reduced in size
- Somewhat neutral (4):
 - I think a small pond is nice for the environmental interaction it offers, but it is not worth extra cost and it should not be sized to dramatically heat/decrease the water quality of Tischer Creek.
 - Critical, no, but it's a unique draw to the park.
 - I have a slight preference towards including a pond, but wouldn't consider it a critical feature. I appreciate the variety of animals that the pond draws in, but know that a restored stream will provide its own opportunities for wildlife.
 - Not critical for me, but I think Hartley nature center's input should be weighed very heavily
- Other:
 - I wouldn't use the term critical, but I would love to see some kind of pond remaining. If it is in the best interest of our smaller friends who live in this space, then I think we should return it to how it once was, it would be sad to lose a nice pond, but would be good to know it's making the lives of the animals better.
 - Access to water is critical - but it doesn't have to be a pond. River or creek access is acceptable. However, if the demand for a pond feature is overwhelming and it can be financed and maintain a healthy ecosystem then fine.
 - I think the pond is a nice amenity to Hartley and resource for the nature center, but would want to see actual numbers for assess if keeping a pond is worth the costs. I also wonder if the pond is smaller, would it get even warmer and then not even be a body of water that could support a healthy ecosystem.
 - The pond is pretty nice! It provides habitat for turtles and birds and probably some other life, and I'd be curious how returning it to an earlier state would impact that life. I know they have some canoe based education on the pond as well, and that it's a big draw for the kiddos in the nature program.
 - Let experts on water quality decide

Q.4 – Do you have any concerns that you would hope the design process will address?

Of 56 completed responses, 9 stated no concerns, 19 identified concerns or questions, and 28 provided other comments.

Compiled Concerns (19), grouped by theme:

- Flood events and downstream flooding (5):
 - I have questions about how the culvert is being sized. Is it being sized to move large floods (100 or 500-yr event)? Or is it being sized on the smaller side to allow water to back up into the old pond site during

floods and reduce flood peaks downstream? If the latter, how will you ensure the dam doesn't blow out? If the former, how will you make sure flooding isn't higher downstream?

- My main concerns are expressed above. No information has been provided on what area would be flooded during high rain events and how that situation would be managed. Would depressions be left that could fill during rainstorms and provide temporary wetland habitat?
- Just the potential of flooding downstream from Hartley.
- Flooding in neighborhoods below Hartley Park.
- How will water flow change down stream if the old stream channel is reestablished?
- Minimizing construction impacts (5):
 - Construction noise
 - How will you do all of this construction while keeping a minimal environmental impact on the ecosystems that already exist there?
 - Will the contractors respect wildlife within the park?
 - Will this project temporarily pollute tischer?
 - Just transparency, phases/timelines of what would be closed or finished when.
- Restoration and habitats (4):
 - Only that the creek will be restored to its natural state, if at all possible.
 - As the pond recedes what are the plans to make sure invasives don't take over before the system can switch to a native plant community.
 - Ensuring current habitats are not destroyed.
 - Lengthen the outflow run so trout can navigate upstream and down, without compromising depth of my proposed new stream design.
- Pond quality/sizing (4):
 - biodiversity of new smaller pond compared to old, fishing opportunities, access both visual and recreational
 - Keeping the pond healthy
 - The proposed pond is too small compared with the current pond size.
 - Access to the new pond to allow periodical digging out to prevent silting up.
- Other (1):
 - 1. How to reestablish native riparian vegetation 2. Design for extreme events/ large rains

Other Comments (28), grouped by theme:

- Oppose change to existing pond and/or the design process (8):
 - Yes. We are losing a resource, the pond, which is already the focus of many people's visit to Hartley park. To repeat, many of these folks walk, ski, snowshoe, ski, and occasionally canoe the existing pond. You are abrogating all these uses. With climate change Hartley creek is much more flashy, and less capable of sustaining a brook trout population. The past three summers have all had critically low flow and high temperature periods that didn't provide sustainable trout water conditions.
 - Leave the pond be.
 - Do not get rid of or change size of Hartley pond
 - Do not drain the pond. Take water from the bottom of the pond via a culvert so that the water will be cooler than the surface water that currently goes over the spillway.
 - Don't change it. Leave it be. If a flood or something knocks it out like it did in Chester then don't repair it but don't change it just to change it.
 - Keep the pond.
 - Keeping the pond and not downsizing it. Try to refrain from turning Hartley into a MPLS metro style park. Try to reflect and take into consideration what is so unique about Hartley pond and what made it such an important part of so many peoples lives for so many before you change it.
 - The design need to ensure the pond stays as it is.

- Wildlife (4):
 - cooling of Tischer creek is important
 - Do what is best for the wildlife and the natural habitat.
 - I hope the otters don't get too disrupted and leave.
 - The loss of areas to view ducks on the pond. The loss of areas for the students to sample water/net for aquatic life.
- Supportive of continued design (2):
 - I trust the experts that have put forward the proposals. I have read them and believe this to be the quickest/most effective option
 - Concerns that uninformed opinions will dictate the result and not the best science
- Future restoration planning (2):
 - I would hope that the project could include planting a lot tamarack trees in/around the wetland area.
 - I'd love to see reintroduction of native species and maybe some removal of buckthorn using these funds, but I don't know if that's possible.
- Other comments (12):
 - Hartley has been over-managed since the nature center took over. It used to be wild and natural. Now literally every part of the park has been managed or developed in some way. Events and attractions have been added. This is part of the reason for visitors who are causing the problems with trail conditions, dogs, and erosion. It's a circular process that now requires more management. Hartley was one of the last natural parks in the city. It's sad to lose it. Leave it alone already.
 - A bridge over the open bottom culvert for humans to pass over.
 - The work will destroy the enjoyment of Hartley nature center during the project.
 - I don't want to see further development of planned "play areas" like the yurt area. What is there is sufficient.
 - I would doubt that any of my concerns would be addressed
 - I hope considerations have been given to the downstream impacts of Tischer as it flows through the Hidden Valley neighborhood.
 - Optimizing the watershed.
 - My main concern is that designers will give in to some kind of pond remaining, which would end up being a big mistake. Taking that slimy pond out of Chester Bowl was the best thing that happened there.
 - Don't disturb area around pond currently leave a small pond still.
 - Explain better. This overview included here doesn't state the why. Why is this needed. What happens if we don't, etc
 - Yes, I'd like more elaboration on the benefits and drawbacks both to the current situation and the restoration scenario.
 - Need more detail first.

One other comment was submitted via the survey that does not fit within a typical survey response.

Hartley Lake Proposal. The study topic is miss leading- topic title should read. "Water drainage through Tischer creek to allow for development of the headwaters of the creek". The water flow in Tischer creek will be increased with future development occurs due to new buildings pavement.

It appears that the city is interested in this project as a way to move water out of lands that are being and will be developed above Hartley Lakefield. Future development was very briefly discussed, but I felt that many of the people who attended the last meeting did not know what the issue is here.

Most people would like to see an active trout stream. I am for stream reconstruction and construction of trout habitat. However, with no commitment to stock the stream, I see little value to the community as an attraction so that kids can learn to fish. Maybe that should be discussed by the Hartley nature center and incorporated into their circular.

It appears that this is going to be an expensive project with little actual benefit for the trout as the amount of actual stream habitat improvement is relatively small. During this time of the digging of the new stream diversion, sediment will be moving into the stream below the dam. What steps will be taken to protect current spawning areas from sediment?

Flood control: Flooding of homeowners and church lands that border Tischer creek from Concordia Lutheran church to Woodland Ave at St Marie Street is currently an issue each year.

1. What Stream modifications are being considered to protect homeowners' lands next to the creek from the additional runoff from future development?"
2. Is the city, county, or state going to bear the cost of stream repair of homeowner and church lands boarding the creek after a future flood due to increased development?
 - a. In the past water has flooded over Arrowhead Road, St Andrews, Columbus, West Oxford, and Abbotsford. The bridge capacity to handle flood waters moving under them is limited.
 - i. Shouldn't the redesign of the bridges to handle current flow and future development flow, take priority to the stream development at Hartley?
 - ii. Is the city ready to replace the bridges that limit flow of water before this project begins?

Hartley Lake project as proposed: The proposed size of the Hartley Lake is to be 3.3 acres. The capacity of the proposed lake basin is said to be able to handle 90 Acre feet of water. That would mean that the proposed pond would have to be dug 27.3 feet deep or in flood times, water would be allowed to overflow the 3.3-acre lake refill the current lake basin. Once the basin is full. the waters will flow out through a very large 21-foot culvert back into Tischer creek. No flow restriction at the culvert will occur and the full force of a flood will pass on to the stream below the dam.

1. Has any thought been made to regulate the water level of Hartley Lake over time when overflow conditions exist? Maybe a flood gate instead of a Culvert.
2. At what economic point will the deepening of the lake stop. \$400,000.00 will not go far in digging out a pond.

Basin dry out: The last time Hartley lake was drained to deepen it and sell the dirt, the contractor gave up as it was deemed not economical to continue. You may already know that after the pond was drained back in the 60's and 70's, the pond sat for several years to get dry enough to run a drag line. This project will run against similar conditions. The lake sat empty for several more years when the dam broke again after back filling the first cut.

