M.L. 2017 Project Abstract For the Period Ending June 30, 2023

PROJECT TITLE: Tower Trailhead and Habitat Improvement
PROJECT MANAGER: Nancy Larson, Grants Manager
AFFILIATION: City of Tower
MAILING ADDRESS: PO Box 576
CITY/STATE/ZIP: Tower, MN 55790
PHONE: 218.753.4070
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WEBSITE: www.cityoftower.com
FUNDING SOURCE: Environment and Natural Resources Trust Fund
LEGAL CITATION: M.L. 2017, Chp. 96, Sec. 2, Subd. 09h as extended by M.L. 2020, First Special Session, Chp. 4, Sec. 2 as amended and extended by M.L. 2021, First Special Session, Chp. 6, Art. 5, Sec. 3, Subd. h

APPROPRIATION AMOUNT: \$600,000 AMOUNT SPENT: \$600,000 AMOUNT REMAINING: \$0

Sound bite of Project Outcomes and Results

Construction of a trailhead and kiosk, a connecting trail to the Mesabi Trail, and an accessible kayak launch, plus natural habitat development will connect existing recreational and natural resource assets on the East Two River waterway to Lake Vermilion and enhance the outdoor recreation experience for multiple users in northeast Minnesota.

Overall Project Outcome and Results

A kayak trailhead with 7,650 square foot parking lot, located at the East Two River and West Two River waterway to Lake Vermilion, is complete. Users will be able to enjoy wetlands and unique environmental, ecological and geological characteristics of the harbor.

The connecting trail to the Mesabi Trail was completed along Tower's Main Street access road. It connects the Mesabi Trail with the city trail to Hoodoo Point, then connects with the Soudan trail to McKinley Park. It then extends to the Lake Vermilion State Park trail connecting to the Mesabi Trail to Ely. The second connection is along Tower's old Main Street access road across the Highway 169 crosswalk, which connects Mesabi Trail at Pine Street to Soudan, on to the Mesabi Trail to Ely.

Sub-soil conditions created challenges for the project and were found to be unsuitable for road and parking lot construction. Mass excavation of soils and hauling in clean gravel necessitated a reduction in the size of the parking lot to reduce the land impact and project budget. The access road and bike trail were not altered.

We were not able to deliver on: lighting at the trailhead or trailhead/garden amenities of benches, bike racks, ADA-compliant picnic tables, or trash containers. The restoration was not needed, because the native vegetation had naturally regrown where it had been disturbed. Additionally, the plan to provide some landscaping via a bee garden was not implemented due to budget issues resulting from the soil conditions at the parking lot.

Project Results Use and Dissemination

Interpretive environmental signage is being developed by volunteers and the city will install them along the kayak route.

Volunteers are working with the Arrowhead Regional Development Council to develop the kayak trail map for the kiosk and a map of all trails in the region. They will be mounted on the kayak trailhead kiosk and on the Mesabi Trail kiosk at Pine Street.

Directional signs to the kayak trailhead have been posted on the Highway 169 entrance into Tower. MnDOT installed a crosswalk across the highway connecting this harbor trailhead trail to the Mesabi Trail route connection at the Pine Street entrance.



Environment and Natural Resources Trust Fund (ENRTF) M.L. 2017 LCCMR Work Plan – Final Report

Date of Submission:	August 28, 2023			
Final Report	Final Report			
Date of Work Plan Approval:	June 7, 2017			
Project Completion Date:	June 30, 2023			

PROJECT TITLE: Tower Trailhead and Habitat Improvement

Project Manager: Nancy Larson, Grants Manager

Organization: City of Tower

Mailing Address: PO Box 576

City/State/Zip Code: Tower, Minnesota 55790

Telephone Number: 218.753.4070

Email Address: communitycoaching@yahoo.com

Web Address: www.cityoftower.com

Location: The project will be completed within the corporate City Limits of Tower, Minnesota located in north eastern Saint Louis County, Minnesota.

Total ENRTF Project Budget:	ENRTF Appropriation:	\$600,000
	Amount Spent:	\$600,000
	Balance:	\$0

Legal Citation: M.L. 2017, Chp. 96, Sec. 2, Subd. 09h as extended by M.L. 2020, First Special Session, Chp. 4, Sec. 2 as amended and extended by M.L. 2021, First Special Session, Chp. 6, Art. 5, Sec. 3, Subd. h (see below)

Appropriation Language:

\$600,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the City of Tower to construct a trailhead and boat landing and restore vegetative habitat on city-owned property. Plant and seed materials must follow the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

M.L. 2020 - Sec. 2. ENVIRONMENT AND NATURAL RESOURCES TRUST FUND; EXTENSIONS. [to June 30, 2021]

M.L. 2021, First Special Session, Chp. 6, Art. 5, Sec. 3, Subd. h [to June 30, 2022] and amended Appropriation Language:

\$600,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the city of Tower to construct a trailhead, trail connection to the Mesabi Trail, and boat landing and to restore vegetative habitat on city-owned property. Plant and seed materials must follow the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines. This appropriation is available until June 30, 2023, by which time the project must be completed and final products delivered. EFFECTIVE DATE. This section is effective retroactively from July 1, 2017.

I. PROJECT TITLE: Tower Trailhead, Boat Landing, and Habitat Improvement

II. PROJECT STATEMENT: Last year the LCCMR provide a grant to the City of Tower to construct a pedestrian and biking trail around the recently developed harbor and along the East Two Rivers to connect with the existing Mesabi Trail. This year's request by the City of Tower is to expand on last year's project constructing a trailhead facility, boat landing and parking lot. This year's project will also include the development of a habitat area near the trail along the East Two Rivers.

The trailhead/boat landing area will consist of a parking area for biking, hiking, snowmobiling, boating and nature viewing visitors. The trailhead will also include an informational kiosk that will provide maps of the existing pedestrian trails, snowmobile trails, Lake Vermilion and area attractions including Hoodoo Point, McKinley Park, Soudan Underground Mine, Vermilion State Park, Wolf Center, Bear Center and the Boundary Waters Canoe Area.

