

## **DRAFT Appendix K: Response to Lake Elmo Village Area Draft AUAR Comments**

*AUAR Guidelines: The final AUAR document must include a section specifically responding to each timely and substantive comment on the draft that indicates the way in which the comment has been addressed. Similar comments may be combined for purposes of responding.*

The Lake Elmo Village Area Draft Alternative Urban Areawide Review (Draft AUAR) was distributed to the Environmental Quality Board (EQB) and persons and agencies on the official Environmental Quality Board (EQB) mailing list in accordance with EQB rules on November 26, 2008.

The 30-day comment period expired on December 31, 2008. Six agencies and seven citizens submitted comment letters on the Draft AUAR. Valley Branch Watershed District requested an extension of the public comment period; the City of Lake Elmo granted the extension. Copies of all comment letters submitted are included in Appendix J.

Responses are generally confined to substantive issues that “address the accuracy and completeness of the information provided in the draft analysis and draft mitigation plan, potential impacts that warrant further analysis, further information that may be required in order to secure permits for specific projects in the future, mitigation measures or procedures necessary to prevent significant environmental impacts within the area when actual development occurs, and the need to analyze additional development scenarios” (Minnesota Rules Part 4410.3610, Subp. 5). Although comments and recommendations that do not address these areas need not have a response, they have been duly noted for the record and are not necessarily specifically addressed in the responses. As required by MN Rules, the RGU has provided replies to comments that are “substantive” and where necessary, note any correction(s) to be made to the appropriate sections of the AUAR or Mitigation Plan.

As suggested in the EQB’s document “Recommended Content and Format for Alternative Urban Areawide Review Documents” (see Appendix B) similar comments are combined for the purposes of responding. Responses to comments are organized by AUAR Item number. The substantive comments regarding each AUAR item are summarized and the agencies, organizations, and citizens submitting similar comments are listed. This method assures consistency in the responses and allows the reviewer to easily identify the major issues raised amongst the comment letters received. A general response to each substantive comment follows.

### **ITEM 6. PROJECT DESCRIPTION**

**6-1 Comment Summary:** p.v, table 1: How can Scenario A with 600 “new housing” have more “new residential” (32%) than Scenario D with 906 “new housing” (11%)? The only way is for D to have much more concentrated development. This can be good, if it means more affordable housing. However, there is no guarantee of this, so be careful to look behind the simple area numbers. All the other scenarios could concentrate housing more in line with D.

**Agencies/Persons Commenting:** Todd Williams

**Response:** While Scenario A has fewer housing units than Scenario D, the amount of land used for housing in Scenario A is more (32%) than the amount of land used for housing in Scenario D (11%).

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- 6-2 Comment Summary:** Table 6-5: This timetable is extremely aggressive, given the current state of the economy, especially the housing market. There is not sufficient recognition of the state of the economy in the AUAR. The timetable implies many financial considerations, even though the AUAR supposedly does not deal with finances.

**Agencies/Persons Commenting:** Todd Williams & Ann Bucheck

**Response:** The title of Table 6-5 is “Tentative Timeline – Village Development Process” and the text preceding the table notes that “any future step may be shorter or longer”. The table describes steps that occur before and after the AUAR process; therefore, financial considerations are part of the overall process and are included in the tentative timeline. The timeline has been updated, including a footnote that was inadvertently omitted from the table that refers to the housing market.

- 6-3 Comment Summary:** In terms of visualizing the four scenarios, it seems reasonable to have a map showing the extent of the development for the various scenarios. Unless significantly different densities are assumed for residential development, it seems the different development scenarios would encompass different areas. It would be more accurate and representative to show those.

**Agencies/Persons Commenting:** Brett Emmons

**Response:** Figures 6-1 and 6-2 show the extent of the development for the various scenarios. Figure 6-1 shows the extent of development for Scenarios A, B, and C and Figure 6-2 shows the extent of development for Scenario D. The extent of development for Scenarios A, B, and C is the same. The difference in these three scenarios is the units (e.g., the density of residential development differs).

- 6-4 Comment Summary:** Walkable City (i.e., maximum 1 mile diameter for developed land inside the green belt for all new housing and infrastructure) fails in AUAR. The drawing scale was wrong. I pointed this out. The AUAR consultant chose not to correct the error by educating the Council on this fundamental “Walkable City” concept and instead proceeded as all was correct.

There is no justification for assuming 650,000 s.f. of retail, commercial and institutional space in the Village Area under any scenario, let alone the same amount for scenarios with a range from a low of 1,400 residents to a high of 3,500 residents.

The Scenarios with housing development spreading out in a one mile radius from the city center, fail to provide the required Signature Green Belt.

**Agencies/Persons Commenting:** Steve DeLapp

**Response:** The City Council accepted the Village Master Plan in April 2007. Close Landscape Architects provided the square footage of non-residential development based on the Master Plan they prepared with the City. The City Council defined the AUAR Scenarios (three of which are based on the accepted Village Master Plan) and ordered the preparation of the AUAR on April 1, 2008. The AUAR must be based on development scenarios defined at the time the AUAR is ordered.

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### **ITEM 8. PERMITS AND APPROVALS REQUIRED**

**8-1 Comment Summary:** If a Clean Water Act (CWA) Section 404 Individual Permit is required by the USACE for any development related activities, then an MPCA CWA Section 401 Water Quality Certification must also be obtained.

**Agencies/Persons Commenting:** Minnesota Pollution Control Agency

**Response:** Comment noted. The list of permits and approvals (Table 8-1) has been amended to reflect the potential need for the CWA Section 401 Water Quality Certification.

**8-2 Comment Summary:** Lake St. Croix, a receiving water for runoff from the AUAR area, is included on the 2008 303(d) Total Maximum Daily Load (TMDL) list of impaired waters as being impaired for aquatic recreation due to eutrophic conditions. Under the CWA, this impaired status requires that a TMDL study and implementation plan for the lake be completed, and the MPCA is currently working on a plan for doing this. Once an implementation plan is in place, targeted for 2011, waste load allocations will be given out to permitted sources throughout the watershed, including the city of Lake Elmo. With this in mind, the city should take all possible measures during development to reduce or eliminate phosphorous and sediment loading to Lake St. Croix. Steps should also be taken to minimize loading to wetlands and other lakes to prevent them from being listed as impaired. It should also be noted that a Lake Pepin TMDL implementation plan is currently in the process of being formulated, which could include a load allocation for the city of Lake Elmo.

**Agencies/Persons Commenting:** Minnesota Pollution Control Agency

**Response:** The Lake St Croix TMDL is not scheduled to be completed until 2011 and the Lake Pepin TMDL completion date has not been scheduled. Once the TMDL Implementation is completed and approved for Lake St Croix and Lake Pepin, the City of Lake Elmo will have 18 months to update their Stormwater Pollution Prevention Plan (SWPPP) to incorporate the findings of the TMDL and the methods for meeting the associated waste load allocation. New development in the AUAR area will need to go through review and approval with the City in compliance with their SWPPP.

The List of Permits and Approvals has been updated to include the TMDL implementation plan requirements of the city as follows: "Future review and permitting pending US EPA approval of Lake St Croix and Lake Pepin TMDL Implementation Plans".

**8-3 Comment Summary:** It should be noted in this section of the AUAR and on Table 8-1 that approvals from the FAA may be required for certain construction related activities. Once completed, the airport zoning ordinance should identify parcels and document the allowable building heights for each. However, please note that review by the FAA is required for any construction that involves equipment or cranes in excess of the allowed heights, as well as for areas outside the safety zones in proximity to the airport (all of the AUAR area). The City should ensure that the FAA is properly notified via submittal of a Notice of Construction or Alteration (Form 7460-1A) and a "determination of no hazard" received before issuing permits for structures that require this type of review. The form can be found and submitted on line at [www.faa.gov](http://www.faa.gov).

**Agencies/Persons Commenting:** MAC

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**Response:** The list of permits and approvals required has been amended to reflect the potential need for FAA permits.

### **ITEM 9. LAND USE**

**9-1 Comment Summary:** Keep low level buildings and rural aesthetics top of mind, with trees and store fronts capturing an era that is all but lost if not for memories. Ensure that current land owners and business' are dealt with fairly and equitably. Keep peoples opinions high on the list, where they make sense.

**Agencies/Persons Commenting:** Richard Mathus

**Response:** The Village Master Plan includes thirteen principles, which is intended to build on the existing Village's strengths. These principles were accepted by the City Council in April 2007. The thirteen principles summarized are: 1) provoke a sense of place, 2) balance the natural and built systems, 3) broaden the mix of local goods and services, 4) provide a variety of housing choices, 5) invest in quality public space, 6) preserve and enhance natural and cultural resources, 7) improve connectivity, 8) build partnerships, 9) foster public safety, 10) forward a vision that can be implemented, 11) become a great model, 12) lead by design, and 13) minimize the impact on existing residences and businesses. The complete text of the land use principles is located in Appendix C.

It has been the intent of the planning process and it remains critical that the city follow the Village Master Plan principles when it prepares the Comprehensive Plan update and creates its official controls through zoning, subdivision and other regulations. Examples include adopting building setbacks, screening, landscaping, buffers, heights limits, architectural controls and design.

**9-2 Comment Summary:** The Screatons object to any extension of Zone 4 beyond the 60 DNL contour. If the City were to extend Zone 4 out to the 55 DNL contour, the development options on the Property should include what is allowed under existing MAC guidelines, including multifamily residential development, office and commercial uses, as well as educational, medical and other institutional uses. A mix of uses is most appropriate at the Property, as it is located at the junction of two (2) major City thoroughfares. Mixed-use development on the Property would be easily accessible to residents and visitors and would limit additional infrastructure needs.

