

**Preliminary Draft AUAR Comments Received and Summary Responses  
November 13, 2008**

<b>DATE RECEIVED</b>	<b>COMMENT/QUESTION</b>	<b>RESPONDER</b>	<b>RESPONSE</b>
9/12/2008 via email	“Our home should probably be listed in the AUAR. We bought it from the original owners..our home is the original Railroad Station Masters home and is close to 100 years old.. It is of historical significance just as other homes of this era that were built in Lake Elmo.” (Attachment A)	Ciara Schlichting, Bonestroo; verbally at 10/2/2008 AUAR Advisory Panel meeting	The home is not in the State Historic Preservation Office’s (SHPO) database, but anyone wishing to add a building to this list can contact SHPO and fill out the necessary paperwork.
10/2/2008; hard copy received	See attached sheets (Attachment B); comments are generally requesting clarification or grammatical corrections	Ciara Schlichting, Bonestroo	<p><u>Noise Impacts.</u> The distances in Tables 24-2, 24-3, and 24-5 represent the extent of predicted noise impacts from traffic and trains that exceed state standards. The distances are not recommended structure setback standards.</p> <p><u>Phase 1 Archeological Survey Requirements.</u> This will only be required when ground disturbing activities are proposed in areas with a high potential for containing archeological resources.</p> <p><u>Buffer Zone/Open Space.</u> The buffer is not identified as park; it is not specified as a public space.</p>
10/11/2008; via email	See attached sheets (Attachment C); comments are regarding traffic, airport noise	Ciara Schlichting, Bonestroo	<p><u>Level of Service Description.</u> The previous description can be integrated into the document. The current document includes Table 21-1 and 2 ½ pages of text that further describes LOS.</p> <p><u>Potential Stoplights/Roundabouts.</u> There is not a stoplight/roundabout recommended for Laverne/TH 5 (with or without Village development). Without Village development a stoplight/roundabout is recommended for three intersections: TH5/Lake Elmo Ave N, TH 5/Lake Elmo Ave S, and Manning</p>

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			<p>Ave/30th Street. In addition to these three stoplights/roundabouts, a stoplight/roundabout is recommended for TH5/39th St to serve Village development.</p> <p><u>Traffic Calming.</u> Consistent with the Village Master Plan land use principles, traffic calming measures will be implemented prior to or during development.</p> <p><u>Airport Noise.</u> Land uses proposed within the noise contour areas will need to be revisited during the comprehensive planning process. Uses will need to be consistent with the requirements adopted as part of the forthcoming airport zoning ordinance. The city will be preparing an airport ordinance through a Joint Zoning Board. According to MAC, the airport ordinance will be prepared by a Joint Zoning Board comprised of two representatives from Lake Elmo, Baytown Township, West Lakeland Township, Washington County, and MAC.</p>
10/11/2008; via email	See attached sheets (Attachment D); comments are regarding water resources and stormwater	Ciara Schlichting, Bonestroo	<p><u>Four scenarios.</u> The analysis considered the impacts of all four scenarios and the different amounts of impervious surface related to each.</p> <p><u>Downs Lake.</u> The majority of the AUAR area and adjoining lands to the east and south drain to Downs Lake. The city will address its cumulative impact on Downs Lake and adopt appropriate stormwater management standards for the Downs Lake watershed in its SWMP and stormwater management ordinance. Through this process, the city will determine if it needs to adopt more restrictive volume control standards than VBWD. The city intends to initiate an update to its Surface Water Management Plan in 2009 as part of its required 2030</p>

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			<p>Comprehensive Plan update.</p> <p><u>Valley Branch Watershed District (VBWD).</u> VBWD was involved in scoping out the AUAR study. VBWD was invited, but did not attend a Preliminary Draft AUAR agency meeting in September. The analysis uses and references VBWD requirements.</p> <p><u>St. Croix River.</u> The AUAR documents the goals for the St. Croix River. The AUAR was updated to further note that the St. Croix River is an Outstanding Resource Value Water (ORVW) and that the city is required to address this issue city-wide. A Best Management Practices (BMP) Summary Sheet from the City’s Municipal Separate Storm Sewer System (MS4) permit requires the city to create and implement a process that identifies all discharges from the city’s MS4 system to ORVW by 2009. As a result, the city will determine if there are alternatives to discharging to the St. Croix, such as diversion from the St. Croix watershed, infiltration, or other alternatives. BMPs that will allow the existing high quality ORVW be maintained will need to be prepared by 2010. Additionally, the city will need to prepare a projected schedule and timeline to incorporate any necessary changes into the Storm Water Pollution Prevention Plan (SWPPP).</p> <p><u>Surface Water Management Standards.</u> The AUAR references VBWD volume reduction standards, which is standard practice for the city. The AUAR should note that the city’s upcoming surface water management plan will evaluate surface water management issues (including infiltration requirements and restricted discharges the St. Croix) and VBWD requirements to determine if the city needs to adopt more restrictive standards</p>

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			<p>than VBWD and/or modify the city’s SWPPP and submit the changes to the MPCA.</p> <p><u>Downtown Flooding.</u> The recommendations for piping water away from the Village to two proposed ponds occurred prior to the AUAR. The AUAR offers alternative measures for addressing surface water management (including volume control).</p>
<p>10/15/2008; via email</p>	<p>See attached sheets (Attachment E); comments are regarding traffic impacts, deforestation, and surface water</p>	<p>Ciara Schlichting and Earth Evans, Bonestroo</p>	<p><u>Right-of-Way Impacts.</u> All development activities, including widening TH 5 from 2 to 4 lanes are subject to the Minnesota Private Cemeteries Act that provides protection for marked and unmarked human burials.</p> <p><u>Deforestation.</u> The Mitigation Plan was updated to include a new policy to require the city to create a tree/woodland preservation policy. This policy will be established in an update to the city’s ordinances and will be applied at the time of development.</p> <p><u>Surface Water.</u> The AUAR does not determine the specific design, location, or related cost of surface water management facilities. The city’s design requirements will be revisited as it prepares its forthcoming city-wide Surface Water Management Plan. Stormwater discharge is required to meet all the treatment requirements established by the MPCA, VBWD, and city.</p> <p>The AUAR was updated to further note that the St. Croix River is an Outstanding Resource Value Water (ORVW) and that the city is required to address this issue city-wide. A BMP Summary Sheet from the City’s MS4 permit requires the city to</p>

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			create and implement a process that identifies all discharges from the city's MS4 system to the St. Croix, and ORVW by 2010. As a result, the city will determine if there are alternatives to discharging to the St. Croix, such as diversion from the St. Croix watershed, infiltration, or other alternatives.
10/15/2008; via email	See attached sheets (Attachment F); comments are regarding the role of Safe Route to School (SRTS)	Ciara Schlichting, Bonestroo	The text regarding the SRTS study was revised to state "could result" vs. "will likely result" in improved visibility and signing of crosswalks at key intersections.
10/15/2008; via email and 10/16/2008 via mail; follow up received via email on 10/20/2008	See attached sheets (Attachment G1); MnDOT comments on transportation; Follow up email clarification sent (Attachment G2)	Ciara Schlichting and Steven Elmer, Bonestroo	<p><u>Traffic Forecast.</u> The city will revisit the traffic forecasts for the Village and the entire city through the forthcoming Transportation Study and Traffic Management Plan, rather than through the AUAR process.</p> <p><u>Access Management.</u> The Synchro/Sim Traffic software was used to evaluate traffic operations. The programmed signal timing and resultant queue analysis did not show vehicle queues backing up through either Lake Elmo Drive intersection (i.e., north or south leg). The queuing analysis was inadvertently left out of Appendix E and is provided in the revised Draft AUAR.</p> <p><u>Traffic Noise.</u> The city will be revisiting its land use plans for the AUAR area through its forthcoming Comprehensive Plan update and will address compatibility issues between land use and traffic noise.</p> <p><u>Bicycle Pedestrian Traffic.</u> Mitigation Plan Policy 21.4 was clarified to require the inclusion of appropriate and safe accommodations for bicycles and pedestrians in developer's site</p>

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			plans and in the city's plans for trails and transit.
10/21/2008; via email	See attached sheet (Attachment H); comments are regarding water resources	Ciara Schlichting and Earth Evans, Bonestroo	<p><u>Enforcement of Stormwater Mitigation Measures.</u> The Mitigation Plan Implementation Summary Table (pgs 27 &amp; 28 in the Mitigation Plan) summarizes when the mitigation measures would be enforced.</p> <p><u>Two Scenarios.</u> The analysis considered the impacts of all four scenarios and the different amounts of impervious surface related to each.</p> <p><u>Flooding South of the AUAR Area.</u> The analysis did not find that flooding would occur south of the AUAR. City-wide surface water management issues will be addressed through the forthcoming city-wide Surface Water Management Plan.</p> <p><u>St. Croix.</u> The AUAR was updated to further note that the St. Croix River is an Outstanding Resource Value Water (ORVW) and that the city is required to address this issue city-wide. A BMP Summary Sheet from the City's MS4 permit requires the city to create and implement a process that identifies all discharges from the city's MS4 system to the St. Croix, and ORVW by 2010. As a result, the city will determine if there are alternatives to discharging to the St. Croix, such as diversion from the St. Croix watershed, infiltration, or other alternatives</p>
Letter dated 10/17/2008;	See attached sheets (Attachment I); Washington County comments on transportation;	Ciara Schlichting and Steven Elmer, Bonestroo	<p><u>Bullet #1.</u> Classification of Lake Elmo Avenue (CSAH 17) was updated per comments.</p> <p><u>Bullet #2.</u> The text has been modified to note that LOS concerns will be monitored for potential safety problems, there is funding</p>