There was a small gravel boat landing on the East Two River in this area prior to the reconstruction of Trunk Highway 169. The highway project eliminated the access to the boat launch due to its location and grade difference from the new bridge. As part of the Federal Environmental Assessment review of the highway project, the US Department of Interior requested the City of Tower and Minnesota Department of Natural Resources (MN DNR) work cooperatively to re-establish a boat launch and river access in this location. In fall of 2009, the City and MN DNR agreed in principal to working together to replace the East Two River access and boat launch in this area. With the past support from the LCCMR, the boat launch will now also be able to serve as a trail head for biking, hiking, paddling, and snowmobiling as well. This development will also serve the upcoming residential and commercial development around the new Harbor.

The new habitat area will be developed adjacent to the new trail connection to the Mesabi Trail and the East Two Rivers. In the process of dredging the East Two Rivers for the new harbor, there was existing vegetative habitat in the river that had to be removed. As part of the dredging permit from the MN DNR, they required the City of Tower to establish a new habitat area in the East Two River. The habitat area will include creating a natural buffer between the newly construction trail and the East Two River. Construction activities will include soil excavation, shaping, fill culvert removal, stabilization, runoff control and revegetation. Plantings will be done in accordance of all DNR requirements and will consist native species recommended by the DNR and native plant vendors.

The recently funded trail and completion of this project will be key components of the city's overall development of the Historic Harbor. The city has currently signed a development agreement with a private entity that will be constructing townhomes and condos around the harbor. The city is working with another private developer who is proposing to build a new

restaurant near the harbor. The City of Tower has currently raised \$7,137,249 in outside funds for the harbor development and has invested \$800,000 in city funds.

III. OVERALL PROJECT STATUS UPDATES:

Project Status as of: December 1, 2017

The City entered into a contract with an engineering firm to design and construct a trailhead /boat launch and to restore aquatic habitat in the East Two River.

Project Status as of: June 1, 2018

The City and its engineering service have completed preliminary design of the trail head and restoration site. We will be working over the next few months with Board of Water and Soil to fully capture their input for the establishment and enhancement of the native vegetation.

Project Status as of: December 1, 2018 [Submitted April, 2019 and, following a request for revisions, approved June 3, 2019]

Due to snow cover and winter conditions nothing has changed since the last update. As of December 31, 2018 the City of Tower has only spent some preliminary dollars with our City engineer. We are currently completing a trail that will connect to the trailhead referenced in this grant. We will have the trail portion completed by June 30, 2019 and we will be then completing final design, letting bids, and selecting contractors for the trailhead portion. The City of Tower needed to complete the trail design and installation before completing this project.

LCCMR Staff Comment as of 11/19/2019: Per the ML 2016 project status update submitted by the current project manager Nancy Larson, LCCMR learned that the above status update by Linda Keith was not accurate. No trail connection was being completed as claimed. All M.L. 2016 funds were spent creating the harbor trail, with no funds left to initiate the trail connection.

Project Status as of: June 1, 2019

Matt Bolf, engineer in charge of this project on behalf of the SEH, Inc. engineering firm, provided the city with this history and background information in order to bring the interim clerk/treasurer Ann Lamppa and grants manager Nancy Larson up to date on the project. He is now the only available historian on the project.

"The goals for this project were to expand on the LCCMR M.L. 16 project with the construction of an access road, trail head parking, boat launch and habitat restoration along the shoreline. The M.L. 17 application for \$980,448 included all those activities. In the project presentation to the LCCMR committee, a 2009 letter between the city and the DNR was given as evidence for the need for a boat launch in this location. When a LCCMR member reached out to the DNR to confirm that DNR contact stated a boat launch is located 2 miles away and there was no immediate need for a one in this location. The grant award was reduced to \$600,000 and the boat launch was eliminated from the plan.

The grant work plan includes construction of the access road via an extension at the end of Main Street, construction of a trail head parking lot for hikers, bikers, canoeists and paddlers. The engineer informed the DNR the design plan includes a boat launch in the drawings for purposes of future development in the event the DNR determines a need. The design includes a natural shoreline area for launching kayaks and canoes. The shoreline will be reinforced to create this launch area. The work plan includes a habitat restoration of an old roadway along the shoreline. The city intends to include the connecting trail from the Harbor Trail (M.L. 16) to the Mesabi Trail by utilizing the roadway corridor and existing paved connection to the Mesabi Trail. This M.L. 16 activity outcome 2 connecting trail was not completed because of its rerouting to minimize wetland impacts along the shoreline's original location and because of the unknown higher costs to the Harbor Trail M.L. 16

activity outcome 1. Unfortunately the city did not request LCCMR for the amendments to address these issues during the term of the grant.

The concept plan that was presented in the LCCMR application, and revised to the reduced \$600,000 budget, was shared with permitting agencies for review in April 2018. The agencies involved wanted to see design modifications that would further reduce wetland impacts to less than 0.5 acres for the overall project. Design changes were made in road alignment and parking area layout which were provided to city staff and city planning commission for review. The design changes were made to bring the impacts down to 0.49 acres while still meeting all the project goals.

In spring 2017 the city project team (clerk, mayor and planning commission staff) and engineering firm revised the preliminary design to include the M.L. 16 connecting trail into the plan. When the M.L. 16 project preliminary design began in the fall of 2016, it was later determined the originally planned trail route to connect to the Mesabi Trail would include significant wetland impacts. The city clerk discussed this with LCCMR staff via phone. All parties agreed later in 2017 that reducing wetland impacts should be a priority and would better support the goals of the LCCMR funds. The revised trail connection would run from the end of the M.L. 16 trails project (northwest corner of TH 169 bridge) north to Main Street (instead of along the river shoreline) and connect to an existing paved trail that connects to the Mesabi Trail.

LCCMR Staff Comment as of 11/19/2019: LCCMR is unable to verify the phone call noted above where past project manager Linda Keith said she requested the revision of the ML 2017 project scope to incorporate the connecting trail from the ML 2016 project into the ML 2017 project. LCCMR does not have a record of this communication. If this communication did indeed take place, Linda Keith would have been instructed to submit a formal amendment request to alter the ML 2017 and ML 2016 projects. This likely would have needed to go to the full LCCMR commission for approval, and possibly to the legislature, given that it would mean work being conducted was not consistent with the appropriation language. LCCMR did not receive an amendment request from Linda Keith.