**Agencies/Persons Commenting:** Screatons

**Response:** The city and affected local units of government will work with the Metropolitan Airports Commission (MAC) to prepare an airport zoning ordinance prior to new development occurring within or near the safety zones and updated noise contours. According to MAC, the airport ordinance will be prepared by a Joint Zoning Board comprised of two representatives each from Lake Elmo, Baytown Township, West Lakeland Township, Washington County, and MAC. The Joint Zoning Board will determine the development restrictions.

**9-3 Comment Summary:** The AUAR notes the 2025 Long-Term Comprehensive Plan (LTCP) Update for the Lake Elmo Airport by identifying it as a reasonably foreseen future action. The AUAR needs to reflect that the Metropolitan Council, on October 22, 2008, approved the LTCP. The approved LTCP included the development alternative preferred by the Metropolitan Airports Commission as addressed in the AUAR.

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**Agencies/Persons Commenting:** Met Council

**Response:** The Final AUAR has been updated to note that the Metropolitan Council, on October 22, 2008, approved the LTCP.

- 9-4 Comment Summary:** p.22, land use compatibility: No mention is made of the fact that lower total development units will mean lower population and hence lower impacts of all kinds: traffic, noise, congestion, impervious surface, etc. p. 143, land use: Clearly, the AUAR shows that the scenarios with lower total population increase have the lower impacts. This is especially true of impacts on existing residents. This is also especially true of the noise impacts (Item 24)

**Agencies/Persons Commenting:** Todd Williams

**Response:** Quantifiable impacts associated with the four development scenarios are described throughout the AUAR document (i.e., traffic, impervious surface, water use, etc.).

- 9-5 Comment Summary:** The draft AUAR identifies several properties within or near the AUAR study area with actual or potential soil and/or ground water contamination. State law requires that persons properly manage contaminated soil and water they uncover or disturb – even if they are not the party responsible for the contamination. Developers considering construction on or near contaminated properties should begin working early in their planning process with the MPCA’s Petroleum Brownsfields Program and/or the Voluntary Investigation and Cleanup Program to receive necessary technical assistance in managing (investigating, remediating, mitigating, etc.) contamination. For some properties, special construction might be needed to prevent the further spreading of the contamination and/or prevent petroleum vapors from entering buildings or utility corridors. Information regarding the Petroleum Brownfields Program can be found at: [http://www.pca.state.mn.us/programs/vpic\\_p.html#factsheets](http://www.pca.state.mn.us/programs/vpic_p.html#factsheets). Information regarding the VIC Program can be found at: <http://www.pca.state.mn.us/cleanup/vic.html>.

**Agencies/Persons Commenting:** MPCA

**Response:** Comment noted. The information provided by the MPCA has been added to the Potential Environmental Hazards section of AUAR Item 9.

- 9-6 Comment Summary:** The Executive Summary indicates that “All scenarios propose to locate single-family residential uses within portions of the safety zones and noise contours/impact areas, which is typically considered an incompatible use. Any future development proposed to be located within the safety zones and noise contour/impact areas will be subject to the development restrictions within each safety zone (e.g. land use type, building height) and noise contours (e.g. land use type) established by state statute and the city. To minimize land use compatibility issues with the airport, the city will work with a Joint Airport Zoning Board (JAZB) to prepare an airport zoning ordinance prior to new development occurring within or near the safety zones and updated noise contours.”

Portions of this text are repeated in some areas of the document, and slightly modified in others. Please ensure that all of the text within the AUAR is consistent with the Executive Summary with regard to the JAZB language.

The AUAR correctly states that a Joint Airport Zoning Board (JAZB) is responsible to determine the size of the safety zones as well as the extent of land use and height restrictions. MAC will also have two representatives as well as a chairperson to be selected by all representatives. MAC

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also encourages the city to develop their own ordinances regarding enhanced structural performance standards for residential properties within the AUAR area to further reduce the potential for noise impacts.

**Agencies/Persons Commenting:** MAC

**Response:** The language regarding the JAZB in AUAR Items 7, 9, 24, and 29 have been reviewed and updated, as necessary, to be consistent with the language in the Executive Summary. New Mitigation Strategy 9.6 requires the city to develop an ordinance regarding structural performance standards for residential properties to reduce the potential for noise impacts.

- 9-7 Comment Summary:** To be compliant with regional planning, it is paramount that the AUAR acknowledge the state safety zone process and potential restrictions on land use and building heights. Residential development within noise sensitive areas of the airport is discouraged as well as within incompatible areas of state safety zones. Further there should be no development within the Runway 14-32 Runway Protection Zone (RPZ) that lies within the AUAR area. Greenbelt buffers should be used to the maximum extent possible to minimize impacts resulting from airport operations and noise

**Agencies/Persons Commenting:** MAC

**Response:** Item 9 has been updated to include the runway safety zone and associated land use restriction information contained in the Lake Elmo Airport Long-Term Comprehensive Plan. The RPZ's and safety zones are shown on Figures 9-1, 9-2, and 27-1. Figures 9-3 and 9-4 that were included in the Draft AUAR were obtained from MAC and show the existing and proposed height restrictions.. New Mitigation Strategy 9.5 prohibits development within the Runway Protection Zone (RPZ).

- 9-8 Comment Summary:** On page 15 of the draft AUAR, it refers to the airport as the Lake Elmo Regional Airport. Please delete "Regional" from this title and any other airport references

**Agencies/Persons Commenting:** MAC

**Response:** The reference to Lake Elmo Regional Airport was changed to Lake Elmo Airport.

- 9-9 Comment Summary:** Under the Mitigation Summary on page 23, the last bullet states "Prohibit the establishment of waterfowl habitat 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 BMP's to manage storm water." MAC fully supports the use of infiltration basins in the vicinity of the airport, and encourages all ponding areas to be designed to be non-attractive to waterfowl. The FAA has developed guidelines for not only ponds, but other potential wildlife attracting sources that lie within the vicinity of airports. FAA Advisory Circular 150/5200-33B is attached to this letter for your convenience. Note, however, that the prohibition of waterfowl habitat should not just be limited to the safety zones. According to the circular, the entire AUAR area lies within the separation distance recommended by the FAA (5,000 feet for airports serving piston-powered aircraft). .

**Agencies/Persons Commenting:** MAC

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**Response:** Mitigation Strategy 9.7 was revised to address this comment and now states: *Prohibit the establishment of waterfowl habitat located within the airport safety zones and within 5,000 feet of the Lake Elmo Airport (e.g., large stormwater ponds with mown grass edges). Any ponds or created wetlands that contain open water should be designed with emergent vegetation to minimize use by waterfowl. Stormwater management facilities located within the airport safety zones should utilize infiltration BMPs to manage stormwater.* The discussion of mitigation strategies under Item 9 was revised to reference the FAA Advisory Circular 150/5200-33B and to commit the city to consulting with MAC prior to approving activities that could result in establishing wildlife habitat considered hazardous to airports.

### **ITEM 11. FISH, WILDLIFE, AND ECOLOGICALLY SENSITIVE RESOURCES**

**11-1 Comment Summary:** A more detailed evaluation/interpretation of the quality of the woodland area may prove useful when evaluating habitat impacts of proposed development(s). Recognition that the minimization of impacts to forests and other natural cover types will reduce overall stormwater impacts is encouraged.

**Agencies/Persons Commenting:** WCD

**Response:** Mitigation Strategy 11.13 – “Create a tree/woodland preservation policy” has been expanded to require the evaluation of tree/woodland quality. The discussion of the mitigation strategies has been expanded to note that ecological restoration and management can minimize stormwater impacts.

**11-2 Comment Summary:** For natural areas that are protected, identification of management and funding strategies to facilitate mitigation strategies such as invasive species control is encouraged.

**Agencies/Persons Commenting:** WCD

**Response:** The discussion of such mitigation strategies includes the requirement for a management plan, stewardship funding, and ecological education programs. The phrase “funding source” has been added to the discussion of implementing such mitigation measures.

### **ITEM 12. PHYSICAL IMPACTS TO WATER RESOURCES**

**12-1 Comment Summary:** The WCD encourages the use of the VBWD’s wetland inventory with function and value assessment to assess and minimize potential wetland impacts.

**Agencies/Persons Commenting:** WCD

**Response:** VBWD is the Local Governmental Unit (LGU) that administers the Wetland Conservation Act (WCA) on behalf of the city. The city appreciates the assessment completed by VBWD and VBWD rules require the use of their classification system (VBWD Rule 4).

**12-2 Comment Summary:** The AUAR should be revised to more clearly indicate where potential wetland impacts are expected. A figure or figures showing the expected impacts should be included in the AUAR. Potential hydrologic, habitat/biological diversity, quality and quantity wetland impacts should be noted.

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The development scenarios must be revised to avoid all direct and indirect wetland impacts. Direct and indirect wetland impacts are not allowable under the Minnesota Wetland Conservation Act and VBWD Rules.

The Valley Branch Watershed District is the Local Government Unit responsible for administering the Minnesota Wetland Conservation Act for the area. Direct and indirect wetland impacts must be avoided under the Minnesota Wetland Conservation Act. Because it seems that in this case wetlands can be avoided if plans are properly made, the AUAR should not show any direct or indirect wetland impacts.