1. Has this dry out time been included in your project?
2. How long do you expect the completion of the project to last?

Alternative considerations: Water diversion: What is the cost of diverting excess water above Hartley Lake into the stream that flows on the south side of Hartley field and joins Tischer creek at St Marie. Diversion of the excess flood water could help relieve some of the flooding of the lands along Tischer creek homes in Hunters Park. There would be less bridges to be rebuilt. It could also create more trout habitat. Who is going to monitor the stream levels and activities as well as address flooding issues due to development after this project is completed? Doesn't seem like there has been enough thought in how to complete the project and make it work in the future.



Hartley Pond and Dam Feasibility Study Public Survey

This survey will close on Friday, May 31, 2024.

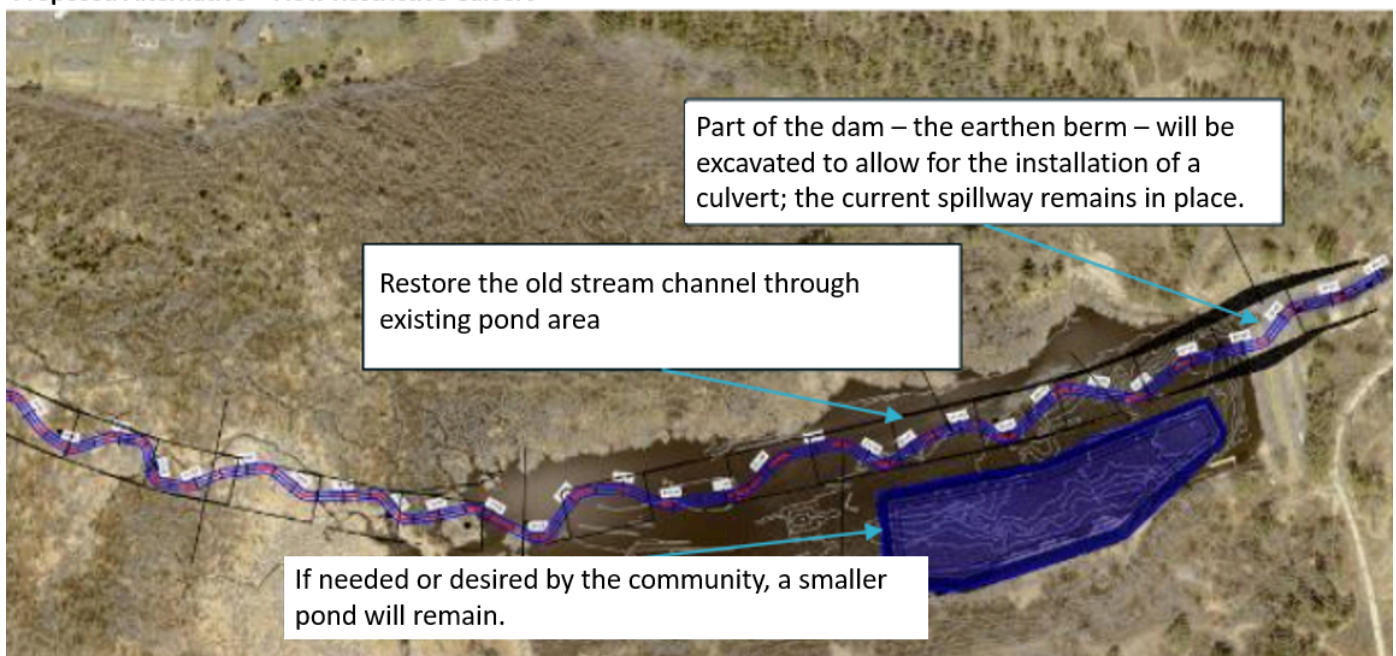
The City of Duluth invites you to share your input on the proposed next step for the Hartley Pond and Dam Feasibility Study. The Feasibility Study is complete and a preferred alternative was identified: installing an open-bottom culvert through the earthen dam to address the negative effect of the pond and dam on Tischer Creek.

The next step, at no cost to the City, will be to allow the MN Department of Natural Resources to move forward with the design of the project, which will include detailed environmental, historic, and cultural assessments. If City Council approves this next step, there would be additional future public engagement, and the City would not be required to construct the project without further review, public input and identification of a funding source.

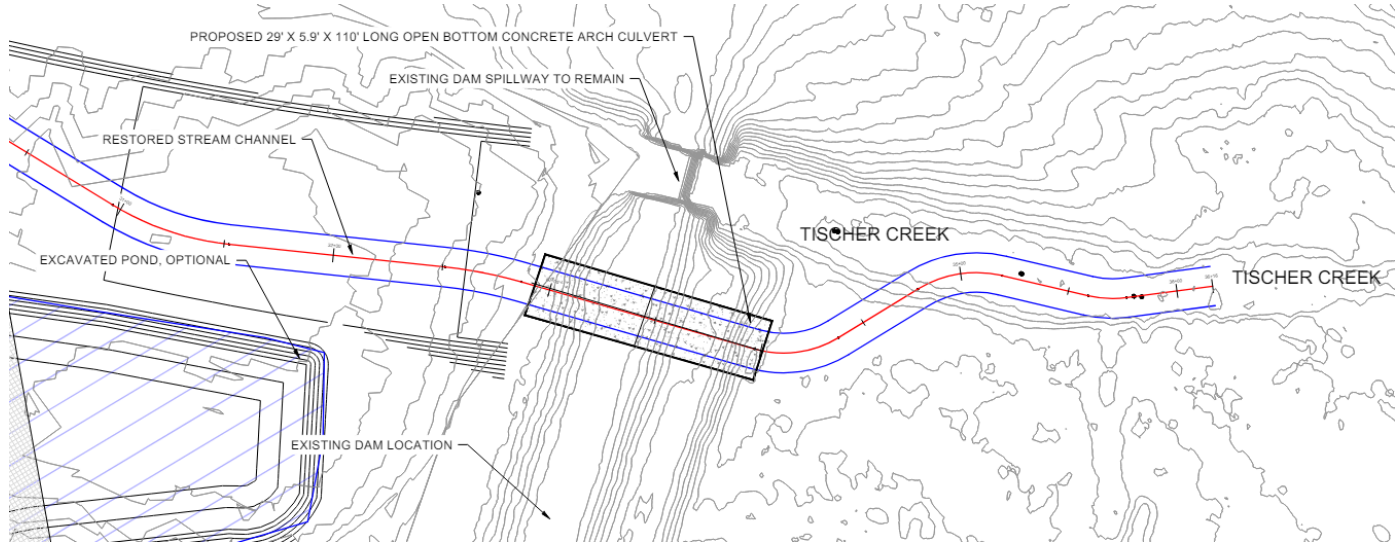
For more information about the Feasibility Study, or to view the full draft report about the Study, please visit the project webpage at duluthmn.gov/parks/parks-planning/progress-in-the-parks/hartley-pond-tischer-creek-feasibility-study/

We appreciate any comments, concerns, or questions you would be willing to share via the survey questions below. This survey is one way in which we are collecting formal public comment for this process. You may also provide formal public comment at an upcoming Natural Resources Commission meeting or Parks and Recreation Commission meeting.

Proposed Alternative – Flow Restrictive Culvert



A closer view of the proposed open bottom, concrete arch culvert through the earthen dam (in Report Appendix D):



A conceptual rendering is provided below showing a comparison of the current Hartley Pond (left) and what Hartley Pond could look like after the proposed project is constructed. In this perspective, viewers are looking over Hartley Pond towards the earthen dam.



1. What are your thoughts regarding the proposed changes to Hartley Pond?

2. If the City moves forward with support for the project, what questions do you have about the project?

3. The proposed change includes decreasing the size of the Hartley Pond and moving it off the main channel of Tischer Creek or, potentially, not having a pond. Do you think a pond is a critical feature, even if it costs more to include in the project?

//

4. Do you have any concerns that you would hope the design process will address?

//

Contact Information

If you would like to receive updates on the Hartley Pond and Dam, please enter your phone number and/or email address here:

Name:

Email:

Phone:

//

Date	What are your thoughts regarding the proposed changes to Hartley Pond?	If the City moves forward with support for the project, what questions do you have about the project?	The proposed change includes decreasing the size of the Hartley Pond and moving it off the main channel of Tischer Creek or, potentially, not having a pond. Do you think a pond is a critical feature, even if it costs more to include in the project?	Do you have any concerns that you would hope the design process will address?
5/8/2024	I like the plan to remove the pond and change the water flow to have a creek,	The study comments answered all my questions,	The pond is not a critical feature.	I like the proposed plan and have no concerns..
5/10/2024	I am glad the effects of the dam are being removed.	I have concerns about water quality in the pond if it remains but does not get any flow from the stream any more? Is someone looking into the potential water quality in a small disconnected pond?	A pond is not a critical feature.	I have questions about how the culvert is being sized. Is it being sized to move large floods (100 or 500-yr event)? Or is it being sized on the smaller side to allow water to back up into the old pond site during floods and reduce flood peaks downstream? If the latter, how will you ensure the dam doesn't blow out? If the former, how will you make sure flooding isn't higher downstream?
5/10/2024	I remain amazed that DNR and brook trout have the loudest voice here. I have seen about six groups or individuals on different days this spring fishing the pond. In my 45 years cruising Hartley on a nearly daily basis year round, I have never seen a brook trout fisherman upstream or downstream of the pond. recreational users I talk with love to view the pond, or walk, skate or ski on it, and occasionally canoe it. Keep the pond, please.	Why move forward. Do nothing now, perhaps five or ten years from now do some pool excavation if really needed to maintain the pool.	I think a pond, particularly the current pond, is a critical feature of this park.	Yes. We are losing a resource, the pond, which is already the focus of many people's visit to Hartley park. To repeat, many of these folks walk, ski, snowshoe, ski, and occasionally canoe the existing pond. You are abrogating all these uses. With climate change Hartley creek is much more flashy, and less capable of sustaining a brook trout population. The past three summers have all had critically low flow and high temperature periods that didn't provide sustainable trout water conditions.
5/10/2024	I would be a bit disappointed overall, I do enjoy utilizing the pond in the summer		The pond is the main draw for me when I visit Hartley, so I personally think of it as a critical feature.	
5/13/2024	Our top priority is restoring Tischer Creek, so it seems like a reasonable plan.	What will change with regard to the way the creek runs now? More water, change in temperature?	No. I do not think the pond is a critical feature if it's to the detriment of the creek, which flows into Lake Superior (which is already warming at an alarming rate).	Only that the creek will be restored to its natural state, if at all possible.