During this time, Tower was successful in securing a LCCMR M.L. 17 grant that would fund a trail head on the north side of TH 169. Since the trail head project and the Mesabi Trail connection from M.L. 16 project would be in the same location, it was determined the most cost effective and least impacts to natural resources would occur from constructing the Mesabi Trail connection with the LCCMR 17 project. That trail connection was then moved to the LCCMR 17 project."

LCCMR Staff Comment as of 11/19/2019: while LCCMR staff can neither corroborate various aspects of the above report from Mr. Bolf, we appreciate hearing how the M.L. 2016 and M.L. 2017 project have been understood by the City of Tower's consultant.

Nancy Larson, city grants manager, has brought the city council up to date on the project and discussion with LCCMR and DNR staff on the LCCMR grants. Larson has advised the council that an amendment to the M.L. 17 work plan and budget would be necessary in order to move forward with the M.L. 17 project. Larson advised the council that the outcomes of the M.L. 16 and M.L. 17 projects would be met within the same total amount of both grants, in addition to the city match required for the completing the M.L. 16 activity. However, the council has also been advised to suspend activity and expenditures on the M.L. 17 project until LCCMR staff have further reviewed the M.L. 16 final project reports.

The engineer completed permitting applications the week of July 8, 2019 and submitted them to permitting agencies on July 10, 2019, as authorized by the city council in an effort to keep the project on schedule as some agency reviews take up to 90 days.

The council indicated their desire to work with the LCCMR staff to resolve all issues in order to move forward with M.L. 17. The council wants to move forward with an amendment request to the workplan and budget for M.L. 17 in order to stay on the tight bidding and construction schedule. The engineer advises that the project is a smaller scope than M.L. 16 and can be completed by June 30, 2020 if the city can get LCCMR approval to move forward. The engineer has been advised to stop work at this time. The city council eagerly awaits a positive outcome in the LCCMR review so the amendment can be made, processed and project planning can proceed.

The mayor is updated weekly and the city council gets updates from the city clerk/treasurer and grants manager at every council meeting. The previous project team (former clerk, former mayor and planning commission staff) is no longer involved; a new experienced team (clerk/treasurer, grants manager, newly elected mayor) that communicates to LCCMR, the council and works with the engineer is in place and ready to complete this M.L. 17 project.

In summary, preliminary designs, including trailhead, parking, access road, boat launch, and habitat area have been reviewed and approved by the City Council and submitted to permitting agencies. These plans also include a revised trail connection to that which is currently included in M.L. 2016, but which we will be seeking an amendment to add to M.L. 2017. Final design would occur after permit approval, followed by construction. Additionally, one kiosk will be designed.

Project Status as of: December 1, 2019 The community has been more involved in this project phase. The Tower City Council is actively involved in the project and the Tower Economic Development Authority (TEDA) is involved in developing the signage for this phase. TEDA members kayaked the route to identify historical, geological and environmental points of interest for signage placement along the route. Permits have been approved and M.L 2017 work is on hold until further notice from LCCMR.

An amendment request to the M.L. 2017 project is included in this project status update. An amendment to the M.L. 2017 project will enable the City to successfully complete the project within the \$600,000 budget.

The City is also requesting a legislative extension for project completion.

AMENDMENT REQUEST 1 – DECEMBER 16, 2019

We are requesting the following changes to the budget and scope of the project:

- 1) Incorporate the M.L. 2016 Connecting Trail outcome into the M.L. 2017 project
- 2) Reduce funds to SEH for the Trailhead project management, topographical surveys, preliminary and final design, construction plans and specifications, and construction administration from \$110,915 to \$99,255. Include the new Connecting Trail project management, planning and design deliverables within this \$99,255 contract.
- 3) Increase funds for the TBD Contractor for the Trailhead Construction from \$381,000 to \$392,660. Include the new Connecting Trail construction deliverables within this \$392,660 contract.
- 4) Reduce funds to SEH for the Habitat Area Construction project management, topographical surveys, preliminary and final design, construction plans and specifications, and construction administration from \$25,800 to \$20,800. Final design, construction plan and administration time involved is expected to be less time than initially anticipated in original project concept plan.
- 5) Incorporate the M.L. 2016 Kayak signage activity into the M.L. 2017 project. Original M.L. 2017 budget included funds for directional signage. Budget remains the same at \$3,000 because of City and TEDA volunteer participation in this project phase. Ten kayak signs highlighting geological, environmental, habitat and historical points of interest will be installed along the kayak route. Cost is based on signs purchased and installed on a local ski trail project by Ski Club volunteers. TEDA

members with environmental education background will design signs for content and volunteers will install them along the route. Two directional signs that identify the location of the kayak launch area will be installed by City maintenance staff. MnDOT approval to install one sign on the Highway 169 entrance to the city will be requested and staff will install the second sign at the trailhead.

- 6) Breakout the Kiosk Construction into a separate line item from the TBD Contractor for the Trailhead and Connecting Trail Construction line item. Tower Economic Development Authority will now carry out this kiosk construction activity.
- 7) Incorporate maps and informational materials into the printing budget. Budget remains the same at \$285.

These changes are being requested because the M.L. 2016 activity outcome "connecting trail to the Mesabi Trail" had to be rerouted due to wetland impacts along the river channel shoreline. The trailhead project is in the same location. It was determined the connecting trail construction would be more cost effective and have the least impact to natural resources with the connecting trail constructed adjacent to the trailhead access road. This brings the connection to the Mesabi Trail at a more southern intersect than the previous plan. The connecting trail and the kayak signage were unaccomplished outcomes of M.L. 2016 project because of increased costs of constructing the Harbor Trail due to poor soil conditions and shoreline erosion conditions identified during the project final design phase. We request to incorporate the construction of the connecting trail and signage for the kayak route into the M.L. 2017 project. The entire project (both phases – M.L. 2016 and M.L. 2017) will be completed within budget.