### **Agencies/Persons Commenting: VBWD**

**Response:** This AUAR addresses development scenarios based on the Village Master Plan (Scenarios A, B, and C) and the Comprehensive Plan (Scenario D). No projects have been proposed within the AUAR area; therefore, it is uncertain whether future projects will propose direct or indirect impacts to wetlands. The AUAR guidelines require that you review a “worst case scenario” where it is uncertain whether water resources will be impacted or prevent impacts through the mitigation plan.

The Draft AUAR provided a “worst case scenario” review of potential wetland impacts by discussing potential impacts to wetlands located outside the greenbelt/buffer zone where future development is generally anticipated to occur (see Figures 6-1 and 6-2 for the land use associated with the development scenarios). The purpose of this analysis was to “flag” areas where future project proposers may present applications to impact wetlands. Including this “worst case analysis” in the AUAR does not, in any way, suggest that the city supports any direct or indirect impacts to wetlands. The city’s goal is to work with property owners, developers, and VBWD to avoid all wetland impacts. This statement has been added to the Mitigation Plan.

The City is aware of WCA requirements, which are administered by the VBWD. Unavoidable wetland impacts are allowed by WCA and VBWD. One of the stated purposes of the WCA is to “replace wetland values where avoidance of activity is not feasible and prudent” (Mn Rules 8420.0100). WCA sequencing governed by Mn Rules 8420.0520 requires that “unavoidable wetland impacts that remain after efforts to minimize, rectify, or reduce or eliminate them must be replaced...”

Any future developments submitted for approval will be required to comply with WCA and VBWD rules. A sequencing analysis (following these principles in descending order: avoiding, minimizing, rectifying, reducing, and replacing the wetland) is required for any proposed wetland impact.

- 12-3 Comment Summary:** Full sequencing and WCA/Watershed permits will be required for wetland impacts associated with this project and will be evaluated as the permit process evolves. However, additional evaluation of potential direct and indirect impacts to wetlands and water resources is encouraged. For example, the AUAR provides minimal discussion of wetland avoidance and impact minimization. Potential indirect impacts of stormwater runoff are not evaluated in great detail as well.

### **Agencies/Persons Commenting: WCD**

**Response:** The city is aware of WCA requirements, which are administered by the VBWD on behalf of the city. The city’s goal is to work with property owners, developers, and VBWD to

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avoid all wetland impacts. This statement has been added to the Mitigation Plan. Any future developments submitted for approval will be required to comply with WCA and VBWD rules. A sequencing analysis (following these principles in descending order: avoiding, minimizing, rectifying, reducing, and replacing the wetland) is required for any proposed wetland impact.

- 12-4 Comment Summary:** The wetland impact mitigation section should be revised. It currently indicates that the VBWD will allow flexibility in impacting wetlands because of their Manage 2 classification, but the VBWD has not yet adopted any such policy.

**Agencies/Persons Commenting:** VBWD

**Response:** This section was revised to more clearly indicate that the flexibility is associated with VBWD rules allowing for some bounce and inundation of Manage 2 wetlands – not for direct impacts.

- 12-5 Comment Summary:** This section fails to discuss whether physical impacts are anticipated for Lake Elmo and Sunfish Lake. We assume no physical impacts are proposed, based on the AUAR's response to Question 17 on page 69.

**Agencies/Persons Commenting:** VBWD

**Response:** No impacts to Lake Elmo or Sunfish Lake are proposed or anticipated.

- 12-6 Comment Summary:** We suggest that the last sentence of the fourth paragraph under wetlands be moved to the seventh paragraph. Otherwise, the AUAR leads the reader to believe that the VBWD requires a 16.5-foot vegetative buffer around wetlands. This is the minimum vegetative buffer width required by the VBWD. As explained in the seventh paragraph, average buffers of 25, 30, 40, or 60 feet are required depending on the wetland classification. Buffers are measured from the wetland edge or the Minnesota Department of Natural Resource's Ordinary High Water Level (OHWL), whichever is greater in elevation. For Sunfish Lake and Lake Elmo, the VBWD requires a minimum 35-foot wide buffer strip measured perpendicular to the OHWL extending 35 feet inland.

**Agencies/Persons Commenting:** VBWD

**Response:** The Final AUAR has been revised as noted.

### **ITEM 13. WATER USE**

- 13-1 Comment Summary:** p.vii, water system: When is new Water Plan to be completed? Does it include considerations for south of 10<sup>th</sup> St? How will that impact overall capacity? Only Scenario A allows the minimum of new wells.

**Agencies/Persons Commenting:** Todd Williams & Ann Bucheck

**Response:** The Metropolitan Council requires that the City update its Comprehensive Plan, including its Water Plan, by May 2009. The adopted Comprehensive Plan (2005) addressed developing both the Village and areas south of 10<sup>th</sup> Street by 2030.

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**13-2 Comment Summary:** Pages 45-54. This section should be revised to evaluate the potential impact the proposed additional groundwater use may have on groundwater levels and groundwater-dependent surface waters, such as Sunfish Lake and Lake Elmo within the AUAR study area and Valley Creek outside the AUAR study area. AUAR guidelines indicate that potential impacts on groundwater levels should be given and impacts resulting on other resources should be addressed.

**Agencies/Persons Commenting:** VBWD

**Response:** The City of Lake Elmo undertook preliminary efforts to cite future well locations in a study completed by Leggette, Brashears, and Graham in April 2007. The focus of that study was largely to determine the impacts of future wells on existing contamination plumes in the Lake Elmo area, since these plumes greatly limit the available areas that Lake Elmo can consider for future well placement. The study indicated that placement of two future wells should occur in the northern part of the City, near the Highway 36 corridor, in order to avoid pumping contaminated water and/or avoid spreading the existing margins of the plumes. Not only do these locations appear to limit impacts to current contamination plumes, but they are at a greater distance from existing identified groundwater-fed natural resources within the AUAR area, including Lake Elmo and Sunfish Lake. As such, these locations also appear to be the most advantageous with regards to minimizing impacts to these lakes.

As the City works to finalize the locations of future well sites and proceed towards well installation, the City will be required to work with the DNR as part of the water appropriations permitting process. The DNR will ask the City to demonstrate that these future wells, or any increases in groundwater withdrawals, do not negatively impact other existing wells or sensitive groundwater-fed natural resources.

The effort to quantify any potential impacts may take several forms, including one or more of the following methods: collection of existing groundwater data, aquifer pump testing, computer groundwater modeling, and long-term groundwater monitoring. Based on the results of these efforts, the City and the DNR will be able to establish sustainable pumping rates for new and existing wells that minimize impacts to these natural resources.

### **ITEM 14. WATER-RELATED LAND USE MANAGEMENT DISTRICTS**

**14-1 Comment Summary:** Please provide the calculations that support the following claims made in the draft AUAR:

1. The incorporation of local infiltration BMPs sized to meet VBWD requirements and construction of wet detention in the regional basins provides at least 60-65% reduction in total phosphorus (based on the Minnesota Stormwater Manual).
2. No significant adverse impacts to the St. Croix River are anticipated.

There can be no adverse impacts to the St. Croix River.

**Agencies/Persons Commenting:** VBWD

**Response:** See the response to comments for Item 17 and revised Item 17 in the Final AUAR for calculations supporting the above claims.

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**14-2 Comment Summary:** Water-Related Land Use Management Districts, Mitigation Summary, Page 58. The AUAR should be revised to provide an evaluation of whether the development scenarios will increase flood levels. The FEMA floodplain maps are based on existing development conditions. If development occurs without incorporating the proper runoff management techniques, the flood levels of the lakes and wetlands could rise.

**Agencies/Persons Commenting:** VBWD

**Response:** Based on the additional analysis of annual runoff volume described in the response to comments for Item 17 and the discharge analysis provided in Item 17 it was concluded that existing discharge rates will be maintained and annual runoff volumes will be maintained or restricted to less than existing conditions. Therefore, there will be no increase in flood levels for the waterbodies within the AUAR area and for the downstream waterbodies including Legion Pond, Lake Elmo, Goestchel Pond, Sunfish Lake and Downs Lake. Item 17 discusses the volume management analysis completed for the AUAR area and the volume management techniques needed to maintain existing flood levels.

### **ITEM 16. EROSION AND SEDIMENTATION**

**16-1 Comment Summary:** Enhanced soil erosion and sediment controls are needed to protect downstream resources, especially when downstream areas will be used for stormwater retention and infiltration. Grading should be minimized to protect existing high infiltration capacity soils. Preservation of existing topsoil and soil structure is encouraged to the extent possible.

Additional suggested BMPs:

- Minimize exposed soils. Phase grading of the site.
- Avoid compaction of soil disturbance in areas with high infiltration capacity soils.
- Avoid grading and exposure of soils on steep slopes.
- Divert construction site runoff away from proposed retention and infiltration BMPs.
- Conduct regular inspections (in partnership with the VBWD) and enforce compliance with the NPDES permit.

**Agencies/Persons Commenting:** WCD

**Response:** It is likely that many of the suggested BMPs would be implemented during development of the AUAR area. These BMPs have been added to Mitigation Strategy 16.3.

### **ITEM 17. WATER QUALITY – SURFACE WATER RUNOFF**

**17-1 Comment Summary:** p.ix, surface water: Who will pay for these water basins? What controls does LE have for setting aside the areas for these? These are good thoughts, but no one has come up with the money in 4 years since 2004, or since even earlier, similar proposals. The current residents should not have to pay for these and that is not spelled out.

**Agencies/Persons Commenting:** Todd Williams & Ann Bucheck

**Response:** The specific financing mechanisms for these basins have not been determined. The city has a variety of financing tools available to them including area wide assessments, its storm

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water utility fund, and developer agreements. The city has the authority to set aside these areas. In the past, the city and VBWD have held joint ownership of the easements covering stormwater management areas.