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			<p>for SRTS studies (not projects), and that adding left turn lanes at CSAH 15 and 30<sup>th</sup> Street are not scheduled, but funding opportunities are being explored.</p> <p><u>Bullet #3.</u>All figures have been revised to highlight both LOS E and F.</p> <p><u>Bullet #4.</u> Bonestroo and the County are currently reviewing the volume thresholds discrepancy. Since Manning Avenue is a county road, the county's thresholds should apply.</p> <p><u>Bullet #5.</u>The following options are clarified in the revised Draft AUAR:</p> <ul style="list-style-type: none"> <li>• The potential realignment of TH 5 intersection with CSAH 15 to align with CSAH 14 is a future option that the city, county, and MnDOT should re-evaluate in the future.</li> <li>• The potential realignment of the existing CSAH 17 and TH 5 intersection to the west of Lake Elmo Elementary to create a buffer to the school and to provide access to the lands west of Gorman's should be reviewed by the city, county, and MnDOT prior to development occurring within the vicinity of this intersection.</li> </ul> <p>The reference to signal phasing was deleted.</p> <p><u>Bullet #6.</u> The percentages used for pass-by, multi-use, and internal trips are documented in the revised AUAR.</p> <p><u>Bullet #7.</u> Restricted movements (i.e., right in/out only, medians, etc.) at the intersections along CSAH 17 and TH 5 are future options that the city, MnDOT and county should keep open.</p>

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			<p>However, 39<sup>th</sup> Street and a future southern extension of 39<sup>th</sup> Street south of TH 5 to 30<sup>th</sup> Street is proposed as a future collector and restricted movements at 39<sup>th</sup> Street intersections with CSAH 17 and TH 5 would not be viable (<i>this response was discussed with and accepted by Joe Lux at Washington County</i>). The revised AUAR reflects these comments.</p> <p><u>Bullet #8.</u> Table 21-7 has been updated to include a right-turn lane and left/through lane at 39<sup>th</sup> Street and CSAH 17. The Mitigation Plan has been updated to require turning movement counts at intersections prior to any construction.</p> <p><u>Bullet #9.</u> Comment of support duly noted.</p> <p><u>Bullet #10.</u> The city will work MnDOT, the county, existing property owners, and developers to explore consolidating existing access points as the major intersections are modified to improve operational efficiency and safety.</p> <p><u>Bullet #11.</u> Comment of support duly noted.</p> <p><u>Bullet #12.</u> The city will work with the county to identify right-of-way needs for future expansion of the county road system. The queuing analysis was inadvertently left out of Appendix E and is provided in the revised Draft AUAR.</p>
11/10/2008; via email and	See attached sheets (Attachment J); comments regarding the flexibility of the mitigation plan and the considerations of the potential financial impact of proposed	Ciara Schlichting, Bonestroo	<u>Financial Impacts:</u> It is premature for the city to consider the financial implications of the proposed mitigation measures as the document has not been formally reviewed by the public and agencies. Comments from these parties necessitate changes to

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	mitigation measures		<p>the document, which are reflected in the Final AUAR. The financial analysis will occur after the completion of the AUAR process. The outcomes of the financial analysis may warrant reconsideration of the AUAR mitigation measures. This reconsideration may warrant an update to the AUAR</p> <p><u>Mitigation Plan Flexibility</u>: Generally, the mitigation measures put forth policies and implementation steps to assist the city in preparing plans and ordinances to mitigate the impact of development. For example, the AUAR identified and measured airport noise impacts and the mitigation measures require the city to prepare and adopt an airport zoning ordinance to address the impacts in coordination with MAC and affect jurisdictions. The mitigation plan does not prescribe any specific land use restrictions or setbacks to address the issue. Rather, these prescriptive standards will be determined through the ordinance creation process and will need to be consistent with federal, state, and regional policies regarding airport noise.</p>

9-12-08 correct

Attachment A

Kyle Klatt

Subject: FW: AUAR

From: [Redacted]

Sent: Friday, September 12, 2008 2:20 PM

To: Susan Hoyt

Cc: Sharon Lumby

Subject: AUAR

Our home should probably be listed in the AUAR. We bought it from the original owners..our home is the original Railroad Station Masters home. and is close to 100 years old..

It is of historical significance just as other homes of this era that were built in Lake Elmo.

Best Regards

[Redacted signature block]

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Oct 2 2008

# Summary of Comments on Microsoft Word - QandARevisedCJS2edits.doc

Page: 1

Author: [redacted]  
Subject: [redacted]  
Date: 9/19/2008 10:00:47 AM  
Sentence is incomplete

## Executive Summary

The Lake Elmo Village Area Alternative Urban Area-wide Review (AUAR) has been prepared by the City of Lake Elmo (city) in accordance with Minnesota Rules Chapter 441B. An AUAR is an environmental review done on an area in advance of any development or redevelopment occurring. An AUAR anticipates the possible impact of various development scenarios so that a mitigation plan can be developed to manage any potential impacts if and when development of an area occurs. Being prepared in advance to respond to development rather than doing the environmental review after a development is proposed puts the city in a better position for planning and managing development. The AUAR document provides information about future land use plans that have been considered by the city. The AUAR does not recommend nor does it make decisions about the future land use; it only provides information about the future.

### BACKGROUND

This AUAR process was initiated by the city to review the environmental impacts of proposed plans in the Village area. In October, 2006 the Village planning team recommended that the city follow its master planning process for the Village in order to keep the Village process on track. The Village Master Plan ("Master Plan") began as a mechanism to accommodate some of the future sewer growth required by the Metropolitan Council as part of the 2005 Memorandum of Understanding (MOU) and Comprehensive Plan. This master planning process was completed in April, 2007. The AUAR process was implemented after the Village Master Plan was accepted by the City Council in April, 2007.

### AUAR PROCESS SUMMARY

This AUAR process includes a strong public participation and agency participation component throughout the process, rather than only involving the public and reviewing agencies after the Draft AUAR is completed, which is the standard process required by Minnesota Rules. To ensure strong and timely communication and the participation of several key stakeholders, an Advisory Panel was selected by the city council to serve as the primary working group during the AUAR process. The Advisory Panel includes property owners, citizens, and members of the city's Planning Commission, Park Commission, and Environmental Committee. The Advisory Panel has provided input regarding the existing conditions in the AUAR area at its meetings on July 26 and August 23, 2007 and provided input regarding the AUAR development scenarios at its meeting on February 13, 2008.

The Advisory Panel's role in reviewing the AUAR is to become informed about the potential impacts and mitigation options for various development scenarios in the Village. The panel will receive the detailed information at two meetings (September 18 and October 2, 2008) and be given an opportunity to ask questions and give comments about the AUAR and the information included in it. This information does not make any decisions or recommendations on the development of the Village, but understanding it is important since it will provide an environmental foundation for future Village development, whatever form that takes. By involving a panel made up of people who will be involved in the Village development decisions as commissioners or property owners, it provides the city council and the community with another set of eyes and ears on the information other than the city council.

In addition to the involvement of an Advisory Panel, the city hosted a public open house on February 28, 2008 to provide citizens and interested parties the opportunity to review information related to existing conditions, learn about the AUAR process, and comment on the AUAR development scenarios. Additional formal opportunities for public review and comment will be provided during the mandatory 30-day Draft AUAR comment period, which occurs after the City Council officially authorizes distribution of the Draft AUAR document for public comment. After the city receives and formally responds to all substantive comments on the Draft AUAR, then the AUAR document will be revised to

10-02-08

addresses comments and the Final AUAR will be made available for a mandatory 10-day public comment period.

To proactively engage reviewing agencies early in the AUAR process (prior to the mandatory 10-day Draft AUAR comment period), an AUAR scoping meeting was held on July 10, 2007 to initiate a dialogue with agencies regarding the issues to consider addressing through the AUAR process. An agency meeting was held on September 10, 2008 to discuss the preliminary findings and proposed mitigation strategies presented in this Draft AUAR document.

**AUAR CONTENT AND FORMAT**

The content and format of an AUAR document is organized by the Minnesota Environmental Quality Board (EQB). The AUAR guidance comes from the EQB document titled "Recommended Content and Format - Alternative Urban Area Review Documents" (September 2006). The Village Area AUAR is recorded on a customized form that represents a hybrid of the EQB's Standard Environmental Assessment Worksheet (EAW) form and the EQB's AUAR guidelines. A blank EAW form and the EQB's AUAR guidance document are located in Appendix B for reference. The content of this customized form is organized into 31 questions that are predetermined by the EQB. A response to each of the 31 questions is provided for each development scenario as appropriate. The topics associated with these 31 questions comprise the table of contents for this AUAR.

A draft Mitigation Plan will be included with this Draft AUAR. The Mitigation Plan will be submitted as part of the Draft AUAR to provide reviewers, regulators and prospective tenants or purchasers of land with an understanding of the actions necessary to protect the environmental and limit potential impacts by proposed development projects. Although mitigation strategies are discussed throughout the AUAR document, this mitigation plan will include a summary of the potential impacts and proposed mitigation strategies to assist in the review of the AUAR document that address each of the scenarios. The Mitigation Plan will become a component of the action plan to ensure that the city avoid, minimize, or mitigate significant environmental impacts from the development of the AUAR area.