Date	What are your thoughts regarding the proposed changes to Hartley Pond?	If the City moves forward with support for the project, what questions do you have about the project?	The proposed change includes decreasing the size of the Hartley Pond and moving it off the main channel of Tischer Creek or, potentially, not having a pond. Do you think a pond is a critical feature, even if it costs more to include in the project?	Do you have any concerns that you would hope the design process will address?
5/14/2024	I am in full support of proactively restoring Tischer Creek. The current in-line pond is not sustainable, is harmful to water quality and stream health, and is barely functioning as a recreational resource for the community. It IS attenuating peak floods, albeit at the risk of catastrophic flooding and loss of life should the dam be breached in the future. The proposed alternative is a well-considered compromise and is a win-win-win. It addresses all three main concerns with the current pond - 1) flood risk, 2) recreational value, and 3) ecosystem health/water quality. The City Council would be wise to make a proactive decision to move ahead with the design of this alternative. Please move quickly so that the project can benefit from State Legacy and Federal GLRI funding, which may not be around in perpetuity.	None	I do not personally think a pond is critical, although I understand others' desires for an open water resource. I think a smaller pond, similar in size to Rock Pond on UMD's campus, would suffice.	No
5/16/2024	This is a great opportunity to restore trout habitat on Tischer Creek as well as allowing a more natural flow of water and sediment through the system,		No I do not think the pond is a critical feature.	
5/16/2024	I am fully in support of removing the dam to preserve the trout in Tischer Creek. The trout are a special resource to our area and especially in the City of Duluth. We should prioritize these fish and the habitat and water quality they need.	If money is spent on the design, can the City give some assurance that they will work to move the project forward to construction?	No, I do not feel that the pond is a critical feature. I instead would be encouraged to see walking paths near the stream and opportunities to access the stream and fish.	
5/17/2024	I'd prefer as little change as possible. The pond is a key feature of the park.		The pond is a critical feature.	
5/18/2024	Looks good	Will the dam be maintained and why? What does the modeling show related to protecting downstream properties?	Nope.. Hartley is a natural area ..allow the creek to be a creek	As the pond recedes what are the plans to make sure invasives don't take over before the system can switch to a native plant community.
5/18/2024	As a frequent observer of Tischer Creek along St Marie St. near UMD, Wallace Ave and Vermilion St, I support anything to mitigate sediment as well as fallen branches. Over the last 2 years I have noted no fish evidence e.g. tadpoles.			
5/18/2024	positive, considering health of Tischer Creek	access to the smaller pond?	yes, a pond would increase biodiversity and recreational opportunities	biodiversity of new smaller pond compared to old, fishing opportunities, access both visual and recreational

Date	What are your thoughts regarding the proposed changes to Hartley Pond?	If the City moves forward with support for the project, what questions do you have about the project?	The proposed change includes decreasing the size of the Hartley Pond and moving it off the main channel of Tischer Creek or, potentially, not having a pond. Do you think a pond is a critical feature, even if it costs more to include in the project?	Do you have any concerns that you would hope the design process will address?
5/18/2024	Against anything that would drain or destroy the pond.	What happens to all the wildlife that currently resides in or depends on the pond? Why does everything revolve around destroying something to appease Hunter and fishers.	The pond is CRITICAL.	Leave the pond be.
5/20/2024	I support the proposed changes. The updated pond impoundment is a forward-thinking approach to managing Tischer Creek in an ecologically and structurally sound manner.	What are the City's long-term plans for the existing dam?	I think a small pond is nice for the environmental interaction it offers, but it is not worth extra cost and it should not be sized to dramatically heat/decrease the water quality of Tischer Creek.	Need more detail first.
5/20/2024	I am disappointed about the loss of the pond, but support the restoration of Tischer Creek to a cold water stream.	How will beaver be managed in the future? They are a natural part of this ecosystem and should be preserved for their intrinsic and educational value.	Yes, a pond should be retained as this has been a central feature of the park and has much value for wildlife, education and recreation. It must be designed with flat slopes and shallows to maintain wetland values.	My main concerns are expressed above. No information has been provided on what area would be flooded during high rain events and how that situation would be managed. Would depressions be left that could fill during rainstorms and provide temporary wetland habitat?
5/20/2024	I understand the move to restore Duluth's trout streams and clear sediment that obstructs Hartley Creek. As I say below, I think that the pond has served some real purposes for children and want to see at least a small pond retained.	Will there be a time when access to that area is cut off? How long?	Yes, I think it is critical. My husband and I walk the old Hartley Road trail quite frequently, stopping by the pond, and almost every time we do so we see families with children or the children from the Nature Center programs, exploring the pond - looking for tadpoles, fishing off the dock, etc. This provides an opportunity to learn and take delight that would be missing if there were no pond at all.	
5/21/2024	I don't want the pond to become small. I visit this pond with my class and it's important to me.	None	Yes, it is critical.	
5/21/2024	The stream should be returned to its natural flow channel	None	No	No
5/22/2024	Please don't take our pond from us. My friends and I enjoy kayaking on the calm waters multiple times throughout our warm months. Where we get to take in all the beauty and wildlife of somewhere NOT out of the city limits.	Modifying the entire ecological system of an area can have devastating effects on local plants and animals. Even for those migratory animals that use Hartley as a way point, what research has been conducted or will be to ensure the proposed changes won't effect species that are reliant on the pond and its ecological value.	EXTREMELY CRITICAL FEATURE.	Do not get rid of or change size of Hartley pond

Date	What are your thoughts regarding the proposed changes to Hartley Pond?	If the City moves forward with support for the project, what questions do you have about the project?	The proposed change includes decreasing the size of the Hartley Pond and moving it off the main channel of Tischer Creek or, potentially, not having a pond. Do you think a pond is a critical feature, even if it costs more to include in the project?	Do you have any concerns that you would hope the design process will address?
5/25/2024	Sounds like a great change for the health of Tischer creek.	When will it be completed. What are anticipated impacts of flow down stream. During heavy rainfall events, will flow in the creek change and lead possibly lead to flooding? Or possibly the opposite might occur with the wetland area able to absorb more water. How might the change with the storm water system along Woodland Ave play a role?	Pond seems unnecessary - a smaller one sounds like a great breeding grounds for mosquitos.	Just the potential of flooding downstream from Hartley.
5/25/2024	I support the changes that will benefit the watershed overall.	Not at the moment	Yes. As large of a pond as is feasible is what I would like to see. So many children have benefited from learning about nature from activities in and around the pond. Snowshoeing on the pond is a beautiful thing to do. Please do not remove this feature for the sake of park users for generations to come.	The proposed pond is too small compared with the current pond size.
5/25/2024	If it's better for the environment if the park I'm for it.	What is the benefit?	It's aesthetically pleasing. My digs sure like it.	
5/25/2024	These changes would destroy habitat for so many shore birds and other nesting birds. What happens to all of the fish and aquatic species in the large pond? A small pond is not the same as the current pond. Has anyone considered the ecological changes to the pond life if it is drained.	Is this really going to improve the downstream creek that much? So much brush and trees have been removed along the creek over the past several years that used to shade the creek. How much would this actually benefit the trout population for the short stretch between Hartley and UMD. Once it gets near UMD it is not much of a trout stream anymore and the falls below Vermillion Road prevent any upstream migration from below.	The smaller pond would have nearly zero recreational possibilities and the aesthetics would be greatly diminished as well.	Do not drain the pond. Take water from the bottom of the pond via a culvert so that the water will be cooler than the surface water that currently goes over the spillway.
5/25/2024	Leave it alone. Leave it alone. Leave it alone.	Why has this plan not been widely publicized with much more opportunity for public comment? Who decided that a trout stream is more important than the esthetic and historic value of the park? What were the criteria for that decision?	Absolutely. While the current pond was human-made, it has become a natural feature. A new human-made pond needs to be just as large and "natural" in character. Please, please do not make this into a developed park.	Hartley has been over-managed since the nature center took over. It used to be wild and natural. Now literally every part of the park has been managed or developed in some way. Events and attractions have been added. This is part of the reason for visitors who are causing the problems with trail conditions, dogs, and erosion. It's a circular process that now requires more management. Hartley was one of the last natural parks in the city. It's sad to lose it. Leave it alone already.
5/25/2024	Against it. Want the pond to stay the way it is.	Why does the city suck so much?	Just leave it the way it is. The pond is a beloved spot in Hartley. The pond in Chester was removed. Fine. Leave the one in Hartley.	Don't change it. Leave it be. If a flood or something knocks it out like it did in Chester then don't repair it but don't change it just to change it.