- 17-2 Comment Summary:** Table 17-3: Are there runoff numbers for the basins? This should include the runoff numbers if only one or neither of the proposed basins is constructed.

**Agencies/Persons Commenting:** Todd Williams & Ann Bucheck

**Response:** Both basins need to be constructed in order to meet existing conditions discharge rates if the rate control for the AUAR area is provided regionally. The pond footprints are provided in table 17-8 of the AUAR. Curve numbers used for sizing the ponds are based on Natural Resources Conservation Service TR-55 publication for the four development scenarios. [Curve numbers are used to generate runoff for the watersheds and are a function of land use/land cover/impervious surface, soil group, hydrologic condition and antecedent moisture conditions.]

- 17-3 Comment Summary:** The AUAR does not state the problem. The AUAR does not identify, acknowledge, quantify, nor fully discuss the magnitude of the stormwater issue related to the proposed development.

**Agencies/Persons Commenting:** Brett Emmons

**Response:** Additional discussion has been added to Item 17 regarding the primary stormwater issues of the potential for increases in discharge rates, runoff volumes and the potential for downstream impacts. Also, additional analysis was performed and added to Item 17 to quantify the quality and quantity of stormwater under existing conditions and for the four development scenarios.

- 17-4 Comment Summary:** The AUAR does not differentiate between development scenarios and treats them the same. The difference between stormwater impacts of 600 units compared to 1,600 units (2.7 more units) is not trivial nor is it quantified or discussed. Not showing the differences between the various scenarios begs the question why are several scenarios being reviewed and analyzed to compare impacts but then they are “lumped together” and not addressed separately.

**Agencies/Persons Commenting:** Brett Emmons

**Response:** The effects on runoff volume, discharge and water quality for each development scenario vary and this been quantified and discussed in the AUAR. The pertinent data can be found in Tables 17-3, 17-5, 17-6, 17-7, 17-8, 17-10 and 17-11 and discussion is found in Item 17.

- 17-5 Comment Summary:** Local Downs Lake existing flooding problems and potential of additional flooding impacts due to proposed urbanization are not discussed nor analyzed. Downs Lake flooding has been a concern for the city and watershed district (VBWD). The addition of 600 to 1,600 units has a potential impact for this problem. It is not discussed, acknowledged, nor addressed in the mitigation plan. VBWD has a very modest, generic volume control standard that does not nor was it intended to address flooding in Downs Lake nor other landlocked areas. As discussed in previous comments, VBWD staff has told me that they have a very small outlet that they typically leave closed. The small outlet does not prevent flooding, but helps lessen the duration of existing flooding. With lots of additional runoff (the issue of runoff volume) from urbanization, one would expect this system would be further impacted and more flooding would occur. This seems like a very big deal for the city but it is not discussed nor addressed. Mention

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of peak flow control is made, but in a largely landlocked basin, runoff volume is much more important than peak runoff rates.

**Agencies/Persons Commenting:** Brett Emmons

**Response:** As noted in the comment, peak discharge discussion is included in Item 17. A comparison of the existing and proposed runoff volumes for the four development scenarios in the AUAR area has been added to Item 17. The comparison evaluates runoff volume annually, for non-average wet period conditions or for multiple substantial rainfalls occur over a period of several days and for a large single rainfall (100-year event year). Based on this analysis it is recommended in the AUAR that runoff volume facilities be constructed to maintain existing runoff volume for the 100-year event. This requires approximately 10% of the site to be utilized for infiltration.

- 17-6 Comment Summary:** Proposing discharges to the St. Croix River, both from the perspective of negative impacts to this regional asset (undesirable outcome of development) and the regulatory environment that is making new discharges to the river much more difficult. Therein lies one of the major challenges of urbanizing in this area of Washington County. The Village area is basically landlocked (no natural outlet) currently and therefore does not contribute stormwater volume nor pollutants to the St. Croix River, i.e., the discharge to the river is virtually zero (0). With the goal to reduce existing loadings to the river, it is not easy to see how a new discharge from this area (>0) would be easily permitted. The AUAR mitigation plan mentions the MS4 requirement "...to determine if there are feasible and prudent alternatives to the discharge, such as diversion from the St. Croix River watershed, infiltration, or other alternatives." Knowing the area and sensitivity to crossing over watershed divides, a watershed diversion seems likely to not be feasible. Infiltration management needed to reduce the runoff to the St. Croix to no discharge (preserve landlocked conditions) would take a more aggressive and extensive effort with new standards, but they are not presented in the AUAR

**Agencies/Persons Commenting:** Brett Emmons

**Response:** Completion of the ORVW Restricted Discharge Waters Plan is necessary to evaluate downstream impacts prior to development in the AUAR area, only if the AUAR area cannot be developed in such a way as to maintain existing volumetric discharge of the following pollutants: water volume, total suspended solids and total phosphorus. (It was assumed for the AUAR analysis that existing conditions are similar to land use conditions in 1984 the year that the St Croix River was declared an ORVW. It was also assumed that a reduction in water volume inherently suggests a similar reduction in all pollutants) However, the analysis that is now incorporated in Item 17 of the Final AUAR intends to show that the development of the AUAR area can proceed in a manner that reduces or maintains existing volumetric discharge of these three pollutants – thereby meeting Lake Elmo’s permit requirements in regard to the St Croix River and as an ancillary benefit, protecting other waters downstream of the AUAR area from impacts due to urbanization.

- 17-7 Comment Summary:** I would also note that there are several references in the document discussing existing conditions that mention agricultural ditches and tile lines. These are significant features in terms of existing hydrology, but in fact, I do not think there are any ditches nor tile lines in the AUAR area of Lake Elmo.

**Agencies/Persons Commenting:** Brett Emmons

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**Response:** Conveyance of agricultural runoff is provided through a system of agricultural ditches in several locations throughout the AUAR area. Reference to tile lines, since this information was provided anecdotally and cannot be verified, has been removed from the description of existing conditions.

**17-8 Comment Summary:** As a more general comment on planning for development, we would like to note that higher density developments with increased amounts of open space create the least amount of environmental impacts and facilitate more ready mitigation of those impacts that do occur. Such high density, low impact development should be encouraged whenever possible. The MPCA advocates the use of Low Impact Design (LID) practices to aid in the minimization of stormwater impacts. LID is a stormwater management approach and site-design technique that emphasizes water infiltration, values water as a resource and promotes the use of natural system to treat water runoff. Examples include:

- Special ditches, arranged in a series, that soak up more water
- Vegetated filter strips at the edges of paved surfaces
- Residential or commercial rain gardens designed to capture and soak in stormwater
- Porous pavers, concrete and asphalt
- Narrower streets
- Rain barrels and cisterns
- Green roofs

Additional information on LID practices can be found on the MPCA website at:  
<http://www.pca.state.mn.us/water/stormwater/stormwater-lid.html>.

**Agencies/Persons Commenting:** Minnesota Pollution Control Agency

**Response:** These strategies have been listed in new Mitigation Strategy 17.7 as potential methods for mitigation runoff volumes from stormwater.

**17-9 Comment Summary:** The AUAR should acknowledge the potential permit and stormwater management implications of Total Maximum Daily Load (TMDL) studies for Lake Saint Croix and Lake Pepin.

**Agencies/Persons Commenting:** WCD

**Response:** Although not within the AUAR area, Lake St Croix currently receives runoff from the AUAR area prior to discharging to the St Croix River. Lake St Croix is included in the 2008 303(d) TMDL list as impaired for aquatic recreation due to eutrophication. The MPCA is in the process of completing a TMDL Study and Implementation Plan for this lake with a target date of 2011. The implementation plan will set waste load allocations to areas tributary to Lake St Croix, potentially including the City of Lake Elmo.

The recommendations for Item 17 in the Mitigation Plan for this AUAR area are intended to maintain Total Phosphorous (TP), Total Suspended Solids (TSS), and volume loads at the boundary of the AUAR area to existing conditions. These are recommendations are in line with the goal of removing Lake St Croix from the impaired waters list. Although it should be noted that additional measures may be required beyond those set in this AUAR mitigation plan for complying with the future TMDL implementation plan for Lake St Croix.

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The St Croix River discharges to Lake Pepin. The Lake Pepin TMDL implementation plan is currently being written which may have a waste load allocation for Lake Elmo that affects the AUAR area.

The Lake St Croix TMDL is scheduled to be completed in 2011 and the Lake Pepin TMDL completion date has not been scheduled. Once the TMDL Implementation is completed and approved for Lake St Croix and Lake Pepin, the City of Lake Elmo will have 18 months to update their Stormwater Pollution Prevention Plan (SWPPP) to incorporate the findings of the TMDL and the methods for meeting the associated waste load allocation. New development in the AUAR area will need to go through review and approval with the City in compliance with their SWPPP.

The List of Permits and Approvals has been updated to include the TMDL implementation plan requirements of the city as follows: “Future review and permitting pending US EPA approval of Lake St Croix and Lake Pepin TMDL Implementation Plans”. Item 17 has been updated to include the discussion above.

- 17-10 Comment Summary:** Mitigating potential impacts to downstream water resources are a significant component of this AUAR. MPCA, ORVW, MS4, and TMDL requirements may impact the mitigation strategies. Accordingly, procedures for updating/revising the mitigation plan should be considered.