**AUAR DEVELOPMENT SCENARIOS**

This AUAR assesses the potential environmental impacts of four development scenarios. Three scenarios are based on the Village Master Plan approved by the City Council in April 2007 (Scenarios A - 600 residential units, B - 1,000 residential units, and C - 1,600 residential units) and one scenario is based on the Comprehensive Plan (Scenario D - 500 units). Reviewing a scenario consistent with the adopted Comprehensive Plan is required by EQB rules. Each of the four scenarios includes 300,000 ft<sup>2</sup> of commercial space (neighborhood scale retail), 150,000 ft<sup>2</sup> of office space, and 200,000 ft<sup>2</sup> of institutional space (VMCA, library, city hall).

The city will not select a scenario as the outcome of the AUAR process and information. The AUAR provides environmental information, not recommendations, regarding the potential environmental impact of four scenarios and provides information on how to minimize impacts from development under the various scenarios. The city is not required to use any of the scenarios as they have the authority to revise a scenario at any time. It is best to select a scenario (the future land use map for the Village) during the comprehensive planning process for the Village. For example, if it is determined that the designated commercial area in the Village Master Plan exceeds what makes market sense for the Village, the size of this area can be reduced and the AUAR amended to reflect this. The location of various uses may also be change.

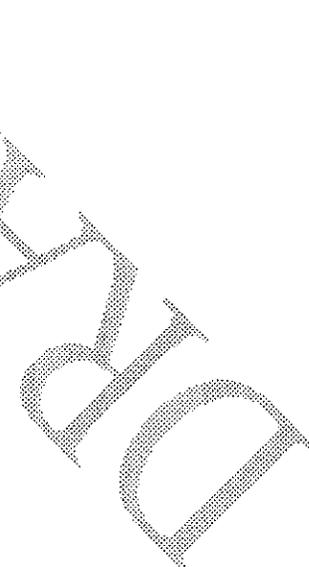
6b. Infrastructure planned to serve the development (roads, sewers, water, stormwater system, etc.). Roadways are intended primarily to serve as adjoining land uses within an AUAR area are normally expected to be reviewed as part of an AUAR. More arterial types of roadways that would cross an AUAR area are an optional inclusion in the AUAR analysis; if they are to be included, a more intensive level of review, generally including an analysis of alternative routes, is necessary.

Author:  
Subject: Note  
Date: 9/19/2008 10:11:05 AM  
Are / can these plans be made available on the city's website?

The current infrastructure planned to serve existing and new development in the AUAR area is based on the following plans and studies:

1. 2030 Comprehensive Plan (2005) - which includes infrastructure plans for sanitary sewer, water supply, surface water, and transportation
2. 2004 Downtown Area Flooding Analysis (2004)
3. Old Village Study Area Comprehensive Water System Plan (2004)
4. Comprehensive Park and Recreation Plan (2008)

If future development occurs as proposed under Development Scenarios A, B, C, or D, new utilities, roads and other infrastructure will be needed to serve the AUAR area. This AUAR identifies the infrastructure needed to support the four development scenarios. Infrastructure needs are discussed in greater detail under AUAR Items 13 - Water, Item 17 - Surface Water, Item 18 - Wastewater, and Item 21 - Traffic. Item 28 - Impact on Infrastructure and Public Services provides a summary of the new infrastructure that would be needed and where appropriate, provide comparisons between the scenarios.





**PUBLIC FINANCIAL ASSISTANCE**

The city has no plans for providing for public financial assistance to developers. The Village Master Plan discusses providing opportunities for housing for disabled adults in the Village area. How this will be financially implemented has not been determined.

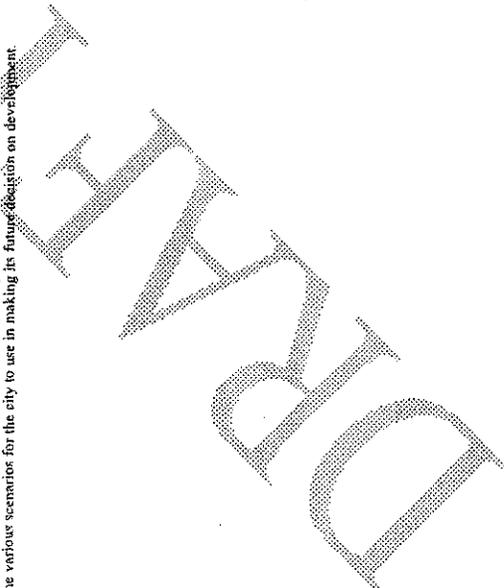
**INFRASTRUCTURE**

The city's adopted Comprehensive Plan is based, in part, upon a Memorandum of Understanding (MOU) with the Metropolitan Council dated January, 2005. The MOU and plan identify the provision of sewer service through the MCEES to the Village area and to the area between I-94 and 10<sup>th</sup> Street. The Comprehensive Plan includes plans for the provision of sanitary sewer, municipal water, surface water management and roads to the Village area. To implement the Village portion of the comprehensive plan the city undertook a Master Plan and a financial feasibility study of providing sewer services to the city as a whole and the Village in particular in 2007. The city has not yet adopted fiscal policies for the provision of sewer to the Village. The AUAR will provide important information on the environmental mitigation for the various scenarios for the city to use in making its future decision on development.

Author:

Date: 9/19/2008 10:40:13 AM

Does this statement refer to current assistance available or is it the city's policy none will be available in the future?  
TIF for redevelopment areas. 429 Assessments, grants, etc. may be valuable tools for the city to implement this project and is consistent with land use principle 10.



Author:   
 Date: 9/11/08 11:31:32 AM   
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 Date: 9/11/08 11:31:55 AM   
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institutional controls.

FPNDS Facility Index System/Facility Registry System maintained by the EPA. EPA's Facility Index System (FINDS) is a data base of facility identification data maintained by the EPA. Facility identification data maintained by each program office data base are consolidated in FPNDS and an attempt is made to reconcile discrepancies. The database contains both facility information and "pointers" to other sources that contain more detail. EDR includes the following FINDS databases in their report: PCS (Permit Compliance System), AIRS (Aeronautic Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), PFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADIS (PCR Activity Data System).

**Release Sites**

Release sites in and near the AUAR area are listed below in Tables 9-2 and 9-3.

Table 9-2

**Release Sites within the AUAR Area**

*Site Number	Site Name	Location	Potential Contaminants	Status
6	Ernstman Motor Sales Inc	11144 Skywater Blvd	LUST - release of used oil, fuel oil, and discovered 11/2/03	Site closure issued 5/8/96
8	St Croix Sausery	3549 Lake Elmo Ave N	LUST - release of fuel oil 1 and 2 discovered 11/17/2003; contaminated soils remain.	Closure has not been issued.
12	Lake Elmo Bulk Fuel	11040 Upper 3rd St N	LUST - release of unleaded gasoline and fuel oil 1 and 2 discovered 11/17/2003; contaminated soils remain.	Site closure issued 7/14/2004.
13	DIBA Construction	3103 Lake Elmo Ave N	LUST - release of unleaded gasoline and fuel oil 1 and 2 discovered 8/10/98; contaminated soils remain.	Site closure issued 10/23/98
--	Boeggeman Lake Elmo	SW Intersection of City Rd 15 and Hwy	VOC, MN L5, INST Control	Investigation is in progress. See below for additional information.
--	Payson TWP Groundwater Contamination	Hager's County Market (Site #5)	SHWS (State Superfund)	Remediation is in progress. See below for additional information.

Link back to site numbering in EDR report and Figure 9-2

**Stanis of Hagberg's County Market and Brueggeman's Cheese Sites**

The Hagberg's County Market (Baytown Superfund Site) is located in the center of the AUAR area, near the southeast intersection of Highway 5 (Stillwater Boulevard) and Layton Avenue. A metal plating shop was previously operated at this location and it is believed that the business owner dumped his wastes down a well. This site is believed to be the origin of the Baytown groundwater contamination plume discussed here, and in Item 19. Remediation is underway to address the contamination and conditions are being monitored (see Item 19 for details).

Information obtained from the MPCA indicates that groundwater from the former metal plating shop site has migrated beneath the Brueggeman's site. The investigation of the Hagberg site. The Brueggeman site was entered into the MFC program October 15, 2004. The investigation was completed at the site to determine if there was a Subsurface Gas Investigation (SSGI) on 10/26/2004. The investigation (12/1/04) was a Supplemental Phase II Investigation Work Item (WI) for the site. Designation letters were issued for the site by the MPCA 11/17/2004 and 11/23/04. The MPCA indicated that additional Phase II investigation was conducted at the site, based on the 2/17/2007 work plan. The agency has not received a copy of the report or its findings. The first investigation centered on diesel gas, and it was discovered that gases from the site, the groundwater were detected in the well as far as at least 12 feet below grade (ground water is approximately 30 feet below grade). Groundwater is impacted, but it does not appear that there is soil contamination. The additional Phase II work, not yet received, may provide additional information regarding soil contamination. At this time, it appears the main concern is vapors from soil gas.