AMENDMENT REQUEST 2 – DECEMBER 16, 2019 LEGISLATIVE EXTENSION FOR COMPLETION DATE

We are seeking a legislative extension from June 30, 2020, to September 30, 2021. The extension is required because a full construction season is needed to complete the project. The proposed schedule would allow for the final design to be completed by the engineer in August 2020 and reviewed by the City Council. Council approval would be made by August/September 2020 with a formal bidding process conducted in the fall 2020. Due to the uncertainty of northern Minnesota's fall and spring weather seasons it is requested the project completion date be extended to September 30, 2021. (Updated 12/1/20 to be a request for extension to June 30, 2022).

The City of Tower acknowledges there is no guarantee that any amendment request would be approved by LCCMR.

Amendment Request 1-4, 1-5, 1-6, and 1-7 approved by LCCMR 1/16/20

Amendment Request 1-1, 1-2, and 1-3 and Amendment Request 2 accepted by LCCMR, pending legislative approval 1/16/20

Amendment Request 1-1, 1-2, and 1-3 and Amendment Request 2 approved by the Legislature and Governor 6/29/21, retroactive to July 1, 2017

Project Status as of: June 1, 2020 The project work is on hold pending the City's request for a legislative extension and a retroactive change to the appropriation language for M.L. 2017, Chp. 96, Sec. 2, Subd. 09H "Tower Trailhead and Habitat Improvement". These amendments (Amendment request #2 and components of request #1) are pending approval by the legislature. Additional information for the legislation has been submitted to LCCMR staff as requested.

Project Status as of: December 1, 2020 The project work continues to be on hold pending legislative extension and a retroactive change to the appropriation language for M.L. 2017, Chp. 96, Sec. 2, Subd. 09H "Tower

Trailhead and Habitat Improvement". Approval of this appropriation language was not addressed at several special sessions of the legislature during the past 6 months of 2020. Communication from LCCMR staff emails to the City regarding the status has continued to keep the City updated. The City requests the completion date for this project be extended to June 30, 2022 as extra time is needed for this extension request. The amendment request above from December 2019 has been updated accordingly. The City will likely request an adjustment to the end date if a compromise bill is posted and LCCMR staff communicates with us as to that information. Due to the inconsistency of fall and spring weather in northern Minnesota our construction seasons are often cut short and we would request September 30, 2022 as our end date.

Project Status as of: June 1, 2021 The project continues to be on hold. The city project committee meets every month on projects and city activity. The LCCMR project is included on the monthly agenda. Due to the inconsistency of fall and spring weather in northern Minnesota our construction seasons are often cut short and we will request September 30, 2022 as our end date when the project moves forward through the legislative process.

December 1, 2021: The city project committee meets monthly to update the LCCMR project. The City's engineering firm SEH prepared a mitigation drawing and memo for DNR review and submitted it to the DNR in October. The engineering firm will create a legal description and exhibit for conservation easement after DNR approves the memo. The DNR has not yet responded to the city or its engineering firm with a determination. The Tower Economic Development Authority is participating in the project in regard to the kiosk and kayak signage development. The City requested information from the area DNR office about the geological, ecological and habitat of the East Two River area along the kayak water trail. The DNR staff has not yet responded to its request for narrative copy for the signage. The engineering firm has moved forward in getting a draft purchase agreement for wetlands credits prepared for execution by the city.

Amendment Request as of April 18, 2022

Due to delays in the project the natural habitat in the project area proposed under Activity 2 regrew to its natural state. We have confirmed through our consultant that the regrowth consists primarily of native vegetation as described in BWSR's Native Vegetation Guidelines as required for ENRTF-funded restorations. Additionally, DNR has confirmed it meets the conditions of the original harbor dredging permit authorized by the DNR.

We request to add an outcome to Activity 2 to include pollinator garden and trailhead/garden amenities (tables, benches, bike racks, trash containers and informational signage).

- Pollinator gardens will support insect life in northern Minnesota and reverse the decline of pollinators. Gardens will provide habitat for birds and butterflies. The pollinator gardens will follow the BWSR's Native vegetation Guidelines.
- The trail amenities will improve the users' experience and recreational use of the harbor trails with the native vegetation, habitat for wildlife and information about pollinators.

Therefore, we request to adjust the budget as follows:

- Increase the budget of Activity 1 for SEH, Inc. Trailhead project management, topographical surveys, preliminary and final design, construction plans and specifications, and construction administration from \$99,255 to \$118,715. The contract has not been updated since 2018 and did not reflect current costs.
- 2. Increase the budget of Activity 1 for the TBD Contractor for the Trailhead Construction from \$392,660 to \$423,000 and to include lighting at the trailhead in the construction deliverables.
 - a. The new lighting system would include about 500' of conduit, 500' of new conductors, 2 light poles, 2 light bases, 2 luminaires, and a new service cabinet.
- 3. Decrease the budget of Activity 2 from \$99,800 to \$50,000 for pollinator garden, information signage on pollinators, and trailhead/garden amenities.

4. Additionally, because of the extended project timeline due to legislative action, we also request to change Activity 2: Outcome 1 and 2 end dates to February 2022 and the remaining project outcome dates in Activity 1 and 2 from June 2021 to June 2023.

Amendment Approved by LCCMR 4/29/22

Project Status as of: June 1, 2022

The city staff, grants manager and engineer meet monthly to update project activity. Wetland credits were purchased. The engineer revised the design plans to include lights at the trailhead. The project was advertised for bids on May 26, 2022. Bids will be opened on June 16, 2022. Narrative copy for the kayak route has been received from the Northeast Region Plant Ecologist, MN DNR, Division of Ecological and Water Resources. Signs will be created using this copy. The city staff is reviewing amenities for the harbor and discussing the kiosk construction plan. City staff is reviewing landscaper options for the pollinator garden.

Amendment Request as of June 21, 2022

Bids were received for the trailhead construction in Activity 1 on June 16, 2022. All bids were over the engineer's estimate due to the difference in price related to bituminous paving, concrete items (manholes, curb, pipe, sidewalk) and lighting.

Therefore, we request to adjust the budget as follows:

- 1. Increase the budget of Activity 1 for Construction from \$423,000 to \$477,785.
- 2. Decrease the budget of Activity 1 from \$3,000 to \$1,500 for signage.
- 3. Decrease the budget of Activity 1 from \$5,000 to \$2,000 for the kiosk construction.
- 4. Decrease the budget of Activity 1 from \$285 to \$0 for publication.
- 5. Decrease the budget of Activity 2 from \$30,000 to \$0 for pollinator gardens and information signage.
- 6. Decrease the budget of Activity 2 from \$20,000 to \$0 for trailhead amenities.