**Agencies/Persons Commenting:** WCD

**Response:** Discussion of the MPCA ORVW, MS4 and TMDL requirements is included in Item 17 and the mitigation plan notes that compliance with these requirements will be necessary prior to development. This AUAR will need to be updated every five years and these future requirements will be included in future AUAR updates as appropriate.

- 17-11 Comment Summary:** The AUAR contains information about runoff CN assumptions. The presumption that single-family residential has a lower curve number than row crops does not take many factors into consideration (such as post-development loss of topsoil, more efficient conveyance, and soil compaction).

**Agencies/Persons Commenting:** WCD

**Response:** The curve numbers used in the modeling were based on Soil Conservation Service (SCS) now Natural Resources Conservation Service (NRCS) TR-55 publication for HSG B soils since that is the dominant soil type in the AUAR area. Existing conditions land use is dominated by row crop agriculture. The following equation was used for developing a peak growth curve number for agriculture based on NRCS guidance:

$$\begin{aligned} \text{CN}_{\text{peak}} &= 2\text{CN}_{\text{average}} - \text{CN}_{\text{fallow}} \\ \text{CN}_{\text{peak}} &= 2(78) - 86 = 70 \end{aligned}$$

Proposed conditions curve numbers for the four scenarios vary depending on the density and estimated impervious percent of the proposed land use. The mitigation strategies described in the AUAR are intended to address the post-development potential for topsoil loss and compaction and the conveyance efficiency.

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**17-12 Comment Summary:** An evaluation of pre and post-development runoff volume would provide important information to fully assess the long-term impacts of the proposed activities.

**Agencies/Persons Commenting:** WCD

**Response:** A comparison of the existing and proposed runoff volumes for the four development scenarios in the AUAR area has been added to Item 17. The comparison evaluates runoff volume annually, for non-average wet period conditions or for multiple substantial rainfalls occur over a period of several days and for a large single rainfall (100-year event year). Based on this analysis it is recommended in the AUAR Mitigation Plan that runoff volume facilities be constructed to maintain existing runoff volume for the 100-year event. This requires approximately 10% of the site to be utilized for infiltration.

**17-13 Comment Summary:** The WCD encourage evaluation of additional volume control techniques in addition to infiltration practices such as: impervious area reduction, vegetated drainage systems, impervious disconnection, soil compaction mitigation, natural area protection, and other techniques.

**Agencies/Persons Commenting:** WCD

**Response:** New Mitigation Strategy 17-7 addresses these techniques.

**17-14 Comment Summary:** The stormwater impact of road improvements may be significant and should be evaluated more fully as part of this AUAR. Further, it appears that road improvements and overall impervious impacts would be the same for all development scenarios. There appear to be significant footprint reduction (and reduction in associated natural resource impacts) opportunities for the lower-density scenarios.

**Agencies/Persons Commenting:** WCD

**Response:** Road imperviousness is accounted for in the curve numbers and runoff coefficient assumptions for all scenarios and therefore accounted for in rate control, runoff volume and water quality calculations.

**17-15 Comment Summary:** Overall, additional information would be beneficial to adequately assess the potential for cumulative impacts to downstream receiving waters. The AUAR appears to defers to future changes to the SWPPP to meet ORVW and other requirements. The WCD encourages the integration of the SWPPP update into the AUAR process so the impacts and proposed mitigation strategies can be fully assessed.

**Agencies/Persons Commenting:** WCD

**Response:** An evaluation of the water quality (in terms of TP and TSS) and quantity (runoff volume and discharge) has been included in updated Item 17.

**17-16 Comment Summary:** The AUAR supports the use of Low Impact Development (LID) approaches. As a stormwater management approach, the goal of LID (according to the Prince George's County LID Manual) is to mimic natural hydrology in a post-development scenario. In CN terms, this equates to a CN in the low 50s (woods on B soils). Defining LID for the purposes of this AUAR is suggested to clarify design implications for future development proposals.

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### **Agencies/Persons Commenting: WCD**

**Response:** Additional clarification of the infiltration and volume management techniques has been added to clarify this item.

- 17-17 Comment Summary:** Stormwater Management Issues, Downtown Area Flooding Analysis, Pages 66, 69 and 73. The VBWD still has concerns regarding the City's 2004 Downtown Area Flooding Analysis. The Analysis did not identify the existing flooding problem (how many homes and other structures flood, etc.) or the effects of the proposed project (how many homes would no longer flood, etc.). Furthermore, the Minnesota Wetland Conservation Act and the VBWD do not allow wetlands to be converted to stormwater ponds, as suggested in the Analysis.

### **Agencies/Persons Commenting: VBWD**

**Response:** The intent of the AUAR was not to verify the assumptions made in the 2004 Downtown Study, but to utilize the existing culvert data from this report and the regional approach for rate control. The text in the AUAR has been revised to note that the proposed basin 520 would be located *adjacent* to the existing wetland and that prior to discharge to this and any wetland within the AUAR area, compliance with Wetland Conservation Act, MPCA NPDES and VBWD requirements for bounce, inundation and runout control are required.

- 17-18 Comment Summary:** Existing Conditions, Page 67. The AUAR mentions using a model from Barr Engineering Company. Barr Engineering Company did not give the AUAR authors any model of Downs Lake. Barr Engineering Company takes no responsibility for how the model has been used by the AUAR authors.

### **Agencies/Persons Commenting: VBWD**

**Response:** The reference to the Barr Engineering model has been removed from the AUAR text. The original reference was from the 2004 Downtown Area Flooding Analysis which utilized curve numbers from a Barr Engineering model. The curve numbers used in the Downtown Analysis have since been revised for the AUAR modeling to reflect the development densities associated with the four scenarios and a more refined look at the existing conditions land use.

- 17-19 Comment Summary:** Assessment Objectives, Volume Control, Page 68. The AUAR should be revised to state the correct VBWD volume control requirements. The AUAR indicates that the study area is within the Lake Edith watershed, but it is not. It is unclear if the analysis of the AUAR development scenarios used the volume control rule listed for Lake Edith or the VBWD volume control rule for watersheds outside of the Lake Edith and Valley Creek watersheds.

### **Agencies/Persons Commenting: VBWD**

**Response:** The Executive Summary and Item 17 have been revised as noted to list the correct volume control requirements for watersheds outside the Lake Edith and Valley Creek watersheds.

- 17-20 Comment Summary:** Volume Control Analysis and Nutrient Budget Analysis, Page 71-72. More analyses must be completed to evaluate the effects of the various development scenarios will have on water resources. Without a more comprehensive study, the AUAR is incomplete.

The AUAR indicates land cover changes within the Downs Lake and Legion Pond watersheds. Downs Lake and the unnamed wetland within the Legion Pond watershed are typically

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landlocked. (The AUAR calls the wetland complex north of 30<sup>th</sup> Street North *Legion Pond*. The VBWD calls the wetland south of 30<sup>th</sup> Street North *Legion Pond*.) While the AUAR states that the stormwater rates entering these basins can be controlled, stormwater volumes are more of an issue. Increasing the volumes of runoff to these basins could:

- exacerbate existing flooding issues at these basins,
- cause the typical water levels of these basins to rise so that they overflow more frequently, which would increase the discharge rate and volume leaving the basins per storm event. For Downs Lake, this could mean more frequent overflows to Horseshoe Lake, West Lakeland Storage Site, Rest Area Pond, and the St. Croix River/Lake St. Croix. This could have negative water quantity and quality effects.

The AUAR does not compare the quantity and quality of site runoff before and after the project and estimate the impact of the runoff on the receiving water body, as required by Question 17. The AUAR states at the bottom of page 68 that meeting the VBWD Rules for development of the AUAR area is expected to provide adequate water quality protection to Downs Lake and the wetland within the Legion Pond watershed. Please provide your calculations that support this claim. Instead of only discussing how the AUAR might be able to conform the VBWD rules, the AUAR should evaluate what volume controls are necessary to prevent negative effects, as it suggests on page 71. There, the AUAR states it will evaluate the impact of the development scenarios on Downs Lake when the City develops its Surface Water Management Plan.

Because the AUAR fails to evaluate the effects of stormwater runoff volumes produced by the various development scenarios on Downs Lake and the wetlands in the Legion Pond watershed, no conclusions can be made regarding the feasibility of various development scenarios.

### **Agencies/Persons Commenting: VBWD**

**Response:** In regards to the location of Legion Pond, the AUAR named the watershed that is tributary to Legion Pond and the intent was not to name the wetlands north of 30<sup>th</sup> Street North Legion Pond. Each watershed was named according to the tributary waterbody.

Additional discussion of the water quantity and quality effects of the various development scenarios has been added to the Executive Summary and Item 17 in the AUAR. The analysis focuses on the water quantity (in terms of peak discharge rate and runoff volume) and quality (in terms of TP and TSS) implications for the AUAR area.

**Water Quantity** – Based on the analysis in Item 17, construction of the two proposed regional basins is adequate to restrict proposed discharge rates to existing conditions for the four development scenarios. The comparison also evaluates runoff volume for several conditions: annually, for non-average wet period conditions or for multiple substantial rainfalls occur over a period of several days and for a large single rainfall (100-year event year). Based on this analysis it is recommended in the AUAR that runoff volume facilities be constructed to maintain existing runoff volume for the 100-year event. This requires approximately 10% of the site to be utilized for infiltration.

**Water Quality** – Application of the existing VBWD requirements for infiltration and pretreatment are adequate to reduce proposed total phosphorus and total suspended solids loads to less than existing for the four development scenarios. Item 17 presents the detailed results.