Table P-3

**Release Sites adjacent to or near the AUAR area**

Site Number	Site Name	Location	Potential Concern	Notes
1	Loyell J. Riets property	4564 Kimbro Ave N (less than 1/4 mile north of AUAR area)	LUST - release discovered 9/8/92	Site closure issued 10/14/93
2	Lake Elmo	4300 Stillwater Blvd (less than 1/4 mile north/northeast of AUAR area)	LUST - petroleum product release discovered 12/15/88. Groundwater was contaminated, remains, and contamination was documented onsite.	Site closure issued 6/27/01
3	Wax Oil	Hwy 14 and Hwy 5 (adjacent to southeast corner of AUAR area)	Spill - petroleum product release (dates in report do not appear to be accurate)	A closure date was not listed

Auth: [redacted]  
 Date: 9/19/2008 10:43:16 AM  
 Subject: Note  
 The term "Brueggeman Release Site" is a misnomer. A better term would be "Lake Elmo Development Group (LEDG) VIC Site"

Auth: [redacted]  
 Date: 9/19/2008 10:43:41 AM  
 Subject: Note  
 See comment at top

Auth: [redacted]  
 Date: 9/19/2008 10:43:58 AM  
 Subject: Note  
 See comment at top

Auth: [redacted]  
 Date: 9/28/2008 12:22:36 PM  
 Subject: Note  
 Delete "to date has included an" and insert "is described in the"

Auth: [redacted]  
 Date: 9/29/2008 11:32:53 AM  
 Subject: Note  
 insert "Initial"

Auth: [redacted]  
 Date: 9/19/2008 10:45:03 AM  
 Subject: Note  
 Actual re-ort date was December 4, 2006.

Auth: [redacted]  
 Date: 9/29/2008 12:23:26 PM  
 Subject: Note  
 insert "was submitted"

Auth: [redacted]  
 Date: 9/29/2008 12:20:52 PM  
 Subject: Note  
 changing the initial investigation work, a"

Auth: [redacted]  
 Date: 9/19/2008 10:45:47 AM  
 Subject: Note  
 Actual re-ort date was February 14, 2007.

Auth: [redacted]  
 Date: 9/29/2008 12:23:55 PM  
 Subject: Note  
 insert "was resubmitted in response to MPCA comments"

Auth: [redacted]  
 Date: 9/29/2008 12:24:42 PM  
 Subject: Note  
 insert the "The supplemental field investigation work was conducted in the spring of 2007."

Comments from page 8 continued on next page

**Status of Hugberg's County Market and Bruggenwater Release Sites**  
 The Hugberg's County Market (Boytown Superfund Site) is located in the center of the AUAR area, near the southeast intersection of Highway 5 (Stillwater Boulevard) and Layton Avenue. A metal plating shop was previously operated at this location and it is believed that the business owner dumped his wastes down a well. This site is believed to be the origin of the Boytown groundwater contamination plume discussed here, and in Item 19. Remediation is underway to address the contamination and conditions are being monitored (see Item 19 for details).

Information obtained from the MPCA indicates that contaminated groundwater from the former metal plating shop site has migrated beneath the Bruggenwater property and developed land eastward of the Hugberg site. The Bruggenwater site was entered into the MTC program October 15, 2004. Work completed at the site to date included an Initial Subsurface Gas Investigation (10/26/2004) and Supplemental Phase II Investigation (12/1/2004). A Supplemental Phase II Investigation Work Plan (12/1/2004) was submitted to the MPCA. Determination letters were issued for the site by the MPCA 11/17/2004 and 11/9/2005. The MPCA indicated that an additional Phase II investigation was conducted at the site, based on the 2/1/2007 work plan, and that the agency has not received a copy of the report or its findings. The first investigation centered around soil gas, and it was discovered that gases from the subsurface in the groundwater were detected in the soil as far as at least 12 feet below grade (ground water is approximately 50 feet below grade). Groundwater is impacted, but it does not appear that there is soil contamination; the additional Phase II work, not yet received, may provide additional information regarding soil contamination. At this time, it appears the main concern is vapors from soil gas.

Table 3-3  
 Release Sites adjacent to or near the AUAR Area

Site Number	Site Name	Location	Primary Concern	Status
1	Louise J. Riels property	3564 Kimbri Ave N (less than 1/2 mile north of AUAR area)	LUST - release discovered 9/8/92	Site closure issued 10/14/93
2	Lake Elmo	3367 Stillwater Blvd (less than 1/2 mile north/northeast of AUAR area)	LUST - petroleum product release discovered 12/15/88. Groundwater was contaminated, contaminated soils remain, and contamination was documented offsite.	Site closure issued 6/27/01
3	Spill Oil	Hwy 14 and Hwy 5 (adjacent to northeast corner of AUAR area)	Spill - petroleum product release (dates in report do not appear to be accurate)	A closure date was not listed

Site Number	Site Name	Location	Potential Concern	Status
14	May Air Express	3775 Manning Ave (adjacent to southeast corner of AUAR area)	Spill - release of 23 gallons of aviation gas (high octane) and 5 gallons of other petroleum product due to plane crash 10/2/97. Soil was excavated and the site was referred to the Voluntary Investigation and Cleanup (VIC) program.	A closure date was not listed

\* corresponds to site numbering in EDR report and Figures 9-2

The CDL site identified by EDR may also be the site of a release, as the CDL database includes properties where law enforcement agencies found chemicals or other items that indicated the presence of either clandestine drug laboratories or dispensaries.

**Known Groundwater Contamination Plumes**

In addition to the release sites identified by EDR, two groundwater contamination plumes are known to be present in the area:

- Baytown Groundwater Contamination (TCE)
- Lake Elmo-Oakdale Groundwater Contamination (VOCs, metals, and PCBs)

Contamination associated with these plumes and the work being done to address it is summarized here and under AEAR Item 38.

The first area of groundwater contamination referred to as the Baytown plume is known to originate within the AEAR area southeast of the site currently occupied by Hagberg's Country Market. The contamination has impacted all four upper aquifer units: drift, Prairie du Chien, Jordan, and FIG (Frasnian-Iroquois-Galesville) aquifers. Based on County Well Index (CWI) information, there are 10 designated wells completed in the lower Mt. Simon aquifer, so it is unknown whether TCE contamination has also impacted that aquifer. Treatment of the contamination plume has taken a multi-step approach. The first response was to install private water supply systems that were within the TCE plume. Granular activated carbon (GAC) filters were installed in private water systems within the zone of contamination.

The next step made to address cleanup of the TCE plume has been to prevent the most highly contaminated portions of the plume from migrating further off-site. To do this, four barrier wells were installed along the most highly-contaminated water to an air stripper treatment system. The air stripper is designed to remove 99% of the TCE from the treated water, with the resulting discharge expected to be below the current health risk limits for TCE. Pumping of the barrier wells started in March 2008. While the barrier wells are expected to halt migration of the more highly-contaminated portion of the plume, in-situ treatment of the TCE is also being investigated by the Minnesota Pollution Control Agency, as a means to reduce the duration the barrier wells need to be operated and reduce the need for GAC filters on private systems. Pilot studies for in-situ treatment were started in November 2007, with full scale treatment expected to be started by the end of 2008.

Author:   
 Subject: Note   
 Date: 9/29/2008 12:34:01 PM   
 Delete "treat" and insert "provide well head treatment for"

Author:   
 Subject: Note   
 Date: 9/29/2008 2:34:52 PM   
 Delete "also made to address cleanup of the TCE plume has been to prevent the most highly contaminated portions of the plume from migrating further off-site. To do this, " and insert "steps being undertaken to address the remediation of this contamination were developed by the MPCA in compliance with state and federal Superfund procedures. Following the review of the Remedial Investigation and Feasibility Study, a Recommendation of Decision was advanced in December 2007, which incorporated remedial actions to address this contamination. The remedial actions are intended to stop the migration of contamination from the source area and to remediate the TCE contamination source. To this end,"

Author:   
 Subject:   
 Date: 9/29/2008 12:37:55 PM   
 Insert "in the spring of 2008"

A second plume of groundwater contamination originates from multiple landfill and dumping sites in Oakdale and Lake Elmo, outside of the AUAR area. These sites received both municipal and industrial wastes in the past. Contamination from these sites consists of volatile organic compounds, metals, and perfluorinated compounds (PFCs). At present, contaminants from this plume have not been detected in wells within the AUAR area, even though the special well construction area overlaps with the western third of the AUAR area. PFC contamination, one of the most mobile contaminants from the landfills, has been observed as far east as the intersection of Highway 5 and 31<sup>st</sup> Street. At present, it does not appear the migration direction of groundwater in this area will bring the contaminants any closer to the AUAR area. However, the presence of contaminants within fractured bedrock, such as the Prairie du Chien formation can sometimes travel in directions counter to the natural gradient of groundwater flow. As a result, special well construction areas are often extended beyond the known plume areas to surrounding properties.

**Other Potential Environmental Hazard Sites**

The other databases listed previously (above Tables 9-1 and 9-2) include sites that are licensed to handle, store, transport, or generate regulated quantities of hazardous waste, petroleum products, or other chemical substances. These facilities are subject to regular inspection by the County and/or State. These non-release sites identified by EQR within and near the AUAR area are listed below in Tables 9-4 and 9-5 and their locations are shown on Figure 9-2.