Date	What are your thoughts regarding the proposed changes to Hartley Pond?	If the City moves forward with support for the project, what questions do you have about the project?	The proposed change includes decreasing the size of the Hartley Pond and moving it off the main channel of Tischer Creek or, potentially, not having a pond. Do you think a pond is a critical feature, even if it costs more to include in the project?	Do you have any concerns that you would hope the design process will address?
5/25/2024	I like it! Return it to a creek.	Can we build a trail along the creek instead of spending money to dig out another pond.	No. Please dont make a man made pond.	A bridge over the open bottom culvert for humans to pass over.
5/25/2024	I like this change!!	Mosquito management? How will mosquitos be mitigated with creating more wetland area? Or will the old pond not resort into wetlands.	I see the pond as critical but not to the river itself. I think it would be a good use of money to keep a small pond	Mosquitos
5/26/2024	Restore the stream channel to support the biodiversity of the water and protect the fish species that are not thriving under the current design.		No	I trust the experts that have put forward the proposals. I have read them and believe this to be the quickest/most effective option
5/26/2024	As a kid living in Woodland the Hartley pond was a place for us kids to go catch a few fish. Thanks to citizens like Buck Doran it was stocked with trout and we had a place we could walk or bike to and learn to fish. Please consider the affect of your plan will have on youth and there first steps to becoming life long sportsmen and women.	It's been messed up for years so please come up with a good plan.	The pond is critical to youth.	Mentioned above.
5/27/2024	I would prefer to keep a larger pond. I saw many animals there that need the larger open area.	What will be the impact on the wildlife living in the pond?	The pond is absolutely critical!	Keep the pond.
5/27/2024	I think it is terrible .	I believe that once the city moves forward our concerns won't matter	I think Hartley pond has been an important part of many people's and animals lives. I think it is a diamond in the ruff, there is not other place in this area like it.	Keeping the pond and not downsizing it. Try to refrain from turning Hartley into a MPLS metro style park. Try to reflect and take into consideration what is so unique about Hartley pond and what made it such an important part of so many peoples lives for so many before you change it.
5/27/2024	Love em!	How soon will it be in the finished state?	Not at all	Construction noise
5/27/2024	I support dam removal for the naturalizations of the water shed.	I would want specifics on cost and maintenance.	A pond is a critical feature. The otters, ducks, swans, and loons I have seen there rely on it.	The loss of areas to view ducks on the pond. The loss of areas for the students to sample water/net for aquatic life.

Date	What are your thoughts regarding the proposed changes to Hartley Pond?	If the City moves forward with support for the project, what questions do you have about the project?	The proposed change includes decreasing the size of the Hartley Pond and moving it off the main channel of Tischer Creek or, potentially, not having a pond. Do you think a pond is a critical feature, even if it costs more to include in the project?	Do you have any concerns that you would hope the design process will address?
5/27/2024	Hartley Lake Proposal. The study topic is miss leading- topic title should read. "Water drainage through Tisher creek to allow for development of the headwaters of the creek". The water flow in Tisher creek will be increased with future development occurs due to new buildings pavement. It appears that the city is interested in this project as a way to move water out of lands that are being and will be developed above Hartly Lakefield. Future development was very briefly discussed, but I felt that many of the people who attended the last meeting did not know what the issue is here. Most people would like to see an active trout stream. I am for stream reconstruction and construction of trout habitat. However, with no commitment to stock the stream, I see little value to the community as an attraction so that kids can learn to fish. Maybe that should be discussed by the Hartly nature center and			2141 Woodland Ave
5/27/2024	Love it.	None	No	No
5/27/2024	Keep the Pond		The Pond is a critical feature. Please keep the pond	
5/27/2024	It should remain as it is.	Why is this necessary.	The pond is critical to Hartley Nature center and all effort should be made to save it no matter the cost!	The work will destroy the enjoyment of Hartley nature center during the project.
5/27/2024	Support the changes, restore the stream	None	I don't support an artificial pond.	No
5/27/2024	Leave it as is			
5/27/2024	I'd be sad to see the pond go. I've seen so much wildlife using it. Swans, otter, ducks, etc. it's also wonderful in the winter when the kids are able to skate		Yes, I think the pond is a critical feature	
5/27/2024	I guess I don't entirely understand why the pond should be changed.	What is the environmental impact of the project (bringing in all the equipment, building a man-made structure, etc.) and how does that improve what is already happening?	I think the pond is more aesthetically appealing.	How will you do all of this construction while keeping a minimal environmental impact on the ecosystems that already exist there?
5/28/2024	It seems as it would be an ecological benefit to the animals who use this space, more than humans. From a recreational standpoint it would be sad to lose a nice pond to paddle on, but the benefits for our smaller friends would be greater. I would miss the body of water, for all the things that come with it, like when it freezes over, or seeing it in the fall.	Would there be a negative impact by reducing the size of the pond? That is my concern for any animals who are used to the way the environment is? I understand the need to make the stream colder for trout, are other animals affected?	I wouldn't use the term critical, but I would love to see some kind of pond remaining. If it is in the best interest of our smaller friends who live in this space, then I think we should return it to how it once was, it would be sad to lose a nice pond, but would be good to know it's making the lives of the animals better.	Ensuring current habitats are not destroyed.

Date	What are your thoughts regarding the proposed changes to Hartley Pond?	If the City moves forward with support for the project, what questions do you have about the project?	The proposed change includes decreasing the size of the Hartley Pond and moving it off the main channel of Tischer Creek or, potentially, not having a pond. Do you think a pond is a critical feature, even if it costs more to include in the project?	Do you have any concerns that you would hope the design process will address?
5/28/2024	Effects to wildlife in Hartley Park.	Will the city respect wildlife in the park?	Yes.	Will the contractors respect wildlife within the park?
5/28/2024	I like what was done with Chester's overhaul, but the pond does see a lot of activity as well. Ice, paddle, kids fishing, winter fat biking.	The cost/timeline. I think the citizens are maxed out on taxes in the last few years.	Critical, no, but it's a unique draw to the park.	Just transparency, phases/timelines of what would be closed or finished when.
5/28/2024	After reading the feasibility study, I feel that the proposed culvert is the second-best option. I'd prefer to see total dam removal, since it would come even closer to restoring natural conditions, but this seems like an acceptable compromise if the dam removal isn't logistically feasible. The environmental benefits of pond removal seem clear, and I think that they ought to take precedence here. It's a bit disappointing to see that the eyesore of a dam will remain, though.		I have a slight preference towards including a pond, but wouldn't consider it a critical feature. I appreciate the variety of animals that the pond draws in, but know that a restored stream will provide its own opportunities for wildlife.	
5/28/2024	The pond is damaging Brook trout and should be removed or disconnected from the creek	Will the design include considerations for extreme rain events?	Not critical for me, but I think Hartley nature center's input should be weighed very heavily	1. How to reestablish native riparian vegetation 2. Design for extreme events/ large rains
5/28/2024	I agree with making changes that will better support trout populations in Tischer Creek	What is the expected time frame for the project? Will stocking of brook trout resume?	I do not feel the pond is a critical feature. It is a nice feature but not a critical feature.	No
5/28/2024	My strongest preference is to restore it to its most natural state. Completely removing the concrete spillway would be ideal. A man-made (excavated) pond is not desirable.	How many boardwalks will eventually be built to/through this wetland?	No. I imagine that the Hartley Nature Center interests want the pond for their programming, but I do not think the larger citizenry of Duluth wants or needs an artificial pond.	I would hope that the project could include planting a lot tamarack trees in/around the wetland area.
5/28/2024	The pond is iconic but landscapes change. If a change in the pond is necessary for the overall ecological health of the park, provide good education to the public and move forward.	Are changes being made to support the ecological health of the park or to maximize access for users? I support the first above the latter.	Access to water is critical - but it doesn't have to be a pond. River or creek access is acceptable. However, if the demand for a pond feature is overwhelming and it can be financed and maintain a healthy ecosystem then fine.	I don't want to see further development of planned "play areas" like the yurt area. What is there is sufficient.
5/28/2024	The pond is an important and historic part of Hartley. The creek will not be pristine or healthy until it is rerouted from under Woodland Ave and the houses along its banks are removed.	Have the waterfowl been considered?	The pond should not be reduced in size	I would doubt that any of my concerns would be addressed
5/28/2024	The pond is pretty but it doesn't serve a purpose in Hartley. I would like to see Tischer restored as planned.	None at this time.	I don't think it is critical. As noted, I don't feel the pond serves a purpose at all. It's just scenery.	I hope considerations have been given to the downstream impacts of Tischer as it flows through the Hidden Valley neighborhood.
5/28/2024	I feel it's best to let nature run its natural course. I will miss the pond, but it is scenic more than anything else. I am happy with the proposed plan to restore Tischer.		I do not think it is critical. The pond is not really useful in any real way.	Optimizing the watershed.