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**17-21 Comment Summary:** The AUAR, page 73, discusses some of the proposed mitigation summary efforts that may take place with the proposed development. Table 17-5 indicates pond surface footprints for the differing scenarios. This equates to approximately seven acres for one pond and 25 acres for a second pond. At these sizes, waterfowl will utilize the ponds if they contain open water surfaces. As noted in the comments above, MAC encourages the use of infiltration basins for storm water management, even for areas such as these that lie outside the proposed safety zones. In lieu of infiltration, MAC suggests that any ponds that must contain open water be designed with emergent vegetation to minimize use by waterfowl. As an alternative, the suggestion in the AUAR to design the ponds as a continuous surface water conveyance system along natural drainage routes would be an acceptable alternative, since long and narrow open water passages will help restrict the use by waterfowl.

**Agencies/Persons Commenting:** MAC

**Response:** The follow text was added to Item 9 and Mitigation Strategy 9.7 and 17.3: Any ponds or created wetlands that contain open water should be designed with emergent vegetation to minimize use by waterfowl.

### **ITEM 18. WATER QUALITY – WASTEWATER**

**18-1 Comment Summary:** The discussion in the draft AUAR regarding wastewater appeared to adequately address the main issues, and flow estimates based on land use seem reasonable. However, it was unclear to us in our review of the document whether downstream sewer lines have adequate capacity for this development. In the final AUAR, please include a discussion of this for each development scenario. Include any necessary discussion of plans for expansion or addition of downstream capacity.

**Agencies/Persons Commenting:** MPCA

**Response:** The municipal sanitary sewer system downstream of the AUAR area is not yet constructed. From Section 18: *The city has been exploring the potential schematic layout of the major sanitary sewer facilities required to extend sewer service into the AUAR area. Current plans calls for a trunk sewer from the I-94 interceptor to 30<sup>th</sup> Street on the south end of the Village. The trunk sewer is proposed to follow Lake Elmo Avenue. It will be a forcemain sewer to 30<sup>th</sup> Street with gravity sewer serving properties within the AUAR area, see Figure 18-1. A major lift station would be located near 30<sup>th</sup> Street. The lift station is being designed to accommodate the projected initial low flow conditions and to allow for staged expansion based on the future growth.*

*From Section 18: The planned expansion of the city sewer system is based on MCES providing additional capacity to serve the anticipated development by construction of a new interceptor in northeast Woodbury, called the Lake Elmo East Interceptor. This interceptor has been designed and is currently under construction. The Northeast Regional lift station number 77 (Northeast Regional LS-77) that the interceptor will connect to is currently in the early stages of design. The capacity of the Lake Elmo East Interceptor is 2.7 million gallons per day (MGD) design flow with a peaking factor of 2.7 results in a peak flow of 7.3 million gallons per day*

The mitigation plan notes that the future sanitary sewer trunk system will need to be sized adequately to accommodate the flow from development in the AUAR area. The range of predicted flow is summarized in Item 18 of the AUAR

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**18-2 Comment Summary:** As part of their review of the long term comprehensive plan update for the Lake Elmo Airport, the Metropolitan Council recommended MAC continue efforts with the City of Lake Elmo and Baytown Township to provide sanitary sewer and water services for the airport. While the proposed alignment for the new sanitary trunk forcemain is not adjacent to the airport, MAC requests that it be sized to handle the limited amount of flow that would come from the airport should it be connected in some manner to the Village system. A typical aircraft storage hangar would only have a toilet and a sink, with usage just a couple of times a week. While we have many aircraft storage hangers, we would certainly not expect all of them to connect should services become available. MAC can estimate the airport contribution in terms of flow and provide that to the city as part of the preliminary design work for the sanitary forcemain. Please keep MAC in the loop regarding this process.

**Agencies/Persons Commenting:** MAC

**Response:** The city will continue to work with MAC regarding future wastewater and water services. Please provide the city with MAC's estimate wastewater flows so the city can incorporate this information into its future infrastructure planning efforts.

### **ITEM 21. TRAFFIC**

**21-1 Comment Summary:** All previous traffic comments have been addressed. The Lake Elmo document appears to adequately address land use, environmental concerns including groundwater issues, and addresses potential conflicts with the Lake Elmo Airport.

**Agencies/Persons Commenting:** Washington County

**Response:** Comments noted.

**21-2 Comment Summary:** Regional Impacts of Traffic. The AUAR addresses traffic impacts and mitigation on page 88. Item 21 of the AUAR states that the "analysis must discuss the project's impact on the regional transportation system." The AUAR did not address whether traffic impacts would extend to I-694, I-94, and TH 36, which are principal arterials on the regional highway system. It is possible that there will be no discernible impacts on these highways resulting from the development of the Village Area, but the AUAR needs to determine whether this is the case.

**Agencies/Persons Commenting:** Met Council

**Response:** The Village development will have minimal impacts on the regional transportation system. It is expected that the Village development would increase the average daily traffic (ADT) on I-694, I-94, and TH 36 by between 1.2% and 3%. Chapter V Section B of the Traffic Analysis (Appendix E) has been updated to address this comment.

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**21-3 Comment Summary:** The AUAR describes existing transit in the project area on page 94. This section is inaccurate. Council staff suggests the following revisions:

- Delete the reference to Metro Transit.
- Include further description of Route 294, including the fact that this route offers weekday rush hour service through the center of the proposed development area in Lake Elmo to downtown St. Paul and to Stillwater.
- The AUAR states that there is one bus stop in Lake Elmo. Route 294 also has a timepoint and bus stop at Highway 5 and Lake Elmo Avenue, but this route has many (32 to be exact) bus stops within the City of Lake Elmo. See attached for bus stop listings and a map.

**Agencies/Persons Commenting:** Met Council

**Response:** The Bus route 294 description has been updated in the Final AUAR

**21-4 Comment Summary:** p.94, existing transit: there is at least one other marked bus stop, at Laverne and TH5.

**Agencies/Persons Commenting:** Todd Williams

**Response:** The Bus route 294 description has been updated in the Final AUAR

**21-5 Comment Summary:** p.vi, Tables: What has MNDOT said about stoplights on TH5? No verbal statements should be accepted. Accept ONLY a WRITTEN statement or plan which allows these. Without such written plan, no new development in Old Village should be allowed. Then, the developers will exert pressure on MNDOT and likely succeed where LE has not been able to these many years. In order to get stoplights at Co17 and TH5 intersections, the City must mount a concerted effort to lobby MNDOT. Use the traffic analysis from the AUAR as ammunition. The stoplights will not happen by themselves! The City must mount and keep applying political pressure.

**Agencies/Persons Commenting:** Todd Williams & Ann Bucheck

**Response:** MnDOT's official comments on the Preliminary Draft AUAR only addressed the proposed traffic control measures (e.g., roundabouts or signals) on TH 5 within the context of access management. The following is an excerpt from their comment letter:

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.

**21-6 Comment Summary:** Traffic Analysis Section: Please give extra attention to specifying now the location for one or more park and ride lots AND for a really good trail system which will encourage bicycle traffic as an alternative to car traffic. Currently, there is no such encouragement.

**Agencies/Persons Commenting:** Todd Williams

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**Response:** The city-wide transportation plan will address transit needs and opportunities in the community, including the potential locations for park-and-pool or park-and-ride facilities. The city will continue to implement the Comprehensive Trail Guide Plan to encourage walking and bicycle trips to help reduce vehicle trips.

- 21-7 Comment Summary:** Regarding the traffic analysis, it seems the background assumption of steady traffic growth through the city, regardless of any development in the village raises some questions. With such large upgrades needed for “background” traffic growth, it seems to minimize (or “swamp out”) the impacts of the various proposed scenarios. This could be misleading.

**Agencies/Persons Commenting:** Brett Emmons

**Response:** TH 5 and CSAH 15 are routes used with high proportions of commuter traffic from outside of Lake Elmo. Based on historic trend analysis of average daily volumes along these routes, commuter through traffic is assumed to continue growing with or without Village development. Projecting background growth and then adding development-related traffic is the established methodology for completing traffic impact studies.

- 21-8 Comment Summary:** I question the background traffic growth assumptions and feel scenarios, without that assumption should also be analyzed. It seems that the city could promote traffic calming devices and methods to make the Highway 5 corridor less desirable as a “short cut” and therefore would reduce the “background” traffic that is assumed in the model. I am not sure if future Highway 36 corridor upgrades are considered here which could have similar effects.

**Agencies/Persons Commenting:** Brett Emmons

**Response:** Traffic patterns will continue to evolve as modifications to the existing transportation system are implemented. The AUAR needs to be updated every five years and the evolution of traffic patterns and transportation system improvements will be captured in future updates to this traffic impact analysis. Also, it should be noted that the implementation of traffic calming measures along a state highway may conflict with existing transportation functional goals.

- 21-9 Comment Summary:** The City’s approved 2006 Comprehensive Plan shows 23,000 vpd on Lake Elmo Avenue south of STH 5, after 2030, but the AUAR suggests so closer to 12,000, even for the 1,600 d.u. concept. In fact, the overblown non-residential development proposed for each scenario so overwhelms the 1,000 d.u. difference between the low and high housing counts, that it is the commercial/office/institutional development that appears to drive the impacts. As originally conceived, the housing as the driving force, with the rest being merely for service to the residents.

**Agencies/Persons Commenting:** Steve DeLapp

**Response:** The Comprehensive Plan and AUAR address different geographies and levels of development. The Comprehensive Plan addresses a land use plan for the entire community that included 4,740 new residential units and 1,027,050 square feet of commercial throughout the city (see Chapter VIII, Transportation Plan, Table 2). The AUAR only addressed the four Village development scenarios that ranged from 600 – 1,600 new residential units, 300,000 sq. ft. of commercial space, 150,000 sq. ft. of office space, and 200,000 sq. ft. of institutional space.