**Table 9-4  
Other Potential Environmental Hazard Sites within the AUAR Area**

*Site Number	Site Name	Location	Potential Concern
4	Lake Elmo City of	3860 Laverne Ave N	PKDS (MN-DULTA - (Minnesota - Permitting, Compliance, and Enforcement Information Management System) facilitates the issuance of permits and manages compliance. City listing in this database is associated with its NPDES Stormwater Permit.)
5	Dental Repair Dahl, K&E	11225 Stillwater Blvd N	SQG, FINDS
5	Hagberg's Country Market	11225 N Stillwater Blvd	UST
6	Lake Elmo City of	11144 Stillwater Blvd N	SQG, FINDS
6	Lake Elmo Regard	11179 Stillwater Blvd N	SQG, FINDS
6	Tesler Dental Centre LLC	11240 Stillwater Blvd N	SQG, FINDS
6	Minnesota Health Lake Elmo	11240 Stillwater Blvd	SQG, FINDS
6	Lake Elmo Oil Brookman	11127 Stillwater Blvd N	UST
6	Motor Sales, Inc.	11144 Stillwater Blvd N	UST, FINDS

Author: [redacted]  
 Date: 9/29/2008 10:57:40 AM  
 Subject: delete "ambient flow"

Author: [redacted]  
 Date: 9/29/2008 11:00:05 AM  
 Subject: delete "flow" and insert "the movement"

Author: [redacted]  
 Date: 9/29/2008 10:58:20 AM  
 Subject: insert "migration"

Author: [redacted]  
 Date: 9/29/2008 12:38:34 PM  
 Subject: delete "gradient of groundwater flow" and insert "groundwater gradients"

It should be noted that additional disposal and release events between the time of final AUAR approval and actual development plans for the AUAR area. In light of this reality, it seems prudent to revisit the issue of potential contamination during the site development process. Typically, a Phase I Environmental Site Assessment (Phase I ESA) would be required by a lender in conjunction with a property transaction where some type of financial assistance (i.e., loan) is being sought. The Phase I ESA would presumably identify any potential site contamination concerns that exist at that time, allowing the issue to be resolved prior to construction.

**MITIGATION SUMMARY**

**Land Use Compatibility:** Mitigation to address compatibility between different land uses of will consist of:

- Follow the Village Master Plan guiding principles that address potential land use compatibility issues between the existing Village residences and business and the new development or redevelopment opportunities supported by the Master Plan composite land use map. Specific examples of mitigation requirements include establishing requirements for: building setbacks, screening, landscaping, light pollution, buffer height, architectural controls, and design. These principles should continue to be followed as Village development planning continues (e.g., Comprehensive Plan, zoning, site plan requirements, design standards, etc.)
- Buffers consisting of berms and/or trees and shrubs will be established to shield residential and rural areas from more intensive land uses of commercial retail, office, institutional, and airport properties and between different types of residential uses (e.g., single family, townhouses, and condos).
- Compliance with lighting ordinances will be enforced to minimize conflicts between land uses.
- Require an airport zoning ordinance prior to new development occurring within the vicinity of the safety zones and noise contours/impact areas. Follow these land use restrictions for the airport safety zones and noise contours established by the city and MAC for development proposed to be located within the safety zones and noise contours. Additional information regarding noise impacts is presented in AUAR Item 24 - Odors, Noise, and Dust.
- Prohibit the establishment of waterfowl habitat located within the airport safety zones (e.g., large stormwater ponds with mown grass edges). Stormwater management facilities located within the airport safety zones should utilize infiltration BMPs to manage stormwater.

**Potential Environmental Hazards:** The potential presence of environmental hazards due to past site use should be revisited prior to development activities. At the time specific development is proposed, a Phase I Environmental Site Assessment (Phase I ESA) and possibly follow-up subsurface investigation may be warranted to determine if contamination is present.

A Phase I ESA is a study completed to find out if the potential for contamination exists at a particular property. The study uses reasonably ascertainable data to identify hazardous substances or petroleum products at a property which may indicate a recent release, past release,

Author:	
Date:	9/29/2008 11:04:43 AM
Subject:	delete "disposal and"
Author:	
Date:	9/29/2008 11:04:35 AM
Subject:	insert "old and new"
Author:	
Date:	9/29/2008 11:06:01 AM
Subject:	delete "occur" and insert "be discovered"
Author:	
Date:	9/29/2008 11:07:52 AM
Subject:	delete "It seem prudent to revisit"
Author:	
Date:	9/29/2008 11:10:15 AM
Subject:	insert "will need to be revisited"
Author:	
Date:	9/29/2008 11:13:17 AM
Subject:	delete "would presumably" and insert "will"
Author:	
Date:	9/29/2008 11:14:21 AM
Subject:	delete "concerns" and insert "(Recognized Environmental Conditions)"
Author:	
Date:	9/29/2008 11:15:20 AM
Subject:	delete "resolved" and insert "investigated and addressed"

or a material threat of a release in structures at the property, or into the soil, ground or surface water at the property. A Phase I ESA includes collection and analysis of the following information: regulatory database records; historical information such as aerial photographs, address directories, topographic maps and Sanborn fire insurance maps; geologic and hydrologic information; interview information from current and past site occupants, city staff, and others with knowledge of a property's use; and a site reconnaissance. A report is prepared that discusses the methods used to conduct the study, summarizes the study findings, discusses the significance of these findings, and assesses the need for additional studies which may be required to better characterize potential identified environmental concerns.

A Phase I ESA is meant to represent the due diligence needed to qualify for the innocent landowner defense in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980. The study is meant to constitute appropriate inquiry into the previous ownership and use of land at the property, consistent with good commercial or customary practices to identify recognizable environmental conditions.

Sometimes, a financial institution will require a Phase I ESA to be completed and a finding of "no recognizable environmental conditions" before it will lend money for a property transaction. These studies may be required by the lender for the purchase, development of, or other improvements proposed for a property.

If contamination is discovered prior to or during the course of development within the AUAR area, the developer or other responsible party will be required to address the situation in accordance with MPCA rules.

Author

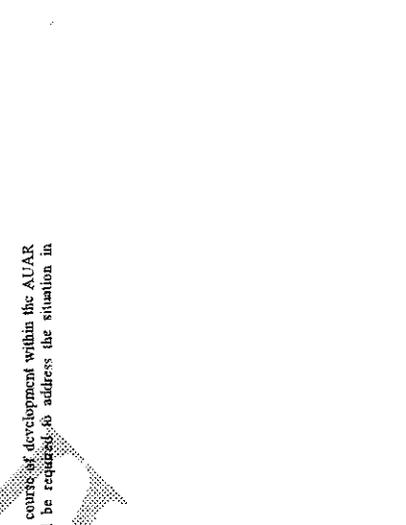
Date: 9/29/2008 2:31:32 PM

Sheet contains a list of Recognized Environmental Conditions (RECs), if any.

Author

Date: 9/29/2008 2:31:11 PM

Sheet in the event that the Phase I ESA identifies RECs at the property, a Phase II ESA typically will have to be performed. This assessment focuses on the location, nature and severity of the RECs and provides recommendations, if necessary, for remediation.



MITIGATION SUMMARY

Scenarios A, B, and C

The density of residential units differs for these three development scenarios, although the overall footprint for land use change is similar. These scenarios also look at redeveloping portions of the downtown area to incorporate some of the residential and non-residential growth. These scenarios all look to maintain existing parks and open space, while also creating new parks and open space within the Village. These scenarios include Buffer Zone/Open Space that protects the majority of the ecologically sensitive resources identified in this AUAR. The noted exception is the primary ecologically sensitive resources located adjacent to Reid Park.

These scenarios have the potential to impact the wildlife currently inhabiting the AUAR area. Especially wildlife habitat interspersed within agricultural lands and old fields, however these areas have a lower habitat value than natural and semi-natural areas, which include forests, woodlands, wetlands, and grasslands. These wildlife species will be forced to search and compete for food and shelter within other portions of the AUAR area or off-site. Birds will also be forced to search and compete for nesting locations once their current habitat is impacted. The proposed Buffer Zone/Open Space provides areas for wildlife to compete for food and nesting locations.

The following strategies are proposed to help mitigate potential impacts to wildlife habitat and environmentally sensitive resources.

- Revisit the location of the Buffer Zone/Open Space to consider the inclusion of primary ecologically sensitive resources (e.g., riparian areas adjacent to Reid Park). This may be compensated by considering the removal of non-ecologically sensitive resources that have been identified. Any modifications to the buffer will also need to address mitigating land use compatibility issues discussed in AUAR Item 5.
- Focus development on areas with lower habitat value areas (agricultural land)
- Keep remnant natural areas intact (large woodlands in south central portion of AUAR area)
- Promote corridors to connect wildlife habitat on and off site. These corridors can be established as multi-functional greenway corridors that provide for wildlife movement, open spaces, trails, and areas for agriculture, water management (e.g., infiltration BMPs).
- Encourage riparian areas through activities such as invasive brush removal, native wildflower seedling and similar
- Restore hydrology and vegetation of wetlands that are currently farmed
- Maintain steep slope areas

Development should be focused to encompass the lower quality habitat value areas including agricultural land with effects made to maintain primary ecologically sensitive resources and secondary areas that are interspersed with or adjacent to primary ecologically sensitive areas.