Date	What are your thoughts regarding the proposed changes to Hartley Pond?	If the City moves forward with support for the project, what questions do you have about the project?	The proposed change includes decreasing the size of the Hartley Pond and moving it off the main channel of Tischer Creek or, potentially, not having a pond. Do you think a pond is a critical feature, even if it costs more to include in the project?	Do you have any concerns that you would hope the design process will address?
5/28/2024	The sooner the pond is gone the better. Scaling it down will only make things worse.	Will the culvert be large enough to allow sufficient flow? Will concern for the homes downstream mean that the area will be flooded (and the stream warmed) periodically? And why wasn't the same consideration given to those living downstream of the Bluestone development on Oregon Creek (That would be me.)?	The pond should be taken out and not restored. It is useless as wildlife habitat and is not aesthetically pleasing.	My main concern is that designers will give in to some kind of pond remaining, which would end up being a big mistake. Taking that slimy pond out of Chester Bowl was the best thing that happened there.
5/28/2024	Part of me is sad to think of the pond being gone, but another part knows it would be more beneficial to return the area to its original state.	How long would it take, what would be the noise levels, and if there's enough funding	Yes.	Will this project temporarily pollute tischer?
5/28/2024	If there is a negative environmental influence currently then make them	How soon can it be done? Does city pay or is the fed govt pay?	No not critical. Allow fishing in the stream.	Don't disturb area around pond currently leave a small pond still.
5/28/2024		If you do remove the dam, will you allow the beavers to be beavers? They are a natural part of the ecosystem, or kill them like the last beaver that set up shop on Tischer in Hartley?		609 E 9th St
5/28/2024	Great and long overdue.	The stream route will be original channel?	No pond necessary	cooling of Tischer creek is important
5/29/2024	Something needs to change...the water's too warm to support fish, and I was alarmed to read about the E. coli throughout our neighborhood part of Tischer Creek.	What will the effects be down stream through the neighborhoods? Will it be more prone to flood?	I think the pond is a nice amenity to Hartley and resource for the nature center, but would want to see actual numbers for assess if keeping a pond is worth the costs. I also wonder if the pond is smaller, would it get even warmer and then not even be a body of water that could support a healthy ecosystem.	How will water flow change down stream if the old stream channel is reestablished?
5/29/2024	I'm not a fan of the side-pond design. It will create stagnant hot water for the stream, and will be a mess of weeds in 5-10 years. I would recommend creating a much deeper and wider wide stream channel than what is proposed. I would like the banks for my idea of the stream with significant investment in tree and brush cover to assure shade and maintain cool waters. I would line the bottom of sections of the new stream bed with rock that promotes trout spawning habitat.	The width of my proposed stream, if done creatively could accommodate a forested stream canoeing experience, rather than pond paddling experience we have today. I would also design several new hiking path access points along this new stream. The outcome-experience I envision can be likened to more of a bajou scene with overhanging cedar/willow, ash shade trees lining the new stream. This design is a once in a lifetime opportunity to greatly increase trout spawning habitat cool waters, and yet build environmental experiences and educational programs into the design.	See notes above.	Lengthen the outflow run so trout can navigate upstream and down, without compromising depth of my proposed new stream design.
5/29/2024	Terrible concept.		The pond is unquestionably a critical feature	
5/29/2024	If it maintains/improves trout habitat I'm all for it.	Will there still be a small pond for skating?	Yes	Access to the new pond to allow periodical digging out to prevent silting up.

Date	What are your thoughts regarding the proposed changes to Hartley Pond?	If the City moves forward with support for the project, what questions do you have about the project?	The proposed change includes decreasing the size of the Hartley Pond and moving it off the main channel of Tischer Creek or, potentially, not having a pond. Do you think a pond is a critical feature, even if it costs more to include in the project?	Do you have any concerns that you would hope the design process will address?
5/29/2024	Would miss the big pond.	Will the drained area just be muddy wet swamp for breeding mosquitos?	Yes the pond is what keeps it from just seeming like more swamp land and creates more interesting waterfowl options, and the canoeing option is nice. You can't *really* canoe in Bagley. Would miss the larger pond.	
5/29/2024	I think the natural habitat should be restored.	I think the health of the stream and the natural habitat for the wildlife who live there is more important than the people who visit.	no	Do what is best for the wildlife and the natural habitat.
5/29/2024	Let's do it! The smaller pond would be great for the unofficial Hartley Pond Hockey league, and we have no shortage of great skating facilities as is.	Do it	Not critical, but fun to have.	
5/29/2024	I don't want the pond to be drained, it's nice to hike, bike close to it. It's stunning to look across it seeing ducks and song birds. Plus the sunsets on the water are incredible. With the Chester pond gone Hartley pond needs to stay so the public can enjoy a pond.	Why? What is the reason to remove it? Is taking this resource away from the public just for better fishing? Is the DNR requiring the City to remove it? Is the DNR only concerned with their mission and not what the residents want or need.	The pond is definitely a critical feature, it's has a long history with the public enjoying it. It needs to stay for the younger generations to enjoy.	The design need to ensure the pond stays as it is.
5/29/2024	Prefer the area stays as is. If you plan to restore fish migration to its original form then also should remove all non original native vegetation including Birch, Red Pine, Cottonwood etc. The plan is idealistic and you will further disrupt this place in the park.		Yes, retain the pond for educational purposes and biodiversity.	
5/29/2024	Why are we doing this?	Why is this needed?	Yes, it is a beautiful feature of Hartley and we'll loved. Ice fishing and previously the ability to rent and use small water crafts.	Explain better. This overview included here doesn't state the why. Why is this needed. What happens if we don't, etc
5/29/2024	Interesting - I like the bigger size of the pond, but also want a healthy ecosystem.	I'd be curious to know the advantages of making the changes or the disadvantages of what it's currently doing.	The pond is pretty nice! It provides habitat for turtles and birds and probably some other life, and I'd be curious how returning it to an earlier state would impact that life. I know they have some canoe based education on the pond as well, and that it's a big draw for the kiddos in the nature program.	Yes, I'd like more elaboration on the benefits and drawbacks both to the current situation and the restoration scenario.

Date	What are your thoughts regarding the proposed changes to Hartley Pond?	If the City moves forward with support for the project, what questions do you have about the project?	The proposed change includes decreasing the size of the Hartley Pond and moving it off the main channel of Tischer Creek or, potentially, not having a pond. Do you think a pond is a critical feature, even if it costs more to include in the project?	Do you have any concerns that you would hope the design process will address?
5/29/2024	My initial thought is the pond has to stay, it's always been there and aesthetically it just seems right. But, honestly, I have never "used" the pond. (as a side note, I use Hartley 2-3 times a week year round) I have read most of the FS and I understand the downfalls of having a pond. I guess if a re-route of Tischer Creek is going to happen, I would like to see a smaller pond constructed. I have questions about the water level in a new pond and how it would be fed? *natural springs? Would it go dry in summer as recent years seem to have less rain fall. What would it take to get the trout population back throughout the creek? I honestly have never talked to someone who has caught or has seen trout in the creek. It would be nice to see the population grow.	Frist, who will pay for it? Secondly, I have read the studies and I am concerned for the residents along the Tischer Creek neighborhoods during heavy rainfall. With the changes proposed, especially with dam removal, what are the plans for those homes? They will flood.	See number 1. I do like the aesthetics of having a pond. Even if it's a smaller one, I would like to see one.	Flooding in neighborhoods below Hartley Park.
5/29/2024	It is good. I can walk to the end of my block and enter Hartley Park, which I have done frequently for 40 years. I will miss the pond but I understand the reasons.	I hope the updates will be on the website.	I'd like a small pond, if possible. I like the aesthetics, the otters, beavers, herons, turtles, ducks, frogs, swans, etc. I would miss that very much. Perhaps some of these would still be around in the creek.	I hope the otters don't get too disrupted and leave.
5/29/2024	Remove the damn and restore the stream	None	Let experts on water quality decide	Concerns that uninformed opinions will dictate the result and not the best science
5/30/2024	I think it's a great idea! It's clear that the stream structure wants to exist within the pond as it is right now, and should be beneficial to the trout population and local water quality. I also feel like this could improve storm water management by allowing a nature wetland/floodplain to exist, rather than a static body of water. I don't feel the need for the additional pond, but I know that's important to some groups and programs. Getting rid of the dam is a great idea. This dam is technically classified as a high hazard dam because of the damage it could inflict on downstream residences should it break.	I'm curious to see results of water quality/temperature afterward the project is completed. I went to public listening sessions and don't have too many more questions. I think this is a great idea.	I don't think the pond is a critical feature, but I can understand how it may be missed by some.	I'd love to see reintroduction of native species and maybe some removal of buckthorn using these funds, but I don't know if that's possible.