Amendment approved by LCCMR 6/30/2022

Amendment request as of October 21, 2022

Since starting construction the sub-grade soils have been found to be unsuitable for road and parking lot construction. It consists of random debris at the north end and peat material on the south end. Contractor has been doing mass excavation of soils and hauling in clean pit run. The footprint of the parking stalls at the trailhead will be reduced to 7,650 square feet from 15,150 sf and 15 parking stalls from 22 and will lessen the land impact. A center island was also eliminated from the original design. The access road and bike trail will not be altered. The signage and kiosk will move forward with funds obtained by the Department of Iron Range Resources and Rehabilitation. The recent lighting add-on will be removed due to cost overruns for the sub-grade soil. Conduit will be placed now for future installation.

Therefore, we request to adjust the budget as follows:

- 1. Increase the budget of Activity 1 for construction from \$477,785 to \$481,285.
 - a. \$268,000 is for excavations and clean fill, \$65,000 for paving, and remaining funds will be used for design and construction
 - b. Project management and design will remain \$118, 715.
- 2. Decrease the budget of Activity 1 for signage from \$1,500 to \$0.
- 3. Decrease the budget of Activity 1 for kiosk construction from \$2,000 to \$0.

Amendment approved by LCCMR 12/21/22 Project Status as of: December 12, 2022 Contractor has completed major grading items including Class 5 placement. Due to amount of fill placed, it has been decided to hold off on curb and bituminous until spring 2023. Contractor is aware of June 30 deadline for work to be completed and grant funding eligibility.

The engineer is working with contractor Mesabi Bituminous to review quantities and process payment application for work completed to date. The city will seek reimbursement from LCCMR before December 31, 2022.

The contractor reduced costs with the engineer's and city approval: Lighting – due to the cost overruns on the subgrade, it has been decided to remove lighting from the project to offset overall costs. The conduit will be placed now to make it easier for a future installation. HDPE pipe is being used instead of concrete to reduce costs. Paint striping will be done instead of epoxy.

Volunteers continue to work on the signs narrative and kiosk construction plans for spring 2023 construction.

Project Status as of June 1, 2023

Curb and bituminous paving started in May with mobilization and concrete work in May. Site restoration and paving will be completed before June 30, 2023. Volunteers continue to complete the signage and kiosk for installation after the paving is completed.

Amendment Request as of May 26, 2023

Construction costs were higher than expected and engineering costs were less than expected. The actual project cost exceeds the LCCMR appropriation and the city is leveraging city and IRRR funds to cover the additional costs after the appropriation funds have expired.

Therefore, we request to adjust the budget as follows:

- 1. Increase the budget of Activity 1 from \$481,285 50 \$496,285 for construction.
- 2. Decrease the budget of Activity 1 from \$118,715 to 103,715 for engineering and project management.

Amendment approved by LCCMR 6/14/23

Final Report as of August 2, 2023:

A kayak trailhead with 7,650 sf parking lot was completed. The connecting trail to the Mesabi Trail was completed along the Main Street access road which was completed with other funds. The trail connects to the Mesabi trail in two directions. The trail's first connection is with the city trail to Hoodoo Point which then connects to the Town of Breitung trail to McKinley Park. That trail then extends to the Lake Vermilion State Park trail which connects to the Mesabi Trail to Ely. The 2nd connection is along the Main Street access road to Highway 169 junction. MnDOT installed the crosswalk on Highway 169 which connects to the Mesabi Trail at Pine Street which connects to the Breitung Township trail and Lake Vermilion State Park trail which connects to the Mesabi Trail to Ely.

City funds were used to construct the kiosk. Volunteers constructed and installed the kiosk. A city committee of trail volunteers is working with the Arrowhead Region Development Council to develop the kayak trail map to post on the kiosk, as well as a map of all trails in the Tower area. These maps will be mounted on the kayak trailhead kiosk as well as the city's Mesabi Trail kiosk at Pine Street. City funds were used to purchase the directional signs for the trailhead. Signs along the kayak route related to ecological and geological interest will be completed with city funds. The city is using other grant funds to install a restroom facility in 2024 at the train depot/civic center campus which is adjacent to the Mesabi Trail connection to Breitung Township and Ely at Pine Street. An ADA EZ launching dock installation at the trailhead is planned for 2024. The city is working with the

MN DNR on the permit and proper removal of aquatic vegetation on the shoreline where this launch will be installed in 2024 when city funds become available.

Overall Project Outcomes and Results (submit 45 days after project completion but no later than August 15, 2023):

A kayak trailhead with 7,650 sf parking lot, located at the East Two River and West Two River waterway to Lake Vermilion, is completed.

A kiosk was installed by community volunteers.

The connecting trail to the Mesabi Trail was completed along the Main Street access road. It connects the Mesabi Trail with the city trail to Hoodoo Point then connects to the Soudan trail to McKinley Park. It then extends to the Lake Vermilion State Park trail connecting to the Mesabi Trail to Ely. The 2nd connection is along Tower's old Main Street access road across the Highway 169 crosswalk which connects Mesabi Trail at Pine Street to Soudan on to the Mesabi Trail to Ely.

Sub-soil conditions created challenges for the project and were found to be unsuitable for road and parking lot construction. Mass excavation of soils and hauling in clean gravel necessitated parking lot reduction to lessen the land impact and project budget. The access road and bike trail were not altered.

Signage, kiosk, maps, benches, and other amenities were paid by city and other grants.

Users will be able to enjoy wetlands and unique environmental, ecological and geological characteristics of the harbor.

An ADA EZ launching dock installation is planned for 2024. City funds are being used so as to promote a more inclusive community and encourage people of all abilities to enjoy the water.

Other grants will be for ecological education signs along the kayak route and to construct a restroom in 2024 at the Pine Street entrance to the Mesabi Trail connection from Tower to Soudan and Ely.

This LCCMR project inspired development of a master trail plan that identified things that shape a positive trail experience, such as public access to restrooms, drinking water, trail network messaging and other trail amenities and connections.