Remnant natural areas including the woodland and forest located in the south central portion of the AUAR area should be left intact. The location of this particular woodland and forest area is adjacent to Reid Park with a similar habitat type. Habitat fragmentation should be avoided if possible. This habitat may be able to be included into the buffer area or the park may be expanded to encompass this habitat in order to maintain this natural area. Restoration efforts including invasive species removal on this area and the adjacent park land would help to mitigate for wildlife habitat loss on other portions of the AUAR area.

Buffer areas surrounding the Village should encompass quality natural resource habitats in order to maintain these habitats and restore them. Restoring portions of the buffer, which are currently crop

12. Physical impacts on Water Resources: Will the project involve the physical or hydrologic alteration (dredging, filling, stream diversion, buffer structure, diking, impoundment) of any surface water such as a lake, pond, wetland, stream, drainage ditch, or Vot?  Yes  No  
 If yes, identify water resources affected and give the DNR Protected Waters Inventory number(s) if the water resources affected are on the PWI. Describe alternative capabilities and proposed mitigation measures to minimize impacts.

**AUAR Submittals:** The information called for on the EAW form should be supplied for any of the infrastructure associated with the AUAR development scenarios, and for any development expected to physically impact any water resources. Where it is uncertain whether water resources will be impacted depending on the exact design of future developments, the AUAR should cover the possible impacts through a "worst case scenario" or "yes prevent impacts through the provision of the mitigation plan."

**EXISTING WATER RESOURCES INVENTORY**

Hydrologic features in and near the AUAR are shown on Figure 12-1. These features include DNR public waters, wetland, hydric soils (likely associated with diked wetland), and the 100-yr floodplain.

**DNR Public Waters**

The DNR Protected Waters and Wetlands Inventories for Washington County (Minnesota DNR, 1996) indicates that two public waters lakes and four public waters wetlands are located within the AUAR area. Figure 12-1 depicts the locations of the DNR public waters.

Table 12-1  
**DNR Public Waters Characteristics**

Name	BNR ID	Surface Area (Acres)	OHW	Depth (Feet)	Fishing Resource	Public Access
Lake Elmo	82-106P	284 (38415)	465 x 0	137 ft	Managed primarily for walleye; northern pike, muskellunge, bluegill, and black crappie also present	Yes (local launch, fishing pier, regional park)
Sundfish Lake (unnamed)	82-107P	30	896.4 ft	25 ft	-	Yes (city park)
Veronica Pond (unnamed)	82-388W	-	-	-	-	-
(unnamed)	82-460W	-	-	-	-	-
(unnamed)	82-484W	-	-	-	-	Yes (city park)

*Indicates that data was not available.*

\*There is an inconsistency in the surface area reported for Lake Elmo by the Valley Branch Watershed District and the MN Department of Natural Resources.

The DNR has jurisdiction over all activities that take place below the ordinary high water level (OHWL) in the basins listed above. The OHWL is a reference point that defines the DNR's regulatory authority over development projects that are proposed to alter the course, current, or cross section of public waters and public waters wetlands. For lakes and wetlands, the OHWL is the highest water level that has been maintained for a sufficient period of time to leave evidence upon the landscape. The OHWL is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial.

**Wetlands**

Based on review of the National Wetlands Inventory (NWI), there is the potential for up to 20 additional areas of jurisdictional wetlands located within the AUAR area. These wetland areas are regulated by the Wetland Conservation Act (WCA) through Valley Branch Watershed District (VBWD) as the Local Government Unit (LGU) and may be regulated by the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act (CWA).

Any impacts to wetlands within the AUAR area and any wetland replacement would need to occur in accordance with the rules of the WCA and CWA.

The Army Corps of Engineers, St. Paul District, regulates the discharge of fill into waters of the U.S. The jurisdictional status of wetlands under the CWA is dependent on wetlands that are adjacent to traditional navigable waters or having a significant nexus to a tributary of navigable waters. In short, the Corps does not regulate isolated wetlands.

The WCA regulates excavation, fill, and drainage in most wetland types. The VBWD rules and regulations incorporate the WCA rules, but the rules also have additional wetland restrictions that are not included in the WCA. Most notably, the VBWD rules and regulations include dredging, ditching, and excavation as regulated activities in all wetlands as defined in the WCA. Excavation is only allowed within isolated wetlands of relatively low impound and value assessment for the region or area, when no more than 50 percent of the wetland is impacted and when all contiguous property owners join in the application. The current VBWD rules also require the establishment or protection of a 16.5 foot wide upland buffer around wetlands for all permitted activities.

Wetland delineations have not been conducted within the AUAR boundary. Figure 12-1 depicts all of the wetlands within the AUAR boundary according to the National Wetland Inventory database.

The Valley Branch Watershed District (VBWD) has completed an assessment of wetlands throughout its watershed in partnership with the Washington Conservation District and Barr Engineering Company. The study is being conducted as part of the VBWD's water resource inventory in order to better protect wetlands remaining in the area. This information collected will be used as a planning tool by the VBWD and the 14 subcommunities within the watershed to identify problems with individual wetlands and determine appropriate solutions. The information will be included in each community's local water resource management plan.

The VBWD assessment classifies wetlands into four categories: Preserve, Manage 1, Manage 2 and Manage 3. Preserve wetlands are the highest quality wetlands and receive the highest level of protection. They require an average 60 foot buffer with no change to existing hydrology with respect to boomage, inundation, and runoff regulation. Manage 1 are medium quality wetlands, require an average 40 foot buffer and allow minor changes to hydrology characteristics. Manage 2 wetlands are lower quality, require an average 30 foot buffer and allow more flexibility in hydrology changes. There are no Manage 3 wetlands within the AUAR study area.

**POTENTIAL IMPACTS ON WATER RESOURCES**

Direct impacts may include fill and/or excavation associated with the construction of roads, the installation of utilities and other infrastructure improvements. Indirect impacts may include land cover alterations that could affect hydrology movement in the drainage area of individual wetland basins. Development in the uplands surrounding the wetlands may cause an increase in the amount of runoff and/or decrease in infiltration and groundwater recharge.

Author: [Redacted]  
Subject: [Redacted]  
Date: 9/29/2008 12:45:46 PM  
This statement is not accurate. LEED has completed on their property and I suspect other projects in Lake Elmo have as well

Scenario B, C, or D would require two new wells in addition to the one new well needed to serve the existing population, assuming 1,000 gpm capacity for each well and that Well No. 1 remains in service, for a total supply capacity of 3,500 gpm.

- To maintain conformance to DNR goals for water use during periods of growth, the city should be proactive in implementing water conservation measures early before water use has a chance to experience upward pressure.

**Water Supply Planning**

- Water supply needs must be evaluated for the system as a whole, not just a small part of the system (e.g., the Village Area). Growth elsewhere in the system could trigger much larger supply needs. When the updated Comprehensive Water System Plan is complete, it should address the supply and storage needs for the system as a whole, as well as provide a plan for the sizing and location of the distribution system components.

Author: [redacted]  
 Date: 9/23/2008 12:46:39 PM  
 Subject: Delete "two" and insert "one"

REVISION

DATE OF REVISION: 9/23/2008  
 TIME OF REVISION: 12:46:39 PM  
 REVISION: Delete "two" and insert "one"

Kyle Klatt

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From: [REDACTED]  
 Sent: Saturday, October 11, 2008 12:39 PM  
 To: AUAR Draft Comments

To Whom It May Concern:

I was unable to attend the AUAR Advisory Panel meeting dated Thursday, October 2nd. I am hoping to address the City and Bonestroo consultants with the following questions, comments, and concerns prior to the council workshop this Tuesday. The following item numbers are of note: Item 21, Item 24, and Item 29.

**Item 21: Traffic:**

1) Page 47 of the *initial AUAR informational binder* indicated that the LOS F rating is dangerous and extreme. Further, it lists in the second paragraph (to paraphrase) that a "LOS D is considered the **lowest level of service typically accepted by a governmental body**". AUAR Chair Margaret Carlson has my copy of this sheet for the exact quote.

a) regardless of *reasons* this explanation was omitted from the current document, I would like it added back.

b) If the retort is that LOS ratings are inconsequential, then why are they referred to so much? The current and future residents of Lake Elmo need to be comfortable knowing where we stand with our transportation system, where we need help now, and where we need help w/regards to infrastructure as future development scenarios are discussed and implemented.

2) Page 94 of current document: "Although the specific roadway improvements for TH5 should be planned, traffic volumes should be monitored to determine the actual *timing* of any improvement."

a) my questions: does this mean that both volumes AND LOS ratings will be discussed simultaneously? To be more clear, volumes and LOS ratings are different: thus, we should monitor BOTH.

3) General question for clarification. As I read the document, is it correct that there are THREE potential signal lights in question along TH 5? I read it as TH5 and Laverne is suggested as having a signal put in without development. *With* development, there would be two additional: one at TH5 and Lake Elmo Ave. North and one at TH5 and Lake Elmo Ave. South. Please clarify.

a) refer to Tables 21-7 and 21-9

b) clarification on this?

4) TH 5, as part of the 2030 Transportation Plan, is suggested as moving to a four lane roadway. As part of the environmental review of this comment, are traffic calming measures and buffers being put into this document as it directly relates to what we're studying in this AUAR document? My direct example is the Engstrom-promised traffic calming measures / bike paths along Hwy. 5, thus protecting the homes along TH 5 and walkability of the Old Village.