Date	What are your thoughts regarding the proposed changes to Hartley Pond?	If the City moves forward with support for the project, what questions do you have about the project?	The proposed change includes decreasing the size of the Hartley Pond and moving it off the main channel of Tischer Creek or, potentially, not having a pond. Do you think a pond is a critical feature, even if it costs more to include in the project?	Do you have any concerns that you would hope the design process will address?
5/30/2024	I believe a flood control structure to maintain consistent flow throughout the system is valuable. I recognize water temperature is likely increased in the holding pond but if water is released through a structure allowing release from cooler strata then a viable reproductive brook trout population may be possible in the lower reaches of the creek.		Critical given historical context and in control of flooding risk.	See above
5/30/2024	Great idea as the pond is filling up with algae and mud	What impacts will this have on trail access if at all	I do not	
5/30/2024	I would be sad to see the pond go.		I find it to be an attractive element that brings me back to the park.	
5/30/2024	I would definitely like to keep Hartley pond in its current size, realizing it would take considerable remediation. I have hiked in Hartley for 50 years and have just recently seen an increase in the variety of waterfowl. Trumpeter Swans, Great Blue Heron and Osprey.	Will the pond need to be dredged to remain stable?	Yes, it is a critical feature. As a photographer it is often the place I go first, including the night of peak northern lights.	Keeping the pond healthy
5/31/2024	We should do whatever we can to provide a good and healthy ecosystem there.		No, especially if the ecosystem is bad. If the scientists think it can be healthy then ok.	

Hartley Pond and Tischer Creek Feasibility Study
Public Comments Received Between November 1, 2023 - May 31, 2024

Date of Submission	Comment
11/19/2023	<p>My wife and I enter Hartley Park on a daily basis, and our activities range from ice skating or on a few occasions canoeing on the pond, to walking, jogging, biking, skiing and snowshoeing near the pond. I often snowshoe and ski on the pond, and see lots of other folks skating, skiing, snowshoeing or just playing on the pond. There is something aesthetically pleasing about a stretch of open water, and reflections of sky and surrounding vegetation. Removing the pond will eliminate this visual resource. I honestly think the recreational value of these Hartley Pond activities that many engage in outweighs DNR's desire to promote brook trout habitat. I have never in my 50 years of traveling the park seen a person fishing for brookies either upstream or downstream of the pond. But I have seen lots of folks fishing from the shore or the do at the pond. If DNR seeks to promote fishing, it would appear that doing nothing is a viable option, even if there is no population of brookies in the pond. In this era of climate change, the creek has become almost intermittent. Last May, June and July in a more and more frequent example, an extended drought brought creek flow very near zero, and unable to maintain a viable brook trout population. Please think about more than trout, and consider recreational users that are always drawn to the pond, just to look, or to otherwise interact with the pond.</p>
11/19/2023	<p>Harley Pond is an asset to the park & city. Dam failure is not a valid argument. The design of the emergency overflow protects the dam. It just needs to be maintained by the city (periodic removal of trees & shrubs overflow). Review the plans in the City Engineers office - designed by Bill Bennet of LHB Engineers.</p>
11/20/2023	<p>Just wanted you to know where I stand on the Hartley Pond issue. I'm with you and the DNR on removing the pond to restore Tischer Creek, or some alternative plan that might preserve the pond and reroute the creek. I would certainly miss the pond -- on early morning walks, letting Nellie go for a cool-down swim during a hike or run, standing on the dam and watching a squadron of Canada geese on final approach on a September evening, seeing a pair of nesting swans far down the lake in spring. I have spent quite a few early winter nights skiing on the frozen pond in repeated circles when the trails weren't quite ready yet. I love seeing a gaggle of pre-teens casting from the little dock, even though I know they're mostly catching chub. They're having fun.</p> <p>I'm sure it won't be an easy sell convincing Hartley lovers that it's best to get rid of the pond or somehow a work-around. It is a magnet within the park, a destination. Good luck as you move forward with that proposal.</p>
11/20/2023	<p>I cannot attend the Tuesday night meeting at Hartley regarding the dam, pond and Tischer Creek. There is a conflict in time with the Arrowhead Fly Fishers meeting - every third Tuesday of the month - and I need to be there to help lead the meeting.</p> <p>My support goes toward elimination of the dam, creating flood plains, and allowing the creek to naturally flow. So many dams were put in a hundred years ago - only to find they are a detriment to fish that depend on cool waters for their very breath and well-being, along with the areas that surround them.</p> <p>In addition, since it is considered an endangered dam, now is the time to take it out so that future heavy rains or floods don't put people, infrastructure and homes at risk. These so-called '100 year events' are happening on a more frequent basis due to climate change.</p> <p>Thank you for considering my opinion.</p>

11/19/2023	<p>I am writing to share my view on the situation at the Hartley Nature Center Pond. After reading the article about the options for change there, I am in favor of connecting the cool water that flows above and below the pond to allow improved conditions for the designated trout stream. I'm one who has had her dog swim in the pond over the years, so I would miss that, but it is more important to improve water conditions for already threatened species.</p> <p>Thank you for considering my view.</p>
11/21/2023	<p>I have been a resident of West Anoka Street in Duluth for over thirty years. I believe Hartley Park and Hartley Pond are an incredibly valuable recreational resource for our community. It is essential to preserve Hartley Pond for recreational use by PEOPLE (meaning children of all ages). The Pond has been neglected, but it can certainly be dredged, reshaped and resized as needed for the benefit of wildlife as well as people. Money is always a factor, but it should not control the decision on the use of this crucial resource. I want to paddle canoe on Hartley Pond to watch the waterfowl and not get my paddle stuck in the mud!</p>
11/23/2023	<p>I am writing in support of removing the dam at Hartley to increase the health of Tischer Creek for trout habitat. The study shows clearly a dam in poor and hazardous condition, a pond in declining quality and, most importantly, the ways in which a man-made dam has impaired trout habitat and populations. Numbers don't lie. Higher water temperatures above the pond mean less trout. Maintaining the health of an urban stream is a challenge. Taking out a man-made dam to improve trout habitat is a clear solution. We encroach every day on the wildlife of our unique city. Taking out the dam rights a wrong of such encroachment over 100 years ago.</p>
3/8/2024	<p>Arrowhead Fly Fishers Letter</p>
3/25/2024	<p>Hartley Nature Center Position Statement</p>
5/1/2024	<p>I completely agree with the Hartley Nature Center's position statement and would like to advocate for the removal of the in-line impoundment of Tischer Creek at Hartley Pond. It's crucial to understand the long term implications of preserving and maintaining this unnatural impoundment within Duluth's Hartley Natural Area. Hartley Pond completely interrupts sustainable ecosystem processes, causing significant ecological harm by degrading water quality in a stream that has the potential to be one of the highest-quality trout streams in the city. The pond warms the water, interrupts the natural flow of sediment, completely blocks upstream migration, and is rapidly filling in. A multitude of studies from natural resource agencies have underscored these negative impacts. It is essential to prioritize the restoration of natural processes that would sustain ecosystem services that Tischer Creek provides to the citizens of Duluth. I acknowledge that the current pond provides value – namely to attenuate flooding and as a recreational open-water resource for the community – and I respect the desires of others to maintain these values. Alternative 4a (Open-bottom Culvert with Pond) is a good interim compromise that has been shown to be feasible and will sustainably satisfy the goals of the entire community.</p>
5/5/2024	<p>I am writing in support of removing the Hartley dam and reconnecting Tischer Creek without a pond option. I used to volunteer at Hartley summer camps, one of them being a canoe camp where we took kids canoeing on the pond. We spent about a half hour on the pond before the kids grew tired of it. The rest of the week we spent canoeing elsewhere around town, including the St. Louis River. As a Hartley intern in the winter, I helped set up an ice fishing event for families. We had an underwater camera and a hole in the ice for every family, but we never saw a fish or got a bite. In an ice fishing camp, we took kids to Rice Lake rather than Hartley Pond because staff knew there weren't fish. We have so many amazing options in this region to canoe and fish, investing time and money to dredge a pond deep enough to maintain a fishery and a navigable pond isn't a good use of our City's natural resource budget, especially when the pond is negatively impacting a native fishery. I am also excited about the recreational and educational opportunities for kids to learn to fly fish and learn about a large scale restoration project.</p>

5/14/2024	We are very much interested in an enhanced brook trout fishery. However, Tischer Creek crosses both St. Andrews St. and Oxford St. near our home on Harvard Ave. and we are concerned about any increased possibility of flooding. Tischer Creek overflows it's banks regularly during the spring snowmelt and after a heavy rain. The storm sewer runs very slow during these periods. Currently, homes situated near the cree regularly have flooded basements. If the possibility of flooding can be mitigated, we are all for eliminating the pond
5/27/2024	The 4A plan seems like the best option. I am a member of the Woodcrest Home Owners Association that owns property on both sides of the creek adjacent to Columbus Avenue. The HOA is concerned that the stone bridge that crosses the creek on our property may experience accelerated washout of the footings i there is increased flow because of the plan proposed. If the bridge collapses would we get any assistance clearing the bridge debris and constructing a new bridge? Another concern is bank erosion just beyond th bridge where the creek make a sharp left turn. Would it be possible to have a look at this and possibly address this problem with us?