- 21-10 Comment Summary:** The traffic study also ignores the stated desire of Woodbury for a Freeway interchange at CSAH17 and the State’s 10 year plan to convert SHT 36 into a part of the

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interstate system with a major intersection at the north end of CSAH 17, less than 2 miles from the AUAR designated area.

**Agencies/Persons Commenting:** Steve DeLapp

**Response:** Traffic patterns will continue to evolve as modifications to the existing transportation system are implemented. The AUAR needs to be updated every five years and the evolution of traffic patterns and transportation system improvements will be captured in future updates to this traffic impact analysis. The Village development will have minimal impacts on the regional transportation system. It is expected that the Village development would increase the average daily traffic (ADT) on I-694, I-94, and TH 36 by between 1.2% and 3%.

- 21-11 Comment Summary:** This section indicates that the intersection of Manning Avenue and 30<sup>th</sup> Street will benefit from traffic lights whether or not the Village development moves forward (Table 21-7 on page 105, and Table 2 in the executive summary). If the City or Washington County proceed with plans for the installation of a signal at this intersection, the plans must be reviewed by MAC and the FAA prior to installation. The intersection lies in the approach to Runway 4, and the signals need to be designed to not be an obstruction to this approach surface. A Notice of Construction or Alteration form, as noted in our Paragraph 8 comment, must be submitted to the FAA, with a copy to MAC, for a determination to ensure no hazard is created.

**Agencies/Persons Commenting:** MAC

**Response:** A Notice of Construction or Alteration form will be submitted to the FAA, with a copy to MAC, if signals are proposed for the intersection of Manning Avenue and 30<sup>th</sup> Street. This permit was added to the list of permits and the discussion of mitigation under Item 21 notes these requirements

- 21-12 Comment Summary:** Also note that the reference to exclusive eastbound and westbound turn lanes implies a need for additional road right-of-way. MAC needs to be fairly compensated for any right-of-way taking consistent with federal revenue diversion criteria. If the granting of right-of-way is necessary, and if feasible, the fair-market value for the property would have to be determined by appraisal.

**Agencies/Persons Commenting:** MAC

**Response:** Additional ROW may be needed. If additional ROW is needed, the County and City will need to determine the fair market value of the property.

### **ITEM 24. DUST, ODORS, AND NOISE IMPACTS**

- 24-1 Comment Summary:** According to the AUAR, during more than 10% of the peak hour time, the traffic noise, 100 feet from Manning Ave is at or above 65 dBA. The AUAR also states that 65 dBA, or higher, is the noise level within 50 feet of the railroad tracks. The noise level of a normal conversation from 3 feet away is 60 dBA, so that a normal conversation could not be carried out within 100 feet of the centerline of Manning or 50 feet of the tracks. Anyone with any experience near the tracks in Lake Elmo, knows that the noise levels are far higher than stated in the AUAR. I would also add this article from <http://www.telegraph.co.uk/news/1967803/Noise-pollution-map-warns-of-health-risks.html>.

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**Agencies/Persons Commenting:** Steve DeLapp

**Response:** The noise analysis completed for the AUAR used an accepted methodology from HUD to predict the noise impacts.

### **ITEM 25. NEARBY RESOURCES**

**25-1 Comment Summary:** One of the most obvious messages that can be read from the AUAR is that an “on the ground” evaluation was lacking for most topics. Surely, the well used and beautiful trail around the pond in Reid Park would not have been overlooked by on site observation, or even a review of the City’s new Park Plan.

**Agencies/Persons Commenting:** Steve DeLapp

**Response:** The preparers of the AUAR obtained the GIS data for trails from the city, which was created for the Comprehensive Trails Guide Plan, to create Figure 25-2 (Existing Parks and Trails). Although the trail is not displayed on Figure 25-2, the trail around the pond in Reid Park is identified and addressed in the discussion of Reid Park.

### **ITEM 27. COMPATIBILITY WITH PLANS AND REGULATIONS**

**27-1 Comment Summary:** Comprehensive Plan Update or Amendment. Council staff advises the City that if the City chooses to implement Scenario A, B, or C, the City will need to include the chosen Scenario in their 2030 comprehensive plan update or submit a comprehensive plan amendment to the Metropolitan Council for review.

**Agencies/Persons Commenting:** Met Council

**Response:** Comment Noted

**27-2 Comment Summary:** The City’s current comprehensive plan indicates that a total of 1,100 dwelling units will be served in the Village Area by 2030. Any level of service above the 1,100 RECs would first require that the City submit a Comprehensive Plan Amendment (CPA) to the Metropolitan Council for review and approval showing this added level of service or that this additional service is included in the City’s 2030 Comprehensive Plan Update.

**Agencies/Persons Commenting:** Met Council

**Response:** Comment Noted

**27-3 Comment Summary:** Non-compliance of the AUAR with requirements of the Metropolitan Council. Unacceptable housing unit densities in two of 4 scenarios. Lake Elmo is under orders of the Met Council to provide a minimum of 3 units per gross acre of newly developed land as a condition for being able to transfer some of its mandated REC’s from south of 10<sup>th</sup> Street to the Old Village. This is reflected in the Comprehensive Plan, but since the start of the Old Village planning process for addressing the potential for expansion into some of the existing 950 acre Green Belt, higher housing densities have been considered essential to the creation of a “walkable” city center, and maintaining a viable and visible green belt.

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Scenario A: This scenario has just under 1.5 d.u. per gross acre. Scenario B: This scenario has just under 2.5 d.u. per gross acre. Scenario C: This scenario has just 3.9 housing units per gross acre. Scenario D: In summary, this is a range of 556 d.u. to 709 d.u. on 129 acres, or a range of between 4.3 to 5.5 d.u. per acre.

According to a gross misrepresentation of the 2006 Comp Plan, which claims on Table 6.3 of the AUAR, to require 904 total new d.u. (a number that does not show up once in the entire Comp. Plan ), on 129 acres, there would be 7 d.u. per gross acre. This is an absurdly high number of units per acre, never contemplated by anyone living in the City and strongly opposed by a heavy majority of residents, based on extensive public input.

**Agencies/Persons Commenting:** Steve DeLapp

**Response:** As stated in the Metropolitan Council's comments on the AUAR (see Comment 27-2), *Any level of service above the 1,100 RECs would first require that the City submit a Comprehensive Plan Amendment (CPA) to the Metropolitan Council for review and approval showing this added level of service or that this additional service is included in the City's 2030 Comprehensive Plan Update.* The Metropolitan Council's density policy, including its methodology for calculating net density, would be applied to Comprehensive Plan Amendments and Updates.

**27-4 Comment Summary:** Compatibility with Plans, VBWD 2005-2015 Watershed Management Plan, Page 131. The AUAR should evaluate and provide the requested information in this comment letter to conclude that the development scenarios will be compatible with the VBWD Plan.

**Agencies/Persons Commenting:** VBWD

**Response:** Revisions have been made per the comment letter to satisfy the requirements of the VBWD Plan.

### **ITEM 28. IMPACT ON INFRASTRUCTURE AND PUBLIC SERVICES**

**28-1 Comment Summary:** p.139, private utilities: No mention is made of the cable provided by Comcast or of the cellular phone services and their required infrastructure. More and more people are using these utilities as alternatives to the traditional service offered by Qwest.

**Agencies/Persons Commenting:** Todd Williams

**Response:** Item 28 has been updated to note the use of Comcast and cellular phone services as an alternative to Qwest.

**28-2 Comment Summary:** According to the AUAR, there is only one school available to students in the AUAR area. In fact, with 25% of students learning outside the public school system and many children from Woodbury using the Lake Elmo Elementary School, the District is much more complex than required. I would suggest a call to the School District which, by State Statute must accommodate whatever cities and townships thrust on them, how they would handle the concentrated load of students (which obviously will be living somewhere in the school district, whether in the Lake Elmo Old Village or elsewhere).

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**Agencies/Persons Commenting:** Steve DeLapp

**Response:** As stated in the AUAR, School District enrollment projections for 2008-2012 predict a decline in enrollment for each of the next five years. Given this trend, it is not anticipated that issues regarding school capacity are imminent. In general, boundaries for attendance at particular schools are adjusted periodically based on growth in the communities served by a school district, as well as school capacities and enrollment. Another option for school districts to manage enrollment is with open enrollment programs. In times when enrollment is nearing capacity for a particular school, the open enrollment option can be suspended. The School District 834 has assumed growth in the general AUAR area and has accounted for it in its enrollment projections.

- 28-3 Comment Summary:** Stormwater System, Page 136. See previous comments regarding the 2004 Downtown Area Flooding Analysis and the AUAR response to Question 17. The AUAR should determine if the existing storm sewer system under Manning Avenue and downstream of the proposed 2004 Downtown Area Flooding Analysis project is adequate. In addition, if the development causes Downs Lake to overflow more frequently, the City needs to determine if the storm sewer system downstream of Downs Lake is adequate.

Because the AUAR has not evaluated the flooding effects of stormwater runoff volumes produced by the various development scenarios, the City cannot determine whether the stormwater management infrastructure at Downs Lake and downstream is adequate.

**Agencies/Persons Commenting:** VBWD

**Response:** Based on the additional analysis of annual runoff volume described above and in Item 17 and the discharge analysis provided in Item 17 it was concluded that since existing discharge rates will be maintained and annual runoff volumes will be maintained or restricted to less than existing conditions, upgrades to the storm sewer downstream are not necessary.