**Item 24: Airport Noise:**

1) As I read Table 24-4, Land Use Category 4 is considered *Incompatible* for future development, *Provisional* for multiplex/apartment development, and *Conditional* for mobile home development: none of the aforesaid mentioned include a "Compatible" rating.

a) does the City and Bonestroo feel that the mitigation summaries are strict enough? To be more clear, I feel we need to seriously consider the ramifications of housing in this area.

b) can we get a response from Bonestroo on this?

Thank you for the opportunity to list my comments and questions online.

Sincere Regards,

Kyle Klatt

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**From:** [REDACTED]  
**Sent:** Saturday, October 11, 2008 11:58 PM  
**To:** AUAR Draft Comments  
**Cc:** [REDACTED]  
**Subject:** comments on stormwater

Thus far I have only reviewed the section of the AUAR on water resources and stormwater. As a resident of Lake Elmo and professional who works in the field of watershed management, this is an area of special interest to me. Changes in land use from open spaces to urban landscapes with increases in impervious surfaces (roads, roofs, driveways, etc.) is a significant change to the natural hydrology. The volume of runoff increases significantly and water quality can be impacted.

While this may be "Hydrology 101" on urban stormwater and these impacts may seem obvious, the AUAR does very little to quantify these impacts and more seriously it does little or nothing in defining exactly how potential water resource impacts would be mitigated. The only mitigation measures discussed are quite vague and do not provide a mechanism for addressing impacts that are specific, enforceable, nor measureable. Key points that are not addressed in the AUAR and are serious flaws in the document include:

1. Treating all the scenarios (600 upto 1,600 new units, a factor of over 2.5 times higher) as if they have the same impact. For stormwater, this is not realistic nor reasonable.
2. The main drainage area, the Downs Lake drainage system is semi-landlocked which makes it is extremely sensitive to added runoff volume, which will occur with added development.
3. Based on information from the Valley Branch Watershed District (VBWD), the Downs Lake area is flood prone and the limited outlet capacity does not eliminate flooding, but only lessens the duration of flooding. It does not appear that the Valley Branch Watershed District has allowed for any capacity for the proposed urbanization, nor has it been very involved in the study nor mitigation plan while the runoff impacts would greatly effect the VBWD efforts to protect areas from flooding.
4. New discharges from the new development in the village appears to be directed to the St. Croix River, per the report. This is not a trivial matter as there is currently no discharge from this area under most years and the nutrient goals for the St. Croix River are to reduce nutrients to the River from existing conditions, NOT increasing more loads to the River as would be allowed in the AUAR.
5. The AUAR refers to stormwater standards of the VBWD (1/2 " to 1" volume reductions) and is not specific on any additional requirements (which Lake Elmo has historically had higher standards). The volume reductions in this existing, natural area is likely greater than 3-4" and therefore the VBWD standards would not protect Downs Lake nor the St. Croix River. The AUAR does not analyze the specific impacts but suggests that following VBWD standards will "help" without being numeric or scientific in quantifying what that means.
6. The AUAR refers to regional ponding downstream of downtown as part of the potential mitigation. The AUAR presentation on geologic risks recommends small scale practices and not large, regional ponds, which leaves a contradiction between the geologic recommendations and the stormwater recommendations.
7. It does not seem to make sense how regional ponds downstream of downtown would address downtown flooding issues, since the ponding would be needed upstream before it reaches downtown.

If the other sections of the AUAR (ex. traffic, potable water, and schools) similarly treat all scenarios (600 - 1,600 new units) as virtually the same, the AUAR seems to have missed the point of this document and process. Suggesting that a range of 600 to 1,600 additional units has little or no difference from each other is hard to understand. It seems to beg the question of why the study was even done or what value it offers.

There may be other comments I would offer with more time to review the rather large document, both in the stormwater section and other sections, but I wanted to at least share these comments as the city reviews the documents. I am sure the city staff would also be able to critique and identify these deficiencies as is their role representing the city, but I felt this was still worth sharing.

I thank you in advance for considering these comments. I will be interested to hear back on specifically how these comments are addressed.

Sincerely,

**Kelli Matzek**

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**From:** Kyle Klatt  
**Sent:** Wednesday, October 15, 2008 4:31 PM  
**To:** Ciara Schlichting  
**Cc:** Kelli Matzek  
**Subject:** FW: Lake Elmo AUAR

Ciara - More Comments. Kelli - could you please add these to the table? Thanks.

Kyle

[REDACTED]

Sent: Wednesday, October 15, 2008 4:21 PM  
To: AUAR Draft Comments  
Subject: Lake Elmo AUAR

The converting of prime agricultural land to high density development is a massive conversion and should not be taken lightly by anyone and the quality of life will be greatly compromised for those individuals and businesses in the existing OV of Lake Elmo. Going from a quiet, quaint downtown of 200 homes plus businesses to a megatown to an additional 1,000-1,600 housing units, Plus Senior housing, Plus commercial/industrial, Plus civic buildings to appease developers is an abomination. Now the task is how to make something not appealing to something acceptable... by mitigation.

**Traffic Impacts:**

Widening State Highway 5 from two to four lanes and adding multiple turn lanes at various intersections will impact the existing core businesses, homes and historical cemetery. How will the cemetery be mitigated?

October 2007, the City of Woodbury put forth a plan of adding a new freeway intersection at I-94 and County 17. This plan for a new intersection will add more traffic on Lake Elmo Avenue than what has been presented in the AUAR document.. Since the AUAR is a long range document this important data should be factored into the equation since in 2007 it has been identified as a possibility by Woodbury and Lake Elmo. Discussions about cost sharing of the project have occurred, but not brought forth to the Lake Elmo governing body officially as of October 2008.

**Deforestation:**

The AUAR draft went into detail regarding de-forestation of the remaining trees in the OV area.. The Behr farmstead woods northeast of city hall contains oaks, maple and other species, buffer to Reid Park and the wooded areas behind Gorman's White Hat Restaurant should not be bulldozed down and burned. Work with the City forester to have a plan on how to save and incorporate these existing positive attributes into any OV plan.

Multiple comments have been made by the consultant regarding the negative affect of the OV plans on Reid Park and the surrounding area where the poop pump station is to be placed. Any plan should complement the park , not detract from it. Once again working with the city forester a plan should be to save and incorporate these positive vegetative assets of the city not destroy them.

#### Surface Water Plan:

The Surface water run-off has always been a concern at certain times of the year and will need extra attention.. This is a VERY costly project . Experts who spoke before the city in 2007 said that the magnitude and costs of these projects will force everyone to subdivide at some time from the homeowner on a one acre lot to those who want to keep acreage for animals.

How will this be addressed.. what will it cost ?

Where will the pipes and ponds be placed?

How will any discharge be treated ?

How will excess water get to the St Croix River and is this run off permitted to be discharged into the St Croix River?

**Kelli Matzek**

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**From:** Susan Hoyt  
**Sent:** Wednesday, October 15, 2008 10:15 AM  
**To:** Kyle Klatt  
**Cc:** Ciara Schlichting; Kelli Matzek  
**Subject:** FW: AUAR/SRTS/fabulous toffee

Kyle - As manager of the AUAR comments that we have and will receive, please see bottom line here in this email re: AUAR... make sure we have it captured in our earlier comments.. if not, add it into the table. Thanks. susan

[REDACTED]

Sent: Wednesday, October 15, 2008 7:37 AM  
To: Susan Hoyt  
Subject: AUAR/SRTS/fabulous toffee

Good morning, Susan!

I wanted to paste the portion of an email I sent to PTA for last night's meeting at the school:

2) Regarding SRTS, can ITERIS address a couple quick questions:

- a. is it true that there is around 2million statewide for 2009 infrastructure projects?
- b. Is the deadline for application for infrastructure funds NOVEMBER 21, 2008?
- c. how much has the city been part of these plans??? If not too much yet, WHEN WILL THIS BE BROUGHT TO CITY HALL?
  1. ie: stoplights are part of the City's 2030 Transportation Plan / a LONG time away!!
- d. WILL ITERIS help the school (ie: Andy Fields as Principal) secure funds from alternative sources (ie: district) for a parking lot for carpool and other?

The PTA's Treasurer will be calling me today to get me some answers. This is obviously background information f or you prior to more formal information I'm sure coming from Iteris. Andy and I spoke for quite awhile Monday night discussing the progress (or lack thereof) of Iteris. I ensured him that I'll push the project along when I need to (thus the above questions, straight fromt the national website).

However, I'm nervous about some verbage in the AUAR document. The worry is that it anticipates expecting SRTS to do more than it plans (funds and plans). I know the biggie is a new parking lot. As for visibility and crossing on Hwy. 5, I'm assuming that needs to mesh with the City's plans.

I will be in touch as soon as anything stalls.