March 7, 2024

TO: Kate Kubiak, Nat. Res. Coordinator, 411 W 1st St. Duluth, MN 55802
John Lindgren, MN DNR, 5351 North Shore Drive, Duluth, MN 55804

RE: Proposal for Tischer Creek/Hartley Dam removal and Trout Restoration

The Arrowhead Fly Fishers (AFF), an affiliate chapter of Fly Fishers International (FFI), is writing to express support for a proposal to restore Tischer Creek to natural channel flow in Hartley Park. The designated trout stream is negatively impacted by the pond formed by the Hartley dam structure. The dam and pond are aged and deteriorating, leading to sediment accumulation and pose a risk of failure. Additionally, the pond and dam elevate the temperature of the creek and restrict movement of fish and aquatic species, adversely affecting access to seasonal habitat for naturally reproducing brook trout.


Tischer Creek watershed is supported by various cold-water springs that help maintain water temperatures throughout the summer which are amenable to the growth and survival of brook trout. The overgrown pond has lost its appeal for recreational activities and no longer offers viable fishing opportunities.

The proposed project will enhance Tischer Creek by removing the dam, thereby reducing water temperatures and restoring approximately 1700 feet of stream connectivity and acres of degraded habitat on public property. Smaller off-channel ponds will be constructed for uses such as teaching tools for natural habitats in separate smaller frog/duck ponds away from the natural channel reconstruction. The proposed project also promises storm flood protection for a 100-year event and downstream flow, equivalent to the existing dam.

The funding opportunity to get this project done exists now and may not last. The restored reach will be accessible to the public, will help to sustain a cold-water fishery, and enhance the local environment for citizens young and old of Duluth to enjoy into the future. This project would protect downstream areas and complement the recent similar and excellent Chester Bowl dam removal project. Do not lose the moment.

The mission of FFI through its various chapters such as AFF is to protect and care for rivers and streams so our children can experience the joy of all fishes including wild and native brook trout. We recognize the challenges our native brook trout face and we hope that restoration efforts such as this will provide improved habitat to help these fish thrive in their native environment.

Sincerely,


Claudia Berguson (President AFF)
cberguson@gmail.com


Peder Yurista (Conservation & Education AFF)
woollybugger@charter.net

Position Statement

Regarding Alternatives Identified During the Hartley Pond and Dam Feasibility Study by GEI Consultants, Inc

March 25, 2024

Summary:

Hartley Nature Center (HNC) fully supports pursuing Alternative 3: Dam Removal to restore the ecological and hydrologic functioning of Tischer Creek within the Hartley Natural Area. HNC supports, with qualifications, further consideration of Alternative 4: Open Bottom Culvert as an interim solution worth pursuing if Alternative 3 is not selected. HNC does not support Alternative 1: No Action or Alternative 2: Stream Route Around.

Justification:

Hartley Pond and the dam are within the area designated by the City of Duluth as the Hartley Natural Area. This natural area was designated as part of the Duluth Natural Areas Program (DNAP), a program developed to designate and permanently protect lands with environmental value as natural places. Criteria for natural area designation include plant and animal communities, habitat for special species, natural water features, important bird habitat areas, and geologic landforms. The Hartley Natural Area Management plan, developed as a required element of the DNAP, identifies negative ecological impacts related to the dam and the impoundment. Additionally, several agencies and planning efforts have identified negative ecological impacts from the dam and pond including the State of Minnesota Department of Natural Resources (MNDNR) in the Tischer Creek Management Plan, the South St. Louis Soil and Water Conservation District (SWCD) in their 2016/17 Tischer Creek Stream Assessment, and MPCA in the 2018 Draft Duluth Urban Area Watershed Restoration and Protection report. The South St. Louis SWCD also identified a need to conduct riparian restoration downstream of Hartley Pond. The Hartley Master Plan calls for the City to conduct a feasibility study to assess preservation of Hartley Pond and restoration of Tischer Creek.

A feasibility study was commissioned by the MNDNR and completed by GEI Consultants, Inc. (GEI) to evaluate specific future conditions intended to eliminate the negative impacts of warm water outflow from Hartley Pond and the migration and sediment barrier of Hartley Dam on the cold-water brook trout resources of Tischer Creek in Duluth, Minnesota. The feasibility study included consideration of changes in flood risk downstream of the dam at the request of the City of Duluth.

Alternatives evaluated include:

1. No action.
2. Stream route around (leaving the dam in place and continuing to use it for peak flow mitigation).

3. Dam removal.
4. Open-bottom culvert through the dam embankment.

HNC notes that in the current condition, the dam and pond are significant artificial barriers to fish passage and stream sediment transport. Continued presence of the dam and pond within Hartley Natural Area significantly limits the options available for ecological restoration of Tischer Creek and the adjacent riparian flood plain, wetlands, and forests. Additionally, HNC recognizes that cost assessments for dam repair and replacement, as well as required maintenance of the pond, for both flood mitigation and recreational and scenic values, are beyond the scope of the feasibility study. However, it is important to note that these costs are not insignificant, and it is unlikely that external funding sources will be readily available to help support the City when they arise over regular intervals in the future.

HNC supports full removal of the dam and pond with restoration of Tischer Creek in its natural stream channel. We believe that this alternative will protect the cold-water stream and native trout population while also meeting the intent of the Duluth Natural Area Program and the 2014 Hartley Park Master Plan. We also believe that this approach is the most cost-effective alternative over the long term. It eliminates future costs associated with dam repair and replacement, pond dredging and maintenance, and the potential for a catastrophic failure of a high hazard dam. To implement this alternative, without increasing flood risk to residents downstream, work outside of the Hartley Natural Area would be required. Projects in the watershed have been identified by partners that would reduce peak flows and downstream flood risk. Though the time needed to accomplish this work would be significant, HNC supports these ongoing efforts and recommends implementation of the watershed management strategies aimed at these mitigation efforts. Work by partners has identified other strategies throughout the watershed to reduce peak flows and downstream flood risk. HNC supports these ongoing efforts and recommends implementation of the watershed management strategies aimed at replacing undersized culverts, re-meandering ditched stream reaches, and restoring a more natural hydrology to Tischer Creek. These strategies will be critical to reduce peak flows that may pose flood risks during high flow events. Watershed-wide strategies of stream restoration and appropriate stormwater management mitigate peak flows without the negative environmental effects of the existing dam.

Specifically, HNC encourages the following:

1. Additional flood risk studies on properties below the dam to determine actual increased flood risk and potential damage to downstream properties, and
2. Further exploration of re-meandering ditch 14 above the dam to determine how to lessen flood risk downstream, and
3. Assessment and replacement of undersized culverts that create flood conditions by failing to pass a sufficient volume of water during high-flow events.
4. If other flood mitigation strategies don't achieve the desired results, the City could explore strategic acquisition of properties with the highest potential to store peak flows.

Because of the time and cost involved in restoring Tischer Creek's hydrology, HNC supports, with qualification, Alternative 4: Open Bottom Culvert as an interim strategy. This alternative provides critical and immediate mitigation of the negative ecological impact of heated water from the impoundment that creates lethal conditions for cold water dependent aquatic organisms including trout. This outcome is worth pursuing immediately. However, it does not remove the artificial conditions of the concrete spillway and earthen dike in the City's Natural Area and limits full ecological restoration of the stream. Implementing Alternative 4 as a strategy to mitigate flood risk until watershed management strategies can restore a more natural hydrology and mitigate peak flows is a reasonable interim step which will facilitate full dam removal in the future.

Recreation, Environmental Education, Aesthetics

Several recreational and educational activities occur on or near Hartley Pond, and the pond holds some aesthetic values. These activities, although already impacted by sedimentation and poor water quality, include bird watching, environmental education classes, fishing in a low quality fishery, canoeing/kayaking, swimming, ice skating, and dog-swimming. In the No Action (Alternative 1) and the Stream Route Around (Alternative 2) alternatives, pond-related recreation and aesthetics will continue to degrade as sedimentation shallows the pond. Additionally, Alternative 1 has significant negative implications for the naturally occurring cold-water fish habitat and existing ecological restoration goals. Alternatives 3 and 4 enhance stream-related aesthetics, recreation, and environmental education opportunities, such as trout fishing, rock-hopping and other forms of stream play, stream studies and other forms of environmental education classes, and wildlife viewing that is associated with stream habitats. Full stream restoration would provide other educational opportunities for the public and would serve as a demonstration site for the public broadly related to stream restoration projects and their associated benefits.

References:

City of Duluth. 2014. [Hartley Park Master Plan](#).

City of Duluth Ordinances, [Article XXIX. Duluth Natural Areas Program](#).

[Hartley Natural Area Management Plan](#)

[Hartley Pond and Dam Feasibility Study - Draft](#)

MNDNR. 2010 Tischer Creek Management Plan

MPCA, 2018. Draft Duluth Urban Area Watershed Restoration and Protection Report

South St. Louis Soil and Water Conservation District. 2016/17. Tischer Creek Stream Assessment

For brook trout, best Hartley Park option removes dam and pond

The city has concerns over flooding and lost recreation, but biologists want Tischer Creek free-flowing for fish.



John Lindgren, a Minnesota Department of Natural Resources fisheries biologist, stands on the walkway over the Hartley Pond dam that blocks Tischer Creek in Duluth's Hartley Park on Nov. 2. Lindgren and others say the best option for trout in the stream is to remove the dam and pond and reopen access to the entire the creek. Dan Williamson / Duluth Media Group



By **John Myers**

November 17, 2023 at 12:00 PM

DULUTH — Decision time is approaching for city officials on what to do with the 11-acre pond and the dam that created it in Duluth's popular Hartley Park.