IV. PROJECT ACTIVITIES AND OUTCOMES:

ACTIVITY 1:

Description: Construction of Trailhead and Informational Kiosks

Activity 1 consists of the grading, constructing, landscaping, and design of a trailhead and kayak/canoe boat launch access area. All vegetation used in the activity will be done in accordance with all Local BWSR and DNR plant guidelines. An informational kiosk will be designed and constructed. The kiosk will be stocked with all local maps, historical information, and sightseeing information available.

Summary Budget Information for Activity 1:	ENRTF Budget:	\$600,000
	Amount Spent:	\$600,000
	Balance:	\$ 0

Outcome	Completion Date
1. <i>Design, engineer, construct, and complete a 7,650_square foot trail head parking area. This area will include an access road which incorporates a pedestrian- only trail connection from the trailhead/boat launch to the Mesabi Trail. A connecting trail was previously included in the M.L. 2016 project. Lighting at the trailhead will be included as a project deliverable.</i>	June 30, 2023
2. Signage will be installed to direct users to the trailhead and boat launch access. Signage will incorporate 10 signs along the kayak route. Kayak signage was previously included in the M.L. 2016 project.	June 30, 2023
3. One kiosk will be constructed at the trailhead	June 30, 2023

Activity 1 Status as of: December 1, 2017

The City of Tower entered into a professional services agreement with SEH to complete the design, construction plans and specifications, and competitive bidding services and construction management for the construction of the trailhead and informational kiosks.

Activity 1 Status as of: June 1, 2018

SEH will have final design and plans for the Trailhead/boat launch to be presented to the City Council in November 2018. By the due date for the next status update we should have a bid date and construction start date established. We expect construction to commence mid summer 2019.

Activity 1 Status as of: December 1, 2018

We are still in the process of the final design of the trailhead. We expect to finalize the design with the Tower Planning & Zoning Commission in April 2019. We are still planning to let the project out for bids in the early summer of 2019.

Activity 1 Status as of: June 1, 2019

The preliminary design was revised to incorporate the connecting trail into the trailhead road construction. Permitting agencies reviewed the revised plan. The DNR recommended a smaller parking area at the trailhead and the plan was revised again. The plans include a natural shoreline area for the canoe and kayak launch at the trailhead. The engineer submitted permit applications to the permitting agencies as per city council authorization to keep the project on schedule pending LCCMR staff review and approval of M.L. 16 project.

The final design was planned to commence in late July 2019 and be completed in August 2019. Project bidding would be done in September 2019 with construction commencing in October 2019 with final completion by June 30, 2020. Construction would not begin until all agency permits have been received. The permit applications were submitted on July 10, 2019.

The city awaits LCCMR approval of the M.L. 16 Final Report so that work can commence.

Activity 1 Status as of: December 1, 2019 The wetland permits are in place and the mitigation plan was approved by permitting agencies. A draft purchase agreement for wetland credits has been prepared. The project is on hold until further notice from LCCMR.

Activity 1 Status as of: June 1, 2020

The Activity is on hold pending the City's request for a legislative extension and a retroactive change to the appropriation language for M.L. 2017, Chp. 96, Sec. 2, Subd. 09H "Tower Trailhead and Habitat Improvement". These amendments (Amendment request #2 and components of request #1) are pending approval by the legislature.

Activity 1 Status as of: December 1, 2020 The activity is on hold. The City has a project committee which meets monthly to discuss all city projects. The M.L. 2017 Trailhead Project is on the agenda so as to keep the city engineer and City staff and council updated. The Tower Economic Development Authority meets monthly and has the kayak route signage and kiosk activity on their project list.

December 1, 2021: The engineering firm moved forward in getting a draft purchase agreement for wetlands credits prepared for execution by the city. Wetland credits would be purchased in early 2022. TEDA and the Tower-Soudan Historical Society will work together to gather historical information for signage along the kayak route. Local naturalists may volunteer to provide narrative for the signs if the DNR is unable to do so. Right now all work and the City's ability to move forward is held up until the local DNR responds in regards to the habitat activity as this decision will impact the overall project budget.

Project Status as of: June 1, 2022 Wetland credits were purchased. The engineer revised the design plans to include lights at the trailhead. The project was advertised for bids on May 26, 2022. Bids will be opened on June 16, 2022. Narrative copy for the kayak route has been received from the Northeast Region Plant Ecologist, MN DNR, Division of Ecological and Water Resources. Signs will be created using this copy. Tower Economic Development Authority staff is writing copy for the kayak route and trailhead signs.

Project Status as of: December 12, 2022

Contractor has completed major grading items including Class 5 placement. Due to amount of fill placed, it has been decided to hold off on curb and bituminous until spring 2023. Contractor is aware of June 30 deadline for work to be completed and grant funding eligibility. The engineer is working with contractor Mesabi Bituminous to review quantities and process payment application for work completed to date. The city will seek reimbursement from LCCMR before December 31, 2022.

The contractor reduced costs with the engineer's and city approval: Lighting – due to the cost overruns on the subgrade, it has been decided to remove lighting from the project to offset overall costs. The conduit will be placed now to make it easier for a future installation. HDPE pipe is being used instead of concrete to reduce costs. Paint striping will be done instead of epoxy.

Volunteers continue to work on the sign narrative and kiosk construction plans for spring 2023 construction. Cost overruns are paid through a grant received from the Minnesota Department of Iron Range Resources Rehabilitation.

Project Status as of June 1, 2023

Contractor is moving forward with concrete, site restoration and paving work. City funds are leveraging excess project costs not covered by the LCCMR appropriation.

Overall Project Outcomes and Results (submit 45 days after project completion but no later than August 15, 2023):

A kayak trailhead with 7,650 sf parking lot, located at the East Two River and West Two River waterway to Lake Vermilion, is completed.

A kiosk was installed by community volunteers.

The connecting trail to the Mesabi Trail was completed along the Main Street access road. It connects the Mesabi Trail with the city trail to Hoodoo Point then connects to the Soudan trail to McKinley Park. It then extends to the Lake Vermilion State Park trail connecting to the Mesabi Trail to Ely. The 2nd connection is along

Tower's old Main Street access road across the Highway 169 crosswalk which connects Mesabi Trail at Pine Street to Soudan on to the Mesabi Trail to Ely.