### **ITEM 29. CUMULATIVE IMPACTS**

- 29-1 Comment Summary:** The AUAR focused on environmental and transportation impacts starting with 2007. As a result, the past 170 years of environmental degradation of the land by white settlers has been accepted as the starting point for evaluating and remediating further degradation. The City has long believed that restoration of land to pre-settlement conditions is the basis for environmental planning. Doesn't the EQB? If not, why?

**Agencies/Persons Commenting:** Steve DeLapp

**Response:** The EQB's EAW and AUAR guidelines require that an AUAR review the AUAR development scenarios and past or reasonably foreseeable projects. No specific past or future projects were identified to review through the AUAR.

### **MITIGATION PLAN**

- MP-1 Comment Summary:** My only comment is that in using this AUAR tool, that "mitigate" not be used in a legalize fashion to remedy actions that dishonor all of the efforts of our citizens to date...that being to keep, protect, and preserve the wildlife and habit that we have and to ensure

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that these wild things that have no voices are “heard” through this document. “Mitigate” can mean whatever someone wants it to mean, and Kyle could not define for me what it would mean in this document, which makes me very, very worried for the future.

**Agencies/Persons Commenting:** Judith Blackford

**Response:** The term “Mitigation” is defined by Mn Rules Chapter 4410.0200 Subp. 51 as follows:

Mitigation" means:

- A. avoiding impacts altogether by not undertaking a certain project or parts of a project;
- B. minimizing impacts by limiting the degree of magnitude of a project;
- C. rectifying impacts by repairing, rehabilitating, or restoring the affected environment;
- D. reducing or eliminating impacts over time by preservation and maintenance operations during the life of the project;
- E. compensating for impacts by replacing or providing substitute resources or environments; or
- F. reducing or avoiding impacts by implementation of pollution prevention measures.

This definition is included as a footnote on the first page of the mitigation plan.

**MP-2 Comment Summary:** “The city will work with a variety of public and private partners to establish the greenbelt/buffer” In order for this to happen, there must be adequate legislative controls in place BEFORE the time comes. But the AUAR does not even mention this. These controls must be created before development occurs, or the City will lose out to the developers.

**Agencies/Persons Commenting:** Todd Williams & Ann Bucheck

**Response:** As noted in the Mitigation Plan Implementation Summary Table, the city will update its official controls prior to development occurring in the AUAR area.

**MP-3 Comment Summary:** What Happened to “LEED” Development?\_The City has strongly indicated that design of the Old Village Expansion Area will be required to follow Leadership in Energy and Environmental Design principles, possibly mandating certification of new structures and newly developed sites. **The AUAR completely ignores the concept of LEED development.** One would think that a key aspect of environmental remediation for either the resident’s chosen plan or the larger scale, developer’s preferred plan, would start with the benefits accrued from LEED Design. This is a fundamental error.

**Agencies/Persons Commenting:** Steve DeLapp

**Response:** The Mitigation Plan includes the following statement on page 149: *The city can encourage neighborhood development and buildings to incorporate Leadership in Energy Efficiency and Design (LEED) principles.*

**MP-4 Comment Summary:** Item 12, Water Resources: Wetlands, How Mitigation will be Applied and Assessed, Pages 150-151.

Please review the following and revise the AUAR. The required replacement ratio for wetland impacts has recently become much more complicated. This paragraph should be revised to state that the replacement ratio is typically 2.5:1. According to the Wetland Conservation Act, if

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impacts cannot be avoided, the impacted wetland must be replaced at a 2:1 minimum ratio if the replacement wetland is created in advance of the impact and the replacement wetland is of the same type as the impacted wetland. The minimum replacement ratio goes up to 2.5:1 for impacts when the replacement wetland is not constructed in advance of the impact and when the replacement wetland is of a different type of wetland than the impacted wetland.

The first full paragraph on page 151 could be clarified. It states that wetland replacement will be regulated through the City's development approval and permitting process. While the City typically requires VBWD approval of projects, it is the VBWD which regulates wetland impacts and replacement.

**Agencies/Persons Commenting:** VBWD

**Response:** The Mitigation Plan has been revised to reflect these comments regarding replacement ratios and to clarify the role of the city and VBWD in regulating wetland impacts and replacement.

**MP-5 Comment Summary:** Mitigation Plan Implementation Summary Page 169. The table should indicate when the City's SWMP is expected to be complete. Because the water resources impacts are proposed to be delegated to the SWMP, the impacts of the various development scenarios cannot be determined until the SWMP is complete.

**Agencies/Persons Commenting:** VBWD

**Response:** The city is required to submit the SWMP to the Metropolitan Council by May 29, 2009 as part of its Comprehensive Plan update.

### **GENERAL COMMENTS**

**GC-1 Comment Summary:** Keep peoples opinions high on the list, where they make sense.

**Agencies/Persons Commenting:** Richard Mathus

**Response:** The City of Lake Elmo will continue to provide opportunities for citizen involvement in planning for Village development.

**GC-2 Comment Summary:** Several comments addressed a preferred scenario in regards to land use and open space. The comments are summarized below by commenter.

- Make wise investment decisions now and base them on today's dollars, not "what might be" in 5, 10, or 20 years. That means implementing plans that coincide with the fewest number of developmental units that we need to conform to from the Met Council. – Richard Mathus
- The Screatons object to the City's intention to limit development on the Property and ask that the City treat the Property in the same way as other similarly situated properties within the Old Village Planning Area. – Screatons
- The Screatons also object to the City's expansive "greenbelt" around the Draft AUAR area and specifically on the Property. All development scenarios contemplated in the

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Draft AUAR propose to locate the greenbelt alongside Manning Avenue, to buffer future development in the Draft AUAR area to the airport. While the Sreatons recognize the importance of maintaining wildlife corridors and open space, all of the development scenarios contemplate retaining forty-seven percent (47%) of the Draft AUAR area in open space and parks. There is no documentation that this amount is environmentally necessary. Such an expansive greenbelt affecting the Property is a regulatory limitation that goes beyond what is necessary to accomplish the stated goals of the Draft AUAR. The Sreatons would object to any such designation unless the City acquires the Property.  
– Sreatons

- p.28, land cover: Scenario D has significantly less impact than other scenarios, but only because housing is denser. Applying this denser housing type to Scenario A would result in even less impact - Todd Williams
- p.146ff: Zoning controls should encourage denser housing development (such as shown in Scenario D), as well as lower total numbers of added people (such as shown in Scenario A), in order to preserve as much open space as possible. – Todd Williams
- p146ff: We want to preserve as much open space as possible and have a lower number of added people. What ordinances do we have for this? – Ann Bucheck
- The scenarios that are not part of the Comp Plan concentrated design have almost no contiguous open space parcels of 40 acres – only two active farmsteads, a private residence with a house on 45 acres, and a lowland used for crops. Most biologists and ecologists know that there is something special about 40 acre parcels, as being the minimum size to provide an “interior” zone adequate for conditions other than disturbed “edge conditions. There is no mention of this in the AUAR. - Steve DeLapp
- Regional Park Buffer. The southwest portion of the AUAR area abuts Lake Elmo Park Reserve and is considered a Regionally Significant Natural Resource Area of outstanding quality. It appears that no development is proposed for this area, as the AUAR classifies this as part of the Existing Old Village Open Space. Council staff recommends that this area be retained as open space to buffer the regional park reserve from the future developed area. – Met Council
- Protection of Sensitive Areas. The AUAR states that all of the development scenarios propose to protect the majority of primary and secondary ecologically sensitive resource areas within the AUAR area, with the exception of sensitive woodland and wetland areas adjacent to Reid Park. Council staff concurs with the document’s recommendation that consideration be given to modifying the AUAR Buffer Zone or City Greenbelt to include those sensitive areas that are not currently protected, as a part of future Village development decisions. – Met Council

**Response:** The outcome of any AUAR is not to identify a “preferred” scenario (i.e., chose 600 units, 906 units, 1,000 units, or 1,600 units) or for the city to ultimately select one scenario over another, but to use a number of scenarios that constitute a range of development intensities to explicitly outline the environmental impacts of potential future development within the AUAR area. Future development plans may be different than any of the AUAR scenarios, yet if any future development plan represented an intensity of development similar to or less than any of the AUAR development scenarios, the corresponding mitigation would be required. If a project

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comes forward with impacts equal to or less than those reviewed in the AUAR, then further environmental review would not be needed; therefore, a scenario with lesser impacts would be within the scope of what was analyzed in the AUAR.

The AUAR documented the location of primary and secondary ecologically sensitive resources and recommends that these areas be included in the greenbelt/buffer that has been contemplated for the Village Area in both the Comprehensive Plan and Village Master Plan. The AUAR also recommends the consideration of removing non-ecologically sensitive areas from the greenbelt/open space corridor, if the greenbelt/buffer is not serving another purpose (e.g., buffer to the airport). The Mitigation Plan strategy 11.1 requires the city to revisit the location of the greenbelt/buffer to address the findings of the AUAR. The AUAR does not determine how the city will establish the greenbelt/buffer (i.e., acquisition, transfer of development rights, etc.)

**GC-3 Comment Summary:** It is encourage that the mitigation plan identify a funding strategy for all municipality-led activities.

**Agencies/Persons Commenting:** WCD

**Response:** Table 6-5 in the AUAR presents the tentative timeline for the Village development process. Conducting a financial analysis and then developing financial policies follows the AUAR process.