The century-old dam and pond hold back a portion of Tischer Creek, a state-designated trout stream, and damage the stream by sending warmer, siltier water downstream.

Trout thrive in stretches of Tischer Creek away from the dam, but warmer water near the dam keeps them mostly out of that area, and the dam blocks their access to upstream cold-water springs.



Hartley Pond at Hartley Nature Center in Duluth. Dan Williamson / Duluth Media Group

Meanwhile, the pond itself is filling up with mud and weeds, too warm and shallow now to support many fish. And there's an issue of potential flooding downstream if a big rainstorm or other event ever caused the dam to fail.

"Doing nothing isn't an option, really, because the pond is rapidly becoming a stink-hole," said John Lindgren, a DNR fisheries biologist who is helping the city work through a study on options for the pond.

The DNR contracted with an engineering firm to look at multiple options to resolve the situation. While a do-nothing option is also still in the mix, Lindgren said two options have risen to the top:

- Removing the dam and pond entirely and recreating a natural, meandering stream bed with a wide, terraced floodplain. That removes the source of warm water and silt and reconnects the upper and lower stretches of the stream. As part of this option, the project likely would include digging a smaller pond, not connected to the creek, near where the current pond is located.
- Re-routing Tischer Creek around the pond, probably along the north side, and bypassing the dam. This option would allow fish to swim upstream unimpeded but would still keep the dam and pond in place. Lindgren said this is likely the most expensive option at well over \$1 million

Two other options — creating a rock rapids in place of the dam and pond, and pumping cooler water from deeper in the pond downstream, with the dam still in place — have essentially been set aside because they didn't resolve major issues or weren't practical, Lindgren said.



John Lindgren, principal planner of fisheries for the Minnesota Department of Natural Resources, right, gestures toward Hartley Pond while Jim Filby Williams, Duluth's director of parks, city properties and libraries, looks on. Dan Williamson / Duluth Media Group

Throughout 2023, city officials have been soliciting residents to weigh in on the future of the dam and pond. A third and final public informational meeting on the issue is set for Tuesday at the Hartley Nature Center.

City officials are taking a wait-and-see approach until the final engineering report is finished in the coming weeks. Officials note that the pond is well-loved by many Hartley Park visitors for fishing, dog swimming and just the aesthetic value of still water for watching ducks, geese and sunsets.

What do you think?

Weigh in below on the proposals for Hartley Park.

[Be the First to Comment](#)

The Hartley Nature Center’s stewardship committee, its board of directors and the city's Parks Commission are expected to make advisory recommendations, with the Duluth City Council making the final decision on any action expected sometime early in 2024. Assuming state and federal conservation grants can be secured, construction could begin in 2025 or 2026, Lindgren noted.



Brook trout like this one thrive in parts of Tischer Creek in Duluth, but not near the Hartley Park dam and pond, which send warmer water downstream that trout avoid. Sam Cook / 2010 file / Duluth Media Group

But city officials say they won't support any option substantially increasing flood risks downstream. The dam and pond currently serve to slow the rush of water during heavy rain events.

“We’re not going to support anything that doesn’t offer the same level of flood mitigation that we currently have for downstream property owners,” said Jim Filby-Williams, director of public administration for the city.



Hartley Pond as seen Nov. 7. Dan Williamson / Duluth Media Group

Still, Filby-Wiliams also noted that doing nothing means less recreation, less aesthetic value and less access as the pond is rapidly overtaken with mud and weeds and continues to send warm water down Tischer Creek.

"All of the values people enjoy here are diminished at an increased pace as this process fills in the pond," he said. "A non-decision, or a no-action decision, is a lose, lose, lose for all of the interests involved."

Tom O'Rourke, executive director of the Hartley Nature Center, the nonprofit that runs programming at the park, said the pond has been an element of the center's educational operations but that environmental restoration is also a cornerstone of the program.

"We currently use the pond ... for classes on pond study, but we also conduct stream-study classes along Tischer Creek," O'Rourke noted. "Hartley Nature Center has long been involved in and supportive of ecological restoration in Hartley Park. Thankfully, environmental education is highly adaptable, so we can imagine a host of educational and recreational opportunities that would be available with a restored Tischer Creek."



Tischer Creek flows from the Hartley Pond Dam. Dan Williamson / Duluth Media Group

Controlling high-water events

Lindgren said preliminary engineering reports show that a re-meandered stream where the pond currently is — with terraced floodplain levels and earthen “speed bumps” to slow water flows during floods — could store nearly the same amount of water during heavy rain events as the pond currently does, effectively mitigating downstream flooding.

So far, the city isn’t taking sides on the issue. Lindgren, however, clarifies that DNR fisheries experts and trout anglers want the stream to run free.

“We want to see the connectivity of the stream from above and below the dam,” he said, noting brook trout could swim and thrive another 2-3 miles upstream if the dam is removed.

Deserae Hendrickson, a Duluth-area fisheries supervisor for the DNR, agreed.

“Dams can result in elimination of trout and other fish species by blocking access to critical habitats. ... Most fish do not spend all their lives in one location and need access to very specific habitats or stream conditions to survive and reproduce,” she said, noting it is especially important for trout to find cool water — springs, shade or both — during warm weather periods. “The Hartley dam results in a reach of very hot water downstream due to the warming of water as it sits in the pond exposed to sunlight. This makes it difficult for fish to live year-round in these areas and stresses trout for the entire rest of the stream length.”

A small tributary to Tischer Creek, just downstream of the dam and pond, named Tributary 7, was cleared of obstacles and rehabilitated in 2021 by the South St. Louis County Soil and Water Conservation District, Lindgren noted. Within weeks, he said, brook trout were once again swimming up the tiny stream to spawn near cold water springs.

“They will find the cold water if they can get access,” Lindgren noted.



Tischer Creek flowing from the Hartley Pond Dam. Dan Williamson / Duluth Media Group

So far, Lindgren said, most input from the public has been in favor of the trout and removing the dam and pond.

“The city (administration) is really concerned that there is a lot of support for the pond. But, after two meetings, we just haven’t heard from those people. We need to hear from them now,” Lindgren said. “If people are really excited about keeping a pond, they need to show up at that meeting.”

The city owns and controls the dam, but the state fronted the \$125,000 to conduct a study on options for the pond and dam. The state also has contributed another \$160,000 for “resiliency” projects on the Tischer Creek watershed, including removing culverts and other obstructions.

If dam failed, damage potential high

Officials note the dam is in relatively good shape and helps reduce surges of water downstream by storing large rain events in the pond. But long-term dam safety also is an issue.

Lindgren said the DNR classifies the dam in the most dangerous category if it fails. The potential exists for millions of gallons of water and silt to rush downstream if the dam were to give way, potentially taking out homes, bridges and streets along the way.

Hartley dam is classified as a “high hazard, Class-1” dam by the state, meaning failure of the dam would probably result in “loss of life or serious hazard, damage to health, main highways, high-value industrial or commercial properties, major public utilities or serious direct or indirect economic loss to the public.” Only 3% of dams in the state are classified as high hazard.

Dams coming off streams nationwide

The issue of human-made dams restricting fish passage has become a global cause in recent decades, with dozens of projects across the U.S. to remove dams and re-open fish passage. In one of the largest dam removal projects ever, four large dams along the Klamath River, which runs from Oregon into northwestern California, are currently being removed to restore salmon fisheries.

In Minnesota, the DNR in recent years removed dams blocking the Willow River and Kettle River and is currently making plans to remove the Grindstone Dam in Hinckley on the Grindstone River — all aimed at allowing fish to access more miles of stream.

The Hartley Park debate somewhat parallels the situation in Duluth's Chester Bowl Park after the 2012 flood destroyed a dam and pond there. But the flood actually made the decision easier: While some park users wanted the dams and pond restored, the DNR refused to allow new dams to be built.

Now, after a major stream restoration project, Chester Creek runs clearer and colder and is more hospitable to fish, allowing free passage upstream. Even during recent heavy rainstorms, the creek remained within a newly designed high-water flood plain. There seems to have been little or no major problem for park users, except maybe the loss of a small place for summer campers to canoe and kayak.

Hartley history

Hartley Pond is a human-made impoundment of Tischer Creek created in the 1920s by Mr. Cavour Hartley for a duck and goose sanctuary on his property, which was mostly fields at the time. In the 1930s Hartley's property became tax delinquent, eventually reverting to the city and becoming Hartley Park. Various civic groups planted trees on the property.

During flooding in August and September 1972, 30-40 feet of the earthen dam washed out. In 1974, the dam was rebuilt after pressure from the Woodland Community Club and downstream property owners.

In 1980 there was a dam safety inspection that noted several areas of cracking of the wing walls, leading to repairs in 1985.

If you go

What: Final informational meeting on the future of the Hartley Park dam and pond on Tischer Creek.

When: Tuesday, Nov. 21, from 6-7:30 p.m.

Where: Hartley Nature Center, 3001 Woodland Ave., Duluth

More information and an option to comment are available

at duluthmn.gov/parks/parks-planning/progress-in-the-parks/hartley-pond-tischer-creek-feasibility-study.