Sub-soil conditions created challenges for the project and were found to be unsuitable for road and parking lot construction. Mass excavation of soils and hauling in clean gravel necessitated parking lot reduction to lessen the land impact and project budget. The access road and bike trail were not altered.

Signage, kiosk, maps, benches, and other amenities were paid by city and other grants.

Users will be able to enjoy wetlands and unique environmental, ecological and geological characteristics of the harbor.

An ADA EZ launching dock installation is planned for 2024. City funds are being used so as to promote a more inclusive community and encourage people of all abilities to enjoy the water.

Other grants will be for ecological education signs along the kayak route and to construct a restroom in 2024 at the Pine Street entrance to the Mesabi Trail connection from Tower to Soudan and Ely.

We were not able to deliver on: lighting at the trailhead or trailhead/garden amenities of Benches, bike racks; ADA picnic tables, trash containers. The restoration did not occur due to the assessment that native vegetation had naturally regrown where it had been disturbed. Additionally, the plan to provide some landscaping via a bee garden was not implemented due to budget issues resulting from the soil conditions at the parking lot.

This LCCMR project inspired development of a master trail plan that identified things that shape a positive trail experience, such as public access to restrooms, drinking water, trail network messaging and other trail amenities and connections.

ACTIVITY 2:

Description: Construct 20,000 Sq foot habitat area

Summary Budget Information for Activity 2:

ENRTF Budget: \$0 Amount Spent: 0 Balance: \$0

Ou	tcome	Completion Date
1.	Design and Engineer a 20,000 square foot aquatic habitat area	February 2022
2.	Construct and landscape a 20,000 square foot aquatic habitat area designed using all DNR and BWSR approved vegetation.	February 2022
3.	Design and construct a pollinator garden using BWSR approved vegetation	June 30, 2023
4.	Add trailhead amenities: tables, benches, bike racks, trash containers, and information signage	June 30, 2023

Activity 2 Status as of: December 1, 2017

The City of Tower entered into a professional services agreement with SEH to complete the design, to draft construction plans and specifications, to secure approvals and guidance from BWSR and the DNR for the proposed aquatic habitat, and to provide competitive bidding services and construction management.

Activity 2 Status as of: June 1, 2018

The City and the Engineer have completed the design of the new aquatic habitat and will be working over the coming months with BWSR and the DNR to improve and finalize our design so that we may look to bidding the project the spring of 2019.

Activity 2 Status as of: December 1, 2018

The City expects to move forward with the actual construction of the aquatic habitat area in the summer of 2019.

Activity 2 Status as of: June 1, 2019

The design plan for this area of the project is to remove the class 5 roadway and restore it with native plants and grass in consultation with the DNR. The project will proceed to bidding pending LCCMR review of M.L. 16.

Activity 2 Status as of: December 1, 2019 The wetland permits are in place and the mitigation plan was approved by permitting agencies. A draft purchase agreement for wetland credits has been prepared. The project is on hold pending LCCMR approval of M.L. 2017 and legislative extension in 2020. The City Council is actively involved in understanding the details of the project and has requested to review the habitat area design prior to moving it forward. The City's participation with the City Council and Tower Economic Development Authority Board in understanding and reviewing this project phase is much broader than how the first phase was handled with the previous City Council and staff.

Activity 2 Status as of: June 1, 2020

The Activity is on hold pending the City's request for a legislative extension and a retroactive change to the appropriation language for M.L. 2017, Chp. 96, Sec. 2, Subd. 09H "Tower Trailhead and Habitat Improvement". These amendments (Amendment request #2 and components of request #1) are pending approval by the legislature.

Activity 2 Status as of: December 1, 2020 The activity is on hold. The City has a project committee which meets monthly to discuss all city projects. The M.L. 2017 Trailhead Project is on the agenda so as to keep the city engineer and City staff and council updated.

Activity 2 Status as of: June 1, 2021 The activity is on hold until action by the state legislature.

December 1, 2021: Staff from the city, engineering firm and DNR met in August at the site to move this activity 2 forward. The activity is on hold until the local DNR office responds to the information provided by the city's engineering firm.

Project Status as of: June 1, 2022 City staff is reviewing amenity options for the harbor walkway and reviewing landscaper options for the pollinator garden space.

Project Status as of: December 12, 2022

The pollinator garden and landscaping along the harbor walkway was eliminated. The natural habitat area work is completed.

Overall Project Outcomes and Results (submit 45 days after project completion but no later than August 15, 2023):

The natural habitat area work is completed.

Budget issues related to sub-soil conditions eliminated the pollinator garden and other amenities planned.

V. DISSEMINATION:

Description:

Status as of: December 1, 2017

SEH provides monthly updates to the Tower City Council. These monthly reports are discussed by the Engineer and the Council. The City's official newspaper is also given a copy of the monthly updates and includes them in their coverage of the Council Meeting.

Status as of: June 1, 2018

The City Council continues to hear monthly engineering updates on the project and we expect the Council will be reviewing plans and specifications before the next status update during which information on the final design and plan will be discussed. The City's official newspaper will publicize the actions taken by the Council in their coverage of the City Council Meetings.

Status as of: December 1, 2018

We continue to update the public at our monthly council meetings and via local media.

Status as of: June 1, 2019

SEH, Inc, the city's engineer, provides updates at the monthly council meetings.

Status as of: December 1, 2019

The city's Project Committee meets monthly to discuss projects. The City's grants manager provides a monthly written report to the City and presents an oral update to the City Council. The grants manager has met with the Tower Economic Development Authority board to discuss the project and enlist their participation in planning for the development of the signage for this project phase.

Status as of: June 1, 2020

The project is on hold pending the City's request for a legislative extension and a retroactive change to the appropriation language for M.L. 2017, Chp. 96, Sec. 2, Subd. 09H "Tower Trailhead and Habitat Improvement". These amendments (Amendment request #2 and components of request #1) are pending approval by the legislature.

Status as of: December 1, 2020 The activity is on hold. The City has a project committee which meets monthly to discuss all city projects. The M.L. 2017 Trailhead Project is on the agenda so as to keep the city engineer and City staff and council updated. The grants manager met with the Tower Economic Development Authority board in November to bring them up to date on the project status.