Thanks for your support,



Minnesota Department of Transportation

**Metropolitan District**  
 Waters Edge  
 1500 West County Road B-2  
 Roseville, MN 55113-3174

October 15, 2008

Ms. Kelli Matzek  
 Assistant City Planner  
 City of Lake Elmo  
 3800 Laverne Avenue North  
 Lake Elmo, MN 55042

RECEIVED  
 OCT 16 2008

**SUBJECT: Village Area AUAR**  
**Minnesota Department of Transportation (Mn/DOT) Review #AUAR08-004**  
 TH 5 from Sunfish Lake to Manning  
 Lake Elmo/Washington County  
 Control Section 8282

Dear Ms. Matzek:

Thank you for the opportunity to review the Village Area AUAR. Please note that Mn/DOT's review of this AUAR does not constitute approval of a regional traffic analysis and is not a specific approval for access or new roadway improvements. As plans are refined, we would like the opportunity to meet with our partners and to review the updated information. Mn/DOT's staff has reviewed the document and has the following comments:

**Traffic Forecast:**

The traffic study uses a base 2% annual growth rate, which is based on historic traffic growth. Additionally, it appears that the traffic generated by the development was added on top of the base rate. Since development in this area is likely needed in order to realize the annual 2% growth rate, traffic volumes are likely over estimated. It would be preferable for the study to use the regional model to identify forecast traffic volumes. Additionally, the new trips identified in the model for the area could be subtracted from the trips generated by the Village Area development. This is important since the proposal is to widen TH 5.

**Access Management:**

Mn/DOT has developed its Highway Access Category System and Spacing Guidelines. These guidelines are the Department's policy for managing access and signal spacing on the State's Trunk Highways. The policy is intended to promote the safety and mobility of the traveling public while accommodating the access needs of the surrounding area. The proposed signals on TH 5, on the north and south leg of Lake Elmo Blvd are approximately .17 miles apart. Mn/DOT's Access Management Guidelines call for 1/4 mile spacing. With the short distance and the high volumes, it will be very difficult to coordinate the signals and traffic may queue up through the other intersection.

**System Optimization Study:**

Mn/DOT Metro District and the Metropolitan Council will be developing a System Optimization Strategy (SOS), which will establish a long-term vision for each highway corridor in the Metropolitan Area, including TH 5. The findings from the strategy will help guide Mn/DOT Metro District's Transportation System Plan (TSP) as well as the Metropolitan Councils Transportation Policy Plan (TPP) in their determination of future system needs. The SOS will

confine the future size of the highway system, recognizing that there are limits to how much it can expand.

**Residential Noise:**

Mn/DOT's policy is to assist local governments in promoting compatibility between land use and highways. Residential uses located adjacent to highways often result in complaints about traffic noise. Traffic noise from this highway could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC) where the establishment of the land use would result in violations of established noise standards.

Mn/DOT policy regarding development adjacent to existing highways prohibits the expenditure of highway funds for noise mitigation measures in such areas. The project proposer should assess the noise situation and take the action deemed necessary to minimize the impact of any highway noise. If you have any questions regarding Mn/DOT's noise policy please contact Peter Wasko in our Design section at (651) 234-7681.

**Bicycle Pedestrian Traffic:**

The study should determine how pedestrians and bicycles are integrated into roadway improvement scenarios. With the suggested widening of TH 5, a 100+ foot wide roadway can become a difficult barrier for some pedestrians.

As a reminder, please address all initial future correspondence for development activity such as plats and site plans to:

Development Reviews  
Mn/DOT - Metro Division  
Waters Edge  
1500 West County Road B-2  
Roseville, Minnesota 55113

Mn/DOT document submittal guidelines require either:

1. One (1) electronic pdf. version of the plans (the electronic version of the plan needs to be developed for 11" x 17" printable format with sufficient detail so that all features are legible);
2. Seven (7) sets of full size plans.

If submitting the plans electronically, please use the pdf. format. Mn/DOT can accept the plans via e-mail at [metrodevreviews@dot.state.mn.us](mailto:metrodevreviews@dot.state.mn.us) provided that each separate e-mail is less than 20 megabytes. Otherwise, the plans can be submitted on a compact disk.

If you have any questions regarding this review please feel free to contact me at (651) 234-7794.

Sincerely,



Tod Sherman  
Planning Supervisor

Copy:  
Ted Schoenecker, Washington County  
Ciara Schlichting, Bonestroo, Inc.

Copy via Groupwise to:  
Ann Braden  
Jim Henricksen  
Nancy Jacobson  
Adam Josephson  
Bryce Fossand  
Buck Craig  
Steve Channer  
Wayne Lemaniak

Ted Schoenecker,  
[Ted.Schoenecker@co.washington.mn.us](mailto:Ted.Schoenecker@co.washington.mn.us)

Ciara Schlichting  
[ciara.schlichting@bonestroo.com](mailto:ciara.schlichting@bonestroo.com)

Kelli Matzek

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**From:** [REDACTED]  
**Sent:** Monday, October 20, 2008 12:07 PM  
**To:** Ciara Schlichting; Ted.Schoenecker@co.washington.mn.us; Adam Josephson; Jim Henricksen; Nancy Jacobson; Wayne Lemaniak; Kelli Matzek; ann.braden@metc.state.mn.us  
**Cc:** Paul Czech  
**Subject:** Village Area AUAR (AUAR08-004), Mn/DOT Review Letter -10-15-08

In my October 15, 2008 letter, I made reference to the System Optimization Study "SOS." Please note that this is the incorrect name for this study. The actual name has yet to be determined. Further, although we anticipate doing some type of system study with the Metropolitan Council, it will not evaluate individual corridor segments as stated in the letter. Please disregard the "System Optimization Study" portion of my letter. I regret any confusion this may have caused you or others. Please let me know if you have any questions.

Kelli Matzek

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From: Kyle Klatt  
Sent: Wednesday, October 22, 2008 7:57 AM  
To: Ciara Schlichting  
Cc: Kelli Matzek  
Subject: FW: comments for AUAR

Ciara:

A few more comments regarding the AUAR. Kelli, could you please add this to our tracking chart?

Kyle

From: [REDACTED]  
Sent: Tuesday, October 21, 2008 11:09 PM  
To: AUAR Draft Comments  
Subject: comments for AUAR

The AUAR is a lengthy document, but I would like to comment on the water resources at this time. One of the major problems was that the mitigation measures were vague and did not address the manner in which the measures would be enforced or measured.

I live in the Down's Lake drainage system area which is semi landlocked and has had problems with flooding in the past. There is only limited capacity for an outlet and discharge would be difficult for any amount of added development, but different for a 600 verses a 1600 unit development. The study does not address the difference between these two unit counts.

The study speaks of ponding downstream of the new development, but does not discuss ponding for water north of the area before the water reaches the development. Is this a possibility that could alleviate some of the problems for areas south that will be flooded?

The AUAR discusses a discharge of water eventually reaching the St.Croix river. Has there been a discussion with the authorities overseeing the river as to the negative effect this could have on the river? This is a National Scenic Riverway and it may have additional rules governing discharge into it.

November 10, 2008

Ms. Susan Hoyt  
City of Lake Elmo  
3800 Laverne Avenue N.  
Lake Elmo, MN 55042

Re: Lake Elmo Village Area Draft AUAR

Dear Susan,

As member of AUAR Advisory Panel, I provided comments and voiced concerns regarding the AUAR and Mitigation Plan at our last meeting. Particularly, my comments addressed the potential impact of the AUAR and Mitigation Plan on the economic viability of Lake Elmo village development. In the absence of a completed financial analysis, I believe the AUAR and Mitigation Plans should be less restrictive and should be drafted to be very flexible. This approach would provide considerable discretion to the City Council regarding future land use decisions as more information is known and conditions warrant. Upon further review of the mitigation plan distributed to me at the meeting, I hold these concerns in even greater regard.

The LEDG owns one of the largest, if not the largest parcel planned for the development and it potentially could bear the largest proportionate share of development infrastructure costs. I have serious reservations of the property's ability to bear such costs in light of the existing and potential constraints to development being placed upon it. I summarize these constraints as follows:

Existing constraints

- Adjacent to Lake Elmo Airport
- Gas pipeline
- Wetlands
- Railroad
- Potential contamination from nearby property

Additional constraints identified in Village Master Plan

- Parks
- Greenbelt / Buffer
- Institutional land uses
- Architectural Standards

Additional constraints identified in AUAR

- Airport safety zone
- Airport noise zone
- Additional buffer to Reid Park
- Railroad setback
- Regional storm pond

Ms. Susan Hoyt  
November 10, 2008  
Page 2

- No park credit for greenbelt / buffer
- No public funding or assistance

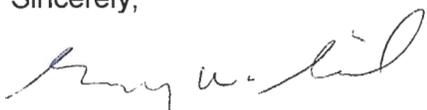
Additional constraints identified in Mitigation Plan

- Conservation / LID design requirements
- Transfer of development rights needed for density

These identified constraints are unique to the property and are in addition to other regulations and costs associated with development. Although the full impact of these constraints is not known at this time, if taken to their fullest extent there will not be sufficient revenue-generating land remaining to justify the cost of the improvements. An AUAR and mitigation plan that lacks flexibility and is needlessly restrictive could result in the city council's inability to make changes as future conditions warrant. In my experience, the proposed mitigation plan goes far beyond what is necessary to obtain agency and public approval and acceptance.

We urge the City of Lake Elmo to exercise caution and to take the time necessary to fully understand the impacts of the proposed documents. We remain in support of the city's efforts and are committed to implementation of the Village Master Plan to the extent possible. It will take considerable effort and flexibility on the part of all parties to meet this goal. We should not needlessly constrain ourselves at this early stage in the process.

Sincerely,



Gregory W. Schlink  
Lake Elmo Development Group