Status as of June 1, 2021 The activity is on hold. The city council and TEDA are updated monthly on the status of the project.

December 1, 2021: The project is moving forward with the wetland credits purchase agreement draft which will go before the city council in December. The council and TEDA are updated monthly through the engineer's report and the City's grants manager report.

Project Status as of: June 1, 2022 The council is updated monthly through the engineer's report and the city grants manager report as to the status of the project. The city clerk and grants manager communicate with the city public works supervisor on a regular basis on project status.

Project Status as of: December 12, 2022 The city council is updated monthly on the status of the project. The city clerk keeps city staff and the public informed about the project status.

Overall Project Outcomes and Results (submit 45 days after project completion but no later than August 15, 2023):

Interpretive environmental signage is being developed by volunteers and city will install them along the kayak route.

Volunteers are working with the Arrowhead Regional Development Council to develop the kayak trail map for the kiosk, and a map of all trails in the region. They will be mounted on the kayak trailhead kiosk and on the Mesabi Trail kiosk at Pine Street.

Directional signs to the kayak trailhead have been posted on the Highway 169 entrance into Tower. MnDOT installed a crosswalk across the highway connecting this harbor trailhead trail to the Mesabi Trail route connection at the Pine Street entrance.

Monthly updates to the council continued throughout the project. Local newspaper coverage kept the community informed.

VI. PROJECT BUDGET SUMMARY: A. Preliminary ENRTF Budget Overview:

Explanation of Use of Classified Staff:

Explanation of Capital Expenditures Greater Than \$5,000: NA

Total Number of Full-time Equivalents (FTE) Directly Funded with this ENRTF Appropriation: 0

Total Number of Full-time Equivalents (FTE) Estimated to Be Funded through Contracts with this ENRTF Appropriation:

B. Other Funds:

	\$ Amount	\$ Amount	
Source of Funds	Proposed	Spent	Use of Other Funds
Non-state			
In Kind Trail Administration by the City	\$10,000	\$30,000.00	Administration of Grant documents, payments, receipts, payroll reports, grant monitoring's and reports
In Kind Maintenance by the City	\$50,000.00	\$60,000	Maintenance, Grooming, Cleaning, and construction assistance; Kayak nature signage installation along river corridor; Installation of benches and other trail amenities
In Kind research by the City of Tower for the informational Kiosk	\$5,000	\$8,000	Mapping of trails and local area attractions
Volunteer support for kiosk and research and development of maps	\$10,000	\$12,000	
TOTAL OTHER FUNDS:	\$ 75,000	\$110,000.00	

VII. PROJECT STRATEGY:

A. Project Partners:

Partners receiving ENRTF funding

• Name, Title, Affiliation, \$ Amount, Role

Partners NOT receiving ENRTF funding

• Name, Title, Affiliation, Role

B. Project Impact and Long-term Strategy:

C. Funding History:

Funding Source and Use of Funds	Funding Timeframe	\$ Amount
IRRRB – 2 Mile Rerouting of Trunk Highway 135 and the	Complete	\$3,200,000
relocation of all utility infrastructure		
HPP Federal Highway Funding – The relocation and	Complete	\$1,538,249
reconstruction of the bridge allowing for the restoration of		
the Tower Harbor back to its original size and use		
DEED HDPI Relocation of all public utilities to environmentally	Complete	\$249,980
safe distances from the Lake and River		
DEED Redevelopment Grant Construction of local streets and	Complete	724,450
utility infrastructure to the developable area of the Tower		
Harbor		
IRRRB Grant – Dredging of the East Two River and the Tower	Complete	\$1,120,000
Harbor to remove materials that been continually dumped		
into the river and harbor from a mill and factory.		
LCCMR Grant – Construction of walking trail, Kayak route,	Complete	\$679,000
interpretive signage and trail connection to the Mesabi Trail		
IRRRB Grant – Construction of main street access road, kiosk,	Complete	210,000
parking lot, amenities.		

VIII. REPORTING REQUIREMENTS:

- The project is for approximately 6 years, will begin on July 1, 2017, and end on June 30, 2023.
- Periodic project status update reports will be submitted *December* 1st and June 1st of each year.
- A final report and associated products will be submitted between June 30 and August 15, 2023

IX. VISUAL COMPONENT or MAP(S):

Environment and Natural Resources Trust Fund M.L. 2017 Project Budget - Final

Project Title: Tower Trailhead and Habitat Improvement Legal Citation: *M.L.* 2017, *Chp.* 96, *Sec.* 2, *Subd.* 09H

Project Manager: Nancy Larson Organization: City of Tower M.L. 2017 ENRTF Appropriation: \$600,000 Project Length and Completion Date: June 30, 2023 Date of Report: August 28, 2023



ENVIRONMENT AND NATURAL RESOURCES TRUST FUND BUDGET	Activity 1 5/26/23	Amount Spent	Activity 1 Balance 5/26/23	Activity 2 Budget 6/30/22	Amount Spent	Activity 2 Balance	TOTAL BUDGET	TOTAL BALANCE
BUDGET ITEM					<u> </u>			
Professional/Technical/Service Contracts								
SEH, Inc. Project management, Topographical surveys, preliminary and final design, construction plans, and specifications, and construction administration	\$103,715	\$103,715	\$0	\$0	\$0	\$0	\$103,715	\$0
TBD: Competitive Bid Construction Contractor (Trailhead and connecting trail incorporated from the ML 2016 project)	\$496,285	\$496,285	\$0	\$0	\$0	\$0	\$496,285	\$0
Signage (Directional signage and Incorporates the kayak route signage from the ML 2016 project)							\$0	\$0
Kiosk Construction		\$0				\$0	\$0	\$0
Pollinator gardens, information signage on pollinators				\$0		\$0	\$0	\$0
Trailhead/garden amenities: Benches, bike racks; ADA picnic tables, trash containers				\$0		\$0	\$0	\$0
Printing							\$0	\$0
Public Postings, Public Announcements, and Public Bidding, Maps and Information for Kiosk		\$0			\$0	\$0	\$0	\$0
COLUMN TOTAL	\$600,000	\$600,000	\$0	\$0	\$0	\$0	\$600,000	\$0